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Rav Soloveitchik ZT"L Notes (Volume 3)

Notice These are unapproved unedited notes [of R.Y.?] ... [Thanks to David Isaac for typing these notes]

Lecture delivered by Rabbi Soloveitchik on Saturday night, March 17, 1979

Parsha "Ki Sisso" There is something very important here. Parsha Ki Sisso in full of "Y'hadus" -- our faith. We want to fix the event when this took place. Rambam says that Moshe is superior to all "Neviim" -- prophets; he had a special article of faith. What prompted him to place Moshe as above all prophets -- to formulate Moshe above all? What motivated him to do so? Of course, we have the story of Miriam and Aaron in their criticism of Moshe in which G-d describes Moshe as a different kind of prophet. "I engage him in conversation, 'face to face'!" Torah tells us, "Remember what G-d did to Miriam." Why is it so important for a separate commandment of remembering? We can understand all the other "remembreings" -- Shabbos, Amalek, etc., but why Miriam? "Remember and don't forget!" The answer is because a new dogma or article of faith was formulated -- that Moshe is a separate "Novi" who cannot be compared with any other. "If there are others I speak with them in dreams. Not so my servant Moshe." This was formulated by the Alm-ghty in His conversation with Aaron and Miriam. "He is above -- on a completely different plane." This is why Rambam counted Moshe on a different level of faith. Now when did this happen? Did this include even previous prophets -- Abraham, Isaac and Jacob or just from here on? In sedra "Voayrah" G-d says, "How I regret that the patriarchs are gone."

When Moshe began he was an ordinary prophet. G-d introduced Himself as the G-d of his ancestors. It was in sedra Ki Sisso - Chapter 33, line 11 taht we find: "And G-d spoke with Moshe face to face (Ponim El Ponim) as a man speaks to his friend." It is a conversation between two equals. This is how Hakodosh Boruch Hu addressed Himself to Moshe. All other prophets couldn't stand the fear at Revelations; not so Moshe. It happened after the "Aygel" (golden calf) after the giving of the second set of "Luchos". After the final 40 days, he received not only the tablets but he unique status "Above all prophets". "And Moshe came down the the tablets and was unaware that his face began to radiate (chapter 34, line 29). It reflected the "shchina" of the Alm-ghty. The other prophets didn't speak face to face and so therefore there was not the same illumination. The Alm-ghty addressed Himself to Moshe straight. Now he was the most singular "Novi" when he returned to the community from Mt. Sinai. Why was it postponed until after the second giving? Why not at the first giving? Tell Him he was an ordinary "Novi" whose job it was to teach the people. Now he was half angel -- half man, achieving the apex of "Nevuah" (prophecy). Something happened and it is for us to discover. This is "Talmid Torah" -- studying the Torah.

What happened was that when the second "luchos" were given, he received both "Torah Sh'Biksav" and "Torah Sh'Bal Peh" (the written and the Oral law). The first time he only received the Written Law (Biksav). We are told taht when he brought down the first tablets (and saw the Aygel) the writing disappeared. Yet he carried them. He suddenly realized that they had no worth. He couldn't ask for "Slicha" (forgiveness) while the people still had the "Aygel". All he could ask for was reprieve. "Please, delay the execution." Yet, he still accepted the "luchos". Therefore, why did he get excited when he saw the "Aygel"? G-d had told him! On the way to the camp he realized he had merely two tablets of stone -- not a single letter. What disappeared? The "Torah Sh'Bal Peh" (the Oral Law). Therefore, he shattered them. The second time he found the tablets inscribed and the Torah Sh'Bal Peh entrusted to Moshe's mind and his intelligence. The Written Law he delivered -- the Oral Law was in his mind. In fact, "Zman Matan Torosaynu" is Yom Kippur -- when he descended. Thus, half of the Torah (the Oral) was entrusted to Moshe. Moshe's role the first time was not as teacher but rather to announce to the people such as a town crier makes the proclamation valid. He was te go-between -- the proclaimer the first time. Then it was not "Toras Moshe" -- it did not belong to him yet. The second time when both were given, it was written in his memory. Then he became the teacher and Yisroel the Talmidim (pupils). Moshe was the greatest teacher the community ever had. Now it became "Toras Moshe" and he was elevated to the status of "Greatest Prophet" and his face began to shine. This is what elevated him to most exalted status.

Interestingly, what articles of faith are mentioned different from all other "Neviim"? Moshe's practice could not be compared with Miriam or the others. What article of faith is introduced in Ki Sisso? The whole message of "Tshuvah" - repentance - was formulated here - the 13 "Midas" of Chessed (the principles of forgiveness). Of course, it makes sense but how do we know? Because, we recite it all day on Yom Kippur - the Tefilos (prayers) - the selicha and Mechila (the forgivenesses). The fact that the second tablets were given indicated that G-d accepted their repentance as genuine and re-accepted them into the covenant.

When Moshe heard the 13 qualities of forgiveness he prostrated himself as "Erech Apayim (long suffering). "Chessed" (abundant in goodness) is for the person who engages in penitence. But when the person is not ready - not on that plane then we need Erech Apayim - long suffering. So we have in Ki Sisso three formulations: a) Nevuyah - prophecy; b) Torah Bal Peh (Oral Law); c) T'Shuvah (repentance). Moshe's status rose from messenger to teacher. Thus, he was raised to a most exalted status.

Is there any connection between T'shuvah and Torah Sh'Bal Peh? Is it just coincidence or a conceptual link? Yerushalmi says, "What shall we do with a sinner who wants to change his life?" The answer is that he should show readiness for self-sacrifice. The prophets say that G-d declares, "I'll accept all!" The classic answer is the t'shuvah of King Menashe who was a great sinner and whose path to repentance when he was in captivity was blocked by the angels. G'd opened the door under the Throne to accept him. It means taht if we should judge by human standards we cannot accept, but by G-d's standards we accept. It is enigmatic for, after all, he sinned and the evil he caused cannot be rectified such as the murderer of a person, a father or a family. Can he effect "Tchias Hamaysim" -- revival of the dead? How can he ask t'shuvah? But G-d accepts. What do we understand about the t'shuvah? What is the very foundation? Because a Jew possesses "Kedushas Haguf" - corporeal holiness - it penetrates his very personality. It is a misinterpretation of personality. One thinks he has great powers but has none. What waws Job's sin that he was punished by G-d? After all, he was a counselor to Pharaoh we are told and a great person. He saw himself as a wrong personality. But deep down the true personality was never involved. It is the corporeal sanctity which can never be involved in sin. The fact that t'shuvah originates in sedra Ki Sisso tells us that it is involved with Torah Sh'Bal Peh. G-d removes the psuedo-personality. If there were no Torah Sh'Bal Peh (Oral Law) there'd be no t'shuvah. Thus, they are connected.

Now there is a problem raised by the “Chachmai Hadrush” -- the scholarly interpreters. How could a golden calf be made a handful of weeks after “Matan Torah” or a few months after “Krias Yam Suf” -- crossing of the Red Sea? Suddenly, in 40 days they were able to declare “Ayla Elhecho” - there are your gods. This was raised by the Barbanel and others. Rav Yochanan declared, “If ‘Elohecho’ (gods) had been written in the singular, the whole community would have been exterminated (if they had said ‘Your god’ instead of ‘gods’. By declaring two deities, it saved Knesseth Yisroel. Moses prayed and they were saved. Otherwise, Moshe could not have been effective. They didn’t look for a god to replace the Alm-ghty. They wanted to replace Moshe. “Make us a leader.”

They said, “Ki Zeh Moshe Ha’Ish” -- Moshe is a human used by G-d as an implement. He has disappeared and we need someone to replace him.” How did they imagine it should be implemented? They couldn’t rely anymore on a human - an Aaron, a Joshua or a Hur. They’ll make an “Aygel Hazohov” - a golden calf - a residence for G-d - as a mediator - as a broker. They wanted a temple in which G-d will reside. Whenever they need G-d they’ll come to this “temple” -- but not to man. This was their philosophy. This was the ideology of many idolators - to arrest the Deity in four walls. This is how Bur Halevi, Barbanel and many other commentators interpreted this. How can one who saw the “Shchina” at the sea want a golden calf to replace the Alm-ghty? It was to replace Moshe. Our way is to replace one leader with another. The ancients’ philosophy was to arrest the divinity in an object. If so, what was the difference between this and the “Mishkan” -- the Tabernacle? This was not commanded. The classic answer is to be found in sedra “Pekuday”. Repeatedly, as each article of the Tabernacle was assembled, and as Moshe introduced each item in its place, it reads “Ka’asher Tzivah Hashem Es Moshe,” (as G-d commanded Moshe). Each move was commanded. Otherwise, he would not have authority.

All cultic performance, ceremonials -- if introduced by humans, guided by human sense of esthetics, comes under this category! We don’t try to approach the Alm-ghty by esthetic experiences. For example, today we have the organ for religious services. It was introduced not to enhance the service but as an esthetic experience. If the Torah commands us it enhances the experience -- “By G-d’s command.” Using esthetic experiences leads to “Avodah Zorah” (strange or foreign service). Introducing foreign aspects is nothing more than esthetics.

Modern man lives in an empty world! No matter how his house is clogged up with paintings, artwork, furniture, etc., he is faced with a certain emptiness, boredom and monotony. He suffers especially when he doesn’t have to worry about “Parnassa” -- earning a living. So modern man is ready to be irreligious. He feels only one thing can give him relief. In “Kriya Shma” which we recite upon retiring it reads, “Sixty warriors surrounded him (Solomon) of the warriors of Israel. Each wore his sword of war against “Mipachad Halaylos” (the fears of the night). What was Shlomo afraid of that he needed 60 warriors? This is the disease of modern man -- insecurity. “Shlomo Chochom Mikol Odom” (Solomon wisest of all men) - - But when he retired and recited “Shma” did not know if he would arise. These are the “pachad Balaylos” -- the fears of night. The best way to get G-d, is to get Him to listen to us. Do what He wants me to do! He tests me often to do what I don’t want to do. Other times, it is the opposite. He tells me not to do what I desire. “Yehadus” - faith - is divine discipline - eating, drinking, life in general. It is very difficult to accept. It was hard for those who accept Christianity and Mohammedism to accept “Yehadus” with the restrictions of food, Shabbos, sex, statutes. Modern man is ready to accept certain disciplines such as modern medicine - but not our discipline. What is required? Tefilah (prayer)! But modern man wants the cultic, the esthetic.

We are told that the Bereditchever Rebbe of saintly memory on the night before Succoth was so restless for dawn to come in order that he could “Bench Esrog” that he couldn’t sleep -- continuously awakening to see what time it was. Finally, at the break of dawn in his rush to take the Esrog he accidentally put his hand through a pane of glass sustaining a cut. This

was religious! But to engage a great singer (Chazan) - it is esthetic - but not a religious experience. You cannot take an external motif and claim that you enhance the religion. It leads to “Avodah Zorah”. It becomes very dangerous!

This then was the “Aygel”. They intended to do the same as the Mishkan did only one - the “Aygel was motivated by esthetics and it became profane. This is the basis of reformism. If one arrives home late on Shabbos (after dark) and lights the candles, it is merely an esthetic. Lighting the candles is esthetic but must be done according to halacha, in a religious vein and at the proper time.

Rabbi Yissocher Frand <ryfrand@torah.org> to ravfrand show details 9:07 pm (4 hours ago)

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“RavFrand” List - Rabbi Frand on Parshas Ki Sisa

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The Merit of Grandfathers At Work

To a great extent, the last 5 parshiyos of the book of Shmos all deal with the mitzvah of building the Mishkan. It would seem from all the Torah pasukim [verses] that begin “And Hashem spoke to Moshe saying...” that Moshe Rabbeinu was the person who was given the responsibility to build the Mishkan. However, we learn in this week’s parsha that the real person in charge of the construction was not Moshe Rabbeinu. Rather, it was his great nephew -- “Bezalel, son of Uri, son of Chur”. [Shmos 31:2]

The Daas Zekeinim wonders why the Torah uncharacteristically traces Bezalel’s genealogy back three generations to his grandfather, Chur. The question is all the more pronounced because just four verses later, when the Torah introduces Bezalel’s assistant, Ahaliav ben Achisamach, the Torah only mentions his father’s name, not his grandfather’s name.

The Daas Zekeinim answers that Bezalel was traced back to his grandfather, Chur, because Chur was killed as a result of his refusal to accede to the wishes of the people to build a Golden Calf. Since the Mishkan came to atone for the sin of the Golden Calf, it was only fitting that the Torah point out that Chur’s grandson was tasked with constructing the edifice that would achieve atonement for the sin Chur tried to stop.

This observation of the Daas Zekeinim could easily be overlooked by virtue of the fact that the Torah’s narration of the sin of the Golden Calf does not appear until this week’s parsha (Ki Sisa) while the mitzvah to build the Mishkan was already introduced in the preceding parshios of Terumah and Tezaveh.

The Daas Zekeinim -- based on the principle that the Torah’s presentation of events is not always chronological (“ayn mukdam u’me-uchar b’Torah”) -- explains that this is not the way it happened. Indeed, he explains, the sin of the Golden Calf came first and the purpose of the building of the Mishkan was to act as the antidote / atonement for that sin.

G-d remembered the sacrifice of Chur. Divine Providence may grind exceedingly slowly, but ultimately, the merit of grandparents, great-grandparents, and beyond is not forgotten. Therefore, it was only

appropriate that Chur's grandson should be the architect and builder of the Mishkan.

This Daas Zekeinim is a proof to that which we see happening in life so many times — except that we do not always live long enough to see it. Many times, the fact that grandparents provide a great source of merit for their grandchildren escapes us. Since we live relatively short lives, we can't always see Divine Providence working. The Daas Zekeinim points out an example of such a situation. The merit of the grandfather enabled the grandson to atone for Klal Yisrael.

I would like to share an interesting story that I recently read, where such a concept also plays out:

There was a non-religious Jew in Tel Aviv, who had absolutely no interest in anything related to Judaism. Outreach workers who met this fellow would try to have some kind of effect on him, all to no avail. One day he was walking down a street in Tel Aviv. He passed a shul and there was a Jew standing outside the shul yelling "Mincha! Mincha!" The fellow continued walking. The Jew ran after him and explained that they needed a tenth man for the minyan. He replied, "I'm not interested." But the Jew was persistent... "Perhaps he had Yahrzeit..." He kept begging and begging, until finally against his better judgment, the non-religious fellow allowed himself to be pulled into the synagogue for the afternoon prayer service.

As painful as this is for us to think about, unfortunately, there are many Jews in Eretz Yisrael who have never witnessed, let alone, participated in a minyan — never even witnessed other people praying. There are unfortunately people in Eretz Yisrael who do not know what "Shma Yisrael" is all about.

The fellow sat in shul watching people say Ashrei, say Kaddish, and then everyone stood up to daven Shmoneh Esrei. Those raised in observant families have seen this all our lives, and think that it is no big deal to see people standing, "shuckling" (rocking back and forth), quietly reciting the standing prayer. But the first time a person sees that in his life, it can be an amazing sight.

[I similarly heard after the Siyum HaShas, the ceremony upon completion of study of the Talmud — which, for the tens of thousands studying a page per day according to the "Daf Yomi" cycle, was a public gathering held in multiple locations — that the part of the event that made the biggest impression on the non-Jewish ushers at Madison Square Garden was the silence of the tens of thousands of people during the silent Shmoneh Esrei of Ma'ariv. Everyone was seemingly in a different world. It was an amazing sight even for the Jews who were there, how much more so for the non-Jews who were seeing this for the first time.]

This Israeli was taken back by what he saw during those 15 minutes of observing Mincha in the Tel Aviv shul. He left the synagogue immediately after Mincha, but he decided that he would have to look into the matter further. He went back to the Kiruv workers from Lev L'Achim who had pestered him before. To make a long story short, he became interested in Judaism and became a Ba'al Teshuva.

When the friends of his non-religious father heard that the son became a Ba'al Teshuva, they started asking the father what happened. They heard rumors that he was invited to daven one Mincha and from that he overturned his life. They wanted a confirmation of this incredible story.

The father confessed that there was more to the story than the single Mincha. The father admitted that his own father, the boy's grandfather, was a religious European Jew. His father came to Tel Aviv many years earlier, but he — the son of this European Jew — left the fold and raised his son totally without religion, until the son now returned.

The grandfather always used to daven in a specific shul in Tel Aviv. It was the very shul that was lacking the minyan for Mincha the day his grandson passed by and was pulled in to be the tenth man.

The father said that he firmly believed that it was the prayers of his own father who called his grandson back, and those prayers were answered.

Without doubt, there is great irony that the shul in which the grandfather had davened for so many years was the door through which the grandson returned to Yiddishkeit. This is a modern day version, perhaps, of the lesson pointed out by the Daas Zekeinim in our parsha: The grandfather, Chur, who gave his life to try to stop the sin of the Golden Calf, had the merit that his grandson be the one to achieve the national atonement for that sin.

We don't see the grandfathers today. We don't see the great-grandfathers today. But we do hear these stories of people coming out of nowhere to embrace Judaism. We can't figure out where it comes from. It is a Bezalel son of Uri son of Chur story. The Torah returns to those who provide it with lodging. [Bava Metziah 85a]

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This write-up was adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tape series on the weekly Torah portion. Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information.

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Covenant & Conversation

Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - currently 5765]

<http://www.chief Rabbi.org/tt-index.html>

Ki Tissa The Sabbath :first day or the last?

In the immensely lengthy and detailed account of the making of the Tabernacle, the Torah tells the story twice: first (Ex. 25:1 - 31: 17) as Divine instruction, then (chs. 35 - 40) as human implementation. In both cases, the construction of the building is juxtaposed to the command of the Sabbath (31: 12-17; 35: 1-2). There are halakhic and theological implications. First, according to Jewish tradition, the juxtaposition was intended to establish the rule that the Sabbath overrides the making of the Tabernacle. Not only is the seventh day a time when secular work comes to an end. It also brings rest from the holiest of labours: making a house for G-d. Indeed, the oral tradition defined 'work' - melakhah, that which is prohibited on the Sabbath - in terms of the thirty-nine activities involved in making the sanctuary. At a more metaphysical level, the sanctuary mirrors - is the human counterpart to - the Divine creation of the universe (for the precise linguistic parallels between Exodus and Genesis, see Covenant and Conversation, Terumah 5763/2003). Just as Divine creation culminates in the Sabbath, so too does human creation. The sanctity of place takes second place to the holiness of time (on this, see A. J. Heschel's famous book, The Sabbath). However, there is one marked difference between the account of G-d's instruction to build the sanctuary, and Moses instruction to the people. In the first case, the command of the Sabbath appears at the end, after the details of the construction. In the second, it appears at the beginning, before the details. Why so? The Talmud, in the tractate of Shabbat (69b), raises the following question: what happens if you are far away from human habitation and you forget what day it is. How do you

observe the Sabbath? The Talmud offers two answers: R. Huna said: if one is travelling on a road or in the wilderness and does not know when it is the Sabbath, he must count six days [from the day he realises he has forgotten] and observe one. R. Hiyya b. Rav said: he must observe one, and then count six [week] days. On what do they differ? One master holds that it is like the world's creation. The other holds that it is like [the case of] Adam. From G-d's point of view, the Sabbath was the seventh day. From the point of view of the first human beings - created on the sixth day - the Sabbath was the first. The debate is about which perspective we should adopt. Thus, at the simplest level, we understand why the Sabbath comes last when G-d is speaking about the Tabernacle, and why it comes first when Moses, a human being, is doing so. For G-d, the Sabbath was the last day; for human beings it was the first. However there is something more fundamental at stake. When it comes to Divine creation, there is no gap between intention and execution. G-d spoke, and the world came into being. In relation to G-d, Isaiah says: I make known the end from the beginning, from ancient times, what is still to come. I say: My purpose will stand, and I will do all that I please. (Isaiah 46: 10) G-d knows in advance how things will turn out. With human beings, it is otherwise. Often, we cannot see the outcome at the outset. A great novelist may not know how the story will turn out until he has written it, nor a composer, a symphony, nor an artist, a painting. Creativity is fraught with the risk. All the more so is it with human history. The 'law of unintended consequences' tells us that revolutions rarely turn out as planned. Policies designed to help the poor may have the opposite effect. Hayek coined the phrase 'the fatal conceit' for what he saw as the almost inevitable failure of social engineering - the idea that you can plan human behaviour in advance. You can't. One alternative is simply to let things happen as they will. This kind of resignation, however, is wholly out of keeping with the Judaic view of history. The sages said: 'Wherever you find the word *vayehi* ['and it came to pass'] it is always a prelude to tragedy.' When things merely come to pass, they rarely have a happy ending. The other solution - unique, as far as I know, to Judaism - is to reveal the end at the beginning. That is the meaning of the Sabbath. The Sabbath is not simply a day of rest. It is an anticipation of 'the end of history', the messianic age. On it, we recover the lost harmonies of the Garden of Eden. We do not strive to do; we are content to be. We are not permitted to manipulate the world; instead, we celebrate it as G-d's supreme work of art. We are not allowed to exercise power or dominance over other human beings, nor even domestic animals. Rich and poor inhabit the Sabbath alike, with equal dignity and freedom. No utopia has ever been realized (the word 'utopia' itself means 'no place') - with one exception: 'the world to come'. The reason is that we rehearse it every week, one day in seven. The Sabbath is a full dress rehearsal for an ideal society that has not yet come to pass, but will do, because we know what we are aiming for - because we experienced it at the beginning. We now begin to sense the full symbolic drama of the making of the Tabernacle. In the wilderness, long before they crossed the Jordan and entered the promised land, G-d told the Israelites to build a miniature universe. It would be a place of carefully calibrated order - as the universe is a place of carefully calibrated order. Nowadays, scientists call this the 'anthropic principle', the finding that the laws of physics and chemistry are finely tuned for the emergence of life (on this, see the book by the Astronomer Royal, Sir Martin Rees, *Just Six Numbers: The Deep Forces That Shape the Universe*). Just so did the Tabernacle have to be exact in its construction and dimensions. The building of the Tabernacle was a symbolic prototype of the building of a society. Just as it was an earthly home for the Divine presence, so would society become if the Israelites honoured G-d's laws. The ultimate end of such a society is the harmony of existence that we have not yet experienced, living as we do in a world of work and striving, conflict and competition. G-d, however, wanted us to know what we were aiming at, so that we would not lose our way in the wilderness of time. That is why, when it came to the human execution of the building, the Sabbath came first, even though in global terms, the 'Sabbath of history' (the messianic age, the world to

come) will come last. G-d 'made known the end at the beginning' - the fulfilled rest that follows creative labour; the peace that will one day take the place of strife - so that we would catch a glimpse of the destination before beginning the journey. Only those who know where they are traveling to will get there, however fast or slow they go.

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**WITHOUT A GREAT FUSS Rabbi Berel Wein
Jerusalem Post Mar 08 2007**

My father in law of blessed memory was a rabbi for over sixty years, ten years in Lithuania and over a half century in Detroit Michigan. As such, he saw and experienced pretty much everything that can happen in Jewish communal and synagogue life. He was a constant source of information, guidance and advice to me.

Like all sons-in-law I did not always heed his advice in the beginning years of our relationship, but over time I learned that he was practically infallible in his assessment of people, situations and sticky synagogue issues.

Whenever I had a great new idea or program planned for my synagogue or community and thereupon ran the matter by him for his approval or comment, he almost always encouraged me to pursue my idea.

However his parting comment regarding all of my illustrious plans was "ober ohn ah tumult" - do it in a low-key fashion, without any fuss or tumult. Controversy is an elixir and is addictive. There are many leaders - religious, political, educational, journalistic and secular - who thrive on sensationalism and tumult. They love controversy. I imagine that this attitude is a product of their personalities and psychological makeup. Nevertheless, I believe and my experience has taught me, that controversy for the sake of controversy is harmful and counterproductive to the very cause that the leader is trying to advance by his principled but far too vocal stand.

Many decades ago when I was a very young rabbi holding a Shabat-only position in a small synagogue in Chicago while I practiced law during the weekdays (a combination of positions that I would never recommend to anyone), the gabaim in that synagogue told me that they intended to honor a certain someone visiting the congregation with an aliyah to the Torah. At that time, the person involved was anathema to the Orthodox community and I strongly advised the gabaim not to call him to the Torah in our synagogue.

Since the gabaim were all older and wiser than I was at the time, or perhaps as I am even now, they ignored my instructions and called the person to the Torah. I made a public protest and stalked out of the synagogue, joined by about half of the assemblage. As one can imagine a great tumult ensued and the remainder of the synagogue service was marked by controversy, noise and bad feelings all around. Within a few months I was no longer the Shabat rabbi in that synagogue.

As I later assessed the fallout from my holy impetuosity, I realized that I had ignored my father-in-law's core advice. The person was called to the Torah anyway, the synagogue membership was split irrevocably, I was no longer the Shabat rabbi and any influence for the good that I may have had was now gone. The learning program that I had instituted for the teenagers of the congregation on Friday night was disbanded and I was left defeated and frustrated. Without the tumult there would have been a chance to meet with the gabaim privately and quietly and perhaps reach an understanding so that such a situation would never again arise in the synagogue. But with the tumult having occurred, any chance for such an understanding no longer existed.

Since then I have tried to follow my father-in-law's core advice in my rabbinic career. I abhor controversy and do not even respond to those who boast that they love the challenges of discord. The ways of the Torah are

ways of pleasantness and all of its roads are those of peace and harmony. There are many issues that one must take a stand upon. But the tactics of having one's position accepted and implemented vary. Life teaches us that honey catches more flies than does vinegar.

Controversy and provocation only engender a counter force of greater controversy and provocation. This is especially true when the controversy involved is cloaked in the holy garb of theology and/or religious outlook. Much of the division that exists in the Jewish world today stems not from real differences on basic issues and beliefs as they do upon the discord that these differences engender.

One has to swallow hard many times in order to avoid tumult. But in the long run, the avoidance of it is a mighty weapon in the arsenal of those who wish to lead and guide others in the advancement of Judaism and Torah values. There are many times in life when less is more and silence and restraint are louder than any noise will ever be. Shabat shalom.

Weekly Parsha :: PARSHAS KI TISA :: Rabbi Berel Wein

The Torah in this week's parsha discusses the composition of the rare and fragrant incense that was offered daily on the golden altar in the mishkan and later in the Temple. The exact formulation of the incense is not given – i.e. the amount of each of the ingredients relative to the entire amount of incense produced – but some of the thirteen different spices and herbs described later in the Talmud as being the components of the Temple incense are mentioned in the parsha.

Among the ingredients mentioned is chelbanah – usually translated in English as being galbanum. This spice was one that did not emit a pleasant odor. This may have been true when used alone but apparently when it was combined with the other pleasant smelling spices, the total effect was intoxicatingly wonderful and very pleasant aromatically. The Talmud saw in this use of chelbanah in the incense formulation a moral and social lesson for all of Israel and for all time.

The Talmud teaches us that any public fast day that does not include “the sinners of Israel” in its program of prayer and fasting is deficient in its role. Rashi here in the parsha emphasizes that point. Rashi states that they are not to be treated “lightly” and that they are to be included and “counted with us.”

The Talmud certainly indicates with this statement that we are to be inclusive of Jews who are sinners, who do not act as we wish them to behave and with whom we are therefore loath to associate. This attitude of exclusion is unfortunately the usual pattern of behavior in our religious world where the tendency to greater and greater exclusivity amongst Jews has become the accepted rule of our different societies.

Nevertheless, there has been great progress in attempting to reach out to the “sinners of Israel” and to expose them to our religious and national agenda. I speak not only of the continuing accomplishments of the institutions that have headed Jewish outreach for the past number of decades, but of new initiatives to help unite the Jewish people and restore the traditions of Judaism to Jews who, through no immediate fault of their own, are estranged or ignorant of their rich heritage.

Megillat Esther was read for the first time in a number of kibbutzim this Purim. Jewish education lectures are being given in places where previously Judaism was not allowed to conflict with the dogmas and religion of Marxism. Changing someone else's lifestyle in midstream is difficult to accomplish. But bringing people who evidently wish to be part of the Jewish people, to prayer, to observe fast days and to celebrate feast days without preconditions and maximum demands, and having patience and true concern while doing this, is possible and very necessary.

A united Jewish people, with all of the internal differences that will always remain within our society, is seen to be equal to the great formulation of the incense in the Temple. That formulation produced a marvelous fragrance and engendered joy. Our attempts to unite the Jewish people are also

guaranteed to produce great joy and positive purpose for all of Israel. Shabat shalom.

TORAH WEEKLY :: Parshat Ki Tisa For the week ending 10 March 2007 / 20 Adar I 5767

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by Rabbi Yaakov Asher Sinclair

OVERVIEW

Moshe conducts a census by counting each silver half-shekel donated by all men age twenty and over. Moshe is commanded to make a copper laver for the Mishkan. The women donate the necessary metal. The formula of the anointing oil is specified, and G-d instructs Moshe to use this oil only for dedicating the Mishkan, its vessels, Aharon and his sons. G-d selects Bezalel and Oholiav as master craftsmen for the Mishkan and its vessels. The Jewish People are commanded to keep the Sabbath as an eternal sign that G-d made the world. Moshe receives the two Tablets of Testimony on which are written the Ten Commandments. The mixed multitude who left Egypt with the Jewish People panic when Moshe's descent seems delayed, and force Aharon to make a golden calf for them to worship. Aharon stalls, trying to delay them. G-d tells Moshe to return to the people immediately, threatening to destroy everyone and build a new nation from Moshe. When Moshe sees the camp of idol-worship he smashes the tablets and destroys the golden calf. The sons of Levi volunteer to punish the transgressors, executing 3,000 men. Moshe ascends the mountain to pray for forgiveness for the people, and G-d accepts his prayer. Moshe sets up the Mishkan and G-d's cloud of glory returns. Moshe asks G-d to show him the rules by which he conducts the world, but is granted only a small portion of this request. G-d tells Moshe to hew new tablets and reveals to him the text of the prayer that will invoke Divine mercy. Idol worship, intermarriage and the combination of milk and meat are prohibited. The laws of Pesach, the first-born, the first-fruits, Shabbat, Shavuot and Succot are taught. When Moshe descends with the second set of tablets, his face is luminous as a result of contact with the Divine.

INSIGHTS

The Spice of Life

“five hundred shekel-weight of pure myrrh.” (30:23)

One of the most misunderstood concepts in Judaism is tzniut. Insufficiently mistranslated as “modesty,” tzniut is often taken to apply solely to the height of hems and the depth of necklines, but tzniut involves much more than clothing.

Cruising the block in a wild set of wheels at an easy pace, or sporting a diamond ring that looks like it should never have been let out of the Brinks van, is no more tzniua than an over-revealing dress. Tzniut really would be better translated as ‘hidden-ness’. In this week's parsha, the Torah lists the formulation of spices in the anointment oil and the ketoret (incense). The first of the ingredients was mor dror - pure myrrh. The Talmud teaches that myrrh is an allusion to Mordechai, for the Aramaic translation of mor dror is mora dachia - Mordechai.

What is the connection of the ketoret to Mordechai and to Purim?

The more precious something is, the more it needs to be hidden. To the best of my knowledge, Fort Knox has never given guided tours of its facility (nor free gifts at the end of the tour).

The holier something is the more it needs to be hidden. The climax of the service of Yom Kippur, the holiest day of the year, was the burning of the ketoret in the Holy of Holies, the holiest place in the world. That central event took place in total seclusion. And even when the ketoret was burned during the rest of the year in the Heichal (Sanctuary), the kohanim would leave so that it could be burned in private.

Mordechai's name hints to myrrh, because his great strength was inconspicuousness. Because of the tzniut of Mordechai and Esther, the Jews of Persia were spared. When Mordechai discovered a plot against the king, he didn't take the credit for uncovering the conspiracy; rather he gave

the information to Esther for her to reveal. It was Esther herself who decided to divulge that Mordechai was responsible for saving the king. The story of Purim is a story of hidden-ness. Esther's name means 'hidden'. When Esther was chosen to be queen, rather than trumpeting her lineage, she hid her Jewish identity.

The very name of the book that relates the events of Purim - Megillat Esther - means, "to reveal that which is hidden."

We live in a world where G-d has chosen to hide Himself almost totally. "Where was G-d?" is the question so many ask when confounded by the events of recent history.

At the time of Mordechai and Esther, the question could also have been asked, "Where is G-d?"

It was Mordechai and Esther's inconspicuousness, their tzniut, that caused G-d's hidden Hand to be revealed.

When G-d acts with hiddenness, the only way we have to discern His Presence and to reveal Him in the world is to behave with hiddenness, with inconspicuousness and with modesty.

Sources: Maharal, Rabbi Shlomo Wolbe

Peninim on the Torah by Rabbi A. Leib Scheinbaum PARSHAS KI SISA

Every man shall give Hashem atonement for his soul. (30:12)

The Gaon zl, m'Vilna writes that the word, v'nasnu, "(they) shall give," retains the same spelling, both backward and forward. He suggests that the Torah is teaching us a powerful lesson: What goes around comes around. While I may be the individual who is giving today, the situation is likely to change tomorrow or in the distant future, at which time either I - or one of my descendants -- will be on the receiving end. Thus, in order to ensure a positive response in the future, one should act appropriately in the present. Our attitude towards others becomes reciprocal. A similar idea applies to our children's education. As we raise our children during their youth, we are always giving. Our children do not take care of themselves. We protect them and provide for them. As we age and approach our twilight years, we turn to our children for assistance and care. The way we treat our children when they are young; the countenance we display in our relationship with them, will affect their reciprocity when it is our turn to be on the receiving end. In addition, the way we treat our parents serves as a learning experience for our children. They are watching us. What they do not learn from us is our fault. They will act towards us in a manner that parallels the way we have acted towards our parents. It is all part of the reciprocity.

Bnei Yisrael shall observe the Shabbos. (31:16)

Shabbos is a staple of Yiddishkeit, one that, regrettably, the Jewish people have neglected and even scorned. At first, it was supposedly difficult to earn a living unless one worked on Shabbos. Then, it just fell into place together with so many other "archaic" mitzvos that do not seem to conform to the demands of contemporary society. I recently saw an inspiring thought about Shabbos that I would like to share on these pages. While my reading audience is composed primarily of shomrei Shabbos, it is also read by many who are not that "affiliated." In addition, it would benefit all of us to work to strengthen our shemiras Shabbos, especially in the area of kedushas Shabbos, observing its sanctity and according it the proper reverence. When one is praying for a choleh, an individual who is sick, on Shabbos, it is customary to add the phrase, Shabbos hi me'lizok, u'refuah kerovah lavo, "Even though (the institution of) Shabbos prohibits us from crying out, may a recovery come speedily." One of the great Admorim, Horav Hillel zl, m'Paritsch, once visited a town in which a number of Jews kept their stores open on Shabbos. Rav Hillel convened a meeting and was able to impress upon the residents the overriding significance of Shabbos, inspiring them to agree to close their stores. There was one condition, however, that the residents stipulated. The richest man in town would also have to agree to close his store on Shabbos, as well. Otherwise, they had no chance of competing with him. Rav Hillel immediately sent for the man, who ignored

the Rebbe's request. The Rebbe sent a second request, and the man responded to this summons in a similar manner.

One does not insult a tzaddik, righteous person, and get away with it. Shabbos morning, as this wealthy man was preparing to go to work, he suddenly experienced severe stomach cramps. His abdominal pain grew worse with each hour. His wife, who was no fool, realized that her husband's ailment was the result of playing with fire by insulting the great tzaddik. She proceeded to the place where Rav Hillel was staying and begged the tzaddik to forgive her husband and intercede on his behalf. Rav Hillel listened, but he did not respond. He did not utter a word. The chassidim who were there asked, "Rebbe, can you not at least say, 'Shabbos hi me'lizok u'refuah kerovah lavo?'" The Rebbe continued his silence. The remainder of Shabbos was uneventful. The man, however, was becoming increasingly sicker. As soon as Shabbos was over, the woman came again to Rav Hillel and pleaded tearfully to the Rebbe, "Please pray for my husband!" Finally, Rav Hillel responded, "The phrase, 'Shabbos hi me'lizok u'refuah kerovah lavo,' can be alternatively interpreted as, 'If Shabbos will refrain from crying out, then a speedy recovery will come.' This person has been denigrating Shabbos for years, causing it to cry out in pain against him for desecrating it. If he gives his solemn promise that he will close his store on Shabbos and begin observing the holy day, then he will recover."

The chassidim ran to the man's house and relayed the Rebbe's message. The man promptly agreed to close his store on Shabbos, and he soon recovered.

Take yourself spices - stacte, onycha and galbanum. (30:34)

Chazal teach us that eleven ingredients comprised the ketores, incense. The fragrance of the incense represents the Jewish People's obligation and desire to serve Hashem in a pleasing manner. Interestingly, one of the spices, the chelbonah, galbanum, had a foul aroma. Chazal derive from here that when the community is in an eis tzarah, time of trouble, and they gather to pray, the sinners must be included in their communal prayer. Just as the chelbonah was included together with the other spices, so, too, should those, whose spiritual aroma is lacking, be included in the greater community. Everyone -- the righteous as well as those who are not yet righteous - all have a share in serving the Almighty.

We wonder why Hashem instructed us to include the galbanum if, in fact, it has a foul aroma. The purpose of the ketores is to offer up a sweet-smelling aroma to Hashem. Will not the chelbonah ruin the aroma with its foul scent? Was there no other way to teach us the overriding importance of unity? Should we ruin the aroma of the ketores just to teach a lesson?

Horav Tuvia Lisitzin, zl, gives a meaningful explanation. True, the chelbonah has a foul odor, but when it is mixed together with the other ten sweet-smelling spices, it actually has a positive effect on the final aroma. It enhances and embellishes their aroma, creating a superior sweet scent, one that would not have been as sweet had the foul-smelling chelbonah not been included.

Actually, this idea does not come as a surprise. We see it all of the time. Salt is inedible on its own, but it enhances the flavor of those foods into which it is mixed. This applies to many other spices that are not tasty or palatable on their own. They serve as condiments, enhancing and bringing out the hidden flavor of many foods. Likewise, the chelbonah has an acrid odor on its own, but when it is mixed with the other spices, it seems to bring out their best fragrance.

If Chazal have made a statement demanding the inclusion of a sinner in a public prayer service, it indicates that his presence, while deplorable on its own, is beneficial in the assembly of others. A unified Klal Yisrael, especially when it includes those who are not among its greatest supporters and performers, is a group that has tremendous power. We always talk about the power of "two." In this case, however, the power of "one," of a unified community standing together as one, has a greater effect.

You shall make it into a spice-compound, the handiwork of a perfumer, thoroughly mixed, pure and holy. (30:35)

The offering of the ketores, incense, was one of the most important avodos, services in the Mishkan. Twice daily, the Ketores -- comprised of eleven spices -- was offered on the Mizbayach HaZahav, golden altar. Preparing the Ketores was no simple task. In fact, it was one family of Kohanim, the Avtinas family, who was proficient in the proper preparation of the mixture. They refused, however, to share their expertise with anyone else. It remained in their family. For this, Chazal harshly criticized them, to the extent that following their name, they added the pasuk in Mishlei 10:7, Shem mishaim yirkav, "The name of the wicked shall rot."

How did the Avtinas family retain its monopoly? It seems that the formula for the composition of the Ketores was a secret, which the family refused to divulge. Chazal, refusing to give in to their monopoly, hired expert craftsmen from Alexandria, Egypt, to prepare the Ketores. For the most part, they did well. They were able to pulverize the correct ingredients and mix them together perfectly. They were unable, however, to make the smoke of the Ketores rise up in a straight column like a pillar. Their smoke would waft from side to side and eventually dissipate. Apparently, one ingredient was missing, the maaleh ashan, an herb which catalyzed the Ketores to rise up perfectly.

When Chazal saw that they were in a bind, so that nothing they did could match the skill and expertise of the Avtinas family perfumers, they declared, "All that the Holy One, Blessed Be He created, He created for His honor. Therefore, the House of Avtinas should return to their position." When the Avtinas family understood how indispensable they were, they refused to return to their original position unless they were given a one hundred percent raise.

Chazal were upset and demanded an explanation for their insolent and selfish behavior. The Avtinas family replied, "We have a tradition in our family that the Bais Hamikdash will one day be destroyed. We fear that given the eventuality of that day, it is possible that an unsuitable person might use the secret ingredient of maaleh ashan for the service of idols." In his commentary to the Talmud Yuma 38A, the Maharsha writes that Chazal did not believe the Avtinas Family. They felt that their true motivation was mercenary, solely for financial gain and personal aggrandizement. Thus, Chazal criticized them.

In summing up the whole story, Chazal derive an important lesson from their inability to break the monopoly this family had created for themselves. Ben Azzai says, "By your name shall they call you, and in your place shall they seat you. From your own portion they shall provide you. A person cannot encroach upon what is set aside for his fellow man." In explaining these words, Horav Avraham Pam, zl, cited by Rabbi Shalom Smith in his latest analogy of the Rosh Yeshivah's shmuesen, ethical discourses, says that a person should not worry that others might take away his livelihood. Parnassah is not a gift whose source is human. It is from Hashem, earmarked specifically for the individual. Thus, no one can take it away from him. If he is entitled to it; if Hashem has decided that it is for him, then he will receive it - without question. It is like the proverbial "money in the bank." Hashem had decreed that the Avtinas family would retain its monopoly of the Ketores production. Nothing could stand in the way of this decree - not even the machinations of Chazal.

Can we even begin to imagine how much anger, envy, bitterness and hatred we would avoid if we would integrate this reality into our psyche? It does not mean that one should lie down and allow people to step all over him, infringing on his business and property. There is a halachic code that addresses these issues. If an individual's actions are within the parameters of halachah, albeit inappropriate from a mentchlichkeit, human and ethical standpoint, then one has nothing to worry about. He will receive his, and the other individual will also receive his. This could circumvent heartache, misery and enmity. Hashem promises, and He keeps His promises. He will provide. We must be patient.

The people saw that Moshe had delayed in descending from the mountain...Go descend - for your people have become corrupt ...They

have strayed quickly from the way that I have commanded them. They have made themselves a molten calf. (32:1, 7-8)

Klal Yisrael's sudden descent from the spiritual high that they had achieved at the Giving of the Torah to the nadir of depravity they exhibited during the sin of the Golden Calf is perplexing, as well as tragic. Their rapid descent into the abyss of idolatry leaves us shocked. This is especially true when we consider the fact that idolatry is not a sin which one commits spontaneously. The yetzer hora, evil inclination, has to work long and hard to convince someone to worship idols. Yet, this pasuk describes an almost sudden and radical transformation from the peak of spirituality to the depth of idolatry almost in a flash.

Horav Chaim Shmuelevitz, zl, explains that people who make extreme changes in their spiritual standing on an abrupt basis are impacted by the adversity in their lives, which cause them to be more susceptible to impulsivity. The Midrash tells us that when Moshe Rabbeinu did not return at the precise moment that they had expected him to return, the people began to worry. After all, he had no food or water. How could he have survived so long? Acutely aware of the people's ambivalence, the Satan deluded them by conjuring up a vision of angels carrying Moshe's body on its way to its burial. Certain that they were being deprived of their quintessential rebbe's leadership, the people became bewildered, insecure and depressed. It was in their degenerative state of despair that the Jews became vulnerable to impulsive and mutinous degradation.

While the gradual digression to decadence is something that can happen to emotionally stable people as well, it becomes a screaming, speeding roller coaster on its downward spiral when an individual is in a state of confusion and despair. The rules are suspended, the criteria changes, as depression and ambiguity take hold of the person until he no longer has a rational control over himself. This does not mean that his predicament is insurmountable; it is only more challenging. A strong person, who is able to cope with adversity, will retain his sense of self and maintain his perspective, despite the ambiguities that rise up to obscure the truth. Depression is not a sin, but as the Karliner Rebbe, zl, asserts, there is nothing as conducive to sinful behavior as depression. When an individual loses his ability to think rationally, anything can happen. A person's outlook becomes distorted, and that which is evil and wrong may suddenly seem to be good and acceptable behavior. This breakdown explains the sinful behavior associated with the Golden Calf. Confronted with the loss of their mentor and guide, Klal Yisrael became frightened and dejected, falling into a degenerative state of confusion. They began to fall spiritually at a rapid pace, and nothing could help them break their fall. As soon as the idea of idolatry presented itself, they became willing participants, with irrational desperation, no different from a drowning man who grasps at a straw.

Rav Chaim points to Shlomo HaMelech as the paradigm of strength and self-control. Once, he reigned over a vast empire, but he lost his throne, becoming so destitute that Chazal say, "He reigned only over his walking stick." Yet, he came back and returned to his original position of monarchy. How did he do it? Should his downfall not have precipitated an emotional decline within him? The answer is that although he ruled only over his cane, at least he ruled over it. He retained his regal bearing. His monarchy had diminished substantially, but he was still a monarch! He used his incredible wisdom to cushion his descent, so that he would not become completely lost. He never stopped ruling, because he never lost control. In his latest volume of "Touched by A Story," Rabbi Yechiel Spero relates the story of a wealthy individual in Yerushalayim whose financial empire suddenly took a tailspin, and he lost everything. From being one of Yerushalayim's wealthiest philanthropists, who helped support many families, he became one of its neediest. The fancy, princely garb that was once his hallmark was quickly replaced by shoddy clothing. His wife, however, continued to dress in her usual elegance, ignoring the stares and bitter responses that pursued her. It was a paradox to observe husband and wife. The husband was now a roofer, which was a position that did not

require fancy clothing. His wife continued in her usual upscale, state-of-the-art clothing, as if nothing had happened to alter their financial status. One day, Rebbetzin Chanah Levine, wife of the venerable Horav Aryeh Levine, zl, came home and told her husband, "I am so envious of that woman." She went on to explain that upon meeting her on the street, she had inquired whether everything was all right. The response came forth in a torrent of tears, as the woman began to describe her pain and misery. What hurt her most was the humiliation that her husband sustained on an almost daily basis. She saw the constant look of dejection and disgrace in his eyes. He had once been on top of the world, while now he was a poor laborer. She explained that despite the dirty looks she received and the disparaging remarks she heard behind her back, she continued to dress in her previous regal fashion. She wanted her husband to feel good that his wife dressed well, and that he was still very special. When the rebbetzin concluded her story, she looked at her husband and asked, "Do you now understand why I am envious of his wife?"

Va'ani Tefillah

Al tigu b'meshichai, u'bineviai al tareiu.

Do not touch My anointed ones, and to My prophets do no harm.

As cited in the Talmud Shabbos 119b, "My anointed ones" is a reference to tinokos shel bais rabban, young children who study Torah. Neviai, usually translated as My prophets, is defined as a reference to talmidei chachamim, Torah scholars who apparently have the potential for prophecy. Horav Zalmen Sorotzkin, zl, notes the awesome power of young children studying Torah. The verse uses the words al tigu, "do not touch," concerning children, and al tareiu, "do not harm," with regard to Torah scholars. This demonstrates the overwhelming significance that pure, innocent children have, as well as the force of the Torah. Indeed, as Horav Yeshaya Chesin, zl, grandson of one of the disciples of the Gaon zl, m'Vilna who had emigrated to Eretz Yisrael writes, the reverence attributed to their Torah study is unparalleled.

During the devastating plagues that decimated the Jewish community in Yerushalayim in the late eighteenth century, it was decided that parents and older family members leave the city to pitch tents in the vicinity of the grave of Shmuel Ha'Navi. Their children, however, were not permitted to leave, so as not to fulfill the terrible prophecy in Eichah 1:6, "Gone from the daughter of Tzion is all her splendor." Chazal say "splendor" is a reference to the children who study Torah. The parents were concerned, however, since their children were exposed to the plague, which was rampant in the Arab community whose care for physical hygiene was sorely lacking. The Gra's disciples went to the Kosel Ha'Maaravi and prayed, beseeching their revered rebbe to give them an answer through the medium of a dream. His answer came to them that night: "Do not permit the children to leave. The plague will end on Erev Shabbos during candle lighting." The Gra's reply was fulfilled.

l'zechar nishmas our husband, father, grandfather HaRav Daniel ben HaRav Avraham Aryeh Leib Schur Horav Doniel Schur Z"l niftar 21 Adar 5766 t.n.tz.v.h. sponsored by his wife, sons, daughters and all his family

The Ketores, Chessed, and Purim

Rabbi Yaakov Neuburger

The TorahWeb Foundation

For the many like me who have trouble parting with Purim and would want some more time to digest its essence, we can at least reflect on one of Purim's messages through a comment of Chazal on this week's parsha, Ki Sisa. Rav Masne (Chulin 139b) actually finds Mordechai's name in the list of fragrances from which both the incense offering and anointing oil was made. When asked by Papunai for the pasuk where Mordechai is mentioned, Rav Masne responded that the fragrance "mor deror" (30) is translated into Aramaic by Onkelos as "mira dachya". The similarity between this hint and Esther's other name Hadassa notwithstanding, that

Chazal saw the list of fragrances as the context for an albeit stretched biblical debut for Mordechai is quite intriguing and requires comment. Perhaps we can take some direction from the Netziv who sees the fragrance offering of the ketores as a metaphor for our acts of chessed and goodness. He develops this idea in several places (Breishis 27, 27; Tetzaveh 30:1) and suggests that through our incense offerings we are presenting in prayer to Hashem, our myriad "gemilus chasdim" that we as people have extended to each other. Deeds of kindness are indeed similar to fragrance as their impact spreads far beyond themselves and their benefits are viscerally felt much more than logically understood. Bringing our good deeds into the kodshai kodshim on Yom Kippur; having them initiate every part of the mishkan and every one of the kohen's clothing; having seen the ketores define who is invited to serve in the close precincts of the mikdash during the days of Korach; and having it protect us in times of plague, all together becomes a frightening and powerful demonstration of the position that our chessed enjoys in the heavenly world.

Now the veiled presentation of Mordechai in this week's parsha matches very well with his introduction to us in the Megilah. In a striking observation, Rav Matisyahu Solomon shlita (Matnas Chaim, Moadim) points out that we first meet Mordechai as the ever devoted uncle who tended lovingly and loyally to the orphaned Esther. Neither his wisdom, that he mastered as one of the wise men of our people, nor his courage that we are about to study, are mentioned but his goodness is highlighted explicitly.

Moreover, according to Chazal, Mordechai moved away from the nascent community in Israel to be with his niece. Imagine the sacrifice he made leaving Israel, to which he struggled to return, and Yerushalayim, that he planned to build, and presumably not be part of the unraveling redemption and rebuilding of the Beis Hamikdosh. All that in order to tend to his niece who had no parent! Not a day goes by without Mordechai visiting the court and the courtyard seeking out information of Esther and her whereabouts. Interestingly Chazal find that Haman is mentioned in the very beginning of Torah, "Ha-min hoetz asher amarti lecho...", Hashem's seemingly incredulous lament over Adam and Chava's violation of His one command. Many have explained that just as they are criticized for not being able to be entirely content with a life that was replete with all their needs met in unparalleled beauty, similarly Haman cannot find any peace in his lofty and influential position as long as one Jew refuses to bow down to him and as a result he loses his all.

Thus Chazal in these two cryptic comments highlight for us a theme of the Megilah. Our two protagonists profoundly differ in their attitudes, one diminished by his pursuit of all that is out of reach and one who gives selflessly to the most vulnerable.

The mitzvos of giving are more pronounced on Purim than on any on any other day and they challenge us to see in the Megilah a story of the power of giving and incorporate that strength in all our relations. That is why Ester refers to her Megilah as "divrei sholom voemes".

**Rav Kook on the Torah Portion
Ki Tisa - The First and Second Luchot
Breaking the Tablets**

"As he approached the camp and saw the calf and the dancing, Moses was angry, and he threw down the tablets that were in his hand, shattering them at the foot of the mountain." [Ex. 32:19]
Why did Moses need to break the luchot? He could have set them aside for a later time, when the Jewish people would be worthy of them. The Torah does not record that God criticized Moses for destroying the holy tablets. According to the Sages, God even complemented Moses for this act - "Yashar Kochacha that you broke them" [Shabbat 87a]. Why did they have to be broken?
The question becomes stronger when we note the unique nature of these luchot. They were "the handiwork of God, and the writing was the writing of God, engraved on the Tablets" [Ex. 32:16]. The second luchot did not possess this extraordinary level of sanctity. When God desired that a second set of tablets be prepared, He commanded Moses, "Carve out two tablets for yourself" [Ex. 34:1], emphasizing that these tablets were to be man-made. Furthermore, unlike the engraved writing of

the first luchot, God said, "I will write the words on the tablets" [ibid]. The letters were written, not engraved, on the second tablets, like ink on paper. Why were the second luchot made differently?

Beyond Human Morality

The two sets of luchot, Rav Kook explained, correspond to two distinct paths in serving God.

The first path is when we utilize our natural capabilities to live an ethical life. We perform the mitzvot out of a natural sense of justice and morality.

However, God meant for the Jewish people to aspire to a much higher level, above that which can be attained naturally, beyond the ethical dictates of the human intellect. It is not enough to help the needy, for example, because of natural feelings of compassion. This is praiseworthy; but the higher path is to help those in need because, through this act, one fulfills ratzon Hashem, God's will.

Any ethical achievements that are the product of human nature and intellect are like the feeble light of a candle in the bright midday sun when compared to the Divine light that can be gained through these same actions. The loftier path is when the light of Torah is the light illuminating one's soul. One does not follow the Torah because its teachings match one's sense of justice and morality, but from the complete identification of one's soul with the Torah, which is ratzon Hashem.

The Sages hinted to this level in the Haggadah, "If God had brought us near to Mount Sinai and not given us the Torah, it would be enough (to praise him)." What was so wonderful about being near Mount Sinai? At that time, God planted in the souls of the Jewish people a readiness to fulfill His will. This preparation was similar to the natural inclinations of upright individuals to perform acts of kindness.

This understanding sheds light on a difficult verse in Mishlei: "Charity will uplift a nation, but the kindness of the nations is a sin" [Proverbs 14:34]. The Talmud explains [Shabbat 146a], "Charity will uplift a nation" refers to the Jewish people, while "the kindness of the nations is a sin" refers to the other nations. What is so terrible about the kindness of the nations?

Performing acts of kindness and charity out of a natural sense of compassion is certainly appropriate and proper for other nations. For the Jewish people, however, such a motivation is considered a chatat - it 'misses the mark.' The path meant for the Jewish people is a higher and loftier one.

Under the Mountain

Before the sin of the Golden Calf, the Jewish people were like angelic beings [Ps. 82:6, Shmot Rabbah 32:1]. So clearly did they feel the ways of God, that their desire to do good came, not from positive character traits, but because of the light of God and His will to be found in such acts. Their souls completely identified with the light of Torah.

At that point in time, they deserved the first set of luchot. There tablets were the work of God, just as their natural inclinations matched ratzon Hashem. And the writing was engraved in the tablets themselves, not a separate material like ink on paper. So too, their souls were united and identified with God's will.

Their state was so elevated, their holiness was so intrinsic, that they were almost at a level beyond sin, like natural objects that cannot change their ways. This is the meaning of the Talmudic statement that the Jewish people stood literally "under the mountain" [Ex. 19:17], i.e., that God coerced them to accept the Torah as He raised the mountain over their heads. This metaphor alludes to a state whereby their inner connection to the Torah was so strong, they did not have true free will whether to accept the Torah.

The Golden Calf

But for the Erev Rav, the mixed multitudes of nations that left Egypt with the Israelites, this elevated service was simply too lofty. They felt it sufficient to aspire to the regular level of ethical perfection, based on human emotions and intellect. Therefore, the Erev Rav demanded a physical representation of God; they wanted a service of God rooted in that which one can feel and sense, the natural feelings of human compassion and kindness.

Sadly, the Erev Rav succeeded in convincing the Israelites to abandon their sublime level. Even worse, as they relied on their natural sense of morality, this level too was lost due to undisciplined desires. They descended into a state of complete moral disarray - "Moses saw the people were unrestrained" [Ex. 32:25] - and transgressed the most serious offenses - idolatry, incest, and murder.

After Israel left their elevated state, they required a new path of Divine service. But as long as the covenant of the first luchot existed, no other covenant could take its place. Moses realized that they would not be able to return to that lofty state until the end of days. The first luchot needed to be destroyed in order that a new covenant be made.

Interestingly, the Torah specifically mentions that Moses destroyed the tablets "under the mountain." The first luchot belonged to their unique spiritual state of "under the mountain," when God's will was so deeply set in their souls that they had little choice but accept the Torah.

The Half Shekel

The covenant of the second luchot signifies a lower path of serving God, one closer to our natural faculties. Thus the second tablets combined both man-made and heavenly aspects. The stone tablets were carved out by Moses, but written upon with Divine script.

God nonetheless desired to give us at least some residual form of the loftier service. For this reason we have the mitzvah of donating a half-shekel coin to the Temple, in this way connecting every Jew with the holy service in the Temple. The donation, the Torah emphasizes, must come from the shekel hakodesh, from the highest motives, for God's sake alone - "an offering to God" [Ex. 30:13]. The Torah introduces this mitzvah with the words, "When you will raise the heads of the Israelites," indicating that this mitzvah raises up the Jewish people to their original holy level, when they encamped near Mount Sinai.

[adapted from Midbar Shur pp. 298-305]

Comments and inquiries may be sent to: RavKookList@gmail.com

YatedUSA Parshas Ki Sisah

Halacha Discussion

by Rabbi Doniel Neustadt

Cholov Yisroel: Is it Required?

In order to protect the inadvertent consumption of non-kosher milk, the Rabbis enacted a strict ordinance: The milking of every [kosher] animal must be supervised¹ by a Jew² in order for the milk to be kosher. The Rabbis' fear was not that one might mistakenly drink non-kosher milk, since horse or camel's milk look altogether different from cow's milk,³ but rather that a non-Jew might mix a small, undetectable amount of non-kosher milk into the cow's milk, rendering it non-kosher for the unsuspecting kosher consumer. While the Rabbis realized that such an occurrence is unlikely, they were still concerned about it even as a remote possibility.⁴ Thus, they prohibited drinking all unsupervised milk.⁵

The prohibition against unsupervised milk, known as chalav akum, is a Rabbinic prohibition like any other. Thus:

"It is prohibited to drink chalav akum even when no other milk is available or when supervised milk is very expensive.⁶

"A utensil in which chalav akum was cooked is prohibited to use unless it undergoes a koshering process.⁷

"A utensil in which cold chalav akum is stored for twenty-four hours is prohibited to use unless it undergoes a koshering process.⁸

"Chalav akum is nullified, bateil, if it is inadvertently mixed into a permitted food or liquid whose volume is sixty times greater than it.⁹

Question: Is chalav akum ever permitted?

Discussion: Several hundred years ago, the Pri Chadash ruled that it is permitted to drink unsupervised milk if there are no non-kosher milk-producing animals in the entire vicinity. His argument was that since there is no reasonable possibility that a non-Jew could mix non-kosher milk into the kosher milk, supervision is no longer required. Several other poskim also agreed with this ruling.¹⁰

But almost all of the poskim who followed the Pri Chadash disagreed with his view.¹¹ They all reached the conclusion that the ordinance against drinking unsupervised milk is the type of a decree which can be classified as a "permanent ordinance," which, once enacted, can never be abrogated.

There are two schools of thought as to why this ordinance remains in force even when there is no non-kosher milk to be had:

"Some explain that since the Rabbinic decree was issued originally only because of a remote possibility - since non-kosher milk was hardly ever mixed with kosher milk - the fact that no such milk is available in the vicinity is of no consequence. Milk can be certified as completely kosher only if it is supervised.¹²

"The Chasam Sofer¹³ explains that the ban on unsupervised milk was pronounced regardless of the availability of non-kosher milk. Even if it could be ascertained beyond all doubt that there was no possible access to non-kosher milk, it is still prohibited to drink unsupervised milk. Only milk

which comes from animals whose milking was supervised by a Jew is exempt from this ban.

Whether for the first or the second reason,¹⁴ it is agreed by almost all of the poskim¹⁵ that the Pri Chadash's leniency cannot be relied upon. Some poskim add that even if the halachah were to be decided according to the Pri Chadash it would be of no consequence, since it has already been accepted by all Jews as binding custom – which has the force of a vow – not to drink unsupervised milk even if there are no non-kosher milk-producing animals in the entire vicinity. One must, therefore, be stringent in this matter.¹⁶

In more recent times, another argument for leniency was advanced by several poskim.¹⁷ They argued that since government authorities in the United States and other developed countries closely monitor the dairy industry and strictly enforce the law against mixing other milk with cow's milk, government regulation should be tantamount to supervision.¹⁸ According to this argument, the fear of being caught by government inspectors who are empowered to levy substantial fines serves as a sufficient deterrent and may be considered as if a Jew is "supervising" the milking. Based on this argument, several poskim allowed drinking "company milk" (chalav stam¹⁹), i.e., milk produced by large companies, without supervision.

But many others oppose this position as well:

"Based on the aforementioned view of the Chasam Sofer, who maintains that the Rabbinic ordinance against unsupervised milk applies even when there is no possible access to non-kosher milk, there is no room for leniency just because of government regulation. Nothing short of actual supervision by a Jew renders milk kosher.²⁰

"Some poskim argue that government regulation does not totally and unequivocally preclude the possibility of non-kosher milk getting mixed into cow's milk. This is because dairymen can, if they wish, cheat or bribe the government inspectors. Some may choose to risk getting caught and paying a minimal fine rather than conform to the law. While it is highly improbable that this would happen, it has already been ruled upon by all authorities, in opposition to the Pri Chadash, that the Rabbinic ordinance applies even concerning remote possibilities.²¹

What is the practical halachah? Years ago, when supervised milk was hardly available [or was of inferior quality] and it was truly a hardship to obtain chalav Yisrael, almost everyone relied on the leniency. Many people continue to rely on this lenient opinion even nowadays when supervised milk is readily available.²² Indeed, many leading kashrus organizations in the United States²³ confer kosher certification on dairy products (and milk) that contain no non-kosher additives or ingredients, but which are produced from unsupervised "company milk."

Many other people, however, no longer rely on this leniency, since conditions have radically changed and chalav Yisrael is so readily available. It is important to note that while Harav M. Feinstein agreed in principle with the lenient ruling and permitted drinking "company milk" according to the basic halachah, he himself would not rely on the leniency and advised scrupulous individuals, ba'alei nefesh, and bnei Torah²⁴ to refrain from drinking unsupervised milk. He recommended that schools strain their budgets in order to purchase chalav Yisrael. The following letter²⁵ gives us an idea of how he felt on this issue (free translation):

"Regarding the milk of government-regulated dairies in our countries, there are definitely grounds for permissibility to say that they are not included in Chazal's prohibition, as we see that many are lenient in this due to dochak (pressing circumstances) in many places. However, in a place that chalav Yisrael is obtainable, even though it requires a bit more effort or is a bit more expensive, it is not proper to be lenient in this. One should purchase chalav Yisrael."

In recent years, a question has arisen concerning the kashrus of some milk-producing cows due to surgical procedures performed on their stomachs for

various reasons. According to the available information, many chalav Yisrael companies are now using only cows which do not undergo this procedure.

(Footnotes)

1 "Supervised" means either watching the actual milking or standing guard outside the milking area to make sure that no other milk is brought in from the outside; Y.D. 115:1.

2 Even a minor over the age of nine may be the supervisor; Aruch ha-Shulchan 115:8. [Nowadays, when the chance of mixing non-kosher milk into cow's milk is remote, even a non-believing Jew may be trusted with the supervision since only non-Jews were included in the original decree; Igros Moshe Y.D. 1:46; 2:47.]

3 Cow's milk is pure white, while non-kosher milk is greenish; Avodah Zarah 35b. Some hold that they taste different as well (Rav Akiva Eiger on Shach Y.D. 118:8), while others hold that they taste the same (Beis Meir, ibid.)

4 As explained by Chochmas Adam 67:1.

5 Powdered milk, too, was included in this ordinance; Chazon Ish Y.D. 41:4; Teshuvos R' Yonasan Shteif 159. See, however, Har Tzvi 103-104 who is lenient, and his ruling is followed by the Israeli Chief Rabbinate which certifies unsupervised powdered milk as chalav Yisrael (Daf ha-Kashrus, December 1997). Most chalav Yisrael chocolate manufacturers, however, do not rely on the Har Tzvi's leniency, and use only powdered milk made from supervised milk. Note that almost all milk-chocolate products are made of powdered milk; liquid (fluid) milk is usually not used to make milk chocolate.

6 Darchei Teshuvah 115:6.

7 Rama Y.D. 115:1.

8 Taz Y.D. 115:7.

9 Shach Y.D. 115:17; Chochmas Adam 67:5.

10 See Teshuvos Radvaz 4:74 and Pri Toar 115:2.

11 See Pischei Teshuvah 115:3, Aruch ha-Shulchan 115:5 and Darchei Teshuvah 115:6.

12 Beis Meir Y.D. 115:1; Chochmas Adam 67:1; Avnei Nezer 103; Igros Moshe Y.D. 1:49.

13 Teshuvos Chasam Sofer Y.D. 107, quoted by Pischei Teshuvah 115:3.

14 Some additional arguments against this leniency are: 1) There are hardly any locales, especially in rural areas, where such animals do not exist; Beis Meir, ibid. 2) Chazal did not always divulge all of their reasons for any particular edict; sometimes even when the obvious reason does not apply there are other, concealed, reasons which may apply; Aruch ha-Shulchan 115:6.

15 The view of the Chazon Ish 41:4 is somewhat unclear on this.

16 Chochmas Adam 67:1; Chasam Sofer Y.D. 107; Birkei Yosef Y.D. 115; Igros Moshe Y.D. 1:46.

17 Chazon Ish 41:4; Kisvei Harav Y.E. Henkin 2:57; Igros Moshe Y.D. 1: 47,48,49.

18 As mentioned earlier, "supervision" also includes standing guard outside the milking area so that no non-kosher milk is being brought in from the outside.

19 This became known colloquially as chalav stam ("plain milk"), which refers to its status as being neither expressly prohibited chalav akum nor expressly permitted chalav Yisrael. Note that only large milk companies are included in this leniency; there is no leniency for milk that comes from small farms, etc.

20 Zekan Aharon 2:44; Minchas Elazer 4:25; Har Tzvi 103; Minchas Yitzchak 10:31-15; Kinyan Torah 1:38, quoting Harav Y.Y. Kanievsky.

21 Chelkas Yaakov 2:37,38.

22 Even today there are situations where chalav Yisrael is not available, e.g., for business travelers or hospital patients. They may rely on the lenient opinion; Harav Y. Kamenetsky (Emes l'Yaakov Y.D. 115:1).

23 Including the OU, Star D, Chof K and others.

24 Igros Moshe Y.D. 2:35.

25 Dated 5716 and printed in Pischei Halachah (Kashruth), pg. 107. For unspecified reasons, this responsum was not published in Igros Moshe.

The Earliest Time to Perform the Mitzvot of the Morning R. Joshua Flug (YUTorah)

There are certain mitzvot, namely tzitzit, tefillin, K'riat Sh'ma Shel Shacharit and Tefillat Shacharit that may not be performed at night. One must wait until the morning to perform these mitzvot. At certain times of the year, depending on their location, many people find themselves starting their day while it is still dark outside. The question arises: when is the earliest time that one may perform these mitzvot? This problem will be exacerbated next week, when the recent legislation to start daylight savings time earlier than usual takes effect for the first time. This article will discuss the timeframe for each of these mitzvot and what one may do in difficult situations.

Introduction

There are three significant moments in the transition from night to day. The first is *alot hashachar*, dawn. According to some Poskim, *alot hashachar* is fixed at 72 minutes prior to sunrise, while others assume that it is fixed at 90 minutes prior to sunrise. Other Poskim assume that *alot hashachar* fluctuates based on the season. [See R. Avraham C. Adas, *Be'er Chaim* ch. 3, who records the various opinions.] The second is *misheyakir*, defined as the time when there is enough light for one to recognize his friend from a four *amot* distance. R. Ya'akov C. Sofer, *Kaf HaChaim* 18:18, and R. Moshe Feinstein, *Igrot Moshe*, *Orach Chaim* 4:6, both note that it is difficult to provide a fixed time for when *misheyakir* occurs. R. Sofer states that the practice in Jerusalem is to standardize *misheyakir* and assume that within an hour of sunrise is *misheyakir*. R. Feinstein states that in New York City it is generally 35-40 minutes before sunrise. The third moment is sunrise.

The Earliest Time for Donning a Talit

The Gemara, *Menachot* 43a, states that a nighttime garment is exempt from *tzitzit*. Rabbeinu Asher, *Hilchot Tzitzit* no. 1, cites Rabbeinu Tam, that the exemption of a nighttime garment is defined by the garment. If one wears a garment that is normally worn during the day or during the night, one fulfills the *mitzvah* of *tzitzit* with that garment whether it is worn during the day or night. According to Rabbeinu Tam, if one dons a *talit* at night, he may recite a *beracha* and he does fulfill the *mitzvah*. However, Rambam, *Hilchot Tzitzit* 3:7, maintains that the exemption of the nighttime garment is defined by the time itself. During the day one can fulfill the *mitzvah* with all types of garments. At night, there is no fulfillment of the *mitzvah*. According to Rambam, one may not recite a *beracha* upon donning a *talit* at night. Rambam does not define the point in time when it is considered daytime for the purpose of the *mitzvah* of *tzitzit*. Tur, *Orach Chaim* 18, suggests that *misheyakir* is the critical moment. Mordechai, *Megillah* no. 801, contends that the critical time is *alot hashachar*.

Rama, *Orach Chaim* 18:1, rules that out of deference to both the opinion of Rambam and Rabbeinu Asher, one should not recite a *beracha* unless one is wearing a daytime garment during the day. Shulchan Aruch, *Orach Chaim* 18:3, rules that one should not recite a *beracha* until *misheyakir*. Rama rules that one may recite a *beracha* after *alot hashachar*. However, Mishna Berurah, 18:10, rules that one should not rely on the opinion of Rama unless there is no other choice. [It should be noted that Rama, *Orach Chaim* 18:3, (based on Tosafot, *Menachot* 36a s.v. *U'K'sheyagia*) rules that one may don a *talit* prior to that time and when the time comes to recite the *beracha*, one can recite the *beracha* and then touch his *tzitzit*.]

The Earliest Time for Donning Tefillin

There are two issues regarding donning tefillin at night. First, the Gemara, *Berachot* 9b, states that the earliest time one can fulfill the *mitzvah* of tefillin is *misheyakir*. Second, the Gemara, *Menachot* 36b, states that it is prohibited to don tefillin at night. Rashi, *ad loc.*, s.v. *V'Ain* explains that there is a concern that if a person dons tefillin at night, he may fall asleep with his tefillin on and do something inappropriate for someone wearing tefillin.

The Gemara, *Menachot* 36a, states that if someone must begin his day before the proper time for donning tefillin, he may don the tefillin, and when the proper time comes, he may recite a *beracha* while adjusting his tefillin. Rabbeinu Peretz, in his *Hagahot L'Sefer Mitzvot Katan* (*Mitzvah* 153, 14a note 4) explains that the prohibition of donning tefillin at night only applies before one goes to sleep. After someone wakes up, he may don tefillin, even if it is nighttime. Nevertheless, he must wait until *misheyakir* in order to recite a *beracha*. Mishna Berurah 30:13, rules that if one accidentally recited a *beracha* before the proper time, he should not repeat the *beracha* when *misheyakir* arrives.

Rabbeinu Peretz adds a novel idea that since it is permissible to don the tefillin before *misheyakir*, it is also permissible to recite a *beracha*. Shulchan Aruch, *Orach Chaim* 30:3, clearly rules that one may not recite a *beracha*. Mishna Berurah, *Bi'ur Halacha* 30:3, s.v. *U'K'sheyagia*, rules that there are those who don tefillin prior to *misheyakir*, in accordance with the opinion of Rabbeinu Peretz, but there is no justification for relying on his opinion. However, R. Moshe Feinstein, *Igrot Moshe*, *Orach Chaim* 1:10, rules that if one's occupation does not allow him to don tefillin at the proper time, he may rely on the opinion of Rabbeinu Peretz and he is not required to find another occupation.

The Earliest Time for K'riat Sh'ma and Tefillah

The Gemara, *Berachot* 9b, states that the ideal time for Tefillah Shacharit is to begin the Amidah at the moment of sunrise. This is the practice of the Vatikim (Rashi *ad loc.*, s.v. *Vatikim*, describes the Vatikim as humble people who have a love for *mitzvot*). The Gemara states that the Vatikim would finish K'riat Sh'ma and its *berachot* immediately prior to sunrise.

Rambam, *Hilchot Tefillah* 3:7, states that one may only recite the Shacharit prayer before sunrise if he is in a pressing situation. In that pressing situation, one may begin the prayer at *alot hashachar*. According to Rambam, the Vatikim are praiseworthy for starting the Amidah at the first possible moment. Rabbeinu Asher, *Berachot* 4:1, implies that it is permissible to pray before sunrise as long as it is after *alot hashachar*. The praiseworthiness of starting one's Amidah at sunrise is not due to sunrise serving as the first moment to pray. Rather, it is based on the verse (*Tehillim* 72:5) "yira'ucha im shamesh (they shall fear you with sunrise) which the Gemara, *ibid*, attributes as the source of the practice of the Vatikim. There is something inherently special about starting one's prayers at sunrise. Mishna Berurah, *Bi'ur Halacha* 89:1 s.v. *Yatza*, notes that most Acharonim are of the opinion that ideally, one should not start the Amidah before sunrise unless he is in a pressing situation. He does present the view of P'ri Chadash, *Orach Chaim* 89:1, who follows Rabbeinu Asher's opinion that sunrise is only significant for those who are following the Vatikim. Otherwise, one may begin the Amidah before sunrise. Regarding K'riat Sh'ma, the Gemara, *Berachot* 9b, states that in a pressing situation one may occasionally recite K'riat Sh'ma at *alot hashachar*. However, in a normal situation, one may only recite K'riat Sh'ma after *misheyakir*. Nevertheless, there is a dispute regarding the *berachot* that precede and follow K'riat Sh'ma. Rashba, *Berachot* 9a, s.v. *K'tzaro*, is of the opinion that one may recite the *berachot* of K'riat Sh'ma at *alot hashachar*. Rashba's opinion is codified by Shulchan Aruch, *Orach Chaim* 58:3. Magen Avraham 58:5, disagrees and maintains that one may not recite the *berachot* of K'riat Sh'ma until *misheyakir*. Mishna Berurah 58:17, sides with the opinion of Magen Avraham. The practical significance of this ruling is that one should not begin the *berachot* of K'riat Sh'ma until *misheyakir*. Following the Shulchan Aruch would allow one in a pressing situation to time the prayers to end at *misheyakir*. By doing so, he may fulfill the *mitzvah* of K'riat Sh'ma and tefillah and still recite a *beracha* on the *talit* and tefillin when *misheyakir* arrives. R. Moshe Feinstein, *op. cit.*, allows one to rely on the opinion of Shulchan Aruch in a pressing situation. R. Joshua Flug is the Rosh Kollel of the Boca Raton Community Kollel
