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From: ravfrand-owner@torah.org on behalf of Rabbi Yissocher Frand [ryfrand@torah.org] Sent: Friday, March 17, 2006 To: ravfrand@torah.org Subject: Rabbi Frand on Parshas Ki Sisa "RavFrand" List - **Rabbi Yissocher Frand on Parshas Ki Sisa** These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 496, Tallis: Bringing It Home On Shabbos. Good Shabbos!

Let The Cow Come And Clean Up The Mess Left By The Calf

I would like to share the following beautiful idea about the Aveyra [sin] of the Golden Calf, taken from an essay by **Rav Avigdor Nevinsal**, the Rav of Jerusalem's Old City.

The story of the Golden Calf, which occurred only a few months after the Exodus from Egypt and the splitting of the Red Sea, and only a few weeks after the Revelation on Mount Sinai, is one of the most perplexing episodes in the Torah. How did Klal Yisrael [The Jewish People], who had so recently reached such spiritual heights, come to commit such an act?

The answer to this question lies in the following explanation.

Chazal teach that the Parah Adumah [Red Heifer] provides atonement for the Chet haEgel [Sin of the Calf]. The Sages use the metaphor "Let the mother

(cow) come and clean up the mess of her child (calf)." There is far more symbolism implicit in this statement than just the cow-calf relationship.

Chazal are saying that there is something inherent in the nature of Parah Adumah that is a direct antidote and atonement to what the Chet haEgel was all about. The challenge lies in uncovering this connection. What does Parah Adumah have to do with Chet haEgel?

Tractate Parah deals extensively with the process of preparation of the ashes of the Parah Adumah. One who has even superficially learned these Mishnayos, detailing the laws of preparation of the Parah Adumah, is impressed with the measures the Rabbis took to ensure that the Parah Adumah was always made with the highest standard of purity ("al taharas hakodesh").

Walls and barriers were built between the people involved in the preparation of the Parah Adumah and any type of tumah [impurity]. The

entire process was built with safe guards and fail-safe apparatus to make sure that no tumah would ever come in contact with the people involved in preparing the ashes to be used in the "sprinkling ritual" that purified those who had come in contact with the dead. This was carried to such an extent that the children used to draw the water for the Parah Adumah mixture were born in special locations and were guarded throughout their childhood to ensure that they never accidentally came in contact with tumah.

There is however one anomaly to this entire process. The Mishneh says that the Kohen who actually burned the Parah Adumah to create the ashes was made to have the status of a Tevul Yom [Parah 3:7]. This means that he became impure, he immersed himself in a mikvah, and all he needed to do was wait for nightfall to regain the status of being tahor [ritually pure].

Regarding all other sacrifices, a Tevul Yom is not allowed to bring the offering – because he is not yet fully tahor. Our first instinct would be to assume that certainly a Tevul Yom could not have anything to do with the preparation of the Parah Adumah. However, not only was a Kohen who was a Tevul Yom ALLOWED to prepare the Parah Adumah, but ironically they INSISTED that every Kohen who ever was involved in the burning preparation of the Parah Adumah first be made into a Tevul Yom.

This insistence was based on Rabbinical exegesis that a Kohen was allowed to burn the Parah Adumah. In fact, it was for this reason that the Rabbis went to extremes in the other matters relating to the preparation of the Parah. Lest people think that one does not need to be meticulous with matters of purity and impurity in preparing the Parah (as indicated by the fact that a Tevul Yom can burn the Parah even though he cannot offer any other sacrifice), the Rabbis decided they must go 'overboard' so to speak, in the other matters of preparation, to counteract such a notion. The issue of the validity of the Rabbinical exegesis allowing a Kohen Tevul Yom to burn the Parah Adumah was a major dispute between the Perushim [Pharisees] and the Tzedukim [Sadducees] during the time of the Mishneh and Gemara. The Tzedukim interpreted the Torah literally, denying the validity of the Oral Tradition and of Rabbinic exegesis.

The Tosefta in Tractate Parah says that in the time of the Second Temple, when many Kohanim Gedolim [High Priests] were corrupt and at times were even Tzedukim, there was an incident of a Tzedukee Kohen Gadol, who intended to prepare a Parah Adumah "the correct way" without allowing himself to be made a Tevul Yom. The Rabbis forced him to become Tameh and then ensured that he went to a Mikveh. Instead of subsequently burning the Parah Adumah as a Tevul Yom, the Tzedukee Kohen Gadol stalled until it was already nighttime. Since the Parah could not be burned at night, he said that he would do it the next day. Rabbi Yochanan ben Zakai personally woke this Kohen the next morning and again made him Tameh and again made him go to the Mikveh, ensuring that he in fact burned the Parah in the state of Tevul Yom, against his intention and against his original plan.

The Tosefta concludes that this Tzedukee Kohen Gadol threatened Rabbi Yochanan ben Zakai that he would get back at him "when I get the opportunity". Three days later, however, he died. All this illustrates the pitched battle that existed in Talmudic times between the Perushim and the Tzedukim regarding the Parah Adumah procedures.

Parah Adumah does not only represent the quintessential chok [incomprehensible command] of the Torah. It also represents the quintessential example of a law where one's common sense reasoning needs to be nullified in the face of Rabbinic exegesis and Rabbinic enactments.

Parah Adumah is the prime example of a law directing us to "blindly" follow the Torah and the Rabbis, despite our lack of understanding.

Now let us return to Parshas Ki Tisa and the Aveyra of the Golden Calf. A case could be made that the action of the Jews when they worshipped the Golden Calf was really not their fault. Picture the following. Let us

say a father takes his ten-year-old son by airplane to Minneapolis, Minnesota to Mall America – the largest shopping mall in the world. It is possible to spend a week in that mall and not see every store. Imagine if the son is overwhelmed by the shopping mall, and imagine that the father then disappears from sight.

The boy is in a strange place in an overwhelming situation. He does not know anyone there. Would it be any wonder if the petrified child panicked?

Would it be any wonder if the child went over to a perfect stranger and said: "be my father"?

This is how Klal Yisrael must have felt in the Wilderness. They were taken out into the desert. They must have felt that they were literally in the middle of nowhere. They were totally dependent on one man – Moshe Rabbeinu – who now disappeared. Moshe had made sure there was protection from the elements. He was the entire conduit between them and the Almighty. Without Moshe, they panicked.

Is it any wonder they sought a new intermediary between themselves and G-d? This is the way it had always been. We can understand perfectly how they must have felt. Making a Golden Calf in lieu of a father figure is almost a logical and rational reaction on their part, given the circumstances.

What then was the 'complaint' against Klal Yisrael? Where did they go wrong?

The complaint against them is based on the fact that before Moshe ascended Mount Sinai he told them explicitly: "If you have a problem, go to Aharon and Chur" [Shmos 24:14]. The analogy to Mall America is not 100% accurate.

A more parallel case would be if the father brought along to Mall America the ten-year-old son's older 17 year-old brother and told his younger son, "if you can't find me, go to your older brother – he'll know what to do."

What happened? The people in fact went to Chur. They told them "We have this brilliant idea. It's called the Golden Calf. We'll create one to be our new leader." Chur told them it was a horrible idea and forbade them to act upon it. The result was that the people killed Chur. Why? Because they believed it was a good idea. They then went to Aharon and repeated their idea to him. Aharon saw what they had done to Chur, and for whatever calculation he had in responding positively, out of fear for his life, agreed to help them with their plan.

The mistake of Klal Yisrael was that they ruled in this matter on their own without consulting the proper authorities. Such a revolutionary step as replacing Moshe Rabbeinu with a Golden Calf should under no circumstances be contemplated without first asking a "shaylah" [Rabbinic query] and without being prepared to abide by an authoritative "teshuva"

[response] to such a "shaylah".

They felt that there was no need to ask a serious "shaylah". "It makes sense to us," they argued. It is true that the Golden Calf involved the Aveyra of idolatry, but it also involved another very fundamental flaw. A person must have the awareness that there are certain things he cannot do on his own. There are things about which he must ask a "shaylah" and many times there are situations where he must nullify his own opinion and understanding in the face of another person's superior opinion.

Now it makes eminent sense why the Parah Adumah should atone for the Aveyra of the Golden Calf. The Chet HaEgel was an instance where the people did not ask and were not willing to nullify their own opinion.

Rather, they went off on their own, using their own power of reasoning.

This is what the Tzedukim were always doing. "I can read the Torah. I can figure out what it says to do in the Torah. I do not need any Rabbi to explain to me what I am supposed to do." This is exactly the Aveyra of those who built the Golden Calf.

We now understand what our Sages mean when they say let the Cow

come and clean up the mess the Calf made. Let history not repeat itself. Let the Parah Adumah, which not only represents nullifying one's understanding to that of the Almighty, but also represents nullifying one's understanding to that of the Rabbis, come as the antidote for the spiritually self-reliant attitude that led to the creation of the Golden Calf.

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Partnership Minyanim by Aryeh A. Frimer and Dov I. Frimer May 23, 2010 by Aryeh and Dov Frimer

Below is the edited text of a teleconferenced lecture delivered by Rabbis Aryeh and Dov Frimer to participants at the 51st Annual Convention of the Rabbinical Council of America on April 27, 2010. These comments are based on a very lengthy and heavily documented article which will be completed shortly; with a few exceptions, only leading references are cited in the present manuscript.

Partnership or halakhic egalitarian *minyanim* (e.g., *Shira Hadasha* in Jerusalem and *Darkhei Noam* in Manhattan) actively involve women in leading the prayer service wherever these communities deem it halakhically appropriate. The practices differ from community to community, but can range from having women receive *aliyyot* and serve as *ba'alot keriah*, read *Megillat Esther* for men and women, read the other four *Megillot*, serve as *Hazaniyyot* for *pesukei de-zimra* and *Kabbalat Shabbat*, and lead the recitation of *Hallel*. Let me make it clear at the outset, that these practices are a radical break from the ritual of millennia and have not received the approval of any major *posek*.

Because of time limitations, we have decided to focus on two major issues: *keriat ha-Torah* and the recitation of *Hallel* – because we believe them to be paradigmatic of many of the issues that have been raised.

Women and Keriat haTorah

Our discussion of *keriat haTorah* begins with the *Gemara* in *Megilla* 23a.

תנו רבנן: הכל עולין למגן שבעה, ואפילו קטן ואפילו אשה.
אבל אמרו חכמים: אשה לא תקרא בתורה, מפני כבוד צבור.

The Rabbi Taught: All are eligible to receive one of the seven [Sabbath] *Aliyyot*, even a minor and even a woman. However, the Sages said: A woman may not read from the Torah, because of the honor of the community.

This Talmudic statement was subsequently codified essentially unchanged in *Shulhan Arukh* (O.H., sec. 282:3). Despite the above negative ruling of the *Talmud*, *Shulkhan Arukh* and in their wake all subsequent codifiers, within the last decade, there have been two major attempts to reopen this issue. One was an article penned by R. Mendel Shapiro, in the *Edah*

Journal in Summer 2001. The second was the recent book *Darka shel Halakha* published by Israel Prize laureate R. Prof. Daniel Sperber. Turning first to R. Mendel Shapiro, he argues that the major barrier to women getting *aliyyot* is *kevod ha-tsibbur*, which he understands to be related to a woman's social status. Since there has been a dramatic change in the sociological status of women in contemporary society, this should impact upon the relevance of *kevod ha-tsibbur*. Furthermore, the community should be sovereign to forgo its honor.

Evolution of Keriat haTorah

Before responding to R. Shapiro's analysis, a few words of introduction. *Keriat haTorah* has undergone somewhat of an evolution over the years. The Talmud [B.T., *Bava Kamma* 82a; J.T., *Megilla* 4:1] records that Moshe *Rabbenu* instituted that one *oleh* should read the Torah aloud for all – much like the way we practice the reading of *Megillat Esther*. In an attempt to get more people involved, Ezra instituted multiple *aliyyot*, and he varied the number according to the nature and sanctity of the day. The goal of these readings was **public Torah study** and to assure that it would take place on a regular basis.

Additionally, each *oleh* originally read his own Torah portion aloud from the *sefer Torah*, much the way it is done in Yemenite Synagogues to this day. This required literacy, knowledge and preparation – a challenge to which all were not equal (*Resp. Rivash*, sec. 326). It was not until several hundred years later, in the Gaonic period (*Resp. Iggerot Moshe, O.H.*, II, sec. 72), and certainly by the year 1000, that a *ba'al korei* was appointed to read aloud from the *Torah* for each *oleh* (*Tosefot, Megilla* 21b, s.v. "Tana," ; *Piskei haRosh, Megilla*, Chapt. 3, sec. 1).

How Can Women Theoretically Receive Aliyyot

Now this *gemara* in *Megilla* indicates that a minor, and – were it not for *kevod ha-tsibbur* – a woman, might be eligible to receive an *aliyya*. This statement is quite astounding for one simple reason. The overwhelming majority of *posekim*, both *rishonim* and *aharonim*, exempt women from any requirement to hear the public Torah reading, just as they exempt them from all other public prayer rituals.[1] The same is clearly true for a minor.

The *Mishna* in *Rosh haShana* 3:8 states categorically:

זה הכלל כל שאינו מחויב בדבר אינו מוציא את הרבים ידי חובתו

This is the general principle: one who is not obligated, cannot help others fulfill their obligation."

This is comparable to the reading of *Megillat Esther*: a minor who is exempt cannot read the *Megilla* for an adult (*Shulhan Arukh, O.H.*, sec. 689:2).

Now remember that in Mishnaic and Talmudic times, each *oleh* read their Torah portion aloud for the entire congregation. How, then, could Haza"l even consider allowing women and minors, who are exempt from the *keriat haTorah* obligation, to receive an *aliyya* and read the Torah for the assembled?

Perforce, the obligation of *keriat haTorah* differs fundamentally from the obligation of reading *Megillat Esther*. In the case of *Megilla*, each adult male and female has a personal obligation to read from the *Megilla*. The individual selected to read aloud from the *Megilla scroll*, thereby, enables others to fulfill their obligation via the principle of *shome'a ke-oneh* (listening attentively is like saying) – exactly as we do by *Kiddush* and *Havdala*. In order for this principle to work, however, **the reader must be a *bar hiyyuva*** – inherently obligated.

But *keriat haTorah* is necessarily different than reading the *Megilla*. Here you need not one knowledgeable individual to read, but **seven!** The *Rivash* (sec. 326) indicates that Haza"l were concerned by the difficulty of finding *olim* who would be able to read from the *Sefer Torah*. They, therefore, considered widening the pool of eligible *olim* by formulating the *keriat haTorah* obligation more leniently. There is a disagreement, however, as to the exact nature of this reformulation.

One school argues that in contradistinction to the reading of *Megillat Esther*, *keriat haTorah* is a not a personal obligation but a communal one – *hovat ha-tsibbur* (see R. Ovadiah Yosef, *Halikhot Olam*, I, *Parashat Ki Tisa*, no. 4, note 4). The *men* of the community are *obligated* to ensure that a *minyán* is available for a Torah reading – and when such has been secured, any Jew present, including women and minors who are not obligated, can at least in theory read for the community.

The second school maintains that the obligation is a personal one. Nevertheless, in contradistinction to *mikra Megilla*, one's duty is not to **read** from the Torah, but rather to **listen** as the words of the *Torah* are read aloud from the *sefer Torah* by several Jews (their number ranging from three to seven). As to the obligation of **listening** to the reading, each

one can do that by themselves (see R. Moses Feinstein, *Iggerot Moshe, O.H.*, II, sec. 72, IV, secs. 23 and 40, nos. 4 and 5). Hence, the exact level of obligation of the readers in *keriat haTorah* is unimportant – they can be women or minors, provided they can read aloud.

The fundamental take home lesson from this discussion should be clear. It's not that women were obligated in *keriat haTorah* – and by right should have had *aliyyot* – and along came *kevod ha-tsibbur* (which we have yet to define) and took it away. On the contrary, women are **not** obligated in *Keriat haTorah* and, therefore, should have had **no** role to play therein. In an exceptional move, and out of fear that there would not be enough knowledgeable men to read from the *Sefer Torah*, Haza"l considered allowing women to get *aliyyot*. It was a very special dispensation, instituted in times of rampant illiteracy, in an attempt to preserve the institution of *Keriat haTorah*. However, because of *kevod ha-tsibbur*, Haza"l decided that they would not allow this dispensation to become normative practice. We will come back to this point again – because it is the key to understanding much of the issue of women and *aliyyot*.

Under a Ba'al Korei System

Let me note that up until now we have only explained the first part of the Baraita in *Megilla* 23a – namely *ואפילו קטן ואפילו אשה*. We have yet to talk about *kevod ha-tsibbur*. This we will do shortly. But we'd like to point out that when the rabbis of the Talmud talked about women getting *aliyyot*, they were talking about a case where the **Oleh** made the *berakhot* **and** read aloud to the whole community. In fact, the *Oleh* is the only one in that room who has any obligation to read; everyone else is supposed to listen.

However, as you all know, nowadays the job of *Oleh* is bifurcated – divided into two. The *oleh* makes *berakhot* – but who does the *mitsva* action? Who does the *ma'aseh ha-mitsva*? The *ba'al korei*! But, how can one person make *berakhot* and another do the *ma'aseh ha-mitsva*? This is contrary to all other cases in Jewish law, where the one who does the **action** is the one who makes the *berakha*! For there not to be a *berakha le-vatala*, there must be some mechanism to transfer the reading – the *ma'aseh ha-mitsva* – from the *ba'al korei* to the *oleh*.

We've already mentioned the mechanism of *shome'a ke-oneh*. It is through this mechanism that we fulfill our obligation in reading *Megillat Esther*, *Kiddush* and *Havdala* – by listening to the reciter. However, this mechanism requires that the *ba'al korei* – who does the mitsva action of reading aloud, and the *oleh* – who recites the *berakha*, be obligated in *keriat haTorah*. Otherwise there is no transfer mechanism to make it one act. The *berakhot* will not be connected to the act and will be *le-vatala*.

[Please note: we are not concerned here with how a non-obligated woman can read the Torah aloud for the community – with that we dealt above. Here we are focusing on her inability to read for the oleh or to have someone read for her when she is an *olah*.]

Now, a woman could read for herself and make the appropriate *berakhot* – there is no need in that case for transfer when the same person does both acts. **But, she cannot read for others, nor can others read for her – and this is *me-ikkar ha-din* (basic law) and has nothing to do with *kevod ha-tsibbur*.** It should be clear therefore that, even without talking about *kevod ha-tsibbur*, what is done in nearly all egalitarian/partnership *minyanim* is completely wrong; unless the woman who gets the *aliyya* **reads for herself**, the *birkhot keriat haTorah* are *berakhot le-vatala*. If the woman who gets an *aliyya* does indeed **read for herself**, then we have to discuss the issue of *kevod ha-tsibbur* – to which we now turn

Kevod haTsibbur Defined

All we have said thus far has been in the absence of *kevod ha-tsibbur*. Let's now introduce this concept into the equation. Let's now return to the *baraita* cited in *Megilla* 23a

תנו רבנן: הכל עולין למנין שבעה, ואפילו קטן ואפילו אשה

Provided she reads for herself;

אבל אמרו חכמים: אשה לא תקרא בתורה, מפני כבוד צבור.

How are we to understand the *kevod ha-tsibbur* element by women's *aliyyot*? And why does it not apply to a *katan* – a minor? R. Mendel Shapiro argued that *kevod ha-tsibbur* is a social concept – and a woman's general standing in society was lower than that of men. R. Shapiro unfortunately errs, however, for several reasons. Firstly, the vast majority of *Rishonim* and *Aharonim* simply disagree with his analysis – *kevod ha-tsibbur* has absolutely nothing to do with social standing. It is for this reason that perhaps the greatest social reprobate – a *mamzer* – can

receive an *aliyya* (Rema O.H. sec. 282:3). Rather, the vast majority of *Poskim* maintain that *kevod ha-tsibbur* stems either from *tsniut* considerations, or from *zizul ha-mitsvah* (disparaging or belittling ones obligation).

The *Tsniut* School includes *inter alia* such leading scholars as R. Yaakov Emden, R. Avraham David Rabinowitz-Teomim, R. Yosef Dov Soloveitchik, R. Shaul Yisraeli, R. Dov Eliezerov, R. Shlomo Zalman Auerbach, R. Eliezer Waldenberg all zatsa"l, and R. Shlomo Yosef Elyashiv, R. Efraim Greenblatt and R. Zalman Nechemia Goldberg Shlit"a.[2] This school argues that because of possible sexual distraction, women should not unnecessarily be at the center of communal religious ritual. This is particularly true by *keri'at haTorah* since women are simply not obligated in Torah reading.

It's important to note that the synagogue is the one place that we particularly try to sanctify our thoughts; and we make special efforts to avoid all sexual distraction. Therefore, R. Eliyahu David Rabinowitz-Teomim, R. Abraham Isaac Kook and R. Menachem Kasher, note that the standards of *tsniut* in a synagogue are halakhically greater than those in other venues – as evidenced by the requirement of a *mehitsa*.

Now, if a woman is obligated to fulfill a particular personal ritual, such as reciting *birkat ha-gomel* or saying *Kaddish yatom*, many *gedolei ha-poskim* see no problem, for this is her individual obligation. The concern of the *Tsniut* School is for women unnecessarily being at the center of a communal religious ritual.

The second *Zizul haMitsvah* School includes among others R. Naphtali Zvi Yehuda Berlin, R. Yosef Kapah, R. Ovadiah Yosef, R. Yosef Messas, and R. Shimon Harrari,[3] but is actually preceded by several *Rishonim* [Rashi, *Tosafot*, *Tosafot haRosh* and *Tosafot* Rabbenu Peretz to *Sukka* 38a]. These scholars maintain that the men, who ARE obligated, should be the ones fulfilling the *mitsva* – not the women who are NOT. To have those exempted lead the communal ritual reveals that the men do not value their *mitsva* obligations – which constitutes *zizul* or *bizayon ha-mitsva*. This consideration does not apply to *ketanim* because of *hinukh* considerations.

Can a Community Set Aside Kevod haTsibbur by Women's Aliyyot?

Now, in light of this, we believe that in the specific case of women's *aliyyot*, the large majority of *poskim* would rule that a community cannot set aside its honor – for a variety of reasons. Firstly, there is a substantial cadre of *rishonim* (eg., Rambam and Semag) and *aharonim* (*inter alia*, *Ma'aseh Roke'ah*, R. BenZion Lichtman, R. Zalman Nechemiah Goldberg)[4] who maintain that in the specific case of women's *aliyyot*, the rabbis simply forbade women from ever receiving *aliyyot* – even in cases of *she'at ha-dehak* where there is no one else knowledgeable to read.

There is another very large group of *poskim*[5] – probably the majority – led by the Ba"H, who also maintain that a community cannot set aside *kevod ha-tsibbur*. In cases of *she'at ha-dehak* – where there is no one else eligible, *kevod ha-tsibbur* is no longer in effect because Haza"l never forbid under such dire straits. Only then can a woman read, and it is to such cases that the Gemara in *Megilla* was referring.

Finally, it makes little sense that Haza"l would disallow women's *aliyyot* because of deep concerns about *kevod ha-tsibbur* – be it because of *tsniut* or *zizul ha-mitsvah* – and yet, a community could come along and say, we don't care about Haza"l's concerns.

Now let me reiterate the point we made earlier. It's not that women were full partners in *keriat haTorah*, and *kevod ha-tsibbur* came along and took away from women something that was rightfully theirs. Rather because of rampant illiteracy and lack of education, the Rabbis as a special dispensation considered the possibility of allowing women to get *aliyyot*. Haza"l determined, however, that as normative synagogue practice this would be a bad idea, because it might well introduce an unnecessary element of sexual distraction or would reflect the belittling of the men's *mitsva* obligation. It did, however, remain an option according to most authorities for *she'at ha-dehak* situations – situations where no one else was able or eligible to read.

Kevod haTsibbur and Partnership Minyanim

Now here comes our central point! This understanding of *kevod ha-tsibbur* clearly applies to the vast majority of innovations in *Partnership Minyanim*. While women are welcome, even encouraged to attend shul, they are not obligated to maintain a properly functioning *minyan* in their community. They are not obligated in *minyan* attendance, nor in *tefilla be-tsibbur* nor in *keri'at haTorah* nor in any other public prayer rituals – which we do as a *tsibbur*.

Having women lead such public rituals would at least be a violation of *kevod ha-tsibbur* – according to either of its possible definitions. The *zizul ha-mitsvah* view of *kevod ha-tsibbur* maintains that since it is the men who ARE obligated in public prayer rituals, they should be the ones fulfilling them – not women who are NOT at all obligated. The source and nature of this obligation is not critical. It may be biblical, rabbinic, custom or *mitsva min ha-muvhar*. The recitation of the *megillot*, *kaballat Shabbat* and certainly *pesukei de-zimra* in shul – is a long standing communal *minhag* of at least hundreds of years. Indeed, R. Saadya Gaon holds that the role of the *shaliah tsibbur* begins before *pesukei de-zimra*, and that is our *minhag*. In a shul context, it is the men who are obligated in performing and running public prayer. To have women fulfill these communal obligations would reveal that the men-folk do not value their halakhic responsibilities and obligations, and that is a serious issue of *zizul* or *bizayon ha-mitsva*. Again there is no *kevod ha-tsibbur* by a *katan* because of *Hinukh*.

The *Tsniut* School, on the other hand, argues that because of possible sexual distraction, women should not unnecessarily be at the center of any communal religious ritual. By contrast, *birkat ha-gomel* and even *Kaddish yetoma* are individual obligations done in *aminyan*. Reciting *Kiddush* after shul can be viewed as fulfilling ones personal obligation in the presence of many; but its not part of the public prayer ritual – hence *kevod ha-tsibbur* is not relevant

We note that the correctness of the above analysis, that the practices of *Partnership Minyanim* violate *kevod ha-tsibbur*, has been confirmed by *Moreinu veRabbenu* R. Aharon Lichtenstein and the noted *posek* R. Moshe Mordechai Karp, *she-yibadlu le-hayyim tovim ve-arukim*.

Kavod haBeriyot

The second attempt to reopen the issue of *aliyyot* for women is that of R. Prof. Daniel Sperber, in *Darka shel Halakha*. There is much to critique in this book and AAF has written a lengthy review which appeared on "The Seforim Blog" in June 2008 (<http://seforim.blogspot.com/2008/06/aryeh-frimer-review-of-daniel-sperbers.html>). We will focus, however, on Prof. Sperber's major *hiddush* in this book. Briefly, Prof. Sperber focuses on the halakhic concept *kevod ha-beriyot*, which refers to shame or embarrassment which would result from the fulfillment of a religious obligation. Thus, the Gemara in *Berakhot* 19b indicates that if one is wearing *sha'atnez* – the wearer is obligated to remove it even in the marketplace, despite any possible embarrassment. However, if the garment is only rabbinically forbidden, one can wait until they return home to change. The reason is that *kevod ha-beriyot*, the honor of the individual, can defer rabbinic obligations and prohibitions. Hence, Prof. Sperber maintains that if there is a community of women who are offended by their not receiving *aliyyot* – because of the rabbinic rule of *kevod ha-tsibbur*, then *kevod ha-beriyot* should defer *kevod ha-tsibbur*.

Prof. Sperber is correct that *kevod ha-beriyot* has always been an important consideration in *psak*. However, an in-depth survey of the responsa literature over the past 1000 years makes it clear that **it cannot be invoked indiscriminately**. Indeed, the *gedolei ha-poskim* make apparent that there are clearly defined rules – we have found 14 – which nullifies R. Sperber's claim and we believe he has violated nearly all 14 of them. Because of time limitations we will very quickly cite only seven (7).

(1) Firstly, *kevod ha-tsibbur* is merely the *kevod ha-beriyot* of the community (*Resp. Bet Yehuda*, O.H. 58). Hence it makes no sense that the honor of the individual should have priority over the honor of a large collection of individuals. Indeed, this is explicitly stated by the Meiri, *Bet haBehira*, *Berakhot* 19b): "שאין כבוד רבים נדחה מפני יחיד או יהודים"

(2) Secondly, The Meiri (*ibid.*) also emphatically states: "שלא אמרה תורה כבוד אחרים בקלון עצמך." Giving women *aliyyot* by overriding *kevod ha-tsibbur* with *kevod ha-beriyot* would effectively be honoring women by dishonoring the community – and, hence, should not be done.

(3) More fundamentally, R. Sperber's suggestion would ask us to uproot completely the rabbinic ban on women's *aliyyot*. However, the Jerusalem Talmud (*Kilayim* 9:1) indicates that *kevod ha-beriyot* can only temporarily (*sha'ah ahat*) set aside a rabbinic ordinance. That this proviso of *sha'ah ahat* is applied to Rabbinic *mitsvot* as well – by *Tosafot*, *Or Zarua*, *Penei Moshe*, Vilna Gaon, R. David Pardo, *Arukh haShulhan* and others.[6]

(4) Fourthly, many *poskim* including R. Yair Hayyim Bachrach, R. Isaac Blazer, R. Meir Simha of Dvinsk, R. Jeroham Perlow, R. Moses Feinstein,

R. Chaim Zev Reines[7] indicate that the “dishonor” that is engendered must result from an act of disgrace – not from refraining to give honor. (5) Similarly, nearly all authorities (including R. Naftali Amsterdam, R. Elhanan Bunim Wasserman, R. Makiel Tsvi haLevi Tannenbaum, R. Joseph B. Soloveitchik, R. Elijah Bakshi Doron, R. Chaim Zev Reines, R. Israel Shepansky, and R. Yitzhak Nissim[8]) maintain that *kevod ha-beriyot* requires an objective standard that affects or is appreciated by all. This view rejects subjective standards – in which what is embarrassing results from the idiosyncrasies or hypersensitivities of an individual or small group. Many religiously committed women would perhaps prefer it otherwise; but they understand and accept the halakhic given, that they are not obligated in *keri'at haTorah* and, hence, cannot receive *aliyyot*. More fundamentally, however, does it make any sense that a group of women or men could say: “this Rabbinic *halakha* or ordinance offends me” and as a result the Rabbinic injunction or obligation would be abrogated thereby?! Is there a simple *carte blanche* to uproot Rabbinic ordinances like *mehitsa*, *tsni'ut*, *kashrut*, *stam yeynam*, *bishul akum*, many aspects of *taharat ha-mishpahah*, who counts for a minyan, and who can serve as a *hazzan*?! Such a position is untenable, if not unthinkable.

(6) *Resp. Rivash* (sec. 226) forbid sewing baby clothes during *hol ha-moed* for a newborn's circumcision despite the wealthy parents' desire to dress him according to his status for the event. One of Rivash's rationales is that since all understand that Haza"l forbade sewing new clothes on *hol ha-moed*, *kevod ha-beriyot* cannot be invoked to circumvent this rabbinic prohibition. Similarly, one cannot invoke *kevod ha-beriyot* to allow women to receive *aliyyot*, because all understand that this has been synagogue procedure for two millennia and that the Rabbis of the Talmud themselves prohibited it.

(7) Rivash (*ibid.*) and *Havot Yair* (sec. 95) and others categorically rule against extending the leniency of *kevod ha-beriyot* beyond those 4 categories explicitly discussed by Haza"l - honor of the deceased, personal hygiene dealing with excrement, undress and nakedness, and the sanctity of the family unit.

Thus we believe that the arguments of both Rabbis Shapiro and Sperber do not stand up under close scrutiny and there are no grounds to permit women's *aliyyot*. Hence, we take strong issue with those who would enact women's *aliyyot* in practice, and hastily undo more than two millennia of Halakhic precedent. Considering the novelty of this innovation, religious integrity and sensitivity would have required serious consultation with renowned halakhic authorities of recognized stature – before acting on such a significant departure from tradition and normative *halakha*. Often it takes time before a final determination can be reached as to whether or not a suggested innovation meets these standards. But that is no excuse for haste.

Recitation of *Hallel* in the Talmudic Period

One of the new major innovations instituted by Partnership *Minyanim* is having a woman serve as the *shelihat tsibbur* for the recitation of *Hallel*. What is the rationale behind this innovation?

In the Talmudic period, the general custom was for the *shali'ah tsibbur* to recite the entire *Hallel* alone, out loud, with the congregation punctuating the *Hallel* with various responses of *Halleluya* and the repetition of specific verses. The community fulfills its obligation of *Hallel* via the recitation of the *shali'ah tsibbur* by the general mechanism of *shome'a ke-oneh*. The precise nature of the communal response is the subject of much debate: yet the model of the responsive *Hallel* interplay is the *shira ve-aniyya* (song and response) of *Moshe Rabbenu* and *Am Yisrael* when they sang *shirat ha-yam* in praise of the Almighty – as described in *Sotah*(30b). This unique responsive *Hallel* format (also referred to by the classic commentaries as *ker'ia ve-aniyya*, recitation and response) is invoked, according to the vast majority of authorities, only when reciting *Hallel be-tzibbur*, but not when *Hallel* is recited *be-yehidut* (alone).[9]

What kind of *tsibbur* is required for the responsive *Hallel*? Rema (O.H., 422:2), allows a responsive *Hallel* even when there are merely three males (see next paragraph) davening together. R. Moshe Soloveitchik (*Reshimot Shiurim*, supra note 9, p. 190) maintained, however, that except for Seder night (see *Shulhan Arukh*, O.H., 479:1), a regular minyan of ten men is necessary for *shirave-aniyya*. *Hallel* was enacted to be part of the *shaharit* service; and just as *shaharit be-tzibbur* requires a *minyan*, so too *Hallel be-tzibbur*. *Arukh haShulhan* (O.H., sec. 422, no. 8) indicates that the general custom follows the latter position.

The *Mishnah* in the third chapter of *Sukka* teaches that the responsive *shira ve-aniyya* form can only be utilized – even *be-tzibbur* – when the *shali'ah tsibbur* is an adult male, who is obligated in *Hallel*, either by *takana* or by custom. However, if the congregation cannot find a qualified adult male *shali'ah tsibbur*, then they willy-nilly must rely upon a woman or a minor to serve as *shali'ah tsibbur*. However, since both a minor and a woman are exempt from the obligation of *Hallel*, the general mechanism of *shome'a ke-oneh* cannot be invoked. This is because, as noted above, *shome'a ke-oneh* requires that both the listener and the reciter be obligated; as a result, the responsive *Hallel* cannot be said. Instead, for the congregation to fulfill its basic *Hallel* obligation it must repeat the words of the minor or woman, word for word. Moreover, the *Mishnah* states that a person or congregation that needs to rely on such a non-obligated minor or female *shali'ah tsibbur*, is to be cursed – *tavo lo me'eira*.

The *rishonim* give two reasons for this drastic punishment of *me'eira*. The first reason is that the congregation has allowed itself to be so ignorant as to be forced into a position where it needs to rely upon non-obligated *shelihei tsibbur*. However, even if the members of the congregation are educated, they are nonetheless deserving of a curse; this is because they have appointed as their communal representative before the Almighty one who is not even obligated in the task. They have thereby insulted both the *mitsva* and the *Metsaveh* Himself [Rashi, *Tosafot*, *Tosafot haRosh* and *Tosafot Rabbenu Perets* to *Sukka* 38a].

Hallel in the Post-Talmudic Period

Our contemporary pattern of reciting *Hallel* differs dramatically from the Talmudic form. Today, our communities are all considered to be educated (*beki'im*) who are knowledgeable in the proper recitation of *Hallel*. As a result, our custom is for everyone to recite *Hallel* for himself and not rely on the *Shali'ah Tsibbur*. Nevertheless, we have maintained some semblance of the original custom of a responsive *Hallel* when recited *be-tzibbur*, although the segments of *Hallel* actually recited responsively are far fewer than those of the Talmudic period. Thus, only by the recitation of *Yomar na Yisrael...Yomar na Bet Aharon... Yomar na Yirei Hashem...Ana Hashem Hoshi'a na* and *Ana Hashem Hatsliha na* is there *shira ve-aniyya*. Yet, even with regard to these responsive portions of the *Hallel*, the *aharonim* note that the general practice today is to have the community say these verses as well, and not rely solely on their recitation by the *hazzan*.

If so, the argument goes, why can't a woman lead the *Hallel* service in our day and age? After all, the members of the congregation are anyway reciting *Hallel* themselves word for word, individually, fulfilling their own *Hallel* obligation. Consequently, the lack of obligation of the female *Shat'z* in no way impacts today on the obligation of the congregants.

We, however, believe this argument to be erroneous for three major reasons. First, having a woman lead the congregation in *Hallel* – as in *pesukei de-zimra* – violates *kevod ha-tzibbur*. This understanding – confirmed to us by both R. Aharon Lichtenstein and R. Moshe Mordechai Karp – was discussed at length above.

Second, having a woman, who is not obligated in the recitation of *Hallel*, lead the service, raises the concern of *me'eira*. Haza"l's criticism of have one who is not obligated in *Hallel* lead the service, has little to do with the *Hazzan* being *motsi*. After all, one who is not *hayyav* simply **cannot** be *motsi* the congregation. Even in the *Mishnah* of *Sukka*, the non-obligated minor or female *shali'ah tsibbur* is **not** being *motsi* the *tsibbur*. That is precisely why the *Mishnah* requires each member of the congregation to recite the *Hallel* individually, with each person fulfilling his own obligation. Rather, as the *Rishonim* emphasize, Haza"l's criticism results from the fact that by appointing a non-obligated person to lead the service, the congregation is: “*mevazeh ba-mitsvot la'asot sheluhin ka-eileh mi-shum de-lav benei hiyyuva ninhu*” (*Tosafot Rabbenu Perets*, *Sukka* 38a). Through their appointment, the congregation demonstrates that it does not take their *Hallel* obligation seriously. Even today, the *Shali'ah Tsibbur* plays a central role in leading the communal *Hallel* service, especially in those parts that are recited responsively. While the *hazzan* today is not *motsi* the *tsibbur*, he, nonetheless, melds the congregation into a cohesive unit and **leads** them in the communal *Hallel*. Only one who is obligated in *Hallel* can be an appropriate messenger/leader for his agent-congregation before the Almighty. [This analysis was also concurred to by Rabbis Aharon

Lichtenstein, Moshe Mordechai Karp and Barukh David Povarsky (personal conversations with DIF, April 2010).]

The final objection is based upon the teachings of *Moreinu ve-Rabbenu haRav Yosef Dov Ha-Levi Soloveitchik zt"l* (*Reshimot Shiurim*, *supra* note 9). The Rav explains that there are two dimensions to the *mitsva* of *Hallel*. The first is the simple recitation of *Hallel*; the second is the responsive reading of *Hallel*. While an individual can fulfill the obligation of the simple recitation of *Hallel*, only a *tsibbur* can fulfill the mitzvah of reciting *Hallel* responsively. Reciting *Hallel* responsively is a unique *kiyyum* of *Hallel ha-tsubbur*— similar to reciting *kedusha* in *tefilla be-tsubbur*. The Rav further emphasized that *tefilla* and *Hallel be-tsubbur* are not merely enhanced forms of *tefillat veHallel ha-yahid*. Rather they are separate and distinct categories, each being its own unique *heftsa shel mitsva*, with its own set of rules. One such unique feature of *Hallel be-tsubbur* is the responsive *keri'a ve-aniiyya* format.

Since women cannot **create** the *heftsa* of *mitsvot ha-tsubbur*, the Rav maintains that women cannot **lead** the *tsibbur* in their *kiyyum*. Consequently, women would be barred from serving as *shelihei tzibbur* for the recitation of *Hallel ha-tsubbur*.

Professor Haym Soloveitchik, in his now classic work "Rupture and Construction," [*Tradition*, Vol. 28, No. 4 (Summer 1994)] skillfully documented the gradual move in Contemporary Orthodoxy from a mimetic halakhic tradition to a text-based tradition. He further noted the profound impact that this transition had on the move of contemporary Orthodoxy in the 20th Century towards greater *humra* (stringency). What we are now beginning to witness is a similar, but opposite, text-oriented movement towards greater *kula* (leniency).

We would like to suggest that neither is healthy for the halakhic process or for the Torah community. Perhaps what is called for is a balanced return to a more mimetic-influenced tradition, with its inherent sensitivity and stability without rigidity. But that is for another occasion.

References

- [1]. See, for example: *Tosafot, Rosh haShana* 33a, s.v. "Ha"; *Rosh, Kiddushin* 31a; *Meiri and Ran on Rif, Megilla* 23a, s.v. "haKol Olim"; *Sefer Avudraham, Sha'ar haShelishi*, s.v. "Katav haRambam zal"; *Sefer haBatim, Beit Tefilla, Sha'arei Keriat haTorah* 2:6; *Beit Yosef, O.H.* sec. 28, s.v. "haKol" and *Derisha ad loc.*
- [2]. R. Jacob Emden, *Mor uKetsia, O.H.*, sec. 55, s.v. "Katuv baMordekha" and sec. 282; R. Elijah David Rabinowitz-Teomim, *Over Orach*, sec. 110, s.v. "ve-Nirehi"; R. Walter S. Wurzbarger, "R. Joseph B. Soloveitchik as Posek of Post-Modern Orthodoxy," *Tradition*, 29:1, pp. 5-21 (Fall 1994), at p. 17; R. Shaul Yisraeli, *Resp. beMareh haBazak*, I, sec. 37, no. 7; R. Dov Eliezerov, *Resp. Sha'ali Zion, Tinyana*, part 1, O.H., sec. 19; R. Zalman Nehemiah Goldberg, in *Resp. beMareh haBazak, V*, addendum to sec. 113, pp. 225-228; R. Zalman Nehemiah Goldberg, *Resp. Binyan Ariel, E.H.*, "Birkat Hatanim biSe'udat Sheva Berakhot al yedei Isha," pp. 135-141; R. Shlomo Yosef Elyashiv, cited in R. Abraham-Sofer Abraham, *Nishemat Avraham, V, Y.D.*, sec. 195, p. 76-77; R. Shlomo Zalman Auerbach, cited in R. Abraham-Sofer Abraham, *Nishemat Avraham, V, Y.D.*, sec. 195, p. 76-77 – see also *Halikhot Shlomo, I, Hilkhot Tefilla*, Chap. 20, sec. 11, note 20; R. Eliezer Waldenberg, *Resp. Tsits Eliezer, XX*, sec. 36, nos. 2 and 3; R. Efraim Greenblatt, *Resp. Rivevet Efrayim, I*, sec. 449.
- [3]. R. Naphtali Zvi Judah Berlin (Netsiv), *Meromei Sadeh, Sukka* 38a, s.v. "Mishna. Mi sheHaya"; R. Joseph Kafah, Commentary to *Yad, Hilkhot Megilla*, chap. 1, no. 1, note 3; R. Ovadiah Yosef, *miShiurei Maran haRishon leZion Rabbi Ovadya Yosef Shlita, Gilyon* 19, *Motsash Parashat vaYeira* 5756; R. Ovadiah Yosef, *Mishnat Yosef, III, Shiurei Maran haRishon leZion* 5762, *Parashat veYetse, Hilkhot Keriat beSefer Torah beShabbat*, no. 11; R. Joseph Messas, *Resp. Mayyim Hayyim, II*, sec. 140; R. Simeon Harari, *Resp. Sha'ar Shimon Ehad*, I, sec. 4, s.v. "veHineh ma".
- [4]. Maimonides, *Yad, Hilkhot Tefilla*, sec. 12, no. 17; R. Moses ben Jacob of Coucy, *Sefer Mitsvot Gadol, Divrei Soferim, Aseh*, no. 4, *Hilkhot Megilla*, s.v. "Tanya beTosefta"; R. Masud Hai Rokei'ah, *Ma'ase Rokei'ah, Yad, ad loc*; R. Ben-Zion Lichtenman, *Benei Zion, IV, O.H.* sec. 282, no. 3, note 6; R. Zalman Nehemiah Goldberg, in *Resp. beMareh haBazak, V*, addendum to sec. 113, pp. 225-228; R. Zalman Nehemiah Goldberg, *Resp. Binyan Ariel, E.H.*, "Birkat Hatanim biSe'udat Sheva Berakhot al yedei Isha," pp. 135-141; *Te'hilla leYona – Masekhet Megilla*.
- [5]. *Inter alia*: R. Joel Sirkis, *Bayit Hadash (Bah), Tur, O.H.* sec. 53, s.v. "veEin memamin"; R. Joseph Caro in *Shulhan Arukh*, sec. 53, no. 6 according to *Pri Megadim, O.H.*, sec. 53, *Eshel Avraham*, note 9; R. Israel Lipschutz, *Tiferet Yisrael to Mishna Megilla* 4:6, no. 45; R. Hayyim Sofer in his comments to R. Jacob Alfandri, *Mutsal meEish*, sec. 10; R. Judah Ayash, *Resp. Bet Yehuda, I, O.H.*, secs. 22 and 55; *Kaf haHayyim, O.H.*, sec. 143, note 10 – see, however, sec. 690, no. 5; *Resp. Mishpatei Ouziel, IV, H.M.*, sec. 4;
- [6]. To *JT Kilayim* 9:1, see: R. Moses Margalioyot, *Penei Moshe and Mareh Panim*; R. Elijah Kramer of Vilna (Gra), *Perush haGra*; R. Yitshak-Isaac Krasilchikov, *Toldot Yitshak*. This is also the opinion of: *Tosafot, Ketubot* 103b, end of s.v. "Oto"; R. Isaac of Vienna, *Or Zarua, II, Hilkhot Erev Shabbat*, sec. 6; R. David Samuel Pardo, *Resp. Mikhtam leDavid, Y.D.*, sec. 51; *Arukh haShulhan, Y.D.*, sec. 303.

[7]. R. Jair Hayyim Bachrach, *Resp. Havot Yair*, end of sec. 96 ("shame visible to all"); R. Isaac Blazer, *Resp. Pri Yitshak*, sec. 54, s.v. "Yikrat deverav"; R. Meir Simha of Dvinsk, *Or Same'ah, Hilkhot Yom Tov*, chap. 6, sec. 14; R. Jeroham Perlow, Commentary on *Sefer Hamitzvos L'Rav Saadya Gaon, I, Esin* 19 (p. 146, column 4); R. Moses Feinstein, *Resp. Iggerot Moshe, Y.D.*, I, sec. 249, s.v. "veNimtsa"; R. Chaim Zev Reines, "Kevod haBeriyot," *Sinai* 27:7-12 (159-164; *Nisan-Elul* 5710), pp. 157-168.

[8]. Responsum of R. Naftali Amsterdam quoted in R. Isaac Blazer, *Resp. Pri Yitshak*, sec. 53; R. Elhanan Bunim Wasserman, *Kovets Shiurim, I, Bava Batra*, sec. 49; R. Makiel Tsvi haLevi Tannenbaum, *Resp. Divrei Malkiel, I*, sec. 67 and III, sec. 82; R. Isaac Nissim, unpublished responsum cited by R. Aaron Arend, "Hagigat Bat-Mitsva bePiskei haRav Yitshak Nissim," in *Bat-Mitsva*, Sarah Friedlander ben Arza, ed. (Jerusalem: Matan: 2002/5762), pp. 109-115, at p. 113; R. Joseph B. Soloveitchik, *Divrei Hashkafa*, pp. 234-235; R. Joseph B. Soloveitchik cited by R. Zvi Schechter, "miPeninei Rabbenu," *Bet Yitshak*, 36 (5764), p. 320ff; R. Elijah Bakshi Doron, *Resp. Binyan Av, II*, sec. 55, no. 3; R. Chaim Zev Reines, *supra*, note 3, p. 157; R. Israel Shepansky R. Israel Shepansky, "Gadol Kevod haBeriyot," *Or haMizrah*, 33:3-4 (118-119; *Nisan-Tammuz*, 5745), pp. 217-228 – p. 225, note 48; R. David Povarsky, *Sefer Bad Kodesh to Berakhot, Zera'im, Shabbat and Eiruvim* (Bnai Brak, 5767), *Berakhot*, sec. 4, pp. 13-18, at p. 17.

[9]. See: Tur and *Arukh haShulhan, O.H.*, sec. 422; R. Joseph B. Soloveitchik in R. Zvi Joseph Reichman, *Reshimot Shiurim* [New York: 4749], *Sukka* 38a, p. 185-190; R. Barukh David Povarsky, *Bad Kodesh – Berakhot, Zera'im, Shabbat, Eruvin*, sec. 18; R. Moses Mordechai Karp, *Mishmeret Moed, Sukka*, pp. 332-338.

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Tags: Aryeh Frimer, Dov Frimer, Hallel, Partnership Minyanim, Shira Hadasha, Women's Aliyot

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From **Destiny Foundation/Rabbi Berel Wein**

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Subject Weekly Parsha from Rabbi Berel Wein

Jerusalem Post :: Friday, February 18, 2011

MOSHE AND AHARON :: Rabbi Berel Wein

The story of the Golden Calf as it appears in this week's Torah reading highlights for us the personalities and roles of the two great figures in Jewish and world history, Moshe and his elder brother Aharon. Moshe served as the leader and teacher of Israel, the one who delivered them from exile and slavery and brought them the Torah and fashioned them into the treasure people of God.

Aharon served as the High Priest of Israel and as the confidant, friend, counselor and conciliator for the Jewish people. Moshe conversed so to speak with God at will and he had to don a mask to cover the radiance of his face when dealing with people. Aharon was a person who dealt with people daily, loved peace and harmony and pursued those values within himself and others and thereby brought people closer to God and His Torah.

When Aharon passed away the entire people of Israel, men, women and children wept and mourned his passing. When Moshe passed away the mourning was more muted and less general. The scholars of Israel found no solace but the general masses were less emotionally involved than they were with the passing of Aharon. Yet the Torah is called on the name of Moshe and he was the greatest of all of the prophets who preceded him and would later succeed him.

Moshe was the leader and Aharon was the High Priest and the two roles were distinctly different. The rabbis decried the Hasmonean kings for their attempts to combine the role of king and High Priest into one person. Not only are the roles different but the personalities required to fulfill these differing roles must, of necessity, also be different.

Aharon dealt with people and was always sympathetic to their wants, needs and moods. This led him into an unintentional role as a facilitator in creating the Golden Calf, a role for which he paid dearly in family

tragedy. He was unable to firmly stand against the apparent wishes of the people, believing somehow that by cooperating with the people he could eventually save the situation.

Yet it was this exact personality trait of limitless empathy with the people that allowed him on Yom Kippur to be the instrument for bringing forgiveness and heavenly compassion down on the Jewish people. He could not see wrong or baseness in the Jewish people for his love for them was unbounded and sincere. The Lord Himself, so to speak, also will eventually no longer see evil in Jacob or sins amongst Israel.

The power of love overcomes rational analysis and reasonable assessments of seeming facts. We often pay a steep price for too much love but that is a personality trait that is very hard to overcome if one possesses that trait within one's personal makeup.

It was this weakness of personality that also eventually led to King Saul's forfeiture of his right to be the king of Israel. He listened to the people too diligently, he feared for the loss of his own popularity with them and he therefore made a fatal national and personal error. Yet a High Priest who does not have unconditional and overflowing love for his people cannot really be the right man for the job.

Moshe also loved the Jewish people. He is willing to sacrifice his name and his eternity even for the sake of Israel's survival and welfare. Yet Moshe's trait is tough love. He is the leader not the High Priest. His task is not to always acquiesce to the demands and whims of the people. He is their teacher, their guide, the cold realist whose nature does not allow him to gloss over error and sin.

He is not reticent to use any means to stamp out idolatry and treason from within Israel. He constantly reminds the people of the goal of being a holy nation and a kingdom of priests and he is always dissatisfied with their backsliding excuses. He is not interested in winning a popularity contest.

Rather his task is to instill Torah into the minds and hearts of Israel in a fashion that will make Torah knowledge and its values eternal within that people. Thus he destroys the Golden Calf that Aharon helped make and punishes those who worshipped it. He chastises Aharon for his role in the debacle and accepts no excuses.

This type of tough love is necessary for any leader. It is especially necessary for those who wish to lead such a strong minded fiercely independent and opinionated people such as the people of Israel. Moshe and Aharon together, each in one's own proper role and attitude is the perfect template for Jewish leadership throughout the ages. Shabat shalom.

From Destiny Foundation/Rabbi Berel Wein

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Subject Weekly Parsha from Rabbi Berel Wein

Weekly Parsha :: KI TISA :: Rabbi Berel Wein

The Torah reading of this week is naturally dominated by the description of the tragedy of the Golden Calf and its consequences. But the story of the Golden Calf in the parsha is preceded by teachings regarding the sanctity of the Shabat. The rabbis attributed the presence of this Shabat subject in the parsha as a further indication that even the construction of the Mishkan cannot take precedence over the sanctity of Shabat.

But there is another insight that is available here as well. The dangers of Golden Calves, false gods, apparently shining and enticing ideals that only lead to eventual disaster, is something that is always present in Jewish society. In our long history as a people there is a long list of Golden Calves that have led us astray and at great cost to us.

Paganism, Hellenism, false messianism, Marxism, secularism, nationalism, humanism and unbridled hedonism, just to identify some of

these Golden Calves, have all exacted a terrible toll from us over our history. The Shabat and its holiness and its enforced withdrawal from the mundane and impious world have always stood as the bulwark of defense against these Golden Calves.

The Shabat is our first and strongest line of defense against the sea of falseness and evil that constantly threatens to engulf us. Without Shabat we are doomed and lost. With Shabat we are strong and eternal. There are not many things in history that are that simple to discern but the saving grace of Shabat for Jewish society is one of these really no-brainers.

This is why later in the Chumash in parshat Vayakhel the admonition regarding the laws of Shabat is again repeated in conjunction with a further review of the construction of the Mishkan. The Torah wishes to emphasize that short of human life itself, no cause no matter how seemingly noble takes precedence over the sanctity of the Shabat. For all human causes, no matter how noble, contain dross with its gold. The Shabat in its eternity and God-given holiness is likened to the World to Come, eternal and everlasting. For many times in our rush to build, we destroy, and in our desire to accomplish great things we trample upon nobility and moral righteousness. The great sage, Baba ben Buta in the Talmud warned King Herod not to destroy the old until the new has already been erected.

The world oftentimes believes that the destruction of the old is somehow a necessary prerequisite to construct the new. The Torah comes to teach us that the old Shabat already observed by the People of Israel even before the granting of the Torah to Israel at Mount Sinai will definitely outlive and outperform the shiny new Golden Calf that is now being worshipped so avidly.

Golden Calves come and go but the eternity of Shabat and Torah remain valid for all times and circumstances. This reflection is buttressed in the Torah by its repetition of the sanctity of Shabat many times in these parshiyot that mark the conclusion of the book of Shemot. Our Mishkan is built only with Shabat and never in contravention of Shabat. Shabat shalom.

From Shema Yisrael Torah Network <shemalist@shemayisrael.com>

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Subject Peninim on the Torah by Rabbi A. Leib Scheinbaum

Peninim on the Torah by Rabbi A. Leib Scheinbaum

Parshas Ki Sisa

Tablets inscribed on both their sides; they were inscribed on one side and the other. (32:15)

The Luchos which Moshe Rabbeinu brought down with him from Heaven were unique. After all, they were Hashem's handiwork. He fashioned them; He crafted them; He imbued them with their intrinsic holiness. Yet, Moshe shattered them when he saw that the nation he had begun to shepherd was not yet ready to receive them. Among the many unique qualities of the Luchos, the Torah calls our attention to the fact that the letters were engraved all the way through the tablets. Miraculously, however, the writing was not reversed when viewed from the back. One could read the original letters in correct sequence, not backward, as would be expected if these Tablets had been crafted by a human craftsman.

In his latest volume of thoughts from the venerable Rosh Yeshivah of Mesifita Torah Vodaath, Horav Avraham Pam, zl, Rabbi Sholom Smith cites a compelling Torah thought related by the Rosh Yeshivah in the name of the Kaliver Rav, Horav Chaim Elazar Wachs, zl. The Rav was a distinguished talmid chacham, Torah scholar; yet, for many years, he refused to earn a livelihood as a rav. Instead, he became a businessman, earned what he needed, and spent the majority of his time engrossed in Torah study.

At one point, he partnered with another Jew in a paper factory. They did well financially, but business does present its challenges. At times, the greatest challenge is the opportunity to gain a large sum of money in a relatively short span of time. It is a part of business. The problem is that most of these opportunities carry a taint of illegality. It may not be a "huge" impropriety, but it still should not be standard practice for a Torah Jew. This was one of those situations. Rav Wachs' partner presented a deal in which a large sum of money was "waiting" to be made. The "details" could be ironed out. When Rav Wachs studied the deal, he noted that it involved an aspect of impropriety bordering on the possibility of geneivah, theft. He categorically refused to touch the deal, explaining to his partner that geneivah, is geneivah, regardless of the circumstances.

Apparently, his partner did not see it his way. A few dollars can have that numbing effect on our sense of propriety. His partner was looking at the "big picture," the one with a large profit. Rav Wachs responded with a question: "Did you ever wonder why it was essential that the Luchos be engraved on both sides with the Aseres HaDibros, Ten Commandments, clearly readable on either side? It was so that any way one turned the Luchos, he could clearly see the words, 'Lo signov,' 'Do not steal.'" He continued in Yiddish: "As men dreit ahin, oder men dreit aher, es shteit noch ales: 'Lo signov.' Whether you turn this way, or you turn the other way, it still reads, 'Do not steal.'" He was emphasizing that bending the law is still stealing.

This is a powerful thought, especially in light of a constant desire to skirt the law. This is especially true in times when the economy leaves much to be desired, and the yetzer hora, evil inclination, provokes us to bend the law - a little. I must add that this applies to more than Lo signov.

Other moral laws are engraved on the Luchos: sexual morality, refraining from murder, keeping Shabbos; honoring parents; telling the truth. The Kaliver Rav's case for "full disclosure" from both sides can be made for many of the above laws. Murder is murder, whether we take a life or shorten a life. The effect is similar. Making someone's life miserable to the point that he becomes ill and suffers is skirting retzichah, murder. Humiliating a person to the point that he is emotionally destroyed is murder. The list goes on. The message is clear: Dreying, "turning" the law, searching for loopholes to conceal our miscreancy, is still geneivah.

And Moshe saw the calf and the dances, and his anger flared up. He threw down the Luchos from his hands. (32:19)

And now if You would but forgive their sin! But, if not, erase me now from this book. (32:32)

We refer to Moshe Rabbeinu as our quintessential leader. What does this mean? How did he demonstrate his uniqueness as leader? What does this teach us concerning the quality of Torah leadership? We find in the Midrash Tanchuma that when Moshe ascended Har Sinai, the Satan made a successful attempt at misleading Klal Yisrael to believe that Moshe had, in fact, died. They were now leaderless. The Satan conjured up an image of Moshe's bier being carried in Heaven by angels. The people became distraught, so that they made the golden replacement. While their immediate depression appears to be a natural reaction to tragedy, what they did afterwards not only does not make sense, it seems downright offensive. When Moshe descended the mountain, he was confronted by a terrible sight. The people were dancing around the Golden Calf. A mood of revelry and debauchery seemed to have gripped the people, as they let loose in a manner unbecoming a G-dly nation. What about their mourning for their recently passed leader? Moshe had, supposedly, just died. He was the man who had done so much for them, who had sacrificed himself for their every need, who cared for them as a father cares for a child; they clearly did not appear to overcome with grief over his loss.

Bearing this in mind, we wonder how Moshe stood before Hashem and demanded forgiveness on behalf of Klal Yisrael. Did they deserve it? It is one thing for people to maintain control, such that they do not become

overly grief-stricken and distraught over a leader's death, but it is another thing to party immediately upon hearing the tragic news. This is outrageous! Yet, despite this slap in the face, Moshe put his dignity aside and pleaded their case. This, says Horav Yaakov Neiman, zl, is the definition of responsible leadership. Moshe was acutely aware of his people's shortcomings, their selfish concerns, their ingratitude. He would teach them how to act. They had been slaves all of their lives, so they did not know any better. These are rationales, but the ultimate reason that Moshe looked aside was that a Jewish leader is like a father to his flock. Only fatherly love could negate the debauchery that took place after their vision of Moshe's passing.

A double lesson can be derived from the "father-son" relationship that a Torah leader should have with his flock. On the one hand, the leader has an awesome responsibility to care like a father, to love like a father, and (I do not say this lightly) to never give up, like a father. He must stand at the side of his "son," regardless of the circumstances in which he finds himself. That is a father's function.

On the other hand, the "son" must reciprocate and act toward his rebbe, rav, spiritual leader, with the respect, admiration and love one manifests for a father. This is especially important when the "father" has to give mussar, rebuke, criticism, point out one's areas of deficiency, things that no one likes to hear. It is all part of the relationship. Fortunate is he who is worthy of such a relationship.

Horav Simchah Wasserman, zl, was the quintessential Rosh Yeshivah. The oldest son of the venerable Rosh Yeshivah of Baranovich, Horav Elchonon Wasserman, zl, Rav Simchah was influenced by his saintly father and by the many European Torah leaders with whom he came in contact. Horav Chaim Ozer Grodzinski, zl, was his uncle, and the Chafetz Chaim was his father's rebbe. He established relationships with Horav Chaim Soloveitchik, zl, Horav Moshe Landinsky, zl, Horav Shimon Shkop, zl, and the Alter, zl of Slabodka. He studied in Novaradok under the Alter, zl of Novaradok. Rav Simchah imbibed a way of life from these luminaries, becoming infused with their Torah perspective. He kept nothing for himself, as he shared his life with his talmidim, students.

Rav Simchah was truly their father, for he had no biological offspring. Together with his Rebbetzin, they devoted their entire lives to their students. Their home was in the yeshivah dormitory. Their devotion to each other was paralleled by their collective devotion to their students. When Rav Simchah established his yeshivah in Los Angeles, his Rebbetzin stayed behind in Detroit in their previous home, where she was teaching. Her salary supported them while Rav Simchah was busy with the yeshivah in California.

At one point, it was getting too much for Rav Simchah. The long separation was taking its toll. How could he leave his wife alone, so far from him? When he told her that he was considering returning to Detroit, she responded, "If Hakadosh Baruch Hu has not granted us children, it is for the sake of what you are doing. What else will we leave over? Therefore, I insist that you continue until you influence people and educate them as you must. That way, many yaldei Yisrael, Jewish children, will be our children." With such an attitude, there is no wonder why they were so beloved - and so successful.

No man may ascend with you nor may anyone be seen on the entire mountain. (34:3)

Rashi comments: "The first Tablets-- because they were given amidst fanfare, loud sounds, and the masses-- were affected by the evil eye. There is nothing more beautiful than modesty." Rashi is teaching us that the first Luchos were affected by ayin hora, evil eye, causing them to be broken prematurely. How are we to understand this? How can the evil eye have power over a Divinely-created substance? Perhaps ayin hora can have a limited, damaging impact upon man, due to his many fears and hang-ups, but what consequence can it have over a Divinely-crafted gift?

Horav Aharon Soloveitchik, zl, explains that one can acquire something in one of two methods: kibbush and chazakah. With respect to taking possession, kibbush refers to acquisition through the medium of brute force - such as a war. Chazakah refers to acquiring something slowly, meticulously, through the peaceful process of cultivation. Concerning educational knowledge, kibbush is manifest in the approach whereby a student is overwhelmed by a multiplicity of data all being taught at once, whereas chazakah is embodied by a slow, systematic process of teaching one thing at a time, allowing it to "settle" and then build on it. The Rambam writes that since the conquest of Eretz Yisrael by Yehoshua was achieved through a surge of kibbush, a war - its kedushah, sanctity, lasted only until the destruction of the first Beis Hamikdash. The kedushah inherent as a result of the second possession of Eretz Yisrael in the time of Ezra and Nechemiah was via the process of chazakah, since no war was involved in its acquisition; thus, it remains in effect to this very day. Kibbush loses its effect over time, while chazakah strengthens with each passing day.

When the Jewish People left Egypt, they were not yet sufficiently spiritually refined to receive the Torah. The strength of spirit, the character and ethical principles, must be part and parcel of the individual. They were not yet there. Therefore, Hashem had to alter the course of nature with miraculous intervention, in order to elevate the Jews to the level of mamleches kohanim v'goi kadosh, "a kingdom of priests and a holy nation." Hashem's Revelation was an unprecedented and yet unparalleled experience, during which Klal Yisrael saw the absolute truth. It was an experience so overwhelming in nature that it spiritually transformed the nation, so that they were elevated to the point that they could now receive the Torah - through the medium of kibbush. This quick rise in spirituality had one drawback: quick to rise; quick to fall. Their spiritual decline was sudden and precipitous.

Avodah zarah, idol worship, may be divided into two categories: full heathendom and partial heathendom. In the latter type, the idol does not represent a god, but is viewed rather as a medium, an intermediary between man and some higher power. The worshipper thinks that the medium's power is its ability to influence god. This is where the Jewish People erred in their selection of the Golden Calf as an intermediary to replace Moshe Rabbeinu, whom they had worshipped as a hero. While nobody viewed Moshe as the supreme power, they felt that he had a compelling influence on G-d. When he did not return from the mountain, they decided to choose a replacement who would serve as their symbol of the Jewish leader.

This narrow-minded, obtuse sense of judgment is what Rav Soloveitchik terms as am kshei oref, a stiff-necked people. It does not mean stubborn but, rather, limited in scope, a lack of peripheral vision, a myopia which allows them to see only in one direction. The Jews were ignorant of the big picture, that Hashem was a personal G-d and no intermediary was necessary, helpful or acceptable. They were k'shei oref, unable to turn their heads to either side and see the whole truth.

Why were they so limited? Their education was via kibbush, and an education that is compelled, sudden, quick and overwhelming does not last - even when it is performed by G-d. This is what Rashi means when he says that the first Luchos did not last, because they were given amidst supernatural wonders. Rav Soloveitchik quotes his great grandfather, the Bais HaLevi, who posits that the first Luchos contained the entire Torah She Baal Peh, Oral Law. It was too much for the people to handle. Torah SheBaal Peh must be cultivated by mesorah, by a chain of teachers and students. These Luchos were adversely affected by ayin hora, which in this case does not mean evil eye. Such an ayin hora could not affect the Divinely-created Luchos. Ayin hora in this sense refers to "poor vision." Because their method of acquisition was through kibbush, they possessed poor, limited, one-sided vision concerning spiritual matters. Thus, when things did not work out their way, they rejected the "lesson", and the Luchos had to be destroyed.

It was not pure ignorance, however, that stimulated their revelry and debauchery, as they danced around the Golden Calf. It was a mixture of spiritual ignorance, fueled by base desire, which did not permit their error in judgment to be expunged. The yetzer hora, evil inclination, took hold of them and had a field day. When intellectual weakness mixes with animalistic instinct, it wreaks spiritual havoc - something for which we are still paying for today.

7Hashem Ish milchamah, Hashem Shemo Hashem is Master of war; His Name is Hashem.

The Shem Hashem of Yud Kay Vov Kay is the Shem of rachamim, Attribute of Mercy. Horav Shimon Schwab, zl, says that this Name is used in this pasuk to convey the message that, despite the fact that the Almighty appears now as a G-d of war, a destroyer - this is all appearance. In reality, His Name continues to remain Yud Kay Vov Kay, symbolizing rachamanus, compassion. Hashem is waging war with his Attribute of Mercy. He quotes Chazal who relate that the malachim, angels, requested to sing Shirah, songs of praise, to Hashem. The Almighty did not allow it. He asked, "My creations are drowning, and you wish to sing praises?" This is a manifestation of rachamim. The concept that Hashem employs His middas haRachamim to destroy the wicked is a difficult concept to comprehend. It is clearly rachamim to save the oppressed, but how is it rachamim to destroy the wicked? Perhaps, by destroying the wicked, they are prevented from carrying out more evil, thereby having to receive more punishment. Punishment is merciful if it comes at a time that spares one from receiving additional punishment.

l'zchus refuah sheleima Rachel bas Sara

From Rabbi Yissocher Frand ryfrand@torah.org & genesis@torah.org
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Subject Rabbi Frand on Parsha

Rabbi Yissocher Frand Parshas Ki Sisa The Generous of Spirit He will be Blessed

The verse [pasuk] in Mishlei [Proverbs] says, "A person with generosity of spirit (Tov Ayin) he will be blessed" [Mishlei 22:9]. The Yalkut identifies the subject of the pasuk as Moshe Rabbeinu. As support for the idea that Moshe was a "Tov Ayin," the Yalkut notes that the Torah was originally destined to be given only to Moshe and his descendants after him (as it is written "Write for yourself;" "Carve out for yourself" [Shmos 34:1,27]). However, Moshe treated it with a generosity of spirit (nahag bah ayin tovah) and gave the Torah to all of Israel (as it is written, "Moshe commanded us the Torah, an inheritance for the Congregation of Jacob" [Devorim 33:4]).

The Yalkut cites a second support for the idea that Moshe was the person alluded to by the term "tov ayin" in the pasuk from Mishlei. When Moshe granted "Semicha" to his disciple Yehoshua, the pasuk says "He placed (both) his hands upon him" [Bamidbar 27:23] even though G-d only told Moshe to place his (single) hand upon Yehoshua [Bamidbar 27:18]. The Yalkut compares this to a generous emissary of a King who the king told to reward a certain subject by giving him one measure of wheat and he instead gave him a double portion of wheat.

Rav Berel Pavorski wonders how these actions indicate generosity of spirit on Moshe's part. If someone asks me to give \$100 to a charity and I give \$200 instead, it represents generosity of spirit. Now I am \$200 poorer than I was before I wrote the check. But Moshe Rabbeinu receiving the Torah and also giving it to Klal Yisrael does not leave him any "poorer". Moshe still has the Torah. The fact that he gave it to the Jewish people as well does not diminish what Moshe has. How is that "Tov Ayin"? Likewise, what is the difference if Moshe gave Semicha to Yehoshua with one hand or two hands? Giving with both hands certainly does not take anything more away from Moshe than had he given it with

one hand (nor does it give anything extra to Yehoshua). How does that demonstrate that Moshe is "Tov Ayin"? This is reminiscent of the old parable of the candle – lighting an additional candle does not take any light away from the first candle.

Rav Pavaarski says that we see from here a reality of life: I may be a generous person and I may want my friend to have good things as well, but I do not want my friend to have it AS good as I have it. If a person is blessed with wonderful children, he no doubt hopes for his next-door neighbor to also have wonderful children. However, deep down he is hoping that they just should not be as good as his children. This is human nature.

When a bochur becomes engaged, he thinks his Kallah is wonderful. He is sure that she is the greatest girl in the world. He hopes his roommate will soon also become engaged and find a great kallah – just not as good as his own. This is human nature.

"Tov Ayin" represents that uncommon quality of being able to want his friend and neighbor to have children and brides that are just as good as his own children and just as great as his own bride. He hopes for total parity for his friends and neighbors with himself.

When Moshe Rabbeinu gave the Torah to Klal Yisrael rather than keeping it for himself, it represented 'Tov Ayin' because he had a monopoly on the most precious commodity in the world. He was willing to share, not just a little of it, not just most of it – but all of it, totally relinquishing his "bragging rights" over any special unique claim he had to Torah.

Likewise, Moshe gave his disciple Semicha with "both hands", representing a hope that Yehoshua would become a totally equivalent leader to himself, just as great, just as historic a figure.

This is Tov Ayin. It is not simple to achieve because it runs against human nature. Rav Matisyahu Solomon comments on the silent recitation of the Kohanim after blessing the people with the Priestly Benediction. They say, "Master of the World, we have done that which you decreed upon us (asher gazarta aleinu)." The term "gazarta" sounds harsh – as if the requirement to bless the Jewish people was a harsh decree, forced upon the Kohanim – an edict! Why should that be the case? If anything, the Priestly Blessing is a perk. They get to have their hands washed, they get to stand on a platform above the entire congregation, they get to sing and show off their voices -- it is a good deal for them. In what sense is it a "gezeirah"?

Rav Matisyahu notes the flowery language of the blessing – invoking Divine Providence and prosperity for the Jewish people. They bestow all kinds of superlative blessings on the Jewish people. This is hard to do. To wish a peer that he should have "just as good as me" is not so simple. Rav Matisyahu also quotes an inference of Rabbeinu Yona on the Mishna in Pirkei Avos [5:19] which lists the 3 attributes identifying a person as a "disciple of our Patriarch Avraham". The first of those attributes is "Ayin Tova." (The other two are "ruach nemucha" and "nefesh shefeilah.") Rabbeinu Yona identifies "Ayin Tova" with a spirit of generosity and cites the pasuk "and he took a young cow, tender and good" (to give to his Angelic guests) [Bereshis 18:7] as the proof that Avraham had a generous spirit. Of all the acts of kindness Avraham did in his lifetime – how is this the proof that Avraham was a man of generous spirit?

Why did Avraham give each guest a tongue of his own? Tongue is the most expensive part of the cow because there is a lot more meat on the cow than there is tongue. Tongue is a great delicacy. Avraham wanted each guest to have the very best – a tongue. Tongues are huge. One tongue can feed 20 people, yet he gave each guest a tongue of his own. This is not an easy attribute to acquire. At best, we can only aspire to be disciples of Avraham and work on ourselves to try to emulate this characteristic of his. One who reaches this level of becoming a conduit for bestowing blessings upon other people will himself be showered with

blessings from the Almighty as it is written "Tov Ayin – he will be blessed." [Mishlei 22:9]

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD

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Parsha Parables By Rabbi Mordechai Kamenetzky

Rabbi Mordechai Kamenetzky

Parsha Parables - Ki Sisa 5771 - 14 Adar 1 5771, Purim Kattan

Internalize - Eternalize

Stories & Anecdotes that Illuminate the Weekly Torah Portion and Holidays

Dedicated in memory of Necha Devorah bas Yitzchak Aryeh o"n Norma Debra Atlas ob"m 11 Adar 1 by Mr. and Mrs. Larry Atlas & Family

We say it every Shabbos quite a number of times, yet it always bothered me.

We say it before the Amidah of Maariv on Friday night. We say it as a preface to Kiddush. And in its simplest form, I really did not think twice about its meaning. In Hebrew, it is known as "V'Shomroo" and loosely translated it means: "Thus the children of Israel shall observe the (Shabbos) Sabbath, to make the Sabbath throughout their generations as an everlasting covenant. Between Me and the children of Israel, it is forever a sign that [in] six days the Lord created the heaven and the earth, and on the seventh day He ceased and rested" (Exodus 31:16-17). One Shabbos evening, I stared at the words and was troubled by the language, "the children of Israel shall observe the (Shabbos) Sabbath, to make the Sabbath throughout their generations." How could the Jewish people observe the Shabbos "to make it an eternal covenant for generations"? After all, each generation must keep the Shabbos for its own society. Of course, every command of the Torah was meant for each and every generation. But I can only take care of my generation. After all, when the Torah tells me to don tzitzit, it is commanding for all generations, but my wearing of tzitzit will not affect the charge to my descendants. So how can the children keep Shabbos in order to make the Sabbath throughout their generations?"

Indeed, the commentator, Orach Chaim offers a number of enlightening explanations to clarify the meaning, I will try to offer my own.

The Story

Judith Cohen was only about 17 years old when the Nazi killing machine brought destruction to her native Gherla or Szamosújvár in the historical region of Transylvania, Hungary. Until then, she led a wonderful life, her father was a prestigious Rabbi and community leader, she had her friends and community and she had a wonderful family. But most of all, she had Shabbos. Her home sparkled. Her parents sat at the table with the nobility they engendered in their entire family. The children sang in unison and the spirit of the day transported them to a level unattainable during the entire week.

And then came the Nazis. And it was all lost. She and her parents were carted off to the concentration camps together with her friends and their parents, where the former students of Kant, Nietzsche and Goethe became the disciples of Hitler, Himmler and Goering, destroying any humanity that they could find in the souls of their innocent victims. It was not long before Judith and her friends were left orphaned and with hardly any siblings. Alone and disillusioned, it was barely a comfort when the Russians finally broke through the barbed wire of their earthly hell and "liberated" them. They had no one to go to and nowhere to go.

But Gherla was the only place they knew and Judith and her teenage friends decided that they would see if they could go back and try to recoup their lives.

Bitter and dejected, they entered a different town than the one they had left. Their homes were overrun, ransacked and bare. The group walked on, their hollow faces seeing their former gentile neighbors looking away in a mixture of shame and disgust. And then they approached the town's shul. It still stood - empty and in mourning. But the teens did not view it with a sense of mercy. All they saw was the building that represented the G-d that had forsaken them. They looked at each other and as if in unison, each one of them picked up a rock and aimed it at the wall of the shul. As Judith bent down to pick up a rock, she froze. She looked at the wall of the shul and saw flames. They were not the flames of Auschwitz or Mattheussen. They were the flames glowing warmly on the Shabbos table of her home. She saw her father and mother dressed in royal splendor and heard her brothers and sisters singing the Shabbos songs together as one. Her tears fell down her face wetting the rock that she never picked up.

Judith walked away from her friends, but not from her distant past. With a new spirit, she embraced her past and started a new life. She married Yehuda Mandel, and settled in the United States. Judith's son, Rabbi Hillel Mandel, is a renowned educator in the United States, and her daughter, Miriam (Mandel) Freilich, is a mental health professional in Israel. Together with their families, the next generation, continue their grandparent's traditions, singing around the Shabbos table.

The Message

Perhaps the Torah is giving us a formula for eternal Shabbos observance: "The children of Israel shall observe the (Shabbos) Sabbath, to make the Sabbath throughout their generations." We must keep Shabbos in a way that it shall be loved, cherished and kept by future generations. The only way to guarantee the future of Shabbos observance is only if our own observance is done with such a passion, fervor and warmth that the future generations will cherish it as well. And thus it is a charge to us and a directive for our own observance. Keep your Shabbos properly, for in that manner, you will be making Shabbos for the future of our nation.

In honor of Ronald and Sonya Krigsman shetichyu. Saadia and Sorala Krigsman and family, Chaim and Ann Krigsman and family, Tzvi and Hudi Krigsman and family, Meyer and Sharon Weissman and family

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A Thought for the Week with Rabbi Jay Kelman Parshat Ki Tisa - Up the Mountain

"Why should Egypt be able to say that You took them out with evil intentions, to kill them in the mountains and wipe them from the face of the earth?" (32:12). Only forty days after experiencing the Divine, the Jewish people had built a golden calf, violating the very essence of revelation and rendering it meaningless. Their fate seemed sealed as G-d told Moshe, "do not try to stop Me when I unleash my wrath against them to destroy them" (32:9).

Moshe defies this explicit directive from G-d, managing to "convince" G-d to change His mind by invoking a series of arguments including the one cited above, questioning what the Egyptians might say. Moshe argued that it would be a desecration of G-d's name - apparently even worse than that caused by the building of the golden calf - to let the Egyptians have the "last laugh" as they watched their former slaves being destroyed.

However, a close reading of Moshe's argument reveals a more subtle plea. Moshe was concerned lest the Jewish people be killed specifically "in the mountains". What difference would it make if they were killed in the mountains, the valleys, the desert or at sea? Surely the place of death is irrelevant to Moshe's argument. "And G-d said I will be with you...when you bring the people out of Egypt you will worship the G-d on this mountain" (Shemot 3:12). Apparently leaving Egypt and

worshipping G-d is not quite enough - rather the Jewish people were to worship G-d on the mountain, the same mountain where G-d was now planning to destroy the people.

A mountain symbolizes the climb towards a goal. Scaling a mountain takes great effort and the path is never smooth. A mountain is an immovable object that can only be conquered by hard work and determination. Judaism demands not only that we worship G-d, but that we worship G-d on the mountain, always striving higher. This is true both individually and as a nation. Abraham was told to "take your son, your only son, the one you love - Isaac - and go to the land of Moriah and bring him as an offering on one of the mountains that I will designate to you" (Breisheet 22:2). The Jew must be willing to climb great heights to reach G-d, a climb that oftentimes is filled with much sacrifice.

"These will stand to bless the people on Mount Gerizim ...and these will stand to curse on Mount Ebal" (Devarim 27:11). Mountain climbing is a risky business. At times people try to scale heights that they are not yet ready for and suffer severe setbacks. The climb must be slow and methodical and may require years of training. As we ascend our mountain we must take care to rest at each successive plateau, adjusting to our new heights before moving higher.

Had the Jewish people died in the desert, the reaction of the Egyptians would not have mattered. But if the death of the Jewish people was to be at the mountain as they journeyed to G-d at Sinai, there would have been severe ramifications. True, Moshe argued, they had stumbled badly, so badly that they fell off the mountain. But their desire in building a calf was to "make for us a god" (32:1). They desired closeness to G-d and to die on that mountain would permanently desecrate the name of G-d. Was not the entire purpose of the plagues to make known the name of G-d? To kill a people for seeking G-d, even if mistakenly, would deter all others from attempting to climb the mountain.

Sexual immorality, slandering the land of Israel, complaining about meat, lacking faith in G-d, requesting a return to Egypt are all valid reasons for punishment. But please, Moshe argued, or shall we say demanded, do not punish the masses of Jewry for seeking, however mistakenly, to come closer to G-d. Doing so would only drive all away from G-d.

"G-d refrained from doing the evil that He planned for His people" (32:14). We must make every attempt to climb the mountain towards G-d. To do so properly invariably involves risks and potential setbacks. But without risks there is no reward. May we see great reward from our efforts.

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Rabbi Weinreb's Torah Column, Parshat Ki Tisa
Rabbi Dr. Tzvi Hersh Weinreb**

From a High Roof

It is hard to sustain a spiritual high. Those of us who are committed to religious observance know that long periods of successful adherence to our standards are sometimes rudely interrupted by sudden, seemingly inexplicable lapses. Long-enduring spiritual experiences yield to momentary temptations and vanish in a flash.

Experts in the psychology of religion, some of them within our own Jewish tradition, understood this. They have warned us that the experience of closeness to God waxes and wanes, comes and goes. It is a process of advance and retreat, of approach and withdrawal.

The Sages of Talmud refer to this phenomenon with a telling metaphor: "From a high roof to a deep pit, me'igra rama le'bira amikta."

Parents often witness this strange process in their children and are perplexed by it. A child commits himself to good behavior, cleans his room and does his other chores for months on end without complaint. Then, out of the blue, he fails to come home by curfew one evening, and a panic-stricken call to the police ensues. As a former psychotherapist, I can attest to the experience of all my fellow practitioners, especially those who deal with adolescents, of long periods during which the patient or client maintains a long streak of weeks of healthy adjustment, which are followed by moments of profound crisis.

I remember well a teenager I saw early in my training, when I was thankfully still under the supervision of a senior professional. The young man, from an affluent family, was arrested after many incidents of shoplifting. I worked with him and his family, and he seemed to have developed insight into his actions and great self-

control. Months passed by, and then, one rainy night, I was summoned to the police station because he had shoplifted again. "From a high roof to a deep pit."

In this week's Torah portion, Ki Tisa, we have a dramatic example of this puzzling phenomenon. For the past many weeks, we have read of a people making political and spiritual progress. They are freed from slavery. They witness wonders and miracles. They experience the revelation of the Almighty and the giving of the Law. They donate generously to the construction of the Tabernacle. They enjoy the manna, the "bread of heaven."

And then, one fine day, their leader Moses returns a little late from his rendezvous with the Lord Himself, and the bubble bursts. Gone is the exhilaration of freedom, and gone are their cries of commitment to a new way of life. Yesterday: "We will do and we will heed." (Exodus 24:7) Today: "Let us make for ourselves a Golden Calf." (Exodus 32:1)

In all of my years of Torah study, of carefully reading the weekly parsha, it is this sudden backsliding that confounds me more than any other narrative. And of course, I am by no means the first to be amazed by this rapid deterioration of commitment, by this utter transformation of a people from a faithful, grateful, self-disciplined folk into a wild crowd, dancing and singing in orgiastic enthusiasm around an idol.

Every year, I attempt anew to resolve this puzzle to find an answer for myself and for those who looked to me to help them understand the Bible. This year, I find myself contemplating a new answer based upon a very unusual source.

A few weeks ago, on January 8, 2011, the Wall Street Journal carried an essay by one Amy Chua. The essay was entitled Why Chinese Mothers Are Superior. The author describes her own experience as a Chinese mother, and the strict expectations she has of her adolescent daughters.

This column evoked strong reactions all over the world. Many believed that her approach was the correct one and represented a much-needed corrective antidote for the permissiveness of American parents. Others found her approach to be nothing short of cruel and even sadistic.

While I personally found some of her prescriptions worthy of consideration, I believe that most of them are excessive. But in her article, she makes an astute remark that I find to be memorable and useful, despite, or perhaps because of, its simplicity.

"Chinese parents understand that nothing is fun until you are good at it. And you can only be good at it if you work at it."

We all would like our activities to be fun and our lives to be enjoyable. But the roads to fun and the paths to joy are effortful ones. Hard work and persistence are necessary in all fields of endeavor, and religion and spirituality are no different. They too require diligence and toil.

No wonder, then, that we are capable of many months of perfect religious behavior, of adherence to the highest moral standards, and of spiritual edification. But it's hard work, as promises of "easy fun" often surround us and seduce us.

There is an insight here that can help parents, teachers, and psychotherapist deal with the unpredictable shifts in the behaviors of those they work with.

There is also a profound lesson here for those who look for an explanation of the Golden Calf episode in this week's Torah portion. The way of life that the Jewish people were just beginning to learn is a wonderful and rewarding one. But the wonder and the rewards, the fun, come only when we are "good at it", when we work hard to perfect our lives.

We all are well advised to be on guard against the promise of "easy fun". The Golden Calf took no work at all. The verse in Exodus 32:34 suggests that the Jews had to only cast their gold in to the fire and the Golden Calf effortlessly emerged. The Golden Calf imposed neither moral restrictions nor ethical standards. Just dancing and singing. Fun?

Amy Chua teaches us that that's not fun. Having real fun in life requires that "you be good at it", good at life. And that takes work.

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By *Rabbi Yirmiyohu Kaganoff*

The comparison between the parsha and the article is in two places in the parsha. The second place is at that end of the article.

Knotty Situations II

by Rabbi Yirmiyohu Kaganoff

Mrs. Goldstein ties her tichel on Shabbos the way her mother always did. Her son Yankee explains that she should not tie or untie her tichel this way since it is a double knot. Must Mrs. Goldstein tie her tichel differently? And may she untie the knot that is holding the tichel on her head?

Yankie's older brother, Reuven returns from yeshiva and tells his mom that it is okay to tie the baby's shoes with a double knot. Mom has never done this, always assuming that one cannot tie a double knot on Shabbos, even though baby Rivka's shoes almost never stay tied on Shabbos as a result. Of course, Yankee does not miss the opportunity to disagree with Reuven and emphasize that one may not tie the shoes on Shabbos just as one may not tie the tichel.

What's a mother to do?

She calls the Rav, who continues his explanation . . .

Last time we learned that some knots are prohibited min haTorah, others are prohibited midirabbanan, while others are completely permitted. Any knot that may not be tied may not be untied either. If tying it involves a Torah prohibition, then untying it is forbidden min haTorah (Mishnah Shabbos 111b). If tying the knot is only midirabbanan, then untying it is midirabbanan. If one is allowed to tie a particular knot, one may also untie it (Rambam Hilchos Shabbos 10:7). We learned that according to Rashi and most Rishonim, it is prohibited min haTorah to tie a permanent knot, midirabbanan to tie a semi-permanent knot, and that it is permitted to tie a temporary knot. Everyone agrees that Rashi permits tying any knot that will be untied within 24 hours from when it is tied (Beis Yosef 317). On the other hand, everyone agrees that Rashi forbids tying a knot that is left untied for a week or more. Authorities dispute whether Rashi prohibits tying a knot meant to last more than 24 hours but less than a week, some viewing this knot as semi-permanent and others as temporary (Rama 317:1). One may follow the lenient opinion under extenuating circumstances (Biyur Halacha 317:4 s.v. she'einam kevuim).

According to Rambam, a knot that is permanent is prohibited min haTorah only when it is a type of knot that a craftsman would use, called a "keshet uman." A permanent knot that would not be used by a craftsman is only midirabbanan. In addition, a knot that a craftsman would tie but is not permanent is also only midirabbanan, whereas a knot that is neither permanent nor used by a craftsman is totally permitted. There is some uncertainty as to what is considered a "craftsman's knot." Because of this question, some poskim rule that one should not tie any knot very tightly even though one intends to untie it shortly (Shiltei HaGibborim).

According to both Rashi and the Rambam, one may tie a knot that will be untied within 24 hours if it is not extremely tight. Thus according to all opinions, one may tie a gartel on Shabbos or the belt on a bathrobe or any other garment that is usually untied as it is removed and is not tied very tightly. Similarly, a woman may tie her tichel in place because a woman always unties this knot when she removes it so that she does not dishevel her hair.

TYING A KNOT IN A PIECE OF STRING

Tying a knot with a piece of string or length of rope around itself so that it does not slip through a hole or unravel is usually prohibited min haTorah according to all opinions (Gemara Shabbos 74b; Rama 317:1). This knot usually remains permanent and thus is certainly a Torah violation according to Rashi. Even according to the Rambam that only a craftsman's knot incurs a Torah transgression, this is a very tight knot that a craftsman would use for this purpose. (It is interesting to note that some people call this "a stevedore's knot," implying that it is a craftsman's knot.) Thus, tying a knot on a threaded needle to hold it in place is prohibited min haTorah.

For the same reason, making a knot on the end of one's tzitzis to prevent them from unraveling is prohibited min haTorah. Similarly, it is prohibited min haTorah to tie a balloon on Shabbos. Therefore, some authorities prohibit blowing up a balloon on Shabbos because of the possibility that one may mistakenly tie it.

WHAT IS CONSIDERED A CRAFTSMAN'S KNOT?

The definition of a craftsman's knot is difficult to ascertain. Obviously it has to be very tight, but are there other requirements? Because of this uncertainty, a custom developed not to tie any knot on Shabbos that involves tying one knot on top of another (Shiltei HaGibborim; Rama 317:1) which is how most knots are tied. Thus, one might assume that Mrs. Goldstein may not tie her tichel with a double knot as Yankee told her.

However, most poskim permit tying the tichel as Mrs. Goldstein has been doing and as her mother did before her. This is because of a combination of several reasons:

Several poskim contend that the custom not to tie a double knot is only when one ties a knot very tightly (L'vushei S'rad and Pri Megadim on Magen Avraham 317:4; also see

Chazon Ish 52:17) whereas a tichel is tied fairly loosely. Other poskim contend that the custom not to tie a double knot is only if one intends to leave it tied for more than a day (Aruch HaShulchan 317:10). Thus there is substantive reason to permit tying a tichel with a double knot (Shmiras Shabbos K'Hilchasah 15:fn 167). It should be noted that many poskim permit double knotting a child's shoes for the same reason since the knot is not very tight. Others prohibit it because the reason

for the upper knot is to make the lower knot and bow very tight and that is considered tying a double knot tightly (Shmiras Shabbos K'Hilchasah 15:53).

ANIVAH

The Gemara concludes that it is permitted to tie an "anivah" on Shabbos. What is an anivah?

Any knot that can be untied without undoing the original knot by pulling on one side of the knot is an anivah and is permitted. This includes tying bows (without additional knots, see below) and slipknots (Mordechai, Halachos Ketanos #940). A slipknot is so called because it slips easily along the cord on which it is made.

The poskim dispute whether one may tie a temporary knot and then a bow on Shabbos. Does the bow make the knot more permanent and therefore a problem? Most poskim prohibit tying a bow onto a temporary knot, considering the knot thus created a semi-permanent knot that is prohibited (Rama 317:5; Taz; Magen Avraham ad loc.).

TYING RIBBONS AND BOWS

According to what we have explained, one may not tie a ribbon around a package on Shabbos in the usual fashion because this involves tying a double knot.

However, one may tie the ribbon without a knot by making two bows even if one ties the bows very tightly (Mishnah Berurah 317:29; Biyur Halacha 317:5 s.v. anivah).

If someone forgot to tie the aravos and hadasim to the lulav before Yom Tov, one cannot tie with a knot and bow on top of it unless it is a type of knot that one unties every day. One may tie it with a bow on top of a bow (Taz 317:7).

SUMMARY OF KNOTS

We have learned that one may not tie a permanent or semi-permanent knot or a craftsman's knot, and also that one may not tie one tight knot on top of another. According to many poskim, one may tie a loose knot on top of another loose knot and therefore a woman may tie her tichel with two knots one on top of the other. Tying a bow or slip knot is permitted since the knot is taken apart without undoing it but by pulling it apart. Thus, Mrs. Goldstein may continue to tie her tichel and there are poskim who even permit double knotting baby Rivka's shoes. (Although others prohibit double knotting shoes.)

PERMANENT BONDING

Tying knots in a permanent way not only affects halacha but also has hashkafic ramifications. When Moshe Rabbeinu asked to understand Hashem's ways, Hashem told him that as long as he was alive he would only be able to recognize Hashem "from behind." Chazal explain that Hashem showed Moshe the knot of His tefillin, which represents the permanent attachment that exists between Hashem and the Jewish people.

Just as tefillin are tied with a permanent knot, so too Hashem's relationship with the Jewish people is a permanent bond. And just as the tefillin straps tie what is below to what is above, so too their knot connects our mundane world below to the Heavenly world above.
