

SEEING THE FUTURE

I have currently traveled to the United States on personal family matters. I have as of now not engaged in any public appearances and except for my daily, early forays to the synagogue for prayer services, I certainly intended to maintain a low profile while being here. However, a number of unexpected happy events have drawn me out of my intended private protective shell. During my years as a rabbi in Monsey, I founded and headed a yeshiva for young men. Over the twenty years that I was with the yeshiva, I knew and taught hundreds of young men. I was also privileged to train and ordain tens of them as rabbis.

When you knew someone as a thirteen or fourteen year old ninth grader and you now meet the same person who is now married, a father with a successful career, a rabbi of a congregation or a lay leader of a community, it gives one a certain amount of pause. Is this really that same originally uninterested student that I once knew? Look how marvelously he has grown and developed, how respected and influential he has become!

What greater reward can a teacher achieve than seeing the future that he helped create become reality before his eyes?! Seeing potential in a child or in a student is really the greatest gift that a parent or teacher can possess. It is what one of the great rabbis in Avot meant when he said that "seeing the future, what is yet to come" is the greatest character trait that one can possess.

If we only saw the ninth grader not only as he is now but as what he will yet be when his potential becomes reality, how different our attitude and treatment of that child or student would be!

Being here in the USA has provided me the opportunity to see many of my former ninth graders fully grown and well achieved. There are many of these wonderful people that I am proud to say that I always believed would make it big in the general and Jewish world, and my expectations have not been disappointed. There are others whose potential was not apparent to me decades ago when they first entered the yeshiva. I did not appreciate the creativity that lay in their mischievous exploits, nor did I appreciate their different approach to life and friends.

There is a leading Torah educator that currently publicly boasts that he spent much of his high school years in "Rabbi Wein's office." Truthfully, I did not see that potential in him when he passively sat on the detention couch in my small office. He did not fit the preconceived mold of a Torah scholar that I then had.

In a conversation that I later had with that wisest of Jews, Rabbi Yaakov Kaminetzky he set me straight on the matter when he told me that a great Lithuanian rabbi was in his youth expelled from the yeshiva he was attending because he rode a goat into the classroom! He told me to never expel the mischievous one, the bane of all teachers who strive for necessary order in their classroom. Somehow try to see the future and not only the present.

Since none of us are gifted with prophecy but are always bound to present realities, it is truly difficult to see the future, particularly or generally. But oftentimes merely realizing that there is a future and not only a present, is itself a positive trait even if it is a frustrating accomplishment. It enables us to judge people, events and challenging situations from a wiser and more meaningful perspective.

There are many in this world that live only for the present, for instant gratification, without taking the future into account at all. But again, we are taught to live in the future rather than only in the present. The entire concept of reward and punishment is based on a concept that it is the future that counts most in life.

It is interesting to note that in monetary and certain physical matters (exercise, diet, etc.) people realize the primacy of the future over the present. It is in the realm of the spiritual and in the everyday interaction of judging and assessing people, especially young people, where we fall short of seeing the future. This is true of nations as well as of individuals. An eye to the future creates sound policies and wise decisions.

Shabbat shalom

Berel Wein

KI TAVO

Rabbi Wein's Weekly Blog

The warnings to the Jewish people as contained in this week's Torah readings are awesome (how I despise that word as currently used in popular vernacular!) in their ferocity and cruelty. Unfortunately, they are also unerringly truthful and accurate. Everything in its minutest detail did befall us, not only over the long millennia of our existence as a people but as an accurate description of our fate in the last century.

The eternal question that nags at our very being as a people is "why?" or perhaps better still "why us?" Though the Torah implicitly and explicitly puts the onus for all of this on the obstinacy and waywardness of the sinful behavior of the Jewish people, Jews throughout the ages have found it difficult to fit this punishment to the crime.

Even in Second Temple times already, the rabbis were hard pressed to determine the cause of the Temple's destruction and resorted to explaining it in terms of baseless internal feuds and hatreds. As destructive as these traits undoubtedly are, they are difficult to pin down and identify as part of a national policy of a society of millions of individuals. We are therefore left to deal with the issues purely as a matter of faith and acceptance.

God's judgment and policies are correct, exquisitely so, but completely beyond human understanding and rationalization. Though the Torah demands rational thought and analysis in interpreting its laws and value system, in essence it is obvious that it must be dealt with, in its authority and influence over human events, more as a matter of Heavenly understanding than human intelligence.

We have the great example of Rabi Akiva, who saw in the destruction of the Temple and the terrible scenes of cruelty that the Romans wrought against the Jews, the seeds of rebirth and resilience of the Jewish people. It is one of the mysteries of nature that destruction is always part of rejuvenation and renewal. The raging and most destructive forest fire somehow preserves and guarantees the growth of a new, greater and more verdant forest.

There is an interesting interpretation of the well-known verse in Kohelet: "A generation departs and a generation arrives and the earth survives forever." Aside from the usual understanding of the verse in regard to human mortality and the unchanging state of the world and its challenges, the verse can be viewed as teaching us another lesson. Namely, that it is only because of the departure of one generation and the consequent renewal caused by the arrival of another generation that the world is able to survive and remain vital.

Now this begs the question as to why God created nature and the world in such a pattern. But, at least to me, it does signify the eternal path of the Jewish people through history as being in line with nature's pattern of eternity itself. Just as nature with its very destructive forces nevertheless guarantees the eternity of the world, this parsha guarantees the survival of the Jewish people.

Shabbat shalom

Rabbi Berel Wein

Practices of the Tochacha

Rabbi Yirmiyohu Kaganoff

Question #1: Anonymous Callup

Avraham Gabbai asks: "Why is the practice in my shul not to mention the name of the person who receives the aliyah of the tochacha?"

Question #2: Disproportionate Reading

"When I was studying the parshah that we will read this week, I noticed that the first two aliyos of parshas Bechukosai are very tiny, the third aliyah is huge, and the last four aliyos are fairly small. Why is this parshah divided so unevenly?"

Question #3: Missed the Call

"I once visited an unfamiliar shul for the tochacha reading, and it seemed that no one recited the brochos on that part of the reading. Is this an acceptable practice?"

Answer:

In two places, at the end of the book of VaYikra and in parshas Ki Savo in Devorim, the Torah describes, in great detail, the calamities that may befall Klal Yisroel, chas veshalom, should we not observe the Torah properly. This part of the Torah is customarily called the tochacha, literally, the admonition, although the Mishnah (Megillah 31a) calls it the curses. We find halachic discussion in the Gemara, and much debate among later authorities, as to how these passages are read for kerias haTorah. The goal of our article is to understand which practices are based in halacha and which are not, and to provide a greater appreciation of the topic.

Splitting the tochacha

The earliest discussion, found already in the Mishnah and Gemara, revolves around whether we can divide the tochacha into several different aliyos, which would make the size of the different aliyos in parshas Bechukosai more proportionate. In reference to reading the tochacha, the Mishnah writes very succinctly: We do not end an aliyah in the middle of the curses. For this reason, in the years that we read only parshas Bechukosai, we divide the beginning of the parsha into two very small aliyos and then read the entire tochacha for the third aliyah. (In most years, parshas Bechukosai is combined with parshas Behar.)

Why not split?

To elucidate this Mishnah, the Gemara (Megillah 31b) presents two reasons why we do not split the tochacha into two aliyos.

One reason is because a listener might suspect that the person stopped his aliyah in the middle of the tochacha because he did not want to hear the rest of the reprimand, similar to walking out on a speaker in protest to his remarks, or hanging up the telephone when someone persists in discussing a topic that one does not want to hear. This attitude in reference to the admonitions of the Torah violates the statement of a verse in Mishlei (3:11), My son, do not disdain Hashem's reproach.

The Gemara offers an additional reason for not splitting the tochacha into two aliyos: we do not want to recite a brocha specifically on the tochacha. To quote the Mesechta Sofrim (Chapter 12), "Hashem said, 'It is inappropriate that, while my children are being cursed, I am being blessed,'" or, as explained slightly differently by Tosafos (Megillah 31b, s.v. Ein), "It is inappropriate that my sons bless me for the curses that they receive." To circumvent this concern, we begin the reading before the tochacha and end the reading after the tochacha, so that the brochos are recited on the earlier and later verses.

There seems to be a difference in halacha between these two answers. According to the first reason, it is acceptable to begin an aliyah with the tochacha and end it immediately afterwards, since the person who received the aliyah heard the tochacha in its entirety. However, according to the second reason, one should begin the aliyah several verses before the tochacha and end it several verses after.

In his commentary on this Gemara, the Sfas Emes demonstrates that the two reasons quoted do not disagree, but complement one another, since each reason applies in situations when the other does not. When the original takkanah to read the Torah was instituted, each person called to the Torah did not recite brochos before and after his aliyah. The person who received the first aliyah recited a brocha before the reading, and the person who received the last aliyah recited the after-brocha. Thus, since the Mishnah that records the practice of not splitting the tochacha into two aliyos was written in the era when only the first and last person recited brochos, the second reason provided by the Gemara (so that we should not recite a brocha directly on the tochacha) could not be explaining the Mishnah, but is providing an additional reason for the halacha.

We do not stop an aliyah in the middle of the tochacha for both reasons. Therefore, we should not start an aliyah right at the tochacha nor end it immediately after. This is our halachic practice.

Not all tochasas are created equal

In the Gemara Megillah (31b), Abayei comments that the ruling prohibiting splitting the reading into two aliyos applies only to the tochacha in Bechukosai, but not to that in Ki Savo. Why are the two tochasas treated differently?

The Gemara explains that the tochacha of Bechukosai is more stringent, because it is written in the singular and has Hashem speaking, whereas in Ki Savo, Moshe speaks in the third person about what Hashem will do, and he refers to the Jewish people in the plural.

Can we divide and conquer?

The Rambam (Hilchos Tefillah 13:7) and the Shulchan Aruch (Orach Chayim 428:6) already note that the custom developed not to divide either tochacha, although the halacha remains that it is technically permitted to divide the tochacha in Ki Savo.

The two tochasas remain unequal

A difference of halacha results from the fact that it is technically permitted to divide the tochacha in Ki Savo. Suppose that in the middle of reading the tochacha in Ki Savo one were to find a pesul, a defect, in the sefer Torah that prevents proceeding with the reading in that sefer Torah. When a defect like this is found in a place where it is permitted to end an aliyah, the optimal practice is to end the aliyah and have the person whose aliyah it is recite the after brocha "asher nasan lanu Toras emes." We then close the sefer Torah that has been found defective, tie its gartel around the outside of the sefer Torah's cover/mantel (the universal way of signaling that a sefer Torah requires repair), and then take out a new sefer Torah and roll it to this point in the reading. We then call up a different person to begin his aliyah.

Should one discover a defect in the middle of the tochacha in parshas Ki Savo, this is the practice that one should observe, despite the fact that it results in ending and beginning aliyos in the middle of the tochacha.

However, were one to find a defect of this nature in the tochacha of parshas Bechukosai, one would not be permitted to end the aliyah at this point, since the Mishnah prohibited dividing the tochacha into two aliyos. Instead, one would be forced to follow the procedure for finding a mistake in a sefer Torah at a point at which one cannot divide the aliyah – which is to take out a new sefer Torah and continue the aliyah from it.

Lightning reading

At this point, we will begin to discuss some of the customs that have developed concerning the reading of the tochacha. Many communities have the practice of reading the tochacha extremely quickly, which has an old, although questionable, tradition, already recorded in the Gemara:

"Levi bar Buta was reading the tochacha very quickly and with difficulty. Rav Huna told him, since you do not want to read it, stop, even though you are in the middle of the tochacha. The halacha not to stop in the middle applies only for the tochacha of VaYikra and not for the one of Devorim" (Megillah 31b, as explained by Rashi). Since most of us are not old enough to have heard Levi bar Buta's reading, we cannot tell for certain whether our quick readings are similar to his reading, for which he was rebuked.

There are other customs that have developed concerning the tochacha. Some read it in an undertone, although one who does this must be careful to read it loud enough that everyone in the shul can hear it, so it should be read in a voice that we usually call a "stage whisper."

Only the greatest shall read

Some early authorities cite a custom to call up the rav or other gadol baTorah for the aliyah of the tochacha (Magen Avraham 428:8, quoting Keneses HaGedolah). We find sources showing that this custom is very ancient, as implied by the following anecdote recorded by the Sefer Hassidim: Someone in the community regularly received the aliyah of the tochacha. One time, the gabbai got angry at him, and told him, "I am giving you this for your honor," to which the perennial recipient responded: "If your intent is to honor me by calling me up for the tochacha, don't call me up!" They called up someone else instead. Later that Shabbos, something calamitous occurred in the household of the perennial tochacha recipient. The Sefer Hassidim concludes that, although the perennial recipient had a valid reason to refuse the aliyah, he still should not have told this to the gabbai. One who has the opportunity to perform a mitzvah should not turn it down. Notwithstanding the fact that one should not refuse the aliyah of the tochacha, the Sefer Hassidim notes that some early authorities

recommended giving the aliyah of the tochacha to unlettered people for the following reason: should one give the aliyah to a Torah scholar and something grievous happen to him, people might attribute the calamity to the fact that he had read the tochacha. However, despite this concern, the Sefer Hassidim still rules that anyone called to an aliyah should eagerly accept the mitzvah (Sefer Hassidim #766).

No one wants the aliyah

Until now, we have been discussing halachos of reading the tochacha that are based in the Mishnah, Gemara and early authorities. At this point, we will discuss the many customs that developed because people did not want to receive the aliyah in which the tochacha is read.

Obviously, this part of the Torah has the same amount of sanctity as the rest: it is an honor and a mitzvah to be called to read from any part of the Torah. Although there is no halachic basis for the concern, we find that people considered it a bad omen to be called up for the aliyah in which the tochacha was read. Difficulty in finding someone willing to receive this aliyah led to a disgrace to the Torah's honor. To avoid this bezayon haTorah, a number of interesting customs, some of them with halachic basis and sanction and others without, developed.

Skipping the parsha

The Biur Halacha (428:6) records with tremendous disdain the practice of communities who skipped completely the kerias haTorah on the two Shabbosos of Bechukosai and Ki Savo, in order to avoid the problem that no one wanted the aliyah of the tochacha!

The Biur Halacha decries this practice, noting that this approach means not fulfilling the mitzvah of reading the Torah every Shabbos morning and completing the Torah every year. The reason for reading the Torah is to teach us to behave according to its dictates, whereas skipping these parshiyos means losing the opportunity to learn valuable lessons. The Biur Halacha compares the practice of skipping these parshiyos to an individual who decides that he will avoid the dangers of walking through an area full of pits by wearing blinders! Obviously, the exact opposite is true. One, who needs to walk through a minefield, whether physical or spiritual, must keep his wits about him and walk as carefully as possible. Avoiding bizayon haTorah by skipping the tochacha is not acceptable.

Read without an aliyah

In some circles, the custom developed for the baal keriyah to read the aliyah of the tochacha, but without anyone reciting brochos either before or after it. Although several major halachic authorities, including Rav Shlomoh Kluger (Shu"t HaElef Lecha Shlomoh, Orach Chayim #63) and Rav Ovadyah Yosef, sharply rebuked this practice, there are halachic authorities who accepted it.

I found this practice quoted by the Maharsham (Daas Torah) in the name of the Shu"t Har HaCarmel (Orach Chayim #12), who recounts that in a certain place they could not find anyone to take the aliyah of the tochacha, unless the community paid them huge amounts of money. Even then, only the lowest of the people in the community would agree. Since paying someone an exorbitant amount of money for the honor of receiving an aliyah is a bezayon haTorah, the Har HaCarmel permitted the lesser of two evils and allowed them to read the tochacha without anyone reciting brochos. Apparently, this was also the practice in some communities in Morocco.

The Sho'el Umeishiv permitted this practice of "reading the tochacha without an aliyah," but for a different reason. As I will demonstrate shortly, because of people's hesitance to receive the aliyah of the tochacha, it was common to prearrange the hiring of someone to receive the aliyah of the tochacha before Shabbos. Once, it happened that the gabbai had forgotten to "hire" someone before Shabbos for the aliyah, and the community made the financial arrangements on Shabbos, which the Sho'el Umeishiv contended violated the halacha of doing business on Shabbos. In order to avoid this halachic violation, the Sho'el Umeishiv considered it preferable to have the baal keriyah read the aliyah without anyone reciting brochos, rather than running the risk of making negotiations on Shabbos!

The opposition

Despite the fact that there were rabbonim who permitted "reading the tochacha without an aliyah," other poskim took tremendous exception to the practice. Rav Shlomoh Kluger derides the custom as a bizayon haTorah, and a violation of the halacha that requires a brocha prior to reading the Torah. Should the community be unable to hire someone to take the aliyah, or to give it to the shamash or some other community employee, Rav Kluger rules that the attendees of the shul should draw lots for the aliyah (Shu"t HaElef Lecha Shlomoh, Orach Chayim #63). I found, among recent halachic authorities, that Rav Ovadyah Yosef also takes strong umbrage to the practice of "reading the tochacha without an aliyah," whereas Rav Yaakov Breisch discusses it and does not oppose its practice (Shu"t Chelkas Yaakov, Orach Chayim #35).

Miss only the brochos

The Har HaCarmel, who suggested "reading the tochacha without an aliyah," presented another suggestion: the person who received the previous aliyah omits reciting a brocha after his aliyah, and the person who received the aliyah afterwards omits the brocha before his aliyah. Thus, the aliyah is read by the baal keriyah, without calling any specific person for the aliyah, but it is sandwiched between two brochos.

Other practices

The Rama cites the following:

"Our custom is that no one goes up to take an aliyah unless the gabbai calls him, and the gabbai calls up only someone designated by the donor who purchased the rights to distribute the day's aliyos. Even the gabbai does not take an aliyah without permission.... The prevailing practice for both tochachas is to call only someone who wants the aliyah" (Darkei Moshe, Orach Chayim 139:1). The explanation of the Rama is that one should prearrange who will receive this aliyah, to make sure it is not someone who will be offended by its being offered him.

What did the Rama mean?

However, when the Rama quotes this ruling in his glosses on the Shulchan Aruch, he reports that the custom is to refrain from calling a person up to the tochacha by name, but, instead, to give the aliyah to "someone who wants it" (Orach Chayim 428:6). What does the Rama mean?

Some authorities understand the Rama to mean that we do not call up someone by name for this aliyah (Aruch HaShulchan), a practice followed in some places to this day. The concern is that even though the person who received this aliyah is being paid, should he refuse once he was called to the Torah, he will be guilty of a bezayon haTorah (Levush, quoted by Machatzis HaShekel).

A different approach

The Biur Halacha (428:6) suggests that the Rama meant that one should make certain to call up someone who wants the aliyah, and, if no one wants it, entice someone to accept the aliyah by paying him. This method was practiced in certain Chassidic communities. For example, Shu"t Chelkas Yaakov (Orach Chayim #35) records that this was the custom in the area where he grew up.

Conclusion

In most places today, the accepted practice is that the aliyah including the tochacha is given to the baal keriyah or to the gabbai. Performing a mitzvah is the greatest segulah for Divine help, and therefore, this is probably the best way to fulfill kavod haTorah. Indeed, it is possible that it is a bigger mitzvah to receive this aliyah than any other, since it includes the strongest reproach in the Torah, enabling a person to grow in serving Hashem. Those places that have other customs should discuss the matter with their rav, to understand the halachic basis for their practice.

**We Are What We Remember – Rabbi Jonathan Sacks
Ki Tavo - Covenant & Conversation 5776 / 2016 on Spirituality**

One reason religion has survived in the modern world despite four centuries of secularisation is that it answers the three questions every reflective human being will ask at some time in his or her life: Who am I? Why am I here? How then shall I live?

These cannot be answered by the four great institutions of the modern West: science, technology, the market economy and the liberal democratic state. Science tells us how but not why. Technology gives us power but cannot tell us how to use that power. The market gives us choices but does not tell us which choices to make. The liberal democratic state as a matter of principle holds back from endorsing any particular way of life. The result is that contemporary culture sets before us an almost infinite range of possibilities, but does not tell us who we are, why we are here, and how we should live.

Yet these are fundamental questions. Moses' first question to God in their first encounter at the burning bush was "Who am I?" The plain sense of the verse is that it was a rhetorical question: Who am I to undertake the extraordinary task of leading an entire people to freedom? But beneath the plain sense was a genuine question of identity. Moses had been brought up by an Egyptian princess, the daughter of Pharaoh. When he rescued Jethro's daughters from the local Midianite shepherds, they went back and told their father, "An Egyptian man delivered us." Moses looked and spoke like an Egyptian.

He then married Zipporah, one of Jethro's daughters, and spent decades as a Midianite shepherd. The chronology is not entirely clear but since he was a relatively young man when he went to Midian and was eighty years old when he started leading the Israelites, he spent most of his adult life with his Midianite father-in-law, tending his sheep. So when he asked God, "Who am I?" beneath the surface there was a real question. Am I an Egyptian, a Midianite, or a Jew?

By upbringing he was an Egyptian, by experience he was a Midianite. Yet what proved decisive was his ancestry. He was a descendant of Abraham, the child of Amram and Yocheved. When he asked God his second question, "Who are you?" God first told him, "I will be what I will be." But then he gave him a second answer:

Say to the Israelites, 'The Lord, the God of your fathers—the God of Abraham, the God of Isaac and the God of Jacob—has sent me to you.' This is My name forever, the name you shall call Me from generation to generation.

Here too there is a double sense. On the surface God was telling Moses what to tell the Israelites when they asked, "Who sent you to us?" But at a deeper level the Torah is telling us about the nature of identity. The answer to the question, "Who am I?" is not simply a matter of where I was born, where I spent my childhood or my adult life or of which country I am a citizen. Nor is it answered in terms of what I do for a living, or what are my interests and passions. These things are about where I am and what I am but not who I am.

God's answer – I am the God of your fathers – suggests some fundamental propositions. First, identity runs through genealogy. It is a matter of who my parents were, who their parents were and so on. This is not always true. There are adopted children. There are children who make a conscious break from their parents. But for most of us, identity lies in uncovering the story of our ancestors, which, in the case of Jews, given the unparalleled dislocations of Jewish life, is almost always a tale of journeys, courage, suffering or escapes from suffering, and sheer endurance.

Second, the genealogy itself tells a story. Immediately after telling Moses to tell the people he had been sent by the God of Abraham, Isaac and Jacob, God continued:

Go, assemble the elders of Israel and say to them, 'The Lord, the God of your fathers—the God of Abraham, Isaac and Jacob—appeared to me and said: I have watched over you and have seen what has been done to you in Egypt. And I have promised to bring you up

out of your misery in Egypt into the land of the Canaanites, Hittites, Amorites, Perizzites, Hivites and Jebusites—a land flowing with milk and honey.' (Ex. 3:16-17)

It was not simply that God was the God of their ancestors. He was also the God who made certain promises: that He would bring them from slavery to freedom, from exile to the Promised Land. The Israelites were part of a narrative extended over time. They were part of an unfinished story, and God was about to write the next chapter.

What is more, when God told Moses that He was the God of the Israelites' ancestors, he added, "This is My eternal name, this is how I am to be recalled [zikhri] from generation to generation." God was here saying that He is beyond time – "This is my eternal name" – but when it comes to human understanding, He lives within time, "from generation to generation." The way He does this is through the handing on of memory: "This is how I am to be recalled." Identity is not just a matter of who my parents were. It is also a matter of what they remembered and handed on to me. Personal identity is shaped by individual memory. Group identity is formed by collective memory.¹

All of this is by way of prelude to a remarkable law in today's parsha. It tells us that first-fruits were to be taken to "the place God chooses," i.e. Jerusalem. They were to be handed to the priest, and each was to make the following declaration:

"My father was a wandering Aramean, and he went down into Egypt with a few people and lived there and became a great, powerful and populous nation. The Egyptians mistreated us and made us suffer, subjecting us to harsh labour. Then we cried out to the Lord, the God of our ancestors, and the Lord heard our voice and saw our suffering, our harsh labour and our distress. The Lord then brought us out of Egypt with a strong hand and an outstretched arm, with great fearsomeness and with signs and wonders. He brought us to this place and gave us this land flowing with milk and honey. I am now bringing the first-fruits of the soil that you, Lord, have given me." (Deut. 26:5-10)

We know this passage because, at least since Second Temple times it has been a central part of the Haggadah, the story we tell at the Seder table. But note that it was originally to be said on bringing first-fruits, which was not on Pesach. Usually it was done on Shavuot.

What makes this law remarkable is this: We would expect, when celebrating the soil and its produce, to speak of the God of nature. But this text is not about nature. It is about history. It is about a distant ancestor, a "wandering Aramean", It is the story of our ancestors. It is a narrative explaining why I am here, and why the people to whom I belong is what it is and where it is. There was nothing remotely like this in the ancient world, and there is nothing quite like it today. As Yosef Hayim Yerushalmi said in his classic book *Zakhor*,² Jews were the first people to see God in history, the first to see an overarching meaning in history, and the first to make memory a religious duty.

That is why Jewish identity has proven to be the most tenacious the world has ever known: the only identity ever sustained by a minority dispersed throughout the world for two thousand years, one that eventually led Jews back to the land and state of Israel, turning Hebrew, the language of the Bible, into a living speech again after a lapse of many centuries in which it was used only for poetry and prayer. We are what we remember, and the first-fruits declaration was a way of ensuring that Jews would never forget.

In the past few years, a spate of books has appeared in the United States asking whether the American story is still being told, still being taught to children, still framing a story that speaks to all its citizens, reminding successive generations of the battles that had to be fought for there to be a "new birth of freedom", and the virtues needed for liberty to be sustained.³ The sense of crisis in each of these works is palpable, and though the authors come from very different positions in the political spectrum, their thesis is roughly the same: If you forget the story, you will lose your identity. There is such a thing as a

national equivalent of Alzheimer's. Who we are depends on what we remember, and in the case of the contemporary West, a failure of collective memory poses a real and present danger to the future of liberty.

Jews have told the story of who we are for longer and more devotedly than any other people on the face of the earth. That is what makes Jewish identity so rich and resonant. In an age in which computer and smartphone memories have grown so fast, from kilobytes to megabytes to gigabytes, while human memories have become so foreshortened, there is an important Jewish message to humanity as a whole. You can't delegate memory to machines. You have to renew it regularly and teach it to the next generation. Winston Churchill said: "The longer you can look back, the further you can see forward."⁴ Or to put it slightly differently: Those who tell the story of their past have already begun to build their children's future.

Yeshivat Ateret Yerushalayim - Rav Shlomo Aviner Collection of Laws of Rosh Hashanah – Part 1

1. Lighting Candles

We recite the blessing of Shehechyanu on both nights of Rosh Hashanah, even if one does not have a new piece of clothing or a new fruit (which he did not yet eat this season) before him. It is preferable, however, that there be a new piece of clothing or a new fruit (Shulchan Aruch, Orach Chaim 600:2).

Question: Is it permissible to attach the candles in the candlesticks on Rosh Hashanah?

Answer: Attaching the candles to the candlesticks for the second night is forbidden on account of [the prohibition of] "leveling" (Shemirat Shabbat Ke-Hilchata p. 76 #18), and this prohibition is no less important than the actual commandment of lighting the candles. One should therefore prepare two additional candlesticks before Rosh Hashanah or stick them into the candlesticks without attaching them on the holiday.

On the second day of Rosh Hashanah, one may not prepare the candlesticks before the stars come out (definite nightfall), since we may not prepare on the first day of Rosh Hashanah for the second day. But it is permissible to light the candles before sunset, since one benefits from their light on the first day itself.

Addition to the revised edition

Question: I saw in the book "Am Ke-Lavi" (the original name of this volume of She'eilat Shlomo) that it is permissible to light on the first day of Rosh Hashanah before sunset (for the second day) because it is not considered preparation for the next day, since we benefit from the lights on the first day as well. What is the source for this law, since it does not follow the opinion of the Mateh Ephraim (599:9-11)?

Answer: The Be'er Heitev writes: "The Levush (503:4) wrote: We customarily light the candles when it gets dark even before [reciting the prayer] "Barechu." And the Or Zarua wrote that there are women who recite the blessing before they go to Shul (for Maariv of the second day). And it is also written in the Shelah that it is a greater Mitzvah to do this than to light upon returning to their house since they would return to a dark house. And in Shul it is customary to light even when it is still day time since in a Shul it is always a Mitzvah to light candles, even in the day." And this is the ruling in the Shulchan Aruch (Orach Chaim 514:5): "It is forbidden to light an idle light which one does not need, but [a light] of a Shul is not considered idle. It is permissible to light one even on the second day after Minchah and this is not considered preparing for a weekday, since in lighting it there is a Mitzvah for that time." And the Mishnah Berurah (#33) wrote: "There is a Mitzvah...that is to say, even if one does not need the light while it is still day, even so there is a Mitzvah to light it because of the honor of the Shul, and if it is already close to dark it is even permissible in one's house since he needs it at that time."

2. Annulment of Vows

It is customary to release one's vows on Erev Rosh Hashanah or Erev Yom Kippur, but it is also possible to do this during the entire Ten Days of Repentance. One who is unable to do this should be released before three individuals when the opportunity arises (Kitzur Shulchan Aruch 128:10).

3. Eating before the Shofar Blasts

Question: Is our custom of eating before the Shofar blasts in consonance with Jewish Law?

Answer:

1) In general, when it is incumbent upon a Jew to fulfill a Mitzvah he should first fulfill the Mitzvah and then eat afterwards. Nevertheless the basic law is that only an actual meal is forbidden before the fulfillment of a Mitzvah, and a small snack is permissible. But in the generations of the Achronim, they were very strict regarding eating a snack, and they only permitted it for someone who was extremely feeble (See Kitzur Shulchan Aruch 128:9. Sha'arei Teshuvah 584 #3).

2) It is now customary in all places, even amongst the pious, to permit eating a small amount. They support this on the basis of the law that a small snack is permissible. There is therefore no basis to prohibit it. See the comprehensive article of Rabbi Y. Segal in Noam vol. 14, which states that someone who has difficulty with not eating, and whose Davening continues until after midday – is permitted to eat something small.

Summary: It is certainly preferable not to eat, in particular on the first day of Rosh Hashanah, since these Shofar blasts are a Torah Mitzvah, but for one who has difficulty waiting until the end, and whose ability to pray with proper concentration will be disturbed, it is permissible to eat something light. And one should obviously do so with awe and fear, and not for an inappropriate reason (In Shut Bnei Banim #14, Rav Yehudah Herzl Henkin disagrees with the above, but one can counter his argument).

4. **Question:** Is one required to recite another blessing over a Talit after the break between Shacharit and Musaf?

Answer: Yes, since this is a significant interruption and the person's mind will be distracted from the Mitzvah of Talit (Shulchan Aruch, Orach Chaim 8, Mishnah Berurah #37).

Parshat Ki Tavo (Deuteronomy 26:1-29:8) Rabbi Shlomo Riskin

Efrat, Israel – "Cursed be the individual who does not carry aloft the words of this Torah." (Deuteronomy 27:26)

Although I have been blessed with many magnificent students over my five decades of teaching, I shall never forget the piercing words penned by one of my most treasured students, who suddenly and inexplicably turned away from a Torah way of life. For a time he refused to answer any of my heartfelt entreaties for a dialogue – before eventually leaving a poem at my home. In part, it read:

Beloved teacher, both of us are often blind; you do not always see how much you taught me and I do not always see how much I learned from you. You think I took the Tablets of Testimony and threw them insolently at your feet. That's not at all what happened. The commandments merely became too heavy in my hands, and they fell to the ground.

As a Torah educator, I still feel the searing pain of losing students such as this one, in whom I had seen so much potential. It led me to difficult questions of myself: Where had I gone wrong as an educator? To what extent was I responsible for his decision?

These questions bring to mind a verse from this week's Torah portion, Parshat Ki Tavo, which announces blessings for those who observe specific Biblical commands, and curses for those who reject them. The final denunciation, however, "Cursed be the individual who does not hold aloft the words of this Torah" (Deuteronomy 27:26), is difficult to define. To what is this verse referring?

The Talmud Yerushalmi (Sota 7:4) pointedly asks, in rhetorical fashion, “Is there then a Torah that falls down?” Indeed, the answer is, yes, there is, and Rabbi Shimon Ben Halaftha specifies the responsible party for this tragedy: the spiritual leaders of the Jewish community!

While spiritual leaders can be measured to a certain extent by whether those in their care are completely observant of the Torah’s teachings, their true mettle is tested by how they respond when their students fall short. Moses demonstrates how a teacher should react in such a situation. Upon witnessing the Jews serving the Golden Calf, he realizes that he has not succeeded in holding aloft the Torah, given that a mere forty days after temporarily ascending Mount Sinai, his people had departed from its ways so quickly. Thus, he casts the Tablets of the Covenant to the ground, smashing them.

At that moment, God saw the profound responsibility that Moses took upon himself for the broken tablets, and, according to the Yerushalmi (ibid.) placed within Moses’ heart the words of King Josiah: “It is upon me to hold aloft [the words of the Torah]”. Hence the Almighty commands Moses to sculpt two tablets just like the earlier two which had been broken (Ex. 34:1).

Fascinatingly enough, this verse is the very source for the Oral Law, specifically unique to the Second Tablets (Midrash Shemot Rabba, ad loc.), and which consists of the input of the Sages in every generation to ensure that the Torah continues to be held aloft.

The Torah “falls” when the Jewish People do not uphold its laws and values. Once the Oral Law – the application of the Torah in every generation – was placed in the hands of the rabbis and teachers, it becomes these leaders’ obligation to make certain that it is a Torah of love and a nourishing source of life.

Indeed, it is the responsibility of the spiritual leaders of every generation to see to it that the Torah becomes, in the eyes of the Jewish People, neither so light – of such little significance that it can be easily discarded – nor so heavy and onerous that it can hardly be borne. Those who teach God’s Torah must help every Jew feel and understand the loving embrace of Torah, the profound wisdom of Torah, the timeliness and timelessness of Torah.

Shabbat Shalom

Parshas Ki Savo 5776 – Rabbi Yissocher Frand

Parshas Ki Savo contains the “Confession of Tithing” (Vidui Ma’asros): “When you have finished tithing your produce of the third year, the year of the tithe, and you will have given to the Levite, the convert, the orphan, and the widow, and they will have eaten in your cities and will have been satisfied...” [Devarim 26:12]. The Torah specifies a three year “ma’aser cycle” within the seven year “shmita cycle”. The first two years of the “ma’aser cycle”, a person gives both “the first tithe” (which goes to the Levite) and “the second tithe” (which is separated and consumed by the owner in Jerusalem). In the third year of the three year cycle the “second tithe” is replaced by what is called “the tithe for the poor” (ma’aser ani).

At the end of the three year cycle, a person must recite the “Confession of Tithing” in which he makes a short speech attesting to the fact that he has fulfilled all the mitzvos associated with tithing: “then you shall say before Hashem, your G-d, ‘I have eliminated the holy things from the house, and I have also given it to the Levite, to the convert, to the orphan, and to the widow, according to the entire commandment that You commanded me; I have not transgressed any of Your commandments, and I have not forgotten.’” [Devarim 26:13]

The “confession” continues: “I have not eaten of it in my intense mourning; I have not consumed it in a state of impurity, and I have not given of it to a dead person; I have listened to the voice of Hashem, my G-d; I have acted according to everything You have commanded me.” [Devarim 26:14]

After testifying, as it were, that he has abided by all the Divine regulations regarding distribution of the tithes and maintained their

sanctity, the Jewish farmer concludes: “Gaze down from Your holy abode, from the heavens and bless Your people Israel, and the ground that You gave us, as You swore to our forefathers, a land flowing with milk and honey.” [Devarim 26:15]

Rashi makes a startling observation in interpreting this last statement of the “Vidui Ma’aser”: “We have done what You decreed upon us; You do what is incumbent upon You to do, for You have said, ‘If you will go in (the way of) My commandments... then I will provide your rains in their time’ [Vayikra 26:3-4]”. This is a rather bold statement: “I did my part, G-d, now You do Yours!”

There is almost no other mitzvah (with perhaps one exception which we will discuss) where a person makes such a proclamation. We do not get up at the Seder and say, “Master of the Universe, we ate matzah, we ate marror, we drank 4 cups of wine, we reclined. I did my part, now You do Yours!” We do not find this by matzah, by shofar, by Tefillin. What kind of business is this to say, “I did what I was supposed to do, not it’s Your turn, G-d?”

We only find this idea here...and in one other place. The average Jewish person might not be able to guess where this is. However, Kohanim should be familiar with this kind of expression. At the end of Birchas Kohanim (the Priestly Benediction) the Kohanim recite the following prayer [based on Sotah 39a]: “Master of the Universe, we have done what You have decreed upon us, now may You also do as You have promised us”. In fact they conclude this prayer by citing the very pasuk recited at the conclusion of the “Vidui Ma’aser” recitation: “Look down from Your sacred dwelling, from the heavens, and bless Your people, Israel, and the earth which You have given us – just as You have sworn to our fathers – a land that flows with milk and honey.”

These are the only two times throughout the entire scope of Jewish practice that we come across such a phenomenon. This is peculiar. What does it mean?

The Chasam Sofer in Drashos haChasam Sofer asks another question regarding this particular expression of prayer. The Talmud asks [Sanhedrin 93b] why a book of Tanach [the Bible] was not named for Nechemia. (In Tanach the “Book of Nechemia” is incorporated into the “Book of Ezra” and is called by that name – as spelled out in Bava Basra 14b). The Talmud answers that this was “punishment” for Nechemia’s proclaiming: “Remember in my favor, O my G-d, all that I did for this people” [Nechemia 5:19]. Variations of this idea appear 4 times in the “Book of Nechemia” [Including 3 additional times in the last chapter of the sefer: 13:14; 13:22; and 13:31].

This proclamation: “Remember what I did, I did so much” – as if to say “I have it coming to me; I deserve reward” — says the Gemara in Sanhedrin — caused Nechemia, as great as he indeed was, to not have a sefer of the Tanach named for him.

The Chasam Sofer asks – what difference is there between what Nechemia said and what is said at the end of Vidui Ma’aser and by the Kohanim following the priestly blessing? Nechemia, if anything, was more circumspect in his statement. All Nechemia asks is that he be remembered for the good. The statement in Vidui Ma’aser is presented almost as a quid pro quo demand! Yet, because of that, Nechemia lost his immortality to a certain extent. What is the difference?

I heard a beautiful answer to the Chasam Sofer’s question from the Tolner Rebbe, shlit”a, which in turn helps us understand the entire concept of “we have done what You decreed upon us...”

The last pasuk of Vidui Ma’aser, prior to the request “Gaze down from Your holy abode...” says: “...I have listened to the voice of Hashem, my G-d; I have acted according to everything You have commanded me.” On the words “I have acted according to everything you have commanded me.” Rashi comments, “I have rejoiced; and have brought joy to others with it.” Essential to this declaration is the testimony that in carrying out the mitzvos of the Almighty, “I made happy the lives of the convert, the orphan, and the widow” – the downtrodden of Klal Yisrael, the “forgotten people”, the people who sometimes do not have a mouth to speak for themselves. “I took care of them.”

It was not merely “a meal for his stomach” [see Rambam Hilchos Yom Tov 6:18], such that he ate well. No. “I rejoiced and I brought joy to others with it.” The farmer is testifying to G-d: “I took care of Your people”.

Rashi explains this concept at the end of Parshas Re'eh on the pasuk: "You shall rejoice before Hashem, your G-d – you, your son, your daughter, your slave, your maidservant, the Levite who is in your cities, the convert, the orphan, and the widow who are among you – in the place where Hashem your G-d will choose to rest His Name there." [Devarim 16:11]:

"The Levite, the convert, the orphan, and the widow are My four people, who correspond to your four people – your son, your daughter, your slave, and your maidservant – If you will make Mine happy, I will make yours happy." Rashi explains that the Almighty has made a pledge: You take care of mine, and I will take care of yours. You are worried about "your four people" and I am worried about "four people". You take care of mine and I will take care of yours.

This is why the Tithing Confession is different. When the Jewish farmer can get up and proclaim, "I rejoiced and I brought joy to others" (samachti v'simachti), then he has a guarantee from the Master of the Universe that he will be rewarded with blessing. The farmer is not boldly and disrespectfully challenging the Almighty, he is merely "reminding Him" of the promise He has made.

Matzah, Tefillin, and all other mitzvos do not include any such prior commitment. However, regarding worrying about the unfortunates in the community – the people who because of the vagaries of life have been dealt a raw hand – Hashem says: "You make those people happy and your reward is 'on Me'!" This is a Divine guarantee.

The Tolner Rebbe says that this can explain Birchas Kohanim as well. The Beis Yosef paskens [Tur Chapter 128 Hilchos Birchas Kohanim] that an unmarried Kohen cannot duchen [participate in the Priestly Blessings]. We do not accept this view as normative practice. However, this ruling follows the opinion of the Mordechai and the Shibalei haLeKet, who base it on the idea that "one who is without a wife is without joy in his life" (ha'sharui b'lo isha sharui b'lo simcha). In order to invoke the Priestly Blessing, a person must experience internal happiness. The blessing the Kohanim are invoking is that the Almighty should give the Jewish people blessing "ad bli dye" (without limit – unbounded blessing). A person who is not married, the Talmud states, is living without simcha [Yevamos 62b]. Such a person cannot convey the intensity of blessing that Birchas Kohanim is meant to invoke.

The Kohen, when he gets up on the platform to recite the Priestly Blessing, must put himself in the mindset that he is in a joyful state of mind. Rav Matsiyahu Solomon once pointed out that the prayer recited by the Kohanim after having recited the Birchas Kohanim contains a strange expression: "We have done that which you decreed upon us". What kind of "decree" are we talking about? It does not seem to be so harsh – they get to stand up in front of the congregation, they get to sing, they offer beautiful blessings. What is this talk about a "decree"?

The answer is that yes, it is a decree. "You the Kohen may be in the doldrums. You the Kohen may have just lost a fortune. Yet you need to get up in a state of joy and say 'May G-d bless you with wealth, with completeness (shleimus), and with Divine Protection!' You have to bring joy to the hearts of the people."

Therefore, says the Tolner Rebbe, in Birchas Kohanim also we find the concept that they need to rejoice (v'Samachta) and they need to cause other to rejoice (v'simachti es acheirim). Consequently, here too, they can invoke this same Divine guarantee as we can by the Tithing Confession: You take care of Mine and I will take care of yours!

Rav Yochanan Zweig TAIL WAGGING THE DOG?

And Hashem shall make you the head and not the tail; and you shall be above only, and you shall not be beneath... (28:13)

This week's parsha discusses the reward for following the Torah or God forbid the punishment for straying. One of the rewards, for following the Torah, is the promise that Hashem will make us into "the head and not the tail" - leaders and not followers. Ramban (ad loc) is bothered by the seemingly unnecessary words "and not the tail." The Torah promises that we would become heads; so it would

seem obvious that we would not be the tail. Why then is it necessary to explicitly exclude being the tail?

Ramban answers that often a head is also a tail. How so? A nation can be ranked very highly, making them a "head" over those nations. But if there are nations that are ranked above them than that nation is both a head and a tail: They are a head to the nations below and a tail to the nations above. Ramban explains that this possuk promising us that if Bnei Yisroel follows the Torah we will be ranked at the absolute top, only a head and not a tail to any other nation in the world.

Perhaps we can utilize Ramban's insight in a slightly different application. In the case of leadership, very often people are both the head and the tail. How? There are different types of leaders; a proper leader is one who has a vision for his agenda and implements it. In other words, he sees the proper path, even if it is unpopular, and courageously directs his followers down that path. That is a true leader - the head of his constituency.

Unfortunately, most of the leaders of our generation are of the other type - both a head and a tail. This is because they don't have a vision of what should be done, they merely observe the prevailing sentiment of popular opinion and draw their agenda based on the constituency's clamoring. Obviously, when a leader does that "his" agenda always ends up following the lowest common denominator: "On what can we all agree?"

In this situation, a head is really a tail because his leadership isn't driven by him; it is driven by those who are supposed to be following his lead - the tail. This is a particularly dangerous situation as the nation's agenda and morality will always be driven by the lowest common denominator. Truth and moral values have no place in such a society. Unfortunately, this is our current global situation. Political correctness is obscuring the reality of many situations because no one will stand up and state the truth. Whether it is a religion gone rogue or an ethnicity that lays the blame of its ills at the feet of others without taking real responsibility, virtually no leader will take a stand deemed to be unpopular.

This parsha is telling us that if we follow the Torah we will be true leaders: We will have a real moral compass and a healthy vision for ourselves and the world. But this can only be accomplished if we have an agenda driven by the Torah, and not by the tail of society. When we achieve that we will become the head and not the tail.

DON'T WORRY, BE HAPPY

All these curses will come upon you and overtake you [...] because you did not serve Hashem, your God, with joy and a good heart, even though you had an abundance of everything (28:45-47).

This week's parsha contains explicit detail of both the reward for following Hashem's word and the calamitous repercussions for going against it. The Torah commits over fifty verses to detail the depths to which we will fall and the nearly unimaginable suffering we will endure as a result of this (e.g. financial and societal ruin, horrible diseases, starvation to the point of cannibalism of one's own children - need we go into further detail?).

The Torah then makes a remarkable statement - why did all these bad things befall the Jewish people? "Because you did not serve Hashem, your God, with simcha - joy" (28:45). This is actually quite astounding. Where in the Torah are we commanded to serve Hashem with joy? What exactly is this failure - not serving with joy - that it would lead to such horrible consequences?

It is well known that Hashem created the world in order to bestow good upon mankind. But in order for man to be able to accept this good and appreciate it, Hashem enacted a system of earning it, instead of just gifting the good. Why? Because receiving good without earning it is like receiving charity; the resulting effect of the good is severely diminished.

In other words, no one likes the feeling of owing. Shlomo Hamelech says it very clearly: "A borrower is a servant to the lender" (Mishlei 22:7). The feeling of being in debt to someone is painful to the point of almost feeling that your very identity is lost. A common reaction to receiving a kindness from someone is analyzing what the benefactor

has to gain by his action. This is done in order to lessen the feeling of obligation to them.

This is also why when asked how they're doing most people will respond "okay" or "could be worse." You will very seldom hear someone answer "GREAT!" or "Never better!" People respond as such because it is instinctively understood that if everything is great then we must owe someone a deep debt of gratitude and appreciation. Nobody likes the feeling of owing; therefore people will focus on what's negative instead of the overabundance of good in their lives. If one's life is miserable or subpar then he doesn't owe anyone to anything.

The real sin of Adam Harishon was denying the good that Hashem gave him - he blamed his sin of eating from the Tree of Knowledge on the woman that Hashem gave him (Talmud Bavli - Avodah Zara 5b and Rashi ad loc). In essence, he denied the good that Hashem bestowed him, thereby undermining the whole purpose of creation.

This is why not serving Hashem from simcha is such a critical failing. In fact, the verse says this explicitly: "you had an abundance of everything" - yet you weren't happy. This describes a lack of appreciation for everything Hashem created; that the very foundation of the world - the bestowal of good - was being rejected in order to avoid a feeling of obligation to Hashem.

In comparison, it is similar to a person not appreciating his good health until he no longer has it. Therefore, the only way for Hashem to correct this issue is by going to the opposite extreme; by causing such pain that we realize we our lack of appreciation for when we don't have pain, Hashem shows us how to internalize His amazing kindness. Thus, we learn that we may prevent suffering by appreciating, in the first place, all the amazing things that we have already.

Torah Weekly :: Parshat Ki Tavo

For the week ending 24 September 2016 / 21 Elul 5776

by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Insights

The Man Who Has It All

"...you shall only be above and not below..." (28:13)

Someone who lives his life pampered by a brace of Bentley Continentals, a super-yacht, and an executive jet with its own Jacuzzi, is not going to be overly excited when he takes delivery of his third Bentley.

But give him a paradise island in the South Pacific with golden beaches, thousands of gently swaying palms, and year-round gorgeous climate, and he'll sense he really went up in the world.

On the other hand, someone who usually takes the bus to work will feel he really made it when takes delivery of his new Honda Accord.

It all depends on your expectations.

"...you shall only be above and not below"

The enormous spiritual and physical bounty that the Torah promises the Jewish People if we faithfully observe all its precepts will not be a merely incremental improvement, but it will be great enough to satisfy even the man who has it all.

*Sources: based on the Bikurei Aviv in Mayana shel Torah
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OU Torah

Ki Tavo: To Each His Language

Rabbi Dr. Tzvi Hersh Weinreb

There was a time when the literary treasures of the Jewish people were accessible only to those with a reading knowledge of Hebrew. This is no longer the case. I know of no major Jewish religious work which has not been translated into English in recent years and, in most instances, into many other languages as well. The past several decades

have witnessed the publication of multiple editions of the Bible and the Talmud, commentaries ancient and modern, liturgical works, historical tomes, biographies, and even cookbooks with recipes of our ancestors.

I must confess that when this phenomenon of translation began, I was not all that happy. I am a bit of a purist and have long clung to the belief that sacred Hebrew books should be read in the original. I was willing to make exceptions for those religious classics which were originally written in languages other than Hebrew, such as those works of Maimonides, Saadia Gaon, and Bahya ibn Paquda, which were originally written in Arabic and translated into Hebrew and eventually English as well. But for me, the Bible and classical commentaries were to be read only in the language in which they were written.

I was guided in my opposition to translation by the classic Italian motto, "traduttore traditore", "the translator is a traitor." No translation is exactly accurate, and ideas expressed in one language inevitably lose some of their meaning when rendered into another language. Every translation compromises beauty and forfeits subtlety and nuance.

Ironically, in recent years, I myself have become a translator. My first professional effort was with the elegies that are recited on the solemn day of Tisha b'Av, when Jews recall the seemingly endless chain of catastrophes that have marked Jewish history. Translating these poignantly tragic poems was a difficult challenge. But I undertook the task in the belief that an English translation was better than no translation, and that I was doing a public service by bringing these poems to the public, albeit in a far from perfect form.

Since then, and to this day, I have been involved in the process of translating classical Jewish works, and have come to terms with the fact that translations, although far from perfect, bring Torah study to multitudes of individuals who would otherwise be deprived from so much of our tradition.

These reflections bring us to this week's Torah portion, Parshat Ki Tavo (Deuteronomy 26:1-29:8). The relevant verses read, "As soon as you have crossed the Jordan into the land that the Lord your God is giving you, you shall set up large stones. Coat them with plaster and inscribe upon them all the words of this Teaching... On those stones you shall inscribe every word of this Teaching most distinctly" (Deuteronomy 27:2-3, and 8).

What does this phrase, ba'er heitev, translated as "most distinctly," mean? The Babylonian Talmud Tractate Sotah 32b suggests that the inscription of the "Teaching," that is, the Torah, should be done in seventy languages, in every language known to mankind. How fascinating! Moses himself, speaking on behalf of the Almighty, instructs the people to engage in that "traitorous" task of translation. He seems unconcerned with the difficulties of rendering the word of God from sacred Hebrew into the languages of all mankind.

Why? Why was it necessary to translate the Torah into languages which were incomprehensible to the people of Israel? Our Sages offer two very different answers to this question.

The Jerusalem Talmud takes a universalistic approach and suggests that these translations were to bring the teachings of the Torah to the entire world.

The Zohar, the basic text of the Kabbalah, notes that the members of the Jewish High Court, the Sanhedrin, knew all seventy languages. But the Zohar does not take this literally. Instead, the Zohar understands the seventy languages to be a metaphor for the seventy facets of Torah, the seventy different avenues of interpretation with which the sacred text is endowed. The members of the Sanhedrin were thus not linguists, according to the Zohar, but experts in probing the depths of the Torah's meaning. Perhaps, the seventy languages inscribed on the stones in the River Jordan were also not the

languages for the peoples of the world, but were seventy codes enabling so many different approaches to the Torah's interpretation.

Permit me to offer a somewhat different approach. I prefer to understand the word "language" more broadly. The word need not be restricted to its literal meaning, referring to French, Spanish, Swahili, and Portuguese. Rather, "language" can refer to a cognitive modality, or to a learning style. Thus, some of us prefer the language of humor, while others prefer the language of logic and reason. We speak of angry language, soothing language, and the language of love. Music is a language, play is a language, and there is even the language of war.

Every teacher worth his salt knows that he must use different "languages" for different students. This does not mean that he speaks to some students in English and to others in Yiddish. No. This means that some students will respond to clear and logical explanations. Others will require anecdotes and stories. Still others will require humor, or perhaps visual illustrations of the subject matter being taught. This is the lesson which every successful teacher learns sooner or later: no two individuals learn in the same way. Woe to the teacher who delivers his or her prepared lecture once, and expects all thirty pupils to learn the material. The successful teacher discerns the learning styles of each pupil and develops strategies and modalities that facilitate the learning of every member of the class.

Perhaps this is what the Talmud in Tractate Sotah is really teaching. Inscribed on those stones in the River Jordan were seventy different teaching strategies, seventy pedagogical tools, which would enable every recipient of the Torah to learn its messages in his or her own idiosyncratic way. Some would learn best by reciting the words by rote until they were memorized. Others would learn by breaking the text down into small phrases and reflecting on them, and still others would learn by using visual imagery to "see" the meaning of the text.

Indeed, the phrase "seventy facets of Torah" could be the Zohar's way of referring to seventy different learning styles, encouraging teachers to identify a "stone in the River Jordan" to match every pupil, even those who on the surface appear unteachable.

If I am at all correct in this interpretation of "the seventy languages" I am asserting that our Sages were very aware of a basic lesson in education. That lesson is that there is a need for individualized curricula so that diverse populations can all learn well.

This lesson is reflected throughout Talmudic literature. Here is one example:

"Observe the excellent advice given to us by the Tanna Rabbi Yehoshua ben Perachya: 'Make for yourself a teacher, and acquire for yourself a friend...' If you do this you will find that your teacher will teach you mikrah, mishnah, midrash, halachot, ve'aggadot. Whatever is not conveyed in mikrah (Scripture) will be conveyed in mishnah; whatever is not conveyed in midrash will be conveyed in the halachot; whatever is not conveyed in the halachot will become clear in the study of the aggadot. Thus, the student will sit in place and fill himself with all that is good and blessed." (Avot DeRabbi Nathan, 8:1)

In this passage our Sages are advocating a richly variegated curriculum. They know that not every student will be fully informed by the study of one subject. The student who fails to gain from the study of mikrah, will gain instead from a very different type of text, mishnah, the early rabbinic codification of the Oral Law. And similarly for midrash, rabbinic lore; halachot, rules and regulations, and aggadot, legends and stories.

There are many erudite quotations that I could cite to summarize the point of my brief essay. But I prefer to conclude with a remark I hear from my teenage grandchildren: Different strokes for different folks. Arguably, this is an apt motto for getting along with people in all situations. But it is especially apt for teachers. And as I have repeatedly stated in this column, we are all teachers!

OU Torah
Dirty Little Secrets
Rabbi Ari Kahn

What causes a society to unravel? What offenses bring about a polity's destruction? What types of behavior cause a society to forfeit its right to exist? In a sense, this has been the major theme of the book of Devarim: Moshe's parting words to the nation abound with warnings against the sins that will result in exile from the land they are about to inherit. Indeed, Moshe's exhortations and admonitions comprise such a large part of the text that it is difficult to "rank" them in terms of their destructiveness.

Nonetheless, Moshe gives the nation instructions regarding a unique ritual that they must perform upon entering the Land of Israel: In a demonstrative public setting, all the tribes are to be organized into two camps, standing on two facing hills. There, the entire nation will pledge allegiance to God, declaring their general and individual commitment to the laws and mores of the Torah. This foundational event seems perfectly logical; as they enter the next phase in their life as a nation in their homeland, a re-statement and ratification of their "constitution" seems appropriate. However, this ritual does not end with a general statement of purpose: Eleven laws are singled out, proclaimed, and specifically accepted or affirmed.

Perhaps predictably, the first of these eleven laws is the prohibition of idolatry. Despite the fact that this prohibition has been taught so many times, the precise formulation in this instance is somewhat surprising:

"Cursed is the person who makes a sculptured or cast idol – which is repulsive to the Almighty, your God even if it is a piece of fine sculpture – and places it in a hidden place." All the people shall respond and say, 'Amen'. (Devarim 27:15)

The setting is dramatic, and the use of a "curse" certainly adds flair. And yet, the content of this curse seems strangely self-limiting: The prohibition against idol worship has never before been limited to graven images "in a hidden place."

The second "curse" prohibits disrespecting one's parents; the progression seems to be taking on a recognizable pattern, reminiscent of the Ten Commandments. However, the next three curses are concerned with laws not found in the Ten Commandments: Moving a boundary marker, misleading the blind, and perverting justice for the disenfranchised. While we might try to "squeeze" these laws into the Ten Commandments framework, it is not an easy fit.

The following four curses all involve sexual sins, followed, once again, by a law that refers to something secretive or hidden.

"Cursed is he who strikes down his neighbor in secret." All the people shall say, 'Amen.' (Devarim 27:24)

The penultimate curse is for the person who takes a bribe, followed by a more general statement:

"Cursed is he who does not uphold and keep this entire Torah." All the people shall say, 'Amen.' (Devarim 27:26)

While we are not at all surprised to find idolatry and sexual sins singled out (though not necessarily the particular sexual sins mentioned here), we ought to be quite surprised by the emphasis this list places on things that are hidden. Generally, when we imagine the types of transgressions that bring about the collapse of societies, our thoughts naturally gravitate to things that go awry in the public sphere. Public desecration of holy places, corruption of public institutions, even depravity in the public eye seem far more dangerous to a society than things that happen in the privacy of an individual's home. And yet, the transgressions they must proclaim at this great founding assembly are precisely the opposite. This unexpected

emphasis is intended to teach a subtle lesson: When it comes to public deviation from the law, the Torah-mandated judicial system is capable of dealing with the problem, whereas the surreptitious sinner poses a greater threat to the stability of the society.

Secret sins, the sins committed behind closed doors, cause moral corrosion from within. These sins do not reach the public eye or ear, yet it is precisely these sins that harm the body public, one individual at a time. The dissonance between the public façade and a private life that is in shambles erodes the individual's dedication and identification with the collective, and society cannot long endure if it is supported by such feet of clay.

Before we launch the great enterprise of living as a holy nation in a holy land, a public declaration must be made, a public commitment – to the decency and holiness of each individual's personal life. Temptations would abound in the new land, and the preceding chapters in the book of Devarim set out the apparatus for creating a holy collective: Courts and judges, a police force, and sanctions. Yet on the individual level, in the privacy of one's own home or mind, rationalization and justification of sin are a far greater danger. Therefore, at the very outset, each and every member of the nation must participate in a ritual that reinforces his or her understanding of the consequences of sin on the most personal level: Rather than a list of the legal sanctions that would ensue, Parashat Ki Tavo frames the consequences in terms of curses. The repercussions of private sin are framed in the most private terms. The double life of the secret sinner is a cursed life; it undermines the individual's connection to society, and eventually undermines the foundations of society as a whole.

The antidote to this ripple effect of dissonance and dis-cohesion is mutual responsibility. The symbiosis between the individual and society must be at the very forefront of our consciousness as we build our brave new society. Therefore, the people are to stand on two hills, facing one another in an arrangement that is made up of individuals, families, tribes, and an entire people – because their commitment must be to each of these levels. The responsibility of each to all and of the collective to each individual within it is profound: We are all on the same boat. If I bore a small hole in my private quarters, the boat takes on water, and everyone on it is imperiled.

*For a more in-depth analysis see: <http://arikahn.blogspot.co.il/2016/09/essays-and-lectures-parashat-ki-tavo.html>
New Book! A Taste of Eden: (More) Torah for the Shabbat Table*

The Times of Israel

The Blogs :: Ben-Tzion Spitz

Ki Tavo: The Labor of Prayer

Thursday, September 22, 2016 Elul 19, 5776

Whatever is your best time in the day, give that to communion with God. -Hudson Taylor

There is a biblical command to give our first fruits to God. We till the earth. We plant seeds. We water. We clear the weeds. We watch them grow. We protect them. We pray for rain and the right weather. We invest all our time and effort to see the grain and fruit grow. And then, after significant investment, the first fruits grow and blossom. They are ripe. They are ready to be sold and eaten.

But then God says: "Hold on – not so fast. You need to give that very first fruit to Me. Bring the fruit to My Temple in Jerusalem and give it to the priests, my representatives on Earth."

This commandment, amongst so many others, reminds us that everything is from God and thanks to God. When we pay Him homage (literally), we confirm and reaffirm that fundamental truth.

The Sfat Emet in 5631 (1871) states that our first hour of the day is like our first fruits. We must dedicate that time and give that time to God in prayer. We acknowledge that all our efforts, all our resources

would amount to nothing without God's active support. By consecrating our first hour of the day to the spiritual work of prayer, we ensure a greater likelihood that God will remain with us the rest of the day.

May we have and retain the capacity to pray earnestly and witness the resulting blessings.

Shabbat Shalom

Dedication - To the Emergency Response Team of the Jewish Community of Uruguay. It's great doing drills together and I pray we never have to use what we practice.

Rav Kook Torah

Ki Tavo: Accept and Then Analyze

How should we learn Torah - with an open heart, or with a critical eye?

Moses told the people, "Pay attention ('haskeit') and listen, Israel." (Deut. 27:9) Why does Torah use this unusual word, 'haskeit'?

One explanation proposed by the Talmud is that 'haskeit' is a composite word, formed from the words 'hass' ('be quiet,' 'hush') and 'kateit' ('to shatter'). When studying Torah, we should first be quiet and accepting, even if we fail to fully understand the reasoning. Only afterwards should we try to analyze and dissect what we have learned, raising whatever questions we have.

This follows the advice of Rava, the fourth-century Talmudic scholar, who counseled:

"One should first study Torah and only afterwards scrutinize" (Shabbat 63b).

Why is it wrong to question and criticize from the outset?

Acquiring a Complete Picture

If we attempt to analyze a topic immediately after having learned it, the results of our inquiry will be of poor quality, reflecting superficial and incomplete knowledge. We must first gain an overall understanding of the subject at hand and all relevant topics.

For this reason, the Sages advised that we train ourselves to listen carefully and acquire much knowledge before introducing our own opinions and views. If we have difficulty understanding certain matters, we should not be quick to criticize. Initially, we need the quiet patience of 'hass' to uncritically absorb the subject matter and the methodology of study.

After we have gained a complete picture of the subject, then we may participate in the intellectual battles of milchamta shel Torah, "the battle of Torah." Then we may 'kateit' - attack and critique that which we feel is illogical or unreasonable. But we should not be hasty to criticize before acquiring expertise in the subject. Tragic errors often result from rash students who were too quick to challenge and tear down.

Thus Rava taught, "First study, and afterwards scrutinize." We should first gain broad expertise before attempting to delve into in-depth investigations and suggest new interpretations. When Torah is initially approached with an open heart, the ensuing analysis with a critical eye will bring a blessing to all.

(Sapphire from the Land of Israel. Adapted from Ein Eyah vol. II, p. 390) ravkooktorah.org

Talmud Tips :: Bava Kama 114 – 119

by Rabbi Moshe Newman

For the week ending 24 September 2016 / 21 Elul 5776

"One should conclude Torah study with a 'good word'."

The concluding sugya in our masechet of Bava Kama teaches a way to determine when taking another's property is considered theft and when it is not. The underlying principle is that when the owner is "makpid" about his property (meaning that he is not agreeable to another person taking his property), then it is considered theft if another person in fact takes it.

An example cited in a beraita at the conclusion of our Tractate is the case of unripe grains that were fit for animals to eat. Rabbi Yehuda states that it is not theft if another person takes some of it unless the owner is makpid and not agreeable to any taking. Ravina adds that the city of Masa Machsia was a place where the owners were not agreeable to taking their animal grain without permission. Rashi explains that the reason they were makpid regarding others taking their animal grain was because Masa Machsia was a place of many animals, and much of this grain was needed by the animal owners, since their animals required a "good pasture".

The Maharsha points out that it would have been sufficient for Rashi to have written the word "pasture" without the word "good". He suggests that Rashi adds the word "good" (tov) as the final word of his commentary on Bava Kama in order to end on a "good note", after learning a Tractate that is virtually entirely dedicated to the negative topic of damages. Therefore, instead of ending his commentary with the word "pasture" (mireh), which in Hebrew ends with the word "bad" (ra'ah) at the end, Rashi ends with the word "good", which is correct in the context of the case in the gemara, as well as "concluding Torah study with a 'good word'". In this case the "good word" is literally the word "good", whereas in other cases it may be an optimistic or consoling message. Other Tractates actually conclude

with a positive message, but since Bava Kama is, in a sense, part of the trilogy of Bava Kama, Bava Metzia, and Bava Batra, the Maharsha suggests that the gemara in Bava Kama does not conclude on a clear "good note" like other Tractates.

Although the gemara does not openly conclude on a good note or a good message, the Maharsha suggests that gemara actually concludes in a way that hints to a positive ending. He notes that the final four letters of the Tractate are yod, heh, vav and alef, which hint to three different names of our merciful G-d who is with us in exile. In addition, these four letters are considered "partner letters" for the Hebrew letters that spell "Hatov — the Good". (As a footnote, the basic source for the principle of concluding with a good word seems to be the halacha to make sure to begin and end a section of a public Torah reading on a positive note as taught in Shulchan Aruch Orach Chaim 138. Commentaries extend this idea beyond the public Torah reading to include all Torah study, and I have even heard of a great Rabbi who would occasionally add some words that were not seemingly connected to Torah at the end of a lecture in order to fulfill this principle of concluding Torah study with a "good word".)

Bava Kama 119b

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לרפואת

אביבה ברכה בת דבורה נחמה

לעילוי נשמת שרה משא □ בת ר' יעקב אליעזר ע"ה

In dedication of Mr. Emilio Goldstein ע"ה