



MIDRESHET
LINDENBAUM

“תורה לשמה”

שבועות תשע"ו

Featuring Shiurim and Essays from

Mrs. Nomi Berman

Rav David Brofsky

Rav Rafi Eis

Ms. Dena Freundlich

Rav Menachem Leibtag

Mrs. Sally Mayer

Rav Jonathan Mishkin

Dr. Tamar Ross

Rav Ari Shvat

With an Introduction by Rav Shlomo Brown



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TABLE OF CONTENTS

Rav Shlomo Brown <i>Introduction</i>	<i>Page 3</i>
Mrs. Nomi Berman <i>“The Place I Call Home: לקראת אמא מהו? – לצאת מארץ לחו”ל”</i>	<i>Page 4</i>
Rav David Brofsky <i>“Minhagim of Shavuot”</i>	<i>Page 11</i>
Rav Rafi Eis <i>“Shavuot and Matan Torah: The Not-So-Hidden Messages”</i>	<i>Page 26</i>
Ms. Dena Freundlich <i>“Once Upon a Time...The Story Told by the Chagim”</i>	<i>Page 36</i>
Rav Menachem Leibtag <i>“Shavuot and Matan Torah”</i>	<i>Page 51</i>
Mrs. Sally Mayer <i>“Judging Others Favorably”</i>	<i>Page 61</i>
Rav Jonathan Mishkin <i>“Examine Them Thoroughly – For All is Contained Therein”</i>	<i>Page 65</i>
Dr. Tamar Ross <i>“Of Children and Fools”</i>	<i>Page 68</i>
Rav Ari Shvat <i>“Rav Kook and Secular Zionism – In His Time and Ours”</i>	<i>Page 71</i>



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INTRODUCTION / “אקדמות מילין”



Rav Shlomo Brown *Menahel*

In honor of the upcoming Chag Matan Torateinu, we are proud to present the inaugural edition of “Torah Lishma”, a holiday choveret of shiurim and essays on various subjects from our world-class educators at the Maria and Joel Finkle Overseas Program at Midreshet Lindenbaum.

תן בלבנו להבין ולהשכיל לשמע, ללמוד וללמד, לשמור ולעשות, ולקיים את כל דברי תלמוד תורתך באהבה.

Shavuot is the culmination of our year of learning, when our Beit Midrash is alive with the sounds of ללמוד וללמד, learning and peer teaching. Our faculty invites you to join this inspiring experience, to share in some of the fruits of our learning.

This is a bittersweet time for the Midreshet Lindenbaum family, as we bid farewell to our beloved Tova Rhein at the end of this month, following a quarter-century of tireless commitment and dedication to some 2,000 students at the midrasha. In her honor, we are establishing the **Tova Rhein Scholarship**, a perpetual fund that will enable young women to experience Midreshet Lindenbaum for many years to come. It is a most appropriate way to honor her service. Please see the back page of this choveret to see how you can get involved to show your appreciation for Tova.

As this is the inaugural edition of “תורה לשמה”, your feedback is very important to us. Please contact Batsheva Ephraim (batsheva@ots.org.il) with any comments.

Best wishes for a Chag Shavuot Sameach,

Rav Shlomo Brown



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Mrs. Nomi Berman

“THE PLACE I CALL HOME”

לצאת מארץ לחו"ל – לקראת אמא מהו?

We are going to look at how poskim throughout the ages have related to the dilemma of those torn between their obligations to their parents and to the mitzvah of yishuv Eretz Yisrael.

מדרש רבה בראשית פרשה לט פסקה ז

ויאמר ה' אל אברם לך לך מה כתיב למעלה מן הענין וימת תרח בחרן א"ר יצחק אם לענין החשבון ועד עכשיו מתבקש לו עוד ששים וחמש שנים אלא בתחלה אתה דורש הרשעים קרוים מתים בחייהן לפי שהיה אברהם אבינו מפחד ואומר אצא ויהיו מחללין בי שם שמים ואומרים הניח אביו והלך לו לעת זקנתו אמר ליה הקב"ה לך אני פוטרך מכיבוד אב ואם ואין אני פוטר לאחר מכיבוד אב ואם ולא עוד אלא שאני מקדים מיתתו ליציאתך בתחלה וימת תרח בחרן ואח"כ ויאמר

What would this Midrash respond to someone who plans on Aliya without parents?

קידושין לא:

רב אסי הוה ליה ההיא אמא זקינה... שבקה ואזל לארעא דישראל שמע דקא אזלה אבתריה אתא לקמיה דרבי יוחנן אמר לי מהו לצאת מארץ לחוצה לארץ א"ל אסור לקראת אמא מהו א"ל איני יודע [אתרת] פורתא הדר אתא אמר ליה אסי נתרצית לצאת המקום יחזירך לשלום אתא לקמיה דרבי אלעזר א"ל חס ושלום דלמא מירתח רתח א"ל מאי אמר לך אמר ליה המקום יחזירך לשלום



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אמר ליה ואם איתא דרתח לא הוה מברך לך אדהכי והכי שמע לארונא דקאתי
אמר אי ידעי לא נפקי

What is R' Asi's dilemma?

What is the general guiding principle in navigating conflicts between honoring parents and other mitzvot?

בבא מציעא לב .

תנו רבנן מנין שאם אמר לו אביו היטמא או שאמר לו אל תחזיר שלא ישמע לו שנאמר איש אמו ואביו תיראו ואת שבתותי תשמרו אני ה' כולכם חייבין בכבודי טעמא דכתב רחמנא את שבתותי תשמרו הא לאו הכי הוה אמינא צייתא ליה ואמאי האי עשה והאי לא תעשה ועשה ולא אתי עשה ודחי את לא תעשה ועשה איצטריך סלקא דעתך אמינא הואיל והוקש כיבוד אב ואם לכבודו של מקום שנאמר כאן כבוד את אביך ואת אמך ונאמר להלן כבוד את ה' מהונך הלכך לציית ליה קא משמע לן דלא לשמע ליה

How do Rashi and the Maharsh" a differ in their understanding of R' Yochanan's final answer to R' Asi?

רש"י שם

אני ה' - אף על פי שאמרתי לך ירא את אביך אני אדון לשניכם, ואם אמר לך אביך עבור על דברי לחלל שבת אל תשמע לו

רש"י קידושין לא :

נתרצית לצאת - סבור היה שדעתו לחזור למקומו לבבל :
יחזירך לשלום - עד מקומך

מהרש"א חידושי אגדות מסכת קידושין דף לא עמוד ב



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נתרצית לצאת המקום כו' פרש"י סבור היה שדעתו לחזור למקומו כו' עכ"ל
והוא דחוק דמשמע דהדר אתא לשאול לקראת אמו קאמר גם נדחק לפרש
יחזירך לשלום עד מקומך ולולי פירושו נראה דלקראת אמו ולחזור לא"י קאמר
ואפ"ה קא"ל ר' יוחנן איני יודע דאפשר דגם משום כבוד אם אסור לצאת מא"י
לח"ל ומשום דמצות כבוד אם היה חביב עליה דרב אסי הדר אתי לפני ר"י
להתיר לו ספיקו וא"ל ר"י נתרצית לצאת משום כבוד אם המקום יחזירך לכאן
לא"י וק"ל:

1)

עלייה לארץ ישראל בניגוד לרצון הורים

What is the case discussed by the Mabit (below)? What is his response?

What is the basis for his response? Can you think of any objections to his response (textual or other)?

שו"ת מבי"ט חלק א סימן קלט

Rav Moshe ben Yosef of Trani, Salonika, 1505 – Tzfat, 1560

שאלה ילמדנו רבינו: ראובן שנדר שאם יהיה לו כך וכך שידור בצפ"ת תוב"ב
ועתה נתקיים הדבר ואביו ואמו אינם מניחים אותו ללכת לדור שם ...

תשובה חייב לקיים נדרו ואינו חייב לחוש לצוואת אביו ואמו שאמרו לו שלא
ילך כדילפינן פ"ק דיבמות דאם אמר לו אביו ואמו הטמא או אל תחזיר לא
ישמע דכתיב איש אמו ואביו תיראו ואת שבתותי תשמורו כלכם חייבים בכבודי
כדכתיב בסיפיה דקרא אני ה' והכא נמי הוא ואביו חייבים לדור בארץ ישראל
ואין לו עונש על שאינו מקיים מצות כיבוד אב ואם שגם הם יכולים לעלות עמו
ויתקיימו ב' מצות ישיבת א"י וכיבוד אב ואם



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What is the case discussed by the Tashbetz (below)? What is his response?

What is the basis for his response? Can you think of any objections to his response (textual or other)?

שו"ת תשב"ץ חלק ג סימן רפח

Rav Shimon ben Tzemach Duran (b. Spain 1361)

...ואין מותר לצאת מארץ ישראל לחו"ל אלא ללמוד תורה אם אינו מוציא /מוצא/ בא"י מי שילמדנו או מפני כבוד אב ואם.

Is there any way to reconcile the Mabit and the Tashbetz?

How does the Tzitz Eliezer (below) reconcile the Mabit and the Tashbetz?

שו"ת ציץ אליעזר חלק יד סימן עב

R. Eliezer Waldenberg, 1915-2006, Jerusalem

ויש רק מקום לחלק ולומר שהמבי"ט מדבר מחיוב לשמוע, וע"ז סובר דליכא חיוב, והתשב"ץ מדבר מהיתר לצאת וע"ז סובר שיש היתר, אבל גם הוא יודה שחיוב ליכא דעכ"פ שקולים המה המצוות, וכן דהמבי"ט מדבר כשההורים יכולים ג"כ לעלות, ואילו התשב"ץ מדבר כשלא יכולים מאיזה סיבה

ספר פנים יפות עה"ת ר"פ לך לך

Rav Pinchas HaLevi Horowitz (Chortkiv 1731 – Frankfort, 1805)

במדרש לך לך, לך אני פוטר מכיבוד אב ואם, נראה פירוש, דאם אביו בחו"ל אין מצות עלייה /עליית/ הבן בא"י דוחה מצות כיבוד אביו, ודוקא לך אני פוטר משום דתרח אינו עושה מעשה עמד, אבל לאחר אין מצות עליית א"י דוחה מצות כיבוד, דהוא אמינא דהואיל דעליית א"י מצוה רבה היא כמ"ש כל הדר בחו"ל



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כמו שאין לו אלוה ועוד שאחז"ל בריש יבמות יכול אמר לו אביו הטמא או שאמר לו אל תחזיר יכול ישמע לו ת"ל איש אמו ואביו תראו ואת שבתותי תשמרו כולכם חייבים בכבודי, וה"נ כיון שכולם מצוים על עליית א"י, לכך אמר ואין אני פוטר לאחר וכו', מ"מ אם היה דירתם בא"י ואביו הלך לדור בחו"ל אין הבן מחויב לעבור בקום ועשה לילך מא"י לחו"ל, וקצת ראייה שהרי נענשו מחלון וכליון בני אבימלך /אלימלך/ על שיצאו מא"י לחו"ל והלכו עמו מפני כבוד אביהם אע"כ שלא היה להם לילך עמו מא"י לחו"ל:

Does the Panim Yafot agree with the Mabit? With the Tashbetz?

What is the basis for his response? Can you think of any objections to his response (textual or other)?

2)

עלייה לארץ ישראל בניגוד לרצון הורים

According to the Tzitz Eliezer, what does the Panim Yafot add to the discussion?

שו"ת ציץ אליעזר חלק יד סימן עב

הרי לנו שפתי הגאון בעל פנים יפות ז"ל ברור מללו, דס"ל דאין לו לאדם להניח מצות כיבוד אביו הנמצא בחו"ל ולנסוע לארץ ישראל, ושונה כאן משאר מצות התורה, והתורה גלתה לפי מדרשם ז"ל במה שכתבה אצל אברהם אבינו בזה שכתוב בלשון לך לך לומר דרק לך אני מתיר לבטל מצות כיבוד אב, מפני שאינו עושה מעשה עמך, אבל לאחרים אין אני מתיר ואין מצות עליית א"י דוחה מצות כיבוד, ומפורש יוצא דס"ל להגאון בעל הפלאה ז"ל דלא כהמבי"ט ז"ל, ומהרחבת דבריו בזה בפרטי ההלכה הזאת משמע שלא כתבה לשם דרש בעלמא בביאור דברי המדרש בלבד, אלא כתב את דבריו כפי שנראה לו להלכה בזה.



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ולכאורה ס"ל לבעל הפלאה ז"ל גם דלא כהתשב"ץ, דהתשב"ץ הא מתיר אפילו לצאת מא"י לחו"ל משום כיבוד או"א, ואילו הפנים יפות הא כותב שאם היה דירתו בא"י אין הבן מחויב לעבור בקום ועשה לילך מא"י לחו"ל, ולא רק שאינו מחויב אלא איסור ג"כ איכא על כך דהא מביא ראי' ממחלון וכליון, ושם הא נענשו על יציאתם אף על פי שהלכו עם אביהם משום מצות כיבוד אב

With whom does the Beit Yehuda agree? On what basis?

שו"ת בית יהודה חלק יורה דעה סימן נד

Rabbi Yehuda Ayash (Livorno,Algeria,1746)

מיהו איכא למידק בהא דאיתא ספ"ק דמגילה א"ר יצחק בר שמואל בר מרתא גדול ת"ת מכיבוד אב ואם שכל אותם שנים שהיה יעקב אביו בבית שם ועבר לא נענש ע"כ וק' טובא דמאי רבותיה דת"ת הא אפילו כל המצות נמי גדולים הם מכיבוד אב ואם דאם יאמר לו אביו לבטל אפי' מצוה דרבנן לא ישמע לו ות"ת הוי מצוה שאיני יכולה להתקיים ע"י אחרים דכל א' וא' חייב בת"ת והיה איפשר לומי דבעלמא דאמרינן דאינו שומע לאביו לבטל מצוה היינו אם בעשי' אותה מצוה לא יתבטל מכבוד אביו אלא לשעה ולאח"כ חוז' ועוסק במצות הכיבוד כמנהגו אבל בהך גוונא דיעקב דמפקיע מעצמו מצות הכיבוד הרבה ימים כגון אותן י"ד שנים שנטמן כולי האי לא מיפטר מהכיבוד אי לאו דת"ת גדול

What factor does the Tzitz Eliezer add to the discussion?

שו"ת ציץ אליעזר חלק יד סימן עב

ועוד נראה דיש לחלק ולומר דאין ללמוד בנוגע למצות ישיבת א"י מכל המצוות שלמדים מקרא דואת שבתותי תשמורו שא"צ לשמוע להם, כי הנה מצינו ברמב"ם בפ"ה מה' מלכים ה"ז שפוסק שמותר לשכון בכל העולם חוץ מארץ



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מצרים, וכן בהי"ב שם פוסק בלשון: שכל היוצא לחוצה לארץ כאילו עובד ע"ז, ומשמע מזה דס"ל דזה שאמרו דכל הדר בחו"ל כאילו אין לו אלוה, דנאמר זאת רק על מי שהיה דר בא"י ויצא משם לחו"ל אבל לא על מי שדר מלכתחילה בחו"ל, והכי ראיתי בשו"ת מהרי"ט צהלון סי' פ"ה שמבאר שכוונת הרמב"ם בזה להפך בזכות הדריס בחו"ל, דלא ניחא ליה למרייהו דנימא שכל הדריס בחו"ל כמי שאין לו אלוה, לכך כתב שכוונת הגמ' דלא בעי למימר אם דר מעולם בחו"ל שגם ע"ז נאמר אל ידור בחו"ל, שא"כ מה תהא על ישראל ועל רבנן קדישי הדריס בחו"ל, אלא ודאי מאי דקאמר אל ידור ר"ל שלא יצא לדור בחו"ל וכו' והשתא ניחא שלא מצינו שום פוסק שאוסר לדור בחו"ל אלא דוקא לצאת לחו"ל אסור, אבל אם מעולם היו דריס אבותיו בחו"ל אינו אסור עיין שם, ויוצא לפי"ז שמשונה מצוה זו של ישיבת א"י מכל שאר המצות, דבכל המצות אם אינו מקיימם עבירה בידו, ואילו כאן כשיושב אדם בחו"ל אין עבירה בידו, ורק אם עולה לא"י מקיים עי"כ מצוה. + למ"ש בפנים בסי' ע"ב דמצות ישוב א"י אינה חיובית להדר בחו"ל וכו', מצאתי לאחר מיכן שגם הגאון הגר"ש סלאנט ז"ל מי שהיה רבה הראשון של ירושלים ת"ו כתב ג"כ לבאר בכזאת במחברת הלבנון ח' טבת תרכ"ד דישיבת א"י אינה מצוה חיובית, ואפילו לדעת הרמב"ן ז"ל וסייעתו שסוברים שזה נחשב למצות עשה של וירשתם אותה וישבתם בה מ"מ מודים דאינה מצוה חיובית כמו שארי מצות

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Rav David Brofsky

“MINHAGIM OF SHAVUOT”¹

The Torah teaches that upon completing the count of the Omer, the Festival of Shavuot is celebrated:

Seven weeks you shall number unto you; from the time the sickle is first put to the standing corn you should begin to number seven weeks. And you shall keep the Feast of Weeks [*Hag HaShavuot*] unto the Lord your God after the measure of the freewill-offering of your hand, which you shall give

according as the Lord your God blessed you. (Deut. 16:9–10)²

Shavuot not only commemorates the conclusion of the counting of the weeks of the Omer, but it also celebrates the wheat harvest (Ex. 23:16), and is therefore known as “*Hag HaKatzir*,” the Harvest Festival. The *shetei halehem*, two leavened loaves made from the new wheat harvest, are offered with the Musaf offering, and the festival is therefore also referred to as “*Yom HaBikkurim*” (Num. 28:26). The offering permits the use of new grains in the *Beit HaMikdash* and ushers in the season of the *Bikkurim*, the first fruits, which are brought to the *Beit HaMikdash* (Deut. 10:1–11).

In addition to the themes reflected by the biblical names given to this festival, the Rabbis refer to this festival as “*Atzeret*” (Rosh HaShana 1:2),³ seemingly referring to the fact that it marks the conclusion of the Pesah festival.⁴ Indeed, the Ramban asserts that

¹ This article originally appeared in Rav Brofsky’s book, *Hilkhot Mo’adim: Understanding the Jewish Festivals* (Koren, 2013), and appears here with the author’s permission.

² See also Ex. 34:22.

³ See also *Onkelos*, Num. 28:26.

⁴ See *Pesikta DeRav Kahana*, *pesikta* 28.



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Pesaḥ and Shavuot are comparable to the first and last days of Sukkot and Pesaḥ, and the days between Pesaḥ and Shavuot are actually similar to Ḥol HaMo'ed:

And you should count forty-nine days, and seven weeks, and sanctify the eighth day, like the eighth day of Sukkot, and these days which are counted in between are akin to Ḥol HaMo'ed, between the first and eighth of a festival....And that is why our Rabbis refer to Shavuot as “Atzeret” [a day of cessation], as it is similar to the eighth day of Sukkot, which is called “Atzeret.”⁵

The description of Shavuot as “Atzeret” most likely also refers to the religious/historical connection between Pesaḥ and Shavuot – the Jewish people left Egypt on Pesaḥ and received the Torah on Shavuot.

In addition to the agricultural and ritual reasons for the holiday cited above, we traditionally associate Shavuot with the giving of the Torah. The Rabbis point to the uniqueness of Shavuot, as “it is the day upon which the Torah was given” (Pesaḥim 68b). In addition, the Torah reading of Shavuot (Ex. 19), as recorded by the Tosefta and cited in the Talmud (Megilla 31a), recounts the giving of the Torah. Furthermore, the Shavuot liturgy refers to the day as “*Zeman Matan Torateinu*” – the day upon which the Torah was given.

Numerous commentators have questioned why this aspect of Shavuot, *Matan Torah*, which is so central to our Shavuot celebration, is not mentioned in the Torah. In fact, the Talmud cites a debate between the *hakhamim* and R. Yosi regarding whether the Torah was given on the sixth or seventh of Sivan (Shabbat 86b). According to R. Yosi's opinion that *Matan Torah* took place on the seventh of Sivan, nowadays, when we always celebrate Shavuot on the sixth of Sivan (forty-nine days after the second day of Pesaḥ), we would actually be celebrating *Matan Torah* on the incorrect day!

⁵ Ramban, Lev. 23:36.



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These questions brought Rabbi Yitzhak Abrabanel (1437–1508) to explain as follows in his commentary to the Torah:

The Torah did not specify that the reason for the celebration for this festival is to remember the day of the giving of the Torah, as no festival was assigned to remember the giving of our Torah; because the Divine Torah and its prophecies, which are in our hands testify to themselves, and there is no need to dedicate a day to remember it. Rather, the reason for the Festival of Shavuot is because it is the beginning of the wheat harvest.⁶

The Abrabanel does acknowledge that certain mitzvot and halakhot hint to the giving of the Torah on Shavuot. For example, the offering of the *shetei halehem* on Shavuot, which are made from leavened wheat, in contrast to Pesah's Omer offering made from barley, indicates the Jewish people's spiritual poverty before receiving the Torah. He continues:

[Although] there is no doubt that on this day the Torah was given, no festival was designated to remember it, just as you will find regarding Yom Terua [Rosh HaShana], upon which we say, “this is the day of the beginning of Your creation, a remembrance for the first day” (Rosh HaShana 27a), and despite this, God did not command that one should observe Rosh HaShana as an anniversary of the creation of the world, rather as a “*Yom HaDin*” [day of judgment”].

The giving of the Torah is coincidental and secondary to the primary reason for the observance of Shavuot – the wheat harvest.

Others accept that the giving of the Torah plays a central role in the observance of Shavuot, but maintain that it was deliberately not mentioned by the Torah. Rabbi Yitzhak ben Moses Arama (c. 1420–1494) offers two reasons for this omission in his

⁶ Abarbanel, Lev. 23.



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commentary to the Torah, the *Akeidat Yitzhak*. First, he suggests that like belief in the existence God, the giving of the Torah is so basic to Judaism that there is no reason to dedicate a day to its commemoration. Second, he proposes that the very nature of the Torah precludes designating a day of commemoration. He writes:

The commemoration of the giving of the Torah cannot be limited to a particular time, like other matters connected with the festivals, but it is a precept that applies at all hours and at times, as it is written, “This book of the Law shall not move from your mouth and you shall meditate in it day and night” [Josh. 1:8]. Every day, we are commanded that its contents should remain as fresh and as dear to us as on the day they were given, as it is written, “This day, the Lord your God has commanded you to do these statutes and judgments; you shall therefore keep them and do them.”⁷

In other words, although the Torah may have been given on a specific historical date, we relate to Torah as if it is constantly given to us anew, and it is therefore not restricted or limited to a specific time. Indeed, the Midrash writes:

What is meant by “this day”? Had the Holy One, Blessed be He, not ordained these precepts for Israel till now? Surely this verse was stated in the fortieth year! Why does the Scripture therefore state, “this day”? This is what Moshe meant when he addressed Israel: Every day, let the Torah be as dear to you as if you had received it this day from Mt. Sinai.⁸

This beautiful Midrash emphasizes the timeless nature of Torah, and how marking the anniversary of the giving of the Torah might ultimately reduce or minimize our relationship to the Torah.

⁷ *Akeidat Yitzhak*, Lev. 23.

⁸ *Tanhumah*, *Parashat Ki Tavo*.



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Finally, Rabbi David Zvi Hoffmann (1843–1921), in his commentary to Leviticus, explains why there are no mitzvot associated with Shavuot:

No symbolic ritual was instituted for Shavuot to mark the Sinaitic Revelation, for the reason that it cannot be translated into the tangible language of symbol. The Children of Israel had been commanded to take heed “that you saw no likeness on the day that the Lord spoke unto you at Horev from the midst of fire,” so as not to become involved in any idolatrous, anthropomorphic conception of the divinity. They were simply bidden to commemorate the historical experience. They would celebrate on the day of the giving of the Law the conclusion of the harvest as well, to give thanks to Him on bringing the first fruits to the Sanctuary and acknowledge that He is the Lord of all, to Whom it was meet to pay homage and Whose commandments they were to obey. By this they would reenact the promise they made on Sinai, “*naaseh venishma*” [“we shall do and hearken”] [Ex. 24:7].

While it is impossible to commemorate the giving of the Torah with any symbols, we bring God our first fruits, give thanks to Him, and fulfill our promise to Him at Har Sinai – “*naaseh ve-nishma*.”

As Rabbi Hoffman observed, there are no halakhot or mitzvot specifically related to Shavuot. In fact, the *Shulhan Arukh* dedicates only one chapter – at the end of the Laws of Pesah – to the “Order of the Prayers on Shavuot.”⁹ The Jewish people, however, have enriched the Festival of Shavuot with many customs, which have themselves generated much Torah inquiry. In this chapter, we will investigate a number of these customs.

Accepting Shavuot “Early”

The *Rishonim* record that the custom in Medieval Ashkenazic communities was to recite *Tefillat Maariv* after *pelag haminha*, and not only after *tzeit hakokhavim*, in accordance

⁹ *Shulhan Arukh* 494.



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with the position of R. Yehuda (Berakhot 26a). Based upon this custom and another passage in the Talmud that explicitly records the practice of reciting Kiddush on Shabbat before dark (Berakhot 26b), it was also customary to accept Shabbat before dark in Ashkenazic communities until the modern era.

On Shavuot, however, it has become customary to begin the Festival only after dark. What is the source of this practice? Shela, writes in his *Shenei Luchot HaBrit*:

I received [a tradition] from my teacher, the Gaon Rabbi Shlomo of Lublin, who received [this tradition] person to person from the Gaon Rabbi Yaakov Pollack, [that one should] not make Kiddush and eat on the first night of Shavuot until after the stars have appeared. The reason is because it says regarding the counting [of the Omer], “Seven complete weeks there should be”; if one recites Kiddush while it is still day, one slightly detracts from the forty-nine days of Sefirat HaOmer, and Shavuot is supposed to be [observed] after the [full] count.¹⁰

This tradition dates back to Rabbi Yaakov Pollack (1460–1561), the forefather of the Polish rabbinic tradition. Interestingly, Rabbi Horowitz writes that even though one may not recite Kiddush before nightfall, one may still recite the evening prayers early, as even on Shabbat, one may recite the prayers of Motza’ei Shabbat.

Rabbi Yosef Hahn (Frankfurt am Main, 1570–1637), a contemporary of Rabbi Horowitz, records that he had not seen this practice in Germany. Furthermore, he argues that this practice is not only an unnecessary stringency, but it also takes away from the time one could learn at night, as the night is relatively short during the summer.¹¹ This seems to have continued have been the practice in Germany thereafter as well, as Rabbi Netanel Weil (1687–1769) writes in his comments to Rosh, the *Korban Netanel*, that one may recite Kiddush and eat while it is still light on all Festival days, including Shavuot.¹²

¹⁰ *Shenei Luhot HaBrit*, Masekhet Shavuot.

¹¹ *Yosef Ometz* 850.

¹² *Korban Netanel*, Pesachim 10:2.



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Magen Avraham,¹³ however, as well as Peri Ḥadash,¹⁴ cites Shela, ruling that one should not recite Kiddush until after dark.

Although these early authorities only mention delaying Kiddush until evening, Taz records that the congregation delays beginning Maariv so that the count should be “complete.”¹⁵ Rabbi Yaakov Emden, however, insists that, on the contrary, one should pray before dark in order to fulfill of the mitzva of adding from the weekday onto Shabbat and Yom Tov (*tosefet Shabbat*).¹⁶

Rabbi Shimon Sofer, in his *Hitorerut Teshuva*, suggests a different reason to delay Maariv; we should wait until night to ensure that even those who will stay up the entire night will not forget to recite *Keriat Shema* after dark, its proper time.¹⁷ Similarly, Rabbi Natan Gestetner suggests that Maariv is not recited until dark simply to ensure that people do not recite Kiddush before dark.¹⁸ Numerous *Aḥaronim*, such as Peri Megadim,¹⁹ the *Shulḥan Arukh HaRav*,²⁰ the *Kitzur Shulḥan Arukh*,²¹ and the *Mishna Berura*,²² rule that one should not recite Maariv until after dark.

Rabbi Naftali Tzvi Yehuda Berlin, the Netziv, offers another suggestion in his commentary to the Torah.²³ The Torah says that one observes Shavuot “*be’etzem hayom hazeh*” – “this very same day” – in order to teach that there is no mitzva of *tosefet Shabbat* on Shavuot. We learn that we should observe Shavuot after dark from this verse, and not in order to ensure that our “count” is complete.

¹³ *Magen Avraham* 494.

¹⁴ *Peri Ḥadash* 494.

¹⁵ *Taz* 494.

¹⁶ *Siddur Ya’avetz*.

¹⁷ *Hitorerut Teshuva* 56.

¹⁸ *Responsa Lehorot Natan* 7:31.

¹⁹ *Mishbetzot Zahav* 494, s.v. *me’aharin*.

²⁰ *Shulḥan Arukh HaRav* 494:2.

²¹ *Kitzur Shulḥan Arukh* 120:11.

²² *Mishna Berura* 494:1.

²³ *HaAmek Davar*, Lev. 23:21.



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Dairy Foods

One of the most well-known customs associated with Shavuot is the practice of eating dairy foods. Rabbi Isaac Tyrnau records in his *Sefer HaMinhagim*²⁴ that this custom is alluded to by the verse, “*Minḥa Ḥadasha LaShem BeShavu’oteikhem*” (Num. 28:26), the first letters of which spell “*ḥalav*” – milk. This practice has generated much discussion in halackhic literature.

First, aside from the textual hint, what is the reason for this custom? Rema explains that in remembrance of the *shetei haleḥem*, the two loaves offered in the *Beit HaMikdash* on Shavuot, we wish to eat two loaves of bread at the meal. Since one is not permitted to use the same loaf of bread for both a dairy and meat meal,²⁵ we eat a dairy meal and then a meat meal, in order to ensure that two loaves are eaten.²⁶

Magen Avraham offers another reason. He notes that the Zohar equates the seven weeks between Pesah and Shavuot to the seven “clean days” (*shivat neki'im*) that a woman counts before purification. Just as the woman is “pure” after these seven days (after immersing in the *mikveh*), so too, the Jewish people are purified from the impurity of Egypt after Sefirat HaOmer. Milk is viewed, symbolically, as antithetical to *tuma*, as a woman who produces milk and nurses generally does not menstruate. We therefore eat dairy foods on Shavuot.²⁷

The *Mishna Berura*'s reason is possibly the most well known. He explains that after receiving the Torah, the Jewish people were no longer able to eat their meat; they had to properly slaughter and prepare new meat in kosher vessels. This process is time-consuming, and they therefore ate dairy products, whose halakhot are less intricate and

²⁴ *Hagahot UMinhagim, Hag HaShavuot.*

²⁵ See *Shulḥan Arukh, Yoreh De'ah 89:4.*

²⁶ Rema 494:3.

²⁷ *Magen Avraham 494:6.*



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which can be prepared in less time.²⁸ The *Mishna Berura*²⁹ also cites *Kol Bo*,³⁰ who explains that since the Torah is compared to milk and honey,³¹ it is customary to eat dairy, and even honey, on Shavuot. The *Aḥaronim* offer additional reasons for this custom as well.

Second, this practice raises numerous halakhic concerns. For example, as we learned previously, one may be obligated to eat meat on Yom Tov as a fulfillment of the mitzva of *simḥat Yom Tov*. Even if one is not obligated to do so, many agree that it is certainly a mitzva to eat meat. The ancient practice of eating dairy on Shavuot seems to contradict this halakha! Indeed, even the *Sefer HaMinhagim* cited above writes that one should still eat meat on Shavuot, as “there is no happiness without meat” (Pesahim 109a).

Rabbi Tzvi Hirsch Shapiro (1850–1930), the second Munkacser Rebbe, discusses this issue at length in his *Darkhei Teshuva*.³² He relates that some suggest eating a dairy meal at night and a meat meal during the day. This is the custom in many communities, and was the practice of Rabbi Yaakov Yisrael Kanievsky (1899–1985), the Steipler Gaon.³³ Rabbi Shapiro argues, however, that whether or not *simḥat Yom Tov* is biblically mandated at night is a debate among the *Aḥaronim*,³⁴ and it is therefore improper not to eat meat at night. In addition, Rema, cited above, implies that dairy food is meant to be eaten in addition to meat at the same meal in order to obligate two loaves. For this reason, the *Sefer Yosef Ometz* records that it is customary to eat dairy on the first day of Shavuot, but that one should eat meat afterward.³⁵

²⁸ *Mishna Berura* 494:12.

²⁹ *Ibid.*, 494:13.

³⁰ *Kol Bo* 52.

³¹ See Song. 4:11.

³² *Darkhei Teshuva*, *Yoreh De'ah* 89:19.

³³ *Orhot Rabbeinu*, vol. 2, p. 98.

³⁴ As discussed by the *Shaarei Teshuva* 529:4.

³⁵ *Sefer Yosef Ometz* 854.



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The *Aḥaronim* note, however, that eating meat after dairy poses serious halakhic concerns, and therefore one should be careful not to violate the laws of *basar behalav* in fulfilling this custom. The Gemara (Hullin 105a) explicitly states that after eating cheese, one may eat meat; Rema, in his *Darkhei Moshe* commentary to *Tur*,³⁶ cites a responsum of the Maharam of Rutenburg, who relates that he once found cheese between his teeth in between meals. He thereafter decreed upon himself to wait after eating cheese the same way he waits after meat, although he was lenient regarding chicken. The *Darkhei Moshe* continues to cite other sources that limit this stringency to cheese that has aged at least six months.³⁷ In his comments to the *Shulḥan Arukh*, Rabbi Isserlis cites the custom of waiting after hard cheese, even before eating chicken. He notes, however, that others are lenient and says not to rebuke those who are lenient, as long as they do “*kinuah*,” “*hadaḥa*,” and “*netilat yadiyim*.” He concludes, however, that “it is good to be stringent.”³⁸

How should one conduct himself if he wishes to eat both meat and milk at the same meal? Some write that one who does not eat hard cheese can simply clean and rinse one’s mouth, and then eat meat at the same meal.³⁹ Rabbi Ovadia Yosef writes that this is his practice.⁴⁰ Others insist that one should eat dairy and then recite the *Birkat HaMazon*,⁴¹ in deference to the Zohar, which implies that one should not eat meat and cheese in the same meal.⁴² Still others object to this practice, on the grounds that reciting *Birkat HaMazon* in between the meals constitutes a recitation of a “*berakha she’eina tzerikha*” (an unnecessary blessing),⁴³ but Rabbi Moshe Feinstein endorses this practice.⁴⁴

³⁶ *Darkhei Moshe*, *Yoreh De’ah* 89.

³⁷ *Ibid.*, 89:2.

³⁸ Rema, *Yoreh Dea’h* 89:2.

³⁹ See *Magen Avraham* 494:6; *Mishna Berura* 494:12.

⁴⁰ *Ḥazon Ovadia*, *Yom Tov*, p. 318.

⁴¹ See *Be’er Heitev* 494:8, citing the *Kenesset Gedola* and *Shela*.

⁴² *Zohar*, *Parashat Mishpatim*.

⁴³ See *Oraḥ Mishor* as cited by the *Darkhei Teshuva*.

⁴⁴ *Iggerot Moshe*, *Oraḥ Ḥayim* 1:160.



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Darkhei Teshuva, cited above, offers a different suggestion:

The preferred practice is the custom that I received from my teachers and my ancestors: to eat a dairy meal immediately after the morning prayers, during the Kiddush, without bread, but only as a “*se’udat arai*.” And then one should recite the blessing afterward, wait a bit more than an hour, and then eat the day meal with meat and wine. That is the preferred custom in my opinion, and with this, one fulfills one’s obligation according to all.⁴⁵

This custom also appears in the *Luah Eretz Yisrael* of Rabbi Yechiel Michel Tukachinsky.

Interestingly, Rabbi Yitzhak Ze’ev Soloveitchik (1886–1959), in his commentary to the Torah, suggests that the custom of eating milk and meat at the same meal affirms the commitment the Jewish people, who, unlike the angels, are able to fulfill the mitzvot with their bodies, with great zeal and alacrity.⁴⁶

Tikkun Leil Shavuot

The earliest mention of the practice of staying up the entire night of Shavuot and learning Torah appears in the Zohar:

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

⁴⁵ *Darkhei Teshuva*, *Yoreh De’ah* 89:19.

⁴⁶ *Hiddushei HaGriz al HaTorah*, *Parashat Yitro*.



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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.⁴⁷

The Zohar connects the learning of Shavuot night to the “wedding” between the Jewish people and the Almighty.

Although this custom is not cited by Rabbi Yosef Karo in the *Shulhan Arukh*, there is written evidence of Rabbi Karo holding a night of learning in Salonica, Greece in 1533. Shela cites a letter from Rabbi Shlomo Alkabetz, a friend of Rabbi Yosef Karo’s, and author of the *Lekha Dodi* prayer recited every Friday night, describing that evening and how it eventually led to Rabbi Yosef Karo’s move to Tzefat.⁴⁸

By the seventeenth century, this practice was widespread, and *Magen Avraham* records the custom of staying awake all night on Shavuot:

The Zohar says that the early pious ones would stay awake all night on Shavuot and learn Torah. Nowadays, our custom is for most learned people to do so. Perhaps the reason is based on the fact that the Israelites slept all night long and God had to wake them when He wanted to give them the Torah, as it says in the Midrash, and therefore we must repair this.⁴⁹

There are different customs, however, regarding whether one should learn/recite the *Tikkun Leil Shavuot*, a collection of texts selected for study on Shavuot evening, or whether one should learn “whatever his heart pleases.”

This practice of staying up all night has led to numerous and in-depth discussions regarding whether or not one who has not slept may recite the morning blessings. Concerning *netilat yadayim*, Rabbi Yosef Karo writes that there is a doubt, and Rema

⁴⁷ Zohar, *Parashat Emor* 88a.

⁴⁸ *Shela*, Masekhet Shavuot.

⁴⁹ *Magen Avraham* 494.



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rules that one should wash without a *berakha*.⁵⁰ The *Mishna Berura*, however, maintains that the *Aḥaronim* agree that if one uses the bathroom before Shaḥarit, one should then wash one's hands and recite the *berakha* of “*al netilat yadayim*.”⁵¹

Since we follow the opinion that the *birkot hashahar*, the morning blessings, are recited regardless of whether or not one actually received the benefit described by the specific *berakha*, it would seem to follow that one should recite these *berakhot* even if one was awake all night, as they are a daily obligation. This, indeed, is the ruling of the *Arukh HaShulḥan*⁵² and Arizal. The *Mishna Berura*, however, cites those who question whether one who did not sleep should recite “*E-lokai neshama*” and “*hamaavir sheina*,” and therefore suggests that one hear these *berakhot* from someone who has slept.⁵³

The *Mishna Berura* cites a debate among the *Aḥaronim* regarding the *birkot haTorah*: Ḥaye Adam, Peri Ḥadash, and the Gra rule that one should not say the *birkot haTorah* if one was awake all night, while Magen Avraham and *Eliya Rabba* rule that one should say the *berakhot*. Ideally, one should try to hear the *berakhot* from another person who has slept, but if this is not possible, one may have in mind that the second blessing preceding the morning *Keriat Shema* (“*Ahava Rabba*” in Ashkenazi congregations and “*Ahavat Olam*” in the Sephardic tradition) should exempt him from *birkot haTorah*. One should then study a verse or Mishna after one's *tefilla*.⁵⁴

Interestingly, the *Mishna Berura*⁵⁵ cites the opinion of Rabbi Akiva Eiger, who offers a brilliant solution to this quandary. He suggests that if one engages in *sheinat keva* (significant slumber) the day before, one may then recite *birkot haTorah* the next morning, even if one remained awake all night. He argues that, “*mimah nafshakh*,”

⁵⁰ *Shulḥan Arukh* and Rema 4:13.

⁵¹ *Mishna Berura* 4:30 and in *Bi'ur Halakha*, s.v. *veyitlem*.

⁵² *Arukh HaShulḥan* 46:13.

⁵³ *Mishna Berura* 46:24.

⁵⁴ *Ibid.*, 47:28.

⁵⁵ *Ibid.*



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whichever opinion one follows, one would be so obligated – if the *berakha* is meant to be recited daily regardless of whether one slept, one should always recite it on Shavuot morning, and if is considered a *birkat hamitzva*, then it should be recited after any interruption, such as a long afternoon nap! Therefore, everyone would agree that in such a case one should recite *birkot haTorah* in such a case.

Greenery

Another well-known custom of Shavuot is to adorn the *beit kneset* with greenery. Over the course of centuries, this custom developed in different directions, and numerous reasons were given for this practice. Some even expressed opposition to this practice.

It seems that this custom first developed in fifteenth-century Ashkenaz. Rabbi Yaakov Moellin (1360–1427), known as Maharil, records that it was customary to cover the floor of the *beit kneset* with flowers, “*lesimhat haregel*” (for the joy of the festival).⁵⁶ While Maharil speaks of adorning the *beit kneset*, the *Sefer Leket Yosher*⁵⁷ writes that his teacher, Rabbi Yisrael Isserlin, author of the *Terumat HaDeshen*, put greenery on the floor of his home. It seems that the purpose of this early German custom was to beautify and refresh the *beit kneset*, or even one’s house, in honor of the festival. Indeed, these sources emphasize that “*besamim*,” pleasant-smelling greenery, was placed on the floors.

Writing over a century later in Poland, Rema offers a different reason: “It is customary to place greenery in the *beit kneset* and the homes as a remembrance of the happiness of the giving of the Torah.”⁵⁸ In what way does greenery remind us of the giving of the Torah? Rabbi Mordechai Yoffe (1530–1612) explains in his *Levush Malkhut*, that the greenery reminds us of the plants that adorned Har Sinai, as the verse warns, “neither

⁵⁶ Maharil, *Minhagim, Hilkhot Shavuot*, 2; see also *Sefer HaMinhagim* of Rabbi Isaac Tyrnau, *Hagahot UMinhagim*, Hag HaShavuot.

⁵⁷ *Leket Yosher*, vol. 1, p. 150.

⁵⁸ Rema 494:3.



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the flocks nor herds should feed before that mount” (Ex. 34:3) – implying that the mountain was filled with plant life.⁵⁹

Magen Avraham offers a third reason.⁶⁰ He records that it is customary to place trees in the *beit kneset* on Shavuot to remind us that the fruits of the trees are judged on Shavuot (Rosh HaShana 1:2) and that we should pray for them.

Hayei Adam records that the Vilna Gaon abolished the custom of putting trees in the *beit kneset*, as it resembles the current custom of non-Jews.⁶¹ Despite the Gaon’s objections, however, it is common practice to adorn the *beit kneset* with greenery for Shavuot, and the *Aḥaronim* offer numerous defenses of this practice.

* * * * *

⁵⁹ *Levush Malkhut* 494.

⁶⁰ *Magen Avraham* 494:5.

⁶¹ *Bi’ur HaGra* 131:13; see also *Maase Rav* 196:2.



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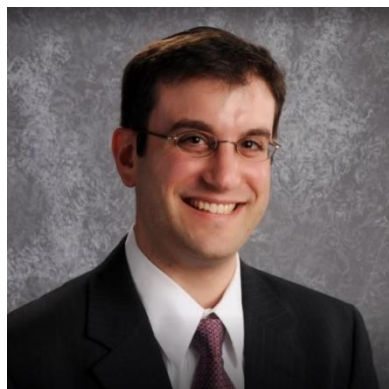
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Rav Rafi Eis

“SHAVUOT AND MATAN TORAH: NOT-SO-HIDDEN MESSAGES”

הקדמה

1. ספר מורה הנבוכים חלק שלישי פרק מג

ושבועות, הוא יום מתן תורה, ולהגדיל... היום ההוא נמנו הימים מן המועד הראשון אליו, כמי שממתין בו הנאמן שבאוהביו ושהוא מונה יום וגם השעות, וזאת היא סבת ספירת העומר מיום צאתנו ממצרים עד יום מתן תורה, שהוא היה הכונה והתכלית ביציאתם באמרו ואביא אתכם אלי, ולא היה המראה הגדול ההוא אלא יום אחד כן זכרונו בכל שנה יום אחד.

2. ספר החינוך מצוה שו- מצות ספירת

העומר משרשי המצוה על צד הפשט, לפי שכל עיקרן של ישראל אינו אלא התורה...ומפני כן, כי היא כל עיקרן של ישראל ובעבורה נגאלו ועלו לכל הגדולה שעלו אליה, נצטוינו למנות ממחרת יום טוב של פסח עד יום נתינת התורה, להראות בנפשנו החפץ הגדול אל היום הנכבד הנכסף ללבנו, כעבד ישאף צל, וימנה תמיד מתי יבוא העת הנכסף אליו שיצא לחירות, כי המנין מראה לאדם כי כל ישעו וכל חפצו להגיע אל הזמן ההוא. וזהו שאנו מונין לעומר, כלומר כך וכך ימים עברו מן המנין, ואין אנו מונין כך וכך ימים יש לנו לזמן, כי כל זה מראה בנו הרצון החזק להגיע אל הזמן.



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מקור בגמרא

3. תלמוד בבלי מסכת פסחים דף סח עמוד ב

...תניא רבי אליעזר אומר אין לו לאדם ביום טוב אלא או אוכל ושותה או יושב ושונה

רבי יהושע אומר חלקהו חציו לאכילה ושתיה וחציו לבית המדרש ואמר רבי יוחנן ושניהם מקרא אחד דרשו כתוב אחד אומר +דברים טז+ עצרת לה' אלהיך וכתוב אחד אומר +במדבר כט+ עצרת תהיה לכם

רבי אליעזר סבר או כולו לה' או כולו לכם

ורבי יהושע סבר חלקהו חציו לה' וחציו לכם

אמר רבי אלעזר הכל מודים בעצרת דבעינן נמי לכם מאי טעמא יום שניתנה בו תורה הוא

מקור בתורה – The Problem

4. שמות פרק יב (פסח)

(יז) ושמרתם את המצות כי בעצם היום הזה הוצאתי את צבאותיכם מארץ מצרים ושמרתם את היום הזה לדרתיכם חקת עולם

5. ויקרא פרק כג (סוכות)

(מב) בסכת תשבו שבעת ימים כל האזרח בישראל ישבו בסכת :



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(מג) למען ידעו דרתיכם כי בסכות הושבתי את בני ישראל בהוציאי אותם מארץ מצרים אני יקוק אלהיכם :

6. ויקרא פרק כג (שבועות)

(טו) וספרתם לכם ממחרת השבת מיום הביאכם את עמר התנופה שבע שבתות תמימת תהיינה :

(טז) עד ממחרת השבת השביעת תספרו חמשים יום והקרבתם מנחה חדשה ליקוק :

(יז) ממושבתיכם תביאו לחם תנופה שתיים שני עשרנים סלת תהיינה חמץ תאפינה בכורים ליקוק :

(יח) והקרבתם על הלחם שבעת כבשים תמימם בני שנה ופר בן בקר אחד ואילם שנים יהיו עלה ליקוק ומנחתם ונסכיהם אשה ריח ניחח ליקוק :

(יט) ועשיתם שעיר עזים אחד לחטאת ושני כבשים בני שנה לזבח שלמים :

(כ) והניף הכהן אתם על לחם הבכורים תנופה לפני יקוק על שני כבשים קדש יהיו ליקוק לכהן :

(כא) וקראתם בעצם היום הזה מקרא קדש יהיה לכם כל מלאכת עבדה לא תעשו חקת עולם בכל מושבתיכם לדרתיכם :

(כב) ובקצרכם את קציר ארצכם לא תכלה פאת שדך בקצרך ולקט קצירך לא תלקט לעני ולגר תעזב אתם אני יקוק אלהיכם :



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7. במדבר כח: כו (שבועות)

וביום הבכורים בהקריבכם מנחה חדשה ליקוק בשבעתיכם מקרא קדש יהיה לכם כל מלאכת עבדה לא תעשו:

8. דברים פרק טז (שבועות)

(ט) שבעה שבעת תספר לך מהחל חרמש בקמה תחל לספר שבעה שבעות:

(י) ועשית חג שבועות ליקוק אלהיך מסת נדבת ידך אשר תתן כאשר יברכך יקוק אלהיך:

(יא) ושמחת לפני יקוק אלהיך אתה ובנך ובתך ועבדך ואמתך והלוי אשר בשעריך והגר והיתום והאלמנה אשר בקרבך במקום אשר יבחר יקוק אלהיך לשכן שמו שם:

(יב) וזכרת כי עבד היית במצרים ושמרת ועשית את החקים האלה:

קריאת התורה לשבועות

9. תלמוד בבלי מסכת מגילה דף ל עמוד ב

משנה: בפסח קורין בפרשת מועדות של תורת כהנים בעצרת + דברים ט"ז + שבעה שבעת בראש השנה + ויקרא כג + בחדש השביעי באחד לחדש...

10. תלמוד בבלי מסכת מגילה דף לא עמוד א

תנו רבנן... בעצרת + דברים ט"ז + שבעה שבועות ומפטירין + חבקוק ג' + בחבקוק אחרים אומרים + שמות י"ט + בחדש השלישי ומפטירין + יחזקאל א' + במרכבה והאידנא דאיכא תרי יומי עבדינן כתרוייהו ואיפכא



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11. רש"י מסכת מגילה דף לא עמוד א

והאידנא דאיכא תרי יומי עבדינן כתרוייהו ואיפכא - דקאמרי אחרים דאינהו בתראי לתנא קמא בחדש השלישי ומפטיר במרכבה ביום הראשון קרינן להו ודקאמר תנא קמא בעצרת שבעה שבועות ומפטירין בחבקוק קרינן ביום השני ואיפכא דמתן תורה בששי בסיון

12. רמב"ם הלכות תפילה ונשיאת כפים פרק יג הלכה ט

בעצרת קורין בשבעה שבועות, ומנהג פשוט שקורים ביום טוב הראשון בחדש השלישי ומפטירין במרכבה, ובשני קורין בפרשת מועדות כל הבכור ומפטירין בחבקוק

ו' סיון או ז' סיון?

13. שמות פרק יט

- (א) בחדש השלישי לצאת בני ישראל מארץ מצרים ביום הזה באו מדבר סיני :
(ב) ויסעו מרפידים ויבאו מדבר סיני ויחנו במדבר ויחן שם ישראל נגד ההר :
(ג) ומשה עלה אל האלהים ויקרא אליו יקוק מן ההר לאמר כה תאמר לבית יעקב ותגיד לבני ישראל :
(ד) אתם ראיתם אשר עשיתי למצרים ואשא אתכם על כנפי נשרים ואבא אתכם אלי :
(ה) ועתה אם שמוע תשמעו בקלי ושמרתם את בריתי והייתם לי סגלה מכל העמים כי לי כל הארץ :



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(ו) **ואתם תהיו לי ממלכת כהנים** וגוי קדוש אלה הדברים אשר תדבר אל בני ישראל:

(ז) **ויבא משה** ויקרא לזקני העם וישם לפניהם את כל הדברים האלה אשר צוהו יקוק:

(ח) ויענו כל העם יחדו ויאמרו כל אשר דבר יקוק נעשה **וישב משה** את דברי העם אל יקוק:

(ט) ויאמר יקוק אל משה הנה אנכי בא אליך בעב הענן בעבור ישמע העם בדברי עמך וגם בך יאמינו לעולם ויגד משה את דברי העם אל יקוק:

(י) ויאמר יקוק אל משה לך אל העם וקדשתם היום ומחר וכבסו שמלתם:

(יא) **והיו נכנים ליום השלישי כי ביום השלישי ירד יקוק** לעיני כל העם על הר סיני:

(יב) והגבלת את העם סביב לאמר השמרו לכם עלות בהר ונגע בקצהו כל הנגע בהר מות יומת:

(יג) לא תגע בו יד כי סקול יסקל או ירה יירה אם בהמה אם איש לא יחיה במשך היבל המה יעלו בהר:

(יד) **וירד משה מן ההר** אל העם ויקדש את העם וכבסו שמלתם:

(טו) ויאמר אל העם **היו נכנים לשלשת ימים** אל תגשו אל אשה:

(טז) ויהי ביום השלישי בהית הבקר ויהי קלת וברקים וענן כבד על ההר וקל שפר חזק מאד ויחרד כל העם אשר במחנה:

(יז) ויוצא משה את העם לקראת האלהים מן המחנה ויתיצבו בתחתית ההר:



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14. רש"י שמות פרק יט פסוק טו

היו נכונים לשלשת ימים - לסוף שלושה ימים, הוא יום רביעי שהוסיף משה יום אחד מדעתו, כדברי רבי יוסי, ולדברי האומר בששה בחדש ניתנו עשרת הדברות לא הוסיף משה כלום.

15. אבן עזרא שמות (הפירוש הארוך) פרק יט פסוק טו

היו נכונים לשלשת ימים טעמו ליום השלישי. ולפי הפשט לא הוסיף יום אחד מדעתו.

16. תלמוד בבלי מסכת שבת דף פו עמוד ב

תנו רבנן בששי בחדש ניתנו עשרת הדברות לישראל

רבי יוסי אומר בשבעה בו

אמר רבא דכולי עלמא בראש חדש אתו למדבר סיני כתיב הכא + שמות יט+ ביום הזה באו מדבר סיני וכתוב התם + שמות יב+ החדש הזה לכם ראש חדשים מה להלן ראש חדש אף כאן ראש חדש

ודכולי עלמא בשבת ניתנה תורה לישראל כתיב הכא + שמות כ+ זכור את יום השבת לקדשו וכתוב התם + שמות יג+ ויאמר משה אל העם זכור את היום הזה מה להלן בעצומו של יום אף כאן בעצומו של יום

כי פליגי בקביעא דירחא

רבי יוסי סבר בחד בשבא איקבע ירחא ובחד בשבא לא אמר להו ולא מידי משום חולשא דאורחא בתרי בשבא אמר להו + שמות יט+ ואתם תהיו לי ממלכת כהנים (פז עמוד א) בתלתא אמר להו מצות הגבלה בארבעה עבוד פרישה



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ורבנן סברי בתרי בשבא איקבע ירחא בתרי בשבא לא אמר להו ולא מידי משום חולשא דאורחא בתלתא אמר להו ואתם תהיו לי בארבעה אמר להו מצות הגבלה בחמישה עבוד פרישה

מיתיבי + שמות יט+ וקדשתם היום ומחר קשיא לרבי יוסי

אמר לך רבי יוסי יום אחד הוסיף משה מדעתו דתניא שלשה דברים עשה משה מדעתו והסכים הקדוש ברוך הוא עמו הוסיף יום אחד מדעתו ופירש מן האשה ושבר את הלוחות

תשובות

17. תלמוד בבלי מסכת ראש השנה דף ו עמוד ב

דתני רב שמעיה עצרת פעמים חמשה פעמים ששה פעמים שבעה הא כיצד שניהן מלאין חמשה שניהן חסרין שבעה אחד מלא ואחד חסר ששה

18. שו"ת הריב"ש סימן צו

י"ל, שאין קפידא בזה; שלא תלה הכתוב חג שבועות ביום מתן תורה, אלא ביום חמשים לעומר. אלא, שבזמן הזה, דידיעין בקביעא דירחא, ולעולם ניסן מלא ואייר חסר, כלים חמשים לעומר ביום ו' בסיון, שנתנה בו תורה לדעת רבנן

19. מגן אברהם סימן תצד

קשה לי היאך אנו אומרים בשבועות יום מתן תורתנו הלא קי"ל כר"י דאמר בז' בסיון נתנה תורה דהא קי"ל דבעי לפרושי ו' עונות כמ"ש בי"ד ס"י קצ"ו (וכמדומה שראיתי קושיא זו באיזו פוסק) ולדין לעולם שבועות בו' בסיון ובאמת הרמב"ם פרק ה' מהלכות אבות הטומאה פסק דא"צ לפרוש רק ג' עונות וכתב הכסף משנה בגירסת הרמב"ם והרשב"א דחכמים סבירא להו ג' עונות



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ופסק כוותייהו ע"ש - וא"כ מנהגנו הוא על פי הרמב"ם ומ"ש ב"ד כ"ר יוסי
היינו לחומרא

20. מגן אברהם סימן תצד

ומה שקשה עוד דהתורה ניתנה ביום נ"א לספיר' דהא יצאו ממצרים ביום ה'
והתורה ניתנה בשבת כבר ת"י הי"מ דבא לרמוז לנו י"ט שני של גליות ואפשר
דהיינו דקאמר יום א' הוסיף משה מדעתו ואין כאן מקומו

21. קדושת לוי במדבר לשבועות

ולפי דברינו יש לתרץ קושית המגן אברהם בטוב טעם ודעת, דהנה זה ידוע
מאמר חכמינו ז"ל (שבת פז, א) דיום אחד הוסיף משה מדעתו, דהקב"ה אמר לך
אל העם וקדשתם 'היום ומחר' (שמות יט, י), ומשה רבינו אמר 'היו נכונים
לשלושת ימים' גוי' (שם פסוק טו). והנה מה שאמר הקב"ה הוא קיים לעד, ובדעתו
היה ליתן התורה לישראל בששה בסיון, רק שמשה רבינו עליו השלום הוסיף יום
אחד מדעתו והסכים הקב"ה על ידו והיה קבלת התורה ביום נ"א, אבל ההארה
הגדולה מקבלת התורה העיקר היה בששה בסיון על ידי משה רבינו, כמו שהיה
בדעתו של הקב"ה ליתן בששה בסיון, רק במעשה היה בזי"ן בסיון על ידי משה
רבינו עליו השלום שהוסיף מדעתו. ונמצא מוכח דבששה בסיון היו מוכנים לקבל
התורה ונפסקה זוהמתן של ישראל (ע"י שבת קמו, א), וגם הקב"ה היה מוכן
ליתן התורה. וכן היה במחשבת הבורא כביכול בדיבור שאמר 'וקדשתם היום
ומחר' ליתן התורה בששה בסיון, והיה אז קבלת התורה, רק במעשה היה בז'
בסיון על ידי משה רבינו עליו השלום שהוסיף מדעתו, וגם אז היה הארת ושמחת
נתינת התורה.

והנה מחשבת הבורא ודיבורו כביכול 'וקדשתם היום ומחר' שהיה בששה בסיון,
עשה רושם לדורות, לכן אחר שאנו מקיימים המצות התלויים בעצרת, הארת



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נתינת התורה לדורות בששה בסיון, שגם באותו זמן היה הארה גדולה ומחשבתו ודיבורו של הקב"ה, הגם שבמעשה היה בז' בסיון, אמנם מחשבתו ודיבורו של מקום שהיה בששה בסיון, שהוא חי וקיים, עשה רושם לדורות, שלדורות נתגלה שמחת התורה בששה בסיון זמן מחשבתו ודיבורו של הקב"ה. ועל כן אנו אומרים בששה בסיון 'זמן מתן תורתנו', שלדורות מקבלים הארת נתינת התורה בששה בסיון, שהיתה אז במחשבתו ודבורו כביכול ליתן התורה, וכבר היו הכל מוכנים, וכמו שאמרנו. אפס בז' בסיון שהיה במעשה מתן תורה על ידי משה רבינו עליו השלום גם כן נתגלה הארה ושמחה לדורות, לכן יום טוב של עצרת לבית שמאי ונדרים ונדבות לכולי עלמא לאחר עצרת (עיי' חגיגה יז, א - ב), ויותר קדוש אסרו חג של עצרת מכל אסרו חג של שאר המועדות (עיי' או"ח סי' תצד סעי' ג ובמג"א שם סק"ג), וכפי מה שכתבנו לעיל

* * * * *





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Ms. Dena Freundlich

“ONCE UPON A TIME...THE STORY TOLD BY THE CHAGIM”

The Torah spans several thousand years, starting with the creation of the world and continuing with the flood, the Avot, the exodus from Egypt, and the years in the desert. Over the course of these thousands of years, numerous events transpired that were so significant they could easily have justified the creation of a holiday to memorialize them every year. For example, God could have mandated an annual holiday to commemorate the end of the flood, or Akeidat Yitzchak, or the first time He spoke to Avraham, to name a few possibilities. Yet, despite thousands of years' worth of history and events, a surprising fact emerges: **all three of the holidays that comprise the shalosh regalim – Pesach, Shavuot, and Sukkot – commemorate events that took place in the self-same year.** Pesach celebrates the exodus from Egypt which took place on the 15th of Nissan in the Jewish year 2448. Seven weeks later, the Israelites accepted the Torah, which is the event the holiday of Shavuot recreates. Regarding the holiday of Sukkot, the Torah tells us explicitly:

In booths you shall dwell for seven days so that your generations will know that I housed B'nei Yisrael in booths when I took them out of Egypt.

Vayikra 23:42-43

בסוכות תשבו שבעת ימים למען ידעו דורותיכם כי בסוכות הושבתי את בני ישראל בהוציא אותם מארץ מצרים

ויקרא כג: מב-מג



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Since it is most probable that God began sheltering the Jewish nation in booths⁶² immediately upon saving them from Egypt rather than leaving them homeless for an initial period of time, it emerges that the third holiday of the shalosh regalim recreates an occurrence that began the very same year as its two counterparts.

The significance of Pesach, Shavuot, and Sukkot recollecting events that took place in the same year is that it indicates that each is not an isolated holiday meant to celebrate an independent event, but rather all three are integrally connected parts of one continuous story.

We all recognize the fundamental connection between Pesach and Shavuot; after all, we count Sefirah to directly link the exodus from Egypt to Matan Torah. However, what role does Sukkot play in this story? Upon closer inspection, it is not even clear what significance the booths possess at all, that they merited an entire week-long holiday when the binding of Isaac and the manna in the desert did not. But once one recognizes that the booths are in some way linked to yetziat Mitzrayim, the question becomes all the more pressing: What eternal significance do these booths possess at all, and what critical insight do they add to the exodus narrative in particular?

Recognizing that our sukkot are meant to recreate the booths in the desert raises a second anomaly: Sukkot's baffling placement in the calendar. Since the Torah explicitly tells us that we are to build sukkot to remind ourselves of the booths in which God housed us in the desert, it would seem that this holiday should be celebrated immediately after Pesach, since that is when we entered the desert and presumably began being housed in the booths. Yet instead of being placed in Nissan where it would chronologically belong, the holiday of Sukkot is not celebrated until six months later in Tishrei,⁶³ only two weeks after Rosh Hashanah and a mere five days after Yom Kippur!

⁶² Regardless of whether they were literally booths (sukkot mamash) or the ananei hakavod, as debated by Rabbi Akiva and Rabbi Eliezer on Sukkah 11b.

⁶³ The Tur addresses this question in Orach Chayim 625. He posits that Sukkot was not placed in Nissan when the weather is beautiful because everyone sits outside in the shade then of their own volition. In Tishrei, the rainy season begins so it is recognizable that we are sitting outside because of a Divine command. Interestingly, the



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The question is thus compounded: Why isn't Sukkot immediately after Pesach where it belongs, and why is it instead immediately after Yom Kippur?

To more deeply understand both the significance and the timing of Sukkot, one must first reexamine the holiday that precedes it, Shavuot.

We usually view the annual cycle of Jewish holidays as beginning in Tishrei with the New Year holiday of Rosh Hashanah, followed closely by Yom Kippur and Sukkot. However, once we recognize that through our celebration of Pesach, Shavuot, and Sukkot, we are reliving the experience of one single momentous year, it follows that the chagim should be experienced in the chronological order of how the events unfolded that year.

Thus, the beginning should not be Rosh Hashanah, but rather, Pesach, which celebrates the Exodus. And in fact, the Torah calls Nissan, the month during which Pesach falls, the Rosh Chodashim, the first of the months,⁶⁴ and Rosh Hashanah's Tishrei is called the *seventh* month!⁶⁵ Similarly, Mishnah Rosh Hashanah 1:1 says, באחד בניסן ראש השנה "the first of Nissan is Rosh Hashanah for kings and for the Festivals."

Shavuot, then, which is celebrated only seven weeks after Pesach, does not fall toward the conclusion of the year, but is instead closer to the beginning. At first glance, this seems perplexing, even anticlimactic. Shavuot would seem to have been the perfect culmination of the year, the perfect "happily ever after," for this is when Am Yisrael

Rambam in Moreh Nevuchim III:43 suggests the opposite – that the timing of Sukkot is because “it is possible to live in the tabernacle during that season, there being no great heat nor an uncomfortable rain.” The Ibn Ezra on Shemot 23:43 proposes, contrary to what I assume above, that Bnei Yisrael did not actually construct booths immediately upon their exodus from Egypt since they had God's cloud protecting them from the sun. The booths were not necessary until Tishrei when the weather turned colder. The Vilna Gaon (in his commentary to the opening pesukim of Shir HaShirim) suggests that our sukkot do not commemorate the moment Bnei Yisrael initially began being protected by the ananei hakavod upon leaving Egypt, but rather the moment the ananei hakavod returned to Bnei Yisrael after they were forgiven for Chet HaEgel, which occurred in Tishrei. This article will suggest yet another possible explanation.

⁶⁴ Shemot 12:2 – "החדש הזה לכם ראש חדשים ראשון הוא לכם לחדשי השנה"

⁶⁵ VaYikra 23:24, 27, 34



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received the Torah and our nationhood gained its purpose. However, upon closer inspection, it is evident that it absolutely cannot be “The End” because Matan Torah does not, in fact, have a happy ending. A mere forty days after the most awesome Divine revelation in all of history, Moshe descends from Mount Sinai to find the nation worshipping a Golden Calf. And Moshe reacts by smashing the luchot, effectively obliterating the Divine covenant that had been enacted on Shavuot. Thus, Shavuot cannot be the final holiday of the year or the year would end in tragedy, with our relationship with God in ruins, our covenant with Him null and void.

The day that Moshe shattered the luchot was none other than Shiva Asar B’Tamuz, a day designated for fasting and mourning throughout the generations. We don’t usually associate Shiva Asar B’Tamuz with Shavuot since we generally connect it to the Beit HaMikdash; after all, it laments the breaching of the city walls and initiates the three weeks of mourning that lead up to Tisha B’Av. However, the Mishnah in Ta’anit 4:6 explicitly states that the 17th of Tammuz mourns five different tragedies, the first of which was the breaking of the Luchot.⁶⁶ Thus, interestingly, not only are Pesach, Shavuot, and Sukkot all part of the story that unfolded that first year following the Exodus, but Shiva Asar B’Tammuz is as well.

Thankfully, however, Shavuot and Shiva Asar B’Tammuz are not the end of the story. After shattering the luchot, Moshe proceeds to punish the people. He burns the egel, grinds it up, scatters the dust into water, and gives it to Bnei Yisrael to drink. He confronts Aharon, declares, “מי לה אל,” and when Bnei Levi respond to the call, he instructs them to kill their brethren who have sinned. The next day, Moshe announces that now that the most serious perpetrators have been punished, he is ready to approach God and beg for amnesty and mercy. And so he ascends for an additional forty days and

⁶⁶ See Rabbi Yitzchak Etshalom’s article, “Sinai and Tziyyon,” on Yeshivat Har Etzion’s Virtual Beit Midrash (www.vbm-torah.org/3weeks/3wyitz.htm) where he suggests that all five of the tragedies mourned on 17 Tammuz, even those that seem primarily Beit Hamikdash-related, fundamentally represent a rejection of Sinai. He posits that “Rejection of Sinai” is the central theme of Shiva Asar B’Tammuz. Thank you to Rachel Weber for bringing this article to my attention.



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nights, this time to plead for forgiveness.⁶⁷ He then descends only to be called up once again, on Rosh Chodesh Elul, which we now designate as the beginning of the intense Teshuvah period.

Forty days later, Moshe triumphantly descends again, this time carrying with him the second luchot, signifying God's forgiveness of His people. If one performs the calculations, as Rashi does in his commentary to Shemot 33:11, one comes to the startling realization that the day when God revealed His willingness to once again enter into a covenant with Am Yisrael was none other than the tenth of Tishrei, more famously known as Yom Kippur.

Thus, the "original" Yom Kippur took place the same extraordinary year during which the events that generated Pesach, Shavuot, Shivah Asar B'Tammuz, and Sukkot all occurred. And we see that Shavuot is not only linked to Pesach, which is evident since we count the Omer between the two, but it is also integrally connected to Yom Kippur, for that is when the luchot and covenant that were originally forged on Shavuot but subsequently shattered, are reinstated. Yom Kippur is thus not only the climax of Rosh Hashanah, but also the ultimate culmination of Shavuot.

Recognizing this aspect of Yom Kippur has far-reaching implications for the significance and meaning of the day. We generally think of Yom Kippur as a day to introspect, pray, fast, and focus on our personal and national relationship with our Creator. It is of course about all of these critical notions. However, appreciating its historical significance as the day on which the second luchot were given, essentially as Matan Torah Part II, enhances it with a powerful new dimension as well.

The giving of the second luchot is often viewed simply as an addendum or postscript to the first, original Matan Torah. But an examination of the pesukim reveals that the

⁶⁷ Shemot 32:19-31. Interestingly, the 9th of Av happens to fall out during these days when Moshe is imploring God to forgive Bnei Yisrael but their fate is uncertain. However, Klal Yisrael's "bechiya le'chinam" during Chet HaMeraglim that establishes Tisha B'Av as a day of mourning le'dorot does not occur until the following year, Bnei Yisrael's second year in the desert.



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second luchot were given amongst a Divine revelation of their own, one which rivaled that of the initial Matan Torah and may even have surpassed it as being the most intense Divine revelation in history.

God agrees to grant the second luchot as a result of Moshe's compelling pleas on behalf of the people in the wake of Chet HaEgel. The back and forth negotiations that take place between Moshe and Hashem during this encounter are very enigmatic. Moshe is supposed to be asking for forgiveness for the people, but instead, he asks for some type of private showing of the Divine. Surprisingly, God acquiesces to these brazen demands.

And [Moshe] said, please show me Your glory. And [God] said I will make all my goodness pass before you, and I will proclaim the name of God before you... you will not be able to see My face since no human can see My face and live. And it shall be that when My glory passes by that I will put you in a cleft of the rock and will cover you with My hand while I pass by; and I will take away My hand and you shall see My back, but My face shall not be seen.

Shemot 33:18-23

ויאמר הראני נא את כבודך :
ויאמר אני אעביר כל טובי על
פניך וקראתי בשם ה' לפניך ...
ויאמר לא תוכל לראת את פני כי
לא יראני האדם וחי : ויאמר ה'
הנה מקום אתי ונצבת על הצור :
והיה בעבר כבדי ושמתוך בנקרת
הצור ושכתי כפי עליך עד עברי :
והסרתי את כפי וראית את אחרי
ופני לא יראו :

שמות לג: יח-כג

It is in the *pesukim* immediately following this awe-inspiring promise of Divine revelation that God commands Moshe to carve out the second set of tablets.⁶⁸ The *pesukim* then describe the following remarkable experience:

God descended in a cloud and stood with him there

וירד ה' בענן ויתיבב עמו

⁶⁸ Shemot 34:1-4.



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and he proclaimed the name of God. And God passed by before him and proclaimed, "Hashem, Hashem, Almighty, merciful, and gracious, slow to anger, and abounding in kindness and truth. He preserves kindness for thousands (of generations), forgiving iniquity, transgression, and sin, and acquits.

שם ויקרא בשם ה' ויעבר ה'
על פניו ויקרא ה' ה' קל
רחום וחנון ארך אפים ורב
חסד ואמת נצר חסד
לאלפים נשא עון ופשע
וחטאה ונקה

It is in the afterglow (literally – see *Shemot* 34:29) of this experience of the Divine that Moshe actually inscribes the tablets with the Ten Commandments and brings them down to the people. Thus, the giving of the second luchot was not simply an afterthought to the initial Matan Torah, but was accompanied by its own independent experience of intense Divine Revelation and the revelation of the Thirteen Attributes of Mercy.

Furthermore, not only were the second luchot accompanied by an experience of the Divine, but this revelation may have been even more powerful than the initial Matan Torah itself. At the first luchot, the people experienced God amidst thunder, lightning, smoke, and clouds, while at the second luchot, God showed *Himself* to the greatest degree that a human being could possibly withstand; He passed before Moshe and even had to cover Moshe with His hand so as to protect him from the intensity of what he was witnessing. In addition, at the initial Matan Torah, God revealed His laws – the Ten Commandments, but at the second luchot, He revealed His Thirteen Attributes of Mercy, i.e. His qualities, His personality, so to speak. In fact, it was not after the initial Matan Torah that Moshe's face glowed, but only after this Thirteen Middot revelation.⁶⁹ Thus, though the revelation that accompanied the first luchot was unique in that it was to the entire nation, the revelation associated with the second luchot is unrivaled in terms of its quality and intensity - the degree to which God allowed Himself to be experienced by man.

⁶⁹ Shemot 34:29.



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Yom Kippur is transformed by its identification as the day on which the second luchot were given. The mitzvot which most characterize the day are the five inuyim - refraining from eating and drinking, wearing shoes, washing, using lotions, and marital intimacy. The message of these restrictions seems to be to remove ourselves from our physicality on this awesome day, and instead to focus exclusively on our spiritual essence. While this undoubtedly is a central theme of Yom Kippur, recollecting that the first Yom Kippur in history is also Matan Torah Part II gives the inuyim an additional level of meaning: They may also be our way of reenacting Moshe receiving the second luchot.

One of the miraculous aspects of Moshe's time in *shamayim* was “ לחם לא אכל ומים לא שתה ” - *He did not eat bread or drink water.*⁷⁰ Fasting is thus not just about removing ourselves from the physical, but is our way of recreating Moshe's encounter with the Divine. Similarly, we refrain from wearing leather shoes, just as Moshe was instructed by the burning bush, “ של נעליך מעל רגליך ” - *Remove your shoes from your feet.*⁷¹ In fact, the Gemara *Berakhot* 62b derives from this *pasuk* a general prohibition against ever wearing shoes on the Temple Mount – shoes are inappropriate when in the presence of the shechinah. Likewise, marital relations are forbidden on Yom Kippur, which is reminiscent of the fact that Moshe separated from his wife in order to be prepared to receive prophecy at any moment, and that before Matan Torah all Jews were instructed to refrain from relations with their spouses in preparation for their encounter with God.⁷² Clearly, our observance of the five inuyim is not just about removing ourselves from physicality; it is also our way of reliving the giving of the second luchot, which took place on this day.

Similarly, the climax of Yom Kippur during the times of the Beit HaMikdash was the Kohen Gadol entering the Kodesh Kadashim - the one and only day of the year that a

⁷⁰ Shemot 34:28.

⁷¹ Shemot 3:5.

⁷² Shemot 19:15.



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human being could do so. Clearly this was a reenactment of Moshe ascending for the most intense encounter with God that is humanly possible.⁷³

The teshuvah we do on Yom Kippur, then, is not an end unto itself; it is the means through which we become worthy of drawing closer to God than we ever have before. Experiencing new heights in the intensity of our relationship with the Almighty is the ultimate goal and essence of Yom Kippur.

Yom Kippur, then, would seem to be the perfect conclusion to the remarkable story we relive annually as we observe the holidays. The story of this extraordinary year begins with the Exodus, seems to climax with Matan Torah forty days later, but comes crashing down on the 17th of Tammuz with the shattering of the luchot. However, on the tenth of Tishrei, the relationship has been repaired, the luchot have been given again, and the covenant has been reinstated, all amidst an intense Divine Revelation and issuing of Divine Forgiveness. It would seem that Yom Kippur should have been the grand finale, the conclusion of this remarkable year. Yet, a mere five days later, on the 15th of Tishrei, another holiday commences – Sukkot, which seems superfluous and anticlimactic. This brings us back to the questions which we posed at the outset - what is Sukkot doing here where it does not even chronologically belong? What is the significance of these booths and what do they add to the story?

To discover the answers to these questions, we must look back to Tanakh and explore what actually happened that formative year right after Hashem forgave the Jewish people and granted them the second luchot on Yom Kippur. Klal Yisrael's immediate next undertaking was to throw themselves into the construction of the Mishkan.⁷⁴ The

⁷³ Both Rav Avrohom Gordimer (www.ou.org/torah/gordimer/5764/yomkippur64.htm) and Rav Yair Kahn (www.vbm-torah.org/roshandyk/yk57-yak.htm) make this point.

⁷⁴ Shemot perakim 35-40.



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fact that immediately after Yom Kippur we begin to construct sukkot⁷⁵ indicates a link between the mishkan and our booths.⁷⁶

There are also compelling parallels between the mishkan and our sukkot. For example, since the Mishkan needed to be repeatedly taken apart and reconstructed so as to accompany Bnei Yisrael on their travels through the desert, it was a temporary structure. This is highlighted by its appellation, “Ohel moed,” – tent of meeting, in contrast to the Temple, which is designated the Beit HaMikdash – House of Holiness. Similarly, one of the critical characteristics of a sukkah is that it must be a temporary structure; if it is too permanent, it is invalid for the mitzvah.⁷⁷ In addition, the seven day Sukkot holiday followed by Shemini Atzeret is reminiscent of the inauguration ceremony for the Mishkan,⁷⁸ which lasted for seven days, followed by the final Yom HaShmini.⁷⁹ Thus, in addition to symbolizing the booths in which God housed Bnei Yisrael in the desert as the peskuim explicitly tell us, it seems clear that our sukkot also represent the Mishkan.

To fully appreciate the implications of us symbolically constructing the Mishkan every year immediately after Yom Kippur, we must analyze the significance of the building of the Mishkan that eventful year in the desert. There could not have been a more powerful expression of God’s genuine forgiveness of Klal Yisrael than the Mishkan. This is because the Mishkan is precisely what hung in the balance during those fearful days when Moshe pleaded with Hashem to forgive Bnei Yisrael for Chet HaEgel; if God had not fully forgiven them, there would have been no Mishkan. This is for two reasons. First, as the Ramban convincingly elucidates on Shemot 25:1, the grand purpose of the

⁷⁵ The Rama codifies the practice of beginning to construct one’s sukkah literally on Motzai Yom Kippur both in the last siman of Hilchot Yom HaKippurim (624:5) and in the first siman of Hilchot Sukkah (625:1).

⁷⁶ In fact, according to the Vilna Gaon (in his commentary to Shir HaShirim 1:4), the construction of the Mishkan actually began on exactly the fifteenth of Tishrei, what we celebrate as the first day of Sukkot!

⁷⁷ See Gemara Sukkah 2a.

⁷⁸ Described in VaYikra 8-9.

⁷⁹ This parallel even has practical halachic ramifications. The Gemara Sukkah 43a derives that the mitzvah of eating in a sukkah applies at night as well as during the day based on a gezeirah shavah with the Shevah Yemei Miluim, rejecting a competing comparison with the mitzvah of lulav, which applies only during the day.



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Mishkan was to serve as a permanent Matan Torah so that experiencing closeness with the Divine would not be a one-time event frozen in history but that the Shechina should dwell as a constant presence at the center of Am Yisrael's camp. Thus, once the brit of Matan Torah was severed by the shattering of the Luchot, there obviously could not and would not be a structure meant to perpetuate this now obsolete event. Second, the reason the Mishkan would have been able to serve as a true "mini-Har Sinai" is that its entire purpose was "ויעשו לי מקדש ושכנתי בתוכם" – *Make for me a sanctuary and I will dwell among them.*⁸⁰ However, even though Moshe convinced Hashem not to utterly destroy Bnei Yisrael in the wake of Chet HaEgel, the relationship between God and the Jewish people was severely damaged. Rabbi Menachem Leibtag⁸¹ points out that prior to Chet HaEgel, when God describes the malach who would lead Bnei Yisrael into Eretz Yisrael, He says, "כי לא ישא לפשעכם כי שמי בקרבו" – *He will not forgive your sins for My name is in him.*⁸² In stark contrast, when he describes the malach after the Sin, He says, "כי לא אעלה בקרבך כי עם קשה ערף אתה פן אכלך בדרך" – *For I will not go up amongst you because you are a stiff-necked people, lest I destroy you on the way.*⁸³ This new distance that God is now imposing between Himself and the people is not meant simply to punish them; rather it is the logical and necessary consequence of Bnei Yisrael's behavior. If God dwells in their midst, their sins necessitate immediate and harsh retribution. Therefore if God is to avoid destroying them, He has no choice but to move out. And in fact, this is precisely what He does; He instructs Moshe to move the Ohel Moed "מחוץ למחנה הרחק מן המחנה" – *outside the camp far from the camp.*⁸⁴ If God cannot dwell among us, if He cannot and will not fulfill "ושכנתי בתוכם," then by definition there can be no Mishkan.

However, Moshe refuses to accept this state of affairs, and he boldly challenges God to change His mind. As we discussed earlier, he essentially demands some type of

⁸⁰ Shemot 25:8.

⁸¹ www.tanach.org/shmot/kitisa.doc

⁸² Shemot 23:21.

⁸³ Shemot 33:3.

⁸⁴ Shemot 33:7.



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personal one-on-one experience of Divine revelation, and God surprisingly accedes to this request by passing before Moshe and proclaiming to him the Thirteen Attributes of Mercy. This was more than God simply revealing to Moshe His character traits; this was God *changing* His character traits. As Rabbi Leibtag has convincingly developed,⁸⁵ the yud gimmel midot are God's vehicle for radically altering the rules of how He will interact with Bnei Yisrael. Rabbi Leibtag points out that Hashem embedded a number of His traits within the Ten Commandments that He revealed on Har Sinai. They include "קל קנא" - *a zealous God*,⁸⁶ "פוקד עון אבות על בנים" - *remembering the sin of parents upon their children*,⁸⁷ and "כי לא ינקה ה'" - *for God will not forgive (he who says His Name in vain)*.⁸⁸ These harsh characteristics stand in stark contrast to the way that God describes Himself in the yud gimmel middot harachamim: "קל רחום וחנון" - *a merciful and gracious God*, "נושא עון ופושע וחטאה" - *forgiving iniquity, transgression, and sin*, and "ונקה" - *and acquits*.⁸⁹

Since the yud gimmel middot change the rules of God's interaction with Am Yisrael and introduce mercy into the equation, they make it possible for God to move back in with Klal Yisrael without having to destroy them every time they sin. Thus, the yud gimmel middot, the content of the revelation that accompanied the giving of the second luchot on Yom Kippur, are precisely what enables "v'shachanti betocham" to be fulfilled, Matan Torah to be perpetuated, and the Mishkan to be built! And in fact, immediately after this revelation to Moshe, the next thing described in the pesukim is the command to carry out the construction of the Mishkan.⁹⁰

⁸⁵ www.tanach.org/shmot/kitisa.doc

⁸⁶ Shemot 20:4 within the second commandment (not to have other gods)

⁸⁷ Also in Shemot 20:4 within the second commandment. R. Leibtag notes that almost the identical phrase is repeated in the context of the Yud Gimmel Middot HaRachamim, but he points out that the phrases' contexts indicate that they are to be interpreted differently, as Rashi does.

⁸⁸ Shemot 20:7 within the third commandment.

⁸⁹ Shemot 34:6-7. R. Leibtag brings 3 additional examples of middot that change from pre to post Yud Gimmel Middot.

⁹⁰ Shemot 35.



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This might explain why even after delineating in exhaustive detail all the instructions for building the Mishkan in Parshiot Terumah and Tetzaveh,⁹¹ the Torah repeats every detail of the actual construction in Parshiot VaYakhel and Pekudei.⁹² God could have simply summed it up in one short line – “And they built it exactly as God had commanded them.” However, because Chet HaEgel took place in the interim between the command and the execution, the execution almost didn’t take place at all. The details are spelled out again because each and every piece of the Mishkan is a testament to God’s intimate relationship with us, and drives home the message that He has wholeheartedly forgiven us and is going to move in with us after all.

Thus, nothing could be more fitting than going straight from Yom Kippur into the holiday of Sukkot. The teshuvah we have done is concretized and channeled into our constructing a physical structure for the Almighty. And the forgiveness that we have hopefully earned from God is given tangible expression by the Divine command to construct a dwelling in which God will reside together with us. And it seems that God does in fact come to dwell in our sukkot and give it a unique kedushah.

Just as the Heavenly name (i.e. sanctification) attaches itself upon a chagigah offering, so too the Heavenly name attaches itself upon a sukkah.

Gemara Sukkah 9a

כשם שחל שם שמים על
החגיגה כך חל שם שמים
על הסכה

סוכה ט.

In fact, the Gemara there derives a practical halachah from the kedushah that inheres in the sukkah – it is prohibited to use the sukkah⁹³ for personal benefit throughout the chag.⁹⁴ Similarly, the Mishnah Berurah writes, “Since the holiness of a sukkah is very great, one should minimize mundane talk in it, and instead speak in it only holiness and

⁹¹ Shemot 25-31.

⁹² Shemot 35-40.

⁹³ There is a machloket whether the issur hana’ah applies only to the s’chach or also to the walls.

⁹⁴ This halachah is codified in the Shulchan Aruch Orach Chayim 638:1.



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Torah.”⁹⁵ Also, and perhaps most notably, the minimum height of a sukkah, ten tefachim, is based on the height of the aron, the focal point of the Mishkan.⁹⁶

Significantly, the Gemara explains that the reason the aron had to be ten tefachim high was to enable God to reveal Himself upon it⁹⁷ since God does not descend within ten tefachim of the ground.⁹⁸ The fact that the minimum height of our sukkot is also ten tefachim indicates that our sukkot, like the aron, are designed to be places for the shechinah to descend and interact with us.⁹⁹

Armed with this new appreciation of the significance of our sukkot, we can answer the questions we posed about Sukkot at the outset. If the booths in the desert had been the totality of what we commemorate with our sukkot, then the holiday probably would have been five days (or even fewer) after Pesach, rather than five days after Yom Kippur. However, the booths were probably not, in fact, the most significant element of Bnei Yisrael’s sojourn in the desert, and did not generate a holiday on their own merit alone. Rather, our sukkot serve a dual function and simultaneously represent not only the booths but also the Mishkan.¹⁰⁰ Thus, it makes perfect sense that they are worthy of being at the center of a holiday of their own, and that the ideal time to build them is right after receiving God’s forgiveness on Yom Kippur. This atonement is concretized by God granting permission to carry out the construction of the Mishkan so that He can dwell in the midst of His people, as He does with us in our sukkot.

⁹⁵ Orach Chayim 439, se’if katan 2 – “ולפי שקדושת הסכה גדולה מאד ראוי למעט בה בדברי חול ולדבר בה כי אם קדושה ותורה”

⁹⁶ Sukkah 4b-5a.

⁹⁷ As it says in Shemot 25:22, “ונועדתי לך שם ודברתי אתך מעל הכפורת מבין שני הכרובים אשר על ארון העדות” – There I will meet with you and I will speak with you from above the covering, from between the two keruvim which are upon the Ark of Testimony.

⁹⁸ The Gemara (Sukkah 5a) explains that this is because God gave the land to Man, as it says in Tehillim 115:16, “השמים שמים לה' והארץ נתן לבני אדם” – *As for the heavens, the heavens are God’s, but the Earth He has given to Mankind.*

⁹⁹ For an elaboration of some of these examples, as well as a few more, see Rav Moshe Taragin’s article, “House of Shekhina and Apocalyptic Shelter: Two Approaches to the Symbolism of Sukkah” at vbm-torah.org/sukkot/sk60-mt.htm. Interestingly, however, he posits that the central source of the sukkah’s kedushah is its identification with the ananei hakavod, though he notes its role as a “pseudo-mishkan” as well.

¹⁰⁰ The booths and the Mishkan actually express the same fundamental message – bringing God into daily life.



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What we have seen is that every one of the Biblical holidays, with the sole exception of Rosh Hashanah,¹⁰¹ has its historic roots in the same one year. Thus, through the cycle of our holidays each year, we relive the remarkable series of events that unfolded during one single seminal year in Klal Yisrael's history. The story of that year begins on the 15th of Nissan when God takes us out of Egypt (Pesach). Then seven weeks later, on the sixth¹⁰² of Sivan, a monumental climax is reached when Hashem gives us the Torah on Mount Sinai (Shavuot). However, our honeymoon is short-lived; on the 17th of Tammuz (Shivah Asar B'Tammuz), we are discovered worshipping a Golden Calf, leading to the shattering of the luchot and the fracturing of our covenant and relationship with God. But then on the tenth of Tishrei (Yom Kippur), God grants us forgiveness and gives us the second luchot amidst an awe-inspiring divine revelation. This revelation consists of His Thirteen Attributes of Mercy, which enable Him to reestablish an intimate relationship with us and move back in with us in the Mishkan (Sukkot) so that the revelation of Matan Torah can be an ongoing experience in our lives.

As we annually recreate the ups and downs of that extraordinary year, there will inevitably be low points in our own personal and national relationship with God, but the cycle of the chagim provides inspiration that forgiveness, a fresh start, and renewed intensity are always possible, and that the end will hopefully be an intimate relationship with God in which He is a permanent part of our lives.

* * * * *

¹⁰¹ Though Rosh HaShanah's historical origin lies in the Creation of the World more than two thousand years before the Exodus, it too has been considerably affected by that crucial year. Its significance as Yom HaDin has taken on additional magnitude as a result of its proximity to Yom Kippur, transforming it in many ways into a preparation for the ultimate teshuvah, reconciliation, and revelation that are soon to occur.

¹⁰² Or seventh – it is a machloket between the Chachamim and R' Yosi in Masechet Shabbat 86b-87a.



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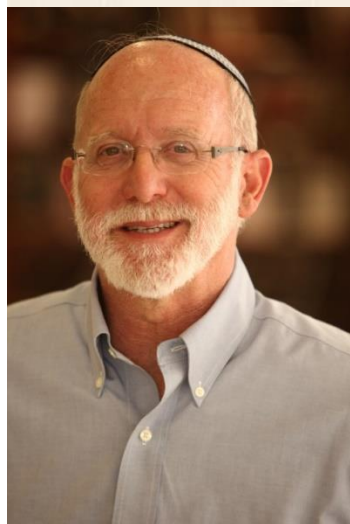
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Rav Menachem Leibtag

“SHAVUOT AND MATAN TORAH”

When the Torah wishes to inform us of the 'historical' reason for a holiday, it certainly knows how to do so. Take for example the two other pilgrimage holidays - "chag ha'matzot" & "succot": Even though these holidays are also presented from their 'agricultural' perspective (see Shmot 23:14-17), the Torah informs us of their historical perspectives as well (see Shmot 12:17, 13:3 etc. and Vayikra 23:42-43).

Therefore, it is simply baffling that the Torah presents Shavuot ONLY from its agricultural aspect, without mentioning even a word about its connection to events of MATAN TORAH! In this shiur, we attempt to understand why.

SHAVUOT IN THE BIBLE

Before we begin our shiur, let's verify our statement that Shavuot is presented solely from its agricultural perspective by quickly reviewing the five 'parshiot' in which it is mentioned:

I. **Shmot 23:15** = "v'et chag ha'KATZIR bikurei ma'asecha"

[the HARVEST holiday - the first fruits of your work]

II. **Shmot 34:22** = "v'chag shavuot... bikurei KTZIR CHITIM"

[Feast of Weeks, the first fruits of the wheat harvest]

III. **Vayikra 23:15-21**: "u'sfartem lachem..."



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"And you shall count from the time you offer the OMER offering (from your first harvest/ see 23:10) seven weeks... and you shall offer a new MINCHA to God..."

IV. **Bamidbar 28:26** = "u'v'yom ha'BIKURIM..."

"And on the day of the first fruit offering, when you bring a new MINCHA to God on Shavuot..."

V. **Devarim 16:9-12** = "...m'ha'chel chermesh b'kamah..."

"Count SEVEN weeks, starting when the sickle is first put to the standing grain, then you shall celebrate the holiday of SHAVUOT to God..."

As you review these five sources, note how in each instance Shavuot is presented solely as a harvest holiday, when we must thank God for our grain crops; while its connection MATAN TORAH is never mentioned - not even once!

However, when we study the above sources, it also becomes quite clear that there is ample reason to celebrate SHAVUOT, even without the events of MATAN TORAH. Considering that grain is man's staple, it is only logical that we are commanded to celebrate its harvest together with God, in order to thank Him for His providence during this most critical time of the year.

[Recall also that the custom of the nations of Canaan was to relate the growth of grain to various local gods such as Baal & Ashera and Dagon etc. This made it even more important to celebrate Shavuot, to assure that Bnei Yisrael would thank the proper God and not fall into the traps of AVODA ZARA. For more detail, see Hoshea chapter 2 (which just so happens to be the Haftara for Parshat Bamidbar). See especially Hoshea 2:7,10,14-18 & 23!]

Based on these sources, should we conclude that it is only coincidental that Shavuot falls out on the date of Matan Torah? Would that explain why Chumash makes no connection at all between that event and this holiday?



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To answer this question, we must first take issue with our original assumption that the Biblical date of Matan Torah indeed coincides with the holiday of Shavuot.

THE DATE OF MATAN TORAH

When the Torah wishes to inform us of the precise date of a certain event, it certainly knows how to do so. Once again, take for example the events of Exodus. Review Shmot 12:6,12-14,17-18 and 13:3-8, noting how the Torah informs us of the precise date (and even the time of day) when the Tenth Plague struck and when Bnei Yisrael left Egypt! Later on, the Torah even records the precise date when Bnei Yisrael arrived at Midbar Sin (on the 15th of Iyar, see Shmot 16:1).

However, in regard to Matan Torah, the Torah is quite vague. Indeed we are told that Bnei Yisrael arrive at Har Sinai in the third month (Sivan), but we are not told on what DAY of the month they arrived:

"In the third month of Bnei Yisrael's departure from the Egypt, ON THIS DAY, they came to Midbar Sinai." (19:1)

Not only is the phrase "on this day" ambiguous, it is quite difficult to determine how many days actually transpire between their arrival at Har Sinai and Matan Torah (see Shmot 19:3-16).

Even if we assume that Bnei Yisrael arrived on the first day of the month (see Rashi 19:1- "b'yom hazeh"), the lack of a clear chronology in the subsequent events still makes it impossible to pinpoint that date. Even though it is recorded how Moshe goes up and down the mountain several times, and that three days are required to prepare for that special occasion; we never told how many days elapse in the interim.

In the Mechilta (and in Mesechet Shabbat 86b), Chazal calculate that the Torah was given on either the sixth or seventh of Sivan (see also Rashi on 19:2->19), yet the fact remains that the Torah clearly prefers to obscure the precise date of this event.



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CALCULATING 'BACKWARDS'

However, there is an additional manner by which it is possible to calculate the approximate date of Ma'amad Har Sinai. If we assume that tenth of Tishrei was chosen as 'Yom Kippur' specifically because it marks the date when Moshe descended from Har Sinai with the second "luchot" [See further iyun section for a discussion of how we can prove this.], then we can calculate 'backwards', using the three sets of 'forty days' that are described in the story of chet ha'egel in Devarim chapter 9.

Working 'backwards' from the tenth of Tishrei; we can arrive at the following approximate dates of these three sets of forty days:

The last forty days - from 1 Elul until 10 Tishrei.

[when Moshe receives the second Luchot.]

The middle forty days - 19 Tamuz until 29 Av

[when Moshe's prayer for their forgiveness.]

The first forty days - from either 6 or 7 Sivan until 17 Tamuz.

[when Moshe receives the first Luchot.]

These calculations leads us to the conclusion that the Torah was given on either the 6th or 7th of Sivan (depending if the month of Sivan that year was 29 or thirty days).

However, even if all of the above assumptions are correct, the fact still remains that the Torah never explicitly mentions the date of Matan Torah, even though it has ample opportunities to do so!

Thus, we really have a double question. Not only is it strange that Torah makes no connection between Shavuot and Matan Torah, it doesn't even tell us WHEN Matan Torah took place!



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Again, the question remains - why?

To answer this question, we must consider a fundamental difference between the very nature of these two monumental events in our history: Yetziat Mitzraim and Matan Torah.

MATAN TORAH: AN UNCOMMEMORATED EVENT

In the Torah, we find numerous mitzvot through which we commemorate Yetziat Mitzraim, both on the:

ANNIVERSARY of the Exodus: e.g. eating matzah, telling of the story of Yetziat Mitzraim, korban Pesach etc.; and **ALL YEAR ROUND**: e.g. "mitzvat bikkurim" (bringing the first fruits to Yerushalayim), tfillin, shabbat, and the daily recital of "kriyat shma", etc., all of which the Torah relates to the Exodus (i.e. "zecher l'yitziat mitzrayim").

In contrast, in Chumash we do not find even one specific mitzvah whose explicit purpose is to commemorate the events of Matan Torah. [Sefer Devarim does require that we not forget the events that transpired at Har Sinai (see 4:9-16), but does not command us to perform any specific positive mitzvah in order that we do not forget that event! Certainly, those psukim do not require that we commemorate that event on any specific day. See Further Iyun section for additional sources on this topic.]

Why does the Torah call upon us to commemorate these two events in such dramatically different ways?

One could suggest that by this manner of presentation, the Torah is sending a complex message. Even though the Torah provides us ample information to calculate the approximate date of Ma'amad Har Sinai, its deliberate obfuscation of that date may suggest that we should not treat Matan Torah as a historically bound event. Instead, from a certain perspective, each and every day one should feel as though the Torah has just been given.



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This concept is reflected by the famous Midrash, quoted by Rashi on 19:1:

"... it should have been written: 'ON THAT DAY'. Why does the pasuk say: 'ON THIS DAY'? This comes to teach us that the words of the Torah should be considered new to you - as though they were given TODAY!" (see Rashi Shmot 19:1)

In other words, we should not view Matan Torah as a one time event. Rather, every generation must feel as though they have just entered into a covenant with God (see Devarim 5:1-3). Every generation must feel that God's words were spoken to them no less than to earlier generations. To celebrate the anniversary of Matan Torah as a single moment in our history could diminish from that meta-historical dimension.

Similarly, in our study of the Mishkan, we showed how the primary function of the Mishkan was to perpetuate the experience at Ma'amad Har Sinai. [See Ramban on Shmot 25:1, and the TSC shiurim on Parshiot Terumah & Tezaveh.] From that source as well, it appears that the Torah would rather we treat Matan Torah as an event that needs to be perpetuated, more than commemorated.

In contrast to Matan Torah, the Exodus is not an event that must be re-lived. Rather it is an event that the Torah emphasizes over and over again that we must REMEMBER. Even if we must ACT as though we went out of Egypt on the seder night (See in the Hagada - "b'chol dor v'dor chayav adam lirot atzmo k'ilu..."), it is in order that we put ourselves in the proper frame of mind to praise God and thank Him for our redemption.

Yetziat Mitzrayim was, and should remain, a one time event in our history - our national birth. As such, it needs to be commemorated. Matan Torah is totally different! It is an event that must be constantly RE-LIVED, not just remembered, for it is the essence of our daily existence.

So is it wrong to commemorate Matan Torah on Shavuot? Did Chazal make a 'mistake' (chas v'shalom) by connecting a 'purely agricultural' holiday with the historical event of Matan Torah?



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Of course not! Is it possible that the most important event in our national history not be commemorated on its yearly anniversary?!

In this regard, Chazal strike a beautiful balance between Torah "sh'bichtav" (the Written Law) and Torah "sh'baal peh" (the Oral Law). Chumash emphasizes one perspective, the inherent danger of commemorating this event, while tradition balances this message by emphasizing the other perspective, the historical significance of remembering that day, by re-living that event.

Therefore, Chazal instituted that just like on "leil ha'seder (Passover eve), when we spend the entire evening **'re-telling'** the story of Yetziat Mitzrayim, on "leil Shavuot", we spend the entire evening engrossed in the study of Torah, **'re-living'** the experience of Ma'amad Har Sinai!

SOME BIBLICAL 'HINTS'

Even though the connection between Matan Torah and Shavuot is not explicit in Chumash, we do find several interesting 'hints' to their connection in Parshat Emor.

THE SHTEI HA'LECHEM

Recall how Parshat Emor is the primary source for the specific details of the special laws of Shavuot (see Vayikra 23:15-21). That parshia discusses the special offering of the "shteI ha'lechem" – two loaves of bread, baked as "chametz" from the new wheat harvest - offered at the conclusion of the 50 days of counting ["sefirat ha'omer"].

As the primary reason for this holiday is to thank God for our wheat harvest, it certainly makes sense for the Torah to command that we offer special korban from wheat. However, together with this "shteI ha'lechem", the Torah also instructs the "tzibur" (the community of Israel) to bring some additional sacrifices, including an olah, chatat, & shlamim.



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[The Olah is 7 sheep, 2 rams, and 1 bull, together with the standard goat for the chatat offering. For the shlamim the tzibur offers 2 sheep, whose meat is waved ('tnufa') together with the "shte ha'lechem". / See 23:18-20.]

Even though similar offerings are brought on every other holiday (see Bamidbar chapters 28 thru 29), Shavuot is unique for it is only time of the year when the “tzibur” offers a korban shlamim!

Let's summarize these two unique laws regarding the "shte ha'lechem" - the special korban of Shavuot.

- 1) It is the only korban 'mincha' offered by the tzibur which is baked 'chametz' (all other flour offerings must be baked 'matzah').
- 2) It is the only time during the entire year when the “tzibur” offers a korban SHLAMIM.

We will now explain how these two laws may relate to the fact that the agricultural holiday of Shavuot coincides with the time of year when Bnei Yisrael first received the Torah.

1) CHAMETZ U'MATZAH

Matzah symbolizes the initial stage of a process, whereas the fully risen 'chametz' symbolizes its completion. Thus, the mitzvah to bake the shte ha'lechem as 'chametz' may indicate that Matan Torah should be understood as the culmination of the redemption process which began with Yetziat Mitzrayim. Just as the "shte ha'lechem" marks the culmination of the wheat harvest, the staple of our physical existence - the historical process which began with the Exodus culminates with Matan Torah, the essence of our spiritual existence.

In this manner, the agricultural time of year of Shavuot alludes to an educational message that can help us appreciate the historical event that we commemorate.



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2) KORBAN SHLAMIM

As we noted above, Shavuot is the ONLY holiday when the "tzibur" must offer a korban SHLAMIM, i.e. the two kvasim which are offered with the SHTEI ha'LECHEM.

To appreciate why this is significant, we must uncover its Biblical precedent.

The FIRST instance where we find a korban SHLAMIM is at the end of Parshat Mishpatim (Shmot 24:4-8) when the Torah describes the special covenantal ceremony that takes place at Ma'amad Har Sinai. At this ceremony, Bnei Yisrael proclaim "na'aseh v'nishma" while entering into a covenant to become God's special nation by accepting the laws of Matan Torah.

That ceremony included the offering of special korbanot: OLOT and SHLAMIM (see Shmot 24:5). The blood from these korbanot, sprinkled both on the mizbayach and on the people, symbolized Bnei Yisrael's entry into the covenant (24:6-8). [The meat of the shlamim was eaten at the conclusion of the ceremony (24:11).]

Thus we find that the very first korban SHLAMIM is offered as a symbol of Bnei Yisrael's acceptance of MATAN TORAH. Recall our explanation (see shiur on Parshat Vayikra) of how a SHLAMIM reflects a joint feast shared by covenantal partners. Therefore, the korban SHLAMIM, which is presented together with the SHTEI ha'LECHEM on Shavuot, may serve a symbolic reminder of MATAN TORAH.

In fact, we find two additional instances in Chumash when Bnei Yisrael offer a special collective SHLAMIM offering - and once again, both relate to Ma'amad Har Sinai:

A) During the YOM ha'SHMINI ceremony (see Vayikra 9:1-5)

B) On Har Eival, when the generation that enters the land re-enacts Ma'amad Har Sinai and studies its laws! [see Devarim 27:1-8]

1) In many ways, "Yom ha'Shmini" - the day of the dedication ceremony of the Mishkan - can be considered as an extension of Ma'amad Har Sinai. Considering that God's



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SHCHINA, which had left Bnei Yisrael in the aftermath of chet ha'egel, now returns to the Mishkan, and God begins once again to teach Bnei Yisrael - 60 -itzvoth – now from the Ohel Moed instead of from Har Sinai – we can view this event as parallel to the day of MATAN TORAH.

Furthermore, this day marks the first time that God appears to Bnei Yisrael (see 9:4-5) since He appeared to them on the day when they first proclaimed “na’aseh v’nishma” (see 24:9-11).

Once again, the korban SHLAMIM offered during this ceremony may reflect the re-establishment of the covenant of Har Sinai, which was broken due to chet ha'egel.

2) The purpose of the ceremony which God commands Bnei Yisrael to perform on Har Eival (to teach Bnei Yisrael the Torah and offer korbanot OLOT & SHLAMIM) is clearly to re-create the experience of MATAN TORAH for the new generation (for most of them were not present at the original event). Here once again, we find a thematic connection between the korban SHLAMIM and MATAN TORAH.

Therefore, it is only logical to assume that special korban SHLAMIM that the Torah obligates us to offer with the SHTEI ha'LECHEM on Shavuot alludes to the deeper thematic connection between SHAVUOT and MATAN TORAH.

If so, these Biblical ‘hints’ remind us that Shavuot remains as “ZMAN MATAN TORATEINU”, even according to Chumash.

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Mrs. Sally Mayer

“JUDGING OTHERS FAVORABLY”

(1) משנה מסכת אבות פרק א' ו'

יהושע בן פרחיה ונתאי הארבלי קבלו מהם יהושע בן פרחיה אומר עשה לך רב וקנה לך חבר והוי דן את כל האדם לכף זכות:

What does this mean?

Approach #1 – Rambam

(2) רמב"ם - משנה מסכת אבות פרק א משנה ו

והוי דן את כל האדם לכף זכות - עניינו, שאם יהיה אדם שאינו ידוע לך, לא תדע האם צדיק הוא או רשע, ותראהו עושה מעשה או אומר דבר, שאם יפורש באופן מה הריהו טוב, ואם תפרשהו באופן אחר הרי הוא רע - פרשהו כטוב, ואל תחשוב בו רע. אבל אם היה איש ידוע שהוא צדיק, ומפורסם במעשי הטוב, ונראה לו מעשה שכל תכונותיו יורו על היותו מעשה רע, ואין להכריע בו שהוא מעשה טוב אלא בדוחק רב מאד ובאפשרות רחוקה - צריך לפרש אותו כטוב, הואיל ויש צד אפשרות להיותו טוב, ואין מותר לחושדו, ועל זה יאמרו: "כל החושד כשרים לוקה בגופו".

וכן אם היה רשע ונתפרסמו מעשיו, ואחר כך ראינוהו עושה מעשה שראיותיו כולן מורות שהוא טוב, ובו צד אפשרות רחוקה מאד לרע - צריך להשמר ממנו, ולא להאמין בו טוב, הואיל ויש בו אפשרות לרע, אמר: +משלי כו, כה+ "כי יחנן קולו אל תאמן בו, כי שבע תועבות בליבו". ואם היה בלתי ידוע, והמעשה נוטה



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אל אחד משני הקצוות - צריך בדרך המעלה שידון לכף זכות, איזה משני הקצוות שתהיה.

3) מסכת אבות דרבי נתן נוסחא א פרק ח

והוי דן את כל האדם לכף זכות מעשה בריבה אחת שנשבית והלכו אחריה שני חסידים לפדותה. נכנס אחד מהם לקובה של זונות כשיצא אמר לחבירו במה חשדתני. אמר שמא לידע בכמה דמים היא מהורהנת. א"ל העבודה כך היה. א"ל כשם שדנתני לכף זכות כך הקב"ה ידין אותך לכף זכות :

Approach #2 -

4) ספר חסידים (מרגליות) סימן עז

אל תדין את חבירך לכף חובה כי האדם יראה לעינים וה' יראה ללבב (ש"א ט"ז ז) ולא ידעת מה בלבו ומה במחשבתו. והוי דן כל האדם לכף זכות. ושמור עיניך מראות ברעה ועשה צדקה כפי כחך אחד המרבה ואחד הממעיט ובלבד שיכוין לבו לשמים שעבד עצמך

לקונך ותחשוב בלבך שכל אדם שומר עבדיו על אחת כמה וכמה שישמרך רבון העולמים.

Approach #3 -

5) ליקוטי מוהר"ן תורה רפב

דע כי צריך לדון את כל אדם לכף זכות, ואפילו מי שהוא רשע גמור, צריך לחפש ולמצוא בו איזה מעט טוב, שבאותו המעט אינו רשע, ועל ידי זה שמוצא בו מעט טוב, ודן אותו לכף זכות, עי"ז מעלה אותו באמת לכף זכות, ויוכל להשיבו בתשובה, וזה בחי' (תהלים לז) ועוד מעט ואין רשע והתבוננת על מקומו ואיננו



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היינו שהפסוק מזהיר לדון את הכל לכף זכות, ואף על פי שאתה רואה שהוא רשע גמור, אעפ"כ צריך אתה לחפש ולבקש למצוא בו מעט טוב ששם אינו רשע וזהו ועוד מעט ואין רשע, שצריך אתה לבקש בו עוד מעט טוב שיש בו עדיין, ששם אינו רשע, כי אף על פי שהוא רשע, איך אפשר שאין בו מעט טוב עדיין, כי איך אפשר שלא עשה איזה מצוה או דבר טוב מימיו, ועי"ז שאתה מוצא בו עוד מעט טוב ששם אינו רשע, ואתה דן אותו לכף זכות, עי"ז אתה מעלה אותו באמת מכף חובה לכף זכות, עד שישוב בתשובה עי"ז.

וזהו ועוד מעט ואין רשע, עי"י שמוצא בהרשע עוד מעט טוב, ששם אינו רשע, עי"ז והתבוננת על מקומו ואיננו, היינו כשתתבונן ותסתכל על מקומו ומדריגתו, ואיננו שם על מקומו הראשון, כי עי"י שמוצאין בו עוד מעט טוב, איזה נקודה טובה, ודנין אותו לכף זכות, עי"ז מוציאין אותו באמת מכח חובה לכף זכות.

וזהו והתבוננת על מקומו ואיננו כנ"ל, והבן: וכן צריך האדם למצוא גם בעצמו, כי זה ידוע שצריך האדם ליזהר מאד להיות בשמחה תמיד, ולהרחיק העצבות מאד מאד (כמבואר אצלנו כמה פעמים) ואפי' כשמתחיל להסתכל בעצמו ורואה שאין בו שום טוב, והוא מלא חטאים, ורוצה הבעל דבר להפילו על ידי זה בעצבות ומרה שחורה ח"ו, אעפ"כ אסור לו ליפול מזה, רק צריך לחפש ולמצוא בעצמו איזה מעט טוב,

What's in it for us?

6) מסכת שבת דף קכז עמוד א

אמר רב יהודה בר שילא אמר רבי אסי אמר רבי יוחנן: ששה דברים אדם אוכל פירותיהן בעולם הזה, והקרן קיימת לו לעולם הבא. ואלו הן: הכנסת אורחין, וביקור חולים, ועיון תפלה, והשכמת בית המדרש, והמגדל בניו לתלמוד תורה, והדן את חברו לכף זכות. אינני? והא אגן תנן: אלו דברים שאדם עושה אותם



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ואוכל פירותיהן בעולם הזה והקרן קיימת לו לעולם הבא, ואלו הן: כיבוד אב ואם וגמילות חסדים והבאת שלום שבין אדם לחברו ותלמוד תורה כנגד כולם [הני - אין, מידי אחרינא - לא]! (עמוד ב) - הני נמי (בגמילות חסדים שייכי. לישנא אחרינא:) הני בהני שייכי.

7) ראש השנה דף יז עמוד א

אמר רבא: כל המעביר על מדותיו מעבירין לו על כל פשעיו, שנאמר נשא עון ועבר על פשע, למי נושא עון - למי שעובר על פשע. רב הונא בריה דרב יהושע חלש, על רב פפא לשיולי ביה. חזייה דחליש ליה עלמא, אמר להו: צביתו ליה זוודתא. לסוף איתפתח, הוה מיכסיף רב פפא למיחזייה. אמרו ליה: מאי חזית? אמר להו: אין, הכי הוה. ואמר להו הקדוש ברוך הוא: הואיל ולא מוקים במיליה - לא תקומו בהדיה, שנאמר נשא עון ועבר על פשע, למי נושא עון - לעובר פשע.

Part of a whole picture....

8) רמב"ם הלכות דעות פרק ה:ז'

תלמיד חכם לא יהא צועק וצווח בשעת דבורו כבהמות וחיות, ולא יגביה קולו ביותר אלא דבורו בנחת עם כל הבריות, וכשידבר בנחת יזהר שלא יתרחק עד שיראה כדברי גסי הרוח, ומקדים שלום לכל האדם כדי שתהא רוחן נוחה הימנו, ודן את כל האדם לכף זכות, מספר בשבח חבירו ולא בגנותו כלל, אוהב שלום ורודף שלום, אם רואה שדבריו מועילים ונשמעים אומר ואם לאו שותק, ה כיצד לא ירצה חבירו בשעת כעסו, ולא ישאל לו על נדרו בשעה שנדר עד שתתקרר דעתו וינוח, ולא ינחמנו בשעה שמתו מוטל לפניו מפני שהוא בהול עד שיקברהו, וכן כל כיוצא באלו, ולא יראה לחבירו בשעת קלקלתו אלא יעלים עיניו ממנו, ולא ישנה בדבורו, ולא יוסיף ולא יגרע אלא בדברי שלום וכיוצא בהן, כללו של דבר אינו מדבר אלא בדברי חכמה או בגמילות חסדים וכיוצא בהן...



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Rav Jonathan Mishkin

“EXAMINE THEM THOROUGHLY – FOR ALL IS CONTAINED THEREIN”

What is so special about the Aseret Ha'dibrot? Certainly the importance of these commandments lies in the fact that they comprise God's communication to the Children of Israel, but that's only begging the question: why did God choose these statements when addressing the nation at Sinai? Are the 13 verses in question holier than other parts of the Torah?

Rabbi Yitzchak Abarbanel (15th century) explains that the Ten Statements were singled out for such special treatment because they include the 613 Mitzvot that God commanded His nation. Because God wanted Israel to recognize that He was the author of the entire gamut of Jewish law, He Himself introduced the Ten Statements which represent the rest of the Torah.

This idea that the Aseret Ha'Dibrot contain all the Torah's commandments is a fairly old one, finding expression in the midrashim. For example, Bamidbar Rabbah 13:16 states: "The 620 letters from 'Anochi' (Shmot 20:2) to 'kol asher le'rayecha' (20:14) are parallel to the 613 Mitzvot. The seven extra letters represent the seven days of creation, teaching that the world only exists for the fulfillment of the Torah."

By linking the 10 Statements to the 613 commandments, the midrash explains why the Aseret Ha'Dibrot were given special treatment by God – their importance is concealed in their depth of meaning. In what way do the Aseret Ha'Dibrot contain the range of God's message?

Rabbi Avraham ibn Ezra and Avraham bar Hiyya (both 12th century) identify three types of Mitzvot: those of the heart, those of speech and those of action, each category manifested in positive and negative commandments.



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The first type of Mitzvah – involving thought is represented in the Aseret Ha'Dibrot by the second statement – "You shall have no other God" (a negative command); the fifth statement – "Honour your father and your mother" (a positive command); and the tenth statement – "you shall not covet" (a negative command).

The second class of Mitzvah – governing speech – has two samples in our passage, both negative: the third statement – "You shall not take the name of the Lord in vain"; and the ninth statement – "You shall not bear false witness." The third category provides rules of action, manifested here by the sixth statement – "You shall not murder"; the seventh statement – "You shall not commit adultery"; and the eighth statement – "You shall not steal."

Our commentators might have labeled "Remember Shabbat" a Mitzvah of thought since respecting the day signifies belief in the Torah's claim that God created the world. It can also be categorized as a Mitzvah of speech since the phrase "Remember the Shabbat Day to keep it holy" is usually cited as the source for the Mitzvah of reciting Kiddush. And, of course, Shabbat observance demands avoiding a wide range of forbidden actions.

Verse 2 (Anochi HaShem Elokecha) might represent an introductory statement reviewing God's relationship with the nation; or according to those who feel that this too is a command, it represents the ultimate Mitzvah of thought – belief in the existence of God.

The Aseret Ha'Dibrot thus represent all six possible types of Mitzvot – any of the other hundreds of Jewish duties can be labeled as belonging to one of the categories illustrated by the ten.

Other scholars are more specific in attributing the 613 Mitzvot to the 10 Statements. Ramban (Rabbi Moshe ben Nachman 13th century) wrote an essay called Taryag Mitzvot Ha'Yotzim Mi'Aseret Ha'Dibrot. Ramban moves Dibrat by Dibrat showing how the philosophy of each statement finds expression in numerous individual precepts.

For example, Shabbat (Dibrat #4) represents concepts of holiness and rest expressed in the holidays prescribed by the Torah which are also deemed holy. Also included within the general command of Shabbat are Shmita and the laws associated with it such as the release of the Jewish slave, as well as observance of the Jubilee year and its restructuring of land ownership. The reminder that "in six days the Lord made heaven and earth" serves as a warning not to mess with God's creations through the hybridization of plants or animals. "You shall not do any



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work... your ox or your ass or any of your cattle" (Devarim 5:14) hints at the prohibition of plowing with an ox and a donkey together (ibid. 22:10).

Admittedly, this sort of approach can lead to some rather fantastic connections. Rabbeinu Bahye ben Asher (14th century) in his two essays on Shavuot in Kad Ha'Kemach links the 248 positive commandments to the three positive statements in the 10 (numbers 1, 4 and 5) and the 365 negative commandments to the other 7. One of his techniques is to identify associations based on the Torah's terminology.

Thus, from the verse "I am the Lord your God who brought you out of the land of Egypt, the house of bondage," Rabbeinu Bahye seizes on the words "Mei'erezt" – land, "Mi'beit"- from the house, and "Avadim" – bondage. "Eretz" includes all the agricultural laws that must be observed in Israel like Orlah, hybridization of plants and vines, resting the land in the seventh year; and all laws of sacrifices which are commandments incumbent only on residents of the Land of Israel. "Beit" represents two laws related to one's house: Mezuzah and Ma'akeh (building a protective railing on a flat roof). "Avadim" of course relates to the laws of Jewish slaves like freeing them when their term is up and providing for them before they go, and treating female servants properly. It also hints at the slightly different rules governing a non-Jewish slave. This treatment of the Torah's language is no more unusual than the Talmud's derivations of halakhot from extraneous articles, or its transference of law details to multiple cases based on word repetition.

We have seen some commentators' attempts to link the 10 Dibrot to the 613 Mitzvot – exercises which I believe were intended to defend God's decision to directly speak only these statements to the nation.

But perhaps the idea that the ten are representative of many more messages has another purpose as well. A need to suppress an over-emphasis of the Aseret Ha'Dibrot is reflected in a current practice in our religion.

The question has been raised whether it is proper for people who usually sit during Torah reading to stand during the recitation of this passage. One might argue that this preferential treatment exhibits a belief in the divine authorship of these verses in contrast to the rest of the Torah. Still others believe that there is no such favoritism involved, and that standing merely represents an imitation of the original scene at Sinai when all of Israel stood to hear the voice of



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God. By standing we recognize that indeed only these verses were uttered by God. And if we accept the premise of the midrash as elaborated upon by the commentators in this essay we recognize that the Aseret Ha'Dibrot are really only an introduction of things to come.

* * * * *



Dr. Tamar Ross

“OF CHILDREN AND FOOLS”

The revelation at Sinai is the most important event in the collective memory of the Jewish people. Many regard the Biblical account as complete in itself and feel that scrutinizing the detailed mechanics of transmission is inappropriate.

But since tradition purports to describe actual events, is it really sacrilege to ask: What is the historic core of the account? How did G-d speak to man? How did His voice sound?

Revelation is far more complicated than simple dictation. That understanding is common to all discussions of the issue from the Talmud on. One midrash even seems to entertain the possibility of prophecy as retroactive Divine approval of human formulations. In an attempt to avoid the anthropomorphism of a speaking G-d, medieval scholars including Sa'adyah Gaon, Avraham Ibn Ezra, and Yehudah Halevi, put forward notions such as the suggestion that the “voice” of G-d was a created intermediary between Himself and man, and not normal speech.



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Maimonides conceived of prophecy as the highest form of the intellectual process, through which man grasps the Divine. Rav Avraham Yitzhak HaKohen Kook admits that external historic and cultural processes are factors in the human perception of Divine revelation.

Perhaps the view most appealing to modern sensibilities connects revelation to the very ability of people to perceive G-d as addressing them. Prophets are those who are capable of hearing G-d – Who is beyond speech, beyond time-bound expressions – through the prism of their own perceptive abilities. Prophetic capacity is the highest perception of the Divine attainable by humankind.

Appreciation of the role of human perception in revelation allowed Rabbi Tzadok Hakohen¹⁰³, a leading late-19th century Hasidic thinker, to take another step: the Talmud informs us in Massechet Sanhedrin that prophecy ceased after the destruction of the First Temple, and in Massechet Yoma that paganism ended at the same time. What is the connection?

Every great shortcoming, explained Rabbi Tzadok, contains the potential for a commensurate good. Paganism, with all its errors and evils, allowed people to experience the overwhelming immediacy of Divine presence. It was precisely the raw, child-like passion of primitive perceptions, uninhibited by moral and theological sophistication that facilitated direct and uncomplicated communion with G-d.

But by the time Greek and Roman culture began to influence the ancient world, the supernatural elements of paganism had faded, making way for a more philosophical and scientific perceptions. In Judaism the principle developed that the sage is more important than the prophet, taking as its authority the Biblical statement that the Torah “is not in Heaven.” Eventually, knowledge of G-d became so wrapped in conceptual

¹⁰³ Resisei Laila, pp 13-14



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abstractions that any claim to direct access to the Divine was relegated by the Talmud¹⁰⁴ to “children and fools.”

Certainly our scientific notion of reality makes it difficult for us to accept the possibility of supernatural intervention. On the surface, at least, the Torah reflects a simpler and more primitive civilization than our own. No other type of culture would have been capable of receiving the Torah so directly from G-d.

“Every day a voice goes forth from Sinai,” says Pirkei Avot. Will we ever be able to hear that voice again? Rabbi Tzadok would probably answer that this depend on our ability to recapture some of the wonder of the children and fools.

* * * * *

¹⁰⁴ Massechet Bava Batra





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Rav Ari Shvat

RAV KOOK AND SECULAR ZIONISM¹⁰⁵ –IN HIS TIME AND OURS

In order to know how to approach the secular Jews in Israel,¹⁰⁶ we must first understand where they're coming from. What was it that drove their grandparents away from Torah, and subsequently, what will bring them back?

One of the most puzzling aspects of the secularization, is the fact that regarding the other aspects of redemption, such as the ingathering of the exiles, revival of the Land of Israel, the Hebrew language, etc. there is obvious advancement over the last 100 years. *Davka*

¹⁰⁵ The majority of this article is based upon Rav Kook's classic article "HaDor", "The Generation", the first article in "Ikvei HaTzon", which first appeared in 1906/תרס"ו, most particularly pp. 108-109. The significant name of the booklet, is based upon the *pasuk* which Rav Kook quotes on the title page, "If you didn't know... go out in **the footsteps of the flock**" (Shir HaShir. 1, 9). Usually, shepherds lead and their flock follows. Nevertheless, Rav Kook is clearly saying (as found throughout the booklet), that many don't know that sometimes, especially in this historical period of redemption, and especially when referring to the flock of Israel (whose G-dly nature and history is mentioned so often by Rav Kook), the rabbis would be wise **to follow their flock** who are being drawn back to the Holy Land and to many of the forgotten ideals of original Judaism. Unfortunately, the rabbis were often among the last to realize that it's time to come home. See Orot HaKodesh, vol.II, p. 364, where Rav Kook warns the intelligentsia, both rabbinic and secular, not to disconnect from the masses, whose approach is sometimes healthier, more natural and straightforwardly "normal", regarding certain issues, *davka* because of their unadulteration from their G-dly nature. This is obviously not the norm, nevertheless, as regarding the national revival, it is sometimes clearly the case. See also Ma'alot HaTorah, Jerusalem, 5751, p.142 who cites his brother, the Vilna Ga'on, that without proper preparation, the study of Torah (though rarely) can sometimes be detrimental.

¹⁰⁶ Much of what we will discuss applies to the secular Jews in the exile as well. On the other hand, the problem there is usually compounded by total ignorance and disconnection of several generations, so the problem is usually not one of animosity but total indifference.



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regarding religion, where we expect the most important improvement during the ge'ula process, the last century has seen a drastic **decline!** Why?

This question is sharpened even more by the fact that already 1,800 years ago (!), we are taught that preceding the ge'ula, there is going to be a universal and national rebellion against religion.

“In the advent of Mashiach, *chutzpa* will heighten, expenses will skyrocket, there will be fruit but wine will be expensive. Governments will turn heretical, and no one will rebuke. The House of Study will be exchanged prostitution ... those border-dwellers will wander from city to city and will not be pitied! The wisdom of the rabbis will be scorned, and the religious will be hated, truth will be sorely lacking. Youth will embarrass their elders, the elders will stand for the young, the son will scorn his father, the daughter will rebel against her mother, the bride against her mother-in-law, a man's enemies will be from his own family. The generation will have the face of a dog (impudence), the son will not be ashamed even before his father.”¹⁰⁷

If today's rebellion was foreseen in such an ancient tradition, even at a time when everyone in the world was religious, that infers that this must be part of some G-dly plan. The question is, what kind of benefit could possibly result from such a spiritual tragedy that would make it part of the G-dly plan? Why must such a rebellion against religion and tradition preempt the magnificent ge'ula?

If we compare the modern non-religious with their historical counterpart from Biblical and medieval times, we find that their flights from Judaism were a result of not only different, but **opposite** reasons.

Being raised in a monotheistic society, we see religion and morality as being intrinsically connected, but in paganist society, the more religious one was, the more immoral he became!¹⁰⁸ Polytheism is not just a question of mathematics, but one of morality, as

¹⁰⁷ Sotah 49b.

¹⁰⁸ The connection between polytheism and immorality, as opposed to monotheism and morality is clear:



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well. In Biblical times, we find that in a generation where prophets castigated Israel for paganism, they also had to rebuke them not only for child sacrifice,¹⁰⁹ but also for exploiting the widow, orphan and convert, theft, drinking, and promiscuity. Problems *בין אדם לחברו*, regarding mitzvot between man and his fellow, and weakness b/w man and his G-d, inevitably were inseparable. One can summarize by saying that the son who rebelled against his Father in heaven, the *בן סורר ומורה*, in biblical times, was motivated by hedonistic pleasure, to be a *זולל ושובע*, a satiated glutton.

Even during the long exile, the average Jew who abandoned his religion did not do so out of idealism or theology, but as a result of his desire for life or standard of life! In exiles where Jews were in danger, or were not allowed to buy land, attend university,

- a. As soon as there are even two gods, inevitably, each of them is imperfect and lacking. Consequently, the gods, in order to fill their void, are constantly found taking from others. If the gods are “takers,” according to the rule of *imitateo dei*, that in all religions, man copies his god, than man can justify his being a “taker”, as well. Conversely, in monotheism, the perfect G-d doesn't lack anything. Accordingly, He is not a “Taker” but a “Giver.” *Imitateo dei*, so should we be “givers”.
- b. As soon as there are even two gods, inevitably, each one wishes to be “king of the hill”, and they will subsequently fight about it, as they do, throughout mythology. If the gods are constantly bickering and fighting, *imitateo dei*, it justifies similar actions in man. Conversely, in monotheism, the perfect G-d has no one to fight with, for nobody is in His league! We now understand why one of His names is “Shalom”, a trait what we, as well, are meant to emulate.
- c. As soon as there are two gods, that infers that there is no one judge, nor one absolute truth or moral code. Everyone can justify and rationalize to his heart's content claiming, ‘I *pasken* like this god today’. Especially when we remember that the gods represent the contradicting powers in the world (e.g. strength vs. beauty, water vs. fire etc). Conversely, One G-d means one absolute truth, one absolute moral code, which we all must answer to, comes judgement day.
- d. Only a physical-pleasure oriented society will idolize physical gods. Conversely, a spiritual G-d with no body testifies that monotheistic society is more spiritual and less physical oriented.

¹⁰⁹ Thus, explains Rav Kook, the main point of Akeidah Yitzchak is that in a society where “*frumkeit leMehadrin*” was expressed by sacrificing one's children, Hashem stops Avraham at the climax, telling him: “Not by Me. This travesty must stop!” In monotheism, love of family not only does not contradict one's love of G-d, but is *davka* an high expression of that same love. There is one Creator, and consequently, all love and unity, whether towards inanimate, vegetation, animate, or man, is seen, by Rav Kook, as the loving unity of man, G-d, and all creation (Olat Re'uya I, p.93 ; Midot HaReIya, Ahava 1, 3, 6). This, as opposed to a story told of one of our great sages of the past generation, who upon the death of his son, supposedly exclaimed that now he can love Hashem even more wholeheartedly, because he used to also love his son. Needless to say, some stories are better off being historically, if not Jewishly, challenged!



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work in certain (or most!) trades, or reside in most neighborhoods, understandably, many abandoned Judaism for **ulterior** motives (to live “normally”)!

Put simply, in previous generations to be a religious Jew demanded not only sacrificing those pleasures prohibited by G-d, but also foregoing all those basic pleasures which gentiles forbade the Jews. For those who left, Judaism was just too difficult.

On the other hand, about one hundred years ago, when teenagers began to be attracted to the Zionist youth movements in Europe, the appeal was in the **ideology**. Upon being asked by their fathers: “What did you discuss today at *snif*?”, the son would answer: “We spoke about the ideals of national revival, zionism and *aliya* (T. Herzl), Jewish labor (A.D. Gordon), reviving the Hebrew language (Eliezer Ben-Yehuda), socialism (Berl Katznelson), Jewish pride and self-defense (Jabotinsky), and the need for Jewish culture and literature (Ahad HaAm).”

The reaction of the “fathers” and many rabbis in Europe, to this long list of ideals of the “sons” was one big “NO”.

*They opposed nationalism, seeing Judaism as a **religion** and the Jewish State and aliya, as a messianic dream, some even actively opposing it, seeing zionism as a rebellion against G-d’s degree of exile.

*They were against their sons becoming farmers and menial laborers, seeing the ideal as learning Torah, and if one must work, he should opt for a clean profession befitting a “nice Jewish boy”, not a “*goyishe*” trade.

- The elders saw Hebrew as *Lashon haKodesh*, meant to be used for prayer and study, and not for secular conversation.
- Standing up to fight was seen as the non-Jewish way. The *galuti* Jew even rationalized his weakness by turning it into an ideology of pacifism: “We don’t stoop down to their level.” “The goyim fight with weapons, the Jews, with prayer and passports.”



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- Socialism was associated with atheism, and Karl Marx's "Religion is the opiate of the masses".
- Seeing Judaism as a religion and not a nationality, Torah, mitzvot and gefilte fish were seen as the Jewish culture. The elders didn't see a need for Jewish theater, university, or literature which dealt with secular topics. On the contrary! Most saw modern culture as competition and a threat to Judaism.

Upon being informed that Judaism and zionism were diametrically opposed, the sons opted for the modern, idealistic nationalistic ideology, and rebelled against what they saw as a stagnant, old-fashion and shallow religion.

Rav Kook points out that as opposed to the rebel in biblical and midieval times, **the chalutzim ran from Torah not because it was too difficult or "high" for them but the opposite, because it was too "low" for them.** They wanted ideals and were answered with negatives.

The chalutzim were not lazy people! For the ideals that they believed in, they were willing to move to a far and deserted Land, to struggle and often die fighting malaria and Arab marauders. They simply did not find Judaism as an ideology but as empty ritual.

The *chidush* of Rav Kook was that he explained to the fathers and sons alike, that the youthful **rebellion was not against Torah but against galut!**

An objective examination of the "original" Torah (as opposed to the *galuti* one) finds that those very ideals of the chalutzim not only did not contradict Judaism, but in those respects, **the rebellious sons were even more "religious" than their elders!**

An objective reading of the Jewish sources finds that Am Yisrael has a nationalist aspect which is actually embedded within the religious one. Moshe, Yehoshua, Shaul, David and all of our biblical heroes were all religious-nationalists! They spoke Hebrew, led the national army, worked the land as farmers or shepherds, and saw their national and their religious roles as one-and-the-same.



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- The conquering of Eretz Yisrael and running the Jewish State cannot but be called nationalism. This is exactly the *mitzva* to conquer, rule and settle the Holy Land called *mitzvat yishuv haAretz*, "ויהורשתם את הארץ וישבתם בה".¹¹⁰
- Even though it's not always possible, Aliya is always a Jewish ideal.
- How much more so when associated with the national revival stressed so often in the *tanach* as the ultimate Jewish dream!
- Our forefathers were preoccupied with physical labor and working the Holy Land of Israel, as part of the aforementioned *mitzva* of settling the Land. Just as we shouldn't be embarrassed to don our holy *tfilin*, if necessary, even publicly before the eyes of gentiles, how much more so, there is no shame to be a farmer and cultivate the holy fruits of the Holy Land, for the sake of the holy People!
- It is a *mitzva* to speak even about secular topics in Hebrew,¹¹¹ *Lashon haKodesh*, as did our forefathers in the Tanach. Moshe spoke with Yehosua in Hebrew, not yiddish, and was called *Rabbenu*, not Rabinowitz!
- Our forefathers and national heroes were not warmongers, but when oppressed or mocked, Avraham, Moshe, Yehoshua, Gidon, Yiftach, Samson, Shaul, David, the Maccabees were far from being pushovers! They all served in the Israelite (sounds more *frum* than "Israeli", but it means the same thing!) army and stood up for Jewish pride. "Turning the other cheek" is a Christian, not a Jewish, concept.¹¹²
- The ideals of equality and social justice were not invented by modern socialist but are the very backbone of Judaism. Especially in Eretz Yisrael, we give about 2% of our produce for *truma*, 10% for *ma'aser* and *trumat ma'aser*, 10% for *tzedaka* or *ma'aser ani*, every seventh year (=14%) our produce is left for the poor, in addition to the year of *yovel* (=2%), not to mention 22 (!) other *matnot kehuna*, and other

¹¹⁰ Note that there are two verbs or actions necessary to fulfill this *mitzva*, to conquer or rule (= national zionism) and to settle.

¹¹¹ See chapter "Speaking Hebrew- Our National Language".

¹¹² This concept is explicitly described in Eicha 3, 30, as shameful and contrary to the behavior of all of the Jewish heroes in Tanach. See the chapter on Jewish Heroism.



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significant percentages for the poor (*leket, shikcha, pe'ah, peret, olilot*, etc.). All this amounts to about **half** (!) of what we earn, we share with the less fortunate! The most common mitzva in the Torah (35 times) is to love and take care of the *ger*, the foreigner, that he shouldn't be exploited.

- Being that complete Judaism is not only a religion but a nationality as well, when living our natural national life in Eretz Yisrael, there obviously always was an Israelite (sounds more *frum* than "Israeli") culture.
- Inevitably, in the modern world, that Jewish State must have not only farmers but also universities, trade schools, think-tanks, institutions for research and development, plumbers, etc. etc.

In fact, suggests Rav Kook, not only do these modern ideals not contradict the eternal Torah, but their actual source is in the Torah itself. Why Israel and not Uganda? Why Hebrew and not Yiddish? Who brought morality, social justice, and Jewish pride to the world, if not the Torah! Simply put, it's not the zionists who are reforming or changing Judaism (a common anti-zionist complaint), but *davka* the galut is guilty of that offense. On the contrary, **Zionism is calling for the return to the original!** חדש ימינו כקדם. It even borders on the heretical to see the eternal Torah as something ancient, outdated or anachronistic, not applicable to today's modern world.

The problem is that in the meantime, an interesting but unfortunate coalition was formed between the zionist anti-religious sons and their religious anti-zionist elders, that stands until this very day. The *chilonim* and the *charedim*,¹¹³ ironically agree that zionism and religion exclusively contradict.

Rav Kook tells us that instead of division, the fathers and the sons should learn from each other. Not only should the young learn from their elders, but as the *navi* Malachi directs us, in the generation of *ge'ula*, the converse is true, as well. והשיב לב אבות על בנים. על בנים על אבותם¹¹⁴ The fathers should learn nationalism from their children, and the rebellious sons should return to the religion of their fathers. They should both realize

¹¹³ We use these inaccurate but often-used terms for the sake of brevity not clarity.

¹¹⁴ Malachi 3, 24.



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that their common rebellion should be against the galut who's time is up (as the *sho'ah* and rampant assimilation subsequently proved), and that their common goal is to return to the days of yore. The **artificial *mechitza* that they commonly erected between nationalism and religion should be removed, and the original religious –zionism should be restored.**¹¹⁵

The solution, suggests Rav Kook, is to be found in the root of the problem. Instead of seeing Torah as the deepest and most meaningful of G-dly eternal ideals, many, maybe even most, to this day, see Judaism as **a religion, or set of shallow and meaningless rituals.**

The story is told of how Rav Kook, upon one of his visits to an anti-religious kibbutz, was approached by one of the leaders who greeted him as follows: "With all due respect Rabbi, you shouldn't waste your time trying to convince us to be religious. It's not that we don't know what Torah is, most of us were raised in observant homes. We know Torah, rabbis, mitzvot and we don't like them!" Rav Kook questioned, "Why?" The kibbutznik replied: "We simply can't stand your old-fashioned, meaningless, outdated rituals!" Exclaimed Rav Kook, "I agree". "What?", asked the surprised rebel. Explained the Rav, "I also hate the "religion" that you describe. But the dynamic, idealistic and deep Torah is so beautiful that anyone who is exposed to it cannot but love it!"

Q. How could something so basic and appealing as the deepness of Judaism get "forgotten" over the generations?

A. The problem is that, to this day, in most yeshivot,¹¹⁶ the usual curriculum consists of Talmud, Talmud, Halacha and Talmud. The beauty and depth of Torah is easier to see through the study of the more philosophical, kabbilistic, chassidic, moralistic and deeper sources. Outsiders may find it hard to believe, but even the dynamic Tanach, the "best-seller" of all times in just about all languages, almost ceased to be learned in the

¹¹⁵ Although the point is that nationalism is part and parcel of the complete and original Torah, the hyphen commonly placed between the words religious-nationalism is only a reaction to those who began seeing Torah not as an all-encompassing way of life, but as a religion, in the limiting (=galuti) sense of the term.

¹¹⁶ The problem is much less acute in the educational system of girls, where Talmud is not the all-encompassing topic of study.



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Jewish halls of higher knowledge, even though we, Am Yisrael, the People of the Book, are the central figure!¹¹⁷

Several explanations are offered as to why we all but ceased to learn the deep, beautiful, idealistic and appealing aspects of Torah.

- a. The **maskilim** embraced the universally acclaimed Tanach, philosophy, and ethics as part of their objective to depreciate the importance of rabbinical Talmud (which they saw as “too Jewish” or restrictive).¹¹⁸ In reaction, the traditional community veered away from those **universally appealing** topics in order to distance the danger of assimilation, and conversely stressed the halachic do’s and don’t’s even more. Similarly, the secular zionist interest in Hebrew, Tanach and the Land of Israel knee-jerked many religious to recoil from the Holy Tongue, the Holy Book and the Holy Land!
- b. Similarly, the fiasco of **Shabtai Zvi**,¹¹⁹ whose claims to being the messiah were based upon sources from the kabbalah, caused a super-conservative reaction against learning the more esoteric or mystical sources.
- c. Some leaders in the charedi community have actually admitted that the problem is fear of **questions** or challenges inevitably raised through the study of these topics. If we try and understand the mitvot with our logic and our emotion in order to identify with them, there is the risk that the student will **not** understand nor identify. Subsequently he will likely forget that man cannot be the “measuring-stick” for a G-dly Torah, and that the study of the “why’s” cannot be but a partial understanding of G-d’s infinite wisdom. Similarly, the study of Tanach raises many questions and apparent contradictions from within (as expressed by bible critics) as we see in the Talmud. If it is difficult to ascertain that each and every teacher at all levels is

¹¹⁷ R. Moshe Shternbuch, Tshuvot v'Hanhagot II, 457, explains that Tanach is not stressed in the charedi community because it raises questions. The Satmar Rebbe, R. Yoel Moshe Teitelbaum, VaYoel Moshe, Lashon HaKodesh, ch. 13, goes so far as to say that one of the reasons we shouldn't learn or speak Hebrew is to prevent the learning of Tanach which can easily be “misunderstood”.

¹¹⁸ See Orot..... where Rav Kook reacts to Graetz's call to “prophetic Judaism”.....

¹¹⁹ See Gershom Scholem, Shabtai Zvi, who convincingly portrays this tragedy as the turning point in modern Jewish history, causing many responsive movements, such as the mistrust of rabbis and transferring the communal leadership to lay-leaders, the ban on study of kabbala, the uprise of the chassidic, reform, and haskala movements.



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- adequately trained to answer all of the many difficult and fundamental questions, some felt it safer to avoid these topics altogether.
- d. Chovot HaL'avot suggests that traditionally, **status** in the Jewish community came through excelling in the the complex study of Talmud.¹²⁰ Other topics such as Tanach, ethics, understanding the meaning of the mitzvot, was seen as material for children and the less intellectual.¹²¹
 - e. Technically, man had much **less free time** than he does today. Although the average Jew always knew how to read and spent much more time than his gentile counterpart on scholarship and study, before the technological revolution, there wasn't time for to learn everything. As such, the **necessity of first learning halacha**, Parshat Hashavua, and keeping up with the seasonal holidays took priority and the deeper studies were left for only the most learned.
 - f. The Tanach and subsequently the study of the depth of mitzvot are a **"package deal"**. Most mitzvot can be done **only in Eretz Yisrael**, and the real dynamic total life of Torat Hashem Tmima (=complete, perfect) as seen throughout the Tanach and *ta'amei hamitzvot*, can only apply when we are living our full national life in the Land where the Torah was meant for. The **national, agricultural, military, geographical, purity, and sacrificial aspects, comprise most of the Tanach and ta'amei hamitzvot**, and unfortunately were seen by many as secondary (at best) to the areas of Shabbat, Kashrut etc. which apply to everyday life in the galut. In short, Galut inherently is a very partial and incomplete Judaism, but nevertheless, that's what was relevant to the Jew for 1,900 years. Consequently, the true width and depth of the complete Judaism as seen in the aforementioned topics were far-removed from the Jew in galut, and consequently their study was neglected.

Simply put, "From the time that Israel was exiled, G-d's only place is in the 4 cubits (= the limited field) of **halacha** (Berachot 8a). Yet with all due respect to the unquestionable super-importance of g'mara and halacha (to which Rav Kook and his

¹²⁰ Chovot HaL'avot, Lev Tov edition, p. 35.

¹²¹ See also Ramchal, Misilat Yesharim, intro. Eshkol edition, p.4; Sefer Hachinuch, intro. p. 1, writes explicitly that his work on understanding the mitzvot was written for youth.



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followers dedicate the vast majority of their countless hours of learning), the depth, ideals and beauty of Torah are hard to see through the technical do's and don't's.

Q. How did we manage on this relatively shallow Judaism without rebellion for so many years of exile? Why did the rebellion against religion wait so long?

A. When there is no competition, a product can stagnate and nevertheless its demand will continue. As long as religion had a monopoly over mankind, people didn't examine or compare, they just followed the ways of their fathers. With the renaissance, and afterwards the emancipation, the Jew began to see that the modern outside world has some appealing ideologies to offer. The gentile was no longer an uneducated heathen usually associated with drunkenness and violence. There was now an intellectually palatable alternative outside of Judaism.

Competition is forcing the rabbis to "market" Torah in the most appealing way possible. The question "how much must I pay if my ox gores your cow?" is not going to succeed in bringing back the masses to Judaism.¹²² On the other hand, the beauty, depth, and positive experiences of learning ethics, morals, ideals, hassidut, mussar, kabbalah, Tanach, philosophy, the appealing aspects of the G-dly Torah, will undoubtedly bring them home!

One of the prevailing themes in the writings of Rav Kook is that in a world created by G-d who is good, everything, even that which appears to be bad, is for the good.

"The lofty ideal essence is revealed, that there are no opposites (contradictions) in the (unity of) reality. There is no "good" as opposed to "bad", but there are only different levels of reality: "good" as opposed to a "higher good" ...".¹²³

¹²² Although even the most technical and seemingly "dry" topic, upon deeper examination, can and should be seen in its true moral light. If we take the above example, the moral code of the Torah is so demanding, that not only must I pay for all damages I may cause, but even if my ox gores one's cow, I am morally and halachically obligated to cover his loss.

¹²³ Orot HaKodesh II, p. 455. See Brachot 60b, "Everything G-d does is for (for the sake of) good". Pesachim 50a, "In the future, we will only bless 'Hatov v'hameitiv' (made when one hears good news, and not 'Dayan ha'emet', blessed today upon hearing bad news, for we will see the good in every event)."



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This is one of the reasons most of Rav Kook's books are named "Orot" or "The Lights of". Even that which appears bad does so only because we have yet to see the good that will come. "Even the evil is really... the 'developing good'."¹²⁴ Not only is failure a preparation for the good, but every advancement must be preceded by falling. This is based upon the kabbalistic idea that the physical world is an allegory to help us understand the metaphysical world.¹²⁵ Just as in the physical world, in order to jump, we must first bend our knees. Even moreso, the more you wind –up, the further you can throw, and the lower you press a spring, the higher it will jump. Similarly spiritually,

אל תשמחי אויבתי לי כי נפלתי קמתי - אלולא שנפלתי לא קמתי כי אשב בחשך ה' אור לי - אלולא
שישבתי בחשך לא היה אור לי: ¹²⁶

“For (because) I fell, I rose. Were I not to have fallen, I would not have risen”.

We can now understand Rav Kook's explanation to the original question: Why did our rabbis teach us already 1,800 years ago that, preceding the ge'ula, there will be a mass rebellion against religion? What do we “benefit” from this terrible rebellion?

The answer: This rebellion against the seemingly shallow and stagnant old-fashioned Torah, is *davka* what necessitated the rediscovery of the original deep, exciting, dynamic and idealistic Torah of Eretz Yisrael, which had been forgotten and neglected. It was always around, just not studied by the masses. As we approach the ge'ula, Hashem wants the original Torah to be re-revealed, in all of her glory and appealing truth.

Q. Some question whether Rav Kook's ideas in this article, which were ingeniously applicable in his generation,¹²⁷ a generation of super-idealists, are still true regarding today's non-religious in Israel?¹²⁸

¹²⁴ Ibid, p. 469.

¹²⁵ See Eyov 19, 26, "מבשרי אחזה א-לוהי", explained by Rabenu B'chaye, Breishit 1, 27, as alluding to the above idea.

¹²⁶ Yalkut Shimoni, Tehilim 628.

¹²⁷ See R. S. Aviner, Zvi Kodesh, p. 42, Rav Tz. Y. Kook quotes the famous anti-religious zionist writer Y. Ch. Brenner who wrote him, regarding his father, "This Rav (Kook) apparently understands the turmoil of the younger generation".



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A. It's true that unfortunately, that enthusiastic idealism once found among the chalutzim, is less common among the non-dati in Israel today.

Nevertheless,

1. The high rate of 17% of Israeli adults who have become significantly more observant shows that although it's obviously easier to be *chiloni*, when convinced, they **are** willing to "make the change".¹²⁹ Just as many get "turned on" by vegetarianism, humanism or other idealistic or activist causes or unfortunately, *l'havdil* by the far-east beliefs and ways, all of which demand a price for their idealism.
2. The main point is that they are still significantly closer to the modern rebel as described by Rav Kook, than they are to the rebel in the Tanach and Jewish history who knew that there is a G-d but He is too demanding. Today, the problem is not that Judaism is too difficult, but that since the renaissance, man will ask questions and won't settle for something that seems shallow and meaningless. They wouldn't be interested in "mumbo –jumbo" even if it were easy! They are not going to other, more convenient religions or movements (such as Reform or Conservative), but are definitely capable of being convinced. Even the argumentative nature of Jews (3 Jews will have 4 opinions), and especially Israelis (having in most elections more than 20 political parties, whereas America, about 4,000% larger, manages to make do with 2!), reflects the idealistic and uncompromising personality that demands meaning and won't stand for emptiness.¹³⁰
3. In the modern world of freedom and transportation, almost anyone who really wants to leave Israel, can (and not a few actually do). Among the majority that does stay, most serve in the army and are, when necessary, even willing to die for their land and country which they believe in. If *chalila*, another Yom Kippur War would break out, I have no doubt that the majority will stick and fight together and won't flee to

¹²⁸ See a symposium of articles relating to this question in , בצהר יח (אביב, תשס"ד), and my article "אתגר יהודי: עדכון שם התנועה לידתי-לאומי-אנושי", צהר יט (קיץ, תשס"ד), עמ' 137-146.

¹²⁹ See Dachaf national survey polled by Dr. Minna Tzemach , "Hatshuva Hashkufa," Y'diot Achronot, 6 Iyar 5757 (16/5/97) p.53.

¹³⁰ See Beitza 25b, "Yisrael is the *azin* (bravest/stubborness/argumentative) of all nations".



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other countries, worrying just about themselves. Although most may not express it in day-to-day life, our rabbis say that the way to find out who a person really is inside, is how by his reaction under pressure and extenuating circumstances.¹³¹ As such, Am Yisrael is likened to the olive whose goodness comes out under pressure.¹³²

In short, idealism is far from dead by the People of the Book. All we have to do is expose them to the beauty, depth and super-morality of Torah, and they are not only capable, but thirsty and searching.

Q. Granted, the beauty of Torah often speaks for itself, yet what about the difficulties, questions, apparent inconsistencies between the torah and modern morality and reality?

A. To relate seriously to each and every question people ask on Judaism is obviously beyond the scope of this publication. Not only is each question different and often unrelated, so too each questioner is unique. The only proper framework for this is "the oral Law", face-to-face, and step –by-step, through personal guidance geared towards the pace, level, and mindset of the questioner.

Nevertheless, I believe it important to mention one issue which answers many of the most legitimate questions on halacha and Torah practice.

The “**Master-Plan**” of Torat Hashem tmima”, calls for a Sanhedrin to gather all gedolei hador to discuss and concretely decide how to deal with each new question or challenge that may arise. The fractionalization of Judaism into so many different customs and streams, where every local rabbi decides what is Judaism, was necessary during galut, but with modern communication, it is not only confusing but is often **correctly** seen as inconsistent and contradictory.

In addition, with no collective responsibility, most individual rabbis will inevitably shy away from making many significant statements or innovative decisions for fear of what the others will say. Subsequently, even if there are some (not many) "outdated" customs or halachot, they technically cannot change until the Sanhedrin is renewed. I don't

¹³¹ בכוסו, בכיסו ובכעסו, Eruvin 65b, “A person is recognized by when he is drunk, loses money, or angry .

¹³² Yalkut Shimoni, Yir. 289.



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believe that we will forever pray in Y'kum Purkan for the great rabbis of Babylon, especially since for decades, there are no and will not be any more rabbis there at all! I obviously do not think it wise to give more controversial examples, yet the more learned a person is, the more he knows that there is a lot more flexibility than the current halachic framework allows.

Today, we are unnaturally and illogically in abeyance. On the one hand, with kibbutz galuyot, the centralization of the yeshivot and globalization, we are no longer in the disconnected dispersion, where each local rabbi monolithically defined halacha for his congregants. Not only are we all aware of the different approaches which need to be settled, but additionally, the abundance of questions raised by modern reality, deem necessary the Sanhedrin which has yet to be revived.

Here too, as in many cases,¹³³ Rav Kook, in his historical and evolutionary view of the world, would say that not only is this a religious prayer, or blind belief, but it is logically inevitable, as well.

* * * * *

¹³³ See the chapter on The Importance of the State of Israel According to Rav Kook.



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