

THE BENJAMIN AND ROSE BERGER TORAH TO-GO®

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A Project of Yeshiva University's
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Featuring Divrei Torah from

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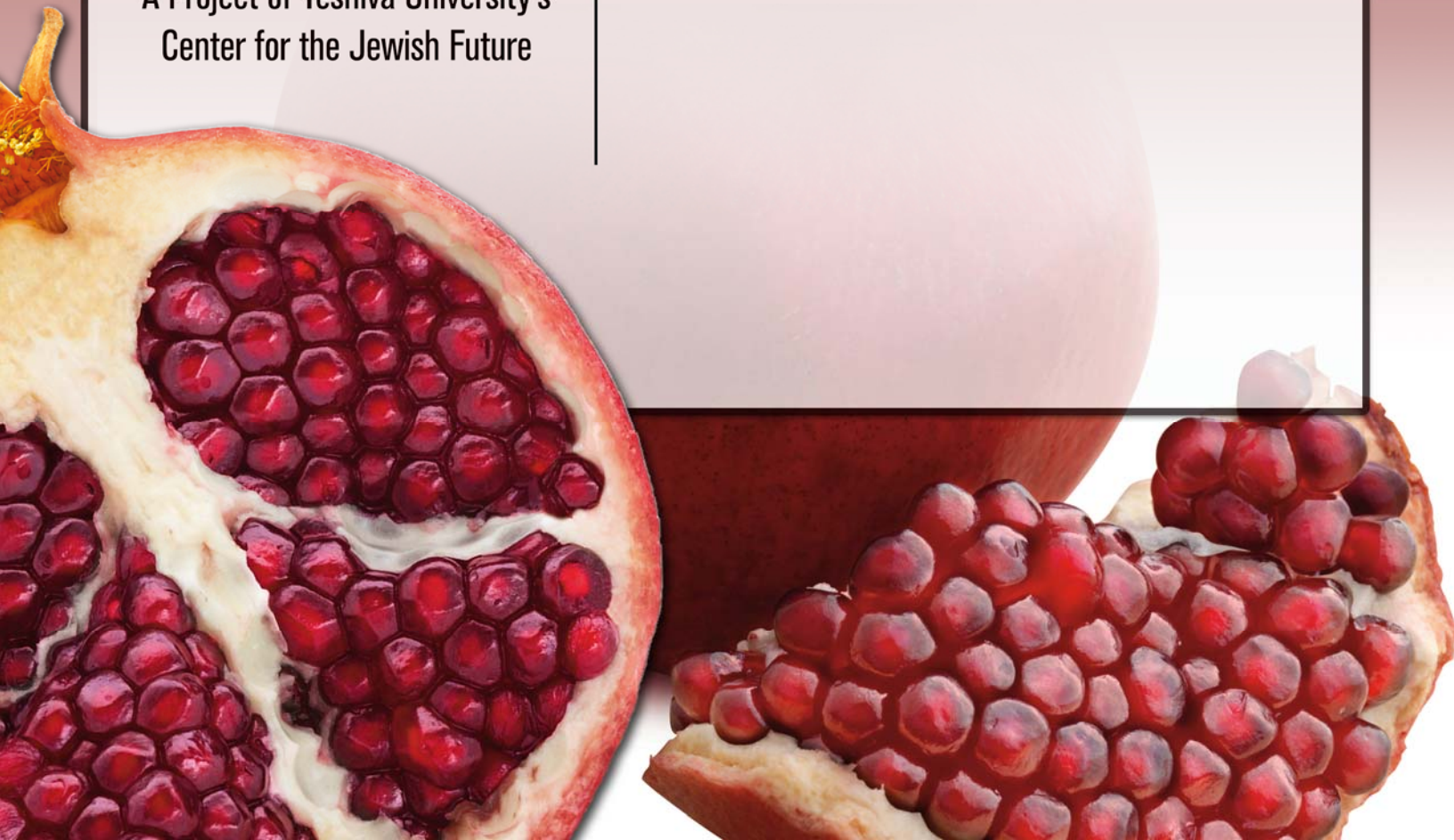
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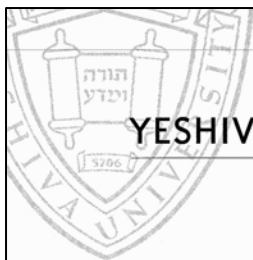
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YESHIVA UNIVERSITY

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Dear Friends,

It is our pleasure to present to you this year's first issue of Yeshiva University's Benjamin and Rose Berger Torah To-Go® series. It is our sincere hope that the Torah found in this ספר may serve to enhance your יום טוב (holiday) and your לימוד (study).

We have designed this project not only for the individual, studying alone, but perhaps even more for a חברותא (a pair studying together) that wish to work through the study matter together, or a group engaged in facilitated study.

With this material, we invite you to join our *Beit Midrash*, wherever you may be, להגדיל תורה ולהאדירה (to enjoy the splendor of Torah) and to engage in discussing issues that touch on a most contemporary matter, and are rooted in the timeless arguments of our great sages from throughout the generations.

Ketiva V'Chatima Tova,

The Torah To-Go® Editorial Team



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A Serious Birthday Celebration

Rabbi Reuven Brand

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Coronation

Rosh Hashana is a multi-faceted experience, which at first glance seems contradictory. Let us begin by exploring the dominant theme of the day.

According to the tradition of Chabad,² Rosh Hashana is known as *Yom HaHachtarah*—the day of coronation of Hashem, with trumpets and confetti as appropriate features of this celebration. This concept of coronation is rooted in our understanding of the central character of the day of Rosh Hashana, which is *malchuyot*—kingship. Our sages have demonstrated that *malchuyot* is the definitional quality of the day in various ways, especially in our Tefillot. A most striking example is found in Tefillat Mussaf of Rosh Hashana, which contains three additional components unique to the service of Rosh Hashana: *malchuyot*, *zichronot* and *shofarot*. These are incorporated into the Mussaf Amidah of Rosh Hashana, which the Talmud rules must contain nine blessings (*Berachot* 29a). The Mishna (*Rosh Hashana* 32a) discusses how to fit these three segments into the already existing framework of seven blessings; two *berachot* would need to be combined to create a unified nine. The Mishna records a debate as to which two blessings should be combined. Our practice follows the opinion of Rabbi Akiva, who instructs that we incorporate *malchuyot* into the central *beracha*, as the Rambam rules in *Hilchot Shofar* 3:7:

The chazzan recites Avot, Gevurot and Kedushat Hayom/Malchuyot and then three sets of blasts are blown; Zichronot and then another three sets of blasts; Shofarot and three sets of blasts...

אומר שליה צבור אבות וגבורות וקדושת
השם ומלכיות ותוקע שלש, ואומר זכרונות
ותוקע שלש, ואומר שופרות ותוקע שלש ...

This ruling and the debate that sparked it are not just technical questions of liturgical syntax; they teach us about the essence of the day. By choosing to combine *malchuyot* with the *beracha* of *Kedushat Hayom*, the section that expresses the theme of the day, we learn that these two concepts are harmonious and, even, synonymous.

¹ Thank you to Avi Mori, Mr. Etzion Brand; Rabbi Joshua Flug; Mrs. Ora Lee Kanner and Mrs. Andrea Polster for their helpful comments on this article.

² See *Sha'arei Hamoadim*, *Rosh Hashana* no. 37.

This explains how the central *beracha* of *Kedushat Hayom* in every tefillah of Rosh Hashana is to be understood. We conclude the focal *beracha* of each Rosh Hashana Amidah:

*Blessed are You, God, our Lord, King of the world, King of the earth
Who sanctifies the Jewish people and the Day of Remembrance.*

בא"ה אמ"ה מלך על כל הארץ
מקדש ישראל ויום הזכרון.

The text contains two components: one of kingship over the earth and the other of the sanctification of the day. Yet, the Talmud teaches that *ain chotmin b'shtayim*, one cannot conclude a blessing with two themes (*Berachot* 49a). Each and every *beracha* must contain only one theme. How, then, can this *beracha* combine both elements? Based on our understanding of the core theme of Rosh Hashana—*malchuyot*—the *beracha* is not considered to be a violation of a dual theme since the day of Yom Hazikaron is that of *malchuyot*.³

Although it is clear that majesty and coronation are essential aspects of the day, we are left to wonder how our sages knew that this is the case. There is no hint in the Torah, which describes Rosh Hashana as a day of *zikaron*—remembrance (*Vayikra* 23:24)—to it being a day of *malchuyot*.

Judgment

There is another difficulty in our understanding of the day. For there is a different mood—a competing theme—that is conspicuously ever present in the Rosh Hashana experience. This is the theme of judgment. Although it does not appear in the Torah itself, our Rabbis teach us that Rosh Hashana is a day of judgment:

At four seasons [Divine] judgment is passed on the world: at Passover in respect of produce; at Pentecost in respect of fruit; at new year all creatures pass before Him [G-d] like children of Maron, as it says, 'He that fashioneth the heart of them all, that considereth all their doings'; and on Tabernacles judgment is passed in respect of rain.

Rosh Hashana 16a (Soncino Translation)

בארבעה פרקים העולם נידון בפסח
על התבואה בעצרת על פירות
האילן בראש השנה כל באי העולם
עוברין לפניו כבני מרון שנאמר
היוצר יחד לבם המבין אל כל
מעשיהם ובהג נידונין על המים.
ראש השנה טז.

The famous poem *Unetaneh Tokef*, a liturgical highlight of the chazzan's repetition of the Amidah, follows this theme and gives us the stark, foreboding predicament of judgment along with various frightening possible means of demise:

Let us pay attention to the import of the holiness of the day because it is awesome and frightening ... Who will live and who will die, who in his time and who before his time, who with water and who with fire? ...

ונתנה תקף קדושת היום כי
הוא נורא ואיום ... מי יחיה
ומי ימות מי בקצו ומי לא
בקצו מי במים ומי באש ...

³ This concept of *malchuyot* (coronation) as the central theme of Rosh Hashana is also reflected in many of the liturgical poems we recite during davening (Hashem Melech, etc.), which are supposed to deepen our emotional connection with our King. It is the opening pronouncement of the Shaliach Tzibbur at Shacharit: **Hamelech** that is synonymous with the service of these majestic days. It continues through the entire Ten Days of Teshuva in which we insert Hamelech twice into our daily Amidah. In addition, the siddur *Otzar Hatefillot* (on *Tashlich*) explains that our practice of going to the water on the afternoon of Rosh Hashana (colloquially known as *Tashlich*) is because in biblical times, kings were coronated at a spring and we coronate our King, Hashem, on Rosh Hashana; see Talmud Bavli, *Horayot* 12a.

This concept seems completely at odds with the aforementioned theme of *malchuyot*. While coronation has a celebratory tone, judgment is fraught with anxiety and dread. We associate it not with cheering, but with solemnity, with pacing and white knuckles. How do we understand the concept of judgment within the framework of coronation?

Moreover, our traditional approach to this experience of judgment is also perplexing. Many have asked the question: if we are truly standing before a judge, our fate being deliberated, wouldn't we address the misgivings that might seal our fate? How can it be that on Rosh Hashana we do not make a single mention of our mistakes—we do not recite *vidui* at any point during these two days in our pleas to be remembered for the good?⁴

An unlikely case study

Let us examine an unlikely source to better understand the character of Rosh Hashana: the biblical episode of Pharaoh's cupbearer and baker. These two formerly influential men in the court of Pharaoh meet Yosef in jail. They each have an inexplicable dream that Yosef interprets regarding their futures, which proves to be the correct premonition, as the Torah describes:

Now it came about on the third day, Pharaoh's birthday, that Pharaoh made a feast for all his servants, and he counted the chief cupbearer and chief baker among his servants. And he restored the chief cupbearer to his [position as] cupbearer, and he placed the cup on Pharaoh's palm. And the chief baker he hanged, as Joseph had interpreted to them.

Bereishit 40:2-22 (Judaica Press Translation)

וַיְהִי בַיּוֹם הַשְּׁלִישִׁי יוֹם הַלֵּדָת
אֶת־פַּרְעֹה וַיַּעַשׂ מִשְׁתֶּה לְכָל־עַבְדָּיו
וַיִּשָּׂא אֶת־רֹאשׁ שַׂר הַמִּשְׁקִים
וְאֶת־רֹאשׁ שַׂר הָאֲפִים בְּתוֹךְ עַבְדָּיו.
וַיָּשָׁב אֶת־שַׂר הַמִּשְׁקִים עַל־מִשְׁקֵהוּ
וַיִּתֵּן הַכּוֹס עַל־כַּף פַּרְעֹה. וְאֶת שַׂר
הָאֲפִים תָּלָה בְּאֶשׁ כִּתְרָה לָהֶם יוֹסֵף.
בְּרֵאשִׁית מ:כ-כב

This passage raises many questions. Why are the cupbearer and baker appearing at Pharaoh's birthday celebration? Why are their fates meted out at this time?

The Talmud Yerushalmi (*Avoda Zara* 1:2) teaches that “*yom huledet*,” the birthday of a monarch, is also “*yom genusia*”—the day of coronation for the king.⁵ Hence, it is certain that on the king's birthday, on the day that he is coronated once again, his subjects come to herald another year of his rule. As Pharaoh celebrates his annual coronation, each servant, even those who had been incarcerated, appear before him to celebrate this milestone.

This appearance before the king provides each subject with a brief moment with the monarch—a rare privilege. It is also a moment of trepidation; this encounter carries with it the scrutiny of the ruler. As each subject proclaims his or her loyalty, the monarch acknowledges it with the obvious, unspoken questions: Who are you? Where have you been? What is your relationship to me and my kingdom? How have you served? Each subject, in that moment facing the king, must be worthy of coronating the exalted monarch and deserving of a place in the kingdom. This

⁴ Various practices exist regarding the recitation of specific verses in *Avinu Malkein* that reference sins; see *Mateh Ephraim* 584:11, *Magen Avraham Orach Chaim* 584: 2, *Shu"t Yechaveh Daat* 1:55.

⁵ This designation has halachic significance regarding the status of various idolatrous practices relating to pagan rulers.

explains why the cupbearer and baker were sentenced on *this* day—their appearance before Pharoh precipitated Pharoh’s decision to determine their fate for the coming year. The Torah does not explain why, but, as we will explore below, only the cupbearer succeeded in proving his connection with and worthiness to Pharoh to merit a reinstatement.

Birthday for humanity

Rosh Hashana is a *yom huledet*—a birthday. It is the anniversary of the creation of the world, or, more precisely the creation of humanity with Adam HaRishon.⁶ At the beginning of *Zichronot* we declare:

This day marks the beginning of Your creation, it is a remembrance of the first day.

זה היום תחילת מעשיך זכרון ליום ראשון

We state that Rosh Hashana is the birthday of Hashem’s earthly creations. Similarly, following the shofar blowing of *Malchuyot*, *Zichronot* and *Shofarot*, we recite the passage *Hayom Harat Olam*, which states that today is the birth of the world.⁷ It is, therefore also the birthday of G-d’s monarchy in this world. In this light, we understand that Rosh Hashana is the great birthday party of humanity and the anniversary of Hashem’s monarchy over humanity. Hence, our Rabbis understood that on this day, each of His subjects—each of us—appears before Hashem to celebrate his monarchy. With this, just as with the coronation of Pharoh, we experience the trepidation of His scrutiny: Where have we been? What is our connection with our King? Are we worthy of serving our King? It is a time of joy as we salute and herald our King, yet we also experience it with seriousness as a *yom hadin*: *v’gilu b’r’adah*, rejoice with trepidation. We must experience and synthesize both emotions—those of celebration and trepidation—and for this reason, we have many tefillot and piyutim that reflect both themes. The following story illustrates a supremely righteous expression of this notion:

R. Aharon of Karlin was once visiting his rebbe [The Maggid of Mezeritch] on Rosh Hashana and they honored him to lead Shacharit services. The tradition is to say the word “HaMelech” (The King) out loud, but when he reached that word, he let out a bitter scream and was unable to continue. They asked him what had happened and he answered that he recalled the story in the Talmud (Gittin 56a) when R. Yochanan ben Zakai greeted Vespasian as “king,” to which Vespasian responded “If I am a king, why have you waited so long to greet me?” “For this reason,” stated R. Aharon, “When I started to say ‘HaMelech’ I felt despondent because if He is truly a king, why did I wait so long to greet Him and return to Him through repentance?”
Seder Hadorot Hechadash pg. 18a

In light of this concept of scrutiny within coronation, we can also understand why it is inappropriate to mention our sins during the service of Rosh Hashana. On Rosh Hashana we do

⁶ This follows the opinion of Rabbi Eliezer (*Rosh Hashana* 10b) who opines that the world was created in Tishrei. A full description of the timeline of the day of Adam’s creation on the first of Tishrei based on the *Pesikta*, appears in the comments of Rabbeinu Nissim on the Rif, *Rosh Hashana* 3a. Tosafot, *Rosh Hashana* 12a s.v. *L’mabul* and Bach, end of *Orach Chaim* 591, address the fact that the normative ruling in this case should follow the view of Rabbi Yehoshua and not Rabbi Eliezer. See also, *Netiv Binah* vol. 3, pp. 152-153.

⁷ In this context, the word *harat*, usually translated as conceived, means birthed (see Ibn Ezra, *Iyov* 3:2)

not picture ourselves in a courtroom, rather along a parade route. Imagine a servant celebrating the coronation of his king. As the subject approaches the royal receiving line, he leans over to the jubilant monarch and begins to list various offenses for which he would like to ask forgiveness. This behavior would obviously spoil the mood of the joyous occasion for the king and is completely out of place. Instead, the servant will hopefully have garnered the favor of the king since his last appearance and will stand tall with a firm and resolute salute that the king will connect with and appreciate. Only after the parade, should he approach the king and seek to mend his ways. Hence, *vidui* has no place in the coronation of Hashem on Rosh Hashana.⁸

Coronation lessons

Incredibly, the birthday story of coronation and judgment of Pharaoh occurred on the day of Rosh Hashana.⁹ Perhaps we can draw a lesson from the narrative regarding how we should experience the coronation and judgment of Rosh Hashana. The Torah does not reveal to us the reason for the different predictions that Yosef offered to the cupbearer and the baker; we are not told why Pharaoh restored the cupbearer and executed the baker. However, we can explain the disparity by a close examination of their dreams.

So the chief cupbearer related his dream to Joseph, and he said to him, "In my dream, behold, a vine is before me. And on the vine are three tendrils, and it seemed to be blossoming, and its buds came out; [then] its clusters ripened into grapes. And Pharaoh's cup was in my hand, and I took the grapes and squeezed them into Pharaoh's cup, and I placed the cup on Pharaoh's palm." ... Now the chief baker saw that he had interpreted well. So he said to Joseph, "Me too! In my dream, behold, there were three wicker baskets on my head. And in the topmost basket were all kinds of Pharaoh's food, the work of a baker, and the birds were eating them from the basket atop my head."

Bereishit 40:9-11, 16-17 (Judaica Press Translation)

וַיֹּסֶפֶר שֶׁ-הַמִּשְׁקִים אֶת-חֶלְמוֹ,
לְיוֹסֵף; וַיֹּאמֶר לוֹ--בְּחֻלּוֹמִי, וְהִנֵּה-גִפְנוֹ
לִפְנֵי. וּבִגְפוֹ, שְׁלִשָּׁה שָׁרִיגִם; וְהוּא
כִּפְרַחַת עֹלְתָה נֹצֶה, הַבְּשִׁילוֹ
אֲשָׁפְלִיתִיהָ עֲנָבִים. וְכֹס פָּרְעֹה, בְּיָדִי;
וְאָקַח אֶת-הָעֲנָבִים, וְאֲשַׁחֵט אֹתָם אֶל-
כֹּס פָּרְעֹה, וְאָתֵן אֶת-הַכֹּס, עַל-כַּף
פָּרְעֹה ... וַיֵּרָא שֶׁ-הָאֲפִים, כִּי טוֹב
פָּתָר; וַיֹּאמֶר, אֶל-יוֹסֵף, אֶף-אֲנִי
בְּחֻלּוֹמִי, וְהִנֵּה שְׁלִשָּׁה סְלֵי חֲרִי עָלַי-
רֹאשִׁי. וּבִסֵּל הָעֵלְיוֹן, מִכָּל מִאֲכָל
פָּרְעֹה--מִמַּעֲשֵׂה אֹפֶה; וְהָעוֹף, אֵכֵל אֹתָם
מִן-הַסֵּל--מֵעַל רֹאשִׁי.
בְּרֵאשִׁית מ:ט-יא, טז-יז

The dream of the baker is one in which he sees his future bread being eaten by birds, while the cupbearer envisions himself squeezing fresh grapes into a cup onto the hand of Pharaoh. Yosef and Pharaoh both recognize a key difference. The baker envisions his future as a mediocre one—perhaps we could use the expression: it's for the birds. Yes, he will provide bread, but it will be done in a somewhat lackadaisical, dispassionate way. By contrast, the cupbearer envisions a service of excellence, squeezing the finest grapes and placing the cup directly into the hand of Pharaoh. Pharaoh responds predictably, as Yosef anticipated, without mercy for someone whose

⁸ In light of our understanding, we appreciate why Rosh Hashana is referred to in the Torah as *Yom Hazikaron*, for we are each remembered as we pass our King along the parade route. This also explains the meaning and sequence of *malchuyot*, *zichronot* and *shofarot*, according to the explanation of the Gemara in *Rosh Hashana* 16a.

⁹ The Gemara in *Rosh Hashana* 11a, teaches that Yosef was freed from prison on Rosh Hashana. The *Midrash Rabbah* (Bereishit 89:1) teaches that this was precisely two years since the day of reckoning of the baker and butler, which places the day of Pharaoh's coronation celebration- the day of his birth- on Rosh Hashana.

commitment and drive is only mediocre and half-hearted, while he welcomes the one whose vision and dedication is unquestionable and whole-hearted.

The message for us is clear, as the Rabbis of the Talmud teach: מלכותא דארעא כעין מלכותא דרקיעא, an earthly kingdom is representative of the Heavenly Kingdom (*Berachot* 58a).

On Rosh Hashana each of us stands to salute, cheer and coronate our King. At the same time, we know we are imperfect and have disappointed our King. We feel a sense of trepidation and perhaps even embarrassment at our lowly state in the face of His inquiring gaze, which will determine our place in His kingdom for the coming year. We are called upon to commit ourselves to a new year with an aspiration for excellence in our devotion to our Master—the Master of the world. At this moment, our past is behind us and our task is to devote ourselves wholeheartedly to the coronation of Hashem—to embrace the Divine presence in our lives as fully as possible. Hopefully, thanks to the unending compassion of our King and our best efforts to express His kingship in our world, we will all merit to be restored to positions of successful, prominent service of Hashem in the year to come.

U'Netaneh Tokef: Will the Real Author Please Stand Up

Rabbi Kenneth Brander

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The David Mitzner Dean, Center for the Jewish Future

U'Netaneh Tokef is a spiritually uplifting prayer recited on Rosh Hashana and Yom Kippur. It is a *tefillah* that weaves Biblical verses and Talmudic statements into a poetic prayer that has become a centerpiece of the Rosh Hashana and Yom Kippur services. Some examples of its interpolated texts include: Chabakuk 1:5, “אִים וְנֹרָא—terrible and dreadful”; Bamidbar 24:7, “וְתִנְשֵׂא מַלְכוּתוֹ—His kingdom shall be exalted”; Yeshayahu 16:5, “וַיֵּשֶׁב עָלָיו בְּאֵמֶת—and He sits on it in truth”; *Pirkei Avot* 4:22, “הוּא הַדִּין הוּא הָעֵד—He is the witness, He is the Judge”; and a Gemara in *Ta’anit* 2:4, “בְּרוּךְ אַתָּה זִכְרָךְ הַנִּשְׁכַּחֹת—blessed are You, Hashem, Who remembers all things forgotten.” The author of this *tefillah* seems to have predicated much of the language and concepts on earlier biblical and Talmudic texts. In a similar manner, the end of *U'Netaneh Tokef* speaks to the fleeting nature of our lives echoes *pesukim* in Tehillim, such as, “כַּחצִיר יָמָיו כְּצִיץ הַשָּׂדֶה כֵּן יִצִּיץ—his days are as grass; as a flower of the field” (103:15), and “לֹהֶבֶל דָּמָה יָמָיו כְּצֶל עֹוֹבֵר—his days are like a shadow which passes by” (144:4).

Who Wrote *U'Netaneh Tokef*?

I found in the writings of Rav Ephraim from Bonn that Rav Amnon from Mainz established U'Netaneh Tokef because of an episode which occurred...

Ohr Zarua (1180-1250) Hilchot Rosh Hashana 276

מצאתי מכתב ידו של ה"ר אפרים מבונא בר
יעקב. שר' אמנון ממגנצא יסד ונתנה תוקף על
מקרה הרע שאירע לו ...
ספר אור זרוע חלק ב - הלכות ראש השנה
סימן רעו

R. Yitzchak of Vienna, the author of *Ohr Zarua*, then recounts the following episode: A high-ranking Christian general wanted to convert all the Jews of Mainz and asked Rav Amnon to convert. After many requests, Rav Amnon replied that he needed a few days to think it over and would return to the general with a response but never did. This greatly angered the general, who arrested Rav Amnon. Rav Amnon apologized and said that the general should cut out his tongue which said he would return, suggesting that he might agree to convert, something Rav Amnon

never intended to do. The general responded that he would not cut out Rav Amnon's tongue but rather, he would punish each of Rav Amnon's limbs that did not obey the order to appear before the general. The general cut off Rav Amnon's legs and other extremities. The story continues that Rav Amnon returned home dismembered and asked to be carried to the synagogue on Rosh Hashana where he recited *U'Netaneh Tokef* and died at the conclusion of the prayer. The *Ohr Zarua* then tells us how *U'Netaneh Tokef* became part of our machzor:

Three days after [R. Amnon's] passing, he appeared in a dream to R. Kalonymus son of R. Meshulam ... and taught him the prayer of U'Netaneh Tokef and directed him to send it to the entire Diaspora.

ביום השלישי לטהרתו נראה במראות הלילה
לרבנא קלונימוס בן רבנא משולם... ולימד
לו את הפיוט ההוא ונתנה תוקף קדושת היום
ויצו עליו לשלוח אותו בכל התפוצות הגולה.

This story is found in many machzorim, written next to *U'Netaneh Tokef*. It is highly unusual for a *piyut* or *tefillah* to be accompanied by an explanation of how it was conceived. Furthermore, it is not simply a modern phenomenon to have the story included in the machzor. An Oxford manuscript from 1205 has the story accompanying the *tefillah*.

To appreciate the significance of this story, a better understanding of its characters is needed:

1. The Kalonymus Family: In a responsum dealing with issues of paying taxes to the local government, the *Ohr Zarua*, Vol. III, *Baba Kammah* no. 560, identifies Rabbi Kalonymus, the person to whom Rav Amnon appeared in a dream, as the uncle of R. Simcha of Speyer (12th century–13th century). R. Simcha was the *Ohr Zarua's* teacher. The Kalonymus family was an aristocratic family who played an integral leadership role with the German Jewish communities from the 9th to the 13th century, specifically the Rhineland communities. Their leadership was valiantly displayed during the First and Second Crusades. They were not just leaders of the community but also well-known composers of prayers.
2. Rav Ephraim of Bonn (b. 1132) was a liturgical poet and commentator, a Talmudic scholar who served as *av beit din* (head of the Jewish court) and a teacher in Mainz and Speyer. He lived in Bonn in 1197, and only left the city three days before the Jews were massacred. Furthermore, Rav Ephraim of Bonn is known specifically for two things: the sharing of the story of Rav Amnon of Mainz and the recitation of *U'Netaneh Tokef*; and for his extensive knowledge of the prayers of Rabbi Eleazar HaKalir and, according to some, of Kalir's rebbe, Rabbi Yannai.

To summarize: R. Yitzchak of Vienna, the *Ohr Zarua*, who lived approximately 100 years after Rav Amnon of Mainz, tells the story of Rav Amnon in the name of Rav Ephraim of Bonn, an expert in the prayers of Kalir and Yannai. R. Yitzchak of Vienna has a direct connection through his teacher to the Kalonymus family who were reported to have received the prayer *U'Netaneh Tokef* in a dream from Rav Amnon of Mainz. This historical information will lead to the creation of a beautiful tapestry of understanding of *U'Netaneh Tokef*.¹

¹ *The Encyclopedia Judaica* provides further information on these personalities. See "Kalonymus," 11:747-748 and "Ephraim ben Jacob of Bonn," 6:460.

Is U'Netaneh Tokef Consistent with Talmudic Sources?

The major refrain of *U'Netaneh Tokef* is “ותשובה ותפילה וצדקה מעבירין את רוע הגזירה”—repentance, prayer and charity help diminish the evil decree.” This statement seems to be based on a statement found in the Gemara:

R. Yitzchak said: *There are four things a person can do to destroy an evil decree: charity, prayer, changing one's name, and changing one's actions.*

Rosh Hashana 16b

ואמר רבי יצחק: ארבעה דברים מקרעין גזר דינו של אדם, אלו הן: צדקה, צעקה, שינוי השם, ושינוי מעשה.

מסכת ראש השנה דף טז:

Rabbi Shmuel Eidels (1555–1631), the Maharsha (ad loc.), asks why the author of *U'Netaneh Tokef* did not quote the Gemara fully, failing to include *shinui ha'shem*, change of name, in his list of actions necessary to diminish the evil decree. R. Eidels then suggests two answers:

Changing one's name has nothing to do with repentance from sin; rather, it is a means of changing one's *mazal*. R. Eidels cites the change in name of our patriarch and matriarch from Avram and Sarai to Abraham and Sarah. Their name change was not due to their sins but for a change in *mazal* to help them have a child. For this reason, it is not included in the *U'Netaneh Tokef* prayer. Rav Amnon of Mainz only used the actions listed in the Talmud that relate to repentance.

A second reason is that Rav Amnon of Mainz knew that when a person goes through the *teshuva* process on Rosh Hashana and Yom Kippur, his/her identity changes as a result. The change of identity is in fact a form of existentially changing one's name. This seems to be the approach of Rambam to *shinui hashem*:

Part of the repentance process includes the repenter constantly calling out to God through tears and supplication; giving charity based on one's means; distancing oneself from the object that caused one to sin; changing one's name, meaning that "I am a different person and I am not the same person that performed these deeds"; changing one's ways and improving on them...

Rambam Hilchot Teshuva 2:4

מדרכי התשובה להיות השב צועק תמיד לפני השם בבכי ובתחנונים ועושה צדקה כפי כחו ומתרחק הרבה מן הדבר שחטא בו ומשנה שמו כלומר אני אחר ואיני אותו האיש שעשה אותן המעשים ומשנה מעשיו כולן לטובה ...

רמב"ם הלכות תשובה ב:ד

While this is not suggested by R. Eidels, another answer to the question can be found in Rosh's manuscript on the Talmudic phrase in Rosh Hashana. When the Rosh quotes this Gemara in a responsum (17:12), he presents the Gemara as saying that there are only **three** things that can diminish the evil decree. In the Rosh's manuscript of the Talmud changing one's name is mentioned as a *yesh omrim*, a supplemental opinion.

A list of only three things can also be found in the Jerusalem Talmud:

R. Eleazar said: *Three things nullify the evil decree and they are, prayer, charity and repentance and all three are derived from the same verse (Dvrei HaYamim II 7:14), "If My people upon whom My name is called, shall humble themselves and pray,"*

אמר רבי לעזר שלשה דברים מבטלין את הגזירה קשה ואילו הן תפילה וצדקה ותשובה ושלשתן בפסוק אחד ויכנעו עמי אשר נקרא שמי עליהם ויתפללו זו תפילה ויבקשו פני זו

this refers to prayer, “and seek My face,” this refers to charity ...
 “and return from the their evil ways,” this refers to repentance.

Talmud Yerushalmi, Taanit 2

צדקה ... וישבו מדרכיהם הרעים זו
 תשובה.
 תלמוד ירושלמי, תענית פרק ב'

Like the Jerusalem Talmud, the Midrash Rabbah, *Bereishit Rabbah* no. 44, has the same list of actions—“*tefillah*, *tzedakah*, and *teshuva*”—that are responsible for changing one's destiny.

Publishers of machzorim were puzzled that Rav Amnon of Mainz, in writing *U'Netaneh Tokef*, failed to preserve the order of this prescription of change found in the Talmudic sources. He presents the order as “*teshuva*, *tefillah*, and *tzedakah*,” even when the sources list it differently. Some older machzorim actually changed *U'Netaneh Tokef* and list the recipe for diminishing the evil decree in the order found in the Yerushalmi and *Bereishit Rabbah*—*tefillah*, *tzedakah*, and *teshuva*. In a machzor published in Prague in 1522, a letter of the *aleph bet* is written above each of the three words. An *aleph* is written above *tefillah*, a *bet* above *tzedakah*, and a *gimmel* above *teshuva*. This machzor notes that the order listed by Rav Amnon of Mainz is incorrect and should instead be “*u'tefillah*, *u'tzedakah*, *u'teshuva*,” based on Talmudic sources. A machzor from Solinica in 1522 writes in the margin that the order should be changed to follow the Talmudic source:

A manuscript of the machzor (Oxford, N1206) shows the prayer rewritten in the order found in the Jerusalem Talmud:

The Maharil, a 14th century spiritual leader of Ashkenzaic Jewry whose customs and decisions serve as a guiding force of halakhic ritual practice until this day, states in his *Hilchot Yom Kippur* that one should not change the text of the machzor. Consistent with this view, he writes in *Seder Musaf Shel Rosh Hashanah* that the proper order is *teshuva*, *tefillah*, and *tzedakah*.

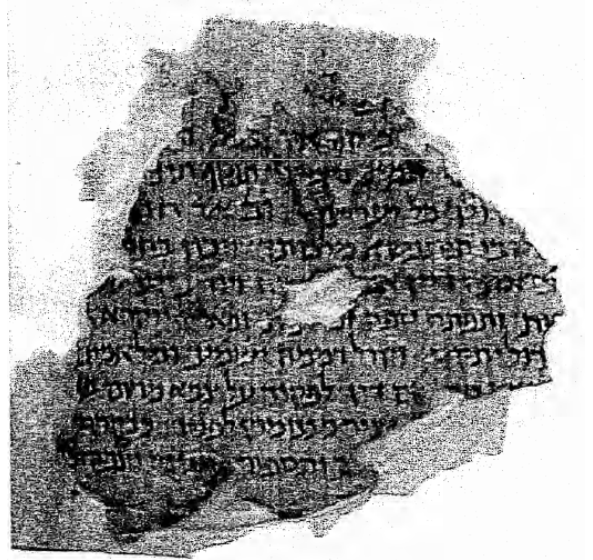
It is for this reason that three words were added to the machzor above *teshuva*, *tefillah*, and *tzedakah*: “*Kol*” over *tefillah*, “*mamon*” over *tzedakah*, and “*tzom*” over *teshuva*. The numerical values of *kol*, *mamon*, and *tzom* are all equivalent, 136, and with this, it is implied that these three components of repentance are equally important and therefore one need not change around the order, but rather follow the protocol established by Rav Amnon of Mainz. As R. Moshe Mat, *Mateh Moshe* no. 818, elaborates, the mental mindset of *teshuva* must precede prayer. Praying is

a way of acknowledging the sinful behavior and distance created by sin in the relationship with God. The act of recognition and prayer is then followed by the need for action, *tzedakah*.

The Cairo Genizah Manuscript

A manuscript was found in the Cairo Genizah² that raises questions about the entire historical premise of *U'Netaneh Tokef*.

This manuscript is the text of *U'Netaneh Tokef*, **and was clearly written before the 11th century C.E.** Rav Amnon of Mainz could not have written *U'Netaneh Tokef*! This problem was publicized by many including Professor Daniel Goldschmidt (1895–1972), an expert on Jewish liturgy, in his *Machzor L'Yamim Noraim* pg. 42. Since the publication of Professor Goldschmidt's machzor, new manuscripts were discovered and it appears that *U'Netaneh Tokef* was written by a composer by the name of Yannai,³ who according to some was the teacher of R. Eleazer HaKalir and lived in Israel sometime between the 4th and 7th centuries. One critical question remains: If R. Ephraim of Bonn was an expert in the liturgy of Yannai, why would he attribute Yannai's *U'Netaneh Tokef* to R. Amnon?



U'Netaneh Tokef was placed in our Rosh Hashana prayers as part of the introduction to *Kedusha*. The piyut (prayer) that introduces *Kedusha* contained four sections. Prior to the First Crusade, a piyut of Rabbi Eleazer HaKalir was recited. The last section of the introduction, known as the *siluk*, narrates a conversation between the angels and God. The angels approach God and ask, "Why do the Jewish people continue to be in Your good grace? They don't treat You properly or listen to Your words. You should not forgive them!" Hashem defends us and the angels continue, "Why do You defend the Jewish people? They don't listen to You and are sinners." Once again Hashem responds and settles the questions. The angels then praise Hashem with the "*Kadosh, kadosh, kadosh...*"⁴ Sometime after the First Crusade, this *siluk* was removed and replaced with Yannai's *U'Netaneh Tokef*; for how could the Rhineland communities tolerate such an introduction to *Kedusha*? They witnessed unprecedented acts of martyrdom within the Jewish Community, acts of resistance against forced baptism by the Catholic Church, which included the taking of their own lives and the lives of their family. It did not seem appropriate to introduce *Kedusha* with a critique of the Jewish people by the angels when Jews were sacrificing their lives and the lives of their families in order to observe the Torah. The ideals found in

² The Cairo Genizah is a collection of manuscripts found in the Ben Ezra Synagogue in Cairo. The manuscripts were written between the 9th century and 19th century and their time of writing is identified based on the type of paper they were written on and the language and style of the text.

³ Ya'akov S. Spiegel *Birur B'Divrei HaPaytan 'U'Teshuva U'Tefillah U'Tzedakah Ma'avirin et Ro'a HaGezeirah' V'al Kefifut HaPaytanim LeHalacha*, *Netuim* Vol. VII (2002): 23-42.

⁴ See Yosef Yahalom, *Piyut U'Metziut B'Shilhi HaZeman He'Atik* (1989), pp. 241-243.

Yannai's *U'Netaneh Tokef* seem much more apropos to the circumstances of the Rhineland community and this is why it replaced the original *siluk*.

This new historical context resolves the difficulty that arose regarding the language of *U'Netaneh Tokef*. Depending when Yannai lived, it is possible that his compositions are prior to the final redaction of the Talmud, which means there was no completed Talmudic text that Yannai was bound to. This explains why he did not include *shinui hashem* as one of the action items that one can use to help diminish difficult decrees. Additionally, even if he lived after the redaction of the Talmud, the compositions of *paytanim* from his era were generally based on the Talmud Yerushalmi, not the Talmud Bavli. If the actual prayer was composed in the 11th or 12th century, we would expect the composer to follow the Talmud Bavli and include all four activities in his formula to annul difficult Divine decrees. However, if Yannai was the composer, the listing of only three is consistent with the Talmud Yerushalmi's formulation. Furthermore, we can explain the deviation in order. The Talmud Yerushalmi's order is based on a verse in Chronicles that views atonement process from God's perspective.⁵ However, if one looks at atonement from the perspective of the order of actions a person should take to improve and nullify the evil decree, repentance must come first, followed by prayer and then charity.

U'Netaneh Tokef and its Relevance to the Crusades

U'Netaneh Tokef is relevant to the period of the Crusades.

Maimonides summarizes the laws of martyrdom in the fifth chapter of the Laws of Fundamental Principles of the Torah (*Hilchot Yesodei HaTorah*):

When an idol worshipper forces a Jew to violate one of the commandments of the Torah or face death, one should violate the commandment and not allow oneself to be killed because it states [in the Torah (Leviticus 18:5)] regarding commandments "So that one should fulfill them and live by them," they should live by them and not die by them. If one chooses death over violating the commandment, they are responsible for their own death. When is this true? Regarding all commandments except for idol worship, incest and murder. Regarding these three commandments, if one is told to violate them or die, one should choose death.

Rambam, Hilchot Yesodei HaTorah 5:1-2

כל בית ישראל מצווין על קדוש השם הגדול
הזה שנאמר ונקדשתי בתוך בני ישראל,
ומוזהרין שלא לחללו שנאמר ולא תחללו את
שם קדשי, כיצד כשיעמוד עובד כוכבים
ויאנוס את ישראל לעבור על אחת מכל
מצות האמורות בתורה או יהרגו יעבור ואל
יהרג שנאמר במצות אשר יעשה אותם
האדם וחי בהם, וחי בהם ולא שימות בהם,
ואם מת ולא עבר הרי זה מתחייב בנפשו.
במה דברים אמורים בשאר מצות חוץ
מעבודת כוכבים וגלוי עריות ושפיכת דמים,
אבל שלש עבירות אלו אם יאמר לו עבור
על אחת מהן או תהרג, יהרג ואל יעבור
רמב"ם הלכות יסודי התורה ה:א-ב

The Rambam introduces the ideals of martyrdom with the obligation of every Jew to preserve his life. Yet there are exceptions, situations where one must give up one's life to observe certain mitzvot, and one who does so fulfills the mitzvah of *Kiddush Hashem*, of sanctifying God's name.

⁵ See R. Avraham ben Uziel (13th century), *Arugat HaBosem* Vol. II pg. 119 who writes that the verse presents the order based on effectiveness of receiving atonement. Prayer is least effective, charity is more effective and repentance is most effective.

During the Crusades, these situations were not only relevant to the Jewish people, but also they were the site of the most complex questions of martyrdom: the taking of the life of others—members of his/her immediate family. Some of the Tosafists reflect upon these experiences:

Rabbeinu Tam ruled that when there is a concern that someone will be forced by non-Jews to violate one's religion through torture that one cannot withstand, then there is a mitzvah to harm oneself, as we find in Gittin (57b) regarding the children who threw themselves into the sea.

Tosafot, Avodah Zarah 18a

ואל יחבל עצמו - אור"ת דהיכא שיראים פן
יעבירו עובדי כוכבים לעבירה כגון ע"י
יסורין שלא יוכל לעמוד בהם אז הוא מצוה
לחבל בעצמו כי ההיא דגיטין (דף נז:): גבי
ילדים שנשבו לקלון שהטילו עצמם לים (וע"ע
תוס' גיטין דף נז: ד"ה קפצו).
תוספות מסכת עבודה זרה דף יח.

One of the Tosafists, Rabbeinu Elchanan (12th century, Dampierre, France), in his commentary to *Avodah Zarah* 18a, grapples with this question and concludes: "סברא הוא דשרי ומצוה היא—it is logical that it is permissible (to kill oneself and one's family) and it is a mitzvah to do so." The Tosafists introduce us to the challenging question of proactively killing oneself and one's family to avoid torture and forced baptism by the Christians during the Crusades. The Ritvah (1250-1330, Seville, Spain) echoes this concept and discusses the permissibility of proactively killing one's children to prevent them from being taken away and forcibly converted:

This is the source for those who slaughter young children during times of persecution to prevent them from being forcibly converted. This is what I have found in the writings of the Tosafists and these are concepts that require great Talmudic analysis, but the great rabbi (Rabbeinu Tam) already ruled [leniently] on the matter and I heard that the great sages of France permitted this as a matter of practical law.

Ritvah, Avodah Zarah 18a

ומכאן לומדין לשחוט הנערים
בגזירות מפני העברת הדת, ע"כ
מצאתי בגליוני התוספות, והם
דברים שצריכין תלמוד ועיון גדול,
אלא שכבר הורה זקן, ושמענו
בשם גדולי צרפת שהתירו כן הלכה
למעשה.
ריטב"א, עבודה זרה יח.

With this in mind, it is reasonable to suggest that *U'Netaneh Tokef* is a pre-Crusade text that was inserted into our Rosh Hashana prayers during the time of the Crusades. Many people were facing the challenge of being killed by Crusaders or committing suicide to avoid forced baptism. *U'Netaneh Tokef*, with its words "Who will live? Who will die?," and its mention of horrific death scenarios, is consistent with the struggles facing the Jews living in the Rhineland at this time. *U'Netaneh Tokef* was chosen as part of the introduction to *Kedusha* in place of Rabbi Eleazar HaKalir's introduction because of its thematic relevance to that time period. This *tefillah* resonated with the challenges of the Rhineland Jewish communities of Mainz, Speyer, and Worms.

Nevertheless, the question that needs to be asked is: Why is *U'Netaneh Tokeh* proactively attributed to Rav Amnon of Mainz?

There are times when the authors of a prayer are not those who originally composed the text but those who did something more important—lived the message of the text. An example includes a statement by the Tanna Shmuel haKatan. Shmuel haKatan is quoted (*Avot* 4:19) as having said, "in the downfall of your enemy, do not rejoice." However, this saying is found in a verse in *Mishlei* (24:17) that was written by King Solomon. Why is it attributed to Shmuel haKatan? It is

because several times in Talmud we see that Shmuel haKatan exemplified this concept in his own life:

Our rabbis taught: Shimon HaPakuli arranged the order of the 18 blessings [of the weekday Amidah] before Rabban Gamliel in Yavneh. Rabban Galmiel said to the rabbis: Is there someone who knows how to institute the blessing against apostates? Shmuel haKatan stood up and instituted it.

Berachot 28b

An incident occurred involving Rabban Gamliel who said: Bring seven people to the attic first thing in the morning. When he arrived, he found eight. He said: Whoever came without permission should leave. Shmuel haKatan stood up and said: I came without permission, and didn't come to be involved in the leap year but to learn the law ... In reality, it wasn't Shmuel haKatan who [was not invited] but rather someone else and [Shmuel haKatan] did this to protect the other from embarrassment.

Sanhedrin 11a

Another time, they were reclining in an attic in Yavneh and a heavenly voice stated: One of you is worthy of receiving the Divine presence but the generation is not worthy. They all assumed that [the voice] was referring to Shmuel haKatan. When he died, they eulogized him: He was humble, he was pious, a student of Hillel.

Sotah 48b

Only Shmuel haKatan, the humble individual who put the needs of others before his own, was worthy of instituting the prayer against the apostates. The prayer could not be instituted by someone who would enjoy watching the downfall of their enemies. It was instituted by Shmuel haKatan, who lived by the words "in the downfall of your enemy, do not rejoice." Shmuel haKatan may not have written the adage that focuses on modesty in the face of a defeated enemy, but he lived it, and that makes him the author of the text!

Perhaps Rav Amnon represents the community of Mainz. His name comes from the word *emunah*, faith. He represented the acts of faith performed by the members of the community of Mainz, Speyer, and Worms. People of *emunah* scribed the message of *U'Netaneh Tokef* through the lives they led. Whether R. Amnon was a single individual or a composite of many individuals who sacrificed their lives, it is he or them who wrote the prayer through their actions.

Perhaps that is what the *Ohr Zaruah* is relating when he sources the story of *U'Netaneh Tokef*. He uses the following language:

that R. Amnon of Mainz **instituted** *U'Netaneh Tokef*.

תנו רבנן: שמעון הפקולי הסדיר שמונה עשרה ברכות לפני רבן גמליאל על הסדר ביבנה. אמר להם רבן גמליאל לחכמים: כלום יש אדם שיודע לתקן ברכת המינים? עמד שמואל הקטן ותקנה.

ברכות כח:

מעשה ברבן גמליאל שאמר: השכימו לי שבעה לעלייה, השכים ומצא שמונה. אמר: מי הוא שעלה שלא ברשות? ירד! עמד שמואל הקטן ואמר: אני הוא שעליתי שלא ברשות, ולא לעבר השנה עליתי, אלא ללמוד הלכה למעשה הוצרכתי ... ולא שמואל הקטן הוה, אלא איניש אחרינא, ומחמת כיסופא הוא דעבד.

סנהדרין יא.

ושוב פעם אחרת היו מסובין בעלייה ביבנה, נתנה להן בת קול מן השמים ואמרה להן: יש בכם אדם א' שראוי שתשרה שכינה עליו, אלא שאין דורו זכאין לכך, נתנו עיניהם בשמואל הקטן, וכשמת, הספידוהו: הי עניו, הי חסיד, תלמידו של הלל.

סוטה מח:

שר' אמנון ממגנצא יסד ונתנה תוקף

He never mentions that R. Amnon actually composed it, but that he instituted it, perhaps alluding to the fact the prayer already existed.

We too have the opportunity to become the "authors" of the prayers we read and the Torah we study—when we internalize their messages, live by the prayers we articulate, and become true representatives of the norms and mores of the Torah that we study.

As we recite *U'Netaneh Tokef* on Rosh Hashanah and Yom Kippur, we should keep in mind the extreme challenges that the Jews of the Rhineland faced during the Crusades. They guaranteed the immortality of the Jewish experience through their sacrifice of life, and we can guarantee the eternality of the covenantal relationship by scribing the norms and mores of Torah onto hearts and souls. Our willingness to embrace Torah ideals, creating a personal and communal rendezvous with God empowers us and allows us to become the authors of a tradition forged thousands of years ago. Hopefully our *teshuva*, *tefillah*, and *tzedakah* will enable us to be scribed in the book of life.

Thoughts on the Concept of Tekias Shofar¹

Rabbi Shlomo Drillman z"l

Rosh Yeshiva, RIETS

And G-d said to Moshe saying. Speak to the Jewish people saying: In the seventh month, on the first of the month, it should be for you a day of rest, a remembrance of the teruah, a holy day. Do not perform any creative labor of work and you shall offer a sacrifice to G-d.

Vayikra 23:23-25

וַיִּדְבֶּר ה', אֶל-מֹשֶׁה לֵאמֹר. דִּבֶּר אֶל-בְּנֵי יִשְׂרָאֵל, לֵאמֹר: בַּחֹדֶשׁ הַשְּׁבִיעִי בְּאַחַד לַחֹדֶשׁ, יִהְיֶה לָכֶם שַׁבָּתוֹן--זִכְרוֹן תְּרוּעָה, מִקְרָא-קֹדֶשׁ. כָּל-מְלָאכָת עֲבֹדָה, לֹא תַעֲשׂוּ; וְהִקְרַבְתֶּם אֹשֶׁה, לָהּ.
וַיִּקְרָא כג:כג-כה

The Torah uses the term “*zichron teruah*” to describe Rosh HaShanah. What does “*zichron teruah*” mean? Rashi writes:

A remembrance of the teruah—mentioning the verses relating to remembrance and to shofar blasts, to remember the binding of Isaac and the ram that was offered in his place.

Rashi, Vayikra 23:24

זכרון תרועה - זכרון פסוקי זכרונות ופסוקי שופרות, לזכור לכם עקידת יצחק שקרב תחתיו איל.
רש"י, ויקרא כג:כד

It appears as though Rashi is of the opinion that *malchiyos*, *zichronos* and *shofros* are *chiyuvim m'Doraisa* (biblical obligations). This would mean that the obligation on Rosh HaShanah is not only to blow the shofar and to produce a sound, but that the concept of *zichron teruah* requires us to verbalize the concept through the recitation of *malchiyos*, *zichronos* and *shofros*.

While there is no doubt that the concept of *malchiyos*, *zichronos* and *shofros* is based on the idea of *zichron teruah*, it is interesting to note that we do not have a similar obligation of a “*zikaron*,” a recitation of those *pesukim* in the Torah that require us to do other mitzvos, such as the mitzvos of lulav or the eating of matzah. This manifests a double *kiyum* (fulfillment) for *zichron teruah*: blowing shofar per se as well as doing it within the framework of *malchiyos*, *zichronos* and *shofros*.

¹ This article was compiled by R. Benjamin Kelsen, attorney, mediator, rav and dayan in Teaneck, NJ, based on a shiur that Rav Drillman gave in Elul of 1993 to RIETS students. The shiur presented an idea developed by Rav Yosef D. Soloveitchik at a Yarchei Kallah in Boston, 1977, and contains Rav Drillman's own additional insights.

The Ramban, however, citing the Gemara in *Maseches Rosh HaShanah* (34b), disagrees, and states that the recitation of *malchiyos*, *zichronos* and *shofros* within the context of *tekias shofar*, derived from *zichron teruah*, is only an *asmachta* (hint in the text) and therefore merely rabbinic in nature. The Gemara states that if one has a choice to participate in one of two different services, one where he might hear *tekias shofar* or one where he will definitely hear the *berachos* of *malchiyos*, *zichronos* and *shofros*, the person is charged to attend the former rather than the latter. We can see from this scenario that the obligation to hear the shofar itself takes precedence over the obligation to hear *malchiyos*, *zichronos* and *shofros*. Had both *mitzvos* been *m'Doraisa* there would have been no reason to prefer one option over the other.

The Rav, zt"l cited the *Ha'Eimek She'eilah* who, in defense of Rashi suggests that Rashi, in actuality, is in agreement with the position espoused by the *Geonim Kadmonim* that *malchiyos*, *zichronos* and *shofros* are *m'Doraisa* only when they are combined with *tekias shofar*. Should there be no *tekias shofar*, then the recitation of the *pesukim* of *malchiyos*, *zichronos* and *shofros* are merely *m'Drabbanan*. This is proven by the Gemara cited above. If it is preferable to go to the place where the shofar only might be blown and the *berachos* of *Malchiyos*, *Zichronos* and *Shofros* recited, rather than to go to a place where only the *berachos* of *Malchiyos*, *Zichronos* and *Shofros* are recited without *tekias shofar*, then it must be that the recitation of *malchiyos*, *zichronos* and *shofros* is *m'Drabbanan*.

Ramban offers a different interpretation of “*zichron teruah*”:

The concept of “*zichron teruah*” is similar to the verse (*Bamidbar* 29:1) “*It shall be a day of teruah for you,*” which means that we should blow the horn on this day and it shall be a remembrance before G-d.

Ramban, Vayikra 23:24

אבל "זכרון תרועה", כמו יום
תרועה יהיה לכם, יאמר שנריע
ביום הזה ויהיה לנו לזכרון לפני
השם.
רמב"ן, ויקרא כג:כד

According to the Ramban, the term “*zichron teruah*” means that “this is the day in which we are remembered by *HaKadosh Baruch Hu* through *teruah* (shofar blasts).” One can further explain that according to the Ramban, the term *zichron teruah* means *zichron* through the carrying out of the *teruah*, while according to Rashi, it means *zichron* of *teruah*, i.e. through the recitation of *malchiyos*, *zichronos* and *shofros*.

What is the reason for the mitzvah of *tekias shofar*? Why did the Torah not explain the reason behind this mitzvah? Furthermore, asks the Ramban, what is the significance of the *teruah* itself and the idea of “*zichron teruah*” on this day specifically?

Ramban seems to be troubled by this question because in all other cases where we are required to do something as a commemoration, we are told what we are commemorating. However, in the case of Rosh HaShanah there is no such historical event mentioned.

There is a disagreement between Rabbi Eliezer and Rabbi Yehoshua, found in *Maseches Rosh HaShanah* (10b-11a), as to whether the world was created in Nissan or in Tishrei. It is for this reason that in many communities, references such as “*Zeh hayom techilas ma'asecha*, this day is the beginning of Your work” are not included in the *Amidah* of Rosh HaShanah. The Rav, zt"l noted that since, even in such communities, Rosh HaShanah is nonetheless celebrated and the

shofar is blown, the creation of the universe cannot be the event that led to the establishment of Rosh HaShanah.

Ramban answers the question with the following insight:

In explaining this matter based on truth [Ramban uses this term to introduce kabbalistic ideas], it is the teruah that stood for our forefathers and for us as it states (Tehillim 89:16): "Fortunate is the nation that knows the teruah," and is similar to the verse (Yirmiyahu 4:19): "The horn of war." This is because G-d is the "Master of war." If so, "It shall be a day of teruah for you," [means] that it will be a day of teruah for us and therefore, "zichron teruah, a holy day," means that it shall be a remembrance through teruah, and therefore a holy day. There was no need to mention shofar because shofar is alluded to in "a day of" and the teruah connected to it. This day is a day of strict judgment through mercy and therefore the Torah uses the word teruah. We have a tradition from our rabbis and the Jewish people can see this dating back to Moshe Rabbeinu that every teruah has a tekiah before and after. Why does the Torah mention teruah and not the tekios at all, not regarding Rosh HaShanah and not regarding Yom Kippur? Because the tekiah is the remembrance, it is the shofar [blast] and the teruah is used by name since [the teruah] is sandwiched between mercy, the tekiah before and after it.

Ramban, Vayikra 23:24

על דרך האמת, תרועה היא שעמדה לאבותינו ולנו, שנאמר אשרי העם יודעי תרועה, וכענין שכתוב (ירמיה ד יט) תרועת מלחמה, כי השם איש מלחמה. אם כן, "יום תרועה יהיה לכם", שיהיה היום לתרועה לנו, וכן "זכרון תרועה מקרא קדש", שיהיה הזכרון בתרועה, ולפיכך הוא מקרא קודש. ולא הוצרך להזכיר שופר, כי השופר רמז "ביום" והתרועה בו, והנה הוא יום דין ברחמים לא תרועת מלחמה. ומפני זה הזכיר הכתוב התרועה, שכבר קבלה ביד רבותינו וכל ישראל רואים עד משה רבינו שכל תרועה פשוטה לפניו ופשוטה לאחריה. ולמה יזכיר הכתוב תרועה ולא יזכיר התקיעות כלל לא בראש השנה ולא ביום הכפורים, אבל התקיעה היא הזכרון והוא השופר, והתרועה כשמה, ומפני שהיא כלולה מן הרחמים תקיעה לפניו ולאחריה
רמב"ן, ויקרא כג:כד

The Rav felt that perhaps the Ramban, when he says, "In explaining this matter based on truth it is the teruah that stood for our forefathers and for us...", was following in the footsteps of the Rambam in *Hilchos Chovel u'Mazik* (1:6) where the latter formulates the idea that there are certain laws that we have accepted simply based upon the *Mesorah* (tradition). The Ramban applies this to Rosh Hashanah in stating that throughout the generations, Rosh HaShanah has been singled out as a unique and extraordinary day in the year. It is with this understanding that The Rav explained the Ramban's position as to the meaning of the concept of "zichron teruah."

We find Rosh HaShanah as a day of *din* in the following example: The Gemara in *Maseches Eirchin* (10b), tells us that the *Malochi HaShareis* asked the *Ribbono Shel Olam* for the reason that *Klal Yisroel* does not recite Hallel on Rosh HaShanah. The *Ribbono Shel Olam* answered that it is not appropriate that when the *Melech Malchei HaMelochim* is sitting on the "throne" of *din* (judgment) and the books of the living and dead are open before Him that *Bnei Yisroel* should recite the Hallel. From here we can clearly see that the main feature of Rosh HaShanah is that of *din*.

The Rav, zt"l pointed out that the use of the phrase "*Melech yosheiv al kisei din*, the King Who sits on the throne of judgment" teaches us that the *malchus* of *HaKadosh Baruch Hu* is expressed through the characteristic of *din* which manifests itself on Rosh HaShanah. Additionally, *malchus* is the medium through which *HaKadosh Baruch Hu* relates His presence and omnipotence to

the entire universe. It is quite fascinating that the same laws, both the physical and metaphysical, apply to all creation. This form of *din* is referred to as the “*ratzon HaKadmon*” which *HaKadosh Baruch Hu* has implanted in each and every one of His creations with the sole purpose of extolling the glory of the *Ribbono Shel Olam*. The *ratzon HaKadmon* is completely in control of the dynamics of the universe and is the ultimate manifestation of the concept of *din*.

How do we recognize this attribute of *HaKadosh Baruch Hu*? If we look, for example, at the unchangeable rising of the sun in the east and setting in the west, the inviolability of nature’s law, is a proof to the concept of *din*. Therefore, if one accepts this opinion that on Rosh HaShanah the world was created, then Rosh HaShanah is truly the ultimate *yom din*.

Yet how do we know that *malchus* is *din*? We have the concept of *teruas milchomah*, the sounding of the shofar in times of war. “*Teruah*” in Hebrew means not only a certain unique sound. It also connotes to break, as the navi Yishayahu says “*roah hisroa’ah ha’aretz, por hisporerah ha’aretz*” (24:19), after the Earth quaked, something broke to pieces. *Teruah* is associated with breakage and damage; for example, we find the people of Sodom threatened to do damage (*nara*) to Lot for not turning over his guests to them (Bereishis 19:9).

Rosh HaShanah, as mentioned above, is a day of absolute *din*. It is the day when all creations pass before Hashem in judgment, with no exceptions. It is a day exclusively of *din*, during which there is no room for *selichah u’mechilah* (forgiveness). As we recite in *UNissaneh Tokef*, even the angels are frightened of the power of *din* on Rosh HaShanah. The *teruah* of *milchomah* indicates that the *Ribbono Shel Olam* should be seen this day as *Hashem Ish Milchomah*. Rosh HaShanah is a day of destruction. If G-d were to exact true *din* from all creation on Rosh HaShanah, as the day demands, no one would be found righteous before Him on this day, and that implies doom and complete destruction. This is why the *Zohar*, *Parshas Pinchas*, as well as later Chassidic works describe Rosh HaShanah, particularly the first part of the day prior to the sounding of the shofar, as *takifa dina*, the time when unswerving *din* rules. The second day of Rosh HaShanah is described as *chulshah dina*, the period when the attribute of *din* is lessened.

The Rav, zt”l recounted that on the first night of Rosh HaShanah through the following morning it was impossible to talk to his great-grandfather and namesake, the great Gaon, HaRav Yosef Dov HaLevi Soloveitchik, the *Bais HaLevi*, as he was in a depressed mood and incapable of communicating. This was because of the fear of the attribute of *din* that characterized Rosh HaShanah until the sounding of the shofar. From here we can see that the *eimas hadin* (fear of judgment) of Rosh HaShanah was so significant that it reached even to the Misnagdim!

In contrast to the above, the *malchus* of *HaKadosh Baruch Hu* on Rosh HaShanah is reflected not only within nature but also through *Knesses Yisroel*. *Knesses Yisroel* reflects the sphere of *malchus*. The Ramban notes in *Parshas Chayei Sarah* (24:1) that *Knesses Yisrael* reflects the Divine glory of *HaKadosh Baruch Hu*, the *malchus* of *HaKadosh Baruch Hu*. Though clearly *HaKadosh Baruch Hu* can and does reveal Himself through nature, he also can reveal His *malchus* through His Chosen People, *Knesses Yisrael*, as *Malchuso b’khal adaso* (His kingdom is expressed through His congregation). It is this which *HaKadosh Baruch Hu* promised Avrohom Avinu and that Avrohom would command his succeeding generations—to keep the ways of Hashem. By keeping the mitzvos Hashem, *Knesses Yisrael* reflects the *sefirah shel Malchus b’khal adaso*.

HaKadosh Baruch Hu reveals Himself to the world through two different means:

1. Through *Malchuso b'soch olamo*, the universe itself and its exacting laws, through the unswerving aspect of *din*. Such a universe does not tolerate deviation, there is no *selichah u'mechilah*;
2. Through the aspect of *Malchuso b'khal adaso*, through the special relationship between the *Ribbono Shel Olam* and *Klal Yisroel* that is apparent to the other nations of the world when *Klal Yisroel* does the *ratzon Hashem* (the will of G-d). *Selichah u'mechilah* makes sense in this medium because of the unique relationship that *Klal Yisroel* enjoys with *HaKadosh Baruch Hu*.

In order that Rosh HaShanah be a day when transgressions are overlooked, the attribute of *Hashem Ish Milchomah*, of *teruas milchomah*, that symbolizes complete *din* and *Malchus HaOlam Shel HaKadosh Baruch Hu* at the beginning of Rosh HaShanah, must be transformed by *Bnei Yisroel* into *Malchuso b'khal adaso*. On Rosh HaShanah, each Jew should say that from now on, he will mend his ways and improve his actions to such an extent that he will command the respect of others and the *Malchus Shomayim* will be reflected in his actions and his behavior. In fact, the Rambam includes this as the core of *teshuvah* when he describes the shofar as representing *teshuvah*.

The concept of *Malchuso b'khal adaso* allows *Bnei Yisroel* to transform the *teruah* from a destructive sound of war into a sound that shows the friendship and love between *HaKadosh Baruch Hu* and *Knesses Yisroel*. The root of the word “רעה” means “friend,” as *Elokim haroeh osi me’odi*, G-d who has been my shepherd (Breishis 48:15, see the Ramban ad loc.). This, indeed, is the *teruah* of “*u’teruas Melech bo*, the blast for the King is among them” (Bamidbar 23:21) mentioned in the verses of the *Malchiyos* blessing. This connotes the closeness and intimacy between the *Ribbono Shel Olam* and *Bnei Yisroel* and is proof that we are privileged to have *HaKadosh Baruch Hu* as a friend. This is not *din*, but rather *rachamim*, mercy.

Rosh HaShanah starts as a *yom din*. On the night of Rosh HaShanah when we say “*yom teruah*” in Kiddush, we are describing the characteristic of the ultimate Day of Judgment, a day of doom and destruction. By contrast, however, in the Kiddush of the second night of Rosh HaShanah, *yom teruah*, takes on a different meaning, that of *teruas Melech bo*, the close friendship between the King and His subjects.

We find in the *piyut* of *l’Keil Orech Din* the description of the utter fear that true *din* inspires in creation. At this point, *teruah* connotes destruction. The job of the shofar is to change the semantics of *teruah* from destruction to the friendship of *HaElokim haroeh osi me-odi*. The verses of *malchiyos*, *zichronos* and *shofros* also describe this relationship. For example, in *malchiyos*, we recite the verse of *u’teruas Melech bo*. The shofar, when used as an instrument of proclamation, can announce both destruction as well as redemption as it will be used to announce the coming of Moshiach and the ultimate redemption of *Bnei Yisroel*. The shofar must change the *teruah* from *l’heira*, to destroy, to *l’hisroa*, to befriend.

When the Ramban says that it is the *teruah* that has sustained our forefathers throughout the generations, he means that *teruah* reflects the ability of *Bnei Yisroel* to take the *teruah* of *Malchuso b'soch Olamo*, that cannot be reconciled with *salachti*, and turn it into the *Malchuso b'khal adaso*

that is consistent with *salachti*. As the Ramban points out, the *pasuk* we recite after *tekias shofar*, “*Ashrei ha’am yodei teruah*, blessed is the nation that knows *teruah*” (Tehillim 89), places emphasis on the *yodei teruah*: those who love Your name with the *sefirah* of *malchus* as *Malchuso b’khal adaso*, the Jewish People. The Ramban interprets the word *yodei* as meaning loving, similar to (Bereishis 4:1), “*Ve HaAdam yada es Chava ishto*, Adam ‘knew’ his wife Chava.” The term “*yodei shemachah v’lomdei Torasecha*, those who know Your name and learn Your Torah,” connotes the concept of those who love Your name rather than those who know Your name.

The Midrash, *Vayikra Rabbah*, *Emor* (29:4) asks the following question regarding the *pasuk* “*Ashrei ha’am yodei teruah*”: don’t the other nations of the world know how to make the sound of the *teruah*? Why are *Bnei Yisroel* considered unique in this respect? Perhaps the Midrash is focusing on the unique ability of *Bnei Yisroel* to identify with the special *sefirah* of *malchus* and to reflect the glory of the *Ribbono Shel Olam* and His love for all creation. The obligation of the Jew is to keep the Torah and mitzvos and by doing so, identify with the *teruah* of *yom teruah yihye lachem*, to transform the day from one of cosmic *malchus* that has no room for forgiveness into a day of *Malchuso b’khal adaso*, a day of friendship and love between *HaKadosh Baruch Hu* and His people. Forgiveness on this day is fully consistent between those who love each other.

The Ramban teaches that *zichron teruah mikra kodesh* means that the *zichron* should take place through the sound of the *teruah*. The Ramban does not interpret *zichron* as remembering. Rather he explains it in terms of being “fond” of one another: As the *pasuk* (Yirmiyahu 31:19) states, “*HaBein yakir li Efraim ... ki midei dabri bo zachor ezkerenu. ... Is Efraim a dear son to me ... as I speak to him I have fond memories.*”

According to the Ramban, *HaKadosh Baruch Hu* is teaching us that whenever He speaks of Efraim, He immediately becomes fond of him. In this context, *zichron teruah* means a day in which *Knesses Yisroel* should manifest its love for the *Ribbono Shel Olam* by proclaiming His *malchus* throughout the world. The face of each Jew should radiate and reflect the majesty of *HaKadosh Baruch Hu* and His love for His people.

The Ramban states that this is why Rosh Hashanah is a Yom Tov rather than an intense day of fear and the ominous portending of doom. Even though Rosh HaShanah does not commemorate a specific event in Jewish history, it is a metaphysical event that allows *Knesses Yisroel* to identify with the *Ribbono Shel Olam* through the revelation of the sound of the *teruah*. *HaKadosh Baruch Hu* desires that His revelation to the world as King should occur through the Jew instead of coming through the general universe. In other words, the sound of the shofar changes the revelation of *HaKadosh Baruch Hu* from *Malchuso b’soch olamo* into *Malchuso b’khal adaso*.

The philosophy of the Ramban is pointedly reflected by Rabbi Eliezer HaKalir in the *piyut* found in Shacharis of Rosh HaShanah:

He ascends the throne of judgment amid the sounds of the teruah, causing the earth and its inhabitants to tremble. Through the shofar blasts and the bending of the knee I seek to reconcile him, together with friends in His garden I will enjoy His friendship.

נעלה בדין עלות בתרועה גיא עם
דריה לרועעה. בשופר אפתנו
ובברך כריעה במגנת רעים בגנו
אתרועעה.

The tune used by the *shaliach tzibbur* on the first half of this verse is one of complete fear as he mentions the nature of *Malchuso b'olamo*, where absolute *din* rules. [Note that the different semantics of *teruah*/shofar are used within the *piyut*.] However, the *shaliach tzibbur* concludes the stanza with a tune of joy and confidence reflecting the ability of the shofar to transform the destruction of *lro'a'ah* into *maginas rayim*, the protection of a close group of friends. The beginning of Rosh Hashanah is characterized by the pending destruction feared by those that are alone and dwell in the unprotected valley. The initial *teruah* that is mentioned connotes impending destruction. The shofar provides the key that allows me to persuade Hashem to forgive me and protect me, just as friends protect and comfort each other. [Parenthetically, the Rav noted that the *nussach* of Yamim Noraim interprets the prayers. Simply singing the words cannot convey their true meaning.]

The Ramban continues by saying that the character of the *Yom HaDin*, when accompanied by the shofar, changes from the destruction of war, *teruas milchomah*, to mercy. This is accomplished by surrounding the *teruah* (destruction), with two companions, the *tekiah* before it and the *tekiah* after it. The *tekiah* sound connotes mercy, as the Torah says that when the people are to assemble the *tekiah* should be sounded, not the *teruah*. The *teruah* sound connotes war and a sense of fear. On Rosh HaShanah, we take the *teruah* “prisoner” by surrounding it with the attributes of mercy, the *tekiah* before and after the *teruah*. According to the Zohar this same idea applies to *Akeidas Yitzchok*. Yitzchok is characterized through the attribute of *gevurah*, i.e. the *midas hadin* as seen through the *pasuk* (Bereishis 31:53): “*vayishava Yaakov b'fachad aviv Yitzchok*, Yaakov swore by the Fear of his father Yitzchok.” Avrohom Avinu is the personification of the attribute of *chesed* (kindness), while Yaakov Avinu is the attribute of *tifferes* (splendor). It is these two attributes that bind the *midas hadin* which is represented by Yitzchok Avinu with attributes of mercy similar to the binding of Avrohom with Yitzchak at the *Akeida*. That is why the *pasuk* says *Ashrei ha'am yodei teruah*. We are the only people who are capable of taking the *Malchuso b'olamo*, with all the fear and destruction it represents, and surround it on all sides with the attributes of *chesed* and *tifferes* and turn it into *Malchuso b'khal adaso*, of friendship and love between the *Ribbono Shel Olam* and His people.

Rosh Hashanah, which begins with a sense of fear and trembling, is transformed by the shofar into a day of friendship and mercy. Yom HaKippurim, on the other hand, begins as a day characterized by complete mercy from *HaKadosh Baruch Hu*. It is said that Gedolei Yisroel were depressed and withdrawn on Rosh HaShanah, the day characterized by *midas hadin*, while they were in a joyous mood on Yom HaKippurim, the day characterized by the *midas harachamim*.

Some Gedolei Yisrael were of the opinion that the recitation of *piyutim* in Shacharis on Rosh HaShanah should be kept to a minimum in order to get to the *tekias shofar* as quickly as possible and affect the associated changeover in the character of Rosh HaShanah, i.e. from *din* to *rachamim*.

This is the entire philosophy of Rosh HaShanah according to the Ramban. Rosh HaShanah and *din* represent *Malchus Hashem*. *Knesses Yisroel* has the ability to identify with the majesty of *HaKadosh Baruch Hu* and reflect His greatness and glory through Torah and mitzvos. *Klal Yisroel* has the ability to take the *teruah* and transform it from the context of *l'horah*, to destroy, to one of love and friendship and the *selicha* that is part of such a friendship.

Yom Kippur: When Less is More

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Over the last decade, it has been a clarion call of various industries; from fashion to design, from financial models to the elegance of new technologies: "Less is More" has led many innovative efforts. Indeed, it seems, we have a similar message emerging from the values of Yom Kippur.

We learn that on this most solemn day of Yom Kippur we aspire to be angelic and that we attempt to achieve that elevated status by denying or limiting our physical needs. How are we to understand this credo of "Less is More" as a religious aspiration?

The *Avnei Nezer* alludes to this aspiration:

The prohibition of Yom Kippur stems from holiness ... Because of its holiness, a person is set apart from material things, and there is a removal of sin that results from material things ... On Yom Kippur, which is called "a holy day of God," material things are forbidden.

Avnei Nezer, CM no. 161

דאיסור יוהכ"פ משום קדושה הוא ...
שמשום קדושתו שנבדל מן החומר יש
סילוק החטא שבא מן החומר. ... וע"כ
יוהכ"פ שנקרא קדוש ה' נאסרו בו דברים
חומריים.

אבני נזר, חושן משפט ס' קסא

The implication here is that by separating ourselves from both essential and non-essential material aspects of daily living, we are enabling our inner spirituality and nurturing a more fertile ground for growth. The unique prohibitions associated with these material imitations are indeed rooted in the basic areas of pleasure and enjoyment of life. These are: 1. Eating and drinking 2. Bathing and washing 3. Wearing leather shoes 4. Using creams and salves 5. Sexual relations.

How can we understand the connection between these prohibitions and reaching a more elevated spiritual status? Are we to assume that the asceticism of deprivation enhances spirituality? That there is some form of positive power to pain and deprivation? Are we somehow less spiritually available in our daily non-denial states?

The Rambam reflects upon these prohibitions in his comments regarding the positive commandments relating to Yom Kippur:

There is an additional positive commandment on Yom Kippur, namely, to desist from eating and drinking, as the verse states: "You shall afflict your souls." [The Sages] learned by tradition: What affliction is there to the soul? This refers to fasting. ... They

מצות עשה אחרת יש ביום הכפורים
והיא לשבות בו מאכילה ושתייה
שנאמר תענו את נפשותיכם, מפי
השמועה למדו ענוי שהוא לנפש זה
הצום ... וכן למדנו מפי השמועה

also learned by tradition that one is forbidden on this day to wash or anoint oneself, to wear shoes, or to engage in sexual relations.

Rambam, Hilkhhot Shevitat Asor 1:4-5

שאסור לרחוץ בו או לסוך או לנעול
את הסנדל או לבעול.
רמב"ם, הל' שביתת עשור א:ד-ה

In addition, we find another element to the prohibitions listed for Yom Kippur:

And you shall have on the tenth day of this seventh month **a holy gathering**; and you shall afflict your souls: you shall not do any work.

Bamidbar 29:7

ובעשור לחודש השביעי הנה מקרא-קדש יהיה לכם
ועציתם את-נפשתיכם כל-מלאכה לא תעשו.
במדבר כט:ז

How does the prohibition of work on Yom Kippur enhance our understanding of the elevated potential we can achieve on this holiday?

First, the prohibition against work on Yom Kippur places this day in the same category of Yom Tov. This is significant in that although Yom Kippur has wholly unique aspects, it is not entirely *sui generis* and may therefore be seen as sharing the same basic holiday qualities with the other major *chagim* of Judaism.

The Maharal (*Chiddushei Aggadot, Sh'vuot* 13a) sees this additional prohibition of work as connected to the change in status that Yom Kippur offers us, and is interestingly directly related to the connection between Yom Kippur and Yovel.¹ The Maharal explains that the relationship between Yom Kippur and Yovel emerges from the way each effectuated a critical change of status. Just as Yovel establishes the requirement to return all lands to their original owners on the jubilee year, the theme of return permeates Yom Kippur as well. In both cases we experience a return to the original source: for Yovel, it is slaves to their freedom and lands to their original owners, for Yom Kippur, each act of teshuva returns a person to God. The Maharal offers this set of parallel returns as a reminder that we have awaiting us a "purity of soul, that we left as a result of our transgressions."

It is noteworthy that the language for both Yom Kippur and Yovel invoke the language of Shabbat: Yom Kippur is termed "*Shabbat Shabbaton*, a Shabbat of absolute rest" (Vayikrah 16:31) and Yovel is also called Shabbat (Vayikrah 25:10).

In both cases we have a prohibition of forbidden work, one deriving from the honor accorded the holiday, and one rooted in forbidden agricultural activity during the jubilee year. On Shabbat, we acknowledge our gratitude for the benevolence of God and His bountiful world—we cease to create in order to highlight our gratitude for creation. On Yovel, by reversing the status of our acquisitions and transactions of the past half-century, we demonstrate an appreciation that with all the effort and initiative of a half century we are essentially dependent on God. On Yom Kippur, this theme emerges in the form of attempting to be angelic and thus divested from our material limitations. Our efforts, investments, initiatives and accomplishments of the year past are themselves too limited to be deserving. Thus, by removing a weekday and material focus from our Yom Kippur experience we express our recognition of how limited and

¹ The ideas relating to Maharal's connection between Yom Kippur and Yovel are based on an article by R. David Silverberg, Parashat Ha'azinu, available at www.vbm-torah.org/archive/salt-devarim/53-4haazinu.htm.

limiting that plane of existence is. Instead, Yom Kippur is suffused with the effort to remind ourselves of how much more we are than just a sum total of the necessary drives of human material existence. Like Shabbat and Yovel, Yom Kippur forces us to refocus the balance of our material and spiritual aspirations—on this day, in this way, "Less is More."

So while Yom Kippur holds first place for solemnity, and is the nearest to asceticism of all Jewish rituals, it also has a celebratory component as well. However, seeing this side of Yom Kippur can be challenging. Therefore, Chazal took great care to assure that we understood its celebratory nature and included Yom Kippur in their discussion of the celebratory laws of Yom Tov.

Rabbenu Yona writes:

On all other holidays, we establish meals in celebration of the commandment ... Owing to the fast that is observed on Yom Kippur [itself], we are obligated to partake of a festive meal on the day before Yom Kippur in celebration of the joy derived from the mitzva.

Sha'arei Teshuva 4:9

כי בשאר ימים טובים אנחנו
קובעים סעודה לשמחת המצוה ...
ומפני שהצום ביום הכפורים,
נחייבו לקבוע סעודה על שמחת
המצוה בערב יום הכפורים.
שערי תשובה ד:ט

There are those who maintain that on Yom Kippur, in addition to the mitzva of honoring the day, there is also a mitzva of rejoicing, which certainly cannot coexist with grief and suffering. This is what follows from the words of Rav Achai Gaon, author of the *She'iltot*:

These days [Rosh ha-Shana and Yom Kippur], since rejoicing applies to them, they are considered like Festivals and [therefore] interrupt mourning.

She'iltot D'Rav Achai no. 15

הני כיון דאית בהו שמחה
כרגלים דמו ומפסיקין.
שאילתות דרב אחאי ס' טו

Rabbenu Yonatan, in his commentary on the Rif, writes about "the festive rejoicing of Rosh Hashana and Yom Kippur" (10b in Alfasi to *Eruvin*). A precise reading of Rambam also leads us to the same conclusion:

On Rosh ha-Shana and Yom Kippur, however, there is no Hallel, because they are days of repentance, fear and dread, not days of excessive rejoicing.

Rambam, Hilkhhot Chanuka 3:6

ראש השנה ויום הכפורים אין בהן הלל לפי
שהן ימי תשובה ויראה ופחד לא ימי שמחה
יתירה.
רמב"ם, הל' חנוכה ג:ו

Rambam explains that Hallel is not recited on Rosh ha-Shana and Yom Kippur because they are not days of "excessive rejoicing." The implication is that on Rosh ha-Shana and Yom Kippur there is a modest and restrained rejoicing that expresses itself in a serious and solemn way. Clearly, however, according to Rambam, this is also regarded as rejoicing. For what do we rejoice? Is deprivation a source of joy?

The emphasis on Yom Kippur on elevating our spiritual worthiness is our source of joy and celebration. Indeed, this is indicated by looking at the list of prohibited activities with an eye toward these needs as being paused, at rest, and not in the driver's seat of our daily aspirations. Instead, we highlight our aspirations of spirit, of destiny and of relationships. These are achieved via a renewed devotion to teshuva and tefillah both on and before Yom Kippur.

It is noteworthy that the *teshuva* of pre-Yom Kippur is focused on interpersonal relationships, whereas the *teshuva* of Yom Kippur is primarily between man and God:

For sins between man and God Yom Kippur atones, but for sins between man and his fellow Yom Kippur does not atone until he appeases his fellow.

Mishnah, Yoma 85b

עבירות שבין אדם למקום יום הכפורים מכפר
עבירות שבין אדם לחבירו אין יום הכפורים
מכפר עד שירצה את חבירו.

משנה, יומא פה:

It seems as if Yom Kippur is an opportunity to improve our relationship with Hashem, as it is only this type of *teshuva* (*bein adam lamakom*) that is effectuated on Yom Kippur. All efforts to rectify our misdeeds toward others, our efforts to wipe clean our interpersonal sins, comes only from resolution directly with those we have wronged and must be actively pursued independently of the fast of Yom Kippur. On Yom Kippur our mitzvot, our tefillot and our emphases are all directed toward God—we approach God with one ultimate prayer: *Please see us as worthy of a renewed trust and faith—forgive us for our past deeds and find us worthy of a new effort, a new and renewed covenant.*

R. Avraham Danziger (1748-1820), author of the *Chayei Adam* (144), popularized the famous opening supplication of Yom Kippur, *Tefilla Zakka*. This unusual prayer, recited by individuals before Kol Nidrei, whispers of man's misuse of his God-given abilities; instead of using them for the service of God, he has used them for sin. The emotional apex of this prayer, which captures the motif of *Tefilla Zakka* reads:

I know that there is no one so righteous that they have not wronged another, financially or physically, through deed or speech. This pains my heart within me, because wrongs between humans and their fellow are not atoned by Yom Kippur until the wronged one is appeased. Because of this, my heart breaks within me, and my bones tremble; for even the day of death does not atone for such sins. Therefore, I prostrate and beg before You to have mercy on me and grant me grace, compassion, and mercy in Your eyes and in the eyes of all people. For behold, I forgive with a final and resolved forgiveness anyone who has wronged me, whether in person or property, even if they slandered me or spread falsehoods against me. So I release anyone who has injured me either in person or in property, or has committed any manner of sin that one may commit against another [except for legally enforceable business obligations, and except for someone who has deliberately harmed me with the thought "I can harm him because he will forgive me"]. Except for these two, I fully and finally forgive everyone; may no one be punished because of me. And just as I forgive everyone, so may You grant me grace in the eyes of others, that they too forgive me absolutely.

ול להיות שידעתי שכמעט אין צדיק בארץ
אשר לא יחטא בין אדם לחבירו בממון
או בגופו במעשה או בדבור פה. ועל זה
דוה לבי בקרבי כי על חטא שבין אדם
לחבירו אין יום הכפורים מכפר עד
שירצה את חבירו ועל זה נשבר לבי
בקרבי ורחפו עצמותי כי אפילו יום
המיתה אין מכפר ולכן אני מפיל תחנתי
לפניך שתרחם עלי ותתנני לחן לחסד
ולרחמים בעיניך ובעיני כל בני אדם
והנני מוחל במחילה גמורה לכל מי
שחטא נגדי בין בגופי ובין בממוני או
שדיבר עלי לשון הרע ואפילו הוצאת
שם רע וכן לכל מי שהזיק לי בגופי או
בממוני ולכל חטאות האדם אשר בין
אדם לחבירו חוץ מממון אשר אני יכול
להוציא על פי דין וחוץ מי שחוטא כנגדי
ואומר אחטא לו והוא ימחול לי וחוץ
מאלו אני מוחל במחילה גמורה ולא
יענש שום אדם בסבתי. וכשם שאני
מוחל לכל אדם כן תתן את חייני בעיני
כל אדם שימחלו לי במחילה גמורה.

Why is it customary to seek forgiveness of one's fellow specifically on the eve of Yom Kippur? On a simple level, appeasing one's fellow is necessary for a complete atonement. The *Tur*, however, cites *Pirkei De-Rabbi Eliezer*, who explains differently:

Samael [an angel of God, the accuser] sees that there is no sin in them on Yom Kippur. He says to God: Master of the worlds, You have one people on earth who are like the ministering angels in Heaven. Just as the ministering angels are barefoot, so Israel is barefoot on Yom Kippur; just as the ministering angels neither eat nor drink, so Israel does not eat or drink on Yom Kippur, just as the ministering angels cannot bend, so Israel stands all Yom Kippur; just as with the ministering angels, peace serves as an intermediary between them, so with Israel, peace serves as an intermediary between them on Yom Kippur; just as the ministering angels are free of all sin, so Israel is free of all sin on Yom Kippur. God hears the testimony of Israel from their accuser and He atones for the altar and for the Temple and for the priests and for the entire congregation.

Tur, Orach Chaim 606

ראה סמאל שלא נמצא חטא
בישראל ביום הכפורים ואומר
רבון העולם יש לך עם אחד
בארץ כמלאכי השרת מה מלאכי
השרת יחיפי רגל אף ישראל
יחיפי רגל ביה"כ מה מלאכי
השרת אין להם קפיצה אף
ישראל אין להם קפיצה עומדין
על רגליהם ביום הכפורים מה
מלאכי השרת נקיים מכל חטא
כך ישראל נקיים מכל חטא מה
מה"ש שלום ביניהם כך ישראל
ביום הכפורים והקב"ה שומע
עדותן מן המקטרגין ומכפר
עליהם.
שור, אורח חיים סימן תרו

The *Tur* explains that on Yom Kippur, there is a special motivation to bring peace among the Jewish People—so that God will grant us the blessings of a peaceful new year full of more opportunities even when we present him with less.

Thus the reader forgives anyone who has wronged him, in the hope of both enabling others to be forgiven and to receive Divine grace himself. Here on the eve of Yom Kippur, we approach God for forgiveness in recognition of our lesser state and just then we are reminded of how much more we have to give to each other, thus bringing us closer to becoming the type of person who God can forgive. Appeasement is not simply for the purpose of atonement. It is a form of giving up something in order to become a better person. We lay to rest the impressions of achievements, the material successes, the domain in which we are sole decisors, and in essence we sacrifice a part of ourselves to remember how much more we are capable of being.

This models the unique balance we strive to achieve on Yom Kippur. On Yom Kippur, in form and in function, we are in fact "less than" and still becoming "more" because of that recognition. As we take stock, it is not uncommon to realize that we have not achieved to the best of our abilities. Thus we are more cognizant than ever of the loss of these potential achievements, left behind in the past. If in our state of fasting and deprivations we are diminished, it is not only because we are weakened by a lack of food, water or basic pleasures, but rather, it is because of a certain humility that surrounds us. We stand before God without a great list of achievements, trying desperately to be angelic, since as humans we haven't produced enough this year. It is in this state of impoverished loss, and as diminished masters, that we can raise our voices in an ennobled prayer. Now we can understand how much strength we can get from the mundane celebrations, joys and pleasures of life, and how much we are called upon to accomplish utilizing those tools.

When we consider what it means that Yom Kippur has such significantly contrasting fundamental values—those of deprivation and celebration—we are reminded that it is human nature to feel deeply, in moments of loss, the resounding memory of what is good, grand and necessary in that which is now gone.

May our tefillot, our preparatory teshuva, and our experiences of loss all propel us to new heights and insights and a *shana tova umetukah*, a good and sweet new year!

“And he saw the place from afar”: Avraham’s Journey to the Akedah

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The evocation of the Akedah is an important theme of the High Holiday liturgy.¹ In the course of the *Selihot* and prayers of the season, we remember and recite *piyyutim* that recall the great and terrible price that Avraham was willing to pay, and that Yitzchak was prepared to bear, to heed God’s command. The Midrash identifies Avraham himself as the one who first urged God to grant forgiveness to Yitzchak’s descendants in light of the heroic act of Avraham who “conquered his mercy for his son and wished to slaughter him in order to do Your will.” Thus we have a long-standing tradition of “reminding” God of the Akedah as part of our pleas for Him to forgive us.²

¹ The Akedah raises weighty theological and ethical questions, of course, (also issues of parshanut, geography, philology and psychology) and has generated an enormous literature. We will focus on certain midrashim relating to the Akedah. The aggadic literature was gathered and analyzed by Shalom Spiegel, “Me’agadot ha’akedah,” *Alexander Marx Jubilee Volume* (S. Lieberman ed., 1950), pp. 471-547, and in his *The Last Trial—on the Legend and the Lore of the Command to Avraham to Offer Yitzchak as a Sacrifice: The Akedah* translated by Judah Goldin, (New York, 1974). Of course, the Torah reading for the second day of Rosh Hashana is the Akedah narrative [although this appears to be a late development—cf. M. Megillah 3:5]. References to the Akedah are sprinkled throughout the Rosh Hashana prayers, although one would be hard-pressed to justify seeing the story as central to the liturgy. There was, a type of *piyyut* known as Akedah, some of which (such as Az Behar Mor, ascribed to Ibn Gabirol) are recited even today as part of the *Selihot*. Ezra Fleischer, *Sacred Hebrew Poetry in the Middle Ages* [Magnes Press, 2007] (2d ed.), pp. 469-470. Some midrashim [e.g. *Bereishit Rabbati* on the phrase “as it is said to this day” (Gen. 22:14)] understand the Akedah to have occurred on Rosh Hashana (see Albeck’s note, ad loc, and compare with Spiegel), though this is not the only view in the aggadic literature. Some [see Rashi to Lev. 23:24] see a connection between the mitzvah of blowing the shofar on Rosh Hashana, and the ram which was substituted for Yitzchak.

² Avraham called the name of that place “God-will-see.” R. Yochanan said: He said before Him: Master of the Universe, when You said to me, “take your son, your only son,” I had a proper retort—yesterday You said to me, “for in Yitzchak shall your seed be called,” and today “take your son?” But God forbid I said no such thing! Rather, I repressed my feelings of pity in order to do Your will. May it be Your will that when the children of Yitzchak shall behave badly and sin, that You should remember the Akedah and be filled with pity for them. **Bereishit Rabbah 56:10**

² ויקרא אברהם שם המקום ה' יראה. ר' יוחנן אמר אמר לפניו רבון העולמים בשעה שאמרת לי קח נא את בנך את יחידך היה לי מה להשיב אתמול אמרת כי ביצחק וגו' ועכשיו קח נא את בנך וגו' וחם ושלום לא עשיתי כן אלא כבשתי את רחמי לעשות רצונך יהי רצון מלפניך ה' אלקינו בשעה שיהיו בניו של יצחק באים לידי עבירות ומעשים רעים תהא נזכור להם אותה העקידה ותתמלא עליהם רחמים. **בראשית רבה נז:י.**

Rashi refers to God recalling the Akedah each year (presumably on Rosh Hashana) and notes that when the pasuk adds the seemingly extra phrase 'יראה ה' בְּהָרֵהּ הַזֶּה, “as it is said today: In the mount where the LORD is seen,” “today” refers to all generations, at all times:

There is a Midrash which interprets “The Lord is seen” that this Akedah will serve to forgive the Jewish people each year and save them from punishment.

Rashi, Bereishit 22:14

ומדרש אגדה ה' יראה עקידה זו לסלוח
לישראל בכל שנה ולהצילם מן
הפורענות.
רש"י, בראשית כב:יד

Even today, as a new year dawns, we continue to hope that God will recall the Akedah and find a way to forgive us and to save us from an evil decree.

As we examine the story of the Akedah, we note the richness of detail that echoes in our thoughts. The location of the Akedah is, according to our tradition, the future site of the Bet HaMikdash.³ The name given for this location, בְּהָרֵהּ הַזֶּה יֵרָאֶה, alludes to the mitzvah of appearing before God three times a year at the Bet HaMikdash where we are then seen by Him observing His mitzvot.⁴ The animal that was ultimately sacrificed at the Akedah becomes the paradigm for sacrifices⁵ that will be offered in the Bet HaMikdash. The ram's horn becomes the shofar that

Note that Avraham speaks of Yitzchak's children, not his own descendants who would include the children of Ishmael and others. While it was Yitzchak who was offered as a sacrifice, in our tradition the event is most often seen as a test of Avraham.

³ See, for instance, *Pesikta Rabbati* section 40 (Ish Shalom (Friedmann) ed., 1880). This, of course, turns on the identification of “Eretz ha-Moriah” (Gen. 22:2). Moriah could be seen as linguistically related to, or at least evocative of, the words *yireh* or *yera-eh* as in v.14, and the pasuk itself contains a broad hint that this is a special place since the end of the pasuk refers ostensibly to the site where God can be and will be “seen,” that is the site of the Temple. (But see Rav S. R. Hirsch's view cited in footnote 3 which reads our pasuk (and Gen. 22:2 which speaks of Eretz ha-Moriah) in light of Ex. 23:17 which speaks not of God appearing but rather of the thrice yearly pilgrim “who appears (*yera-eh*) before the Lord God.” The Talmud (*Hagiga* 2a) juxtaposes the words *yir-eh* (seeing) and *yera-eh* (being seen or appearing—the two words are identical when looked at without vowels) to derive the law that one who is blind even in one eye is exempt from the mitzvah of coming to the Mikdash on the three pilgrim festivals. Rashi (to Gen. 28:11 and 28:17), following the midrashic tradition, labors mightily to show that Jacob's dream of the ladder on which angels ascend and descend also highlighted the unique status of Har ha-Moriah.

⁴ Rav Hirsch expounds on this idea in his commentary on this pasuk:

By the name יֵרָאֶה ה', Avraham bequeathed the יֵרָאֶה ה' which Moriah is to bring to his descendants by the remembrance of this event, יֵרָאֶה ה', (somewhat reminiscent of 'ה' יֵרָאֶה לֹוּ וְגו' God sees. Even when we and where we do not see, God sees, freely and willingly have we to subordinate our own judgment to His. “God sees” thus Avraham expresses the general meaning of Moriah. But today, after this general conviction of God has manifested itself for us in a special act of revelation, and God has given us His insight into what is good and right for us in His Torah—for which a Sanctuary is to be erected on this Mount—so that we are to live the whole of our lives in accordance with it, today this great Torah is not expressed by the general term “God sees,” but that each one of us “is seen by God” and has to present himself repeatedly on this Mount “to be seen” to be testingly inspected. Thrice yearly יֵרָאֶה ה', every son of Avraham and Yitzchak must be seen on this mount, and not עוֹלֵת רֵאִיָּה, with mere inner passing devotion, but with the sacrificing dedication of the whole of his being as expressed in עוֹלֵת רֵאִיָּה.

For Rav Hirsch, it is not just about God appearing, but that once we have learned what God demands of us, once we have learned to subjugate ourselves to the demands of God, we then appear before God on the same mountain that Avraham saw God. And we appear with gifts of korbanot that express our dedication and love of God.

⁵ Rashi notes that for every step that Avraham performed during the sacrifice of the ram, he had his son in mind:

was blown on Har Sinai and will be blown in the future to gather the exiles from around the world and bring them to the Land of Israel.⁶ The ashes of the sacrificed ram become the foundation upon which the Temple's altar is built.⁷ Even the knife, which is called a מאכלת (emphasizing the root אכל), suggests the benefit that future generations will derive as a result of the mesirat nefesh of Avraham and Yitzchak:

It is called a ma'achelet because the Jewish people consume its reward.

Rashi, Bereishit 22:6

זאת נקראת מאכלת, על שם שישראל אוכלים מתן שוכרה:

רש"י בראשית כב:ו

When Scripture reports, "And he sacrificed it (i.e., the ram) as a burnt offering" [that should have sufficed]. What is the significance of the phrase, "in place of his son"? For each stage of the sacrificial procedure, Avraham would pray as follows: May it be [His] will that this [act] be done as though it was being performed on my son. It is as though my son were slaughtered, as though his blood were sprinkled, as though his skin were stretched out, as though he were burned to ashes.

Rashi, Bereishit 22:13

תחת בנו - מאחר שכתוב ויעלהו לעולה, לא חסר המקרא כלום, מהו תחת בנו, על כל עבודה שעשה ממנו היה מתפלל ואומר יהי רצון שתהא זו כאלו היא עשויה בבני, כאלו בני שחוט, כאלו דמו זרוק, כאלו הוא מופשט, כאלו הוא נקטר ונעשה דשן:

רש"י בראשית כב:יג

The Ramban reflects upon the idea of a korban in the beginning of Sefer Vayikra.

A more acceptable rationale is the one set out as follows: Seeing that human conduct is expressed in thought, speech and action, God instituted that a person who has committed a transgression and offers a sacrifice shall place his hands on it—symbolizing the deed, makes a confession—as a reminder of the misused power of speech, and burn with fire the bowels and kidneys—which are the organs of thought and lust, and the legs—symbol of the human hands and feet, instruments which serve man in all his activities. And the blood shall be sprinkled on the altar—representing his life-blood. All this should make him realize that having sinned against God with his body and soul, he would deserve to have his blood spilled and his body burned. However, God in his infinite mercy, accepts this substitute for an atonement, and its blood in lieu of his, its main organs in place of his, the portions (of the sacrifice eaten by the priests) so as to sustain the teachers of the Torah that they may pray for him. Accordingly, the daily sacrifice is offered up because of the masses who are constantly caught up in the web of sin. This explanation is plausible and appeals to the mind even as the expositions of the Aggada. However, in the context of (mystical) truth, the sacrifices contain hidden mysteries...

Ramban, Vayikra 1:9 Translation taken from www.jafi.org.il

ויותר ראוי לשמוע הטעם שאומרים בהם, כי בעבור שמעשי בני אדם נגמרים במחשבה ובדבור ובמעשה, צוה השם כי כאשר יחטא יביא קרבן, יסמוך ידיו עליו כנגד המעשה, ויתודה בפיו כנגד הדבור, וישרוף באש הקרב והכליות שהם כלי המחשבה והתאוה, והכרעים כנגד ידיו ורגליו של אדם העושים כל מלאכתו, ויזרוק הדם על המזבח כנגד דמו בנפשו, כדי שיחשוב אדם בעשותו כל אלה כי חטא לאלקיו בגופו ובנפשו, וראוי לו שישפך דמו וישרף גופו לולא חסד הבורא שלקח ממנו תמורה וכפר הקרבן הזה שיהא דמו תחת דמו, נפש תחת נפש, וראשי אברי הקרבן כנגד ראשי אבריו, והמנות להחיות בהן מורי התורה שיתפללו עליו. וקרבן התמיד, בעבור שלא ינצלו הרבים מחטאות תמיד. ואלה דברים מתקבלים מושכים את הלב כדברי אגדה:

ועל דרך האמת יש בקרבנות סוד נעלם.

רמב"ן, ויקרא א:ט

⁶ From that ram, nothing was wasted. The ashes of the ram are the foundation upon which the inner mizbeach was built. As it says: The tendons (גידים) become the strings of the harp used by David to sing praises to God; the leather is fashioned into a girdle worn by Eliyahu HaNavi; and the two horns are also put to use. The left horn is the horn that was blown by God on Har Sinai. The right horn, considered to be larger and greater, is the horn that will be blown in the future to gather the exiles. **Pirkei D'Rabbi Eliezer no. 31**

⁷ Pirkei D'Rabbi Eliezer, ibid.

רבי חנינא בן דוסא אומר: אותו האיל לא יצא ממנו דבר לבטלה. אפרו של איל- הוא יסוד שעל גבי המזבח הפנימי, שנאמר 'וכפר אהרון על קרנותיו אחת בשנה'. גידיו של איל הם עשרה- כנגד עשרה נבלים של כנור שהיה דוד מנגן בהם. עורו של איל- הוא אזור מתניו של אליהו, שנאמר 'ויאמרו אליו, איש בעל שער ואזור במתניו' שתי קרניו של איל שופרות, בשל שמאל- תקע בו הקב"ה על הר סיני, שנאמר 'ויהי קול השופר', וקרן ימין הוא גדול מן השמאל, ועתיד לבא, בקבוץ של גלויות, שנאמר 'והיה ביום ההוא יתקע בשופר גדול'. **פרקי דרבי אליעזר לא**

One detail, though, that is not provided in the text is the timing of the Akedah.⁸ We are told neither the ages of Avraham and Yitzchak, nor the time of year. All we are told is that Avraham spotted the mountain from afar on the “third day.”

In the absence of any other temporal markers, why is it so important for us to know the length of time he travelled until he was able to “see the place from afar”? Why in fact did God insist that Avraham travel anywhere to perform the deed? Was the demand not hard enough? Did God not already ask him to be prepared to give up his son, his only son, that he loved, his Yitzchak? Why could he not be shown the mountain at once? Macbeth, trying with only partial success to (shall we say) “man up” and prepare himself to commit the murder of his king, notes “if it were done, when ‘tis done, then ‘twere well/ It were done quickly” [I, vii, 1-2]. While offering one’s son in response to the command of God is fundamentally different than the treasonous killing of one’s sovereign, the underlying psychological truth must have borne on Avraham as well. When faced with a monstrous task, when forced to choose between the son he cherished and the God he had committed himself to obey, any delay can only compound the pain and suffering. Would it not have been more merciful to test Avraham without forcing him to walk alongside his son during the long hours en route to Moriah?

Rashi, quoting from the Tanhuma, notes that the delay of three days was to give Avraham time to think.⁹ Perhaps he had not immediately processed the enormity of the request to sacrifice his son. Perhaps he really didn’t understand what God was demanding of him. Perhaps he acted in a moment of confusion and would regret his reflexive acquiescence to the word of God. By insisting upon a three-day journey, God was ensuring that Avraham would have enough time to reflect upon the deed by the time he tied his son to the altar, and that his actions would be with full knowledge and intent. Rashi is aligning himself with *Bereishit Rabbah* that a focal point of the Akedah was to raise a banner, נס להתנוסס, to inform the world at large the extent to which Avraham loved God, the depth of the faith that Avraham displayed in God. Were it possible for those who were told about the story and about Avraham’s heroic faith to argue that Avraham had acted in a state of panic and confusion, that message would be diluted and discredited:

And it was after these things that God tested Avraham etc. You gave to those who fear you a banner to raise [Tehilim 60:6]. Test after test, elevation after elevation, in order to test them so that the rest of the world will see how they withstand the test, in order to elevate their status among the other nations of the world, in

ויהי אחר הדברים האלה והאלקים
נסה את אברהם וגו' נתתה ליראיך
נס להתנוסס וגו' (תהלים ס ו) ניסיון
אחר ניסיון גידלון אחר גידלון
בשביל לנסותם בעולם בשביל לגדלן

⁸ It is interesting to note that in *Bereishit Rabbah* [see below], most of the events that are associated with the Akedah by virtue of the common phrase ויהי ביום השלישי all occur in Nissan. Spiegel and others in his wake have addressed the polemical implications of the Nissan versus Tishrei question.

⁹ Why did He delay from showing him the location right away? So that others would not say He confused him and that his [Avraham’s] mind was overloaded, and that had Avraham time to consider what was being asked of him he would not have complied. Rashi, Bereshit 22:4

⁹ רש"י ברשית כב:ד- ביום השלישי - למה
איחר מלהראותו מיד, כדי שלא יאמרו הממו
וערבבו פתאום וטרד דעתו, ואילו היה לו שהות
להמלך אל לבו לא היה עושה:

Rashi asks not why the Akedah was not performed in Be’er Sheva, but why God did not show Avraham the site from even further afar. Perhaps Rashi means Avraham could have been awarded “*kefitzat ha-derekh*,” a shortened path, and arrived much sooner than three days after beginning his journey.

order to raise their performance like a banner is raised on a ship. Why? [what is the purpose of putting Avraham through all of these tests?] For the sake of truth, to show that God judges fairly [and that those who are rewarded are deserving]. So that if a person were to say that God arbitrarily makes whoever He wants rich, that God arbitrarily makes whoever He wants poor, that God arbitrarily makes whoever He wants a king; that Avraham was arbitrarily made rich, that Avraham was arbitrarily made a king. Now we have an answer and reply: Could you have done what was asked of Avraham? Avraham was one hundred years old when Yitzchak his son was finally born. And after waiting so many years to have a son, he was then told to take this very son ... and he did not hesitate. "You have given those who fear You a banner to raise high."

Bereishit Rabbah no. 55

בעולם כנס שלספינה, וכל כך למה מפני קושט סלה בשביל שתתקשט מידת הדין בעולם שאם יאמר אדם למי שהוא רוצה מעשיר ולמי שהוא רוצה מעני ולמי שרוצה הוא עושה מלך, אברהם כשרצה עשאו עשיר כשרצה עשאו מלך, יכול את להשיבו ולאמר לו יכול את לעשות מה שעשה אברהם, ואברהם בן מאת שנה בהולד לו את יצחק בנו (בראשית כא ה) אחר הצער הזה נאמר לו קח נא את בנך וגו' ולא עיכב נתתה ליראיך נס להתנוסס, [והאלקים נסה את אברהם].
בראשית רבה (תיאודור-אלבק)
פרשה נה

In Bereishit Rabbah 56:1, we find yet another perspective. Here, Chazal take note of the phrase and look at all the other places in Tanach where that exact phrase [or in some cases the same passage of time] exists and they seek a common thread.

It is after three days in jail that Yosef frees his brothers on condition they return to Canaan to bring their youngest brother Binyamin down to Egypt (Bereishit 42:17). It is on the third day of preparations that God "descends" on Har Sinai to give the Torah to Bnai Yisrael (Shemot 19:16). It is after three days of hiding in the mountains that it is safe for the spies to return to Yehoshua and report on the city of Yericho (Yehoshua 2:16). It is on the third day of being swallowed by a fish that Yonah prays and is ejected from the fish (Yonah 2:1). It is after three days of fasting that Esther appears before Ahashverosh and begins to execute her plan to save the Jews (Esther 5:1). And in the time of Ezra, Bnai Yisrael return to Yerushalayim on the third day and begin to collect money to reestablish korbanot (Ezra 8:32).

We find another example in Sefer Hoshea:

Blow ye the horn of the Gibeah, and the trumpet in Ramah, sound an alarm at Beth-aven: "Behind thee, O Benjamin!" Ephraim shall be desolate in the day of rebuke; among the tribes of Israel do I make known that which shall surely be. The princes of Judah are like them that remove the landmark; I will pour out my wrath upon them like water. Oppressed is Ephraim, crushed in his right; because he willingly walked after filth ... and when Ephraim saw his sickness, and Judah his wound, Ephraim went to Assyria, and sent to King Contentious, but he is not able to heal you, nor shall he cure you of your wound ... "Come, let us return unto the Lord; for He hath torn, and He will heal us, He

הושע ה,ח תקעו שופר בגבעה, הצצרה פרמה; הריעו בית און, אחריו בגמיו. **ה,ט** אפרים לשמה תהיה, ביום תוכחה; בשבטי ישראל, הודעתי, נאמנה. **ה,י** היו שרי יהודה, כמסיגי גבול; עליהם, אשפוך פנים עברתי. **ה,יא** עשוק אפרים, רצוצ מלפס: כי הואיל, הלא אחריו-צו. **ה,יב** ואני כעש, לאפרים; וכרקב, לבית יהודה. **ה,יג** וירא אפרים את-תליו, ויהודה את-מזרו, וילך אפרים אל-אשור, וישלח אל-מלך ירב; והוא, לא יוכל לרפא להם, ולא יגהה מהם, מזור. **ה,יד** כי אנכי כשחל לאפרים, וכפפיר לבית יהודה; אני אני אטרף ואלה, אשא ואין מציל. **ה,טו** אלה אשובה אל-מקומי, עד אשר-יאשמו ובקשו פני: בצר להם, ישחרגני. **ו,א** לכו

hath smitten, and He will bind us up. After two days will He revive us, on the third day he will raise us up, that we may live in His presence."

וְנִשְׁכָּחָה אֶל-ה', כִּי הוּא טָרַף וַיִּרְפָּאנוּ; וְ, וַיַּחַדְּשֵׁנוּ. וּבַיּוֹם הַשְּׁלִישִׁי, יִקְמְנוּ, וְנִחְיֶה לְפָנָיו.

On the level of *peshat* we understand that the people had suffered for two days and looked forward to the following day when God would deliver them [parallel to the paradigm we have seen thus far]. *Metzudat David*, though, suggests a historic and redemptive context. By defining the term יומיים not as days, but as events, he expands the scope of the message. We seek to return to God, Who has saved us from troubles twice in the past, and Who will deliver us once more in the future.

Behold He has sent to us salvation from two previous episodes that have already transpired—from the exile to Egypt and the exile to Babylon. On the third day, the third time, in the third redemption He will raise us from having fallen down and we will live in front of Him forever because we won't be sent any longer into exile.

Metzudat David, Hoshea 6:2

יַחֲיִינוּ מִיּוֹמָיִים - הִנֵּה שְׁלַח לָנוּ רְפוּאָה מִשְׁנֵי הַעֲתִים שֶׁעָבְרוּ עָלֵינוּ הוּא גְלוּת מִצְרַיִם וּגְלוּת בָּבֶל. יוֹם הַשְּׁלִישִׁי - בַּעַת הַשְּׁלִישִׁי בַּגְּאוּלָּה הָעֲתִידָה יִקְמְנוּ מִן הַנִּפְּלָה וְנִחְיֶה לְפָנָיו עַד עוֹלָם כִּי לֹא נִבּוּא עוֹד לְגוּלוֹהָ.

מצודת דוד הושע ו:ב

The midrashim see a broad historic sweep in Hoshea's message. They ask: In what merit do we deserve to be saved yet again on a third day in a time to come in the future? And for that matter, in what merit did we deserve to be saved on all those other third days in the past? The midrashim offer two suggestions:

In what merit? The Rabbis and Rabbi Levi [have two different approaches]. The Rabbis suggest that in the merit of accepting the Torah on the third day [i.e. at Har Sinai we earned the privilege to be saved on other third days in the future]. Rabbi Levi says it was in the merit of the three days that Avraham traveled that we continued to be saved on the third day.

Bereishit Rabbah 56:1

בְּאִיזָה זְכוּת? רַבֵּנָן וְרַבִּי לֵוִי רַבְנָן אִמְרֵי בְּזְכוּת יוֹם הַשְּׁלִישִׁי שֶׁל מִתֵּן תּוֹרָה שֶׁנֶּאֱמַר וַיְהִי יוֹם הַשְּׁלִישִׁי בְּהִיּוֹת בּוֹקֵר וְר' לֵוִי אָמַר בְּזְכוּת שֶׁל יוֹם שְׁלִישִׁי שֶׁל אַבְרָהָם אֲבִינוּ שֶׁנֶּאֱמַר בְּיוֹם הַשְּׁלִישִׁי.

בראשית רבה פרשה נו:א

We can find, elsewhere in midrashic literature, an attempt to merge Har Sinai and Har ha-Moriah, perhaps as a bridge between the views of the rabbis and Rabbi Levi:

And Har Sinai from whence came? Rebbe Yossi says, it was uprooted from Har ha-Moriah, like a challah pulled from the dough, from the place upon which Yitzchak Avinu was bound. God said: since Yitzchak was bound on this mountain, it is desirable that upon this mountain his children will receive the Torah.

Midrash Tehillim 68:9

וְסִינִי מֵהֵיכָן בָּא? אָמַר ר' יוֹסִי, מֵהַר הַמּוֹרִיָּה נִתְּלַשׁ, כְּחָלָה מֵעִיסָה, מִמָּקוֹם שֶׁנֶּעֱקֵד יִצְחָק אֲבִינוּ. אָמַר הַקָּב"ה: הוֹאִיל וַיִּצְחָק נֶעֱקֵד עָלָיו, נָא לִבְנָיו לִקְבֹּל עָלָיו אֶת הַתּוֹרָה.

מדרש תהילים סח:ט

R. Yonatan Grossman, in fact, posits that the story of Akedat Yitzchak serves as a foundation for the covenant that was established on Har Sinai for both historical and ethical reasons. "By passing this difficult test, Avraham certifies his children to receive the Ten Commandments and eternally: the *mesirut nefesh* of man to his God is the basic condition and prerequisite for the Covenant."¹⁰

¹⁰ Y. Grossman, "Akedat Yitzchak u-Berit Sinai" in Y. Rozenson and B. Lau, *Akedat Yitzchak Le-Zar'oh* (R. Mass: Tel Aviv, 2006), pp.355-364. Translated from the Hebrew by the author.

Akedat Yitzchak emerges as the lynchpin in the midrash upon which all the other events of the “third day” depend. In the various events listed in the midrash, the first two days represent a tragedy, a conflict. The third day brings deliverance or salvation. The deliverance can be of a personal nature [such as Yosef with his brothers or Yonah in the fish]. The deliverance can be of a communal nature [such as Esther in Shushan or the Jews in the time of Ezra or Hoshea]. But what theme is Rabbi Yochanan trying to extrapolate from Akedat Yitzchak- who is being delivered and what is the nature of the deliverance? One obvious answer is that it is Yitzchak who is being saved. But his name is not even mentioned in the midrash. So confining ourselves to Avraham, what is the nature of his deliverance? Has he been saved from having to sacrifice his son? Has he been saved from the dread, the trembling of the previous days? What is Avraham feeling at the moment that he lifts up the knife to sacrifice his son? And what is his reaction to the angel’s announcement that he is to cease and desist at once? Is there relief that he need not kill his son? Is there sadness in not being able to fulfill the Divine command?

This conflict that was raging in Avraham over the course of the three day journey comes to a head at the moment that Avraham raises his knife, and is poignantly depicted in the following midrash as a struggle between the eyes and the heart- the eyes representing the emotion and the heart representing the mind.

And Avraham stretched out his hand.” He stretches out his hand to lift the knife, and tears streaming from his eyes, fall into the eyes of Yitzchak as a result of the pity of a father [for a son]... but even so the heart is happy to be able to do the will of his Creator.

Bereishit Rabbah 56:8

וישלח אברהם את ידו הוא שולח יד
ליטול את הסכין ועיניו מורידות
דמעות וגופלות דמעות לעיניו של
יצחק מרחמנותו של אבא ואעפ”כ
הלב שמח לעשות רצון יוצרו...
בראשית רבה נז:ח

Avraham was willing to pay a great and terrible price to heed God’s command. Yet his journey to Har ha-Moriah was tumultuous. As an ethical man, he had spent his life trying to do what was right. Moreover his efforts had been very much in the public eye, and he called on all people that he met to meet the ethical challenges of life. The command of Akedat Yitzchak challenged the very fiber of his previous understanding of what is good and what is right. Yet as one who feared God he has pledged himself to do that which God has commanded him.

It is this struggle, the struggle between the eyes and the heart, between ethical mores and religious values, that is at the heart of the three day travel and serves as a basis for our deliverance throughout history. Every morning we beseech God to follow in the ways of Avraham as we recite the korbanot section of Tefilat Shacharit:

The same way that Avraham conquered his feelings of mercy as a father to fulfill Your command, You should let Your feelings of mercy conquer your feelings of anger towards us.

כמו שכבש אברהם אבינו את רחמיו מבן יחידו ורצה
לשחוט אותו כדי לעשות רצונך, כן יכבשו רחמך את
כעסך מעלינו, ועלו רחמך על מדותיך.

Avraham was not ultimately forced to choose between the loving father and the loyal servant. God reminds Avraham that He never asked for a sacrifice, but for Avraham to offer.¹¹ But because of his willingness to comply with the words of God, because of the arduous three day journey filled with wrenching emotion but steadfast observance, not only Avraham and Yitzchak but we, too, seek deliverance and redemption.

¹¹ See the *Sifra*, Devarim 148, [also *Taanit* 4a and *Tanchuma, Vayerah* 40], quoting a pasuk from Sefer Yirmiyahu (19:5) to explain that God never intended for Yitzchak to be sacrificed.

That you did not command, this is the daughter of Yiftach; that you did speak about, that is the son of Mesha the king of Moav; that never came into my mind, that is Yitzchak the son of Avraham.

אשר לא צויתי זו בת יפתח, ולא דברתי זה בנו של
מישע מלך מואב, ולא עלתה על לבי זה יצחק בן
אברהם

In Every Generation

Rabbi Mordechai Torczyner

Rosh Beit Midrash, Yeshiva University Torah MiTzion Zichron Dov Beit Midrash of Toronto

Why Twice?

Avraham held the blade aloft, prepared to slaughter a son, a dream, a nation. The inspiring Exodus, the revelation at Sinai, the Mishkan hosting G-d in a home of human construction, the union of Jew and Land and Torah, the civilization of King David, the prophets and exile and redemption, the Messianic era—the fate of Creation¹ hung in the balance while an old man readied his hand—until a voice broke the silence, calling, "Avraham! Avraham! Don't send forth your hand to the youth, do not inflict anything upon him!"²

Troubled by the Divine decision to call the name of our patriarch twice, Rabbi Chiyya³ suggests that this is meant as *לשון חבה ולשון זרון*, an expression of love or urgency. Alternatively, our sages⁴ contend that the double language declares that Avraham retained his humility even after G-d spoke with him; Avraham was the same before and after he rose to greatness.

Rabbi Eliezer ben Yaakov, though, offers a unique explanation.⁵ Noting that an identical double-call is issued to Yaakov, Moshe and Shemuel, Rabbi Eliezer ben Yaakov presents a provocative guarantee.

G-d spoke to them and [in the second mention of their names] to subsequent generations. There is no generation which lacks an Avraham, there is no generation which lacks a Yaakov, there is no generation which lacks a Moshe, and there is no generation which lacks a Shemuel.

אמר לו ולדורות, אין דור
שאין בו כאברהם ואין דור
שאין בו כיעקב ואין דור שאין
בו כמשה ואין דור שאין בו
כשמואל

One might read Rabbi Eliezer ben Yaakov's words as a simple pledge that every generation will be blessed with righteous leaders or great prophets, like these men of achievement. However, a review of the circumstances of each doubled summons leads us to a deeper message.

Avraham

At the time of the *akeidah*, Avraham has already declared openly to G-d, "All of Your gifts mean nothing to me, without a child."⁶ He is married to Sarah, who wandered with him in pursuit of their dream, who put her marriage on the line to provide a son, and who was finally rewarded, at

¹ Shabbat 88a.

² Bereishit 22:11.

³ Bereishit Rabbah 56:7.

⁴ Tosefta, Berachot 1:14.

⁵ Bereishit Rabbah ibid.

⁶ Bereishit 15:1-3.

the age of 90, for her patient righteousness. Avraham and Sarah have invested their lives in "this child, their only child, their beloved child, Yitzchak"—and now they are to surrender him. The only gift that ever mattered is now to be sacrificed to G-d.

G-d calls out to Avraham at this moment of sacrifice and promises him great blessing⁷—and as Rabbi Eliezer ben Yaakov explains, He calls out to our dream-sacrificing Avrahams as well.

Yaakov

Yaakov spends most of his life in a state of suffering. First Yaakov is exiled in order to escape his murderous brother Esav, and then he spends 20 years performing hard labor in the house of Lavan. Yaakov returns to Israel only to lose his beloved wife Rachel, see his daughter Dinah taken captive, lose his son Yosef, and have his son Shimon imprisoned. Finally, Yosef was restored, but at a price: Yaakov must enter exile yet again, descending to Egypt.

At this moment,⁸ G-d calls to Yaakov, "Yaakov! Yaakov! Do not fear to descend to Egypt." G-d informs Yaakov that this will not be a true exile; He reassures the patriarch, "I will be with you." And in doubling Yaakov's name, G-d calls to our exiles, as well.

Moshe

The third on the list is Moshe, the Egyptian prince who turns fugitive after rescuing a Jew. A price on his head, Moshe flees to Midian, where he builds a small family with his wife Tzipporah, until G-d tells him to return to Egypt and speak to Pharaoh.⁹ Even if those who had wished to kill Moshe are gone, nonetheless, there is grave danger as Moshe abandons his safe haven and returns to the land of a despotic king, of slave drivers and beatings and quotas.

G-d calls to Moshe¹⁰ at this moment of danger and rescue, declaring, "Moshe! Moshe!" G-d continues to reassure Moshe, "I will be with you," giving Moshe miraculous signs to that effect. And as Rabbi Eliezer ben Yaakov explains, this doubling of Moshe's name cries out to every Jew who has ever launched himself into danger on behalf of others, "You are not truly in danger; G-d is standing beside you."

Shemuel

The last leader on Rabbi Eliezer ben Yaakov's list is Shemuel, who had been brought to the mishkan at the youngest possible age to be apprenticed to Eli, the Kohen Gadol, the religious giant of the generation.¹¹ Shemuel is raised by Eli, who is his surrogate parent, mentor and employer, and Shemuel thrives under his care.¹²

⁷ Bereishit 22:11-18.

⁸ Ibid. 46:2.

⁹ Shemot 3.

¹⁰ Shemot 3:4.

¹¹ Shemuel I 1:24.

¹² Ibid. 2:26.

Unfortunately, Eli's own sons sin horribly, abusing their power,¹³ and G-d rebukes Eli for the corruption carried out on his watch.¹⁴ When the abuse nonetheless continues, G-d summons Shemuel¹⁵ to convey a message of harsh rebuke to Eli:

I am going to do something in Israel that will make people's ears ring. On that day, I will fulfill all of the warnings I have given Eli regarding his household; I will destroy them. Tell Eli that I will sentence his household eternally, for their sins. ... I have sworn to the house of Eli that they will never be able to atone for their transgression with offerings.

Shemuel I 3:11-14

וַיֹּאמֶר ה' אֶל שְׁמוּאֵל הִנֵּה אֲנִי עֹשֶׂה דְבָר
בְּיִשְׂרָאֵל: אֲשֶׁר כָּל שֹׁמְעוֹ תִּצְלִינָה נְשִׂאֵי אָזְנוֹ.
בַּיּוֹם הַהוּא אֶקְרִים אֶל יְעָלִי אֶת כָּל אֲשֶׁר דִּבַּרְתִּי אֵל
בֵּיתוֹ הַחֹל וְכָלָה. וְהִגַּדְתִּי לוֹ כִּי שֹׁפֵט אֲנִי אֶת בֵּיתוֹ
עַד עוֹלָם בַּעֲוֹן אֲשֶׁר יָדַע כִּי מְקַלְלִים לָהֶם בָּנָיו
וְלֹא כָהָה בָּם. וְלָכֵן נִשְׁפָּעַתִּי לְבֵית יְעָלִי: אִם
יִתְכַפֵּר עֲוֹן בֵּית יְעָלִי בְזָבַח וּבִמְנַחָה עַד עוֹלָם.

שְׁמוּאֵל א ג:יא-יד

In fulfillment of this curse, the entire priesthood would eventually be overturned, the city of Nov would be destroyed, and generation after generation of Eli's descendants would perish in their youth.

Shemuel was responsible to carry this message of rebuke and revolution to the man who was his role model, employer and spiritual guide. G-d introduces this intimidating mission by calling to Shemuel, "Shemuel! Shemuel!" As Rabbi Eliezer ben Yaakov explains, by doubling Shemuel's name G-d calls to the Shemuels in every generation as they speak righteous truth, however unpopular, to irresponsible authority.

In every generation

There are two *tannaim* named Rabbi Eliezer ben Yaakov, and it is unclear which is the author of this midrash, but both knew well the missions of the aforementioned men. The first Rabbi Eliezer ben Yaakov lived through the Roman conquest of Jerusalem and saw the starvation and disease of siege, followed by Jewish blood flowing in the streets. The second Rabbi Eliezer ben Yaakov was a student of Rabbi Akiva, and he survived the fall of the Betar fortress to Hadrian's brutal forces.

Rabbi Eliezer ben Yaakov knew the bitter truth of Jewish history: Avraham and his sacrifice, Yaakov and his exile, Moshe and his dangerous mission, and Shemuel and his revolution, are not one-of-a-kind. Every generation will see Jews charged with a mission of revolt against authority. Every generation will see Jews face danger to save other Jews. Every generation will see Jewish families descend into exile. And every generation will see Jewish parents send their children into danger. Rabbi Eliezer ben Yaakov's commentary on the doubled call is, on one level, a horrific promise that the sacrifices are not over, and every generation will know this pain.

However, Rabbi Eliezer ben Yaakov also reassures us. Each time G-d issues this doubled call, we find an explicit biblical declaration that G-d aided the recipient of the call. When G-d called

¹³ Ibid. 2:12-17.

¹⁴ Ibid. 2:27-36.

¹⁵ Shemuel I 3:10.

Avraham, He promised to bless Avraham.¹⁶ When G-d called Yaakov, He said, "I will descend with you to Egypt, and I will also bring you up."¹⁷ In directing Moshe to travel to Egypt, G-d pledged to be with him.¹⁸ And with Shemuel, too, we are told that G-d was with him.¹⁹

Rabbi Eliezer ben Yaakov warns that every generation of Jews will be called upon to deliver an Avraham and a Yaakov, a Moshe and a Shemuel, but this warning comes with a promise that G-d will stand by their sides. We may not always see the protection as Avraham and Moshe and Shemuel did; Yaakov did not see the end of the story in his own lifetime. Nonetheless, G-d will be there by our side.

Finally, in addition to a warning and a reassurance, Rabbi Eliezer ben Yaakov charges every generation with responsibility. The sacrifice of Avraham and the rescue of Moshe, the exile of Yaakov and the righteous revolution of Shemuel, are not cobwebbed historical phenomena; these are the reality of every Jewish generation. Our names, too, are twice-called to these destinies—and as we read the account of the *akeidah* this Rosh haShanah, it is worth noting that our ancestors expressed a uniform response to the Divine summons. Avraham replied *hineni*, "Here I am," as did Yaakov. Moshe uttered the same word, and so did Shemuel. May we, in our own generations, find the courage to respond likewise.

A Practical Guide to *Eiruv Tavshilin*

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When Yom Tov occurs on a Friday, whether it is the first day of Yom Tov or the second day, there is an obligation to establish an *eiruv tavshilin* prior to Yom Tov. This allows one to prepare food on Yom Tov that is going to be served on Shabbat. The Gemara, *Beitzah* 15b, presents two reasons for this obligation. First, the purpose of *eiruv tavshilin* is to ensure that there is specific food that is set aside for Shabbat. The concern is that all of the food will be eaten on Yom Tov and the Shabbat meals will not be given the due honor that they deserve. Therefore, the rabbis instituted that one must prepare a Shabbat meal (or a portion of a Shabbat meal) prior to Yom Tov, and by doing so, everyone will be cognizant of the importance of honoring the Shabbat with meals that are appropriate. Second, the purpose of *eiruv tavshilin* is to serve as a reminder that it is normally prohibited to prepare food on Yom Tov that is intended for after Yom Tov. The rabbis instituted the *eiruv tavshilin* as the only means of doing so. This guide will explore some of the relevant laws relating to *eiruv tavshilin*.

Who Must Establish an *Eiruv Tavshilin*?

- Although the rabbi generally establishes an *eiruv tavshilin* on behalf of the entire community, one may not rely on his *eiruv* instead of establishing one's own. One may only rely on it, *ex post facto*, if one forgot to establish one.¹
- If one is not planning on cooking or baking on Yom Tov in preparation for Shabbat, one should still establish an *eiruv tavshilin* without reciting a *beracha* in order to permit other Shabbat preparations.²
- A family that always eats together is only required to establish one *eiruv*.³ Some opinions require guests who do not live in the home to either establish a separate *eiruv* or have someone specifically acquire the *eiruv* on behalf of the guests.⁴

What to Use for the *Eiruv*

- The *eiruv tavshilin* consists of one cooked item and one baked item. If one is not planning on baking, only a cooked item is required.⁵
- The cooked item can be any item that is eaten together with bread (e.g. meat, fish, or eggs). Rice or pasta cannot be used for *eiruv tavshilin*.⁶
- The minimum size of the cooked item should be a *k'zayit* (the size of an olive)⁷ and the minimum size of the baked item should be a *k'beitzah* (the size of an egg).⁸ Nevertheless, in order to enhance the mitzvah, it is preferable to use a whole loaf or roll for the baked item and a respectable portion for the cooked item.⁹
- It is preferable to bake and cook items specifically for the purpose of *eiruv tavshilin*. Nevertheless, this is not required and one may use any cooked or baked item (that meets the other requirements) even if one did not personally bake or cook it.¹⁰

The Procedure, *Beracha* and Declaration

- If one wants to include others in the *eiruv*,¹¹ one should give the food items to an adult, preferably someone who is not a dependent,¹² and the other person should lift the food items more than a *tefach* (approximately four inches) for the purpose of acquiring the *eiruv* on behalf of the others.

- When the food items are prepared, one should hold both items and recite the following *beracha*:

בָּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל מִצְוַת עֵירוּב

Blessed are you Lord our God, King of the universe, who sanctified us with His commandments and commanded us on the mitzvah of eiruv.

Then,¹³ one should recite in a language one understands¹⁴ (the bracketed section should only be recited if one acquired the *eiruv* on behalf of the entire community):

With this eiruv, it will be permissible for us to bake, cook, insulate, light a candle and perform all of our needs on Yom Tov in preparation for Shabbat [for us and for all Jews who live in this city].

בְּהֵדִין עֵירוּבָא יְהֵא שְׂרָא לְנָא לְאַפּוּי
וּלְבְּשׁוּלִי וּלְאַטְמוּנִי וּלְאַדְלוּקֵי שְׂרָגָא
וּלְמַעֲבֵד כָּל צְרָכָנָא מִיּוֹמָא טַבָּא לְשַׁבְּתָא,
[לְנָא וּלְכָל יִשְׂרָאֵל הָדָרִים בְּעִיר הַזֹּאת.]

Once Yom Tov Begins

- If one forgot to establish an *eiruv tavshilin* before Yom Tov and the rabbi or someone else in the community properly acquired an *eiruv tavshilin* on behalf of the entire community, one may rely on that *eiruv*.¹⁵ If this is not the first time this happened, consult with your local rabbi.¹⁶ When *eiruv tavshilin* is required multiple times over a short period of time (such as this year, when Rosh HaShanah, Sukkot and Shemini Atzeret all require *eiruv tavshilin*), and an *eiruv tavshilin* from a previous holiday is still available and edible, one may rely on it.¹⁷
- Once an *eiruv tavshilin* is established, one may perform *melacha* that is normally permissible on Yom Tov in preparation for Shabbat. One should ensure that these preparation take place early enough so that it is theoretically possible to benefit from the preparations on Yom Tov itself.¹⁸
- One should make sure not to eat the *eiruv tavshilin* until all preparations for Shabbat are completed (including candle lighting). It is preferable to use the bread for *lechem mishneh* at one of the Shabbat meals.¹⁹

¹ The Gemara, *Beitzah* 16b, states that Shmuel used to establish an *eiruv tavshilin* on behalf of the entire city. However, this *eiruv* was only effective for those who weren't able to establish their own *eiruv*. Those who intentionally relied on his *eiruv* were not included. According to Rabbeinu Asher, *Beitzah* 2:2, one can never forgo the obligation of establishing an *eiruv* and rely on the *eiruv* of another individual. This opinion is codified by *Shulchan Aruch, Orach Chaim* 527:7.

² There is a dispute among the Rishonim as to whether an *eiruv tavshilin* is required for kindling a flame. Tosafot, *Beitzah* 22a, s.v. *UMadlikin*, note that if one does not specifically designate the *eiruv tavshilin* to permit the lighting of candles (*I'adlukei shraga*), it is prohibited to light the Shabbat candles. *Beit Yosef, Orach Chaim* 527, notes that Rambam, *Hilchot Yom Tov* 6:8, does not require *eiruv tavshilin* in order to light the Shabbat candles. R. Mordechai Karmy, *Ma'amar Mordechai* 527:18, rules that if one is in a situation where he does not need to prepare any food on Yom Tov for Shabbat, one should establish an *eiruv tavshilin* without a *beracha* and this will allow one to light Shabbat candles according to all opinions.

³ *Shulchan Aruch HaRav, Orach Chaim* 527:18. This ruling is also implicit in *Mishna Berurah* 527:34.

⁴ R. Avraham David of Butchatch, *Eishel Avraham* 527:7, questions the limitations of relying on someone else's *eiruv*. Clearly, one household only establishes one *eiruv*. What is more questionable is a situation where married children stay at their parents for the duration of Yom Tov. Are these children required to establish their own *eiruv* or should they rely on the *eiruv* of their parents? *Eishel Avraham* concludes that if the guests are eating together with the hosts they do not require their own *eiruv*. If a situation arises where the guests are eating separately from the host (or from other guests) then each group requires its own *eiruv*. Based on the various mitigating factors, R. Ovadia Yosef, *Chazon Ovadia, Hilchot Yom Tov, Hilchot Eiruv Tavshilin* no.3, concludes that married children staying at their parents' home are not required to establish their own *eiruv* in order to light candles. *Piskei Teshuvot* 527:17, presents the opinion of some Acharonim who hold that if the children have their own private quarters, they should establish their own *eiruv* without reciting a *beracha*.

⁵ The Mishna, *Beitzah* 15b, records a dispute between *Beit Shammai* and *Beit Hillel* regarding the necessary components for an *eiruv tavshilin*. *Beit Shammai* require that two cooked items be set aside for the *eiruv* and *Beit Hillel* only require one cooked item. Rabbeinu Tam (cited in Tosafot *Beitzah* 17b s.v. *Amar Rava*) suggests that while the opinion of *Beit Hillel* is accepted as normative, an *eiruv* of a cooked item is only sufficient for one who intends to cook on Yom Tov (for Shabbat).

but does not intend to bake. If one intends to bake on Yom Tov, a baked item is required in addition to the cooked item. Rambam, *Hilchot Yom Tov*, Chapter 6, does not mention any requirement to incorporate a baked item into the *eiruv tavshilin*. *Shulchan Aruch, Orach Chaim* 527:2, rules that ideally one should use a cooked item and a baked item for the *eiruv tavshilin*. However, if only a cooked item was used it is permitted to bake. *Mishna Berurah* 527:6, adds that if one does not plan to bake, there is no requirement to use a baked item.

⁶ *Shulchan Aruch, Orach Chaim* 527:4.

⁷ *Shulchan Aruch, Orach Chaim* 527:3.

⁸ Rama, ad loc.

⁹ *Mishna Berurah* 527:8.

¹⁰ The Gemara, *Beitzah* 16a, states that if one used the leftover food from the bottom of the pot for the *eiruv tavshilin*, it is valid. R. Shlomo Luria, *Yam Shel Shlomo, Beitzah* 2:8, notes that it is not proper to use the leftovers at the bottom of the pot because it is a desecration of the mitzvah. *Mishna Berurah* 527:20, notes that R. Luria's primary concern was the quality of the food. However, if one used a respectable portion that wasn't prepared specifically for the purpose of *eiruv tavshilin*, it would not constitute a desecration of the mitzvah. Nevertheless, he notes (in *Bei'ur Halacha* 520:6) the opinion of R. Yoel Sirkes, *Bach, Orach Chaim* no. 527, that one should ideally (*mitzvah min hamuvchar*) prepare the food specifically for the purpose of *eiruv tavshilin*.

¹¹ Rambam, *Hilchot Yom Tov* 6:7, recommends that everyone should arrange an *eiruv tavshilin* on behalf of the entire city.

¹² The laws of who may be used to acquire the *eiruv* are found in *Shulchan Aruch, Orach Chaim* 366:10. While one may use adult dependents, ideally, one should try to find someone who is not supported by the owner of the food items.

¹³ *Shulchan Aruch, Orach Chaim* 527:12.

¹⁴ Rama, ad loc. and *Mishna Berurah* 527:40.

¹⁵ Rama, *Orach Chaim* 527:9 and *Mishna Berurah* 527:32.

¹⁶ *Mishna Berurah* 527:22, notes that if this is not the first time forgetting, one is considered negligent, and one is not covered by the rabbi's *eiruv tavshilin*. However, *Mishna Berurah* 527:26, does note that some Acharonim permit relying on the rabbi routinely and perhaps one can rely on those opinions in a pressing situation. Furthermore, there are numerous other solutions for someone who has not established an *eiruv tavshilin*.

¹⁷ As noted in the introduction, there is a dispute regarding the reason for *eiruv tavshilin*. Rabbeinu Asher, *Beitzah* 2:1, notes that there is an important practical difference between the two reasons. According to the opinion that the purpose of *eiruv tavshilin* is to prepare properly for Shabbat (Rava), the *eiruv* must be established on Erev Yom Tov and may not be established prior to Erev Yom Tov. However, according to the opinion that the purpose of the *eiruv* is to provide a reminder (Rav Ashi), the *eiruv* may be established prior to Erev Yom Tov. Additionally, if on Sukkot, both the first days of Yom Tov and the last days require an *eiruv tavshilin*, one may establish one *eiruv* that will serve as the *eiruv* for the first and last days. *Shulchan Aruch* 527:14, rules that one should not establish an *eiruv tavshilin* prior to Erev Yom Tov *l'chatchilah* (*ab initio*). However, if this was done, it is permitted *b'dieved* (*ex post facto*).

¹⁸ The Gemara, *Pesachim* 46b, cites a dispute between Rabbah and Rav Chisda whether one is culpable for baking on Yom Tov with intent to eat the food item after Yom Tov. Rav Chisda is of the opinion that one is culpable. Rabbah disagrees and maintains that one is not culpable because there is always the possibility that guests may come and the food will in fact be served on Yom Tov. This principle is known as *ho'il* (based on the term *ho'il umikla'ei lei orchim*, translated as "since there is a possibility of guests arriving"). Rabbah attempts to prove the principle of *ho'il* from the concept of *eiruv tavshilin*. If there is a concept of *ho'il*, one can understand why it is permissible to prepare food on Yom Tov that is going to be eaten on Shabbat. The concept of *ho'il* permits all food preparation on a biblical level even if one intends to eat the food item after Yom Tov. The prohibition of preparing food on Yom Tov with intent to eat it after Yom Tov is rabbinic in nature. However, the rabbis permitted food preparation for Shabbat if one establishes an *eiruv tavshilin*. Rav Chisda responds that the reason why *eiruv tavshilin* works is because on a biblical level one may in fact prepare food on Yom Tov for the purpose of eating it on Shabbat.

While Rabbah's opinion does seem to be the lenient opinion, Tosafot ad loc., s.v. *Rabbah*, note that the principle of *ho'il* does not apply if there is no possibility of actually eating the food on Yom Tov. Therefore, any food that is prepared at the very end of Yom Tov is not subject to the leniencies of *ho'il*. R. Avraham Gombiner, *Magen Avraham* 527, suggests that according to Tosafot, it is prohibited to prepare food at the end of Yom Tov for the purpose of eating it on Shabbat even if one establishes an *eiruv tavshilin*. *Magen Avraham* further notes that many communities have the practice of accepting Shabbat early in this instance in order to avoid this problem. *Mishna Berurah* 527:3, adopts *Magen Avraham*'s position.

¹⁹ *Shulchan Aruch, Orach Chaim* 527:16, and *Mishna Berurah* 527:11 and 527:48. See also *Mishna Berurah* 274:4.



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