

Weekly Internet Parsha Sheet Parshas Tazria 5774 Hachodesh

Weekly Blog :: Rabbi Berel Wein *The Truth Hurts*

We are all well aware that it is oftentimes not polite or wise to state the whole truth when human sensitivities are involved. The Talmud in one of its famous statements asks the rhetorical question: "If one has purchased an item in the marketplace, should his friend praise the purchase or denigrate it?" The Talmud apparently feels that it is discourteous if not even downright mean to denigrate something that has already been purchased, even though in truth there is much room for criticism.

So truth and the telling of it is a somewhat chancy matter. Nevertheless, we are told that the seal of the Lord is truth. One of the main attributes describing Torah is truth. And we pray daily that the Lord should grant us, the descendants of Jacob, the gift of truth. Apparently this ambivalence towards the trait of truth is caused by the fact that in many, if not most cases, truth hurts.

According to Chasidic tradition, the great rebbe of Kotzk, Rabbi Menachem Mendel Morgenstern, was a person devoted to absolute truth and he regularly lashed out at his followers with his tongue of truth. But, disappointed that the words of truth apparently made little influence upon his audience, he eventually withdrew from public life. For decades he was a recluse, condemned to isolation because of his penchant for telling the truth no matter how painful the consequences.

In our current world, the whistleblowers receive scant commendation for telling us the truth about the failings and corruption of governments, corporations or organizations. Since the truth hurts we prefer to ignore the message and pillory the messenger.

The Ministry of Defense for the State of Israel recently told the truth in a very undiplomatic manner. He stated the obvious, that the emperor has no clothes. He said that the United States could not be relied upon in spite of previously made promises, commitments and treaties.

One need only observe American policy regarding Syria, Iran, and currently Crimea and Ukraine, in order to realize the truth of Minister Yaalon's statement. It is obvious to all, especially to Comrade Putin, that the United States will not go to war for any reason except if it is directly attacked on its shores. For any country to base its defense strategy on the likelihood of American intervention and aid is risky and foolish.

Of course, Yaalon told the truth and it hurt. America now demands an extravagant apology from Yaalon and the Israeli government. It will undoubtedly receive such an apology for such is the make-believe world of diplomacy that we live in. Diplomacy is the world of nuanced falsehood and the avoidance of harsh truths at almost all costs. Yet, in our heart of hearts, the truth of Yaalon's statement is well recognized and resonates within us.

Apparently he has to apologize, not for what he said but rather for saying it. The prophets of Israel were beaten and imprisoned for telling the truth to the nation. All dictatorships survive on the suppression of truth. One must be very courageous to tell the truth because it will undoubtedly bring about repercussions. For the truth really does hurt.

Much of the discord and divisiveness that exists in current Israeli and Jewish society stems from the inability or unwillingness of individuals or groups to hear and face the truth. The truth is that the Palestinian Authority has no intention of coming to a peaceful agreement with the State of Israel. This truth is known to almost all Israelis today, no matter what our distinguished president says.

It is slowly dawning on our government and perhaps even on other governments as well that the panacea of a two state solution is not really possible or operative. This is a very harsh and bitter truth and it certainly hurts. But, it remains the truth. So we are very much in need of a plan B, as plan A has proven to be false and ephemeral.

The truth is that much of the religious society here in Israel is in financial collapse. The reasons for this are many but they are really no longer relevant to the discussion. The bitter truth is that the social, educational and politically motivated policies pursued in the immediate past can no longer survive the economic crisis of tens of thousands of families being raised in poverty and want.

That is a bitter truth that has to be faced and that truth will engender change and eventually bring about different social mores. Truth can be ignored and it can be suppressed. But it never disappears and sooner or later it comes to the surface no matter how painful and wrenching the process.

Shabat shalom

Weekly Parsha Blog:: Rabbi Berel Wein *Tazria*

One of the primary commandments in Judaism is to marry and have children. In the Garden of Eden we find Adam and Chava blessed by God and told to procreate and fill the world with people. For the Jewish people, having children has become a demographic necessity. Even though it is nearly seventy-five years since World II and the resultant Holocaust, the Jewish people has not as of yet made good on those immense losses in terms of population.

This is due to a lower than average birthrate amongst nonobservant Jews, a high rate of divorce, later-in-life marriages and an increasing population of singles. The ravages of assimilation and intermarriage also play a great part in the fact that Jews can currently hardly replace themselves, let alone make up for the deficit of population caused by the Holocaust.

The Torah places a high priority on children. It sees in children not only the physical continuity of the Jewish people but also a spiritual and heavenly connection that transcends one's life span. The rabbis commented regarding our father Jacob that as long as his descendants were alive and functioning then Jacob himself, so to speak, was also still alive.

Seeing one's self 'past the grave,' is one of the hallmarks of Judaism and of the Jewish people. The concept of the immortal soul is reinforced by being able to project one's self forward in time, living vicariously in the lives of one's descendants.

But, my friends, we all know that having and raising children is no easy task. And we also know that a parent remains a parent for one's entire life. I feel that this is one of the subtle messages conveyed at the beginning of this week's Torah reading. The Torah speaks of impurity, sacrifice and isolation of the mother after the birth of a child. This is the Torah's indication that these are factors that are unavoidable in the raising and nurturing of a child.

In all human society it is natural, indeed expected, for parents to do everything possible to give their children a good and healthy life. Those parents who do not somehow have that instinct within them are shunned in society and even liable to criminal punishment for neglect or abuse of their children. They are, even in our most open and liberal society, treated as being aberrant and cruel. The Torah, which is the book of practical human life, minces no words in describing the difficulties – impurity, sacrifice and separation from others – that having and raising children automatically brings to parents.

It is perhaps for this very reason that the Torah gave women such a strong maternal instinct and the desire to have children. For without that instinct, based only on the practicalities of life and the difficulties of raising children, Jewish demographics would, in a practical sense, offer us no hope whatsoever for the future. The rabbis in Avot correctly stated that "the reward is directly commensurate with the effort and sacrifice." That is

certainly true as far as children and generations and the Jewish future is concerned.

Shabat shalom

Ohr Somayach :: Torah Weekly :: Parshat Tazria

For the week ending 29 March 2014 / 27 Adar II 5774

by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Insights

Clarity and Connection

“And upon the completion of her days of purity” (12:6)

The greatest political blunder of the Feminist movement was its failure to allow men to have babies.

Nothing sorts out the ladies from the boys more than nine months of gut-churning (literally) physicality.

Nothing is as physical in this world as the gestation and delivery of another life; from morning-sickness to afternoon sickness to plain-ol' sickness, from the repulsion to all green vegetables and the craving for waffles drowning in maple syrup to the wholesale hijacking of the human body into a Mothership ferrying a precious cargo to a safe touch-down. Nothing compares with childbirth.

Take it from me. I've never done it.

In the Torah, the concept of tuma (spiritual impurity) is most often connected with death. The greatest source of tuma in the world is a cadaver and contact with it. Why then does a woman become tameh (spiritually impure) when she gives birth? Isn't birth the polar antithesis of the granddaddy of all tuma – i.e. death?

Another question: Why does death frighten us so much? A Jew knows that this life is but a brief candle, and when it is snuffed out G-d reveals a great palace of eternal light beyond it.

But it sure doesn't look that way when we are confronted by a lifeless corpse. It looks like “THE END”.

The reason that death is the greatest source of tuma in the world is that a dead body shakes to the core our belief in the resurrection of the dead.

In Hebrew, the word tuma is connected to the word meaning sealed – satum. The elevation of the soul to its place on High is sealed from us. All we are left with is the frightening physical reality. The opposite of tuma is tahara. Tahara is connected to the word Zohar – shining transparency; the ability to see through the barrier to a life beyond. The most exposed part of the Holy Altar was called the Tohor Hamizbe'ach; the brightest part of the day is called Tzohora'im. Everything is clear. Giving birth is almost as physical as dying. Maybe even more so.

Just as contact with death can cause a great disconnect with the spiritual reality of our elevation to another world, so too can nine months of total involvement with the body, hormones, fluids, tests, scans and all the other physical features of childbirth, lead to a very large disconnect with the spiritual reality of G-d bringing another soul to the world.

It is for this reason that the tuma of disconnection requires a mother to bring a korban — an atonement — as part of the process of returning to the world of tahara — of clarity and connection.

Sources: based on Sforno; thanks to Rabbi Mordechai Perlman

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Peninim on the Torah by Rabbi A. Leib Scheinbaum

Parshas Tazria

When a woman conceives and gives birth to a male. (12:2)

Many people travel the road of life, remaining clueless about what is happening around them. We do not stop to think, to ask ourselves: What just happened? Why did it occur? What does it have to do with me? If nothing actually “bad” happens to us, we continue in our life with business as usual. Isha ki sazria - v'yalda zachar. We take so many things for granted. Chazal quote the pasuk in Tehillim 139:5, Achor vakodem tzartani, “Back and front, You have formed me.” This pasuk refers to the initial creation of man as an androgynous being, as male and female in one body. Vayedabeir Moshe, quoted by Horav Shlomo Levinstein, Shlita, suggests a practical explanation.

The Jewish calendar is different from the secular calendar in that our day begins with the previous night, unlike theirs in which the night is the end of the previous day. Vayedabeir Moshe quotes the pasuk in Iyov 8:7, V'hayah reishischa mitzar v'acharischa yisgeh meod, “Then, though your beginning was insignificant, your end will flourish exceedingly.” In the Talmud Kiddushin 40b, Chazal explain that Hashem brings adversity on the righteous while they are in this world, so that when they come “home” to their eternal rest in Olam Habba, the World to Come, they will reap incredible reward. Not so the nations of the world, who make this world their home. They live a life of abandon, reaping the rewards of a life without obedience,

without self-control, without purpose. Ultimately, they will be reimbursed in Gehinnom, Purgatory. Therefore, we precede the “night,” the pain and troubles associated with the darkness of this world, so that when the day dawns, we will receive our reward. The nations of the world, however, count the night as part of the previous day. Having enjoyed their Olam Habba in this world, they must now prepare for what is in store for them at “night.”

Rav Levinstein notes that the troubles that plague us in this world are linked to zeriah, planting. When one plants a seed, he knows that it will rot in the ground and then germinate. This process produces the roots of the plant which will grow into maturity. In the beginning [as the seed rots away,] it appears as if it is all a waste, until, a few days later, we see a metamorphosis. Hazorim b'dimah b'rinah yiktzoru, “Those who sow with tears will reap with joy” (Tehillim 126:5). Likewise, man atones for his sins in this world, so that in the Eternal World he can rest assured, with bountiful reward. This is why the Torah begins the parsha, Isha ki tazria. A woman who yearns to give birth to a healthy male child must prepare herself to accept the tazria period, the adversity, to accept the pain, the challenges, the issues. Thus, David Hamelech says, Achor vakodem tzartani, “The kedem, the fruit, representing the finished child, is the result of undergoing the achor, adversity which preceded it.

Likewise, the Chasam Sofer writes concerning the births of Yitzchak Avinu and Yishmael. Avraham Avinu married Hagar, and she immediately conceived Yishmael. Avraham married Sarah Imeinu, and she had to undergo seventy years of infertility. Why? Indeed, people began to talk: Hagar is more righteous than Sarah; Hagar conceived immediately, yet Sarah has yet to conceive!

Veritably, explains the Chasam Sofer, to have a son like Yishmael did not require much zeriah. To produce a son like Yitzchak, who was to be the next link in the Patriarchal chain of our People, required seventy years of tears, prayer and pain! Sarah sustained seventy years of adversity to produce a Yitzchak, not just anyone - Yitzchak! This is how we view life - Hazorim b'dimah - b'rinah yiktzoru.

When a woman conceives and gives birth to a male... if a person will have on the skin of his flesh a seis, or a sapachas. (12:2) (13:2)

As happens often, I received a call from a father who was celebrating his son's bar-mitzvah on Parashas Tazria, and he wanted something to say for a Dvar Torah. Obviously, I had written Parashas Tazria a few weeks ahead of time. After giving it some thought, I began to wonder: What is the connection between Parashas Tazria and bar-mitzvah? The question actually goes deeper. Tazria begins with the laws concerning a woman who gives birth, the korbanas she should offer after a period of time and other laws connected with birth. The Torah then moves on to the laws of tzaraas, a sort of spiritual leprosy. We read about tzaraas for the remainder of the parsha - and the next parsha, as well. A woman bringing life into the world; a person relegated to living his life in seclusion in quarantine - almost like death. Do these two topics have a common denominator? Perhaps we may suggest the following.

Isha ki sazria, parents have a child. It is not pre-determined that they will have nachas from this child. It depends upon the various educational and parental choices they make. This, in addition to the many factors and circumstances in life which always seem to crop up when we expect and need them the least, most often determines the child's success. It all depends upon choices. The right choices most often engender success; the wrong choices invariably spell disaster. The issue often boils down to the definition of right and wrong. I must add that success is relative, and its definition is often subjective - but that is a separate discussion.

Let us now turn to tzaraas, which is the consequence of speaking lashon hora, evil speech. Here, too, choices play a critical role. Chazal teach, Ha'chaim v'ha'maves b'yad ha'lashon, “Life and death are in the hands of the tongue.” One does not have to speak ill of others; one is not compelled to slander them. One individual may actively desire to impugn the reputation of another maliciously. A second person simply does not think before he speaks, with the result that someone becomes his victim.

The tongue is not a bad organ. It all depends how one uses it. One can choose life; one can choose death. Regrettably, the choices are not always so clear. Often what one thinks is life is actually the long road to death - and vice versa. This is why we have the benefit of Torah to guide us in making the correct choices.

The greatest gift other than life itself, is the ability to choose one course of action from a set of alternatives. The ability to choose sets us apart as intelligent humans from those who are not so. With the opportunity of choice comes responsibility, which is the prelude to reward. We take responsibility for our choices, and we follow through to our goals. When we achieve those goals, our reward is the happiness accompanying the realization of our goals. Choice is the creative power of life. One who ignores this gift goes through life in a static sense, without feeling, without enthusiasm, without goals. He does not lead. He is led by the flow. Some of us are afraid to make choices, because of the responsibility they incur; others fear making the wrong choice. We must determine what we ultimately seek out of life, what our goals are. If we use a modicum of intelligence, we will choose to follow the path that leads to the fruition of our goals. When there are bumps in the road, we

change course when necessary. Life offers no guarantees. One who makes poor choices, however, or lacks the intelligence or maturity to enter into the process of choosing, is probably assured of some form of failure. Indeed, even if he just goes with the flow and somehow makes it, it will have been an uneventful, bland journey. P.S. There is one thing worse than making the wrong choice in life: perpetuating that wrong decision.

She shall bring a sheep within its first year for an Elevation-offering and a young dove or a turtle dove for a Sin-offering... and the Kohen shall provide atonement for her and she shall leave purified. (12:6,8)

The new mother is required to bring a korban, sacrifice, to atone - for what? This woman just brought a new neshamah, soul, into the world. She should be the recipient of accolades. Yet, she must bring a korban to atone for herself. Chazal teach that Moshiach will not arrive until all of the neshamos that are "waiting" in Heaven are born. She, in fact, was mekareiv, brought closer, the geulah, Final Redemption. Still, she must bring a korban for atonement. Chazal address this question and explain that, because during the extreme pangs of childbirth she had uttered an oath, "Never again." Clearly, she regrets even the thought. Therefore, an atonement is required to expunge something that she articulated under duress and certainly did not mean.

Horav Chaim Zaitchik, zl, offers another approach towards understanding the necessity for atonement. Concerning the mitzvah of Mechias zeichar Amalek, the Torah writes: Zachar es asher asah lecha Amalek... timcheh es zeichar Amalek - Lo sishkach, "Remember what Amalek did to you... you shall wipe out the memory of Amalek - you shall not forget!" Chazal explore the redundancy of the admonishment. Remember to wipe out - do not forget; zachor - remember - vocally; lo sishkach - do not forget - in your heart. Therefore, we must reiterate in our minds our animus for what Amalek did to us and express it.

Rav Zaitchik takes a more practical approach. Indeed, there was a time when we had Amalek on our minds constantly. We were surrounded by enemies at every front. Even now, when we have finally been able to return to Eretz Yisrael, we must stand in readiness, never knowing when the next Arab terrorist will decide to wreak havoc on our lives. Let us imagine the following scenario. We have finally rid ourselves of our enemies. Hashem has seen to it that we are free of external adversity. The dogs are not just at bay; they are gone - forever. The defense minister has retired. We no longer need an army. His position is superfluous. The question is: Will we still remember to thank Hashem?

To this, the Torah responds: Even when you are at peace, and the threat of Amalek no longer looms over you - Lo sishkach, "Do not forget Hashem's miracles." It is easy to "remember" when we are surrounded by enemies on all sides. Will we, however, maintain this "memory" when it is only a "memory" - or will we forget? The Torah circumvents this problem by admonishing us - never forget what he did to you.

We quickly forget the pain, the sleepless nights, the torrent of tears that accompanied the tzarah, trouble, that had until recently enveloped and consumed our lives. Now that Hashem has listened to our prayers and the tzarah is in the past, we revert back to our lives of complacency, our substandard davening, learning and mitzvah observance. I use the word substandard, because, for a short while, we had been able to show that, when necessary, we are able to be intense in our observance and passionate in our commitment. We forget too quickly. Life goes back to usual.

Rav Zaitchik applies this idea to explain the atonement for a yoledes, woman who gives birth. Prior to delivering, she was in intense pain, the pangs of childbirth driving her to pray, to cry out to Hashem to allow this to pass quickly, without pain. Hashem listened; a healthy child was born; mother and child are doing well. What about Hashem? Life returns to normal and, sadly, we begin to take Hashem for granted - until the next time.

Many of us are given reprieves or second chances at life. Do we understand the meaning and value of these supplemental opportunities? Some of us do - for a while, while others simply go on as if nothing has ever happened. I recently read a letter from a frum, observant, woman, who was at death's door until she was able to be the fortunate recipient of an organ from someone who was sadly not as fortunate. When we hear of the tremendous mazel of the recipient, we tend to ignore completely the fact that someone had to die in order for this transplant to take place. While the recipient's family is celebrating ecstatically, another family is lamenting the death of their loved one.

This woman wrote a loving, poignant letter to the family of the organ donor. She expressed her gratitude to them and to their tragically-mourned daughter whose lung now breathes in her body. She described how her life was at its end. She could not go on. Even the most elementary and simple projects had become impossible for her to perform. Then she received the call: "A lung is available." As she rode to the hospital, sharing the back of the ambulance with her own twenty-two-year old daughter, she realized that someone else's daughter had just died, and she was receiving her lung. So many ideas ran through her mind as she was being prepped

for surgery and given anesthesia. The next thing she knew, she was awake and breathing - on her own! A miracle had occurred.

How much she thanked Hashem! All of this is no surprise. We all thank Hashem - initially, but does it continue? Do we remember that we have been given a second chance? I, therefore, close with the sentence in this woman's letter which was most moving and should be for us most memorable: "My promise to you is that I will never waste one moment of my life."

If a person will have on the skin of his flesh a seis, or a sapachas. (13:2)

The Torah details various forms of tzaraas, which is often incorrectly translated as "leprosy." It is a spiritual illness that manifests itself in the body by displaying white spots on one's skin, similar to leprosy. The Sifsei Kohan posits that the words seis and sapachas allude to two spiritual deficiencies which catalyze the tzaraas. Seis is connected to hisnasus, elevating/lording oneself over others, raising himself above those around him. Such a person walks with an upright gait as if to "push up against the Shechinah." Who towers over everyone, melo kol ha'aretz Kevodo, "The entire earth is filled with His Glory." One who arrogates himself over others, pushes himself upon, thereby "cramping up against the Shechinah." Hashem says, Ein Ani v'hu yecholim ladur k'echad, "I and he are not able to live together."

One who is arrogant eventually belittles himself and, in time, loses his distinction. Seis u'sapachas; one who raises himself up ultimately become nifchas, diminished. Horav Yaakov Galinsky, zl, relates a conversation he had with the Ponevezer Rav, Horav Yosef Kahneman, zl. The Rav was a close student of the Chafetz Chaim, zl. One day, the Chafetz Chaim turned to his student, "Yosha (a term of endearment for the name Yosef), you know, of course, that Hashem loves each and every Jew, despite the circumstances in which he finds himself. Once Horav Chaim Volozhiner, zl, was learning the Sefer Tanna D'Bei Elyahu, and he came across a passage in which the author cites the many attributes of Hashem. Among them he includes, sameach b'chelko, being happy with his lot/portion. He questions this quality. Being satisfied with one's lot applies to a human being who, despite wanting more, settles for less and is happy with what he has. It will suffice. Hashem, however, does not have to settle. He can create anything that He wants. The concept of "settling" is foreign regarding Hashem. He either has it - or He will make it. This question so thoroughly troubled Rav Chaim that he decided to travel to Vilna to speak it over with his Rebbe, the Gaon, zl, m'Vilna.

The Gaon explained that Hashem's chelek, portion/lot, is Klal Yisrael. Yes, we are Hashem's portion. The Almighty wants His portion to be as perfect as possible, so that both the collective nation and each Jew individually should strive to be the paragon of perfection. Alas, it is not all in the hands of Heaven. Chazal teach: Hakol b'yidei Shomayim, chutz m'yiraas Shomayim, "Everything is in the hands of Heaven - except for fear of Heaven!" This is one quality that Hashem has given over to us. We are in control of our spiritual health. If a Jew reneges his opportunity to be a yarei Hashem, G-d-fearing Jew, he will not be compelled by Heaven to be observant. It is his choice. Therefore, Hashem is sameach b'chelko, is "pleased"/"happy"/"accepts" each and every Jew as he is. Even when we were exiled from our own home, when we lost the Bais Hamikdash, Temple, Hashem accompanied us throughout the millennia. From adversity to misfortune; from degradation to humiliation; from the spiritual high of Yerushalayim with the Bais Hamikdash, to the spiritual impurity in which we have been subjected to make our home - Hashem came along with us, Ha'Shochein itam b'soch tumasam, "Who resides with them (even when they are) within their impurity."

"If this is the case," asked the Chafetz Chaim, "if Hashem tolerates our degradation and does not forsake His commitment to us, despite our wallowing in the filth of spiritual impurity, why is it that He has zero tolerance for the baal gaavah, the arrogant person? What makes the sin of arrogance so egregious that it stands out above/below all of the rest?"

The Toras Chaim (Sanhedrin 90a) explains the essence of a tzaddik, righteous person, as being manifest by the first letter of its spelling, which also happens to be that letter of the alphabet which defines it. The tzadik is a letter which is comprised of a nun - slightly bent over, with a yud sitting above it. The yud represents Hashem, the nun of tzadik is bent over to allow for Hashem's Presence to rest on it. Together, they comprise the tzadik. This alludes to the notion that the righteous are a merkavah, chariot, for the Almighty. They are bent over - with humility, sort of to make room for the Almighty. This is how the righteous live - ever-cognizant that the Almighty is above them.

Returning to the question, the Ponevezer Rav was stumped. Veritably why is Hashem so offended by the baal gaavah, more so than any other sinner? The Chafetz Chaim explained, "Hashem resides among the one who is tamei, spiritually contaminated, because for him there is hope; he can immerse himself in pure water and become purified. Likewise, the rasha, wicked person, can wake up, introspect, and realize that he has spent his life wallowing in the mire of sin; his life has been one big waste. This will impress him to get his act together, make spiritual amends and repent. For him, too, there is hope."

"The baal gaavah is a tipeish, fool." The Chafetz Chaim quotes the Ramban in his Iggeres, Epistle, "Bameh yisgaeh lev ha'adam? 'With what should the heart of man arrogate itself?' If because of wealth - Hashem determines who should be poor and who should be wealthy. Is it because of his glory? Glory comes from G-d (Only He has true glory). Is it in his wisdom? Hashem can easily change that. In other words, whatever the baal gaavah thinks he is really comes from Hashem. He, actually, has nothing. Why is he arrogant? Obviously, he is a shoteh, fool. For a fool, there is no hope!"

The Ponezever Rav looked up at his Rebbe and said, "The Rebbe has no idea in how much debt I am to him. The Rebbe actually saved me!"

"How?" asked the Chafetz Chaim.

"One of my baalei batim, lay members, asked me a question concerning the Haggadah. The Haggadah lists the four sons: the wise son, the wicked son, the simple son, the one who does not know how to ask. It seems that it lists one son with its opposite. If so, it should say chacham - tipeish, fool. Why is the rasha the converse of the chacham? One is either a tzaddik or rasha - chacham or tipeish. At first, I did not know what to reply. Now, however, it all makes sense. The chacham prayed to Hashem asking, 'Hashem, please have pity on me. I have only one request; Please do not place me next to the tipeish. I am willing to be with the rasha. I know what he is, and I can prepare myself by making the necessary effort to distance myself from him. Even bumping into the tipeish by chance, however, can be harmful. I fear being anywhere in his proximity.'" Hashem listened.

The Kohen shall look at the affliction on the skin... the Kohen shall look at it and declare him contaminated. (13:3)

The Kohen is looking at the same nega, plague, - once; yet, the Torah writes that he sees/looks twice. Why is there a redundancy? The Meshech Chochmah offers a powerful insight to explain that, in fact, the Kohen is instructed to have a "double take," look twice: once at the plague; and once at the person who manifests the plague. In the Talmud Moed Katan 7b, Chazal quote the pasuk, "U'byom heiraos bo; 'On the day that healthy flesh appears in it' (Vayikra 13:14)." There are days during which you (Kohen) may view the nega, and there are days when the Kohen should not view the nega." This teaches that a chassan, bridegroom, upon whom a nega has surfaced, is to be given (allowed to celebrate) the shivas yemei mishtah, seven days of festivity following the wedding. Likewise, if the nega were to appear right before the Regel, one of the three Festivals, the metzora is not deemed impure, so that the individual may celebrate the seven days of the Festival.

The Meshech Chochmah derives from here that the Kohen does much more than look at the plague. He must also take into consideration the time frame when this plague appears. A plague may appear to be tamei, ritually impure, but, until the Kohen declares it to be tamei, it is tahor, still pure. The Kohen may not declare a chassan tamei if it means that he will have his sheva brachos ruined. If a husband/father must become tamei prior to Yom Tov, it will destroy the joy of the Festival not only for him, but equally for his entire family. Therefore, the Torah writes that the Kohen looks at the plague - but before he declares it to be tamei, he must look again at the circumstances surrounding the plague. What will be the greater ramifications of his decision? Thus, the Torah instructs the Kohen to first look at the affliction to see if it has simanei tumah, signs of contamination. Then, after he has determined that indeed the affliction has all the signs of tumah, the Kohen should now look again - at the person: Is he presently up to becoming tamei, or, perhaps, it would be best to wait.

What an inspirational commentary! We live in an age of "egos" in a generation so overwhelmed with insecurity that many of those who are charged with making decisions act out of pressure, rather than employing basic common sense or a dose of compassion. When we discipline students, do we take into consideration the wider ramifications of our decision? Do we think how it will affect the parents, siblings, the student? Do we even care? "But if I keep this boy/girl in my school I will look bad; the school's reputation might suffer." The Kohen had to delay his "call" on the affliction, even though his "take" on it was tamei, but it would deprive the man and his family of the Yom Tov. Why should the kallah, bride, suffer? Let her have her week with her new husband.

I remember a few years ago making a shivah call to the Hellman family, who had just lost the patriarch of the family, Rav Uri Hellman, zl, the legendary educator and pioneer of girls' education. There were so many stories about this great man. One episode that impacted me then and has inspired me over the years was related by his secretary. Apparently, after school started, Rav Hellman would retire to his office, close the door, and do his work. The secretary would bring him a slice of cake and a cup of coffee. At the end of the day, she would retrieve the empty dishes. That day, Rav Hellman had the misfortune of having to ask a girl to leave the school. The secretary went about her daily ritual in her usual manner. This day, however, when she returned at 4:00 p.m., the cake and coffee had not yet been touched. She asked Rav Hellman what had happened, why he had not eaten the cake, or at least, drunk the coffee. Rav Hellman looked up from the sefer he was reading and said, "You know that I must speak today with a certain girl, and you are aware of the

ramifications of this necessary decision. When I must ask a girl to leave the school, it is a fast day for me! I cannot eat! How could I eat, knowing that I am sending a Jewish girl out on the street?!"

One last story: My good friend, Rabbi Raphael Gelley, was in the Akron/Canton airport waiting to board a flight to New York. He struck up a conversation with a young soldier returning for a second tour of duty in Iraq. He asked the fellow, "What motivates you to go back?" "As long as my Commander-in-Chief (President George W. Bush) says, 'There will be no dessert in the White House until every American soldier returns home,' I will continue to fight." This is secure and sensitive leadership.

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Rabbi Weinreb's Parsha Tazria (Shabbat HaChodesh)

My Earliest Memory

Have you ever been asked the question, "What is your earliest memory??"

I have been asked that question many times. There was a time, long ago, when I was a graduate student in psychology, when that question was posed. The answer was considered very revealing of the respondent's deeper psyche.

Such exceptionally early memories were known in psychoanalytic circles as "screen memories" and were considered quite significant diagnostically. The scientific significance of such memories is now considered to have no basis, but they are certainly interesting and make for great conversation.

Considering the question posed, I had a clear image of my first memory. I was standing outside a brick building, looking up at my father, may he rest in peace, surrounded by a small crowd of other men. Everyone was looking at the moon.

This may have been my first experience, at age three or four, of Kiddush Levana, the monthly ceremony during which the congregation exits the synagogue and acknowledges the first appearance of the new moon.

I have another memory of the religious significance of this ceremony. I remember being told that the Hebrew word for "month" is "chodesh" and the Hebrew word for "new" is "chadash". It was then that I learned of the significance of the new moon which commences a new month, and became aware for the first time that the Jewish people follow the lunar, not solar, calendar.

This week, we read the Torah portion of Tazria. But since it is also the very last Sabbath before the new moon of the month of Nisan, the month of Passover and spring time and the beginning of the new calendar year, we will also read an additional portion from Exodus 12:1-20, known as Parshat HaChodesh. Famously, according to Rashi, these verses are the true beginning of the Torah.

The theme of newness and the constant potentiality for renewal is the central theme this Shabbat. It is also the central theme in the Jewish calendar, and, one might say, in Jewish tradition in general. The symbolism of the moon constantly renewing itself is coupled this week with the symbolism of springtime and nature's renewal.

This Shabbat, we herald the approaching holiday of Passover, but not as a holiday of freedom and redemption. Not just yet. This week, we recognize that Passover is chag ha'aviv, the festival of springtime. Passover has a myriad of symbolic meanings, one of which is the perennial opportunity for personal and national rejuvenation.

When I focus on my earliest memory with extra effort, I remember what the men who surrounded me under that moon so long ago were saying to each other. Each man addressed three others with the traditional Jewish greeting, "Shalom aleichem." I remember being puzzled by why Daddy was greeting friends that he saw daily with this special welcome, generally reserved for those whom one hadn't seen in a while.

I didn't ask him about it then; after all, it was still the era when "children were to be seen and not heard". But I have since answered the question for myself, and have explained it to my children and to my students as follows:

"The new moon is a symbol for renewal. It is a time for each of us personally to begin again, to forget past mistakes, to 'turn over a new leaf'. It is also a time for us to renew and recharge our relationship with others. It is a time to begin a new slate, to forgive each other, and to appreciate each other anew. Hence, we greet at least three friends, even old friends, with a 'Shalom aleichem,' as if they were newcomers in our lives."

And so, the supplemental reading this week teaches us about newness, and about, to borrow Lincoln's famous phrase, "...a new nation, conceived in liberty...." Is there any connection between the supplemental Parshat HaChodesh and this week's main Torah portion, Tazria?

I would say so, for this week's Torah portion begins, "Speak to the children of Israel, saying: 'If a woman conceives and bears a male child, she shall be unclean seven days... and on the eighth day, the flesh of his foreskin shall be circumcised.'"

(Leviticus 12:1-3) The opening theme this week is also one of a new beginning, of a birth of a new baby. It is a time for the celebration of the entry of a new member into the Jewish people.

Hence, there is surely a connection between Tazria and Parshat HaChodesh. They both adumbrate the centrality of the new in our tradition.

It is at this point that you, dear reader, might well ask, "If we are celebrating not just newness in general, but the arrival of a new human being into this world and of a new member of the Jewish faith, then why does the mother enter the realm of tumah, ritual uncleanness? Should she not, rather, enter the realm of kedushah v'taharah, sanctity and cleanness?"

I found a most thought-provoking answer to this oft-asked question recorded in the name of that most profound of the Chassidic masters, Rabbi Mendel of Kotzk. He cites the passage in the Talmud which states that the "keys of childbirth" are kept by the Almighty Himself. It is He who presides, as it were, over "labor and delivery". Once the baby is born, His Presence departs as well. Just as when the soul of man departs, tumah descends, so too when the Divine Spirit departs, tumah ensues.

The Kotzker once again teaches a very deep, albeit existentially pessimistic, lesson. Perhaps one must be Rabbi Mendel of Kotzk to truly understand why he forces us to face darkness even at the moment of joyous celebration of birth.

For most of us, on the other hand, this week's lesson is of light, and not of darkness. It is an occasion to contemplate all that is new in our natural and interpersonal environments, especially at this time of year. It is an opportunity to seize the moment by taking advantage of the constantly available potential for renewal of ourselves and of our friendships and relationships.

Is this just a Jewish message? Of course not. It is a message for all of humanity. And it is so well expressed by the famous adventurer and explorer of the sea, Jacques-Yves Cousteau, in his book *The Silent World*, when he writes:

"Sometimes we are lucky enough to know that our lives have been changed, to discard the old, embrace the new, and run headlong down an immutable course. It happened to me at Le Mourillon on that summer's day, when my eyes were opened to the sea."

This Shabbat, our eyes open to a different kind of sea. May we embrace the new and run, headlong and happy, down a different and better course.

Orthodox Union / www.ou.org Britain's Former Chief Rabbi Lord Jonathan Sacks

The Price of Free Speech

Hannah Smith was a fourteen-year-old schoolgirl living in Lutterworth, Leicestershire. Bright and outgoing, she enjoyed an active social life and seemed to have an exciting future ahead of her. On the morning of 2 August 2013 Hannah was found hanged in her bedroom. She had committed suicide.

Seeking to unravel what had happened, her family soon discovered that she had been the target of anonymous abusive posts on a social network website. Hannah was a victim of the latest variant of the oldest story in human history: the use of words as weapons by those seeking to inflict pain. The new version is called cyber-bullying.

The Jewish phrase for this kind of behaviour is lashon hara, evil speech, speech about people that is negative and derogatory. It means, quite simply, speaking badly about people, and is a subset of the biblical prohibition against spreading gossip.[1]

Despite the fact that it is not singled out in the Torah for a prohibition in its own right, the sages regarded it as one of the worst of all sins. They said, astonishingly, that it is as bad as the three cardinal sins – idolatry, murder and incest – combined. More significantly in the context of Hannah Smith they said it kills three people, the one who says it, the one he says it about, and the one who listens in.[2]

The connection with this week's parsha is straightforward. Tazria and Metsora, are about a condition called tsara'at, sometimes translated as leprosy. The commentators were puzzled as to what this condition is and why it should be given such prominence in the Torah. They concluded that it was precisely because it was a punishment for lashon hara, derogatory speech.

Evidence for this is the story of Miriam (Numbers 12: 1) who spoke slightly about her brother Moses "because of the Ethiopian wife he had taken." God himself felt bound to defend Moses' honour and as a

punishment, turned Miriam leprosy. Moses prayed for God to heal her. God mitigated the punishment to seven days, but did not annul it entirely.

Clearly this was no minor matter, because Moses singles it out among the teachings he gives the next generation: "Remember what the Lord your God did to Miriam along the way after you came out of Egypt" (Deut. 24: 9, and see Ibn Ezra ad loc.).

Oddly enough Moses himself, according to the sages, had been briefly guilty of the same offence. At the burning bush when God challenged him to lead the people Moses replied, "They will not believe in me" (Ex. 4: 1). God then gave Moses three signs: water that turned to blood, a staff that became a snake, and his hand briefly turning leprosy. We find reference later in the narrative to water turning to blood and a staff turning into a serpent, but none to a hand that turns leprosy.

The sages, ever alert to the nuances of the biblical text, said that the hand that turned leprosy was not a sign but a punishment. Moses was being reprimanded for "casting doubts against the innocent" by saying that the Israelites would not believe in him. "They are believers the children of believers," said God according to the Talmud, "but in the end you will not believe." [3]

How dangerous lashon hara can be is illustrated by the story of Joseph and his brothers. The Torah says that he "brought an evil report" to his father about some of his brothers (Gen. 37: 2). This was not the only provocation that led his brothers to plot to kill him and eventually sell him as a slave. There were several other factors. But his derogatory gossip did not endear him to his siblings.

No less disastrous was the "evil report" (dibah: the Torah uses the same word as it does in the case of Joseph) brought back by the spies about the land of Canaan and its inhabitants (Num. 13: 32). Even after Moses' prayers to God for forgiveness, the report delayed entry in the land by almost forty years and condemned a whole generation to die in the wilderness.

Why is the Torah so severe about lashon hara, branding it as one of the worst of sins? Partly this has deep roots in the Jewish understanding of God and the human condition. Judaism is less a religion of holy people and holy places than it is a religion of holy words.

God created the universe by words: "And God said, Let there be ... and there was." God reveals himself in words. He spoke to the patriarchs and the prophets and at Mount Sinai to the whole nation. Our very humanity has to do with our ability to use language. The creation of homo sapiens is described in the Torah thus: "Then the Lord God formed man from the dust of the ground and breathed into his nostrils the breath of life, and the man became a living being" (Gen. 2: 7). The Targum renders the last phrase as "and the man became a speaking being." Language is life. Words are creative but also destructive. If good words are holy then evil words are a desecration.

One sign of how seriously Judaism takes this is the prayer we say at the end of every Amidah, at least three times a day: "My God, guard my tongue from evil and my lips from deceitful speech. To those who curse me let my soul be silent; may my soul be to all like the dust." Having prayed to God at the beginning to "Open my lips so that my mouth may declare Your praise," we pray to Him at the end to help us close our lips so that we do not speak badly about others, nor react when others speak badly about us.

Despite everything, however – despite the Torah's prohibition of gossip, despite its stories about Joseph, Moses, Miriam and the spies, despite the unparalleled strictures against evil speech by the sages – lashon hara remained a problem throughout Jewish history and still does today. Every leader is subject to it. The sages said that when Moses left his tent early in the morning, people would say, "You see, he has had a row with his wife." If he left late they would say, "He is plotting against us." [4]

Anyone from CEO to parent to friend who seeks to be a leader has to confront the issue of lashon hara. Firstly he or she may have to put up with it as the price of any kind of achievement. Some people are envious. They gossip. They build themselves up by putting other people down. If you are in any kind of leadership position, you may have to live with the fact that

behind your back – or even before your face – people will be critical, malicious, disdainful, vilifying and sometimes downright dishonest. This can be hard to bear. Having known many leaders in many fields I can testify to the fact that not all people in the public eye have a thick skin. Many of them are very sensitive and can find constant, unjust criticism deeply draining.

If you should ever suffer this, the best advice is given by Maimonides: “If a person is scrupulous in his conduct, gentle in his conversation, pleasant toward his fellow creatures, affable in manner when receiving them, not responding even when affronted, but showing courtesy to all, even to those who treat him with disdain ... such a person has sanctified God and about him Scripture says, “You are my servant, Israel, in whom I will be glorified (Isaiah 49:3).”[5]

That is in relation to lashon hara directed against yourself. As for the group as a whole, however, you should practise zero tolerance toward lashon hara. Allowing people to speak badly about one another will eventually destroy the integrity of the group. Evil speech generates negative energies. Within the group it sows the seeds of distrust and envy. Directed outside the group it can lead to arrogance, self-righteousness, racism and prejudice, all of which are fatal to the moral credibility of any team. Whether or not you are the leader of such a group you must politely make it clear that you will have nothing to do with this kind of speech and that it has no place in your conversations.

Cyber-bullying is the latest manifestation of lashon hara. In general the Internet is the most effective distributor of hate-speech ever invented. Not only does it make targeted communication so easy, but it also bypasses the face-to-face encounter that can sometimes induce shame, sensitivity and self-control. Greek myth told the story of Gyges’ ring that had the magical property of making whoever wore it invisible, so that he or she could get away with anything.[6] Social media that enable people to post anonymous comments or adopt false identities are as near as anyone has yet come to inventing a Gyges’ ring. That is what is so dangerous about it.

The story of Hannah Smith and the other teenage suicides is a tragic reminder of how right the sages were to reject the idea that “words can never harm me,” and insist to the contrary that evil speech kills. Free speech is not speech that costs nothing. It is speech that respects the freedom and dignity of others. Forget this and free speech becomes very expensive indeed.

All of which helps us to understand the biblical idea of tsara’at. The peculiar property of tsara’at – whether as a skin disease, a discoloration of garments or mould on the walls of a house – is that it was immediately and conspicuously visible. People engage in lashon hara because, like wearers of Gyges’ ring, they think they can get away with it. “It wasn’t me. I never said it. I didn’t mean it. I was misunderstood.” The Torah is here telling us that malicious speech uttered in private is to be stigmatised in public and those who engage in it are to be openly shamed.

To put it at its simplest: as we behave to others so God behaves to us. Do not expect God to be kind to those who are unkind to their fellow humans.

[1] Leviticus 19: 16.

[2] See Maimonides, Hilkhot Deot 7: 3.

[3] Shabbat 97a.

[4] See Rashi to Deut. 1: 12.

[5] Maimonides, Hilkhot Yesodei ha-Torah 5: 11.

[6] See Plato, The Republic, book 2, 359a–360d.

Rabbi Lord Jonathan Sacks is a global religious leader, philosopher, the author of more than 25 books, and moral voice for our time. Until 1st September 2013 he served as Chief Rabbi of the United Hebrew Congregations of the Commonwealth, having held the position for 22 years. To read more from Rabbi Sacks or to subscribe to his mailing list, please visit www.rabbisacks.org.

Drasha Parshas Tazria

by Rabbi Mordechai Kamenetzky

Sounds of Solitude

There is a fascinating paradox that relates to the laws of tzora'as, the spiritual malady, a skin discoloration that affects those who gossip. On one hand, only a

kohen can either pronounce a state of impurity or purity. On the other hand, the afflicted man is in control of his own destiny. The Gemarah tells us that if, for example, the afflicted man removes the negah, whether it is hair or skin, then he is no longer tamei. So this affliction, which is purely spiritual in nature, a heavenly exhortation to repent from nattering ways, is basically toothless. If the man wills it, he can refuse to go to the kohen and not be declared tamei. And if he so desires, he can even remove the negah before anyone declares its potency.

Another amazing dimension is applicable after the afflicted man is declared tamei. The Torah tells us "that he is sent out of the camp, where he sits in solitude" (Leviticus 13:46).

His departure from the camp of Israelites is surely not due to a contagious nature of the negah. After all, if that were the case, he would be sent away way even before the kohen's declaration of tumah.

So why send the man to confinement where no one will monitor his reaction to the negah on his being, a place where he could remove the negah, or adulterate its appearance? Why not have him locked in a cell \under the supervision of a guard who would insure the integrity of the purification process?

In the early 1900s, a simple religious Russian Jew decided that he could no longer stand the Czar's persecution. He would leave Russia to join his son who had settled in Houston, Texas, some twenty years earlier. The son, who had totally assimilated and was a successful oilman, was thrown into a panic. "Of course, you are welcome, Pa," he cabled, "I will arrange a visa, your tickets and fares. But you must realize that I have a wonderful reputation here as an oil man. When you arrive, you must adapt to American culture or I will be destroyed.

Upon arrival at the train station, the old man, dressed in his long coat and up-brimmed hat, was whisked to a haberdashery, where he was fitted with the latest style fedora and a modern-cut suit. But still, his father looked too Jewish.

"Pa it's not enough. I'll take you to the barber."

The first thing that came off was the beard. The son looked on and said, "it's not enough Pa. The peyos, they'll have to go." The barber cut off the right peya. While the son looked on proudly, his pa was becoming a real American. Then the second. And the old man began to weep.

"Why are you crying, Papa?" the son asked incredulously.

The father, resigned to his fate, simply answered. "I am crying because we lost the Alamo!"

My grandfather, Rabbi Yaakov Kamenetzky, of blessed memory, in his sefer Emes L'Yaakov, explains the concept of sitting in solitude, reflecting in unadulterated honesty about one's true feelings.

There comes a time in one's life where the message from heaven can only be without the influence of others and the will to impress them. How often do we act because of the influence of friends and relatives? How often do we gossip due to peer pressure? We must make choices in life. Honest choices. We have to do what the neshama wants us to do. And we can't alter our true emotion due to social, peer, or monetary pressures.

Henny Youngman, a classic comedian, used to talk about his wonderful doctor. "If you can't afford the operation," he would say, "he'll touch up the x-ray!"

The afflicted man is sent away from anyone who may have influenced him to act in his blathering ways. He can reflect on his true feeling and his honest perceptions of life and his role. But this decision must be made when he is impervious to anyone who was normally in his sphere. And he has a choice. He can pull out the hair, he can scrape off the negah. He can fool the kohen. He can fool his family and fool his friends. But when he returns to the camp, the same man sans negah, the only one fooled is himself.

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Rabbi Yissocher Frand - Parshas Tazria

Lashon HaRah -- More A Problem of the Eye Than Of The Mouth Or Tongue

In the past, we have discussed the Medrash about the peddler who came to town and announced "Who wants life? Who wants life?" Everyone gathered around him. Rather than sell them a magic elixir, he quoted the pasukim [verses], "Who is the man who desires life (mi haSh haChafetz Chaim), who loves days of seeing good? Guard your tongue from evil, and your lips from speaking deceit." [Tehillim 34:13-14]. We are all familiar with this pasuk [pasuk]. This is the expression the Chofetz Chaim used to entitle his sefer about the Laws of Lashon Harah (by which he himself was always thereafter known)

Rav Nissan Alpert once offered a profound insight on these pasukim. Rav Alpert asked where the question mark goes in the run on sentence which begins with the words "Who is the man who desires life"? In other words, where does the question end and where does the answer begin? Most of us would probably punctuate the pasukim (as done above) such that the question is "Who is the man who desires life, who loves days of seeing good?" and then the answer is "(The one who fulfills the practice...) Guard your tongue from evil and your lips from speaking deceit."

Rav Alpert says this is an incorrect parsing of the pasuk. Rav Alpert suggests that the answer to the question of "Who is the man who desires life?" begins with the words "Ohev Yomim Lir'os Tov". Meaning, if someone wants to live long, the ultimate secret to longevity is indeed guarding one's tongue from evil and lips from speaking deceit. But there is more to it than that. Part of the answer is "Loving days and seeing good." This means looking at life with a positive attitude. One should strive for a life of "lir'os tov" – trying to see the good in everything and everybody. The inevitable result of having a positive outlook on life will be that one guards his tongue from evil and his lips from speaking deceit.

The key to refraining from speaking Lashon Harah is not so much in the mouth as it is in the eye. When we see people and we perceive things, there are always multiple ways in which they can be viewed. When one has a negative attitude towards life and a negative attitude towards people, one has what is idiomatically called a "jaundiced eye". The result will be that such a person invariably speaks Lashon Harah.

A person who views things positively and who sees people and events in a positive light will speak less gossip and less slander. This is why "Ohev Yomim Lir'os Tov" [Loving days; seeing the good] is part of the answer, not part of the question.

We are all familiar with the story of the Meraglim [Spies] in Parshas Shelach. They were sent out to reconnoiter the land. They came back after their 40 day spy mission with a negative report and spoke Lashon Harah about Eretz Yisrael. As a result, the people were sentenced to 40 years of wandering in the wilderness without being able to enter the Land. In the words of the Torah, they were punished with "Yom L'Shanah; Yom L'Shanah". [A day for each year; a day for each year] [Bamidbar 14:34].

But the question can be asked: They did not speak Lashon Harah for 40 days. They only spoke Lashon Harah for one night, perhaps for just a matter of a few hours. What kind of "corresponding punishment" is it to say they were sentenced to a year of wandering for each day they sinned? Where is the justice in "Yom L'Shanah, Yom L'Shanah"?

The answer is that the problem was not just the few hours in which they presented their negative report. The problem was the entire 40 days in which they perceived Eretz Yisrael in a negative light because of their negative attitude, because they were not people who "loved days and saw the good".

For example, Chazal say that they reported that Eretz Yisrael was a "land which consumes its inhabitants" because wherever they travelled they saw funerals; people were burying their dead. However, there are two ways that such an observation could be viewed. One way is negatively: People are dropping dead all the time. It is a terrible land – Eretz Ocheles Yoshve'ha [a Land that consumes its inhabitants]. The other way is "Look, everyone is preoccupied with their burials. This must be because the Almighty is doing us a tremendous favor – distracting everyone with deaths and funerals so that we can proceed on our mission unnoticed and undisturbed. What an example of Divine Providence!"

This is a classic example of having two ways of interpreting the same facts – one way leading to the conclusion of "a land which consumes its inhabitants" and one way leading to the conclusion of "G-d's mercy upon us endures forever." What is the root of the problem? This is not a problem of the mouth or lips or tongue, it is a problem of the eye, a problem of perception.

This is emphasized by the punctuation Rav Alpert suggests for the pasukim in Tehillim: Question: Who is the man who desires life? Answer: The one who sees days that are beloved, who views matters in a positive fashion

(ohev yomim, lir'os tov). One who sees the good side of things will be guarded from speaking evil.

With this approach, we can understand – at least by way of allusion (remez) – a pasuk at the end of Parshas Tazriah dealing with "Garment Leprosy" (tzaraas haBegeg). The pasukim tell us that if the affliction remains the same size after one week's time, the Kohen must wash the garment and isolate it for another seven days. [Vayikra 13:53-54]

The next pasuk continues: "The Kohen shall look after the affliction has been washed, and behold! The affliction has not changed 'es aino'... According to the simple interpretation of the pasuk (p'shuto shel mikra), the words "es Aino" mean "its appearance". But one can homiletically interpret (and this is said by the Imrei Shammai) that the meaning is the affliction did not change "es eino" – the eye = perception of the person who owns the afflicted garment. It was his negative perception that got him into the problem in the first place and as long as the "evil eye" persists, the problem of tzaraas will remain and as the Torah proclaims: Tameh hu – It shall be impure. It is all a matter of perception.

The Sefas Emes points out that the word Nega (which the Torah uses interchangeably with tzaraas), spelled nun gimmel ayin, has the exact same letters as the word oneg, spelled ayin nun gimmel. The only difference between them is where the letter ayin (which also means 'eye') is placed. Is the 'ayin' placed at the end of the word? Then it is Nega [affliction]! If the 'ayin' is placed at the beginning of the word, then it is Oneg [enjoyment]! If the 'eye' = ayin is in the right place, then Nega can turn into Oneg. It is all a matter of perception. Lashon Harah is not a disease of the mouth or tongue. It is a disease of the eye.

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

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Rav Kook List

Rav Kook on the Torah Portion

Tazria: Man versus Mosquito

Why does the Torah discuss the laws of taharah (ritual purity) for humans only after teaching the analogous laws concerning animals, differentiating between those animals which may be eaten and those which are unclean? Should not humanity, the crown of creation, come first?

Third-century scholar Rabbi Simlai explained:

"Just as mankind was created after all the animals... so too, the laws pertaining to mankind were given after the laws regarding animals." (Vayikra Rabbah 14:1)

In short, the order here in Leviticus parallels the account of Creation in Genesis. But is there a deeper significance to this order? The Midrash elaborates the lesson to be learned from this:

"If one is deserving, he is told: 'You came before all of creation.' But if not, he is reminded: '[Even] the mosquito preceded you.'"

What sort of a contest is this, between man and mosquito?

Quantity versus Quality

We find in Psalms two nearly identical verses, but with small - and significant - differences:

"How many are Your works, God! The earth is full of Your creations." (Ps. 104:24)

"How great are Your works, God! Your thoughts are very profound." (Ps. 92:6)

What is the difference between these two similar verses? The first verse expresses our wonder at the variety and diversity of God's works. "How many are Your works!" The second verse expresses our amazement at their greatness and profundity. "How great are your works!" The first verse refers to quantity; the second, quality.

In other words, we may look at the world in two ways. We can be amazed by its detailed, multifaceted nature - its abundance of species and life forms, the remarkable diversity in the world of nature. This viewpoint focuses on the diverse physical aspect of the universe. "The earth is full of Your creations."

Or we may reflect on the universe's inner side. We may perceive its wonderful sophistication and delicate balance, a reflection of the profundity of its design and purpose. This view perceives the underlying spiritual nature of the universe, focusing on the preliminary design - God's 'thoughts' - which preceded the physical creation. "Your thoughts are very profound."

Back and Front

The Midrash which contrasts man and mosquito opens with the verse, "You formed me back and front" (Ps. 139:5). What does it mean that humanity was formed with two aspects, "back and front"?

Back refers to the culmination of the world's physical manifestation. This is the process of creation by contraction (tzimtzum), step by step, until a detailed physical universe, filled with multitudes of diverse creatures, was formed. From this viewpoint, the ubiquitous mosquito is the superior species. If we are not deserving - if we lack our qualitative, spiritual advantage - then we are reminded: "The mosquito preceded you." In a contest of numerical strength and survival skills, the mosquito wins hands down. From the viewpoint of "How many are Your works," even the lowly mosquito comes before us.

Front, on the other hand, refers to the conceptual design that preceded the actual physical creation. If we are deserving - if we put our efforts into developing our spiritual side - then we belong to the realm of God's thoughts that transcend the physical world. On the qualitative basis of "How great are Your works," we may take our place before the rest of creation.

(Sapphire from the Land of Israel. Adapted from Shemuot HaRe'iyah, Tazria (1929))

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Spilling the Beans

By Rabbi Yirmiyohu Kaganoff

Questions:

Is Cottonseed Oil kitniyos?

I know that, in America, everyone uses cottonseed oil on Pesach. However, when I was in Israel for Pesach I was told that they don't use cottonseed oil because it is kitniyos. Why is there a difference in practice?

Lecithin in Pesach Products

When I was a child, it was common to find Pesach-dik chocolates containing an ingredient called lecithin. Now I am told that lecithin is not Pesach-dik. Do I need to do tshuva on all the lecithin that I consumed?

Ascorbic Acid from Kitniyos

I have been told that there are reliable kosher-certifying agencies that allow the use of products that have a kitniyos base. I thought that all forms of kitniyos are prohibited on Pesach. Am I making a mistake?

Knows his beans

Although the Torah's prohibition against eating, benefiting from, and owning *chometz* on Pesach applies only to foods made from the five grains (wheat, barley, spelt, oats, and rye), Ashkenazic Jews and most North African and some other Sefardim have accepted the practice not to eat rice and other grain-like and leguminous foods on Pesach. This is referred to as the prohibition against eating *kitniyos*. Among the reason given for this custom are:

The possibility that *chometz* grains could easily become mixed into the *kitniyos* (*Tur* 453, see *Taz* 453:1 and *Mishna Berura* 453:6).

Kitniyos varieties could be ground into flour and baked into a type of bread, which can create confusion (*Taz* 453:1, quoting *Smak*).

There is no requirement to sell *kitniyos* and no prohibition in deriving benefit from them (*Rama* 453:1), as long as one does not eat the *kitniyos*. Therefore one may use soap or lotion made of *kitniyos*.

Spilled the beans

Furthermore, if *kitniyos* became mixed into *Pesach-dik* food, one is permitted to eat the food (*Rama* 453:1) provided that the *kitniyos* is not noticeable and it is less than half of the food item (*Chayei Odom* 127:1). If the *kitniyos* is noticeable, one should remove the *kitniyos* and may eat the rest (*Chayei Odom* 127:1). However, some authorities prohibit the product when the *kitniyos* was added for taste (*Shu't Avnei Nezer* 373).

The prohibition against eating *kitniyos* is based on custom. In addition to keeping commandments of the Torah and the prohibitions instituted at the times of the *Mishna* and the *Gemara*, we are also required to observe those restrictions that were accepted by communities of the Jewish people. This is included in the concept of *Al titosh toras imecha*, "Do not forsake the Torah taught you by your mother" -- that is, the customs accepted by the Jewish people. Thus, we find that some of the details of the rules of *kitniyos* vary from community to community, and what is prohibited as *kitniyos* in one community is permitted in another. In these situations, an item that is prohibited in one community because of *kitniyos* is permitted in a different community.

The bean counter

If someone placed *kitniyos* on my *Pesach-dik* counter, may I still use it on Pesach? Although I have read responsa from contemporary *Rabbonim* requiring Ashkenazim to *kasher* pots used to cook *kitniyos*, this is by no means obvious. As I mentioned above, *kitniyos* that fell by mistake into other *Pesach-dik* food becomes *bateil* as long as the non-*kitniyos* food is the majority. Based on this, many authorities contend that Ashkenazim may cook in pots previously used for *kitniyos* since whatever *kitniyos* flavor transferred to food cooked in the pots will certainly be nullified (*Shu't Zera Emes* 3:48). Others prohibit using pots that absorbed *kitniyos*, stating that the *minhag* is to not use either the *kitniyos* food or the pots (*Shu't Rav Pe'alim* 3:30; *Shu't Maharam Shick, Orach Chayim* #241). Still others follow a compromise position, ruling that one should not use the pots within 24 hours of cooking *kitniyos*, but permitting use of the pots after 24 hours without *kashering* (*Kaf HaChayim* 453:27).

By the way, many Sefardim do not eat *kitniyos* on Pesach, and many follow an approach that prohibits some *kitniyos* species. For example, most North African Sefardim (Moroccan, Algerian, Tunisian, and Egyptian) do not eat any *kitniyos* on Pesach, following the same custom as Ashkenazim; this was also the practice of many Turkish communities (*Shu't Lev Chayim* 2:33). Although Iraqi communities usually ate *kitniyos* on Pesach, many families in Baghdad did not eat rice and most did not eat chickpeas (*Rav Pe'alim* 3:30). Similarly, the Chida reports that the Sefardim in Yerushalayim in his day did not eat rice.

Full of beans

What species are included in the prohibition of *kitniyos*?

Rama (Chapter 464) prohibits the use of mustard on Pesach, although he states that anise and coriander are not *kitniyos* varieties (453:1). *Taz* (453:1) asks why mustard is treated more stringently than anise and coriander, since mustard is also not very similar to a grain. *Taz* explains that mustard is prohibited because its seeds grow on a stalk similar to the way grain grows. Thus, the prohibition of *kitniyos* includes items that grow similarly to the way grain grows. For this reason, *Shu't Avnei Nezer* (#373) prohibits the use of rapeseed oil (canola oil is a variety of rapeseed oil) on Pesach, even though the raw rapeseed is not edible. However, *Maharsham* (1:183) ruled that rapeseed oil is not necessarily included in the prohibition of *kitniyos* and may be used in places where the custom is to permit its use. (Today, most communities treat canola oil as *kitniyos*. However, the predominant custom in South Africa is to not consider canola oil *kitniyos* on Pesach and permit it.)

It is interesting to note that several other items that we would consider staples for Pesach, such as coffee and potatoes, were involved in *kitniyos* controversies.

Coffee beans:

Although coffee is the product of a roasted bean, accepted practice is that it is not considered *kitniyos* since it is the product of a tree, and does not grow directly from the ground. Thus, it does not grow in a way at all similar to grains. Nevertheless, there were places where the custom was to prohibit the use of coffee on Pesach since the average person is not aware of the source of the coffee bean (*Shaarei Tshuvah* 453:1). Incidentally, one should be aware that coffee now requires proper kosher certification for Pesach. Although in the past, there were no *chometz* concerns involved in the production of coffee, because of changes in the mass production of coffee one should not use coffee that is not kosher for Passover by a reliable *hashgacha*.)

Potatoes:

Why is potato starch not included in the prohibition of *kitniyos*?

Indeed, many *poskim* felt that potatoes and potato starch should be included in the prohibition of *kitniyos* on Pesach, and there were places where the accepted practice was to prohibit their use (*Nishmas Odom Hilchos Pesach* #20; *Pri Megadim* 453:1). Nevertheless, the prevalent custom is to permit the use of potatoes on Pesach (*Igros Moshe* 3:63). Rav Moshe explains that although some of the reasons that apply to *kitniyos* apply to potatoes, the prohibition was never extended onto potatoes, probably because it would have created tremendous difficulty.

Popcorn for Pesach:

Some have advocated the production of "*shmura* popcorn" for Pesach. Although corn is generally assumed to be a variety of *kitniyos*, the rationale to permit "*Pesach-dik*" popcorn is that one need not treat *kitniyos* more strictly than one would treat wheat and the other potentially-*chometz* grains themselves. Thus, since we all eat wheat products on Pesach in the form of *shmura* matzoh, why can't one produce "*Pesach-dik*" popcorn? One would carefully check the kernels that they are not accompanied by grain, and then pop the kernels within eighteen minutes from the time that they come in contact with water. This is very easy to do since popcorn does not usually come into contact with water.

Indeed, according to most *poskim* there would be no problem with making kosher for Pesach popcorn (*Chayei Odom* 127:1; *Rav Shulchan Aruch* 453:5). However, the custom is to follow the opinions that prohibit producing products for Pesach

consumption out of *kitniyos* in this fashion. The reason we are stringent is that since people know that *kitniyos* is not *chometz*, once people begin making a *kitniyos* product of any type for *Pesach*, the standards will not be maintained. Thus, some *poskim* contend that the prohibition against eating *kitniyos* on *Pesach* includes producing *kitniyos* in any method whatsoever (*Shu't Maamar Mordechai* #32).

Cottonseed Oil:

Rav Pesach Frank (*Sefer Mikrai Kodesh, Hilchos Pesach* vol. 2 pg. 206) permits the use of cottonseed oil on *Pesach*, and quotes that Rav Chayim Brisker permitted its use. Cottonseed is not a food at all and also does not grow in any way similar to grains, unlike canola that grows similar to the way grains grow. However, Dayan Weiss writes that he is uncertain whether cottonseed oil may be used on *Pesach*. He cites sources that the prohibition against *kitniyos* includes any item stored the way grain is stored and forbids eating any seeds, grains, or anything derived from them (*Shu't Minchas Yitzchok* 3:138:2 and 4:114:3). As a result, many *hechsherim* in *Eretz Yisroel*, for example, the *Eidah HaChareidis*, treat cottonseed oil as *kitniyos*.

Lecithin and vegetable oils:

There were *poskim* who permitted the use of oils derived from *kitniyos* sources (*Shu't Maharsham* 1:183; *Marcheshes*). Upon this basis, many communities permitted the use of vegetable oils, lecithin (usually a soy-based product) and other items on *Pesach*. However, today the accepted practice is not to use these items on *Pesach*.

A contemporary *shaylah* is the usage of products that are grown on a medium of soybeans or other *kitniyos*. Some modern *poskim* refer to these products as "*kitniyos shenishtaneh*" or *kitniyos* that has undergone a transformation. The discussion revolves around a dispute among early *poskim* whether a prohibited substance that has completely transformed is still considered non-kosher (see *Rosh* to *Berachos*=). Based on the ruling of *Mishna Berura* (216:7), some halachic organizations permit the use of enzymes and other raw materials that are grown on products that are considered *kitniyos*. Other *poskim* contend that although these products may be considered kosher *lePesach* after the fact, one should not arrange a *hechsher* upon this basis.

Thus, we see that many of the details of the *halachos* of observance of *kitniyos* are dependent on local custom. Indeed, one will find discrepancy in practice even among communities that are following halacha fully.

The TorahWeb Foundation Rav Mayer Twersky

May Orthodox Rabbis Permit Women to Don Tefillin [1]?

I

The Ruling of the Ramo and Modern Reaction

ואם הנשים רוצין להחמיר על עצמן מדין בידן
and if the women wish to act stringently [and don *tefillin*] we rebuke them
(Ramo, *Shulchan Aruch Orach Chaim* 38:3)

Recently, some rabbis have publicized and implemented their view that women wishing to don *tefillin* should be accommodated, contra Ramo's ruling. A firestorm of controversy has ensued. But seemingly there is ample justification for their position.

The argument runs as follows. What, in effect, have these rabbis done? To best serve their students/congregants they have, simply, sensitively aligned themselves with the Rambam, et al, whose view, contra Ramo, allows women to don *tefillin*. Surely, the view of Rambam, et al is valid.

The nominal argument continues. Times have unquestionably changed. We do not live in sixteenth century Krakow, eighteenth century Vilna, or even fin-de-siecle Radin. In today's world, women wishing to don *tefillin* should be accommodated.

II

Modern Mistakes

The beguilingly simple argument/*psak* outlined above is plagued by, at least, three egregious errors.

Error number one: the unequivocal ruling of the Ramo, subsequently silently endorsed by, inter alia, the Magen Avraham, Taz, Gaon of Vilna, Ba'al HaTanya, Aruch Hashulchan and Mishna Berurah, rejects the position of Rambam et al, and has stood unchallenged for over five hundred years. Moreover, Ramo's ruling has been accepted in Sephardic circles as well [2]. Overturning five hundred plus years of precedent and overwhelming consensus is anything but simple. Only the most eminent *ba'alei hora'ah* could even possibly entertain the notion. For anyone of

lesser stature to tamper with five hundred plus years of tradition represents the height of brazenness and goes well beyond the pale of Orthodox Judaism.

The person of lesser or no *halachic* stature may feel that he has a crucially important perspective on the human dimension of the women and *tefillin* issue. Even if he were to be correct in his assessment, however, having perspective in no way compensates for his lack of Torah knowledge and qualification in *psak*. Instead of *psakening* the layman should share that perspective with the most eminent *ba'alei hora'ah*.

The rabbi who is not a *ba'al hora'ah* may nevertheless feel that within his school or shul the question of women and *tefillin* is his call. Even according to his proprietary premise he is profoundly wrong. It may be his school or shul, but it is the *Rebbono Shel Olam's* Torah. (This point is elaborated in Section VII below.)

Error number two: even if the five hundred year consensus on the issue of women and *tefillin* had not existed, the recent "*psak*" would still be a perversion of *Halachah* and *halachic* process.

Difference of opinion in the *Rishonim* or *Shulchan Aruch* does not create a *halachic* smorgasbord from which everyone is free to make his own selection. At a culinary smorgasbord or in a commercial venue such as a clothing store every guest/consumer is entitled to have, and act upon, his preference. He can choose what he likes and select what suits himself/his charges best. But that modus operandi has no place in *Halachah* and *psak Halachah*. One is not allowed, much less entitled, to opine that, "I think the view of Rambam and Rashba suits me/my charges best."

ולא יאמר האדם אפסוק כמי שארצה בדבר שיש בו מחלוקת ואם נושה כן הרי זה דין שקר אלא אם הוא חכם גדול ויודע להכריע בראיות הרשות בידי

a person may not say regarding an issue where there is difference of opinion "I will decide the *Halachah* as I wish", and if he did so, the ruling is false. But if he is a great sage and capable of deciding the *Halachah* based upon proofs it is his prerogative [to do so] (Ramo, *Choshen Mishpat* 25:2) [3]

Psak Halachah is rendered by *chachomim* who are *ba'alei hora'ah* based upon canons of *psak*, not by anyone else, regardless of vocation or title, and not by engaging in cross religious consumerism.

Error number three: the recent "*psak*" reflects myopic perception. What, in the year 5774, is the core issue regarding women and *tefillin*? Is it "technical", yes *guf naki* or no *guf naki*? Or perhaps it is educational, accommodating sincere youth or rebuffing them? Alas, if it were only so simple.

In modern times women did not begin donning *tefillin* to emulate Michal *bas* Shaul, be devout Maimonideans or invoke *shem Hashem* upon themselves. Women donned *tefillin* because men do so. Within the secular modern mindset adopted by Reform and Conservative wherein equality = uniformity women who don *tefillin* thereby attain a measure of equality with men [4]. And thus the defining issue is axiological: can the secular value of egalitarianism be grafted onto *Halachah*?

The answer is obvious. Egalitarianism rejects a vital, essential, divinely ordained dimension of *Halachah*. *Halachah* does not discriminate against men or women. Most assuredly, however, it distinguishes between the genders. A genuine commitment to authentic *Halachah* per force entails rejecting the socially dominant, false philosophy of egalitarianism.

When individuals, regardless of vocation or title, grant license to women to don *tefillin*, *nolens volens*, they validate the insidiousness of egalitarianism.

We would do well to hear the voice of Rav Soloveitchik speaking to us across the generations regarding the obligation to staunchly resist false, socially/religiously dominant philosophies which assail Torah and its values.

In my opinion the *Halachic* dictum, *bishe'ath gezerath ha-malchuth 'afillu mitzyah kallah kegon le-shinuye 'arketha de-mesana, yehareg ve'al ya'abor* [at a time of religious persecution through governmental decree, even for a minor custom, such as one involving a shoelace, let one suffer death sooner than transgress it] (*Sanhedrin* 74b), requiring of us a heroic stand in times of adversity, applies not only to political and religious persecution originated by some pagan ruler, but also to situations in which a small number of God-fearing and Torah-loyal people is confronted with a hostile attitude on the part of the majority dominated by a false philosophy. [5]

A word of elaboration is in order. The issue is not what motivated two particular highschoolers to request permission to don *tefillin* in school. Their personal motives could be innocent, pure, and noble; I have no reason to think otherwise. The issue is the substance of their request - i.e., what the practice of women donning *tefillin* in 5774 represents.

This point can be more easily grasped by considering the following historically fictional scenario. The setting is nineteenth century Germany. Two sincere, innocent highschoolers regularly attend Reform Shabbos services. Not knowing any better, they view the playing of an organ as normative *halachic* behavior. What's more they are very moved by the musical accompaniment. On weekdays they begin davening at home to the accompaniment of an organ. This prolongs their *tefillah*. Nonetheless

they happily cut back on much needed sleep to arise early because they feel that this mode of *tefillah* enhances their personal *avodas Hashem*. Eventually, in all innocence, they approach the principal of the local Orthodox day school and request permission to softly play the organ in the *ezras nashim* during davening. How should the principal respond? Should he be "sensitive", mindful of their *mesiras nefesh*, and create space for their expression of their personal *avodas Hashem*?

Once again the answer is obvious. If the principal makes space for the organ, he does not respect their personal *avodas Hashem* or reward their *mesiras nefesh*. He grievously misleads; he egregiously reinforces reform behavior and values with tragically predictable consequences.

Correcting the students' home behavior may not fall within the principal's purview but he certainly cannot countenance Reform values and practices within school. He should commend their sincerity and commitment to *tefillah*. But he also should sensitively yet clearly explain why accompaniment of an organ has no place in authentic *tefillah*. His mandate is to educate. He rewards their *mesiras nefesh* by inspiring and encouraging genuine, basic *shemiras hamitzvos - Shabbos, kashrus, tznius*, etc., not by acquiescing to anti-*halachic* behavior. He respects their personal *avodas Hashem* by teaching them authentic, beautiful *avodas hashem*, according to the *Shulchan Aruch*.

All this is abundantly and indisputably clear. Today's contemporary analogue, women donning *tefillin*, is equally clear.

III

Truth and Accommodation

In the first section of this essay we mentioned a commonly asked question, surely it is preferable to march in step with the times and accommodate women on issues such as *tefillin* rather than risk losing them? Actually, the preceding remarks have already, in part, implicitly addressed this question. Due to its seminal importance, however, let us be explicit and more elaborate.

Once again the sagacious, authoritative voice of Rav Soloveitchik continues to speak to us.

I know beforehand the reaction to my letter on the part of our apostles of religious "modernism" and "utilitarianism". They will certainly say that since the great majority of the recently constructed synagogues have abandoned separate seating, we must not be out of step with the masses. This type of reasoning could well be -employed with regard to other religious precepts, such as the observance of the Sabbath, or the dietary laws. However, we must remember that an ethical or Halachic principle decreed by God is not rendered void by the fact that the people refuse to abide by it. Its cogency and veracity are perennial and independent of compliance on the part of the multitudes. If the ethical norm, *Thou shalt not kill* (Exodus 20:13), has not lost its validity during the days of extermination camps and gas chambers, when millions of people were engaged in ruthless murder, but on the contrary, has been impregnated with deeper meaning and significance, then every Halachic maxim assumes greater importance in times of widespread disregard and unconcern. The greater the difficulty, the more biting the ridicule and sarcasm, and the more numerous the opponent - then the holier is the principle, and the more sacred is our duty to defend it. [6]

The Rav was confronting the "Christianization of the synagogue"; today's *morei hora'ah* confront the egalitarianization of Torah. The *halachic* directive, which the Rav so powerfully articulated, remains the same.

The "women's" issues which in certain circles fuel much of the opposition to *Halachah* today had already begun percolating in Rav Soloveitchik's lifetime. The Rav sensitively and unapologetically addressed himself to the surface issues as well as their underlying etiology.

(W)e must not yield -- I mean emotionally, it is very important -- we must not feel inferior, experience or develop an inferiority complex, and because of that complex yield to the charm -- usually it is a transient and passing charm -- of modern political and ideological *sevoros* (logic). I say not only not to compromise -- certainly not to compromise -- but not to yield emotionally, not to feel inferior, not to experience an inferiority complex. The thought should never occur that it is important to cooperate just a little bit with the modern trend or with the secular, modern philosophy. In my opinion, *Yahadus* (Judaism) does not have to apologize either to the modern woman or to the modern representatives of religious subjectivism. There is no need for apology -- we should have pride in our *mesorah*, in our heritage. And of course, certainly it goes without saying one must not try to compromise with these cultural trends, and one must not try to gear the *halachic* norm to the transient way of a neurotic society, which is what our society is. [7]

In forming political coalitions or clinching business deals, negotiation, accommodation, and concession are the watchwords. They play, however, no

legitimate role in determining truth. One ascertains truth through honest, rigorous, erudite inquiry - not by negotiating, accommodating, or conceding. What holds true for truth in general holds true for *halachic* truth (=psak) in particular. Of course, *psak Halachah* is always an exercise in applying *Halachah* to real life situations. As such, a fully nuanced, sensitive understanding of the prevailing socio-political, religious situation forms an integral part of the question. But the answer - *psak* - is neither conciliatory or non-conciliatory. These utilitarian categories are entirely misplaced when speaking of *Halachah* and *psak Halachah*. The *psak* represents what *Halachah*, truthfully and unapologetically, directs for the situation at hand.

IV

Ein Kol Chadash Tachas Hashemesh

The argument that contemporary *morei hora'ah* should march in step with the times and make concessions to prevent assimilation is hauntingly familiar.

We similarly state in our program for the revitalization of the Sabbath that the traditional interdiction of riding on the Sabbath for the purpose of attending the synagogue service may, in the discretion of the local rabbi, be modified ... we must learn to adjust our strategy to the realities of our time and place, in keeping with the realistic genius of the great builders of our faith. Thus, our Sages cautioned us, *tafasta m'rubah lo tafasta* - "to overreach is to court failure," when you attempt to grasp a great deal, you will grasp nothing ... In crucial periods, our sages did not hesitate to make special enactments for their own time or for a limited period of time, in order to meet the challenge of new circumstances. [8]

Conservative rabbis who adamantly insisted they were operating within, and according to principles of, *Halachah* promoted these arguments. In their ignorance they misconstrued and misapplied the sources they cited, and distorted *halachic* process and *Halachah*. Today Conservative Jews - *Hashem yeracheim* - are disappearing.

V

Truth Endures, Falsehood Does Not [9]

One final note about the myopic argument for accommodation on issues such as women and *tefillin* is in order.

As already explained, the real, underlying issue is the Torah's religious gender differentiation. Accordingly, any accommodation *volens volens* accepts and reinforces the inimical premise that avenues and expressions of *avodas Hashem* for men and women must be identical.

Such acceptance is wholly unacceptable. First of all, it distorts Torah. Moreover, such acceptance and accommodation actually alienate women from Torah.

The process of alienation is tragically straightforward and frighteningly quick. As just noted, accommodation validates and reinforces the inimical egalitarian impulse but cannot satisfy it. Brushing aside the Ramo's ruling does not make *Halachah* conform to the egalitarian creed. Seen from the twisted perspective of egalitarianism, women still suffer from discrimination. They are excluded from serving as *shliach tzibbur*, the *halachos* of marriage and divorce are most decidedly unegalitarian, etc. By reinforcing the egalitarian impulse without satisfying it, every accommodation intensifies the demand for further accommodations. But that demand can never be met because Torah and egalitarianism are fundamentally incompatible. And thus accommodationism, ב"ר, inevitably results in alienation and assimilation.

Tragically, this process of assimilation has already partially materialized. Yesterday's women's *tefillah* groups which stemmed from the same egalitarian impulse no longer suffice. Today *tefillin*, "partnership *minyanim*" and women rabbis are sought. And the handwriting on the wall is unmistakable. Tomorrow these stopgap, anti-*halachic* concessions will no longer suffice. The current path leads inexorably to a black hole of complete assimilation, ב"ר[10].

The alternative to aiding and abetting assimilation ב"ר is to assume our spiritual, educational mandate. Our mandate is to teach Torah (including, but obviously not limited to, elucidating the *halachic* process), and engender a profound appreciation for authentic Torah values, thereby guiding men and women alike to genuine *avodas Hashem* and religious experience.

VI

Tefillin and Talmud Torah

Let us digress for a moment. In recent decades whenever people agitate for changing *Halachah* they trumpet the alleged precedent of women and *talmud Torah*. It is vitally important to recognize the wholesale distortion created by that analogy.

The Belzer Rebbe, Chofetz Chaim, Rav Soloveitchik and other *gedolei Yisroel* who advocated *Torah she'b'al peh* instruction for women were not accommodating them or conceding to heretical, egalitarian, societal trends. Women were not agitating for *talmud Torah* opportunities. They were ב"ר happily assimilating. The *gedolim* recognized that our *mesorah* disapproved of optional, theoretical learning being imposed upon women. Our *mesorah* always mandated necessary, practical learning.

In the modern era *Torah she'b'al peh* instruction within the guidelines provided by the *gedolim* for women was/is vitally necessary [11]. The issues of *talmud Torah* and *tefillin* for women could not be more different. The *chachmei hamesorah* upheld *Halachah* and combated assimilation by supporting *talmud Torah* for women. Initiatives such as allowing women to don *tefillin* tamper with *Halachah* and fuel assimilation.

VII Students and Sages

Let us pause for a moment's reflection. We have outlined three egregious errors - the brazenness of brushing aside precedent and consensus, the smorgasbord mentality and approach to *psak*, and myopic perception of *halachic* issues. Each of these errors in its own right is so elementary and so glaring. The confluence of all three within the recent "*psak*" regarding women and *tefillin* is simply mind boggling. How could this possibly come to pass?

The *Shulchan Aruch* addresses our issue head on.

כל חכם שהגיע להוראה ואינו מורה הרי זה מונע תורה וכו'

Any sage who is qualified to issue *halachic* rulings but does not do so - he is withholding Torah

[*Shulchan Aruch* 242:14]

תלמיד שלא הגיע להוראה ומורה הרי זה שוטה רשע וגם רוח ועליו נאמר כי רבים חללים הפילה

A student who is unqualified and renders *halachic* decisions is a delusional, wicked, and arrogant person, and about him it is said, "(s)he has caused many casualties"

[*Shulchan Aruch Yoreh Deah* ibid. 13, quoting Rambam verbatim]

ותלמידים הקטנים הקופצים להורות ולישב בראש להתגדל בפני ע"ה מרבים מחלוקת ומחריבים העולם ומכבין נרה של תורה

And students of small stature who leap forward to issue *halachic* rulings and to assume positions of authority, aggrandizing themselves before the masses cause discord to proliferate, destroy the world and extinguish the lamp of Torah
[Ramo's gloss, also quoting Rambam, ibid.]

Let us try to get a feel for who is a *chacham she'higi'a l'hora'ah*. Rabbi Akiva Eiger (d.1837), the epitome of Torah mastery and majesty, seemed not entirely convinced that he himself qualified [12]. Ultimately, he wrote and published his responsa but only for the consideration of *morei hora'ah*. No *morei hora'ah*, he insisted, should simply accept his conclusions. In more recent times, Rabbi Moshe Feinstein, widely acclaimed as the *posek hador*, felt the need to justify how he could write and publish responsa [13]. His justification, in part: *hi'gi'ah l'hora'ah* is determined relative to one's own generation. In our generation the range of our greatest sages extends over *Shas*, *Rishonim*, *Shulchan Aruch*, and *poskim*. Clearly, the bar for *hora'ah* remains very high.

Let us now turn our attention to the extraordinary, stinging words of censure which the *Shulchan Aruch* reserved for the *talmid shelo hi'gi'ah l'hora'ah* who *paskens*: *shoteh rasha v'gas ruach* (delusional, wicked, and arrogant.) We have generally excised such stinging epithets from our parlance because we tend to soften or sugarcoat the truth. But softening or sugarcoating also leads *rachamana litslan* to erosion. Accordingly, we need to take the *Shulchan Aruch* at its word, and try to retrace the thought process which yields the stinging censure.

Does the educator, rabbi, or layman not realize that he lacks the breadth and depth of knowledge required of a *ba'al hora'ah*? Does he, in a flight of Walter Mittyish imagination, think himself an expert in *Shas*, *Rishonim*, *Shulchan Aruch*, and major responsa? *Halachic* queries are never directed to him qua *ba'al Halachah* because he is not. They come his way only because of the professional position he occupies. Is his hubris so great and grip on reality so tenuous that he fails to recognize this distinction? How can he possibly arrogate the right to render *halachic* judgments, make public pronouncements about what is or is not consonant with *Halachah* and/or override five hundred plus years of *halachic* precedent and consensus?

Everyone intuitively understands and instinctively feels that a doctor who masquerades as a medical authority in an area beyond his expertise is not only dishonest but wicked. He may be very personable, affable, and even sincere in his desire to help. His personal graces and sincerity, however, do not ameliorate the evil of his masquerade. Inevitably and invariably, people will grievously suffer from his misguided medical guidance. Is a *halachic* masquerade any less immoral? Are spiritual fraud and injury of lesser import than medical fraud and injury?

When individuals act presumptuously and issue reckless rulings, the truth of *Yoreh De'ah* 242:13 becomes searingly painful. We are deeply pained by the thought that, as codified by the *Shulchan Aruch*, a fellow Jew is acting as a *shoteh, rasha, v'gas ruach*. We instinctively recoil at that thought. And yet our vulnerability to truth does not diminish its compelling veracity even an iota. The *Shulchan Aruch's* stinging words of censure for the masquerading halachic authority are formulated with razor like precision.

So too *Shulchan Aruch's* assessment of damage done by irresponsible *psak-rabim chalahim hipila*, it inflicts many spiritual casualties. Here too the *Shulchan Aruch* speaks with prescience and precision. Non Orthodox behavior is certified Orthodox. Secular, heretical values are accommodated and re-enforced, thereby promoting assimilation, ר"ל. A mockery is made of authentic *halachic* values such as sensitivity when so grossly misapplied. And sincere *mevakshei Hashem* are steered in the wrong direction.

Perhaps the best way to highlight the danger of irresponsible *psak* is this. *Hakadosh Baruch Hu* entrusted us with His Torah and its traditions - to study, interpret, and implement. In the hands of humble sages the integrity of Torah is secure. Their thinking and values are molded by a lifetime of immersion in Torah, and vast Torah erudition. Conversely, in the hands of non-experts the integrity of Torah is impossible to maintain. There is no end to the distortions that brazenness, a smorgasbord approach, and myopic perception will cause.

And, tragically, as per Ramo's gloss quoted above, discord proliferates. *Machlokes* inevitably follows irresponsible *psak* because we are not allowed to remain silent. We have an obligation to protest the distortion and protect the integrity of Torah.

VIII U'vacharta, And You Should Choose

תורת השם תמימה משיבת נפש עדות השם נאמנה מהכימת פתי פקודי השם ישרים משמחי לב מצות השם ברה מאירת ענים יראת השם טהורה עומדת לעד משפטי השם אמת צדקו יחדו

The Torah of Hashem is perfect, restoring the soul; the testimony of Hashem is trustworthy, making the simple one wise; the orders of Hashem are upright, gladdening the heart; the command of Hashem is clear, enlightening the eyes; the fear of Hashem is pure, enduring forever; the judgments of Hashem are true, altogether righteous
[*Tehillim* 19:8-10, Artscroll translation]

Acceptance of *Hakadosh Baruch Hu's* Torah does not simply entail practical compliance. Acceptance also reflects firm belief and evinces a reverential attitude. We accept Torah with a sense of awe, joy, privilege and pride because we perceive it for what it is - Hashem's *chochmo*, perfect, upright, gladdening, enlightening, true, etc. Accordingly, we accept Torah with humility and submissiveness.

This is what acceptance of Torah ought to be. What acceptance of Torah is, however, in today's world in some circles does not correspond.

We are witness to a profoundly disturbing, religiously untenable phenomenon. Consciously or unconsciously, people want to hold fast onto some secular, anti-Torah Western values and, simultaneously, Torah. Their commitment to some anti-Torah values casts Torah, to a degree, in an adversarial role. And thus, consciously or unconsciously, in a futile attempt to reconcile the irreconcilable they push, twist and manipulate *Halachah* to make it more congenial to their opposing Western values. Somehow or other Torah has to be made malleable enough to accommodate their dual loyalties.

ראה נתתי לפניך היום את החיים ואת הטוב ואת הרע וגו' החיים והטוב נתתי לפניך הברכה והקלה ובחרת בחיים

Contemplate that I have placed before you today life and good, death and evil, etc. Life and death, I have placed before you, blessing and curse, but you should choose life.

[*Devarim* 30:15, 19]

To genuinely live a life of Torah and serve *Hakadosh Baruch Hu*, we are called upon to choose blessing (=good) and forsake curse (=evil). Grafting evil onto good is simply not an option. Choosing what's right per force means rejecting what's wrong.

The choices we make define our lives and determine our destiny.

ותן בנו יצר טוב לעבדך באמת ובראה ובאהבה

[1] Rav Schachter *shlit"a* has authoritatively dealt with this question in his recent responsum. This essay, disseminated with his approbation, merely seeks to expound and expand upon some of the relevant, seminal issues in a popular forum.

[2] ע"י ילקוט יוסף שהאר"ך בזה כיד השם הטובה עליו, ובין היתר ציין לדברי האר"י ז"ל ההחיד"א

[3] דברי הרמ"א נאמרו בקשר לפסק ב"ד בד"מ מקום שיטנו מושג של שווא, וקו"ה בשאר הלקי התורה

[4] By definition there can be no adequate response to quibblers who dispute incontrovertible facts. Nevertheless, for purpose of illustration, note the following candid, representative, programmatic remarks, "Ultimately our problem stems from the fact that we are viewed in Jewish law and practice as peripheral Jews. The category in which we are generally placed includes women, children, and Canaanite slaves. Members from this category are exempt from all positive commandments which occur within time limits. These commandments would include hearing the *shofar* on Rosh Hashanah, eating in the *sukkah*, praying with the *lulav*, praying the

three daily services, wearing *tallit* and *tefillin*, and saying *Shema*...Moreover, it is both feasible and desirable for the community to begin educating women to take on the positive time-bound *mitzvot* from which they are now excused; in which case, those *mitzvot* would eventually become incumbent upon women." Rachel Adler, "The Jew Who Wasn't There", reprinted in Susannah Heschel, ed. *On Being a Jewish Feminist*.

[5] "Message to a Rabbinic Convention", reproduced in Baruch Litvin, *The Sanctity of the Synagogue*, p. 111.

[6] *Ibid*.

[7] Transcript of a 1975 *shiur* delivered to RIETS rabbinic alumni, available at arikahn.blogspot.com

[8] "A Responsum on the Sabbath", in Mordechai Waxman, ed., *Tradition and Change*, 1958.

[9] קושטא קאי שקרא לא קאי (שבת ק"ד).

[10] See my article in *Tradition* Vol. 32 No. 3, Spring 1998 ([posted in 2003 on TorahWeb.org](#) in its entirety), presenting and explaining Rav Soloveitchik's *psak* opposing women's *tefillah* groups. The following passage is, unfortunately, especially relevant: "These groups are predicated upon the mistaken notion that the experience of *tefillah* is enhanced by assuming active roles and conversely is stunted when such roles are off-limits. And yet women's *tefillah* groups, conducted with even minimal technical allegiance to the particulars of *Halakhah*, cannot provide their participants with the same or even equivalent active roles to those that are available to men praying with a quorum. Within such groups it is impossible to recite *devarim she-bi-kdusha* as such, fulfill the *mitsva* of *kerias haTorah*, etc. And

thus, according to the mistaken premise of the *tefillah* groups, women's religious life remains muted even within such groups.

The participants in women's *tefillah* groups will, within the present generation, become intellectually and existentially aware of the failure of such groups and the concomitant false yet inevitable conclusion regarding women's standing within *Yahadut*. We must recognize that the possible ramifications of this falsehood are especially frightening and particularly tragic. Propelled by negative momentum and misguided by erroneous teachings, some women, God forbid, could reject all remaining halakhic constraints in an unrestrained attempt to enhance their (inauthentic) *tefillah* experience in particular and religious experience in general. Needless to say, this development would be especially tragic.

Accordingly, we presently have a grave responsibility to act wisely, and not be drawn into a fool's paradise of religious accommodationism. We must understand and help others to understand that women's *tefillah* groups, sincere intentions notwithstanding, both reflect as well as generate distortions of Torah principles. Instead of forming such groups we must disseminate authentic Torah teachings regarding *tefillah*, thereby fostering genuine, profound religious expression and experience."

[11] See also my article about the Rav in *Tradition* vol. XXX, no. 4 (reprinted in Rabbi Joseph B Soloveitchik: *Man of Halachah, Man of Faith*, edited by Rabbi Menachem Genack) and in *Jewish Action* Vol. 57, No. 4, Summer 1997 ([also posted in 2003 on TorahWeb.org](#) in its entirety.)

[12] ע' הקדמת בניו לשר"ת רעק"א

[13] ע' הקדמה לאג"מ א"ה ח"א

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