

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

# To-Go™

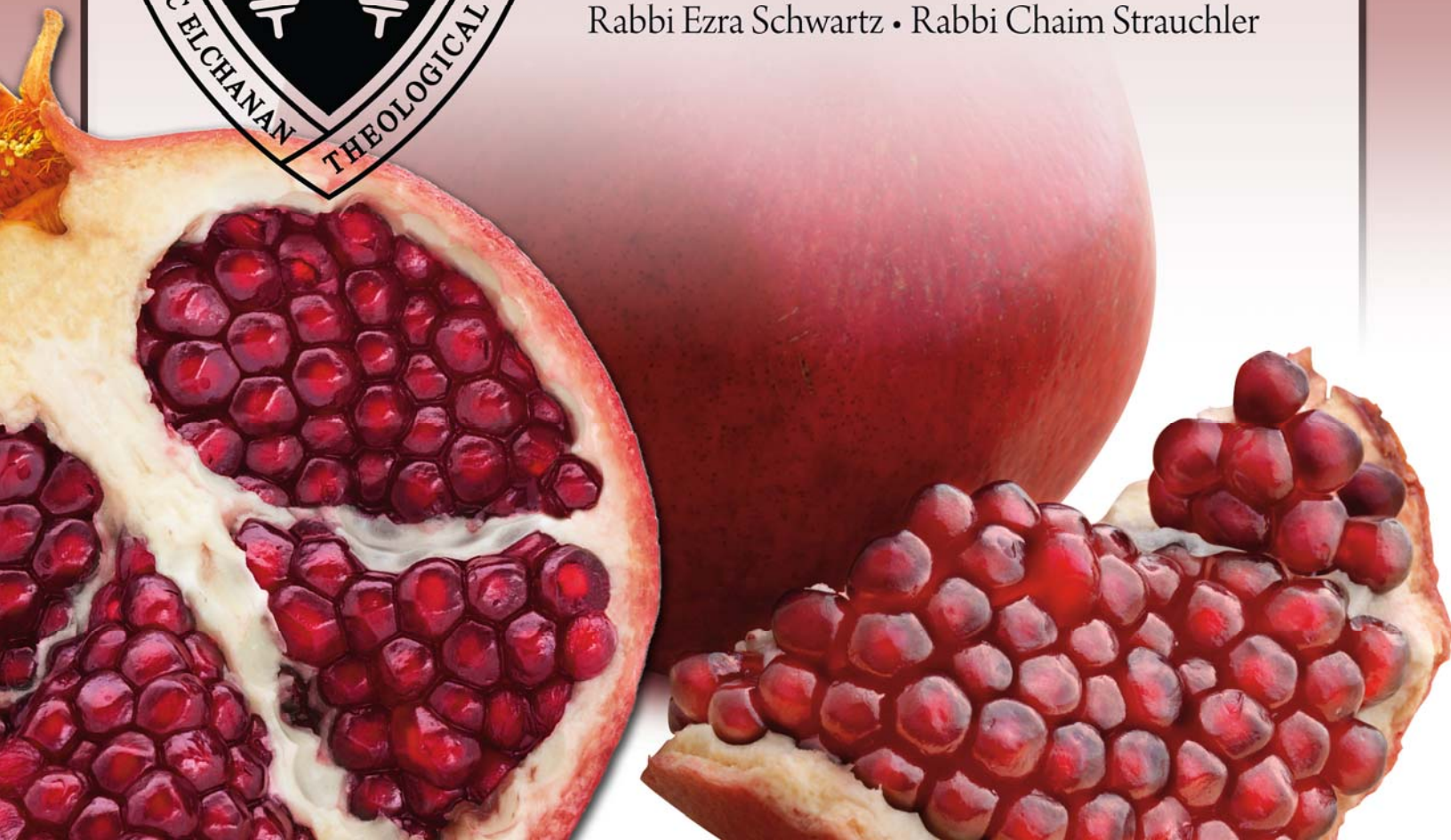
## Rosh Hashanah 5773

Special Issue Featuring the Rabbinic Alumni of RIETS



### Featuring Divrei Torah from

Rabbi Dr. Norman Lamm • Rabbi Edward Davis  
Rabbi Dr. Zalman Levine • Rabbi Dr. Alex Mondrow  
Rabbi Dr. Aaron Ross • Rabbi Ben Zion Scheinfeld  
Rabbi Ezra Schwartz • Rabbi Chaim Strauchler





## YESHIVA UNIVERSITY

Tishrei 5773

Dear Friends,

This year's Rosh Hashana To Go is dedicated to and produced by our Rabbinic alumni. They serve as *Klei Kodesh* our communal leaders in synagogues, schools, summer camps, universities, and communal organizations around the world. On a daily basis they articulate to thousands the sweetness, the moral values, the spiritual profundity and the intellectual depth of our Torah.

Many of our RIETS alumni also serve as *lay kodesh* – lawyers, doctors, businessmen and entrepreneurs serving their communities in volunteer capacities. Through their harmony of community involvement and professional responsibility they serve as role models to all of us as *bnei torah* who engineer and virtually create *kotlei beit midrash* in the workspace and the communal institutions they engage.

We at RIETS are continuously inspired by our alumni's capacity, courage, and charisma.

This Rosh Hashanah, enjoy the Torah of our RIETS alumni. We hope that the spiritual energy and Torah knowledge gleaned from this edition will enhance your Yom Tov and make your Chag more meaningful.

*Ketiva V'Chatima Tova,*

**Rabbi Kenneth Brander**

The David Mitzner Dean, Yeshiva University  
Center for the Jewish Future



500 WEST 185TH STREET FH 425 • NEW YORK, NY 10033 • TEL. 212-960-5227 • FAX. 212-960-5450 • [brander@yu.edu](mailto:brander@yu.edu)

Richard M Joel, President, Yeshiva University

Rabbi Kenneth Brander, The David Mitzner Dean, Center for the Jewish Future

Rabbi Joshua Flug, General Editor

Rabbi Michael Dubitsky, Editor

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Yeshiva University Center for the Jewish Future

500 West 185<sup>th</sup> Street, Suite 413, New York, NY 10033 • [office@yutorah.org](mailto:office@yutorah.org) • 212.960.5400 x 5313

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# An Appreciation of Our Beloved Yeshivat Rabbeinu Yitzchak Elchanan

אשרינו מה טוב חלקנו ומה נעים גורלנו

We are fortunate. How good is our portion and how pleasant our lot.

A look back at the last one hundred years affords us the opportunity to appreciate what our beloved Yeshiva has enabled its *musmakhim* (ordained rabbis) to accomplish. The vibrancy and optimism which characterizes the present state of affairs in the Orthodox community world-wide is a result, in great measure, of the commitment of RIETS' supporters and administrators in maintaining our great citadel of Torah learning.

Rabbinic Alumni counts among its more than two thousand *musmakhim* some of the most notable *marbitzei Torah* in the entire world. Even a quick glance at the roster of our RIETS' Roshei Yeshiva and staff today will demonstrate the role and the impact that our *musmakhim* have on maintaining the continuity of our remarkable yeshiva. They are fitting successors to the *geonim* who led our Yeshiva through the last century.

Our graduates presently serve as the *rabbonim* of most of the prominent synagogues in America. We find our *musmakhim* involved in Jewish education on all levels around the globe. The best indication of the future vitality of the Jewish people, is seen when the beneficiaries of Jewish education chose to dedicate their own lives to this noble cause.

Our Yeshiva also has a cadre of *musmakhim* engaged in numerous professions and undertakings thereby contributing immensely to *tikkun ha-olam*. We find our graduates in prominent roles in organizational life serving in institutions which address the social and political concerns of the Jewish people in particular, and the world in general. Many can be found among the first ranks of academia world wide. A significant number of our *musmakhim* have made *aliya* and are advancing the ideals of Torah U'Madda in *Medinat Yisrael*. Wherever they may be and in whatever profession they may serve, the *musmakhim* of RIETS are religious and ethical role models in their communities and professions. The articles presented in this issue of Rosh

Hashana To Go for your edification are a demonstration of the wide range of interests of our *musmakhim* and their areas of expertise.

In recent years, RIETS through the CJF has intensified its efforts to reach out to communities in the States and Canada to share with them, in some measure, some of the programs which have until now been available only to its students. This initiative has inspired and motivated many communities to strive for greater goals and has enhanced the influence of our Yeshiva.

Rabbinic Alumni of RIETS is grateful to our yeshiva for all that it has given us and continues to provide. We recall the pioneering efforts of Dr. Bernard Revel and Dr. Samuel Belkin ZT”L, and the achievements of Dr. Norman Lamm Shlita. At present, we acknowledge the tremendous efforts of President Richard Joel in re-envisioning and reinvigorating the institution to which we owe so much. We also express our *hakarat hatov* to Rabbi Kenneth Brander, The David Mitzner Dean of the Center for the Jewish Future, for providing the rabbis in the field with a myriad of resources and professional growth opportunities. We especially thank Rabbi Yona Reiss, the Max and Marion Grill Dean of RIETS, the RIETS Roshei Yeshiva and entire staff for finding the time in their busy schedules to answer our *shailos* and share Torah with us via phone, email, texts, the internet, Rabbinic Alumni’s publication, *Chavrusa*, as well as by traveling to our communities. In an issue celebrating Rabbinic Alumni, it is most appropriate to acknowledge the initiation of the Elef L’Mateh society and the more than seventy *rabbonim* who are pioneers in this new initiative to help give back and support the Torah activities of the Yeshiva.

The great Rav Chaim of Volozhin is said to have proclaimed America as the last “*achsania of Torah*” before the arrival of Moshiach. At that time, our Yeshivat Rabbeinu Yitzchak Elchanan will surely be recognized for its instrumental role in shaping the course of twentieth and twenty first century Jewry leading up to this cosmic event.

May Hashem continue to bless all who are involved with furthering the goals of RIETS.

Shana Tova to all,

**The Yeshiva University Rabbinic Alumni Advisory Committee**

Rabbi Adam Berner • Rabbi Binyamin Blau • Rabbi Kenneth Hain  
Rabbi Elazar Muskin • Rabbi Moshe Neiss • Rabbi Dr. Shlomo Rybak  
Rabbi Shmuel Silber • Rabbi Perry Tirschwell • Rabbi Elchanan Weinbach  
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# Yeshiva University-RIETS salute the inaugural members of the **Elef L'Mateh Society**

We are proud of the leadership role you are playing in helping our Yeshiva support the spread of Torah, in promoting the values and ideals of YU, and in helping inspire and educate the global Jewish community.

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# Repentance Beyond Sin<sup>1</sup>

Rabbi Dr. Norman Lamm

RIETS Class of 1951

Rosh HaYeshiva, RIETS, and Chancellor, Yeshiva University

*The beginning of a new year of learning and living a full Jewish life of mitzvot is a proper occasion to explore the often neglected overlay of meaning of our religious growth in these areas. The following comments are inspired largely by the writings of the founders of the HaBaD school of Hasidism, but they do not necessarily follow them entirely and, indeed, depart from them in certain details.*

It is customary to associate *teshuvah* with sin. A person transgresses and he then rues his deed. The proper response is *teshuvah*, repentance. The halakhic analysis of *teshuvah* is highly sophisticated and articulates well with the psychology of the penitent, accompanying him on the various stages of his "return" to his pre-sin state.

However, sin does not exhaust the entire *teshuvah* phenomenon, for were it so, how would we account for the fact that the Talmud and Midrashim recommend *teshuvah* every day of one's life<sup>2</sup> and that the truly righteous are described as those preeminent souls who are in a state described as *kol yamav bi-teshuvah*, spending all their lives in repentance? It is stretching the point to answer that the greater the person the more aware he is even of the most minor infractions. Moreover, the Talmud does posit a category of *tzaddik gamur*, a completely righteous, i.e., sinless, person. Is such a totally unblemished individual to be denied this unique and inspiring mitzvah of *teshuvah*?

The most compelling answer is offered by R. Shneur Zalman of Lyadi, author of the immortal Tanya and founder of HaBaD Hasidism.<sup>3</sup> He differentiates between two kinds of repentance which he terms a Lower Repentance (*teshuvah tata'ah*) and a Higher Repentance (*teshuvah ila'ah*). The former is the kind of repentance we are most acquainted with - the confession, contrition, resolution, etc., that follow upon sin. This *teshuvah* may take the form of abjuring evil in any and all its many guises (thus, the negative commandments), or that of the active pursuit of the good and the noble and the holy (the positive mitzvot). The choice is as much a function of individual temperament as ideological preference. But both are motivated by the consciousness of moral or spiritual failure.

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<sup>1</sup> Reprinted with permission from Rabbi Lamm's *Seventy Faces: Articles of Faith* (2002), Vol. II pp. 45-49.

<sup>2</sup> *Shabbat* 153a; *Eccl.* R. 9:8; *Mid. Psalms* 90:16; *Shelah*, *Be'asarah Maa-marot*, *Maamar* 7 (18).

<sup>3</sup> In his *Likkutei Torah* to *Balak*, 74a.

The Higher Repentance has nothing at all to do with sin or defeat. It is the reaching out for God in an attempt to overcome the human condition of being separate and alienated from Him. Man's soul is the divine "spark" within him, and this *neshamah* strives for *teshuvah*, or, literally, "return" to its Source. In other words, *teshuvah ila'ah* represents a genuinely spiritual yearning, and is unrelated to psychology or disobedience - the realm of *teshuvah tata'ah*. The return, in the former, is not to one's own prior, pristine, pre-sin state, but to one's ontological origin, prior to his very existence separate from his Creator.

Both of these forms of repentance bespeak a high level of spiritual maturity, but the difference in focus results in qualitatively different experiences. Thus, the Higher Repentance is thoroughly rational; the striving to reunite that which once was one. The Lower Repentance, however, is irrational, almost absurd. It seeks to undo the past, declaring that the past transgressions never occurred or have even been transformed into virtues (*zekhuyot*).<sup>4</sup> It is a violation of causality and, indeed, common sense - although without it, we would be condemned to an inflexible, fatalistic, brutish existence. The divine forgiveness which is the shining goal of *teshuvah tata'ah* defies our reason, and the human reaction to such irrational Divine pardon is fear or awe, sheer amazement, as we are overwhelmed by the divine indifference to mere reason and His overruling of necessity and causality (*ki imkha ha-selichah lema'an tivarei*).

In the major elaboration of repentance in the Torah, that recorded in *Nitzavim*, both forms of *teshuvah* are mentioned, but there is a clear separation between them. Thus, verses 1-6 apply to *teshuvah tata'ah*, while the following four verses, 7-10, refer to *teshuvah ila'ah*.

R. Shneur Zalman maintains that the Higher Repentance is addressed to God as the *Ein-Sof*, as the Infinite beyond all relationship, and is achieved through the study of Torah. The Lower Repentance involves an encounter with God in His self-revelation via the Sefirot, the Ten Emanations of His attributes, and proceeds through performance of the mitzvot. This is a most reasonable view, in light of the role of man in both forms of *teshuvah*. In the sin-driven Lower Repentance, a human being strives to reintegrate his personality the wholeness of which has been shattered by sin, and it stands to reason that he should appeal to God in *His* role of personality, i.e., the Ten Sefirot. This reintegration of one's personality is an expression of the psychological dimension of sin and repentance--and this is characteristic of the mitzvot, with their positive and negative modes of conduct both expressing and influencing one's will and emotions. When it comes to the Higher Repentance, however, which is the yearning to rejoin the Source of all being, it is not man's psychic state that moves him but his spiritual fate, his metaphysical and meta-psychological search for his ontological origins. In this stance, therefore, he addresses the *Ein-Sof* proper, that inner and ineffable essence of Divinity which is beyond personality, beyond the Sefirot, beyond relationship, beyond even divine transcendence itself. This more exalted form of *teshuvah* finds its channel only in the study of Torah, the realm of the "Light of the *Ein-Sof*."

Which of these two forms of repentance is superior? The question may be irrelevant; both are vital in the development and growth - perhaps very existence - of a religious person. In the

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<sup>4</sup> *Yoma* 86b.



*Nitzavim* passage, mentioned above, the progression is from Lower Repentance to Higher Repentance, implying that the latter is the more significant goal for which the former is the necessary precursor. Yet an analysis of the *Aseret Yemei Teshuvah* tends to the reverse conclusion. Thus, Rosh Hashanah hardly speaks of sin at all. Its most cogent and significant message is that of the majesty of God – *malkhuyot* - and the sounding of the shofar, the symbol of the Sinaitic revelation. The shofar is the wordless cry of the suppliant aching in his spiritual solitude and calling out to his Creator with whom he seeks not reconciliation (for it is not sin that alienates him from the Creator but his very humanity) but reunion, reintegration, the overcoming of the "real" world which creates the distance between Creator and creature, between the divine and the human.<sup>5</sup> Reconciliation after sin is the theme of Yom Kippur, and the whole range of Lower Repentance is evident throughout the day: *vidduy* is recited time and again; the shame and embarrassment attendant upon *chet* is pervasive; the plea for pardon, for *selichah u-mechilah* is repeated again and again. The progression from Rosh Hashanah to Yom Kippur is thus one of *teshuvah ila'ah* to *teshuvah tata'ah*, the opposite direction from that mentioned in *Nitzavim*, and one which, by the same token, would indicate the higher level of *teshuvah tata'ah* over that of *teshuvah ila'ah*.

Perhaps the answer lies in the perspective taken. The Torah is, as it were, the divine point of view: God's anthropology. Here the Higher Repentance is the ultimate desideratum.<sup>6</sup> The cycle of the year, the precedence of Rosh Hashanah to Yom Kippur, reflects the human experience and therefore the human perspective, and so the final goal is *teshuvah tata'ah*, the Lower Repentance, for this more directly affects one's conduct and therefore his daily life. Or, perhaps, the priority of Rosh Hashanah to Yom Kippur, and the different forms of repentance they represent, is meant to instill in us an awareness of the ultimate goal of all our aspirations, indeed all of our lives, before we proceed to the "practical" task of mending what we have broken in the course of our imperfect existence of the past year.

Both of these exalted experiences should be with us, especially during this season of repentance, buttressing our spiritual courage and our determination to master our studies and, even more important, our very selves. May we succeed in these noble endeavors, and may our study of Torah and performance of the mitzvot be enhanced by the consciousness of their respective spiritual achievements, and thus inspire us to higher aspirations in both realms.

May all of us, as we enter the new year, succeed in both endeavors, and may the *Ribbono shel Olam* grant each of us, all our loved ones, all Israel, and all humanity, a year of peace and prosperity, of reconciliation with Him and with each other. And may our ultimate goals be so lofty that we can never fully achieve them - and yet so inspiring that we never despair of so doing.

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<sup>5</sup> The wordlessness of the shofar and its superiority to mere speech is much commented upon in Hasidic writings, although the interpretations are not necessarily those I am suggesting. See R. Shneur Zalman in his commentary to his *Siddur*, p. 242b; and especially R. Menachem Mendel of Lubavitch, *Or ha-Torah*, section on Rosh Hashanah 2:81,82; *Beiurei ha-Zohar* 402:4, and *Derushim le-Rosh Hashanah* 1:374. Cf. the Rav in his *Ish ha-Halakhah*, pp. 57-59. 5.

<sup>6</sup> Nevertheless, in the course of one's life experiences, the defect caused by sin must be rectified before the process of Higher Repentance is undertaken. See *Tanya* 1:17.

# The Delicate Balance in Creation

Rabbi Edward Davis

RIETS Class of 1970

Rabbi, Young Israel of Hollywood

Today is the anniversary of the creation of man. As we advance intellectually and learn more about nature and the facets of God's creation, we, in turn, learn more about Hashem. The Rambam, in *Hilchot Yesodei HaTorah* 2:2, states that the way to know God is by researching the nature around us and learning more about biology and science. This will help us know God, come to love him greater, and is a fulfillment of a mitzvah.

In our pursuit of knowledge, we have ascertained that planet Earth is located approximately 93 million miles from the sun. Here too, the phenomenon of creation is astounding. If the earth were 91 million miles from the sun, we would all burn up. If the earth were 95 million miles from the sun we would all freeze to death. So the mere calculation of the distance from the sun brings us to a further awareness of the beauty and accuracy of God's creation. Consider where we reside. If we ascend 15,000 feet, we will find a lack of oxygen, and we would require assistance to sustain life. 15,000 feet is not a long distance. That's less than 3 miles. Even I can walk 3 miles, although walking them uphill, to ascend, would test my endurance. But the 3 miles is a short distance to realize that beyond that distance would threaten my ability to breathe and hence my ability to live. Again, we find that what God created here on this planet to sustain life was created with restrictions and limitations in order that life be preserved.

This is what I call the *daled amot* - the four cubits of life. In halachah, the rabbis often refer to the dimension of the human being as being four cubits. That's how much space we occupy. Traveling beyond our *daled amot* is beyond our safety zone. I attempt now to analyze the *daled amot* – the four cubits of a Jew.

We spend a great deal of time exploring. Mankind has explored outer and inner space. Both forms of exploration have brought us knowledge and have discovered for us vital information. In conquering inner space, we explore the planet upon which we live. For the Jew, the exploration of inner space is the domain in which he could sustain Jewish life.

Consider for a moment the land mass of Eretz Yisrael. When the first Jewish settlements in the modern period were developed, they were faced with the harsh reality that the land had not been occupied. There were physical concerns such as swamp lands that produced malaria. These lands needed to be developed and cleared, so that civilized life could be nurtured. With great

success, the coastal plain between Tel Aviv and Haifa became inhabited with Jewish communities. The next area which was developed and will see now a radical, vigorous approach is the Negev. The Negev offers tremendous challenge as we turn arid land into fertile productive land. The use of greenhouses and hydroponics is successful and at the same time emphasize the extreme problems of fresh water for the region.

By accepting a Palestinian state within the biblical land of Israel, our *daled amot* got smaller. Unlike any other country of the world, Arab countries, and especially the Palestinian area, will prefer to be *Judenrein* – without Jewish settlements. Hence, the question of Eretz Yisrael also fits into the scope of the discussion of the delicate nature of creation, in this case the creation of Eretz Yisrael.

A Jew also has another dimension, a non-physical one – a spiritual *daled amot*, where he finds also that his area of sustenance is limited. If a Jew bends too far and reaches beyond his *daled amot*, he will lose his Jewish identity. This has happened over and over again and it has happened in different areas here in the United States of America. I remember years ago, living in Richmond, Virginia, which is one of the oldest Jewish communities of America. It was one of six Jewish communities that sent a congratulatory letter to the first president, George Washington. That original colonial Jewish community was primarily Sephardic and by the 20<sup>th</sup> century, those original Jews were no longer Jewish. All descendants of the colonial Jewish Virginia community had converted to Christianity some time leading up the 20<sup>th</sup> century. That's what I mean that the Jew can bend, but unless he secures the position and understands and recognizes the limitation of his own *daled amot*, he jeopardizes his Jewish identity.

Think of a rubber band. I can stretch it only so far before it breaks. I can stretch it on two sides. On one side I reach into the area away from the religious into the secular subject. But I have to understand that if I sacrifice ritual and halachah and stretch out in that direction, I need to know the limitation that can sustain this stretch.

I also contend that there is a limitation to how far one stretches it on the other side as well. Because I believe that it can break on the other side too.

I want to expand my rubber band safely in both directions. I do not believe that a Jew should be isolated in the Beit Midrash. I believe he should carry his Torah and expand the Beit Midrash. His Torah has to be portable.

I remember as a child growing up in Washington, DC, when we would get on the public bus to go to school, in the back of the bus was an Orthodox observant Jew who sat there with his briefcase and was learning Gemara as he traveled all the way down from our neighborhood to the Navy Department where he worked. This was Alvin Radkowsky, who died in 2002 after living the last 30 years of his life in Eretz Yisrael. Dr. Radkowsky, along with Admiral Hyman Rickover, were truly the fathers of the nuclear navy. Dr. Radkowsky was the chief scientist of the Bureau of Ships Nuclear Propulsion Division and conducted key work on the world's first nuclear submarine, the Nautilus which was launched in 1954. And there he was on our bus every day, in the back, wearing his yarmulke. It was only around the age of bar mitzvah that I found out who this was. One day I went over to speak to him, and he showed me what was in his

briefcase. In his briefcase he had a Chumash, a Siddur, a bottle of wine, and a box of matzah. This was his emergency Shabbos kit just in case the Navy needed to send him on a scientific mission some place else in the world. He was always prepared and no matter how deeply invested he was in the field of nuclear science, he never stretched the rubber band too far. He understood and recognized that his *daled amot* can be expanded on both sides, but it was he who would balance both ends. For him, there was never a problem of polarization because he was the Jewish mind and heart of the synthesis of a Beit Midrash and a nuclear submarine.

It is amazing to me, decades later, how the image of this man sitting on the back of the bus would still be meaningful to me at a time when I have grandchildren. Look what he teaches us. He taught us that when a person is active in the pursuit of knowledge, he recognizes with a deep appreciation the gift that God has given us – the gift of creation. The world is in our hands and we develop it. We develop it and at no time do we lose sight of who we are and why we are placed on this earth. Kudos to Dr. Alvin Rodkowsky for the lessons he taught many of us and not with what he said but rather how he lived his life. He made a great contribution, not just to this country, but to the world. But it is an understanding of what can be accomplished when we as Jews apply ourselves into understanding creation.

We live in a tumultuous time and a rubber band can break at any time. As we seek the appreciation of God's gift, we need to understand it in a way that *Ahavat Hashem*, the love of God, will be deeply rooted within us and in following generations so that our *daled amot* and our rubber band become larger, stronger, and the area within becomes safe and secure. May this year be a year of shalom and *brachah* for all of Israel. May it be a year where more Jews recognize the need to understand Jewish identity and nurture it in a way that we will serve Hashem and earn His blessing.

# Of Fertility and Faith

Rabbi Zalman Levine, MD

RIETS Class of 1991

Reproductive Endocrinologist

Medical Co-Director, Fertility Institute of New Jersey and New York

Emotions run high, eyes redden, tears flow. Thoughts race. Anxiety competes with hope. Worry and *bitachon* vie. For couples experiencing infertility or subfertility, the weeks leading up to Rosh HaShana magnify the complex mix of emotions that envelopes their medical diagnosis.

Why?

Why do nearly all Jewish patients, observant of mitzvos or not, shul-going or not, choke up when I wish them a good Yom Tov, a *shana tova*? Patients are no more emotional than usual when we wish one another a *chag kasher v'sameach* on Pesach, or an easy fast on Tisha B'Av, or even a "good kvitel" on Hoshana Rabba. And the "happy new year" greeting I often receive from patients as the secular new year approaches is usually light and cheerful, lacking the gravitas, the raw emotion, of the *shana tova* greeting.

Why? Why does Rosh HaShana touch couples with infertility so deeply?

A strong connection certainly seems to exist between Rosh HaShana and fertility, which is overt to those who spend time in shul but seems to be intuited even by those who don't. The strength of this connection is reflected throughout the liturgy. Fertility themes permeate the *davening* experience on Rosh HaShana: The Torah *laining* on the first day begins with the birth of Yitzchak, which is the culmination of Sara's Divine fertility treatment; the *haftara* on the first day is the story of the birth of Sh'muel after years of infertility suffered by his mother Chana; the *piyyut* "Us Cheel" focuses on Hashem remembering Avraham and Sara; another *piyyut* invokes the fertility *t'filos* of Yitzchak and Rivka; the *piyyut* "Even Chug" reflects the experience of Rochel; another *piyyut* "Uvchain Va'Hashem Pakad Es Sara" expands on the theme of Hashem's remembering Sara; another *piyyut* ends with a recollection of the infertility experienced by Yitzchak and Rivka and asks Hashem to listen to our *t'filos* as He listened to theirs.

The Gemara seems to provide a possible basis for focusing on these stories in the Rosh HaShana davening, telling us that it was on Rosh HaShana that Hashem brought succor to the pain of these great women:

On Rosh HaShana, Sara, Rochel, and Chana were remembered.  
**Talmud Bavli, Rosh HaShana 10b**

בראש השנה נפקדה שרה רחל ורחנה.  
ראש השנה י:

However, this same Gemara that seems to provide a basis for our focus on these fertility-related events creates more of a question than it answers – because it proceeds to list other Rosh HaShana occurrences. For example:

On Rosh HaShana, Yosef left prison, and on Rosh HaShana, the work of slavery for our forefathers in Egypt ended.

בראש השנה יצא יוסף מבית האסורין.  
בראש השנה בטלה עבודה מאבותינו  
במצרים.

Several important milestones in Jewish history were reached on Rosh HaShana, according to the Gemara -- and yet we choose to fix our attention not on the narrative of Yosef, or on the end of *shi'bud Mitzrayim* (our bondage in Egypt), but on the fertility-related milestones only.

Why? Why is Rosh HaShana connected so strongly with these infertility events?

Furthermore: the connection between Rosh HaShana and infertility seems not simply strong, but fundamental. Not only do we repeatedly reference these infertility narratives throughout Rosh HaShana, but the three central themes of the Rosh HaShana davening, the themes of *malchuyos* (kingship), *zichronos* (remembrance), and *shofros*, are rooted in one particular episode – the account of Chana and her infertility. The Gemara tells us:

The nine *b'rachos* (blessings) of [Musaf on] Rosh HaShana... correspond to the nine times Chana mentioned [Hashem's name] in her *t'fila*.

הני תשע דראש השנה כנגד מי? אמר רבי יצחק דמן  
קרטיגנין: כנגד תשעה אזכרות שאמרה חנה בתפלתה.  
ברכות כט.

**Talmud Bavli, B'rachos 29a**

What we have here is truly remarkable. On Rosh HaShana, the most solemn time of the year, the tripartite theme of *malchuyos*, *zichronos*, and *shofros*, which forms the backbone of *T'filas Musaf* (the *Musaf* service) and the nidus for thousands of pages of halachic and hashkafic writings over the generations, is rooted in the bedrock of *t'filas Chana*! Early Jewish history abounds with rousing tales and people to emulate; Tanach is replete with inspiring stories and beautiful poetry. And out of all of that richness, we choose Chana and her *t'fila* to form the core of *Yom HaDin* (the Day of Judgment).

Why? Why is the story of Chana's infertility so fundamental to Rosh HaShana?

To begin to understand this question, we must take a closer look at the Chana narrative, with which Sefer Sh'muel (the Book of Samuel) begins. When we do so, we immediately notice that this narrative is not new to us. From a literary point of view, the story of Chana can be called a type scene – an episode set in a familiar setting. In this case, the scene's familiarity stems from its similarity to the other two major infertility narratives in Tanach – those of Sara and Rochel.

These three episodes share certain key elements:

- (1) A woman who is aching to have children (Sara, Rochel, and Chana);
- (2) A rival wife or quasi-wife who does have children (Hagar, Leah, and Penina);
- (3) A husband who is a person of importance (Avraham, Yaakov, and Elkana<sup>7</sup>);
- (4) A husband who has a special affection for his infertile wife;
- (5) A husband who is, nonetheless, imperfectly sensitive to his wife's plight;<sup>8</sup>

<sup>7</sup> Elkana, according to Divrei HaYamim I 5:8, was a descendant of Korach, and, according to the *Targum Yonasan*, perhaps a *navi*, a prophet – see Radak on the first *pasuk* [verse] of Sh'muel.)



- (6) A *n'vua* (prophecy) or *b'racha* (blessing) that the woman will conceive;<sup>9</sup>
- (7) Resolution of the infertility, with the birth of a child (Yitzchak, Yosef, and Sh'muel);
- (8) An important role in Jewish history played by the child.

The literary value of a type scene manifests most dramatically when such a scene deviates from type. In our case, we have three similar infertility episodes, which share the above elements. However, a close look at the three shows that the story of Chana differs in two critical ways from the others. First, Chana *davens* – speaks with Hashem. Unlike Sara and Rochel whose *t'filos* are not explicit in the text, Chana *davens* explicitly not only once, but three times. She *davens* the first time in basic language, in a short, straightforward, contractual way, making a *neder* (vow) to Hashem, promising that if Hashem grants her a child, she will devote the child to His service. She *davens* a second time, silently, with words in her heart only, not revealed at all in the *p'sukim* (verses). And she *davens* a third time after her son Sh'muel is born, when she brings him to the Mishkan (Tabernacle) to give him over to the service of Hashem as she had promised; this last *t'fila* is expressive, firm, lofty, poetic.

Second, and most critically, the Chana story differs in its emotional poignancy. For Chana, the narrative stage is set much more extensively, and the characters' roles described more intricately, than for either Sara or Rochel. The *p'sukim*, here, paint a vivid picture of Chana's pain. We watch Chana in living color, yearning to be a mother, surrounded daily by another woman's children, taunted by this other woman, humiliated annually at the family's pilgrimage to the Mishkan when the fact of her childlessness is thrown in her face at a time full of joyous celebration for everyone else. We feel her pain; our hearts constrict and our breath shortens as we read these *p'sukim*. We feel the walls closing in on her; we watch her color darken by the day. And the climax of our empathy occurs with her silent *t'fila*. After days, months, years of crying, begging, craving; now utterly spent, a hollow husk of hopelessness; she sits there, alone, deserted, bereft of words, empty of energy to speak. Her lips move (“*Rak s'faseha na'os*”), but nothing issues forth except heartrending silence (“*V'kolah lo yishamai'a*”).

In addition to this emotional aspect of the Chana story which is clearly highlighted by its deviation from narrative type, there is another interesting aspect to Chana's infertility journey which emerges from a close reading of the words of her two verbal *t'filos*. In her short, initial *t'fila* (Sh'muel I 1:11), called a *neder* in the *pasuk*, Chana makes three requests:

1. She wants Hashem to see her suffering: אִם רָאָה תִּרְאֶה בְּעֵי אִמְתֶּךָ
2. She wants Hashem to remember her: וְזָכַרְתָּנִי וְלֹא תִשְׁכַּח אֶת אִמְתֶּךָ
3. She wants Hashem to give her “seeds of people”: וְנָתַתָּה לְאִמְתֶּךָ זֶרַע אֲנָשִׁים

These three phrases seem to be distinctive; Chana seems to be conveying to Hashem a request comprising three distinct aspects. And if we examine the poetry of Chana's final *t'fila* (Sh'muel I

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<sup>8</sup> When Hagar becomes pregnant and begins treating Sara with disrespect, Sara accuses Avraham: “My anger is your fault ... Hashem should judge between me and you.” (B'reishis 16:5). When Rochel says to Yaakov, “Give me children or I will die” (Bereishis 30:1), Yaakov responds with anger, and is scolded for this according to Chazal (B'reishis Rabba 71:10). Elkanah asks Chana, “Am I not better for you than ten children?” (Sh'muel I 1:8)

<sup>9</sup> For Sara, delivered via a *mal'ach* (angel); for Rochel, delivered by Hashem Himself (B'reishis 30:22, B'reishis Rabba 71:10); and for Chana, delivered via Ailey, the *Kohain Gadol* (High Priest).

2:1-10) when she brings Sh'muel to the Mishkan to dedicate him to the service of Hashem, we note that three lines, and three lines only, begin with Hashem's name:

1. "Hashem brings death and life" ה' ממית ומחיה
2. "Hashem impoverishes and enriches" ה' מוריש ומעשיר
3. "Hashem's contender shall be destroyed... and He shall give strength to His king and elevate His anointed one." ה' יחתו מריבו... ויתן עז למלכו וירם קרן משיחו

Perhaps Chana's three requests of Hashem in her first *t'fila*, and the three powers attributed to Hashem in her third and final *t'fila*, are related, and reflect three aspects of Chana's yearning to have children. In fact, every day, I witness three distinct aspects to the emotional turmoil that my patients experience as they ache to become parents, which I believe are invoked in these *p'sukim* of Chana's *t'filos*.

First, the biologic aspect. The ability to reproduce is a core component of our biologic beings. For a species to survive, its individuals must have the ability to do three things successfully: eat, breathe, and reproduce. When the ability to reproduce is called into question, that debility cuts to the quick of a person's biologically-programmed identity. The person feels less whole, less capable, and consequently suffers. People do not feel this way with other medical diagnoses; diabetes, hypertension, heart disease, hepatitis, kidney stones, gout – these do not affect a person's biologic identity. But reproduction does.

And Chana shows us how she feels in this regard. She wants Hashem to recognize her biologic suffering. She uses the words, "*Ra'oh sir'eh*," which is a phrase used previously by Hashem (Sh'mos 3:7) when telling Moshe Rabbeinu that He sees the suffering of the Jewish people in *Mitzrayim*. "Seeing" is a biologic word, referring not to spiritual vision, but to physical sight. Hashem told Moshe that He sees our physical suffering, the biologic suffering of a slave whose body is not his own – and Chana now recalls this to Hashem, imploring Him to also see her biologic deficiency. Ultimately, when Hashem delivers Chana from her suffering, she praises Him in her poetic *t'fila* as a bringer of death and life – again, terms that refer to a person's biology and ability to survive. Like Chana, Rochel also compares infertility to death, telling Yaakov that if she cannot have children, "*Maisa anochi*." ("I will die.") Which now makes sense -- just as a person cannot survive without eating and breathing and would face death, so do people without children feel a fundamental blemish in their core human functioning in this world.

Interestingly, the Gemara, in *Berachos* 31b, seems to highlight this biologic aspect of Chana's suffering even in her second *t'fila*, her *t'fila* of silence. The Gemara says that the words Chana spoke in her heart were the following:

*"Hashem! Everything that you created in a woman has a purpose: eyes to see; ears to hear; a nose to smell; a mouth to speak; hands to do work; feet to walk; and breasts to nurse. These breasts that You have placed over my heart – are they not to nurse with? Give me a child so that I can nurse with them."*

"וחנה היא מדברת על לבה" אמרה לפניו: רבוננו של עולם! כל מה שבראת באשה לא בראת דבר אחד לבטלה: עינים לראות ואזנים לשמוע; חוטם להריח; פה לדבר; ידים לעשות בהם מלאכה; רגלים להלך בהן; דדים להניק בהם. דדים הללו שנתת על לבי למה...לא להניק בהן? תן לי בן ואניק בהן.

This is a simple, eloquent plea: My body was created by You, to be able to have and raise a child. Please let me fulfill this basic biologic function.

Second, couples with infertility experience metaphysical suffering, stemming from a perceived fundamental flaw in their humanity. Children generally grow up with a strong emotional and psychological connection to their parents, and, from their youngest years and continuing into adulthood, envision themselves forging the same bonds someday with their own children. This is the way of humanity. Most people see the job of raising children as an essence of their lives. When a wife and husband do not have children, they feel foundationally deficient. They feel lost; a major job, a basic task in this world, an essential definition of their identities as people, evaporates.

Chana illustrates this aspect to us as well. “*Uzchartani*” (“and remember me”) in her first *t’fila* – this refers not to Hashem’s simply seeing us as biologic beings, but to His metaphysical involvement with us. The word “*z’chira*” (remembering) appears throughout Tanach, usually referring to Hashem’s connection with us on a spiritual level – He remembers the covenant He made with Noach, for example; He remembers the covenant He made with the Jewish people. He remembers our humanity, and Chana is referring to the spiritual and humanistic aspect of her infertility when she asks Hashem to remember her. Chana refers to this aspect also in her last, poetic *t’fila*, when she states that Hashem impoverishes and enriches – these are humanistic functions. A poor person and a wealthy person are equally functional from a biologic point of view; they can differ only from a humanistic perspective -- a poor person might have more humility, for example, or a wealthy person might be better able to accomplish charitable goals. It is this metaphysical aspect of her pain on which Chana focuses when she asks Hashem to remember her, and describes His ability to be “*morish uma’ashir*.”

Finally, there is the social/communal aspect of the suffering of childless couples. Every person is a member of the larger human community, and every person with children contributes towards the continuity of the greater community of people. Aside from the biologic functioning of the individual person, and aside from the metaphysical nature of the individual as a “parent,” a child is a major contribution of his or her parents to society and to the family tree of humanity. Particularly for the Jewish people, whose family tree is small and each new branch therefore measurably significant, parents feel the comfort and fulfillment of knowing that they are doing their job to sustain and immortalize the tree. For couples without children, the inverse is true; they suffer from the pain of knowing that their family limb might end, and from the fear of a transient impact – the fear that they may not leave a lasting legacy in this world.

And yes, Chana focuses on this aspect of her suffering as well, when she asks Hashem to give her “*zera anashim*” – “*zera*” is a seed, and implies the planting of a family tree that will grow into a large forest -- just as Lot’s daughters thought they would re-populate humanity with their father (“*un’chaye mai’avinu zara*”), and just as Hashem promised Avraham that he will become a great people through Yitzchak (“*ki v’Yitzchak yikarei l’cha zara*”). Likewise, in her final *t’fila*, in the last of the three *p’sukim* that begin with the invocation of Hashem’s name, Chana asks Hashem to strengthen the lineage of Dovid HaMelech (King Dovid), whose success will eventually lead to

the bringing of the Mashiach – clearly a focus on the perpetuation of the Jewish people, which reflects this third aspect of her infertility-related suffering.

If we think about it, the Rosh HaShana themes of *malchuyos*, *zichronos*, and *shofros* reflect these same three aspects. *Malchuyos* is all about Hashem's sovereignty over the physical and biological world. Hashem created the world and everything in it, and has dominion over all. "*La'Hashem ha'aretz umlo'ah*" – everything in this world was created by Hashem, and belongs to Hashem, including us. "*She'hu noteh shamayim v'yoseid aretz*" – He stretches the sky and forms the foundation of the earth. *Zichronos*, on the other hand, is all about Hashem's metaphysical interaction with each of us: "*Zochair ha'b'ris*" – He remembers the covenant; "*L'hipakeid kol ruach va'nafesh*" – He remembers every spirit and soul." And *shofros* represents the third aspect, the communal aspect. *Shofros* recalls the majestic appearance of Hashem to the entire Jewish people at *Har Sinai* (Mount Sinai); *Shofros* summons the *kibutz galuyos*, the ingathering of the exiles, the arrival of the same Mashiach that Chana invokes in her *t'fila*.

We now return to our original questions. Why does Rosh HaShana touch couples with infertility so deeply? Why is Chana's story so strongly and fundamentally connected to Rosh HaShana? Why is the central trivalent theme of the Rosh HaShana *davening* rooted in Chana's *t'fila*? The answer is now clear, simple, and powerful: Because the agony that Chana endured, and the same agony that every couple with infertility endures, is three-pronged, emanating from a perceived inadequacy in biologic identity, humanistic nature, and societal legacy. And these three prongs, as seen in Chana's *t'filos*, comprise what everyone in the world needs to be focusing on during Rosh HaShana. Many of us may not reflect as much as we should on our relationship with Hashem and His world, but at least on Rosh HaShana, *Yom HaDin*, we must. And when we do, we must reflect on all three aspects of this relationship – the biologic, the metaphysical, and the communal. People with infertility, with Chana as a paradigm, reflect, and agonize, on all of these aspects daily. People with infertility, with Chana as a paradigm, know what *t'fila* means – true *t'fila*, a from-the-heart outpouring of raw emotion, sometimes wordless. People with infertility, with Chana as a paradigm, know how not to give up, how to keep reflecting, how to keep at least that small ember of hope glowing. People I see in my office every day, struggling to stay strong through grueling medical treatments, determined to keep going, resolved to do what they have to do, working to maintain their *bitachon* that their *t'filos* will be answered – these virtuous people, with Chana as a paradigm, are models for all of us at this time of year.

# Teshuvah and the Psychology of Change

Rabbi Alex Mondrow, PsyD

RIETS Class of 2002

Rebbe and Psychologist, Yeshivat Noam Middle School, Paramus, NJ  
Psychologist, Bergen Psychology Group, LLC, Teaneck, NJ

Well over ten years ago, I attended a spiritual retreat for individuals, from varying Jewish backgrounds, recovering from various addictions. As a rabbinic observer, I was encouraged to attend as many meetings as I could to learn about the experiences of those suffering from these addictions. Toward the end of the retreat everyone attended “The Big Meeting.” At one point, the leaders of the meeting began a count down of how long each attendee had been clean or abstinent from his or her drug of choice. They began with a very high number: Who here has been clean for 20 years? The founder of the program got up and everyone cheered. They went down from there. Ten years?... Ten days?... One day? They then did something dramatic. They asked, “Who here has been clean for zero days?” One of the men who led our *tefilah* (services) that morning got up! He had used his drug of choice on the retreat itself. The crowd cheered.

I was impressed. It is wonderful to be supported by those who identify with your struggle. However, I reflected that, while he most certainly felt the impressive display of support and camaraderie, perhaps he also experienced a sense of epic failure. He was no longer clean. Whether he had been clean for 20 years or 20 minutes, he would have to start his journey of personal change all over again.

This story highlights one school of thought in the world of addiction and recovery. There is a question in addiction psychology as to how one should view recovery, and, as a corollary to that, at what point does one consider the recovered addict to have relapsed.<sup>10</sup> One school of thought suggests that the only way to recover is through absolute abstinence. Treatment was successful, if and only if, the addict no longer uses drugs or alcohol. One incidence of drug or alcohol use is considered a relapse and the former addict has essentially become a failure. This is referred to as a **dichotomous** approach; it is yes or no, either/or.

Another approach, a **process** approach, however, suggests that, even if one has setbacks, one gauges success based on a continuum relative to how one was in the past. Perhaps, though not

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<sup>10</sup> A discussion regarding these approaches can be found in DiClemente, C.C. (2003). *Addiction and change: How addictions develop and addicted people recover*. The Guilford Press: New York.

abstinent, the addict has experienced a reduced drug use or has made great improvements – psychological or otherwise - in his or her life due to *decreased* use. Certainly the goal is to eliminate any substance abuse or dependence, but success is not dichotomous; it is a process. This latter process approach found in the psychology of addiction as well as in the psychology of change will be crucial to our understanding of, and attempt to perform, *teshuvah* or repentance.

Generally speaking, there can be great benefit in the integration of Torah and psychology and this manifests itself in at least two ways. First, an understanding of psychology enhances one's conceptual understanding of a behavior, religious or not. It can help one modify, increase and/or limit behaviors in a way that can benefit the individual. For example, an obsessive-compulsive behavior can easily be masked as religious scrupulosity or vice versa.<sup>11</sup> An individual who repeats the *Shem'a* dozens of times may be particularly careful about having the proper intentions during prayer or he may be displaying symptoms of Obsessive-Compulsive Disorder. Proper understanding of both Torah (i.e. the proper *halachah*) and psychology, as it applies to that particular situation, can both clarify the situation and assist in prescriptive intervention, if necessary.

A second way in which one benefits from the integration of Torah and psychology is through language. That is, while particular concepts, mechanisms and processes may ultimately be the same or similar in both the worlds of Torah and psychology, the language that is used in psychology may be more descriptive, more instructive and/or more palatable to the individual. At the same time, the language of psychology may be less weighted with other baggage when compared with the language utilized in one's religious history. An example might be someone who is struggling with severe sadness and/or worry about the future. In these cases, rather than simply imploring the individual to "be *b'simchah*, joyful" or "have more *bitachon*, faith in God", the use of the terms depression and/or anxiety is crucial to ensure that the individual receive proper treatment, while not feeling guilty for lacking proper religious devotion. These two general benefits will accrue to us, as well, as we attempt to deepen our understanding of *teshuvah* and attempt to achieve its desired goals.

*Teshuvah* has at its core, the basic element of change. The Gemara (*Rosh Hashanah* 16b) says:

And Rav Yitzchak said, Four things tear up an individual's decree of judgment: Charity, calling out, **changing** one's name and **changing** one's action... and some say also **changing** one's location.

ו"א"ר' יצחק ד' דברים מקרעין לו גזר דינו של אדם אלו הן צדקה צעקה שינוי השם ושינוי מעשה... ו"א אף שינוי המקום"

Based on this Gemara, the Rambam (*Hilchos Teshuvah* 2:4), after describing what *teshuvah* ultimately is, writes as follows regarding the process of *Teshuvah*:

Of the paths of *teshuvah* is for the returnee to scream out constantly in front of Hashem with cries and supplications and

מדרכי התשובה להיות השב צועק תמיד לפני ה' בבכי ובתחנונים.

<sup>11</sup> For further discussions on this topic see, for example, Siev, J., Baer, L., & Minichiello, W. E. (2011). Obsessive-compulsive disorder with predominantly scrupulous symptoms: Clinical and religious characteristics. *Journal of Clinical Psychology*, 67, 1188-1196, as well as, Rosmarin, D. H., Pirutinsky, S., & Siev, J. (2010), Recognition of scrupulosity and non-religious OCD by Orthodox and non-Orthodox Jews. *Journal of Social and Clinical Psychology*, 29, 930-944. I thank Dr. Yitzchak Rosman for pointing me toward these articles.



to perform charitable acts according to his ability and to distance himself greatly from that object with which he sinned. And he should **change his name, that is to say that I am a different person and I am not the same man that did those actions. And he changes all his actions for the positive and to the straight path** and he is exiled from his place, for exile atones for sins because it causes him to be subdued and be humble and bent-kneed.

ועושה צדקה כפי כחו. ומתרחק הרבה מן הדבר שחטא בו. ומשנה שמו, כלומר שאני אחר ואיני אותו האיש שעשה אותן המעשים. ומשנה מעשיו כולן לטובה ולדרך הישרה. וגולה ממקומו, שגלות מכפרת עון מפני שגורמת לו להכנע להיות עניו ושפל רוח.

We see clearly from the Rambam that the **process** of *teshuvah* involves the fundamental component of change.

Moreover, Rabbeinu Yonah (*Shaarei Teshuvah* 2:10) seems to take this one step further. While discussing different techniques which one can utilize to correct and remove oneself from inappropriate actions, the third technique Rabbeinu Yonah lists is for that person to listen to the ethical reprimands of those wiser than he or she. In that context he writes:

*And behold, this man in a brief moment has emerged from deep darkness to great light, for at the moment that he listens and attends and his heart understands and he repents, and he accepts from that day he hears the words of the one who reprimands him, and he accepts upon himself from that day forward to do as he is taught by those that grasp Torah... he has accomplished teshuvah and has been changed into a different man.*

והנה האיש הזה ברגע קטן יצא מאפילה לאור גדול כי עת אשר יאזין ויסכית, ולבבו יבין ושב, ויקבל ביום שמעו דברי המוכיח, ויקים עליו להיותו עושה ככל אשר יורהו תופשי התורה מן היום ההוא ומעלה... עלתה בידו התשובה ונחפץ לאיש אחר.

According to Rabbeinu Yonah change is not just a component within the **process** of *teshuvah* as the Rambam seems to suggest, it is a - or, perhaps, the – **goal** of *teshuvah* itself. Thus, the way we approach change in general will have great bearing on how we perform *teshuvah*.

There is a rich literature, developed over the past three decades, that discusses the psychology of change. In particular, there is a transtheoretical model of change (i.e. it is universal and not limited to any one particular psychological orientation) that describes change in stages. Two psychologists, James Prochaska and Carlo DiClemente, studied individuals who were able to change themselves without formal outside help. Noting that change is rarely sudden and spontaneous, they described five stages of change that these individuals moved through gradually: (1) precontemplation, (2) contemplation, (3) preparation, (4) action and (5) maintenance.<sup>12</sup>

**Precontemplation** is the stage at which there is essentially no awareness of a problem by the individual. Others in that person's life may clearly realize that there is a problem, but the individual does not share that realization and has no intention to change. **Contemplation** is the point at which the individual realizes that there is a problem but has yet to commit to making any change(s). There is a nagging ambivalence on his or her part. **Preparation** is the stage during which the individual

<sup>12</sup> A popular version of their research is Prochaska, JO, Norcross, JC and DiClemente, CC (1994). *Changing for good: A revolutionary six-stage program for overcoming bad habits and moving your life positively forward*. New York: Quill. The sixth stage is termination, which is the end of the process. If, when and how one completes the process of change is beyond the scope of this essay.

both intends to change and begins practically to map out a strategy and a plan for how that change will take place. He or she develops a picture for what that change will look like. **Action** is the implementation of the planning that took place during the preparation stage and is the stage during which the most overt change indeed takes place. Finally, there is the **maintenance** stage during which the individual seeks to maintain and consolidate the gains made in the previous action stage, while being careful not to relapse and revert back to previous problem behaviors.

These stages, at first blush, may seem intuitive; however they are crucial to effective change on at least two levels. First, as mentioned above, the awareness that change itself is a process and not an all-or-nothing proposition allows for gradual and effective change, enhances resilience and limits abandonment of the change process while limiting the sense of failure one would experience when backsliding. Whereas in a dichotomous approach, if one stumbles, one is no longer considered abstinent and has essentially failed, in this process approach, there is a greater likelihood that one will persevere, since it is understood that recovery is a process. At times, there may be slight setbacks even as it takes great effort to maintain the gains he has achieved. Indeed, the fact that there is a maintenance stage in the process, points to the challenge of sustained change. If the man who led our *tefilah* at the spiritual retreat had been clean for 20 years and then used drugs once again during the retreat, the clock on his journey to self-change would not restart to zero. He has *not* failed epically; he has simply stumbled while moving in the right direction.

The Mabit (*Beis Elokim, Sha'ar HaTeshuvah*), Rav Moshe ben Yosef Trani writing in the 16<sup>th</sup> century, accentuates this point as it relates to *teshuvah*.<sup>13</sup> There, he discusses the idea of partial *teshuvah*, *teshuvah chelkis*:

*After we have explained that the concept of teshuvah consists of regret and leaving the sin, we will say that they are not like other mitzvos that if a person does a portion of that mitzvah he does not receive a portion of the reward. Like if you said that tzitzis is with four corners. If a person does three corners only, he doesn't receive three quarters of the reward... rather it is as if he has not done anything. However, with regard to teshuvah, although it is certainly not complete until one has both regret of the past and acceptance to leave the sin for the future, ... **regret alone without leaving the sin helps a little bit, and similarly leaving the sin without regret...***

אחר שנתבאר ענין התשובה כי היא  
החרטה ועזיבת החטא, נאמר כי אינם  
כשאר המצוות שהעושה חלק המצוה אין  
לו חלק שכר המצוה, כמו שתאמר מצות  
ציצית הוא בד' הכנפות והעושה ציצית בג'  
כנפות לבד, אינו מקיים ג' חלקי המצוה  
שהרי ד' ציציות מעכבין זה את זה והרי  
הוא כאילו לא עשה שום דבר, ואולם  
התשובה גם כי אינה שלימה עד שתהיה  
בחרטה לשעבר ועזיבת החטא לעתיד, **עם**  
**כל זה החרטה לבד בלי עזיבת החטא**  
**מועיל קצת, וכן עזיבת החטא בלי**  
**חרטה, ...**

Similarly, Rabbeinu Yonah (*Sha'arei Teshuvah* 1:9), after describing the most complete levels of *teshuvah* writes, "אכן כל תשובה מועילה..." - "However, **all** *teshuvah* helps." This quote in its context clearly implies that even not yet complete *teshuvah* is of value. Understanding *teshuvah* as a process with partial gains along the way allows us to stay on the path of change, limits our sense of failure and maintains our resilience.

<sup>13</sup> Rav Moshe ben Yosef Trani, *Beis Elokim* (Jerusalem, 1985), pp. 139-40. I am grateful to Rabbi Shalom Baum of Congregation Keter Torah in Teaneck, NJ for pointing out this source to me.

Second, when we move from the general idea and awareness of the process of change to its particular stages, we benefit from both the prescriptive and proscriptive nature of the stages. Depending on what stage an individual finds oneself, the nature of the therapy and the intervention of choice will vary. An action oriented therapy will be appropriate for those in the preparation or action stages. Thus, for those at one of the latter stages of the process of *teshuvah*, there is a need to map out a plan for how that *teshuvah* will take place. To paraphrase the language of Rabbeinu Yonah (*Sha'arei Teshuvah* 1:4), it is incumbent upon us "לשית עצות" "בנפשינו", to develop ideas in our souls and to map out a plan to accomplish our desired goals. If we want to be kinder to others, what concrete steps are we taking to implement that desire? If we are going to limit our talking during *tefilah*, prayers, how are we going to create a context for that to happen? If we want to learn more Torah, how will we develop a strategy to designate the time for it and limit our distraction to ensure that we will be successful?

These same action-oriented strategies, however, could well be detrimental to someone at the earlier precontemplation or contemplation stage. Individuals at these stages are simply not ready for action and will either ignore or be demoralized by attempts at change for which they are not ready. At those stages, we would seek first to motivate rather than attempt to concretize and/or maintain the change. And, if one is not yet motivated to change, this may be our greatest challenge to successful *teshuvah*.

In this context, an exceedingly brief glance at the nature of motivation may help. Based on the understanding of change primarily as a process rather than a momentary epiphany, Dr. William R. Miller developed a therapeutic style initially intended for use with those suffering from alcoholism or drug addiction called *motivational interviewing*. One of its goals is to help motivate and move clients through the aforementioned stages of change. Countering a common misconception of motivation, Miller's description of motivation is as follows:

"[M]otivation can be understood not as something that one *has* but rather as something that one *does*. It involves recognizing a problem, searching for a way to change, and then beginning and sticking with that change strategy."<sup>14</sup>

Toward this end, one of the core principles in Miller's approach is what he calls "developing a discrepancy", which we can apply in the context of *teshuvah*. In one column, we list values and ideals that we hold dear. We consider them to be at the core of our existence. In the next column, we list the behaviors that we exhibit in these areas. Do they match? Are they consistent? If not, we have developed a discrepancy and we need to think about how we can change. Next, we begin to develop a plan to change. Finally, we begin its implementation. Though a somewhat minor example, it is something that can potentially move us toward a motivation to change, toward *teshuvah*.

*Teshuvah* is both a lifelong challenge and gift. Through the understanding of psychology (in our case, the psychology of change) and the wealth of insight and language it has contributed to the way we understand ourselves as human beings, we are better able to embrace the challenge and appreciate the wonderful gift that Hashem has given us. We, like the man who was clean zero days, have the ability to strive continuously to change ourselves, our actions and our relationship with Hashem.

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<sup>14</sup> Miller, W.R. (2003), Enhancing motivation for change, in Hester, R.K. and Miller, W.R. (Eds.), *Handbook of alcoholism treatment approaches* (pg. 134), Boston: A and B.

# Is there a Mitzva to do Teshuva?

Rabbi Aaron Ross, PhD

RIETS Class of 2002

Assistant Principal, Yavneh Academy, Paramus, NJ

The overarching theme of the forty day period that begins on Rosh Chodesh Elul and stretches until Yom HaKippurim (and perhaps even until Hoshana Rabba) is that of *teshuva*, repentance. Based on Isaiah 55:6 and other sources, we are instructed to “Seek Hashem when He is to be found”, and to thus spend this time of the year involved in introspection and in renewal of our commitment to God. However, while there is no question that *teshuva* is the major activity and idea of this time of year, is there actually a mitzva, a specific commandment, to do *teshuva*? If there is, then how is such a commandment fulfilled, and if there is not, then how are we to understand the myriad of sources that enjoin us to do exactly that?

Rambam, in his *Sefer HaMitzvot* (*Mitzvat Aseh* #73), does not, at first glance, seem to include a specific mitzva of *teshuva*. He writes:

*That He commanded us to confess our sins and transgressions that we have sinned before God and explicate them along with teshuva.*

שצונו להתודות על החטאים והעונות שחטאנו לפני הא-ל יתעלה ולאמר אותם עם התשובה.

Based on the law that one has to offer a verbal confession when bringing a sacrifice, Rambam seems to indicate that there is a mitzva of verbal confession, and that the context within which this mitzva is done is that of *teshuva*. Similarly, in the heading to his laws of *teshuva*, Rambam writes that the commandment is for the sinner to return from his sin and to confess. Rounding out Rambam’s writings on this issue, the first chapter of the *Laws of Teshuva* indeed focus on the specific act of confession and in the very first law Rambam writes that when a person does *teshuva*, he is obligated to confess. In all three locations, Rambam acknowledges that one must do *teshuva*, but lists *vidui*, confession, as the specific mitzva to be fulfilled within that process.

Sensitive to this nuance in Rambam, the *Minchat Chinuch* (mitzva #364) seeks to distinguish between the concepts of *teshuva* and *vidui*. He raises the case of a person who did *teshuva* insofar as he mentally regretted his sins and committed himself not to continue in his sinful ways, but did not yet verbalize his feelings via actual confession. According to the *Minchat Chinuch*, if *vidui* is the active manifestation of *teshuva* then the *teshuva* cannot take hold until the *vidui* takes place. However, if the *vidui* is an independent mitzva, then perhaps such an individual can be forgiven for his sin and will simply have failed to perform the separate and distinct act of *vidui*, similar to someone who neglects to perform any positive commandment such as putting on *tefillin*.

However, upon further consideration, the *Minchat Chinuch* distinguishes between mitzvot such as *tefillin* and *teshuva*. *Tefillin* are an obligatory commandment that one must atone for if he neglected to perform and can be subject to punishment for delinquency in its execution. But what if one were to not put on *tefillin* and then fail to do *teshuva* for that sin – would he be punished, as well, for his failure to repent for the first sin? It seems that such would not be the case- a person would only be held culpable for failing to do the sin of *tefillin* but not for failing to repent afterwards, and thus there is apparently a distinction between the two mitzvot.

What emerges is that whether we are dealing with a mitzva of *vidui* or of *teshuva*, it is a mitzva that might be called a “meta-commandment”, insofar as it exists as a layer on top of other commandments. To take an example from the other side of the spectrum, a person cannot wake up in the morning and decide to do *teshuva* if he has not committed any sin. In order for him to be able to do *teshuva*, he must first do something else wrong, and once he does so the mechanism by which he repents is *teshuva* along with verbal confession.

However, within this formulation another potential problem arises. In general, a Jewish court can administer the punishment of lashes to someone who violates a negative commandment (with the paradigmatic example being one who muzzles his ox while the beast is plowing his fields). However, there are no lashes given for a negative commandment which has a corrective positive commandment appended to it (*lav ha-nitak la-aseh*). If, however, we claim that *teshuva* is really connected to the specific sin which engenders it, then we would never be able to give lashes, as every single violation of Torah law would be connected to the positive mitzva of *teshuva*! The *Sdei Chemed* (*Ma’arechet Ha-Lamed* #91) raises this issue and cites the *Nachalat Binyamin*, cited by the *Chida*, who claims that we only apply the rule of *lav ha-nitak la-aseh* when the corrective measure exists specifically for the purpose of righting that particular sin. However, *teshuva* is not intrinsically linked to any particular commandment, and thus this rule would not apply here and we would be able to administer lashes despite the possibility that the individual may do *teshuva*. As such, we remain unclear as to the status of *teshuva* as a mitzva – it clearly cannot exist as an independent mitzva without some other mitzva triggering it, yet its inherent and intrinsic connection to that mitzva is tenuous at best.

Rav Soloveitchik, in *Al HaTeshuva* (pp. 37-41) claims that the Rambam believes that *teshuva* itself, and not only *vidui*, is a mitzva. That being the case, how does he deal with the view of the *Minchat Chinuch* that reads Rambam the opposite way? He claims that *teshuva* falls into the category of commandments whose fulfillment and action are not identical. Whereas by *lulav*, one fulfills the commandment when he raises the four species, by *teshuva* one can fulfill his obligation to repent by going through the mental processes, but only the *vidui* is considered to be an action connected to *teshuva* (in halacha, thoughts do not count as actions). As such, Rambam follows his familiar pattern of first discussing the actual action involved in the mitzva in the first chapter of the *Laws of Teshuva*, even though the action does not encompass the full scope of the mitzva.<sup>15</sup>

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<sup>15</sup> Similar to Rambam’s approach in his *Laws of Prayer*, where he begins with the rudiments of prayer itself, even though one’s thoughts and intentions comprise the essence of prayer.

I would like to suggest that Rav Soloveitchik's formulation may help to solve an intriguing detail in the second chapter of Rambam's *Laws of Teshuva*. In the first law in that chapter, Rambam writes:

*What is complete repentance? This is when one has the opportunity to commit a sin that he has previously committed and he is capable again of committing it and he separates himself from it and refrains from doing it because of teshuva (i.e. he resists the temptation because he has repented, not because there is any other impediment to his recidivism).*

איזו היא תשובה גמורה?  
זה שבא לידו דבר שעבר  
בו ואפשר בידו לעשות  
ופירש ולא עשה מפני  
התשובה....

The very next law begins with the question “And what is *teshuva*?”, which is then followed by a three step process of repenting including abandoning the sin, accepting not to commit it in the future, and offering a verbal confession.

What is noteworthy and perhaps even strange in Rambam's formulation is that the laws appear to be backwards. It would seem most logical to begin with the three step process of *teshuva*, and then write that a person can go a step further and achieve complete repentance if his *teshuva* is not merely an academic exercise but if he actually has the opportunity to sin again yet refrains from doing so since he has undergone the *teshuva* process. Why does Rambam place these two components of *teshuva* in the reverse order?

Perhaps the answer is that Rambam is not speaking about two stages in one process of *teshuva*, but rather is speaking about two qualitatively different types of *teshuva*. The notion of “complete *teshuva*” is not regular *teshuva* plus one more step, but rather it is a completely different approach to repentance. I would like to suggest that someone who performs “complete *teshuva*” does not need to undergo the three-step process, but rather only has to experience that one excruciating moment of restraint. Why would this be so? A person who decides one day to repent for his misdeeds does so out of a general desire to improve himself and to return to Hashem, but not necessarily out of an immediate and overpowering sense of guilt brought on by his recent transgressions. As such, he is given a basic formula to follow that, performed properly, will re-orient his way of thinking and set him on the path to repentance, what Rav Kook refers to (*Orot HaTeshuva* 2) as “gradual *teshuva*”. Once that is done, he must verbalize those thoughts, and thus the confession contains elements of all three of the steps – and Rambam's formulation of the confession (*Laws of Teshuva* 1:1) indeed references the past sin, the regret, and the acceptance to not return to the sin in the future. In such a case, the commandment is *teshuva* in one's mind, and the formal action is the verbalization of that *teshuva* in the form of *vidui*.

However, one who has a moment of restraint does not need such a process. Taking Rambam's example, imagine a situation of a man who has had an illicit relationship with a certain woman, and now is placed in a situation where it is possible to commit that same action again. Not only that, but his desire for her is still as inflamed as it previously was at the time of the original transgression. However, for some reason, he holds himself back and does not sin, BECAUSE he is repenting at that very moment! In a flash, he accomplishes the entire three-step process. He realizes that he did something wrong, he regrets having done it, and he not only accepts upon himself to not do it again in the future, but he resigns himself to resisting temptation at that very



moment, what Rav Kook calls “sudden *teshuva*”! Such a person does not need a generic formula for *teshuva* – his *teshuva* is “complete”, as it exists not in his mental world but in an all-too-real reality.

In this latter situation, there is no need for *vidui*. The confession, as we have explained, is merely the external expression of the penitent’s thoughts. However, in this case the external expression is uniquely bound up with the entire moment. His very restraint is more of an expression of his commitment to *teshuva* than any verbal confession could ever hope to be. Thus Rambam does not include *vidui* in his description of “complete *teshuva*”, as it is not necessary and would, in fact, be completely extraneous in such a situation. Only those who have to rely on a more detached form of repentance need to confess their sins as well. The *vidui* is not the actual *mitzva*, but, in most cases, it is the necessary externalization of the real *mitzva* of *teshuva*.

# The Enigma of the Prayer Insertions of Aseret Yemai Teshuvah

Rabbi Benzion Scheinfeld

RIETS Class of 1988

Director, Camp Kanfei Nesharim and Director of Student Activities, Magen David Yeshivah

The seven days between Rosh Hashana and Yom Kippur of the *Aseret Yemai Teshuva* (Ten Days of Repentance) are a bit of a halachic enigma. There is no reference to them in the Torah. The Torah (Vayikra, Chapter 23) mentions the first day of Tishrei (*chodesh hashvi'i*) as being *kodesh* (sanctified) as well as the tenth day of Tishrei as being *kodesh* but does not make any reference to the days between these two dates. In contrast to the first and last days of Pesach and Succot respectively, which the Torah links, as belonging to the same holiday and forming a bridge (commonly known as *chol hamoed*) between two book ends of Yom Tov, or even the forty nine days of *sefirah* between Pesach and Succot which are minimally linked by counting from one to the other, the Torah does not mention any link between Rosh Hashana and Yom Kippur and certainly does not afford a status to the seven days between Rosh Hashana and Yom Kippur. One would be tempted to say that the status of *Aseret Yemai Teshuva* is in fact limited to custom. Customs developed to keep the focus of the *Yamim Noraim* (High Holidays) and to help focus our efforts of introspection and *teshuva*. The practices we associate with these days, be they assorted *chumrot* (stringencies) or added *tefillot* (*Selichot*, *Avinu Malkeinu* and other insertions) are not reflective of any inherent status of the days themselves. Nothing is different about these days, with regard to their essential nature, and they should be classified as a regular *yom chol* (ordinary day).

It would be halachically appropriate to declare *Aseret Yemai Teshuva* as having no true status except for one important fact. If all we were doing was recognizing the powerful bookends surrounding these days then all of the inserts we are supposed to add to reflect this awareness would not be critical; they are there to add awareness but are not to be confused with other insertions relating to the nature of the day that **must** be mentioned. The inserts of *Zachrenu Lechaim*, *Mi Kamocha*, *Uketov*, and *B'sefer Chaim* in fact fit well with such a hypothesis. As *Shulchan Aruch*, *Orach Chaim* 682:5, states, if one omitted these insertions, no corrective action is required. From a practical perspective, even if one mistakenly recited the wrong formulation for the *bracha* of *Hashiva Shoftenu*, and did not conclude with *Hamelech Hamishpat*, no

corrective action is required. This is because according to Rama, *Orach Chaim* 118:1, if one ordinarily mentions “*Melech*” in that *bracha*, it is sufficient. Yet as we all famously know, there is one major exception to this rule. *Shulchan Aruch*, *Orach Chaim* 682:1, states that if one forgets to replace **Hakel Hakadosh** with **Hamelech Hakadosh** then one must repeat the entire Amida! The *tefillah* is deemed meaningless and invalid because one did not recognize the status of *Aseret Yemai Teshuva*. This seems to prove that the *Aseret Yemai Teshuva* do in fact have a recognized halachic status. This insertion has an even stronger status than the insertions of rabbinic holidays (i.e. if one forgets *Al Hanisim*, on Chanuka or Purim, during *tefillah*, the *Amida* is still valid). The critical status of an insertion seems to be reflective of a biblical holiday. If so, we must ask the question, from where do these “intermediary days” of the *Yamim Noraim* get such a lofty status and why is this not mentioned in the Torah?

Before attempting to explain this conundrum, I would like to mention another enigma that has bothered me with regards to the *hazkarot* (insertions) of *Aseret Yemai Teshuva*. In every other instance of alterations we make to our *tefillot* to recognize the status of a day, be they biblical or rabbinic holidays, the alterations are reflected both in the *Amida* and the *Birkat Hamazon*. Every time we are required to say *Al Hanissim* or *Ya’aleh Veyavo*, the requirement to recognize the day applies to *Birkat Hamazon* as well. Yet, nowhere is it ever suggested that we recognize *Aseret Yemai Teshuva* in *Birkat Hamazon*! If the recognition is so essential, that it actually is critical to our *tefillah*, why don’t we mention the *Aseret Yemai Teshuva* in *Birkat Hamazon*?

To answer this conundrum, I would like to suggest that the nature of our obligation to recognize other holidays in our *tefillah* through various insertions and the nature to recognize *Aseret Yemai Teshuva* in our *tefillot* are very different. On other holidays, the themes of the day are powerful enough to demand recognition. A *tefillah* on any of those days that does not mention the theme of the day would be lacking in relevance and not adequately express the day’s spiritual texture. By contrast, during *Aseret Yemai Teshuva*, there is, in fact, no specific spiritual texture to the day that demands mentioning. As was pointed out, the Torah mentions no special nature to the day at all and none must be recognized. What changes during *Aseret Yemai Teshuva* is not the nature of the day but the nature of our relationship with G-d and his connection to us. As the Gemara states:

[The verse (Yeshayahu 55:6) states] ... “Seek out G-d when He can be found” ... Rabbah b. Avuha said: These are the ten days between Rosh Hashana and Yom Kippur

**Rosh Hashana 18a**

דרשו ה' בהמצאו ... אמר רבה  
בר אבואה אלו עשרה ימים  
שבין ראש השנה ליום  
הכפורים.  
ראש השנה יה.

We change our *tefillah* because all *tefillot* must address Hashem in order to be valid and the way we relate to and the posture He takes towards humankind changes during *Aseret Yemai Teshuva*. Without changing the *tefillah*, one is not addressing Hashem correctly. All year long, the way we see G-d and the posture that Hashem takes towards *Am Yisrael* is defined by one word- **Kel**.

That word is the term which we use to give some definition to the posture of G-d and His connection to us. It implies awareness, care, oversight and a myriad of other unknowable attributes. Ultimately however, it has a veiled and slightly distant connotation to it. Hashem is aware and caring but not as imminent and present as can be. It is comparable to a business

owner who manages the business from a distant land. Even on the *Shalosh Regalim*, where there is an added affection and something special added to our relationship with Hashem, the basic connection and veiled nature does not change. He is still *Kel* and still addressed as such.

On Rosh Hashanah however, the entire posture that Hashem takes towards the world changes. It changes from that of a distant yet concerned overseas owner to one who is present and felt every second with palpable imminence. It is the very nature of Rosh Hashana and its theme of *Malchiyot* (kingship) that Hashem opens the gates (*seu shearim rashechem*) and comes to spend time with humankind which causes us to view, relate to and address Him in a very different way. This posture is definitively described by the term **Melech**. It implies closeness, majesty, and ultimately accountable judgment. In terms of the aforementioned parable, G-d is no longer a distant landowner caring about the field, but rather one present on site, observing, and making decisions. This new posture begins on Rosh Hashana and lasts until the gates close after *Neilah* on Yom Kippur and Hashem returns to his original posture of *Kel*. If one says *Hakel Hakadosh* instead of *Hamelech Hakadosh*, it is not simply missing a reference to *Aseret Yemai Teshuva*, rather it is distorting the way we relate to G-d during these days. Addressing Hashem without an awareness of the posture that Hashem is taking with us at the time is an inappropriate way of addressing Hashem.

It is for this reason that the changes we make to the *Amidah* during *Aseret Yemai Teshuva* are in the *bracha* of *Hakel Hakadosh*, a blessing that does not reflect the nature of the day but rather the nature of G-d. We mention events and themes of the day in *Retzeh* and *Modim*, we never change the first three *brachot* to express the nature of the day.

Understanding our obligation to mention *Hamelech* in this matter and not as a reflection of some sort of quasi –*chol hamoed* status afforded to the *Aseret Yemai Teshuva*, also explains why no mention of *Aseret Yemai Teshuva* is necessary in *Birkat Hamazon*. Despite its Biblical mandate and origins, *Birkat Hamazon* does not demand the status of “*omed lifnei Hamelech* (standing before The King)” that *Amida* does. During *Birkat Hamazon*, one does not take three steps forward, nor put their feet together, nor bow nor do any of the rituals that display the intensity of directly standing before G-d, all of which are part of the *Amida*. Since *Birkat Hamazon* does not require *omed lifnei Hamelech*, *Birkat Hamazon* does not demand such a nuanced posture to connect. It is only in *Amida* where one addresses G-d so directly and recites a blessing about the nature of G-d, that one has to be so sensitive to the nature of Hashem’s posture and mention *Hamelech*.

As we prepare for the *Yamin Noraim* and *Aseret Yemai Teshuva*, let us recognize that we are about to enter a period where the very nature of the way we are supposed to connect with Hashem changes. The word *Hamelech* is not just a word noting the theme of the day of Rosh Hashana. It is a word which tells us that the posture Hashem takes towards the world is different now and that we must be focused enough and aware enough to recognize that. Every utterance of the word *Hamelech* is a call to wake up to the fact that Hashem is not just a caring but distant overseer, but rather is here in front of us. To *daven* without that awareness between Rosh Hashana and Yom Kippur is to miss the very nature of Hashem’s connection to humankind and to, in fact, incorrectly define Hashem’s interaction with the world. Such a lack of awareness

completely voids the *tefillah*. It is like sending a letter to someone who has temporarily moved. The letter being addressed to a place where the recipient no longer lives will come back with a return-to-sender stamp.

Interestingly enough, this sensitivity to Hashem's posture in connecting to the world invalidates a *tefillah* not only when one substitutes Hashem's less imminent connection (*Hakel*) for the more imminent one (*Hamelech*), but it also invalidates a prayer the other way around. For example, if after Yom Kippur one uses *Hamelech* in place of *Hakel*, the *tefillah* is equally invalid. Just as we must properly describe our enhanced relationship with G-d during the *Aseret Yemei Teshuva*, we must also properly describe the relationship that we have with G-d throughout the year.

It is interesting that the word which defines G-d's interaction with us, namely *Hakel* or *Hamelech*, is mentioned in the *bracha* of *Kedusha*. We call Hashem by many attributes including *Gadol* (great), *Gibor* (mighty), and *Nora* (awesome), yet only the attribute of *Kadosh* (holy) is the defining nuance of G-d's interaction with us. I believe this is a reflection of the central nature of *Kedusha* in terms of defining what Godliness is in Judaism. *Kedusha* is the word we always use to express what it is that Hashem brings to the world. Yes, Hashem is great and mighty and awesome, but those are attributes that allow Hashem to endow the world with the essence of what the Torah is all about: *kedusha*. When Hashem has a special nation He endows it with *kedusha* (*mekadesh Yisrael*), and when Hashem has a special day, He endows it with *kedusha* (*mekadesh Hashabbat*). G-d Himself, the primary source of spirituality, is defined as *Kadosh* and shares that attribute with *Am Yisrael* through the mitzvot of the Torah (*kideshanu bemitzvotav*). If there is a word that sums up what Hashem is and wants us to be it is *kedusha*:

Speak to the congregation of Israel and tell them: you shall be holy  
because I, the Lord your G-d, am holy.

**Vayikra 19:2**

דבר אל כל עדת בני ישראל  
ואמרת אליהם קדשים תהיו כי  
קדוש אני ה' אלקיכם.  
ויקרא יט:ב

There is no other word to describe the spiritual essence of Torah and there is no other *bracha* that demands such nuanced recognition of Hashem's essence other than the third *bracha* of the *Amida*, *Ata Kadosh*.

May we merit the spiritual sensitivity to notice and experience the interactions Hashem has with us in *Olam Haze*.

# The Minhag of Not Sleeping on Rosh HaShana<sup>16</sup>

Rabbi Ezra Schwartz

RIETS Class of 2001, (Yadin Yadin, 2008)

Rosh Yeshiva and Bochein, RIETS

Rabbi, Mount Sinai Jewish Center, New York, NY

We do many things on Rosh HaShana that are intended to serve as a good omen. We enjoy apples dipped in honey, eat various *simanim* (symbols) and partake in luscious meals to demonstrate that we are beginning the New Year in an auspicious manner. Most of us find great meaning and enjoyment when we partake in the *simanim* of Rosh HaShana. There is one *minhag* of Rosh HaShana however, that many find to be difficult if not oppressive. RAMA (ca. 1530-1572) teaches that one should not sleep on Rosh HaShana.

*There are those who are careful not to eat nuts on Rosh HaShana since the Hebrew word for nut, egoz, has the same numeric value as the word cheit - sin.*

*Additionally, our practice is not to sleep on Rosh HaShana and this is a proper practice.*

**Rama Orach Chaim 583:2**

הגה: יש מדקדקים שלא לאכול אגוזים, שאגוז בגימטריא חטא, ועוד שהן מרבים כיחה וניעה ומבטלים התפלה (מהרי"ל). וגם נוהגים שלא לישן ביום ראש השנה (ירושלמי), ומנהג נכון הוא.

רמ"א או"ח סימן תקפג סעיף ב'

## Source

RAMA was not the first to note that it is improper to sleep on Rosh HaShana. Rav Yehoshua ibn Shu'ib (ca. 1280-1340) a student of the Rashba in his *derasha* for Rosh HaShana quotes a Yerushalmi that it is forbidden to sleep on Rosh HaShana. Although it is highly unlikely that RAMA was in possession of the *derashot* of ibn Shu'ib,<sup>17</sup> the same Yerushalmi is cited by RAMA in his *Darkei Moshe* as the source for the prohibition to sleep on Rosh HaShana:

<sup>16</sup> Much of the material for this article was gleaned from two excellent articles in the journal *Ohr Yisrael*. Rabbi Gedalia Oberlander's *Issur Sheina B'Rosh HaShana* (volume 25 page 176-187) and Rabbi Eliezer Brodt's *Issur haSheina b'Rosh HaShana* (volume 29 pages 146-163)

<sup>17</sup> The *derashot* of R' Yehoshua ibn Shu'ib were first printed in Constantinople in 1523. The first printed Eastern European edition was Crackow 1573-1575 after RAMA was no longer alive.



*The Yerushalmi in Rosh HaShana teaches that one who sleeps on Rosh HaShana will have sleepy mazal. Therefore we are careful not to sleep on Rosh HaShana.*<sup>18</sup>  
**Darchei Moshe Orach Chaim 583**

בירושלמי דראש השנה איתא האי מאן  
 דדמיך בריש שתא דמיך מזליה ולכן נזהרים  
 שלא לישן בראש השנה:  
**דרכי משה הקצצר אורח חיים סימן תקפג**

Many have noted, however, that this Yerushalmi does not appear in the versions of Yerushalmi that we possess. It is entirely possible that it was found in the Yerushalmi on Kodshim which is missing, or the Yerushalmi on Nidda that is incomplete. Alternatively, some suggest that Rishonim refer to Midrashim that originate in Eretz Yisrael as Yerushalmi.<sup>19</sup> A further suggestion posits that there was a book which many Rishonim drew upon titled the *Sefer haYerushalmi* and when citations are quoted from a Yerushalmi that we do not have, they originate in this work.<sup>20</sup>

## Scope of and Reasons for the Practice

Whatever the source of the custom or prohibition not to sleep on Rosh HaShana is, it is worth noting the scope of this injunction. The simple reading of all the early sources is that the prohibition extends all day.<sup>21</sup> Some contend that the practice only applies in the morning of Rosh HaShana; in the afternoon however it is permissible to sleep.<sup>22</sup> Although there were some who woke at dawn (*alot hashachar*) so as not to sleep during any of the daylight on Rosh HaShana, common practice is to continue one's sleep after day break.<sup>23</sup> *Chayei Adam* states that one should sit down to learn after lunch; if he or she feels tired they may put their heads down to

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It is possible that there are earlier echoes of the prohibition to sleep on Rosh HaShana. In an article in *Moriah* 17, 199-200, page 106, Rabbi Yisrael Mordechai Peles, notes that the *Etz Chaim* of London (a contemporary of Maharam of Rottenberg) had a text ונאמן אתה להחיות נרדמים (You are faithful to revive the sleepy) rather than להחיות מתים (revive the dead) on the first day of Rosh HaShana. This may indicate that not sleeping at least on the first day of Rosh HaShana has a slightly earlier source.

<sup>18</sup> It is worth noting that the Yerushalmi, as cited by R' Yehoshua ibn Shu'ib, states that it is prohibited to sleep on Rosh HaShana. RAMA's version however cites that many are cautious not to sleep and his formulation in the *Mapa* on *Shulchan Aruch* is clear that it is customary not to sleep.

<sup>19</sup> Maharitz Chajes, *Megilla* 12b, cites many quotations from Yerushalmi that are not found in our editions and refers to his longer works where he makes the suggestion listed above.

<sup>20</sup> This possibility was set forward by Avigdor Aptowitz in his introduction to the RAVYA. It was challenged however by Rabbi Dovid Dublitzky in his more recent edition to the RAVYA (Introduction, page 12). However, Yaakov Zussman in *Tarbitz* volume 65 feels he uncovered fragments of a Yerushalmi of German origin that may be part of the *Sefer Yerushalmi* that Aptowitz refers to. It remains unclear however, how a Spanish Rishon like R' Yehoshua ibn Shu'ib would have this German manuscript of the Yerushalmi.

<sup>21</sup> It is almost universally assumed that the prohibition or practice not to sleep applies only during the day of Rosh HaShana and not at night. Only the *Divrei Chaim* of Sans is cited by Oberlander in his article, page 187, as not sleeping at night. A simple reading of the Yerushalmi cited would indicate that one should not sleep the entirety of Rosh HaShana; at a bare minimum one should refrain from sleeping at night on Rosh HaShana as we are accustomed to doing on Shavuot. See *Mishneh Halachot* vol. 13 #80.

<sup>22</sup> *Magen Avraham* 583:6 cites that Arizal said it is permitted to sleep after *chatzot* (mid-day). Although some argue that Arizal was permitted to sleep since he attained remarkable spiritual heights through sleep and we would not be permitted to do so, the simple reading of *Magen Avraham* is that Arizal said one may sleep, not simply that he himself slept. This deflates much of the argument.

<sup>23</sup> See *Mateh Efraim* 584:1 and comment of R' Shlomo Zalman Auerbach in *Halichot Shlomo* page 215 note 33.

sleep a bit. Many understand that *Chayei Adam* is permitting one to sleep at the table but not in a bed. Many cite *Noheg Katzon Yosef* that the *minhag* applies only on the first day of Rosh HaShana, not on the second day.<sup>24</sup>

BACH notes that one who reads the *derashot* of R' Yehoshua ibn Shu'ib carefully will notice three separate reasons for the practice not to sleep on Rosh HaShana. The first reason mentioned is based on the Rambam's famous comment (*Hilchos Shofar* 3:4) that the *shofar* of Rosh HaShana is meant to wake us from our slumber so that we do teshuva. One who sleeps is clearly oblivious to the meaning of the *shofar*. The other reasons cited are that it is improper to sleep while one's deeds are being investigated. *Shaat hadin* (the moment of judgment) is not an appropriate time to catch some z's. Finally, sleep implies laziness, an attribute that is very far from the ideal we try to portray on Rosh HaShana.

It would seem that those who adopt the first reason should not sleep all day on Rosh HaShana, as the entire day is termed (Bamidbar 29:1) *yom teruah* (a day of blowing the *shofar*) in the Torah. Those who adopt the second reason, that it is improper to sleep at the time of *din*, would be permitted to sleep after midday, since at that time the *din* is less intense. The practice to continue sleeping beyond daybreak adopts the third approach. One can argue that only going to sleep falls under the category of laziness; one who remains asleep is tired, not lazy. According to all the above-mentioned reasons, sleeping at night is permitted, since it is not the time of *shofar* or the time of *din* and sleeping at night is the way of the world and most certainly does not convey laziness.

## Those Who Slept on Rosh HaShana

In addition to the Arizal and *Chayei Adam* who minimize the scope of the practice not to sleep on Rosh HaShana, there were those who slept regularly and completely disregarded this practice. BACH cites that Maharam of Rottenburg (1215-1293) slept on Rosh HaShana.<sup>25</sup>

MAHARAM was accustomed to sleeping as he did on other holidays.

**BACH Orach Chaim 597**

ומהר"ם היה רגיל לישן כמו בשאר יום טוב.  
ב"ח אורח חיים סימן תקצז

It is possible that MAHARAM slept because he did not have the Yerushalmi that is cited as the source of this practice. Alternatively, it is possible that he slept based on an understanding of how *simanim* work on Rosh HaShana.

The Gemara in *Horiyut* notes:

Now that we say that *simanim* are significant a person should be careful to see<sup>26</sup> gourds, leeks and beets on Rosh HaShana.

**Horiyut 12a**

אמר אביי, השתא דאמרת: סימנא מילתא היא, [לעולם] יהא רגיל למיחזי בריש שתא קרא ורוביא, כרתי וסילקא ותמרי.  
תלמוד בבלי מסכת הוריות דף יב.

<sup>24</sup> See earlier note 2.

<sup>25</sup> The practice of not sleeping on Rosh Hashana is left out of the *Levush*. Additionally *Leket Yosher* notes that *Terumat HaDeshen* slept on Rosh HaShana.

Meiri asks a thought provoking question, why are the *simanim* not forbidden as forms of *nichush*, sorcery? After all, ordinarily Jews do not seek omens. He answers that the *simanim* are permitted since they are intended to inspire us to act properly.

*And so that we do not stumble into the forbidden territory of nichush, the rabbis instituted that one should recite statements that inspire teshuva, may our merits be read etc.*

**Beit Habechirah, Horiyut 12a**

וכדי שלא ליכשל בהם לעשות דרך נחש תקנו לומר עליהם דברים המעוררים לתשובה והוא שאומרים בקרא יקראו זכיותינו וברוביא ירבו צדקותינו ובכרתי יכרתו שונאינו ר"ל שונאי הנפש והם העונות ובסלקא יסתלקו עונינו ובתמרי יתמו חטאינו וכיוצא באלו. **בית הבחירה למאירי מסכת הוריות דף יב.**

Effectively, Meiri is suggesting that absent a *yehi ratzon*, a prayer to inspire proper behavior, a *siman* is dangerously close to *nichush*. *Yehi ratzon* prayers are only recited on positive *simanim*, they were not and could not be instituted for negative *simanim* such as not eating nuts and not sleeping on Rosh HaShana. Perhaps this is why the same Maharam of Rottenburg that BACH cites as not adhering to the practice of not sleeping on Rosh HaShana, is quoted by *Kol Bo* as not refraining from eating any food on Rosh HaShana.

*Maharam was also careful to keep the simanim (eating gourds, cabbage and beats). However, he was not particular to refrain from eating garlic, nuts or any food item.*

**Kol Bo 64**

וכן היה רגיל לעשות הר"ם ואינו נזהר לאכול שומין ואגוזים ולא שום דבר.

**ספר כלבו סימן סד**

Although MAHARAM eagerly embraced the positive *simanim*, he refrained from the negative *simanim* of not sleeping and not eating nuts out of concern that they would constitute *nichush*.

<sup>26</sup> The parallel Gemara in *Keritot* 6, writes that one should be careful to eat, gourds beats etc. We follow the practice as presented there.

# Our Voices for Our King

Rabbi Chaim Strauchler

RIETS Class of 2005

Rabbi, Shaarei Shomayim Congregation, Toronto

Throughout the year, we pray. Yet, prayer on Rosh Hashanah is different. We come to shul with a different set of expectations. We know that *davening* will be longer; we are prepared to listen to more elaborate tunes; we anticipate the haunting melodies of our youth. We have so much to pray for. We would expect that our prayers on this day would spell out our supplications for the upcoming year; it is, after all, those hopes that are on our mind. Interestingly, we do not find in the text of our prayers any list of requests.

From the prayer *Unetaneh Tokef*, we know that on Rosh Hashanah we are inscribed and that on Yom Kippur we are sealed. This theme influences much of how we think about Rosh Hashanah. We greet one another on Rosh Hashanah with the formula, may you be inscribed for a good year. Oddly, however, we push the request to be inscribed in the book of life to the edges of our prayers. We say the words *zachreinu l'chaim* (remember us for life) in the first blessing of the *Amidah* and the words *u'ketov lechaim tovim* (inscribe [all people] for a good life) in the second to last blessing. We do not place these blessings in the center of our prayers where requests normally belong. Why?

In this article, I will argue that there is a reason for this absence of typical requests. Our prayers on Rosh Hashanah serve a radically different function from our prayers the rest of the year. We are not asking for anything on Rosh Hashanah. Rather, we are doing something with our prayers on Rosh Hashanah. What is it that our prayers are doing?

Let me respond with a series of questions or clues. First, the Mishna *Rosh Hashanah* 4:6 describes the structure of our prayer at *Musaf* on Rosh Hashanah.

*There should be recited not less than ten kingship verses, ten remembrance verses, and ten shofar verses. R. Johanan b. Nuri said: if the reader says three from each set he has fulfilled his obligation.*

אין פוחתין מעשרה מלכיות מעשרה זכרונות מעשרה שופרות רבי יוחנן בן נורי אומר אם אמר שלש שלש מכולן יצא אין מזכירין זכרון מלכות ושופר של פורענות מתחיל בתורה ומשלים בנביא רבי יוסי אומר אם השלים בתורה יצא:

The Mishna describes the three central elements of the *Musaf* prayer on Rosh Hashanah: *malchiyot*, *zichronot*, and *shofrot* – kingship, remembrance, and shofar. The Mishna instructs us that simply describing these concepts in the usual style of prayer is insufficient. We must list a

series of ten texts to illustrate each of these concepts. If a person fails to include at least one such verse, he or she does not fulfill the obligation. This is striking: why would God need us to recite verses in our prayers? Are we trying to bring proofs to an argument by citing biblical evidence? Would God need such evidence?

Second, when describing the construction of this Rosh Hashanah prayer, Maimonides (*Hilchot Shofar* 3:8) suggests that the choice of texts is open to the choosing of the person praying.

*These three intermediate blessings recited on Rosh Hashanah... [namely:] Kingship, Remembrance and Shofar - are each dependent on the others. In each of these blessings, one is required to recite ten verses reflecting the content of the blessing: three verses from the Torah, three from the Book of Psalms, three from [the words of] the prophets, and one more verse from the Torah.*

שלוש ברכות אמצעיות אלו של ראש השנה ויום הכפורים של יובל שהן מלכיות וזכרונות ושופרות מעכבות זו את זו, וצריך לומר בכל ברכה מהן עשרה פסוקים מעין הברכה, שלשה פסוקים מן התורה, ושלשה מספר תהלים, ושלשה מן הנביאים, ואחד מן התורה משלים בו, ואם השלים בנביא יצא.

According to Maimonides, the text of the Rosh Hashanah prayer is not fixed. A person may choose any text that falls within the themes of *malchiyot*, *zichronot*, or *shofrot*. This stands in contrast to what Maimonides describes for the prayers of the rest of the year. In *Hilchot Tefilah* 1:4, Maimonides explains how the sages, upon witnessing the inability of their generation to formulate their own prayers, established fixed texts for the prayers. When the rest of the prayers of the year are fixed, why does the Torah allow us to choose the content of the Rosh Hashanah *Amida*?

What's more: The recitation of concepts like *malchiyot*, *zichronot* and *shofrot* seems at odds with the normal agenda of prayer. Jewish prayer follows a set structure: *shevach*, *bakasha*, and *hodaah*; praise, supplication, and thanks. Our prayers have a logic and a decorum to them: we come before the King to make our requests. We cannot make our requests until we have first addressed the King with respect acknowledging the awesome opportunity that prayer affords us – we, mortal creatures, may stand before our immortal creator. After we have set forth our requests, we take leave by offering thanks for all the kindness that God has performed for us. For 353 days a year, a Jew prays this way. Yet at *Musaf* on Rosh Hashanah, we speak about kingship, remembrance, and the shofar. What are we asking for? Why are we praying?

Finally, the Mishna *Rosh Hashanah* 4:5 tells us that the sounds of the shofar are to be affixed to the prayers of the day.

*The order of blessings [in the Musaf Amidah is as follows]: [the reader says the blessing of] the patriarchs, [that of] mightiness and that of the sanctification of the name and includes the kingship-verses with them and does not blow the shofar. He then says the sanctification of the day and blows, the remembrance-verses and blows, and the shofar-verses and blows; and he then says the blessing of the temple service and the one of thanksgiving and the blessing of the priests. This is the view of R. Johanan b. Nuri. Said R Akiba to him: if he does not blow the shofar for the kingship-verses, why should he say them? No; [the rule is as follows]. He*

סדר ברכות אומר אבות וגבורות וקדושת השם וכולל מלכיות עמהן ואינו תוקע קדושת היום ותוקע זכרונות ותוקע שופרות ותוקע ואומר עבודה והודאה וברכת כהנים דברי רבי יוחנן בן נורי אמר ליה רבי עקיבא אם אינו תוקע

says [the blessing of] the patriarchs and of the resurrection and of the sanctification of the name, and says the kingship-verses along with the sanctification of the day and blows the shofar, then he says the remembrance-verses and blows, and the shofar-verses and blows. Then he says the temple service blessing and the thanksgiving and the blessing of the priests.

למלכיות למה הוא מזכיר  
אלא אומר אבות וגבורות  
וקדושת השם וכולל מלכיות  
עם קדושת היום ותוקע  
זכרונות ותוקע שופרות  
ותוקע ואומר עבודה והודאה  
וברכת כהנים:

Rabbi Akiva's comment assumes that the only reason to recite a specific section of the *Musaf* is that it accompanies the sounds of the shofar. At no other time of the year – does a mitzvah align or interfere with the recitation of a prayer. The performance of mitzvot and the activity of prayer are distinct experiences. In prayer, we communicate with God. In the performance of a mitzvah, we perform the divine will.<sup>27</sup> Yet, shofar is the one place where the fulfillment of the divine command is linked to prayer.<sup>28</sup> Why?

To answer these questions and to decipher these clues, we must understand something about God. Rabbi Joseph B. Soloveitchik in his 1974 *teshuva derasha* explains that our actions on Rosh Hashanah have an affect on God.

*The Almighty is the greatest subject, but He can also be an object. At times, He is influenced by human behavior ... [The] Almighty displays his gentleness toward man. He is not only ram (זר) [great] but nisah. Nisah in the sense of being influenced and carried by others. Who influences the Almighty? The Jew who prays and is repentant ...*

*My melamed, like all the elders of Habad, referred to the first night of Rosh Hashanah as the Coronation Night. This is because it is the first occasion that the Jew gives a royal crown to the Almighty. The first time in the New Year that the Jew declares: "Our God and God of our fathers, reign over the whole universe in Thy glory... O Lord, King over all the earth." Who grants the royal crown to the Almighty? Who give the royal crown to the all powerful Master of the Universe. My melamed, along with many other poor Jews, granted the crown to the Almighty.... It was a crown constructed of Jewish tears and endless sacrifice for Torah. It was adorned with the love of Jews for the Almighty.<sup>29</sup>*

The shofar is the clarion call with which we greet the entering King. The prayer of Rosh Hashanah is the pronouncement of people in a ceremony to greet their king. Our prayer at *Musaf* on Rosh Hashanah is not for us to seek out our needs. Rather, the prayer on Rosh Hashanah allows us to serve as actors in a great ceremony – we are the actors on the greatest stage the world knows, the spiritual expanse of human souls. God enters upon the blast of the

<sup>27</sup> Prayer is itself a mitzvah according to Maimonides, but it is a commandment of a different sort from other actions that are prescribed by the Torah. Prayer is *avoda shebalev* – service of the heart.

<sup>28</sup> The four-species are taken during *Hallel* but are not connected to the *Amidah* which is the central prayer. Talit and Tefilin are worn during prayers, but the fulfillment of these commandments is achieved immediately upon wearing them; they are thus not connected to prayer in and of themselves.

<sup>29</sup> Rakeffet-Rothkoff, Aaron. *The Rav: The World of Rabbi Joseph B. Soloveitchik* pp.153-154.

shofar and upon the calls of our lips as we chant *malchiyot*, *zichronot*, and *shofarot*. The texts of the Torah that we quote are not proof texts. Rather they are the embodiment of our participation in acknowledging the reign of the true king. The verses are essential to the function of these blessings. They do not prove an argument – rather they embody an idea that we shout as if we were at a political rally or in a massive stadium cheering on our team. The sounds of our voices are a compliment to the sounds of the shofar – they create the cacophony of excitement for God’s presence. The coherence of one chant to the next is irrelevant; it is the cumulative feeling of excitement and passion that matters. Therefore, we may choose our own verses to exemplify the ideas of God’s presence and power. Our prayers on Rosh Hashanah join together with the sound of the shofar to create the music that brings our King into this world.

Prayer on Rosh Hashanah is about God. Our words serve to raise up God. Prayer at *Musaf* on Rosh Hoshanah is not about the needs of mankind – any content that includes requests for human needs is incidental. The preoccupation of the prayer at *Musaf* on Rosh Hashanah is God and God’s presence among mankind. The words of our prayer are not expressions of our innermost desires so much as choreographed elements within a great performance. Shofar is one such element – our prayers are another.

As moderns who cherish our autonomy, the idea that our prayers are not for our own needs feels strange. Yet, with our prayers on Rosh Hashanah, we matter on the divine stage – we stand among those whose tears and endless sacrifice for Torah construct God’s crown. To be a part of something great often means more than just doing your own thing. This runs against our modern culture, but it speaks deeply to our souls.



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