

Rabbi Isaac Elchanan Theological Seminary
Yeshiva University Center for the Jewish Future

THE BENJAMIN AND ROSE BERGER
TORAH TO-GO[®]

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Dedicated to the Memory of
Rav Aharon Lichtenstein zt"l

Featuring Divrei Torah from

Rabbi Elisha Bacon • Rabbi Yaakov Neuburger
Rabbi Michael Rosensweig • Rabbi Etan Schnall
Rabbi Benjamin Yudin

Collected insights from members of the
Graduate Program of Advanced Talmudic
Studies at Stern College for Women



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For nearly a decade, the **Benjamin and Rose Berger Torah To-Go®** series has provided communities throughout North America and Israel with the highest quality Torah articles on topics relevant to Jewish holidays throughout the year. We are pleased to present a dramatic change in both layout and content that will further widen the appeal of the publication. You will notice that we have moved to a more magazine-like format that is both easier to read and more graphically engaging. In addition, you will discover that the articles project a greater range in both scholarly and popular interest, providing the highest level of Torah content, with inspiration and eloquence. We would like to acknowledge the continued dedication and efforts of Rabbi Rob Shur and Rabbi Josh Flug in progressing this publication to the highest levels of excellence. In addition, we thank Rabbi Hyman and Ann Arbesfeld for their continued vision in supporting Torah initiatives at Yeshiva University that are truly transformative for our entire community.

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From Members of the Graduate Program of Advanced Talmudic Studies at Stern College for Women

The opening Mishnah in *Avos* records the vital links in our chain of tradition from Moshe Rabbeinu through the Anshei Knesses HaGedolah. In each stage of transmission, the Mishnah records the identity of both the “teacher” and “student” in that particular era of our historical development. The Maharal identifies an anomaly to this pattern in presenting Moshe Rabbeinu’s experience in receiving the Torah. Rather than identify Moshe’s “teacher” as G-d himself, the Mishnah writes “*Moshe kibel Torah MiSinai*”. Why not explicate the originating source of the *mesorah* as emanating from Hakadosh Baruch Hu instead of Sinai?

The Maharal answers that if the Mishnah had explicated the connection between G-d and Moshe, one would imagine that the Divine connection forged within the context of *talmud Torah* is exclusive to Moshe. Rather, by identifying “Sinai” as Moshe’s source, the Mishnah conveys the unique relationship that is cultivated between every student of Torah and the Ribono Shel Olam Himself. The role of the rebbe, is not to transmit information, but rather to recreate the Sinai experience for each student, empowering them to develop their own individual relationship to Torah.

As we were preparing this issue for publication, we learned of the loss of Rav Aharon Lichtenstein zt”l. Words cannot capture the depth and breadth of his greatness in Torah, human sensitivity, and ideological leadership of our community. We dedicate this issue of the Benjamin and Rose Berger Torah To-Go® in his memory, and hope that the values and ideals that are conveyed through these articles, inspire us to perpetuate his legacy by forming our own individual and unique relationship to Torah and *avodas Hashem*.

Rabbi Yaakov Glasser

David Mitzner Dean, Center for the Jewish Future

What is your *Olam Haba* Moment? A Lesson from Shavuot

In our home we like to talk about “*Olam Haba* moments” — moments when one merits the World to Come. On the surface, one might think we would be alluding to those larger-than-life events described in the Gemara. Who has not been touched by the story of Rabbi Akiva, who exalted at the opportunity to love God with all of his being as he died at the hands of his Roman torturers?

כל ימי הייתי מצטער על פסוק זה בכל נפשך -
אפילו נוטל את נשמתך אמרת: מתי יבא לידי
ואקיימנו, ועכשיו שבא לידי לא אקיימנו?
ברכות סא:

Rabbi Akiva said to his students: All my days I have been troubled by this verse, ‘with all your soul,’ which I interpret to mean even giving up your soul. I wondered, when will I have the opportunity to fulfill this? Now that I have the opportunity shall I not fulfill it?

Brachos 61b

And then there is the example of Rabbi Eliezer ben Dordaya who mustered nearly super-human strength to repent from a life of utter sin and in dying, merited the honorific title of Rebbe (*Avoda Zara* 17a).

In both of these astounding examples of heroism, the Gemara describes that a *bas kol* (Heavenly voice) rang out and proclaimed: *mezuman l’chayei Haolam Haba*, the protagonist had earned a place in *Olam Haba*. These



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powerful stories are an essential part of our tradition, but they are not the daily, routine occurrences that we call *Olam Haba* moments when speaking to our children. We refer to a very different type of story.

In *The Maggid Speaks* (p. 78) Rabbi Paysach Krohn tells of Reb Naftali, the gabbai tzeddaka (charity collector) in a small town in Poland around the turn of the 20th century. Late one night, after Reb Naftali had returned home from an exhausting day collecting tzeddaka for a local emergency, a beggar arrived at his door asking for 20 rubles. The money Reb Naftali had already collected was spoken for, and he felt unable to go back to the townsfolk once again for additional funds. But in the face of the beggar’s pitiful entreaties, Reb Naftali relented and prepared to ask the one man he thought might be in a position to help. Unfortunately, this individual was young, irreverent and wild, someone who wasted his time drinking, gambling and carousing, and Reb Naftali dreaded the expected encounter. Coming upon the young man in the local tavern and in an

agreeable mood, Reb Naftali made his request. The young man acquiesced, but only on the condition that Reb Naftali dress in priest’s clothes, compliments of the young man, and lead the young man and his cronies around town with loud singing, dancing and merrymaking. Though mortified by the prospect of being humiliated in this way, Reb Naftali agreed and endured the jeers of the shocked townsfolk, who had always respected Reb Naftali but who were now pelting him with eggs as the entourage sang and danced through the streets. When the ordeal was over, Reb Naftali gave the money to the beggar, ripped off the priest’s clothes, threw them in the closet and crawled into bed a depressed and humiliated man. Some months later, the *Divrei Chaim*, the Sanzer Rebbe (1793–1876), came to town and told his entourage that he smelled *Gan Eden* emanating from Reb Naftali’s house. The Rebbe entered the house and discovered that the smell was coming from the priest’s clothes. After pressing him for the story behind the clothes, the Rebbe instructed Reb

Naftali to be buried in those very clothes and that, as a result of his self-sacrifice, he would go straight up to *Gan Eden*. What had seemed to Reb Naftali as the worst moment in his life, a moment to be buried and forgotten, was actually an *Olam Haba* moment.

Although the ending of this story is uplifting, there is misfortune here as well. Reb Naftali's selflessness did indeed earn him a special place in *Olam Haba*. But he needed someone else to interpret the events for him. He did not understand that his ordeal could be an *Olam Haba* moment. Instead of focusing on the task he had set for himself, to successfully help the beggar, he had focused only on his ordeal and let the humiliation overwhelm him. How many times in our own lives do we miss the significance of our accomplishments? As in the case of Reb Naftali, do our stressful experiences sometimes leave us so emotionally drained that we miss the big picture? Or do our daily challenges sometimes seem so ordinary to us that we do not endow them with significance? How often do we fail to recognize our *Olam Haba* moments because they do not stand out as clearly as Rabbi Akiva's martyrdom? And herein lies the danger. If we fail to recognize and ultimately seize upon the myriad of opportunities for greatness that come our way, we will not necessarily rise

to the challenge. Our *Olam Haba* moments will be squandered.

The Gemara warns us about having a myopic view of greatness:

תנו רבנן: כשחלה רבי יוסי בן קיסמא, הלך רבי חנינא בן תרדיון לבקר. אמר לו: חנינא אחי, אי אתה יודע שאומה זו מן השמים המליכה? שהחריבה את ביתו ושרפה את היכלו, והרגה את חסידיו ואבדה את טוביו, ועדיין היא קיימת, ואני שמעתי עליך שאתה יושב ועוסק בתורה [ומקהיל קהלות ברבים] וספר מונח לך בחיקך! אמר לו: מן השמים ירחמו. אמר לו: אני אומר לך דברים של טעם, ואתה אומר לי מן השמים ירחמו, תמה אני אם לא ישרפו אותך ואת ספר תורה באש! אמר לו: רבי, מה אני לחיי העולם הבא? אמר לו: כלום מעשה בא לידך? אמר לו: מעות של פורים נתחלפו לי במעות של צדקה וחלקתים לעניים, אמר לי: אם כן, מחלקך יהי חלקי ומגורלך יהי גורלי. עבודה זרה דף יח.

Our Rabbis taught: When R. Yossi ben Kisma was ill, R. Chanina ben Tradyon went to visit him. He said to him: "My brother Chanina, do you not know that it is Heaven that has ordained this [Roman] nation to reign? For even though she has destroyed His House, burnt His Temple, killed His pious ones and caused His best ones to perish, still Rome is firmly established! Yet I have heard about you that you are sitting and occupying yourself with the Torah, publicly gathering assemblies, and cradling a Torah scroll in your bosom." Rabbi Chanina replied, "Heaven will

show mercy." Rabbi Yossi exclaimed, "I am telling you substance and you are responding 'Heaven will show mercy'! It will surprise me if they do not burn both you and the Torah scroll in fire." "Rebbe," said the other, "How do I stand with regard to the World to Come?" Rabbi Yossi asked, "Is there any particular act that you have done?" He replied: "I once mistook Purim money for ordinary charity money, and I distributed [of my own] to the poor. "In that case," he replied, "then I should be so fortunate to share in your portion." Avoda Zara 18a

The Gemara describes that after the destruction of the Beis Hamikdash by the Romans, Rabbi Chanina gathered groups of scholars together to teach Torah in public so as to ensure the continuity of Torah and the *Mesorah*. Despite the great risk to his life, Rabbi Chanina persevered in this effort. This was certainly a heroic act. Yet despite this awesome accomplishment, Rabbi Yossi casted doubts as to whether Rabbi Chanina had acted correctly. Then Rabbi Yossi proceeds to ask Rabbi Chanina if he had ever done a meritorious act worthy of *Olam Haba*. At this point, the Gemara focuses our attention on something in Rabbi Chanina's life that seems incredibly trivial in comparison to his risking his life for Torah. Rabbi Chanina relates that he once confused Purim tzedaka money with regular tzedaka money. To make up for the confusion, Rabbi Chanina added money from his own pocket. Upon hearing this, Rabbi Yossi exclaimed that he hopes he himself shares in Rabbi Chanina's portion of *Olam Haba*. What was so significant about Rabbi Chanina's giving tzedaka, a seemingly minor act? The truth is, Rabbi Chanina could have easily justified not paying the tzedaka from him his own funds. His confusion was

How many times in our own lives do we miss the significance of our accomplishments? How often do we fail to recognize our *Olam Haba* moments because they do not stand out as clearly as Rabbi Akiva's martyrdom?

an honest error, and no poor person lost out as a result of the mistake. In addition, since this all occurred in the privacy of his own home, no one would have known whether he did or did not give of his own money to tzedaka. Yet Rabbi Chanina did not invoke excuses and justifications. He wanted to be above board in every respect. This is an *Olam Haba* moment, a moment in which a person overcomes his natural inclinations to make excuses and rationalize his behavior. These small moments don't make headlines, but this Gemara demonstrates the power of the small moment even over dramatic events.

The Rambam provides us with an opportunity to sharpen our understanding of this Gemara and shed additional light on our concept of true *Olam Haba* moments. We may be familiar with the statement of R. Chananya ben Akashya:

ר' חנניא בן עקשיא אומר רצה הקב"ה לזכות את ישראל לפיכך הרבה להם תורה ומצות שנאמר ה' חפץ למען צדקו יגדיל תורה ויאדיר.
מכות כג:

Rabbi Chananya ben Akashya said, "Hashem wanted to create merits for the Jewish people so he gave them much Torah (to learn) and a multitude of mitzvos (to accomplish) as the verse states: Hashem desired for the sake of Israel's righteousness, that the Torah be made great and glorious."

Makkos 23b

The Rambam seems to be bothered by Rabbi Chananya's statement. One might think that if Hashem wanted to help Bnei Yisrael, He should have given them just a few mitzvos upon which they could focus their efforts and accomplish with distinction. Instead, Bnei Yisrael were tasked with a large number of mitzvos making

their job much more difficult. The Rambam explains:

מיסודות האמונה בתורה שאם קיים האדם מצוה משלש עשרה ושש מאות מצות כראוי וכהוגן ולא שתף עמה מטרה ממטרות העולם הזה כלל, אלא עשאה לשמה מאהבה כמו שביארתי לך, הרי הוא זוכה בה לחיי העולם הבא, לכן אמר ר' חנניה כי מחמת רבוי המצות אי אפשר שלא יעשה האדם אחת בכל ימי חייו בשלימות וזכה להשארות הנפש באותו המעשה. וממה שהמורה על היסוד הזה שאלת ר' חנניה בן תרדיון מה אני לחיי העולם הבא, וענהו העונה כלום בא לידך מעשה, כלומר האם נזדמן לך עשיית מצוה ראוי, ענה לו שנזדמנה לו מצות צדקה בתכלית השלמות האפשרית, וזכה בה לחיי העולם הבא.
רמב"ם פירוש המשנה, שם

One of the foundations of belief in our Torah is that if someone fulfills one of the 613 mitzvos properly and justly without any ulterior motive from this world, rather out of total altruism, one merits the World to Come. For this reason, Rabbi Chananya said that because there are so many mitzvos, it is impossible that a person will not perform one of them properly during his lifetime and merit eternity through that act. The proof to this idea is that in response to Rabbi Chanina ben Tradyon's question "Will I merit the World to Come" he was answered "Did you perform an action [that's worthy]," meaning did you perform one mitzvah properly. To this Rabbi Chanina responded that he performed the mitzvah of tzedaka out of total altruism and through that, he merited the World to Come.

Rambam, Commentary on the Mishna to Makkos 23b

For someone to earn a true portion in *Olam Haba*, he has to do a mitzvah with his whole heart, with pure *kavana*, absent of any ulterior motives other than for the sake of love of Hashem. Therefore, Rabbi Chananya states that Hashem gave many mitzvos so

that everyone can find at least one mitzvah to which he can connect and perform wholeheartedly. As proof to his interpretation of Rabbi Chananya's statement, Rambam cites our Gemara in *Avoda Zara*. Accordingly, the Gemara means that when Rabbi Chanina convened large crowds to teach Torah, there was potential for an element of pride and honor to act as a motivator. However, Rabbi Chanina's simple act of tzedaka, done privately with no fanfare, was clearly a pure mitzvah done with perfect intention and therefore worthy of a true portion in *Olam Haba*. [See Rav Eliyahu Dessler, *Michtav Me'Eliyahu*, Vol. III pp 107-109 for a full discussion of this Gemara and Rambam.]

With this comment of Rambam, we now have a clearer picture of what constitutes an *Olam Haba* moment. The size of the challenge or difficulty of the mitzvah is less significant than the *kavana*, intention, that goes into overcoming the challenge or performance of the mitzvah. In our lives, we are presented with many mitzvos and many little moments. If only we could overcome our natural instinct and desire to be self-serving, to make excuses, to rationalize, and instead, seize the moment, rise above our ego-centered tendencies, and do what is right, for Hashem's sake, then we will have truly actualized ourselves and attained a share in *Olam Haba*.

With this approach to mitzvos, we may understand a perplexing comment of Rashi in *Parshas Emor*.

The verse reads:

וּבְקַצְרְכֶם אֶת־קִצְרֵי אֲרָצְכֶם לֹא־תִכְלֶה פֶּאת שְׂדֵךְ בְּקַצְרֶךָ וְלִקַּט קִצְרֶךָ לֹא תִלְקַט לְעַנִּי וְלִגֵּר תִּעֲזֹב אֹתָם אֲנִי ה' אֱלֹהֵיכֶם:
אמור כג:כב

When you reap the harvest of your land, you shall not remove completely the corner

of your field as you reap and you shall not gather the gleanings of your harvest; for the poor and the proselyte shall you leave them; I am Hashem your God.

Emor 23:22

This verse is seemingly out of place. It interrupts the Torah's narrative of the holidays and resides between descriptions of Shavuot and Rosh Hashana.

Rashi on that verse comments:

אמר רבי אבדימי ברבי יוסף מה ראה הכתוב ליתנה באמצע הרגלים, פסח ועצרת מכאן וראש השנה ויום הכפורים והחג מכאן, ללמדך שכל הנותן לקט שכחה ופאה לעני כראוי, מעלין עליו כאילו בנה בית המקדש והקרוב קרבנותיו בתוכו.

Rabbi Avdimi ben Rabbi Yosef says: "What did the verse see to put these commandments among the festivals, Pesach and Shavuot on one side and Rosh Hashana, Yom Kippur, and Succos on the other side?" To teach you that whoever gives gleanings, forgotten produce, and the corner (portions of the field left for the poor) to a poor person properly is considered as if he built the Beis HaMikdash and brought his offerings inside it.

What does the mitzvah of tzedaka have to do with building the Beis HaMikdash and bringing korbanos? Perhaps we can suggest that whomever sincerely (hence the emphasis in Rashi on the word *properly*) performs an ostensibly minor act of giving tzedaka, in actuality has done something with the same import as two grand mitzvos, that of building the Beis HaMikdash and bringing korbanos. Furthermore, just like the building

of the Beis HaMikdash and bringing korbanos obviously has to be done *l'sheim Shamayim*, for the sake of heaven, otherwise the entire endeavor is undermined, so too any small act done *l'sheim Shamayim*, has big spiritual ramifications.

The message of recognizing that daily challenges, when properly navigated *l'sheim Shamayim*, are true *Olam Haba* moments, is no more evident in the Torah than during the holiday of Shavuot. No mention is made in the Torah that Shavuot is a celebration of receiving the Torah (See *Klei Yakar*, VaYikra 23:16). And yet we know from tradition that Shavuot is characterized as *zman matan Toraseinu*. Perhaps the Torah doesn't describe Shavuot as the day of *matan Torah* because the Torah does not want us to overly focus on the overtly awesome spiritual moments in life. The giving of the Torah at Har Sinai was a singular experience. The Jewish people were completely united; they heard G-d speak directly to them, and for a short period of time were elevated to the status that mankind once held before the sin of Adam Harishon (see Gemara, *Shabbos* 146a). However, that awesome moment of *Matan Torah* is not representative of our daily lives. Yes, we all aspire to and hopefully experience moments of spiritual highs and feelings of greatness, but the message to us is that we must not evaluate our spiritual successes based solely on those moments. We do not celebrate just one day as *matan Torah*. Every day should be a *matan Torah* day. Every day represents

opportunities for growth, for newness, for spiritual accomplishments.

With this in mind, we should be forever alert to opportunities for spiritual growth. We are not required to give up our lives or to change the world for that *Olam Haba* moment. Indeed we should live our lives, with every moment fully experienced and evaluated.

Just this past Pesach, my wife spent tremendous time and effort making a wonderfully scrumptious dish whose difficulty was compounded by not having her usual chametz kitchenware with which to work. Unfortunately, as mishaps are wont to happen, on the second day of Pesach when we had 23 mouths to feed, the entire dish slid off the stove and landed upside down on the floor, smashed and ruined. No doubt my wife's gut reaction could have been to be upset, annoyed, and angry, you name it. Just imagine yourself in that situation. But instead, she overcame that emotional reaction and expressed gratitude that no one got hurt, *gam zu letova*. She consciously decided that she had an opportunity at that moment to continue to experience the mitzvah of simchas Yom Tov and not let her mood be marred by this setback, and she moved on. We proceeded to have a lovely meal filled with ruach and simcha, just the way Hashem had wanted it. That was an *Olam Haba* moment for our family: so simple and thus easily overlooked, and yet so monumental. May we all merit to be mindful, to seize all the moments in our lives, to act *l'sheim Shamayim*, and turn our challenges, big and small, into *Olam Haba* moments.



Matan Torah:

Singular Event, Two Narratives

Parshas Hageirus / The Conversion Narrative

Tucked away after the lengthy legal discourses of *Parshas Mishpatim* and prior to the launching of the even lengthier detailed description of the Mishkan requirements, Hashem recorded an understated eleven-verse narrative. Woven around the story of the writing and reading of the first sefer Torah, this portion describes Moshe building twelve pillars, one for each tribe, and sprinkling the Jews with blood of their sacrifices. The events climax with a penetrating and puzzling vision that reassures us that Hashem was watching over us even as we were suffering terribly, even during His apparent hiddenness from us.

ד ויכתב משה את כל דברי ה' וישכם בבקר ויבן מזבח פחת ההר ושתיים עשרה מצבה לשנים עשר שבטי ישראל: ה וישלח את נערי בני ישראל ויעלו עלת ויזבחו זבחים שלמים לה' פרים: ו ויקח משה חצי הדם וישם באגנת ויחצי הדם זרק על המזבח: ז ויקח ספר הברית ויקרא באזני העם ויאמרו כל אשר דבר ה' נעשה ונשמע: ח ויקח משה את הדם ויזרק על העם ויאמר הנה דם הברית אשר כרת ה' עמכם על כל הדברים האלה: ט ויעל משה ואהרן נדב ואביהוא ושבעים מזקני ישראל: י ויראו את אלהי ישראל ותחת רגליו כמעשה לבנת הספיר וכעצם השמים לטהר: שמות פרק כד

4 Moshe wrote all of the words of Hashem, and he woke in the morning and built an altar under the mountain



Rabbi Yaakov Neuburger

Rosh Yeshiva, RIETS • Morah D'asra, Congregation Beth Abraham, Bergenfield, NJ

and twelve pillars corresponding to the twelve tribes of Israel. 5 And he sent the youth of the people of Israel and they brought burnt offerings and offered peace offerings to Hashem using bulls. 6 Moshe took half of the blood and placed it in basins, and the other half, he sprinkled on the altar. 7 He took the Book of the Covenant and he read it to the nation and they said "Everything that Hashem said, we will do and we will follow." 8 Moshe took the blood and sprinkled it on the nation and said "Behold this is the blood of the covenant that Hashem created with you on these matters." 9 Moshe went up with Aharon, Nadav, Avihu and seventy of the elders of Israel. 10 They saw the God of Israel and under His feet was like a work of paved sapphire and the very essence of Heaven in its purity.

Shemot 24

Though this story is understudied as a biblical narrative, the rabbis of later years teased out from these verses all the necessary elements of conversion. That means to say that they saw here a description of the "conversion" of the Sinai generation. Indeed later scholars would entertain whether the laws of conversion were consistently applied to that generation.

When this process took place is debated by Rashi and Ramban. Whereas Ramban understands that the text follows in chronological order and that this covenant took place on the day after *Matan Torah*, Rashi sees it as a flashback to the preparatory days leading up to revelation. This is part of Rashi and Ramban's deliberations on the interpretation and application of the Talmudic principle *ain mukdam ume'uchar baTorah*, passages in the Torah are not necessarily written in chronological order.

Simply put, the rabbis of the Talmud stated that chronology need not be the driving organizer of the Torah narratives. While Rashi applies this principle broadly throughout Torah, the Ramban understands that it refers to a specific parsha in Bamidbar where the recorded dating clearly indicates that the chronological order of the texts was ignored. Beyond that episode, argues Ramban, almost all the narratives of the Torah text follow in their natural sequence.

Thus Ramban explains that this parsha occurred just after the content of the entire *Parshas Mishpatim* was taught. It precedes Moshe's return to the top



of Sinai for the next forty days but it represents a more informed covenant than the one that took place the day before:

והנה משה כתב ביום ההוא בספר כל מה שנצטווה, חקים ומשפטים ותורות, והשכים בבקר ממחרת היום ההוא לכרות להם ברית על הכל, ובנה המזבח (פסוק ד), וזבח הזבחים (פסוק ה), ונתן חצי הדם על מזבח ה' וחצי הדם שם באגנות (פסוק ו), ולקח הספר שכתב מאמש וקראו באזניהם, וקבלו עליהם עוד לבא בברית עמו, ואמרו (פסוק ז) כל אשר דבר ה' נעשה ונשמע אליך, מכל אשר תצוה מאתו ית'. ואז זרק עליהם חצי הדם (פסוק ח), כי זאת אות הברית לבא השנים בחלקים שוים. ואחרי שהשלים מעשיו עמהם הוצרך למלאת דבר ה', שאמר לו ה' עלה אתה ואהרן וגו'. וזהו שאמר (בפסוק ט) ויעל משה ואהרן נדב ואביהוא וגו'. ועשה עוד מה שצווה (בפסוק ב) ונגש לבדו אל ה', והוא שאמר (בפסוק יח) ויבא משה בתוך הענן וגומר. והנה מעשה הברית ביום המחרת למתן תורה, ובו היתה העליה שעלה משה אל ההר (פסוק יג), וממנה נתעכב שם ארבעים יום. רמב"ן, שמות כד:א

Behold, Moshe wrote in the Book on that day all that he was commanded, statutes, laws and commandments, and he awoke the next morning to create a covenant on all of it. He built an altar and offered sacrifices and placed half the blood on the

altar of Hashem and half in basins. He took the Book that he wrote the day before and read it to them and they accepted to enter the covenant with him. They said: everything that Hashem said, we will do and we will follow you, whatever you command us from Hashem. He then sprinkled the other half of the blood upon them because this covenant required two equal parts. After he completed his actions, he was required to fulfill the word of Hashem who told him to go up with Aharon etc. This is what is stated "Moshe went up with Aharon, Nadav, Avihu etc." He also performed what was commanded, "And he approached Hashem himself," and this is reflected in the verse, "Moshe went into the cloud etc." Behold, this covenant took place the day after the giving of the Torah and that is when Moshe went up the mountain and stayed there for forty days.

Ramban, Shemot 24:1

Here, Ramban is arguing with his much more succinct predecessor, Rashi, who says:

פרשה זו נאמרה קודם עשרת הדברות, ובארבעה בסיון נאמר לו עלה. רש"י, שמות כד:א

This portion took place before the giving

of the Ten Commandments. On the fourth of Sivan, he was told to go up [the mountain].

Rashi, Shemot 24:1

Rashi's View: Two Narratives

Accordingly, Ramban views that our commitment to the life that Hashem wants us to lead coalesced over a multi-step process. That process included the teachings of Mara, the initial verbal commitments to becoming a "mamleches kohanim" (a nation of priests), the Sinai revelation per se, and finally, completing a conversion process complete with sacrifices and accepting the "stone handiwork" of Hashem.

Yet Rashi's view begs interpretation. In Rashi's view, the Torah divided the story of *Matan Torah* into two storylines. How intriguing it is to have two *parshiyos* focus separately on the selfsame episode, each one choosing details so different from each other that they convey vastly different impressions and overtones.

The *Matan Torah* of *Parshas Yisro* welcomes the Shechinah with

supernatural thunder and lightning and shofar sounds that increase in volume. The trembling mountain marks Hashem's presence as it sends up furnace like smoke. The people are prepared through abstinence and are severely cautioned to keep their distance. They are overwhelmed and left shaking, somewhat traumatized and ready to run:

טו וַיֹּאמֶר אֶל הָעָם הֲיוּ נִכְנְיִים לְשִׁלֻּשֵׁת יָמִים אֶל תִּגְשׁוּ אֶל אִשָּׁה: טז וַיְהִי בַיּוֹם הַשְּׁלִישִׁי בַּהֵיטֵב הַבִּקְרָר וַיְהִי קֹלֶת וַיִּבְרָקִים וַעֲנָן כָּבֵד עַל הָהָר וְקֹל שֹׁפָר חֲזָק מְאֹד וַיִּחַרְדּוּ כָּל הָעָם אֲשֶׁר בַּמַּחֲנֶה: יז וַיֹּצֵא מֹשֶׁה אֶת הָעָם לְקִרְיַת הָאֱלֹהִים מִן הַמַּחֲנֶה וַיִּתְיַצְּבוּ בְּתַחֲתֵית הָהָר: יח וְהָרַסִינִי עֵשֶׂן כְּלוֹ מִפְּנֵי אֲשֶׁר יָרַד עָלָיו ה' בְּאֵשׁ וַיַּעַל עֲשָׂנוּ כְּעֵשֶׂן הַכִּבְשָׁן וַיִּחַרְדּוּ כָּל הָהָר מְאֹד: יט וַיְהִי קוֹל הַשֹּׁפָר הוֹלֵךְ וְחֲזָק מְאֹד מִשָּׁה וַיִּדְבֹּר וְהָאֱלֹהִים יַעֲנֶנּוּ בְּקוֹל: כ וַיִּרְדּוּ ה' עַל הָרַסִינִי אֶל רֹאשׁ הָהָר וַיִּקְרָא ה' לְמֹשֶׁה אֶל רֹאשׁ הָהָר וַיַּעַל מֹשֶׁה: שְׁמוֹת פָּרָק יט

15 He said to the nation: Be prepared for the next three days, don't approach a woman. 16 It was on the third day in the morning and there was thunder and lightning and a thick cloud on the mountain; the sound of a shofar was very strong and the nation in the camp trembled. 17 Moshe took the nation out of the camp towards Hashem and they stood at the base of the mountain. 18 Mount Sinai was full of smoke because Hashem descended upon it and the smoke rose like smoke from a furnace and the mountain trembled greatly. 19

The sound of the shofar was growing stronger. Moshe would speak and Hashem would respond with a voice. 20 Hashem descended upon Mount Sinai to the peak of the mountain and Hashem called Moshe to the peak of the mountain and Moshe ascended.

Shemot 19

Not so the *Matan Torah* of *Parshas Mishpatim*. Here, the people stand — presumably quietly — to be crowned by the light sprinkling of blood that marks the new covenant. They have been engaged through Moshe's Torah instruction and have responded with absolute commitment. They have their *korbonos* sprinkled on them. The depiction of a fiery quaking mountain lifted off its core surrounded by bolts of light, sound, and visible thunder is absent.

Why two different stories instead of one complete account? Why are so many details suppressed, seemingly in an effort to paint such distinct pictures?

Perhaps the event that would model the experience of Torah study for all time has to include both the impulsive excitement associated with the high drama that Sinai was, as well as the very measured care and concern that characterizes sacrificial service.

There are times that our study must be charged by an exciting program and fuelled with a flamboyant teacher and

charismatic colleagues. However, as any matter worthy of our energies, it will more often require the careful and even painstaking efforts to successfully pave our path in the labyrinth of Torah. For most of us, we will have to slowly amass knowledge even as we attempt to deepen our understanding of all of Hashem's wisdom.

Certainly, we, who have come to appreciate the results of laborious and thorough research in so many areas of life, can well understand the humbling message of *Parshas Mishpatim*. It is the unassuming ongoing and scheduled Torah study that connects students and teachers, and fathers and sons. Quietly imbibing wisdom, slowly and steadily, molds hearts, souls and minds and plants anchors to our commitment.

Thus, we return to the story of Sinai after learning in great detail about courts and torts, and the concern for the poor and disadvantaged and having been exposed to the breathtaking scope of Torah.

The experience of study modeled in *Parshas Mishpatim*, the one closer to our ongoing efforts to be *kove'a itim la'Torah* (set aside time for Torah study) does not end with a shocked people on the run, rather it culminates with a people riveted on their vision of Hashem as a consuming fire that is visible to all.

Perhaps the event that would model the experience of Torah study for all time has to include both the impulsive excitement associated with the high drama that Sinai was, as well as the very measured care and concern that characterizes sacrificial service.

Honor Your Parents: The Fulcrum of the Ten Commandments

There is little doubt that *kibbud av va-eim* is a central mitzvah; it is not merely “another commandment,” but an imperative vital to the enterprise of Torah and mitzvot. The Rambam (*Mamrim* 6:1) characterizes it as a “*mitzvat aseh gedolah*” — a great positive commandment; the Yerushalmi (*Pe’ah* 1:1) declares it “*chamurah shebichamuros*,” — of the most serious mitzvos, and the *Tur* (*Yoreh Deah* 240) prefaces his discussion noting that *kibbud av va-eim* demands a unique “punctilious observance.”

What is the evidence for this evaluation? First, *kibbud av va-eim* appears in the most critical contexts of the Torah. It is delineated in the *Aseret Hadibrot* (*Shemot* 20:12) — *kabed et avikha ve-et imekha*, honor your father and your mother — and not just as any *dibrah* (commandment), but the pivotal one that transitions the *dibrot* from *bein adam la-Makom* (between man and God) to *bein adam la-chaveiro* (between man and man).¹ *Kibbud av va-eim* later resurfaces in *Kedoshim* (*Vayikra* 19:3) “*ish imo ve-aviv ti’rau*,” one shall fear his mother and father — the *parshah* that Ramban (*Vayikra* 19:2) characterizes as *gufei Torah* (foundations of the Torah). In both of these contexts, *kibbud av va-eim* is significantly conjoined with the mitzvah of Shabbat.

Second, according to Rashi (*Devarim* 5:16 s.v. *Ka-asher*), *kibbud av va-eim*



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belongs to a select class of mitzvot issued as a prequel to *matan Torah*.² At Marah, Bnei Yisrael were charged with a few essential commandments that would both prepare them for and afford them a glimpse of the Torah they would later receive--*sham sam lo chok u-mishpat ve-sham ni’sahu* —there He established law and statute and there He tested it (*Shemot* 15:25). Along with Shabbat, monetary laws and *parah adumah*, *kibbud av va-eim* preceded *matan Torah*.

Third, *kibbud av va-eim* is one of the rare instances where the imperative to perform a mitzvah is buttressed by the explication of its own reward: *lema’an ya’arikhun yamekha*, in order that your days be lengthened. The Gemara accordingly (*Chullin* 110b) rules that such mitzvot lie beyond the jurisdiction of Bet Din: *kol mitzvat aseh shematan secharan betzeidah, ein beit din shel matah muzharin alehah* — any mitzvah whose reward is written in the Torah, Bet Din cannot enforce. Given the prominence accorded to *kibbud av va-eim* in the Torah’s presentation, there seems to be little

doubt of its axiological import.

Yet when we assess *kibbud av va-eim* in the *sugya* (Talmudic discussion) of *aseh docheh lo ta’aseh* (the ability of a positive commandment to override a negative commandment) — the *sugya* prima facie most informative of halakhic hierarchies — it emerges as decidedly inferior to other mitzvot, less capable of prevailing over a competing *lav* (negative commandment). At one stage of the discussion in *Yevamot* (6a), the Gemara maintains that any *aseh* (positive commandment) would prevail over a *lo ta’aseh she-yeish bo kareit* (negative commandment with a penalty of Heavenly excommunication), except for the *aseh* of *kibbud av va-eim*. This, the Gemara explains, is due to an imposed constraint:

איש אמו ואביו תיראו [אני ה'] כולכם חייבים בכבודי.

“You shall fear your mother and your father [I am God]” All of you are obligated to honor Me.

By fiat, *kibbud av va-eim* is rendered impotent in a clash against another mitzvah. *Kibbud av va-eim* can never compete against *kavod Shamayim*, the honor of Heaven.

The inferiority of *kibbud av va-eim*, in fact, runs deeper. The same Gemara in *Yevamot* rules that *kibbud av va-eim* is an exception to the otherwise universal principle of *aseh docheh lo ta'aseh*, incapable of displacing even an ordinary *lav*. The Gemara cryptically cites *kibbud av va-eim*'s rank as a mere *hekhsher mitzvah*, a preparatory, instrumental mitzvah, to explain its conspicuous impotence.³ But this explanation requires clarification: In what sense is *kibbud av va-eim* only a *hekhsher mitzvah*; in what sense is it only a vehicle to achieve something else?

Further still, the Rambam in *Hilkhot Mamrim* (6:12) remarkably rules that the *mitzvat aseh* of *kibbud av va-eim* is incapable of overriding a fellow *mitzvat aseh* and, more strikingly, even a *mitzvat aseh mi-derabanan* (rabbinic mitzvah). This despite the Rambam's ruling elsewhere (*Yibum* 6: 10) that one *aseh* may displace another.⁴ The Rambam's ruling is particularly perplexing because the Gemara's ruling deals specifically with the case of *kibbud av va-eim* against a *lo ta'aseh*. On what grounds does the Rambam extend the Gemara's ruling to a *mitzvat aseh* — and especially to an *aseh mi-derabanan*?

What underlies the Rambam's ruling? How can the *aseh de'oraita* of *kibbud av va-eim* be powerless against an *aseh derabanan*? The *Kesef Mishneh* (*Mamrim* 6:12, s.v. *Afilu*), vexed by this very difficulty, suggests that this ruling is grounded in *lo tasur*. Every *mitzvah derabanan* is thereby elevated to *de'oraita* standing, and

consequently, what appeared to be a clash between a *de'oraita* and *derabanan* is in fact a clash between two *mitzvot de'oraita*:

נראה שהטעם משום דכיון דקי"ל דכל מילי דרבנן אסמכינהו אלאו דלא תסור הרי הוא ככל דברי תורה.

It seems that the reason is that it is established that all rabbinic laws are based on the prohibition of "do not stray" [from their words], it is treated as a biblical commandment.

But this proposed solution of the *Kesef Mishnah* does not sufficiently account for the Rambam's position. It may explain the *derabanan* dimension, but it begs the question as to why the *aseh de'oraita* of *kibbud av va-eim* should cede to a fellow *aseh*. Second, it is not at all apparent that the Rambam ascribes to the view that *lo tasur* transfigures *mitzvot derabanan* into *mitzvot de'oraita*.⁵ To be sure, the *Kesef Mishnah* had his own reservations, and in his *Beit Yosef*, he puts forth an alternative solution:

דכיון דמאני ה' כולכם חייבים בכבודי ילפינן לה, ומילי דרבנן ודאי הם כבודו של מקום אין לי לעבור עליהם בשביל כבוד אביו.

Since we derive it from "I am God, all of you are obligated to honor Me," and observing rabbinic decrees are certainly part of honoring God, one may not violate them to honor a parent.

A special fiat "*Ani Hashem*" declares *kibbud av va-eim* powerless against *kavod Shamayim*, regardless of how trivially the latter manifests. Accordingly, *kibbud av va-eim* cannot displace even an *aseh derabanan*, for it too instantiates *kavod ha-Makom*.

The *Beit Yosef*'s solution to the Rambam's ruling only deepens the conceptual difficulty: Why is *kibbud av va-eim* the only mitzvah enervated

against an *aseh derabanan*; why is *kibbud av va-eim* the only mitzvah hyper-sensitive to *kavod Shamayim*? Moreover, for the *Beit Yosef*, the impotence of *kibbud av va-eim* is stipulated by a *gezeirat ha-katuv* (textual decree) — "*Ani Hashem*" — counterintuitive as it may be. *Tosafot* (*Yevamot* 5b s.v. *Kulkhem*), however, suggest that this fiat is superfluous, for the impotence of *kibbud av va-eim* could be derived even in its absence. After all, the Gemara (*Kiddushin* 31a) rules that honoring one's father prevails when it conflicts with honoring one's mother because "*atah ve-imkha chayavin bikhvod avikha*" — you and your mother are obligated to honor your father. So too, argue *Tosafot*, since child and parent alike are charged with *kavod Shamayim* — "*hu ve-aviv muzharin*" — it intuitively follows that *kibbud av va-eim* cannot override another mitzvah. On *Tosafot*'s view, then, the impotence of *kibbud av va-eim* is not only a fact, it is an intuitive fact.

Have we arrived at a contradiction? We opened our analysis with a survey of *mekorot* that speak to *kibbud av va-eim*'s axiological import, "*chamurah shebichamurot*" in the language of the Yerushalmi. Yet in the *sugya* of *aseh docheh lo ta'aseh*, *kibbud av va-eim* seems conspicuously subordinate to other mitzvot. How does *kibbud av va-eim*'s subordinate status cohere with its axiological prominence?

Further, this is not just an inconsistency between the rules of *aseh docheh lo ta'aseh* of *kibbud av va-eim* and its other associated halakhot, for the contradiction penetrates internally, within the laws of *aseh docheh lo ta'aseh*. The hitherto discussed *sugya* in *Yevamot* (6a) points to *kibbud av va-eim*'s exceptional

impotence; but there are other *sugyot* that suggest that, to the contrary, *kibbud av va-eim* is exceptionally potent, more capable of prevailing in conflict than any other mitzvah.

Typically, halakhah maintains that an *aseh* cannot displace a *lav* that is conjoined with an *aseh*, *ein aseh docheh lo ta'aseh va-aseh*. The Gemara in *Bava Metzia* (32a), however, suggests the possibility of *kibbud av va-eim* constituting an exception to this rule; only *kibbud av va-eim* would be sufficiently potent to displace a *lo ta'aseh va-aseh*. The rationale adduced is particularly striking:

הואיל והוקש כיבוד אב ואם לכבודו של מקום שנאמר כאן כבוד את אביך ואת אמך ונאמר להלן כבוד את ה' מהנך.

Since honoring one's father and mother is connected to honoring God as it states here "honor your father and your mother," and it states later "Honor God with your possessions."

The suggested potency of *kibbud av va-eim*, within the laws of *aseh docheh lo ta'aseh*, is underwritten⁶ precisely by its axiological moment, for *kibbud av va-eim* is matched with *kavod Shamayim*.

Kibbud av va-eim, then, is governed by a fundamental tension. On the one hand, the Gemara in *Yevamot* (6a) maintains that it is manifestly subordinate to other mitzvot because it cannot compete against *kavod Shamayim* — *kulkhem chayavim bikhvodi*. But, on the other hand, the Gemara in *Bava Metzia* (32a) suggests that *kibbud av va-eim* is superior to other mitzvot because it emulates *kavod Hamakom* — *hukash kevodam le-kavod ha-makom*.

Perturbed by this tension, Tosafot (*Yevamot* 6a, s.v. *Ta'ama*) ask how the Gemara could oscillate between such contradictory extremes. How could the *sugya* in *Yevamot* hold that *kibbud av va-eim* is incapable of displacing even a regular *lav*, while the *sugya* in *Bava Metzia* had no qualms suggesting that *kibbud av va-eim* would displace even a *lo ta'aseh va'aseh*? Curiously, the Gemara never entertained the possibility of *kibbud av va-eim* being just like other mitzvot.

Tosafot suggest that *kibbud av va-eim* is by its fundamental character an extreme mitzvah, either subordinate or superior to other mitzvot, but never typical or equal. It is either "*hukash le-kavod ha-makom*" and superior or "*Ani Hashem, kulkhem chayavim bikhvodi*" and subordinate, but never in between. True, the *sugya* entertained the *hava amina* (initial thought), based on *hukash kevodam*



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le-kavod ha-makom, that *kibbud av va-eim* should displace even a *lav va-aseh*, but once the Gemara concluded that it cannot, *kibbud av va-eim* must be demoted to a rank below other mitzvot, incapable of displacing even an ordinary *lav*. But this solution of Tosafot only deflects the difficulty, since the fundamental problem remains: What is the character of *kibbud av va-eim* such that it tends only to the extremes?

Let us pose one further question. The Gemara invoked “*Ani Hashem, kulkhem chayavim bikhvodi*” as the source for *kibbud av va-eim*’s ineffectiveness against clashing mitzvot, implying that when *kibbud av va-eim* conflicts with some mitzvah, it *eo ipso* conflicts with *kavod Shamayim*. Tosafot (*Yevamot* 5b, s.v. *Kulkhem*) note that this is hardly obvious.

Bet Din ha-Gadol governs the entirety of Klal Yisrael, local *batei din* preside over each community, and parents preside over their atomic mini-communities—the family; *kibbud av va-eim* is the bedrock in which the system of *Torah sheba’al peh* is anchored.

Kibbud av va-eim is itself a mitzvah, and it is not at all apparent that it stands in greater conflict with *kavod Shamayim* than, say, any conflict between two mitzvot. Tosafot tersely suggest that the *gezeirat hakatuv* “*Ani Hashem, kulkhem chayavim bikhvodi*” indicates a special relationship between *kibbud av va-eim* and *kavod Shamayim*, but they don’t elaborate further.

To expound on Tosafot’s suggestion, let us probe the character of *kibbud av va-eim* and extract its central, underlying principles. On one plane, there is undoubtedly a dimension of *hakarat hatov*, gratitude, as the *Sefer ha-Chinukh* articulates in his treatment of the mitzvah (mitzvah no. 33):

משרשי מצוה זו, שראוי לו לאדם שיכיר ויגמול חסד למי שעשה עמו טובה ... ושיתן אל לבו כי האב והאם הם סיבת היותו בעולם, ועל כן באמת ראוי לו לעשות להם כל כבוד וכל תועלת שיוכל, כי הם הביאוהו לעולם, גם יגעו בו כמה יגיעות בקטנותו.

The root of this commandment [to honor one’s parents is] that it is proper for a person to recognize and provide kindness for someone who has provided good to you ... One should internalize the fact that a father and mother are the basis of a person’s existence in this world. For this reason, it is proper to give them all of the honor and service possible because they brought their child into this world and they toiled for him many times while growing up.

But there appears to be an additional dimension to the mitzvah, as well. R. Yosef Albo (*Sefer ha-Ikarim* 3:26) argues that *kibbud av va-eim* is underwritten by the concept of religious authority, the parents’ role in bequeathing their *mesorah* to their children; if this religious authority is to be more than a chimera, it must be

fortified by a concomitant imperative of reverence and honor. *Kibbud av va-eim* is, in this sense, the most elementary *sine qua non* for a religious community:

”כבד את אביך ואת אמך, להזהיר על הקבלה רוצה לומר שימשך האדם לקבלת האבות שזה עיקר כולל לכל הדתות שלא יצוייר מציאותם אם לא יהיה האדם נשמע לקבלת האבות וחכמי הדת...אם מן האבות כבד את אביך ואת אמך, ואם מן החכמים לא תסור מן הדבר אשר יגידו לך ימין ושמאל.”

Honor your father and your mother commands the concept of tradition, that one should continue the tradition of one’s parents because this is a foundation that relates to our belief system, for it cannot exist without listening to the tradition of one’s forefathers and the scholars of the religion ... From our forefathers, “Honor your father and your mother,” and from the Torah scholars “Do not stray from the words that they tell you, right or left.”

It is most revealing that R. Yosef Albo classifies *kibbud av va-eim* alongside *lo tasur*, the imperative to obey the rulings of *Bet Din ha-Gadol*, since both mitzvot are rooted deep in the soil of religious authority. *Bet Din*’s authority over and attendant responsibility towards the community is mirrored by *kibbud av va-eim*, on the scale of the individual family.⁷

Indeed, R. Yosef Albo’s interpretation was most likely inspired by the Rambam’s codification. Rather than filing the laws of *kibbud av va-eim* in *Sefer Mada*, where we might have anticipated,⁸ the Rambam codifies them in *Hilkhhot Mamrim*, alongside the laws of *Bet Din ha-Gadol*. The first four chapters of *Hilkhhot Mamrim* pertain to the laws of compliance and obedience to *Bet Din ha-Gadol*; *lo tasur*; *bal tosif* (don’t add to the commandments); *bal tigrā* (don’t subtract from the commandments);

תני תנא קמיה דרב נחמן: בזמן שאדם מצער את אביו ואת אמו, אמר הקדוש ברוך הוא: יפה עשיתי שלא דרתי ביניהם, שאלמלי דרתי ביניהם ציערוני.

A beraita was taught before Rav Nachman: When a person causes distress to a parent, God says: It is a good thing that I didn't live among them because if I did, they would cause Me distress.

Similarly, Rav Yosef would compare *kibbud av va-eim* with *kavod ha-Shekhinah*:

רב יוסף כי הוה שמע קל כרעא דאמיה, אמר: איקום מקמי שכינה דאתיא.
*When Rav Yosef would hear the footsteps of his mother, he would say: I should rise for the Shekhinah is coming.*⁹

Second, the *Tur* (Yoreh Deah 240:19) rules that *kibbud av va-eim* presupposes virtuous, upstanding parents. Parents who fail to uphold the values of the Torah forfeit their right to *kibbud*. If *kibbud av va-eim* was grounded solely in *hakarot hatov* — a natural debt of gratitude — it is difficult to see how the rectitude of the parent becomes a necessary condition for *kibbud*. If, however, *kibbud av va-eim* is grounded in a parent's charge to further *kavod Shamayim*, then it follows that a parent who rebuts the very basis of his authority *ipso facto* renounces his claim to *kibbud*; such a parent has uprooted the very ground on which he stands.¹⁰

Third, some Rishonim classify *kibbud av va-eim* as a *mitzvah bein adam la-Makom*. The Ramban (Shemot 20:13), for instance, explicitly identifies the first five *dibrot* — *kibbud av va-eim* among them — as *mitzvot bein adam la-Makom*:

והנראה במכתב הלוחות שהיו החמש ראשונות בלוח אחד שהם כבוד הבורא.
It seems that the writing of the tablets

was such that the first five were written on one tablet because they relate to the honor of the Creator.

A similar point is made by *Chizkuni* (Shemot 20:12)

חמש דברות הראשונות העובר עליהם אינו רע אלא לשמים לפיכך הזכיר שמו בכלם שהרי לשמו הם קבועים אבל חמש האחרונות אינם אלא לבריות לפיכך לא חש להזכיר שמו בהם.
*If one violates the first five commandments, he is only immoral towards God. Therefore, His name is mentioned in all of them, because they are there to serve Him. The last five are towards other people and therefore, God did not include His name.*¹¹

This classification would be virtually incomprehensible on the view that *kibbud av va-eim* is grounded in *hakarot hatov*. Additionally, in light of R. Yosef Albo's interpretation, we might further appreciate just how felicitously *kibbud av va-eim* — as a manifestation of *kavod Shamayim* — transitions the *dibrot* from *bein adam la-Makom* to *bein adam la-chaveiro*, the fulcrum on which they turn.

Let us now return to our initial query. We observed that a fundamental tension runs throughout *kibbud av va-eim* — a tension which speaks to its dialectical nature. *Kibbud av va-eim* is indisputably a linchpin of the Torah's axiology and possibly, in the *hava amina*, more potent than other mitzvot in displacing a *lav va'aseh*, matched with *kavod ha-Makom*. At the same time, it is pitifully powerless to displace an ordinary *lav*, an exception to the principle of *aseh docheh lo ta'aseh*, and according to the Rambam, incapable of prevailing over even an *aseh derabanan*, incapacitated by *kulkhem chayavim bikhvodi*. Tosafot, we saw, maintains that *kibbud av va-eim* is necessarily a mitzvah of extremes, never coequal with its

fellow mitzvot. What accounts for this dialectic?

Perhaps the answer lies in the character of *kibbud av va-eim* as a dimension of *kavod Shamayim*, anchored in the federation of religious authority. If parents embrace their role as torchbearers of *mesorah*, their authority issues forth from the hallowed recesses of *kavod Shamayim*. In consonance with it, *kibbud av va-eim* is vital, axiologically central, and exceedingly potent: *hushvu kevodam le-kavod ha-Makom*.

But on these same grounds, if a parent competes against *kavod Shamayim*, when he tests his authority against His Authority, he severs his own authority from its life source and is left pathetically paralyzed and pitifully feeble: *Ani Hashem, kulkhem chayavim bikhvodi*. Thus, a parent's demand that his child violate a *lav* or even an *aseh* or even an *aseh mi-derabanan* is halakhically meaningless.

It is precisely this character of *kibbud av va-eim*, as rooted in *kavod Shamayim*, that explains the dialectic embedded at its core. When *kibbud av va-eim* coheres with *kavod Shamayim*, then *hushvu kevodam le-kavod ha-Makom*; but when *kibbud av va-eim* stands in contradiction with it, then *Ani Hashem, kulchem chayavim bikhvodi*. *Kibbud av va-eim* by necessity, then, is a mitzvah of either extreme, never coequal with other mitzvot — exactly as Tosafot noted.

It will be recalled that the Gemara, in justifying *kibbud av va-eim*'s impotence, why it stands as an exception to *aseh docheh lo ta'aseh*, characterized *kibbud av va-eim* as a "*hekhsher mitzvah*," a mitzvah whose import is essentially instrumental or preparatory, whose significance rests in its capacity to facilitate something

external to itself. Perplexed by this characterization, Tosafot (*Yevamot* 6a, s.v. Shekein) argue that the Gemara did not intend to demote *kibbud av va-eim* to a mere *hekhsher mitzvah* but to describe the typical scenario in which *kibbud av va-eim* conflicts with a *lav*. Strictly speaking, it is the preparation for *kibbud av va-eim* that conflicts with the *lav*, not the mitzvah itself. Suppose a father demands that his son cook for him on Shabbos. The cooking — the action that conflicts with Shabbos — is merely the preparation for *kibbud*, for *kibbud* inheres only in the act of serving (*ma'akhilo*), which occurs later. *Hekhsher mitzvah* then does not characterize *kibbud av va-eim* but the preparatory stages that lead up to it, and it is these stages that are powerless against a *lav*.

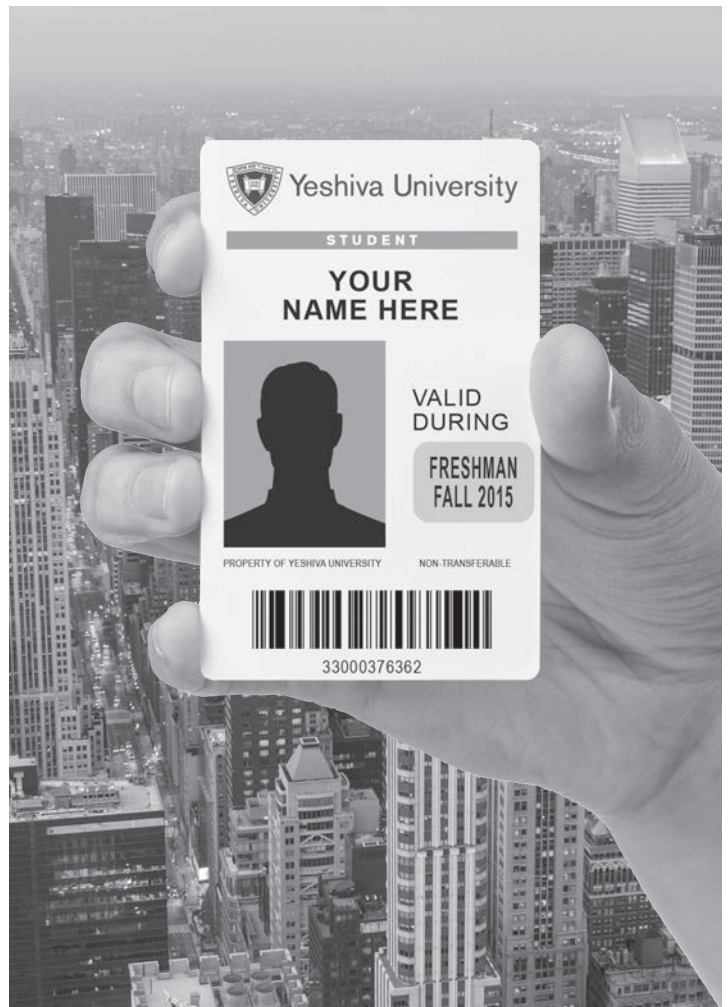
This interpretation of Tosafot, however, is highly problematic. For as Tosafot themselves observe, *kibbud av va-eim* is debilitated even when the act of *kibbud* proper clashes against a *lav*, not just its preparatory stages. Ultimately, Tosafot appeal to an inelegant *lo plug*: Since *hekhsherim* are inadequate to displace a *lav*, and since most clashes of *kibbud av va-eim* involve only its *hekhsherim*, we simply generalize to all cases of *kibbud* — acts of *kibbud av va-eim* proper included — and declare them likewise powerless:

ואר"י דכיבוד אב אפי' עוסק בגוף מצוה לא דחי דבכל ענין קא פסיק שלא ישמע לו והיינו משום דברוב ענייני כיבוד רגילים להיות על ידי הכשר מצוה קאמר רחמנא דלא דחי בכל ענין.

Rabbeinu Yitzchak asserts that even if one is involved in the actual mitzvah of honoring a parent, it does not override a negative commandment because the Talmud states that one should not listen to the parent under any circumstances. This is because most situations of honoring are preparatory in nature and therefore, the Torah states that it can never override.

But perhaps the Gemara has something else in mind. For in light of our analysis, *hekhsher mitzvah* encapsulates the fundamental character of *kibbud av va-eim* as a parent's partnership with the Ribono Shel Olam, as a delegate of *kavod Shamayim*. It is parents who bring the world of Torah and mitzvot to life for a child; and it is through his parents that a child first embraces *kavod Shamayim*. *Kibbud av va-eim* is, in this sense, an instrument, a *hekhsher mitzvah* for *kavod Shamayim*.

The dynamics that govern *aseh docheh lo ta'aseh* are therefore inapplicable to *kibbud av va-eim*. For an ordinary conflict between a *lav* and an *aseh* is adjudicated as an external clash between two competing principles,



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Grounded in a partnership with Hakadosh Baruch Hu, *kibbud av va-eim* is vital, axiologically central, and exceedingly potent. It is with this partnership that *kibbud av va-eim* integrates the worlds of *bein adam la-makom* and *bein adam la-chaveiro*, infusing the world of the former into the latter, and it is in this sense that *kibbud av va-eim* serves as the critical transition between the first and last five *dibrot*.

and fully determined by the laws of *aseh docheh lo ta'aseh*. A conflict with *kibbud av va-eim*, however, is construed as an internal conflict within *kavod Shamayim* and its distribution, governed not by the laws of *aseh docheh lo ta'aseh* but by an internal calculus of its own.

Grounded in a partnership with Hakadosh Baruch Hu, *kibbud av va-eim* is vital, axiologically central, and exceedingly potent. It is with this partnership that *kibbud av va-eim* integrates the worlds of *bein adam la-makom* and *bein adam la-chaveiro*, infusing the world of the former into the latter, and it is in this sense that *kibbud av va-eim* serves as the critical transition between the first and last five *dibrot*. The Gemara in *Kiddushin* (31a) beautifully captures this partnership:

בשעה שאמר הקב"ה (שמות כ) אנכי ולא יהיה לך, אמרו אומות העולם: לכבוד עצמו הוא דורש, כיון שאמר (שמות כ) כבוד את אביך ואת אמך, חזרו והודו למאמרות הראשונות.

When God commanded the first two commandments, the nations of the world said that He did so for His own honor. Once He said "Honor your father and your mother," they retracted and accepted the first two.

An isolated *Anokhi*, abstract, removed and unapproachable, was hardly intelligible. But partnered with *kibbud av va-eim* — an *Anokhi* reified in the love of a parent, an *Anokhi* immanent in the foundation of family life, an *Anokhi* that radiates throughout a Jewish home — is something else entirely. In harmony with *kavod Hamakom*, how truly, truly resplendent this mitzvah is: *hukash kevodam le-kavod hamakom*.

Notes

1. See the discussion below on whether *kibbud av va-eim* itself is a *mitzvah bein adam la-chaveiro* or *bein adam la-makom*.
2. See the discussion in *Sanhedrin* 56b.
3. See *Tosafot* 6a s.v. *Shekain*.
4. See *Noda Beyehudah Kamah, Choshen Mishpat* 40.
5. See Rambam, *Sefer Hamitzvot, Shoresh* 1 and Ramban's comments there. See also Rambam, *Hilkhos Mamrim* 1:2. I've elaborated more fully on this issue elsewhere.
6. For lack of a more suitable term, I use "underwritten" free of its financial connotations of "accepting liability" or "guaranteeing," but in its more archaic meaning. The relevant metaphor is that of a surface text underwritten by an interpretive conceptual text.
7. Furthermore, *kibbud av va-eim* constitutes a vital foundation that facilitates the most critical relationship with Hashem. The absolute trust and faith, unlimited reliance,

perception of unlimited power, and intuitive impact that an infant and young child experience in a parental relationship establish a formative model for the Divine relationship of trust, reliance, and infinite appreciation. It is surely no coincidence that we relate to the omnipotent and omniscient Hashem also as *Avinu shebashamayim*, drawing on that paradigm. Absent the parental bond, it would be considerably more difficult, possibly impossible, to cultivate more than an abstract link between limited man and the transcendent Creator. This, too, is an important facet of the *kavod Shamayim* motif of *kibbud av va-eim*. The pivotal role parents play in paving the way for a transference of these feelings and perceptions to *Avinu shebashamayim* is yet a further aspect of this singular *kavod Shamayim* theme. I hope to elaborate these and additional components of *kibbud av va-eim* elsewhere.

8. Compare with the *Tur* and *Shulkhan Aruch's* codification of *Hilkhos Kibbud Av va-Eim* in *Yoreh Deah* 240, between *Hilkhos Sh'vuot*, on the one hand, and *Hilkhos Kavod Rabo ve-Talmid Chakham*, on the other. Note how the Rambam opens the sixth chapter of *Hilkhos Talmud Torah*, despite not having yet discussed *kibbud av va-eim*.

9. See also the position of the *Yerushalmi* that *kibbud av va-eim* is greater than *kavod Shamayim*.

10. See however the position of the Rambam (*Mamrim* 6:11).

11. See also the discussion of the *Minchat Chinuch* no. 34.

What Happened to the Spices?

Shavuot begins this year on Sunday, and so we transition to Yom Tov on the heels of Shabbat. In this scenario, the holiday is welcomed with a unique blend of Kiddush and Havdala commonly known by the term “*yaknahaz*.” This acronym represents the fusion of these two mitzvot into a single formulation that discharges both obligations.

The rabbis of the Talmud (*Pesachim* 102b) debate the sequence in which the various bracha components of Havdala and Kiddush are recited in this formulation. The Talmud (103a) concludes by adopting the position of Rava that the correct order is as follows: *Boreh pri hagafen*, *Mikadesh Yisrael v’hazemanim*, *Borei meorei ha’esh*, *Hamavdil bein kodesh l’chol* and *Shehechyanu*. Each component is abbreviated by a representative initial: *yud* (*yayin* — wine); *kuf* (Kiddush); *nun* (*ner* — candle); *hey* (Havdala); and *zayin* (*z’man* — the bracha of *Shehechyanu*). Thus emerges the term *yaknahaz*, the colloquial pronunciation of the acronym, YKNH”Z. Rambam codifies this practice (*Hilchot Shabbat* 29:22), as does *Shulchan Aruch* (O.C. 473:1).

Tosafot (*Pesachim* 102b, s.v. *Rav amar*) note that in this analysis, there is one component conspicuously absent: *besamim*, spices.¹ Indeed, the standard Havdala following every Shabbat includes a blessing on the enjoyment of fragrant spices (*Shulchan Aruch*, O.C. 297:1).² The reason for this practice stems from the notion that the *nefesh*, or soul of an



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individual, on a sublime level, longs for Shabbat. Therefore, the *nefesh* is pained by the departure of Shabbat and so must be rejuvenated (*Tur* O.C., *ibid.*). Partaking of a fragrant aroma brings pleasure to the *nefesh*. Evidently, fragrance bridges the divide between one’s spiritual essence and physicality.³ The spiritual significance of aroma and its connection to the sublime is well documented in Torah sources. The importance of *kitoret* (incense) in the Beit HaMikdash and the association of sacrifices with *rei’ach nichoach*, a satisfying aroma, are two examples.⁴ This notion is also reflected in the source provided by the Talmud as the basis for blessings recited upon enjoying a fragrance:

אמר רב זוטרא בר טוביה אמר רב מנין שמברכין על הריח שנאמר (תהלים ק”ג) כל הנשמה תהלל יה איזהו דבר שהנשמה נהנית ממנו ואין הגוף נהנה ממנו הוי אומר זה הריח. ברכות מג:

R. Zutra b. Tuvia said in the name of Rav: How do we know that we recite a blessing on fragrance? As it states “Let all souls praise God.” What is something that the soul benefits from and the body does not? This refers to fragrance. Brachot 43b

However, a slightly different formulation emerges from the Tosafot.⁵ According to Rashbam, smelling of the spices is intended as

a response to the loss of the *neshama yeteira* on *Motzaei Shabbat*.⁶ The Talmud (*Beitza* 16a) cites Reish Lakish’s statement that every Jew receives a *neshama yeteira* (literally, an additional soul) at the onset of Shabbat. It departs when Shabbat concludes, leaving the individual feeling spiritually weaker.⁷ Indeed, Rashbam understands that this is the reason we omit the bracha on *besamim* when Yom Tov follows Shabbat. The Divine gift of a *neshama yeteira* is bestowed on Yom Tov as well. Therefore, when Shabbat transitions to Yom Tov, there is an unbroken continuum and no need to rejuvenate through *besamim*, for the *neshama yeteira* is a constant.

However, Tosafot challenge the explanation of Rashbam. If there is indeed a *neshama yeteira* on Yom Tov, why is there no bracha on *besamim* in Havdala following Yom Tov? Because of this question, Tosafot conclude that there is no *neshama yeteira* on Yom Tov. No *besamim* are needed when Yom Tov follows Shabbat because the festive meal and the accompanying simchat Yom Tov achieve the same effect normally accomplished through *besamim*.⁸

Shut Radbaz (2:620) adds an additional dimension to this explanation. On a normal *Motzaei*



Shabbat, the mere inclusion of *besamim* in Havdala represents an aspect of “*agmat nefesh*” — the anguish one experiences with the loss of the *neshama yeteira*. Therefore, if Chazal were to establish a need for *besamim*, the result would be incongruent with the obligation of simchat Yom Tov integral to Jewish holidays. As such, we omit the bracha of *besamim* so as not to suggest that one is entering Yom Tov on a somber note.⁹

Magen Avraham and *Taz*, commenting on *Shulchan Aruch* (O.C. 491:1), side with *Tosafot*, adopting the position that there is no *neshama yeteira* on Yom Tov. It is interesting to note that *Levush* (O.C. 281) writes that the prayer “*Nishmat*,” that is recited on Shabbat, is added in part due to the *neshama yeteira* of Shabbat. *Elya Rabba* (ibid.) comments that this would appear to follow *Rashbam’s* opinion that there is a *neshama yeteira* on Yom Tov, as common practice is to recite *Nishmat* on Yom Tov as well.¹⁰

What Is a *Neshama Yeteira*?

Regardless, the argument leveled by *Tosafot* against *Rashbam* remains unresolved: if there is a *neshama*

yeteira on Yom Tov, why do we omit *besamim* from the Havdala of *Motzaei Yom Tov*? To provide the backdrop for the answer, let us first delve into the meaning and significance of the *neshama yeteira*.

Rashi, commenting on the passage in *Beitza* that introduces the concept, explains as follows:

רוחב לב למנוחה ולשמחה, ולהיות פתוח לרוחה, ויאכל וישתה ואין נפשו קצה עליו. רש"י ביצה דף טז. ד"ה נשמה יתירה

A widening of the heart for rest and joy, an openness to eat and drink without the revulsion of the spirit.

Rashi, Beitza 16a

Rashi’s view can be understood to mean that the *neshama yeteira* serves to facilitate proper observance of the positive commandments of Shabbat. The mitzva of *oneg Shabbat* requires one to indulge in physical pleasures on Shabbat, such as eating and drinking (see *Rambam, Hilchot Shabbat*, chapter 30). One who is spiritually oriented runs the risk of compromising his or her *avodat Hashem* when the pursuit of worldly pleasures is not appropriately balanced upon the backdrop of spiritual pursuits.¹¹ The *neshama yeteira* affords the individual additional spiritual

fortification; it expands the capacity to appreciate physical pleasures without any negative impact.¹²

By contrast, *Shut HaRashba* (7:349) cites an explanation that does not literally describe the actual addition of a *neshama*. Rather, it describes the state of rest and pleasure that one’s *neshama* enjoys on Shabbat. In other words, Shabbat is the ultimate experience for the soul (“*neshama yeteira*”), because all physical labor and effort are suspended. Apparently, *besamim* are enjoyed *Motzaei Shabbat* because one’s soul is anguished to leave its pristine, natural state to resume the weekday work. According to *Rashba*, there is no *neshama yeteira* on Yom Tov; meaning, Yom Tov is not a day of absolute rest in the same way that Shabbat is. The permissibility of *melachot ochel nefesh*, activities performed for food preparation, prevents the complete rest of the soul, or the state of *neshama yeteira*.

Despite their differences, both *Rashi* and *Rashba* may point to a unique capacity for spirituality on Shabbat — either an additional soul granted to a Jew when it begins, or as indigenous to one’s own soul in response to Shabbat in the absence of involvement in worldly matters of labor.

However, there is an additional, more profound and impactful dimension of this concept found in *Shita Mekubetzet* (*Beitza* 16a) focusing on the Jew's ability to connect to spirituality on Shabbat:

נשמה יתירה פירוש, ועל זה חל עליו שפע אלקי
ושכל יותר לעסוק בתורה ולעיין במעשה ה'.
ולפיכך תקנו להריח בבשמים במוצאי שבתות
לשכח את הנפש מאבדתה.

The explanation of neshama yeteira is that it is the recipient of Divine influence and an increased cognitive capacity to study Torah and investigate the acts of G-d. For this reason, our rabbis instituted smelling spices at the conclusion of Shabbat, so that the soul will forget its loss.

An individual receives an increased dose, as it were, of Divine inspiration and intellect to delve into Torah wisdom and the ways of Hashem.¹³ It is not surprising that the *Zohar* (3:173a) reveals that when the *neshama yeteira* returns to Heaven following Shabbat, it is asked what *chiddushei Torah* (novel Torah ideas) it studied or arrived at over the course of the day. This is an appropriate question if the *neshama yeteira* is given to facilitate delving deeper and uncovering new insight into Divine wisdom.¹⁴ It would seem that according to Rashbam, these special elements of Shabbat are also accessible on Yom Tov. The *neshama yeteira* fortifies one's spirituality and provides

The sanctity of Yom Tov “belongs to the people,” and so the *neshama yeteira* that accompanies it is theirs to keep.

an opportunity to grow in a unique manner on Yom Tov as well, when one takes advantage.¹⁵

Ramban (*HaEmuna V'HaBitachon*, Chap. 21), writes that the words “*v'ten chelkeinu*” (give us our portion) that appear in the Amida of both Shabbat and Yom Tov hint to the *neshama yeteira* of each. Answering Tosafot's question, Ramban writes that no *besamim* are needed after Yom Tov for a new reason — because unlike Shabbat, the *neshama yeteira* of Yom Tov never leaves the individual.¹⁶ *Sfat Emet* (*Emor*, 5647) elaborates that the *kedushat hayom* (sanctity of the day) of Yom Tov has the unique propensity to pervade one's physical existence and does not remain in the spiritual realm only. As an example, this is manifest in the permissibility on Yom Tov of *melachot* performed for food preparation. Therefore, the impact of a Yom Tov is integrated in a way that lingers after the Yom Tov has passed.¹⁷ He points to *isru chag* (the day after the holiday) as a formal expression of a day's holiness extending beyond its place on the calendar — a phenomenon that exists after Yom Tov and not Shabbat.¹⁸

Shem MiShmuel (*Devarim* 5677) quotes his father, *Avnei Nezer*, who explains the sustaining nature of the *neshama yeteira* of Yom Tov in a different fashion. Unlike Shabbat, the static standard of *kedushat hazman* (the sanctity created by time), the sanctity of Yomim Tovim stems from the efforts and powers granted to the Jewish people to establish the Jewish calendar and its holidays. The Talmud (*Beitza* 17a) explains that the bracha recited on Yom Tov, *mikadesh Yisrael v'hazemanim* is a reflection of this — the sanctity of Yom Tov “belongs to the people,” and so the *neshama yeteira* that

accompanies it is theirs to keep.

Making Shavuot Impact the Whole Year

Avnei Nezer's understanding is not merely an explanation of the phenomenon of *neshama yeteira* on Yom Tov; rather, it carries an imperative, as well. Each holiday on the Jewish calendar, beyond simply commemorating various events in Jewish history, is also a repository of spiritual achievements that can be attained more readily at that time — achievements most relevant to the foundations of the holiday itself. For example, Succot symbolizes trust in Hashem. The Jews entered the wilderness confident in Hashem's desire and ability to protect them. Sitting in a succah is our remembrance of the manner in which He indeed protected us. Moreover, one who wishes to strengthen his trust in Hashem can do so — with investment and focus — more easily on Succot than during the rest of the year. This is because the same original spiritual forces of a holiday can be re-experienced by us today; in the case of Succot, the sense of trust in Hashem forged by our ancestors is more accessible to us at that time.¹⁹ Perhaps this is an additional dimension of the increased spiritual capacity afforded by the *neshama yeteira*. The imperative is to take advantage of the spiritual opportunities of Yom Tov, because the fruits of our labor will have long lasting results, even after Yom Tov has passed.

We refer to Shavuot as *z'man matan Torateinu*, the time that our Torah is given, albeit millennia after the historical event of *ma'amad Har Sinai*. It is a time when we have the opportunity and imperative to redouble our commitment to Torah

The practice of staying up all night to learn is not so much grounded on an increased number of hours of study. Rather, it is intended to reflect a burning desire for *kabbalat HaTorah* and its study — it is as if we are so excited that we couldn't fall asleep even if we tried to on the eve of *matan Torateinu*

study, Torah values, and the mitzvot of the Torah in the spirit of “*na'aseh v'nishma*”²⁰ — in a way that will be more lasting and more impactful than any other time of the year. The practice of staying up all night to learn is not so much grounded on an increased number of hours of study. Rather, it is intended to reflect a burning desire for *kabbalat HaTorah* and its study — it is as if we are so excited that we couldn't fall asleep even if we tried to on the eve of *matan Torateinu*.²¹

There are times over the course of the year when one's excitement is hardly at this level. However, one may feel that he or she wants to be more strongly connected to Torah or should devote more time to Torah study, but has trouble making that feeling a reality. The experience of Shavuot, like other holidays, is underscored by a *neshama yeteira* that remains after the Yom Tov has passed. Therefore, we have the tools to energize the entire year with higher spiritual accolades that we reach for on Shavuot. Rav Gedalya Schorr²² suggests that this is the root of the custom to hold a *neilat hachag* at the conclusion of a Yom Tov. In this context, “*neila*” means to “lock-in” the power of the holiday. It reflects our desire and efforts to solidify and concretize our spiritual gains from Yom Tov, rather than allow them to dissipate. If we spend the days of Shavuot engaged in Torah study and in celebrating the gift of Torah,²³ with

the assistance of our *neshama yeteira*, we will indeed infuse the rest of the year with a renewed sense of *kabbalat HaTorah* that endures.

Notes

1. See Kovetz *Shitot Kamai*, *Beitza* 33b, for authorities who advocated including *besamim* in *Yaknahaz*. This position was rejected by the vast majority of Rishonim and *Shulchan Aruch* (O.C. 491:1).

2. Common practice is to recite *Borei minei besamim* at Havdala regardless of the type of spices used (*Mishna Berura* 297:1).

3. See *Shut Shvut Yaakov* (3:20) who suggests that the blessing recited on fragrances may stem entirely from the soul's ability to benefit from the aroma, even when one does not have the physical sense of smell. However, this opinion was rejected by later authorities (see *Shulchan Aruch* O.C. 297:5 and *Mishna Berura* 297:13).

4. See also *Bereishit* 27:27 and Rashi, ad loc., *Yeshayah* 11:3, *Gemara Shabbat* 88b, with *Maharasha* and *Ketzot HaShulchan* (98). *B'nei Yissaschar* (*Adar*, 4) attributes this unique quality to the fact that the sense of smell was the only one of the five human senses not tainted by association with the sin of the Tree of Knowledge.

5. See *Shut Tshuvot V'Hanahgot* (2, end of 134) where this distinction is noted.

6. Interestingly, *Pri Migadim* (M.Z. 293:3) rules that one includes *besamim* even when one recites Havdala on Shabbat afternoon after *Plag HaMincha*, see *Shulchan Aruch* O.C. 293. Elsewhere (A.A. 299:1) *Pri Migadim* is unsure. Note that any leniency to permit one to make Havdala before the end of Shabbat is not practically relevant today (*Mishna Berura* 293:9 and 299:20). Even when it was practical, it did not allow one to compromise

any of the laws of Shabbat following Havdala before nightfall. It merely allowed one to recite Havdala early when it would be impossible to recite it at the normal time.

7. See *Aruch HaShulchan* (O.C. 297:1) who explains that this feeling is experienced by all Jews, though some may be unable to easily detect it. He notes that everyone can sense that some sort of change occurs to the individual on Motzaei Shabbat. Even if one isn't aware of its significance, this sensation is proof of the fact that the loss of the *neshama yeteira* is felt on a deeper level of one's being. See also *Michtav Me'Eliyahu* (2:72).

8. This might indicate that other physical pleasures can also be appreciated by the *nefesh*. Alternatively, note that *Tosafot* emphasize *simchat Yom Tov* and not simply eating and drinking a festive meal. This may be the focus in *Shut Radbaz* 2:620. *Shita Mekubetzet* (*Beitza* 16a) similarly refers to Yom Tov alone as providing happiness. All this may point away from pleasure in the pure, physical sense. However, see *Tosafot*, *Beitza* (33a) whose parallel position may not accommodate this interpretation, as they do not mention *simchat Yom Tov* per se. Interestingly, *Tosafot* Rabbeinu Peretz (ad loc.) mention “seeing” the holiday food. See *Chashukei Chemed* (*Pesachim* 102b) who ponders if any *seudat mitzva* can be equated according to our *Tosafot*, or perhaps there is a unique quality inherent in a *seudat Yom Tov*. See also *Avodat Yisrael*, *Zachor* (s.v. *V'Hinei*).

9. In a similar vein, R. Shlomo Zalman Auerbach stated that one should not cause the wine of Havdala to overflow at the conclusion of Yom Tov when Chol HaMoed followed (*Shmirat Shabbat KeHilchata* 62, note 26). This practice on Motzaei Shabbat represents a *siman bracha* (auspicious) for the work week ahead (*Mishna Berura* O.C. 296:5), a symbol incongruent with Chol HaMoed when permissibility of work is limited to specific

circumstances (*Shulchan Aruch* O.C. 530:1).

10. See *Aruch HaShulchan* (E.H. 62:28), who cites the ruling that *panim chadashot* are not needed on Shabbat or Yom Tov in order to recite *sheva brachot*. In his explanation of the law, *Aruch HaShulchan* seems to associate the presence of the *neshama yeteira*, though this should only be a factor on Shabbat. See also *Aruch HaShulchan* (491:1), who follows the *Magen Avraham* and *Taz* regarding Havdala when Yom Tov falls on Motzaei Shabbat. This issue may also relate to the matter of *Melave Malka* following Yom Tov or when Yom Tov follows Shabbat. See *Shaarei Teshuva* (O.C. 300), who links the requirement of *seudat Melave Malka* following Shabbat to the *neshama yeteira*, based on Kabbalistic sources. See also *Shut Rivivot Ephraim* (2:292).

11. See Tosafot, *Ketubot* 104a, citing the Midrash.

12. See *Siftey Chaim*, *Moadim* (3:418, 423).

13. Some explain that the degree to which the *neshama yeteira* impacts the individual on a spiritual level (as opposed to the physical aspect mentioned by Rashi) depends on the

overall spiritual orientation of a person. See *Shefa Chaim*, pg. 123 and *Michtav Me'Elياهو* (2:72).

14. Rashi and Nimukei Yosef (*Avoda Zara* 19b) seem to indicate that Shabbat should be reserved for review of the week's Torah learning (see *Gevurot Yitzchak*, *Shabbat* 17).

15. Interestingly, *Noda B'Yehuda* (O.C. 2:94) explains that the increased spiritual capacity of a teacher that is bestowed upon a rebbe on Shabbat and Yom Tov is the basis of the mitzva for a student to visit his teacher on these days (*Talmud*, *Rosh Hashana* 16b). However, he includes Rosh Chodesh as well, and does not address *neshama yeteira* as a source for this increased Divine inspiration. *Noda B'Yehuda* simply relates to the *kedushat hayom* of these days, indicated by the Mussaf offerings. See *Zohar* (*Pinchas* 242b) and *Nishmat Yaakov* (pg. 26) regarding Rosh Chodesh.

16. For additional approaches to understand Rashbam's opinion, see Ran on Rif (*Pesachim* 20b-21a), *Bach* (O.C. 297), and *Nishmat Yaakov* (pg. 24).

17. This explanation can also be found in *D'var Shmuel* (*Pesachim* 102a) in the name of *Sfat Emet*.

18. See *Divrei Aggada* (pg. 548).

19. This principle appears in various forms in a wide range of sources. See, for example, *Machatzit HaShekel* (O.C. 468:15) and *Kedushat Levi* (*Shavuot*, s.v. *V'Nireh li*).

20. See *Halichot Shlomo* (*Shavuot*, pp. 371-372, fn. 1).

21. See *Moadim L'Simcha* (Freund, 6:422).

22. *Ohr Gedalyahu* (2:103 and 3:73).

23. See *Talmud Pesachim* (68b).



From Bondage to Bonding

The Navi Ezekiel (16:6) recounts Jewish history and proclaims:

וְאָמַר לְךָ בְּדַמִּיךָ חַיִּי וְאָמַר לְךָ בְּדַמִּיךָ חַיִּי
And I said to you in your blood you shall live, I said to you, in your blood you shall live.

At first glance this is most paradoxical. Though the spilling of blood most often has destructive and negative connotations and consequences, here it is the medium for our very survival and thriving. Our Rabbis (*Mechilta, Bo, Masechta D’Pishcha 5*) inform us that when the prophet refers to two sets of blood, he is referring to the two mitzvos of bris milah and korban Pesach that we performed on the night of our Exodus from Egypt. Why specifically were these two mitzvos selected?

One could answer that they reflect the two different sanctifications that we underwent that night. Milah represents the personal individual *kedusha* (sanctity) that each Jew possesses. Korban Pesach represents the communal and national *kedusha* that envelopes the Jewish people. Similarly, at the miraculous deliverance at Yam Suf, the Jews sang (Shemos 15:2) “this is My G-D and I will beautify Him, the G-D of my father and I will exalt Him.” The first phrase expresses the personal individual rapport that each Jew has with Hashem. Rashi, citing the *Mechilta* notes that the second phrase connotes that I am not the source of the sanctity; rather the sanctity was established for me since the days of



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my forefathers.

The Maharal in his commentary *Gur Aryeh*, Shmos (12:6), notes that these two bloods and mitzvos represent the new acceptance of *avdus*, servitude, that the Jewish nation accepted on the night of their liberation. An *eved* (servant) needs a physical sign, a manifestation of his being an *eved*. The Nazis, y”s, in their cruelty, branded a number on the arms of their Jewish slaves, as a farmer brands his cattle, showing complete ownership and control. Hashem ordained a physical demonstration of our being His servants by demanding that we circumcise. In the second blessing of Birkas Hamazon we thank Hashem for “Your covenant which you sealed in our flesh.” This was and is a sign of our *avdus*.

Moreover, the *eved* needs an action, a service, that is performed exclusively for his master. Carrying a towel and slippers to the bathhouse might not be exhaustive labor, but it is indicative of a service performed on behalf of a master. Hashem, in His infinite kindness and sensitivity, gave us the service, the *avodah* of the korban Pesach to reflect our acceptance of servitude. Thus, the Torah, referring to the korban Pesach and its observance by future generations when they

enter the Land of Israel states, Shmos (13:5) “you shall perform this service in this month.”

On the night of our liberation in Egypt, we accepted His mastery, and became His *avodim*. This is clearly stated by Pharoh himself. The *Yalkut Shimoni*, Psalms (872), on the opening verse of Hallel, “Give praise you servants of Hashem,” teaches that Pharoh declared, “behold you are free men, you are now servants of Hashem.” Pharoh continued, “until now you were my slaves, now you are free, you are henceforth slaves of Hashem, you are to extol Hashem for you are His slaves.” Thus the two opening paragraphs of Hallel are in chronological order. The first paragraph states, “give praise you servants of Hashem,” and this is followed in the next chapter by “when Israel went out of Egypt.”

This transition of servitude from man to G-D, from Pharoh to Hashem, was already stated by Hashem as the *raison d’etre* of leaving Egypt. At the burning bush, Hashem tells Moshe:

וַיֹּאמֶר כִּי אֶהְיֶה עִמָּךְ וְזֶה לְךָ הָאוֹת כִּי אֲנֹכִי
שְׁלַחְתִּיךָ בְּהוֹצִיאֶךָ אֶת הָעָם מִמִּצְרַיִם תַּעֲבֹדוּן
אֶת הָאֱלֹהִים עַל הָהָר הַזֶּה.
שמות ג:יב

He said, I will be with you, just this will

be the sign that I have sent you, when you bring the people out of Egypt, you shall become the servants of G-D on this mountain.

Shemos 3:12

Note the verb *ta-avdun* — to serve, to become His *avodim*. Indeed, the Ibn Ezra Shmos (3:2), notes that the first encounter between Hashem and Moshe was at the *sneh*, the bush. He postulates that the very name Sinai is derived from *sneh*, as the revelation at Sinai is the fulfillment of *ta-avdun*, accepting his sovereignty, as mandated at the *sneh*.

On each of the *Shalosh Regalim*, we recite as the preamble to our Amida, “*Ata b’chartanu*” — you have chosen us. The Gra teaches that the first three phrases express the themes of the three festivals. *Ata b’chartanu* — you have chosen us from all peoples — is the essence of Pesach. Hashem promised Yaakov on his descent to Egypt:

אֲנֹכִי אֶרְדָּה עִמָּךְ מִצְרַיִם וְאֲנֹכִי אֶעֱלֶךָ גַּם עִלָּה.
בראשית מו:ד

I shall descend with you to Egypt, and I shall also surely bring you up.

Bereishis 46:4

This is understood by the *Beis Halevi* that Hashem will only alter the laws of nature — the ten plagues and *Kriyas Yam Suf* — for the deliverance of the Jewish people. *Ata b’chartanu*, He chose us to be His ambassadors.

The second phrase *ahavta osanu* — You have loved us — is referring to Shavuot. Hashem shows His love for His people by giving us His Torah. Note, every morning and evening before the Shma, we recite a beracha expressing the special connection between the Jewish people and Torah. The morning beracha concludes, “who chooses His people Israel with love,” and the evening beracha ends with, “who loves His people Israel.” Torah is an expression of G-D’s love for His nation. While the mitzvos are called commandments, which could be understood as obligatory burdens, when one realizes that they emanate from His abundant love, one appreciates the privilege of serving Him, independent of all the benefits that accrue to man from that service.

V’ratzisa banu — You found favor in us — refers to Sukkos. The term *ritzui* is found most often in the Torah to note His forgiveness and acceptance of our *korbonos*. Here too, He accepted our repentance and regret for the sin of the Golden Calf and responded in kind with the *Ananei Hakavod* — Clouds of Glory — the essence of our celebration of Sukkos.

The term *avdus*, which means slavery or servitude, is most often understood in a derogatory sense. Being a slave to Pharoh was demeaning and stripped the slaves of their human dignity and self-worth.

Being an *eved Hashem* is a privilege. To literally serve the Creator and Master of the universe gives meaning, purpose and fulfillment to every action. Not only the specific mitzvos that one performs — Shabbos, tefilin, and *taharas hamishpacha*, religious activities that connect mortal man with the Immortal Being — but all of one’s activities, eating and sleeping, become important and noteworthy as they are channeled to His service. I eat well to have a healthy body to serve Hashem. I sleep sufficiently to have a healthy body to serve Hashem. Even the placing of my right shoe before my left shoe, which can seem so inconsequential, has significance for now and for the future. Thus, what appear to be mundane activities are all elevated in His service, thereby infusing all of one’s life experiences with meaning. The Rambam (*Dei’os* 3:3) summarizes this idea by quoting the verse:

בְּכֹל דְרָכֶיךָ דַּעְהוּ וְהוּא יִישֵׁר אֶרְחֹתֶיךָ.
משלי ג:ו

In all your ways know Him, and He will straighten your paths.

Mishlei 3:6

Moreover, in a world with over seven billion people walking the face of this earth, one could certainly sense a feeling of worthlessness, depression and insignificance, a mere speck in the vast universe. What comes to mind is the cry of the Psalmist (8:5):

Being an *eved Hashem* is a privilege. To literally serve the Creator and Master of the universe gives meaning, purpose and fulfillment to every action. Not only the specific mitzvos that one performs, but all of one’s activities, eating and sleeping, become important and noteworthy as they are channeled to His service.

מה אנוש כי תזכרנו, ובו אדם כי תפקדנו.
What is frail man that You should remember him, and the son of man that you should be mindful of him?

In addition, years after one dies, who remembers him? Even those who might carry his name, his total life experiences, his *shmiras mitzvos* and *avodas hakodesh*, his ups and downs, his successes and failures, aren't they here today and gone tomorrow? The answer is a definite **no!** By being an *eved* of Hashem, as He is immortal, one's service of Him, one's activities directed toward Him, one's Torah and mitzvos, are elevated literally and live on forever.

The Chofetz Chaim zt"l in *Sheim Olam* (11) teaches that we recite daily in *Kedusha*, 'Nekadeish' — "we shall sanctify Your name in this world, just as they the angels sanctify it in Heaven above." This is to be understood literally. As the angels on High do His requests and bidding, so is man to do in this world. All of man's actions are recorded as found in Malachi (3:16):

אז נדברו יראי ה' איש את רעהו, ויקשב
ה' וישמע ויכתב ספר זכרון לפניו ליראי ה'
ולחשבי שמו.

It was inscribed before Him in a book of remembrance of those who fear Hashem and meditate upon His name.

Moreover, the *Zohar* teaches that the angel Gavriel proclaims nightly the activities of man, literally understanding, Koheleth (10:20), "some winged creature may publicize the matter," it is noted for all eternity. If one only realized the incredible privilege of this service of Hashem, they would strive to do all their activities in the best way possible, with a joyous countenance reflecting the Psalmist (100:2):

עבדו את ה' בשמחה, באו לפניו ברננה.
Serve Hashem with gladness, come before Him with joyous song.

There is a rather challenging Gemorah, *Brachos* (4b), that provides us with flight data of the angels. Michael flies non-stop. That is to say, when sent on a mission, he is able to reach his destination in one flight. The angel Gavriel requires a stop-over and arrives at his destination after but one stop. Eliyahu must stop three times prior to performing his mission, and the angel of death must stop seven times before executing his mission. What might we learn from the flight pattern of the Heavenly beings?

The Chofetz Chaim zt"l learns a most powerful message. Take note and learn from the angels. Each one conducts himself in accordance with their unique individual potential. Eliyahu can reach his destination, wherever it may be, after three stop-overs. He could however take a few more rest stops, but doing so would delay his mission by a few moments. Similarly, if Gavriel would travel at Eliyahu's pace it would delay his service even momentarily. The message is: note how exact the angels are to actualize their *full* potential in their service of Hashem. They represent total commitment to their mission, and absolute loyalty to their Divine dispatcher.

Man too is put in this world with a mission of *sheirus* — service — as each individual looks differently one from another, thinks differently than anyone else, and hence has a unique mission to accomplish that nobody else can perform. The model we acknowledge twice daily in our recitation of *Kedusha* is: may we emulate the angels. May we perform

our mission in the best way possible, maximizing our potential for service and *kiddush Hashem*.

Shavuot is the celebration of our fulfilling *ta-avdun*, accepting upon ourselves liberating servitude. While slavery conjures up in our minds the idea of humans owned and treated as property by another, to be a slave or servant of Hashem is the greatest accolade that can describe an individual. Hashem refers to Moshe, as in Bamidbar (12:7), *avdi Moshe*, My servant Moshe. In the closing chapter of the Torah, Devorim (34:5), "so Moshe, servant of Hashem, died there". Moreover Hashem refers to His nation as servants:

כי לי בני ישראל עבדים, עבדי הם אשר
הוצאתי אותם מארץ מצרים, אני ה' אלוקיכם.
ויקרא כה:נה

For the children of Israel are servants to Me, they are my servants whom I have taken out of the land of Egypt. I am G-D your Lord.

Vayikra 25:55

The *Yalkut Shimoni*, *Shemos* (286) in introducing the Ten Commandments teaches on the verse, "I am your G-D," that it was most personal as G-D was speaking to each individual, not just collectively to the fledgling nation. Moreover, each individual understood the Commandments based on their ability to comprehend. A personalized revelation to each individual. Similarly, may we accept upon ourselves this forthcoming Shavuot a personalized privilege to strive to be an *eved* of Hashem using our own unique traits.

The Minhagim of Shavuot

From Members of the Graduate Program of Advanced Talmudic Studies at Stern College for Women



Where Are All the Mitzvot on Shavuot?

Rachel Weber Leshaw

If you open up a *Shulchan Aruch* to find the halachot of Shavuot, you'll probably spend a few minutes flipping pages with a perplexed look on your face. Where is the section called *Hilchot Shavuot*? Shouldn't it be immediately after *Hilchot Pesach*? Or before *Hilchot Tisha B'av*? But in fact, *Hilchot Shavuot* does not appear in any of those places, because *Hilchot Shavuot* does not have its own section in the *Shulchan Aruch*. Instead, the last *siman* (chapter) of *Hilchot Pesach* is called *Seder Tefillat Chag Hashavuot*, and it contains just three short *seifim*, or sentences. The *Shulchan Aruch* simply lists what the order of davening is for Shavuot, and which Torah portions are read, followed by the prohibition of fasting on the holiday.

What is also immediately obvious is the lack of any specific halachot for Shavuot — there's no matzah, no

sitting in a sukkah, no blowing of the shofar — absolutely nothing marks Shavuot as a unique holiday from the halachic perspective of the *Shulchan Aruch*. The Rema, in 494:3, adds some Shavuot-specific details in the form of customs — but not halachot — which were common in his day. These include spreading out grass in shuls and houses, and eating dairy foods. Many of the other common hallmarks of Shavuot are also customs, including staying up all night to learn, reading Megillat Rut, and reciting *Akdamos*. To wit, the majority of our contemporary celebration of Shavuot is really made up of *minhagim*, customs, as opposed to halachot.

What is responsible for this oddity? Where are the missing mitzvot of Shavuot? Why are there so many *minhagim*? What makes this holiday different from all others?

The first thing that separates Shavuot from Pesach in the Torah is that it is exclusively an agricultural holiday, and is not linked to any historical event. As opposed to Pesach, which marks the Exodus, and, secondarily,

the beginning of the barley harvest, Shavuot only celebrates the wheat harvest, reflected in the korban of the *Shtei HaLechem*, which was brought on Shavuot (Shmot 23:16). Here we start to understand our feeling a lack of mitzvot on Shavuot; the mitzvot that we perform on other holidays are predicated upon the commemoration of significant historical events, and not solely upon agricultural timekeeping. The commandments to sit in a sukkah or to eat matzah are mitzvot whose function is to recall the historical experience they echo; Shavuot, which is not as directly tied to a historical event, lacks a comparable thematic mitzvah.

And yet the agricultural celebration of the wheat harvest is ultimately less associated with Shavuot than a particular historical event — the giving of the Torah at Har Sinai. Even though the Torah never gives a specific date for *matan Torah*, it is understood by all later sources to be on the same day as Shavuot (*Pesachim* 68b, *Shabbat* 86b and others). Shavuot is described as *zman*



Matan Torateinu in the davening, and the Torah reading on Shavuot is the story of the receiving of the Torah in Parshat Yitro. So if we follow our previous train of thought, shouldn't there be a mitzvah associated with this historical event that we perform on Shavuot?

R' David Tzvi Hoffman answers this question by suggesting that Shavuot's connection to *matan Torah* is in fact the very reason why there are no mitzvot associated with it. In his commentary to Vayikra 23, he explains that our responsibility to remember the giving of the Torah is so all-encompassing that it cannot be reduced to symbolic actions. The revelation of God to the Jewish people at Har Sinai cannot be reproduced in any physical way, and therefore the day of Shavuot must remain untethered by specific mitzvah obligations.

R' David Tzvi Hoffman believed that Shavuot was always known as *Zman Matan Torateinu*, and was celebrated as such since the time the Jews wandered in the desert. However, there remains no text in the Torah connecting *matan Torah* to Shavuot. This has led some scholars to suggest that after the destruction of the Beit Hamikdash, the rabbis placed a greater emphasis on the historic significance of Shavuot as *zman Matan Torateinu*. Shavuot was originally an agriculture-focused holiday, which was celebrated with a special korban in the Beit Hamikdash. No other rituals were necessary because it was a holiday centered around the Beit Hamikdash. However, after the destructions of the First Beit Hamikdash and the Second Beit Hamikdash, the day was suddenly empty, celebrated as a generic holiday with nothing marking it as unique.

The rabbis then placed a greater emphasis on the historic aspect of the holiday, and developed Shavuot into a holiday focused around the giving of the Torah.

There are various explanations for the most prevalent *minhagim* of Shavuot, many of which relate back to Shavuot as *zman matan Torateinu*. But it does not seem far-fetched to say that a holiday which may have been empty of unique practices was bolstered by *minhagim* developed over the course of centuries, so as to make the day more special.

One final source suggests this idea in a slightly different way. The Gemara in *Pesachim* 68b, discusses the optimal way to celebrate Yom Tov, and quotes a dispute between R' Eliezer and R' Yehoshua. R' Eliezer says that Yom Yov should be spent either "*kulo laShem*" entirely in the service of God and learning of Torah, or "*kulo lachem*," entirely as a day of eating, drinking, and physical enjoyment. R' Yehoshua believed that the holidays should be split half and half — "*chetzyo laShem v'chetzyo lachem*." But even R' Eliezer agreed that Shavuot must also include time for physical enjoyment, because it is the day on which the Torah was given. Rashi explains that we need to show that we are still happy that we accepted the Torah, and therefore we need to celebrate in a physical way.

To take this idea one step further, we can suggest that Shavuot cannot be a day of purely ritual structure; in order for us to show our happiness around accepting the Torah, the day must include time for human initiative. The "*chetzyo lachem*," the part of the holiday meant for human enjoyment, is described in the Gemara as being for eating and drinking. But it seems that on Shavuot this concept

has expanded, as generations of Jews have added *minhagim* to the celebration of Shavuot. To show our acceptance of the Torah anew every year, we imbue the "*chetzyo lachem*" with communally-created meaning, whether by eating cheesecake, decorating the shul with flowers, or any of the other *minhagim* that we choose to perform, all as a show of our love for the holiday empty of mitzvot but full of *minhagim*, and full of meaning.



Tikkun Leil Shavuot: A Priority?

Gabrielle Hiller

One of the most famed *minhagim* of Shavuot is the practice of staying up all night learning Torah, formally referred to as *Tikkun Leil Shavuot*. Synagogues around the world have programming and shiurim designed to encourage as many community members as possible to forgo a night of sleep in order to engage in this practice. Strangely, however, in the *Shulhan Arukh's* discussion of Shavuot¹ there is no mention of this minhag. Even the Rama, who delineates other *minhagim* of Shavuot such as eating dairy and decorating the synagogue with flowers,² omits any mention of *Tikkun Leil Shavuot*. Where then does this practice come from and should it actually be encouraged for everyone?

The first discussion of this idea appears in the *Zohar* I:8. R. David Brofsky explains that, "This passage describes the 'wedding' of the Shekhina with Ha-Kadosh Barukh Hu (the distinct aspects of God as understood by the Zohar), accompanied by the bridesmaids, the

Jewish people, who learn Torah all night, as an adornment of the bride.”³ The *Zohar* discusses this idea once more in *Parshat Emor* 88a:

*Therefore, the pious in ancient times did not sleep that night but were studying the Torah, saying, “Let us come and receive this holy inheritance for us and our children in both worlds.” That night, the Congregation of Yisrael is an adornment over them, and she comes to unite with the King. Both decorate the heads of those who merit this. R. Shimon said the following when the friends gathered with him that night: Let us come and prepare the jewels of the bride ... so that tomorrow she will be bejeweled... and properly ready for the King.*⁴

In the seventeenth century, the *Magen Avraham* again mentions this practice:

איתא בזהר שחסידי הראשונים היו נעורים כל הלילה ועוסקים בתורה וכבר נהגו רוב הלומדים לעשות כן ואפשר לתת טעם ע"פ פשוטו לפי שישראל היו ישנים כל הלילה והוצרך הקב"ה להעיר אותם כדאיתא במדרש לכן אנו צריכים לתקן זה.

*It is written in the Zohar that the pious in ancient times would stay awake the whole night and study Torah. And most learned people already practice this, and it is possible to say that the straightforward explanation is because Israel slept the whole night and Ha-Kadosh Barukh Hu needed to wake them up, as it is recorded in the Midrash. Therefore, we need to fix this.*⁵

The *Magen Avraham* states that, by his time, the practice of learning throughout the night had spread to most learned people. Furthermore, he brings a different explanation than the *Zohar* for the minhag: to counteract the lack of anticipation and excitement of Bnei Yisrael who overslept the morning of receiving the Torah.

Today, the practice of staying awake learning Torah has spread to the general population, not just the pious or the learned, as mentioned by the *Zohar* and *Magen Avraham* respectively. While it is certainly praiseworthy for someone to take this practice upon him or herself, the lack of a solid foundation in halakhic sources for the widespread practice means that a person should also consider the consequences of staying up all night to ensure that it does not interfere with other religious obligations. Indeed, R. Shlomo Aviner asserts that if staying awake will lead someone to be too exhausted to *daven* Shacharit in the morning with proper *kavanah*, intent, then one should not stay up all night because *davening*, a clear obligation, takes precedence over a minhag. Additionally, R. Aviner cites the Brisker Rav's bewilderment that so many people take upon themselves the performance of *Tikkun Leil Shavuot* when many are not as careful to observe the obligation of discussing the Exodus from Egypt until one is overcome by sleep.⁶

While R. Aviner's message appears discouraging, it is important to remember that the message of the minhag remains the same. Shavuot has been established as *zman matan Torateinu*, the time of the giving of the Torah, and the minhag of *Tikkun Leil Shavuot* teaches that it is vital to seriously learn and study the Torah that we received. That message is not limited to the night of Shavuot. Rather, it should imbue our perspective of the entire holiday, encouraging us to learn during the day if we are unable to do so during the night.

Notes

1. See *Orah Haim* 494.

2. See Rama to *Orah Haim* 494:3.

3. Rabbi David Brofsky, "The Customs of Shavuot," The Israel Koschitzky Virtual Beit Midrash, available at: <http://www.vbm-torah.org/shavuot/shv72db.htm>.

4. Translation is from Rabbi David Brofsky's article cited above.

5. *Magen Avraham* 494. Author's translation.

6. Rabbi Shlomo Aviner, "Laws of Staying Awake All Night on Shavuot," *Torat HaRav Aviner*, available at: <http://www.ravaviner.com/2013/05/laws-of-staying-awake-all-night-on.html>.



The Minhag of Reciting Yetziv Pitgam

Davida Kollmar






One common Ashkenazi minhag on Shavuot is to recite the *piyut* (poem) of *Yetziv Pitgam* on the second day of Shavuot. The first letter of each line forms an acrostic, spelling out the name of the author, Yaakov BeRabbi Meir Levi, who is commonly identified as Rabbeinu Tam.¹ The text of the *piyut*, which originated in France,² is brought in the *Machzor Vitri*, and the minhag to read it is also mentioned in the *Sefer HaMinhagim* of both R. Isaac Tyrnau and R. Avraham Klausner, in the *Sefer Maharil*, in the *Levush*, and others.

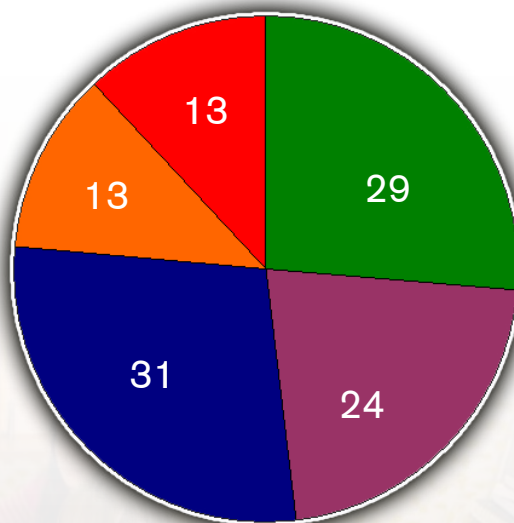
Yetziv Pitgam is read after the first verse of the haftarah. The timing of the reading is the context in which *Yetziv Pitgam* appears most often in halachic discussions. This is because there is a halachic problem with reading the *piyut* between the brachah on the haftarah and the haftarah, because it would constitute an interruption. This problem is resolved for the *piyut* of *Akdamot*, which is recited at the Torah reading on the first day, by reading it before *Birkot HaTorah*. Since *Yetziv Pitgam* is read during the haftarah,

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- North Shore Yeshiva High School
- Northwest Yeshiva High School Seattle
- Philadelphia Jewish Community - Yoetzet Halacha
- Princeton University
- Ramaz
- SAR
- Shalhevet
- Shalom Hartman Institute
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one may be more lenient, and it can therefore be read in the middle.³

The placement of *Yetziv Pitgam* makes sense when considering the purpose of the *piyut*. The *piyut* is written in Aramaic, and was once said by the *meturgaman*. In ancient times, the Torah was read a few verses at a time, in Hebrew, and then it was the job of the *meturgaman* to translate those verses into Aramaic, the common vernacular. In this *piyut*, the *meturgaman* asks Hashem and community members for permission to conduct this translation. This purpose of *Yetziv Pitgam* is stated explicitly in the last line of the *piyut*, “*Keka'imna vetargimna, bemilui debahir safrin,*” (As I stand and translate with the words the *sofrim* chose).⁴ Once the Torah and haftarah were no longer translated, this last line was deleted from the *piyut*, which is why it is not said today.⁵ The connection between *Yetziv Pitgam* and the Targum helps explain what is now the last line of the *Piyut*, “*Yehonatan gevar invetan bechain namtei lei apirin,*” (Jonathan the humble, let us give to him praise). This line is likely a reference to Yonatan Ben Uzziel, who wrote the Targum Yehonatan, one of the earliest Aramaic translations of the Neviim.

Yetziv Pitgam is not the only Aramaic *piyut* that was ever written for the *meturgaman*. *Akdamot*, which is also still extant, likely served the same purpose, but it is also probable that there were other such *piyutim* as well. So why have *Yetziv Pitgam* and *Akdamot* survived, while the others have not? I would like to give a few suggestions.

First, a *piyut* focused on the *meturgaman* makes sense for the holiday of Shavuot. On Shavuot, we celebrate the giving of the Torah to

the Jewish people. However, in order for the common man to learn Torah, it was important that it would be in a language he could understand. The celebration of the role of the *meturgaman* makes sense for Shavuot, then, because it was through him that the common man could appreciate the Torah that he was given on that day. Furthermore, in addition to simply translating the text, the *meturgaman* would also add in his own thoughts and explanations about what was being read.⁶ On Shavuot, there is a focus on Talmud Torah, so we applaud the learning that the *meturgaman* would do throughout the year.

Another important aspect of the *meturgaman* which relates to Shavuot is his job as the middleman. The *meturgaman* would act as the intermediary between the one reading the Torah and the people. In Mishnaic times as well, the *meturgaman* was in charge of taking the Hebrew outline of the shiur given quietly by the Tanna, and explaining it loudly, in more detail, and in Aramaic for those present to hear. The Torah, too, was given to the Jewish people through a middleman, Moshe. Following the narration of the *Aseret HaDibrot*, The Torah, Devarim 5:20-28, describes the request that the Jewish people had of Moshe, that they would hear the Torah from him instead of from Hashem directly, because they were afraid. Hashem's response to this request was “*Heitivu bechol asher dibeiru,*” (they did good with all that they said), that He was pleased with their fear of Him and was therefore supportive of their request for a middleman. On Shavuot, then, when we commemorate *matan Torah*, we retain the *piyut* that was given by the *meturgaman*, a later-era middleman who is replicating what happened at *matan Torah*. The connection between

the *meturgaman* and Moshe acting as a middleman on Har Sinai is supported by the Yerushalmi, *Megillah* 4:1, which states explicitly that the Targum of the Torah during Torah reading corresponds to giving of the Torah through a middleman.

A final suggestion for why the practice of reading *Yetziv Pitgam* on Shavuot has been maintained is based on an alternate reading of the last line. Instead of reading the word “Yehonatan” as the name Jonathan, it can alternatively be translated as “God gave,” and then the phrase “*Yehonatan gevar invetan*” would be translated as, “God presented [the Torah] to [Moses] the epitome of humility.”⁷ In fact, the *piyut* as a whole praises Hashem who gave the Torah, and the people who learn it.⁸ This idea relates to the theme of Shavuot as a day of *matan Torah* and *talmud Torah*. Therefore, although there were once many *piyutim* recited by the *meturgaman*, it is the one about Shavuot, which is closely connected to the spirit of the day, which is the one that has remained.

Notes

1. Schiffman, Lawrence. “Yatziv Pitgam, One of Our Last Aramaic Piyyutim.” *Shavuot To Go*, 5771.
2. Ibid.
3. Ibid.
4. Nulman, Macy. “Yatziv Pitgam.” *The Encyclopedia of Jewish Prayer*. Rowman & Littlefield: Lanham, MD, 1993.
5. Ibid.
6. “Meturgaman (‘Interpreter’).” *Jewish Encyclopedia*. 1906. Retrieved on April 1, 2015, from <http://www.jewishencyclopedia.com/articles/10742-meturgaman>.
7. Gold, Avie. *The Complete Artscroll Machzor Shavuos*. Zlotowitz, Meir, and Nosson Scherman, ed. Mesorah Publications: New York, 1991.
8. Ibid.



Adorning the Synagogue with Flowers: A Fulfillment of a Biblical Commandment

Ashley Mandelstam

There is a common custom among Ashkenazi Jews to decorate their synagogues and homes with trees and flowers for the holiday of Shavuot. In this essay, we will explore some prominent reasons for this minhag and try to fully understand the importance of this minhag.

The earliest known source of this minhag is recorded by the MaHaril, Rav Yaakov Moelin (1365-1427), who records that on Shavuot, German Jews in his community had the custom to place fragrant spices on the floors of their synagogues for “*simchat haregel*,” for the pleasure of the holiday. He does not mention, however, the connection between fragrant smells and the chag of Shavuot. The Rema codifies this minhag in *Orach Chayim* 494:3, where he states the custom of decorating our shuls and homes with green plants and trees as a remembrance of *matan Torah*.

Many achronim try to explain why the minhag of decorating with trees helps us to remember *matan Torah*.

The *Levush* explains that the connection between *matan Torah* and trees is apparent in the pasuk in Shmot 34:3:

גם-הצאן והבקר אל-ירעו, אל-מול הַהַר הַהוּא.

The sheep and cattle should not graze opposite that mountain.

At *ma'amad Har Sinai* we were commanded not to let our animals graze around Har Sinai, and from that we infer that there were many trees surrounding Har Sinai.

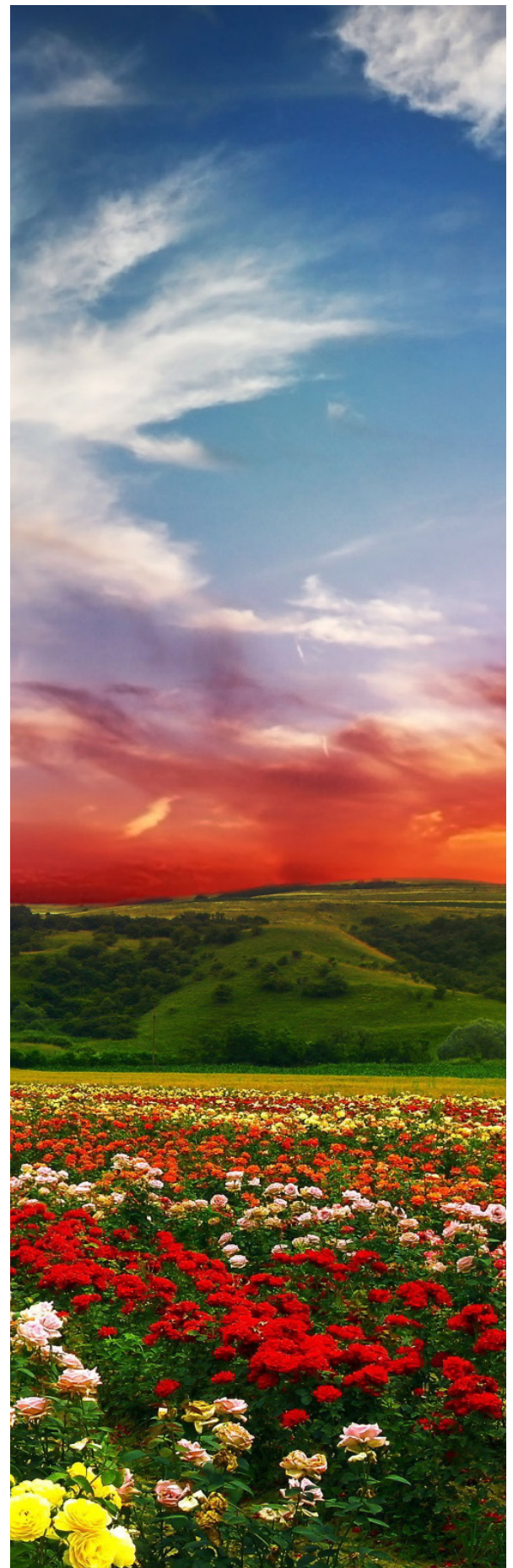
Rabbeinu Sheim Tov Gaglin in his *Keter Sheim Tov*, offers another approach, based on the verse in Shir Hashirim.

לְחִי בַּעֲרוֹגַת הַבָּשָׂם, מִגְדָּלוֹת מִרְקָחִים; שִׁפְתוֹתַי, שׁוֹשַׁנִּים--נְטָפוֹת, מִזֵּר עֵבֶר.
שִׁיר הַשִּׁירִים ה:יג

His cheeks are as a bed of spices, as banks of sweet herbs; his lips are as lilies, dropping with flowing myrrh.

He explains the words “*siftotav shoshanim*,” (his lips are as lilies) to mean that every word of HaShem fills the world with wonderfully fragrant smells. As such, there is a very clear connection between this interpretation of the verse in Shir HaShirim and the minhag as initially recorded by the MaHaril.

There is a common thread in the various reasons for the minhag. It seems that this minhag is an attempt to recreate the setting of *ma'amad Har Sinai* on Shavuot. Yet the minhag demonstrates something deeper as well. Another message can be found in the



verse in *Parashat Va'etchanan* in recalling *ma'amad Har Sinai*. The verses state,

רק השמר לך ושמור נפשך מאד, פן-תשכח
את-הדברים אשר-ראו עיניך ופן-יסורו
מלבבך, כל, ימי חייד; והודעתם לבניך, ולבני
בניך. יום, אשר עמדת לפני ה' אלקיך בחרב,
באמר ה' אלי הקהל-לי את-העם, ואשמעם
את-דברי:
דברים ד:ט-י

But beware and watch yourself very well, lest you forget the things that your eyes saw, and lest these things depart from your heart, all the days of your life, and you shall make them known to your children and to your children's children, the day you stood before the Lord your God at Horeb, when the Lord said to me, "Assemble the people for Me, and I will let them hear My words, that they may learn to fear Me all the days that they live on the earth, and that they may teach their children.

Devarim 4:9-10

The Ramban asserts that these verses impose two very important obligations. First, that we must take extra heed to remember the Torah and its mitzvot. Second, that we must remember the experience of *ma'amad*

Har Sinai and pass it down to our children and grandchildren. In light of the Ramban, it seems we have an obligation not only to remember the experience cognitively, but also experientially by recreating *ma'amad Har Sinai* through sounds, smells and visions. Ramban here emphasizes the importance of the "*ma'amad Har Sinai Experience*," including all the sounds and visions, because he felt that the atmosphere of *ma'amad Har Sinai*, was essential to our internalization of our deep rooted faith in God and His Torah after our close encounter with Hashem Himself.

Considering this obligation, it is no coincidence that the minhag of decorating our shuls with fragrant flowers and trees is one that is linked to the well-known psychological phenomenon that smells trigger memory. This phenomenon of sensory input causing significant memory recall is called the Proustian phenomenon, wherein by creating a similar atmosphere to one that had been previously experienced, the individual is transported back to that original setting. We use this minhag as an avenue not only for our

own fulfillment of re-experiencing *ma'amad Har Sinai* but also to fulfill our obligation to teach our descendants about the entire *matan Torah* encounter through experiential education. Experiential education is a tool that is often utilized in Jewish education, such as at the Pesach Seder. However, I believe this minhag of decorating our shuls with greenery is yet another example. By creating the atmosphere of *Matan Torah*, we can instill into future generations not only the message of the importance of the Torah we received on Har Sinai, but also the experience itself.



Eating Dairy Foods

Elana Raskas

The minhag of eating dairy on Shavuot is a very popular one. It's hard to imagine this holiday without variations of appetizing cheesecake. Usually we eat meat on the festivals as a manifestation of our joy for the holiday, but Shavuot seems to be an exception. Is this truly the case? Why do we eat dairy specifically on Shavuot? In the following essay, we will explore a few reasons behind this minhag as well as its different permutations.

Perhaps the most well-known reason for eating dairy on Shavuot is cited by the *Mishnah Brurah* in his commentary on the *Shulchan Aruch* (*Orach Chaim* 494:3:12). The *Mishnah Brurah* explains that when the Jewish people received the Torah at Har Sinai (the event we commemorate on Shavuot), they received all the laws of kashrut, including those of *basar b'chalav*, meat and milk. Since the laws of slaughtering and kashering meat are



very complex, when the Jews went back to their homes after *ma'amad Har Sinai*, they were not sufficiently prepared to prepare and eat kosher meat, and they therefore opted to eat only dairy at that time. We therefore have the custom to act as Bnei Yisrael did when they received the Torah and eat dairy in commemoration of that moment in our history.

The *Mishnah Brurah* also mentions the practice of eating milk and honey on Shavuot (ibid. 13). Originally cited by the *Kol Bo*, this minhag centers on the pasuk in Shir HaShirim

נֶפֶת תִּטְפֹּנָה שְׁפֹתֶיךָ, כְּלֶה; דְּבַשׁ וְחֶלֶב תַּחַת לְשׁוֹנֶךָ, וְרִיחַ שְׁלֹמֹתֶיךָ כְּרִיחַ לְבָנוֹן.
שִׁיר הַשִּׁירִים ד:יא

*Thy lips, O my bride, drop honey —
honey and milk are under thy tongue;
and the smell of thy garments is like the
smell of Lebanon.*

Shir HaShirim 4:11

This verse is traditionally understood to be likening the Torah to milk and honey. Many people thus eat both milk and honey on this holiday of celebrating our receiving the Torah.

While these two explanations account for why we eat dairy (and honey) on Shavuot, they also pose a problem: According to many poskim,¹ we are obligated to eat meat on the festivals in order to fulfill the commandment of “*v’samachta b’chagecha*,” rejoicing on holidays. How, then, could we ignore this command and instead eat dairy on this holiday?

A look into the *Shulchan Aruch* reveals that it may not be the case that we avoid meat in favor of dairy. While R. Yosef Karo does not mention the minhag of eating dairy on Shavuot, the Rama, R. Moshe Isserlis, does in his glosses on the *Shulchan Aruch* (*Orach Chaim* 494:3).

He explains that the minhag allows us to commemorate the korban of the *Shtei Halechem*, the bread offering given on Shavuot. How so? There is a halacha that when eating a dairy meal with bread, the bread used at that meal cannot subsequently be eaten with meat, and vice versa.² Thus, the Rama notes the practice of beginning a meal with dairy foods, eaten with one loaf of bread, followed by meat foods, which requires a second loaf of bread. In this way we ensure that there are two loaves of bread eaten at the Shavuot meal, reminiscent of the *Shtei Halechem* brought to the Beit Hamikdash.

The *Beit HaLevi*, Rabbi Yosef Dov Soloveitchik, writes of another reason for eating dairy on Shavuot in his commentary on *Parashat Yitro* (Shemot 19). This reason, like the Rama’s, involves eating both dairy and meat, rather than dairy alone. He cites a well-known Midrash in which the angels ask God why they were not the recipients of the holy Torah, and why it was given to Bnei Yisrael over them. God gives many responses; among them He praises Bnei Yisrael for their conduct in keeping the laws of meat and milk. God says, “You, angels, ate meat and milk together when you visited Avraham in his tent after his Brit Milah. But even the small children of Bnei Yisrael know not to eat meat and milk together. They separate milk and meat by eating bread in between and washing out their mouths.” God uses this as an example to prove to the angels why Bnei Yisrael are deserving of the Torah. In this vein we eat milk followed by meat on Shavuot to indicate our meticulousness in our observance of mitzvot via our eagerness to keep the laws of kashrut, an act unique to the Jewish people and not to the angels.

Based on these various motives for eating dairy on Shavuot, our practice will differ. In line with the *Mishnah Brurah*, eating dairy alone would be appropriate on this holiday, while according to the Rama and *Beit HaLevi* the minhag requires of us that we eat dairy followed by meat. The *Darkei Teshuva*, R. Tzvi Hirsch Shapira, maintains that the ideal practice is to eat a dairy kiddush or a small meal, followed by a large meat meal an hour or so later (*Yoreh Deah* 89:19). Whatever one’s practice in one’s own home, the underlying inspiration is apparent: On this seminal holiday of recalling *matan Torah*, we demonstrate through this minhag, as well as through others, our readiness to accept the Torah and our meticulousness in keeping all of its mitzvot.³

Notes

1. Rambam, among others. See <http://www.yutorah.org/lectures/lecture.cfm/711105> for a lengthier discussion on the topic of *simchat Yom Tov*.
2. *Shulchan Aruch*, *Yoreh Deah* 89:4. The reason for this is lest remnants of dairy/meat remain on the bread and be eaten with the other.
3. Thanks to Halachapedia for direction to many sources.



Akdamut

Aviva Sterman

If you were to write an introductory poem to the Ten Commandments, what would you say? *Akdamut*, a poem written by Meir ben Yitzchak Nehorai in the 11th century, has been incorporated into our liturgy as such an introduction. *Akdamut* can be divided into four sections: praise of G-d, a description

of the angels' praise of G-d, a description of the people of Israel's praise of G-d (even in the midst of hatred from the nations), and a description of the end of days. Though praise of G-d is always appropriate and is certainly stressed on holidays, the content of *Akdamut* does not seem to be directly related to the Ten Commandments or Shavuot. It is possible that there is a hint to Shavuot in the transition from the second section to the third, when the author contrasts the angelic praises of G-d with those of the Jews.

After detailing the tributes of the angels described in our *Kedusha* service (referencing Ezekiel 1, Isaiah 6, and *Chullin* 91), the author turns to the people of Israel. He notes that unlike the angels, some of whom only praise G-d once every seven years, the Jews make G-d their *chativa*, object of love, *bikivata*, at fixed times, and recite the Shema twice a day (referencing *Chagiga* 3a). The Jews also study the Torah constantly, and since by doing so they follow the Divine will, G-d accepts their prayer.

The contrast set up between the angels and the Jews is a theme found throughout Jewish literature. The Talmud in *Chullin* 91b, which the author of *Akdamut* references numerous times, states that the

Jews are *chaviv*, dearer, to G-d than the angels because they praise G-d regularly, whereas the angels sing before G-d more rarely. Additionally, the angels only say G-d's name after three words ("*kadosh, kadosh, kadosh, Hashem ...*") whereas the Jews say it after only two ("*Shema Yisrael Hashem ...*"). Lastly, the angels are only able to sing before G-d after the Jews have already done so.

Shema is often used in Jewish texts to symbolize the Torah study and prayer of the Jewish people, and therefore is used elsewhere as a contrast to the praise of the angels. During a period of persecution in which Shema could not be recited in its normal place in the prayer service, Shema was added to the *Kedusha* service, a natural place for it to be added given *Kedusha's* description of the angelic chorus. Rabbi N. Daniel Korobkin¹ points out that this theme is likely also the reason the description of the *Kedusha* appears in the first of our two blessings before Shema during Shacharit.

Why did Meir ben Yitzchak Nehorai choose to elaborate on this theme in his introduction to the Ten Commandments? Perhaps he mentions it as a way of alluding to a dichotomy present on Shavuot.

On Pesach, we celebrate how G-d

miraculously and openly saved us from slavery. The people of Israel were swept off their feet and taken by G-d through an ocean to their freedom. The Jews themselves had little to do with their redemption; the events that took place were entirely orchestrated by G-d. From Pesach we begin sefirat ha'omer, in which we count our way towards the receiving of the Torah. In this 49-day process, we are meant to prepare and perfect ourselves. As we build a relationship with G-d, it is now our turn to initiate holiness. On Shavuot itself we celebrate our reception and continued study of the Torah. *Talmud Torah* is a mitzvah that involves constant human effort: to learn, think, and understand as much and as often as we can. I have heard from my teachers that this is the reason the Torah does not mention that Shavuot commemorates *matan Torah* and only mentions its agricultural significance. We are supposed to celebrate the fact that we were given the Torah every day, not just on the holiday. This also may be the reason Shavuot is so short. Torah study should not be celebrated on one major holiday and then abandoned the rest of the year; it should be commemorated modestly in a one-day (or in the Diaspora, two-day) holiday and continuously celebrated year-round.



Yet when we get to Shavuot, we are met with a different set of messages. *matan Torah* itself was very much a Divinely-initiated experience. Revelation and its overwhelming spiritual nature become apparent as we read of the events that unfolded at Har Sinai. Chabbakuk's description in the haftarah of the second day of Shavuot of the earth shaking and mountains exploding as G-d gave the Torah adds even more reverence to this sacred scene. The fact that revelation was spiritually overpowering is not a side note: on the first day we read of Ezekiel's description of the angels' *Kedusha*, further attesting to the importance of revelation on Shavuot. Perhaps Shavuot is only one day because the intensity of revelation that it commemorates is too sublime for an extended celebration. Though it at first seems that we are celebrating the reception of the Torah and its year-round, daily study, we seem to be in fact celebrating the giving of the Torah — a transcendent, once-in-a-lifetime experience.

What, then, are we meant to celebrate? Is Shavuot about human-initiated Talmud Torah or about the centrality of revelation in the Israel-G-d relationship?

As a book of Divine law and ethics, the Torah had to be given in a context that would give appropriate grandeur to its lofty content, and given in a way that made it absolutely clear that the Torah was from G-d. The sacred task of being a “kingdom of priests” needed to be assigned in a way that conveyed its gravity and Divine nature. The glory of G-d revealed at Har Sinai did just that. We remind ourselves of the intensity of revelation by reading accounts of other revelations, such as that of Ezekiel's.

Once this Divine essence of the Torah was made clear, however, and the Torah was given, subsequent generations have the duty to study and keep the Torah, while remembering the loftiness that it contains. Therefore, when we commemorate the giving of the Torah on Shavuot, we remind ourselves of when it was first given and the revelation that awed our people, while simultaneously reminding ourselves of the daily task we have to cherish, study, and observe the Divine will. While writing an introduction to the scene of *matan Torah*, the author of *Akdmut* may have wanted to hint to us that what we are about to read contains both

a powerful moment of revelation, like that of witnessing the Heavenly chorus of angels, and the giving of our daily-learned Torah.

He reminds us as well that G-d favors the learning and prayer of the Jews more than the praise of the angels, and that instead of dreaming for a prophetic experience, we should use the tools we have been given to access G-d. A Divine encounter initiated by G-d is not something we can choose to experience whenever we would like. But we can encounter G-d in our own way, by building ourselves toward Him through learning and observing the Torah. On Shavuot, therefore, we do not just celebrate both the intensity of revelation and the importance of daily learning and observing, but the intensity of an encounter with G-d that is achieved through daily learning and observing. On this Shavuot, let us recommit ourselves to toil in the Torah day and night, and in doing so build a life of closeness with G-d.

Notes

1. Korobkin, N. Daniel. 2013. “Kedusha, Shema, and the Difference between Israel and Angels.” *Hakira, the Flatbush Journal for Jewish Law and Thought*. Vol. 16 (19-46).

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