

# THE BENJAMIN AND ROSE BERGER TORAH **TO-GO**®

MAY 2026 • SHAVUOS 5786

ESTABLISHED BY RABBI HYMAN Z"L & ANN ARBESFELD



# I We

Navigating the Tension between  
**Self** *and* **Klal**



ישיבת רבנו יצחק אלחנן

Rabbi Isaac Elchanan Theological Seminary

An Affiliate of Yeshiva University

# We thank the following 5786 supporters of the Torah To-Go® project

## Pillars

<b>Ahavas Yisroel</b> <i>Flushing, NY</i>	<b>Cong. Beth El Atereth Israel</b> <i>Newton Centre, MA</i>	<b>Ohr Saadya</b> <i>Teaneck, NJ</i>	<b>Young Israel of Hollywood-Ft Lauderdale</b> <i>Hollywood, FL</i>
<b>Beth Jacob Congregation</b> <i>Beverly Hills, CA</i>	<b>Cong. B'nai Israel – Ohev Zedek</b> <i>Philadelphia, PA</i>	<b>Rabbi Shlomo &amp; Mimi a"h Appel</b> <i>Woodmere, NY</i>	<b>Young Israel of Lawrence-Cedarhurst</b> <i>Cedarhurst, NY</i>
<b>Beit Tzion/Mizrachi Bayit</b> <i>Toronto, ON</i>	<b>Cong. Kehilath Jeshurun</b> <i>New York, NY</i>	<b>Shaarei Shomayim</b> <i>Toronto, ON</i>	<b>Young Israel of Scarsdale</b> <i>Scarsdale, NY</i>
<b>Boca Raton Synagogue</b> <i>Boca Raton, FL</i>	<b>East Denver Orthodox Synagogue</b> <i>Denver, CO</i>	<b>The Jewish Center</b> <i>New York, NY</i>	<b>Young Israel of Woodmere</b> <i>Woodmere, NY</i>
<b>Cong. Ahavas Achim</b> <i>Highland Park, NJ</i>	<b>Kemp Mill Synagogue</b> <i>Silver Spring, MD</i>	<b>Young Israel of Century City</b> <i>Los Angeles, CA</i>	
<b>Cong. Beth Aaron</b> <i>Teaneck, NJ</i>			

## Partners

<b>Cong. Adat Yeshurun</b> <i>La Jolla, CA</i>	<b>Cong. Keter Torah</b> <i>Teaneck, NJ</i>	<b>Riverdale Jewish Center</b> <i>Riverdale, NY</i>	<b>Young Israel of Teaneck</b> <i>Teaneck, NJ</i>
<b>Cong. Anshei Chesed</b> <i>Linden, NJ</i>	<b>Cong. Ohr HaTorah of Toco Hills</b> <i>Atlanta, GA</i>	<b>Young Israel of Great Neck</b> <i>Great Neck, NY</i>	<b>Young Israel of West Hempstead</b> <i>West Hempstead, NY</i>
<b>Cong. Beth Israel</b> <i>Berkeley, CA</i>	<b>Cong. Shaarei Tefillah</b> <i>Newton Centre, MA</i>	<b>Young Israel of Merrick</b> <i>Merrick, NY</i>	<b>Young Israel Talmud Torah of Flatbush</b> <i>Brooklyn, NY</i>
<b>Cong. Beth Sholom</b> <i>Lawrence, NY</i>	<b>Darchei Noam Glenbrook</b> <i>Northbrook, IL</i>	<b>Young Israel of New Hyde Park</b> <i>New Hyde Park, NY</i>	<b>Young Israel of West Hartford</b> <i>West Hartford, CT</i>
<b>Cong. Beth Sholom</b> <i>Providence, RI</i>	<b>Jewish Center of Atlantic Beach</b> <i>Atlantic Beach, NY</i>	<b>Young Israel of New Rochelle</b> <i>New Rochelle, NY</i>	<b>Young Israel Shomrai Emunah of Greater Washington</b> <i>Silver Spring, MD</i>
<b>Cong. Bnai Yeshurun</b> <i>Teaneck, NJ</i>	<b>New Toco Shul</b> <i>Atlanta, GA</i>	<b>Young Israel of Potomac</b> <i>Potomac, MD</i>	

## Supporters

<b>Anshei Chesed Congregation</b> <i>Boyton Beach, FL</i>	<b>Beit David Highland Lakes Synagogue</b> <i>Aventura, FL</i>	<b>Cong. Ohab Zedek</b> <i>New York, NY</i>	<b>Kehilas Bais Yehudah</b> <i>Monsey, NY</i>	<b>Yavneh Academy</b> <i>Paramus, NJ</i>
<b>Baron Hirsch Synagogue</b> <i>Memphis, TN</i>	<b>Cong. Agudath Shalom</b> <i>Stamford, CT</i>	<b>Cong. Rinat Yisrael</b> <i>Teaneck, NJ</i>	<b>Mount Kisco Hebrew Congregation</b> <i>Mount Kisco, NY</i>	<b>Yonatees Custom Printing</b> <i>Miami, FL</i>
<b>Beth David Synagogue</b> <i>West Hartford, CT</i>	<b>Congregation B'nai Israel</b> <i>Manalapan, NJ</i>	<b>Freehold Jewish Center</b> <i>Freehold, NJ</i>	<b>Ohev Sholom Congregation</b> <i>Washington DC</i>	<b>Young Israel of Staten Island</b> <i>Staten Island, NY</i>
<b>Beth Jacob Congregation</b> <i>Oakland, CA</i>	<b>Cong. Kadimah Toras Moshe</b> <i>Brighton, MA</i>	<b>Hebrew Institute of Riverdale</b> <i>Riverdale, NY</i>	<b>Queens Jewish Center</b> <i>Queens, NY</i>	

The Gemara (*Pesachim* 68b) tells us that Rav Yosef would celebrate Shavuos with more enthusiasm than he would the other Yamim Tovim. In fact, the Gemara in *Horayos* (14b) terms Rav Yosef as a Sinai, due to his mastery of Torah as it was given at Sinai (see Rashi there), perhaps also a hint to his appreciation of the Chag of Sinai. However, the exact wording he would use to celebrate is somewhat puzzling:

רב יוסף בְּיוֹמָא דְעֶצְרַתָּא אָמַר: עֲבָדֵי לִי עֲגֵלָא תְּלִתָּא. אָמַר, אֵי לָא הָאֵי יוֹמָא דְקָא גְרִים — כַּמָּה יוֹסֵף אֵיכָא בְּשׁוּקָא.

*Rav Yosef on Shavuos would command the members of his household to prepare a third-born calf for his Yom Tov meal, to celebrate the giving of the Torah, and explained that if it were not for that day (of Shavuos) how many Yosefs would there be in the market.*

Rashi explains that through his learning of Torah, which was given on Shavuos, he became elevated, and without that, there would be no difference between him and other people named Yosef in the market. The simple understanding of this Gemara seems to imply Rav Yosef held himself to be greater than the common man on the street. However, this sentiment seems to contradict another trait associated with Rav Yosef.

The Mishna in *Sotah* 49a says that when Rebbe (Rav Yehuda Hanasi) passed away, the traits of humility and fear of sin were removed from the world. The Gemara on 49b, in the closing words of the mesechta, quotes Rav Yosef saying not to teach that humility had been removed, since he [Rav Yosef] was still in the world. How can someone as humble as Rav Yosef celebrate being greater than other people on Shavuos?

Perhaps Rav Yosef was not celebrating his greatness over others, but rather the fact that he was different than others. Shavuos marks the culmination of a phenomenon that was never repeated in history, where the Jewish people camped at the foot of Mount Sinai *k'ish echad b'lev echad*, as one person with one heart. As lofty as this national unity was, it was never the intended goal for the Jewish people. Every one of us has our unique strengths and talents that make us special and vital to the world.

Therefore, Rav Yosef was specifically celebrating Shavuos, *hai yoma*, because it was only when the Torah was given that we were given the tools to actualize our own individual potentials. We say in our tefillos *v'sen chelkeinu b'sorasecha*, give us our own portion in Torah, because every Jew has his or her own individual connection and mission that was given only to them.

This issue of the Benjamin and Rose Berger Torah To-Go® explores the relationship of the individual to the Klal. While we strive for unity, that goal can only be realized when we appreciate the unique role every single Jew plays in the world. A nation of individuals becomes an individual nation only when we respect and honor each other, not because we are polite and nice people, but because we recognize that every Jewish person is indeed deserving of that respect and honor, as reflected in their God-given portion in the Torah that carries with it God-given responsibilities and roles.

May we use this upcoming Chag to increase our love of the Torah as well as our love for our fellow Jews. For as Rav Yosef taught us, those two are deeply connected, unable to be separated. A true appreciation of the gift of Torah gives us a better appreciation of our fellow Jews, and with it the unique status of the Jewish people.

Chag Sameach.



**Rabbi Robert Shur**

Series Editor, Benjamin & Rose Berger  
Torah To-Go® Series

Rabbi Dr. Ari Berman  
President and Rosh Yeshiva,  
Yeshiva University and RIETS

Rabbi Aryeh Lebowitz  
Abraham Arbesfeld Torah Dean, RIETS

Rabbi Dr. Yosef Kalinsky  
Max and Marion Grill Administrative Dean, RIETS

Rabbi Ari Rockoff  
The David Mitzner Community Dean for Values  
and Leadership, RIETS-YU

Rabbi Joshua Flug  
General Editor

Rabbi Robert Shur  
Series Editor

Rabbi Jordan Auerbach  
Associate Editor

Rabbi Michael Dubitsky  
Content Editor

Andrea Kahn  
Copy Editor

Copyright © 2026  
All rights reserved by Yeshiva University

Yeshiva University,  
500 West 185 St. New York, NY 10033  
office@yutorah.org

This publication contains words of Torah. Please treat it with appropriate respect. For sponsorship opportunities, please contact Rabbi Kerbel at judah.kerbel@yu.edu

# TABLE OF CONTENTS

## *Shavuos 5786*



6

### INTRODUCTION

**The Covenant That Stands and Calls Us to Build**  
*by Rabbi Dr. Ari Berman*

8

### FOREWORD

**Service to Others as a Form of Kedusha**  
*Rav Shimon Shkop's Introduction to Sha'arei Yosher*

11

### FEATURE: NAVIGATING BETWEEN SELF AND KLAL

**More Than Just a Minyan  
Factory**  
*Rabbi Reuven Boshnack, MSED  
LMHC*

**Boundaries, Balances, and  
Aspirations in the Realization  
of Chesed**  
*Rabbi Daniel Z. Feldman*

**Individuals Who Obligate Us**  
*Sivan Rahav-Meir*

**Building a Caring  
Community**  
*Rabbi Ashie Schreier*

**From Yachid to Rabbim: The  
Strength That Binds Us**  
*Rebbetzin Dr. Adina Shmidman*

**How Big is our Tzibur?**  
*Rabbi Netanel Wiederblank*

34

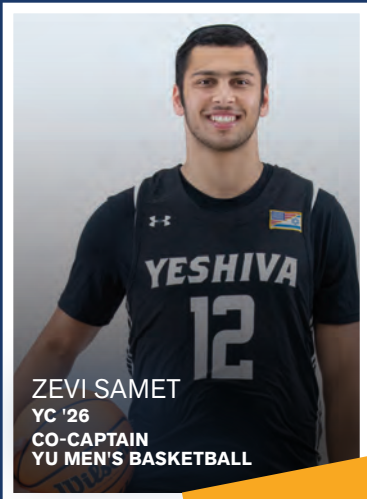
### NASIACH BECHUKECHA

**Public Health Interventions**  
*Rabbi Kalman Laufer*

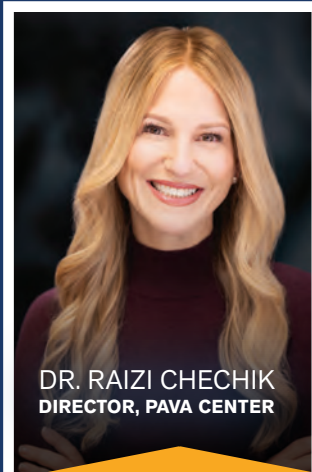
**Killalos Ne'emru B'Sinai:  
The Klal Gadol BaDin  
as a Lens to Understand  
Business Halacha**  
*Rabbi Josh Fagin*

**To dedicate a future edition of the Torah To-Go® publication,  
please contact Rabbi Kerbel at [judah.kerbel@yu.edu](mailto:judah.kerbel@yu.edu)**

# YESHIVA UNIVERSITY



ZEVI SAMET  
YC '26  
CO-CAPTAIN  
YU MEN'S BASKETBALL



DR. RAIZI CHECHIK  
DIRECTOR, PAVA CENTER



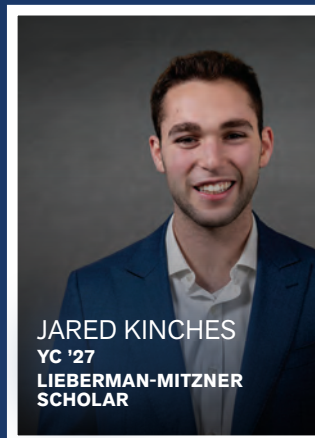
RAV MICHAEL ROSENSWEIG  
ROSH YESHIVA, RIETS



ADINA FELDMAN  
SCW '26  
STRAUS SCHOLAR



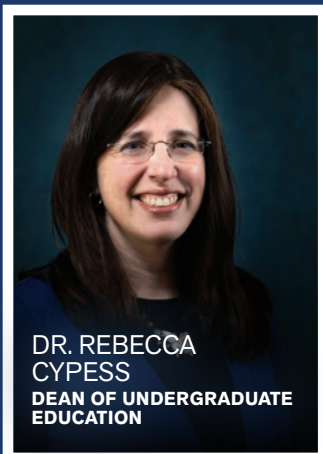
DR. ANDERSON  
OLIVEIRA  
CHEMISTRY PROFESSOR,  
STERN COLLEGE  
FOR WOMEN



JARED KINCHES  
YC '27  
LIEBERMAN-MITZNER  
SCHOLAR



DR. RADHASHREE  
MAITRA  
PROFESSOR OF BIOLOGY  
YESHIVA COLLEGE



DR. REBECCA  
CYPRESS  
DEAN OF UNDERGRADUATE  
EDUCATION



DR. MARIAN GIDEA  
PROFESSOR OF MATHEMATICS,  
ASSOCIATE DEAN OF STEM

ROOTED  
IN VALUES.  
DRIVEN BY  
EXCELLENCE.

# I / WE

## FINDING OURSELVES, BUILDING THE KLAL

### A SHAVUOT REFLECTION

Every year, as we move from Pesach toward Shavuot, we walk a path that feels, at first glance, like a tension. On the one hand, we celebrate the emergence of the individual—the dignity, the freedom, the irreducible worth of each person. On the other hand, we arrive at Har Sinai not as individuals, but as a people—“אִתְּךָ וְאִתְּנוֹתֶיךָ”<sup>1</sup>, united, singular, bound together in covenant.

This journey is often described as a movement from *I* to *We*—from self to community, from individuality to *klal Yisrael*. But what if that framing is incomplete? What if the Torah is not asking us to resolve a tension between self and *klal*, but to discover that no such tension truly exists?

#### The False Divide

We live in a world that frequently forces a choice. Be true to yourself—or give yourself over to something larger. Pursue self-actualization—or commit to service. Develop your individuality—or subsume it into community.

But Torah life resists that binary.

The Mishnah in *Pirkei Avot* teaches: “אִם אֵין אֲנִי לִי מִי לִי, וְכִשְׂאֲנִי לְעַצְמִי מִה אֲנִי” — “If I am not for myself, who will be for me? And if I am only for myself, what am I?” This is often read as a tension to be balanced. But perhaps it is more than that. Perhaps it is a statement that these two truths are not opposites at all, but mutually dependent.

If one lives for the *klal* in a way that is disconnected from one’s authentic self, the contribution will not endure. It will be performative, unsustainable, and ultimately untrue. And if one turns inward alone—engaged only in self-definition without outward purpose—that, too, collapses into a kind of spiritual superficiality, a life of endless self-reflection without meaning.

The Torah’s vision is not compromise. It is integration.

#### Finding the Self

There is no single answer to the question: Who are you?



**Rabbi Dr. Ari Berman**

*Rosh Yeshiva and President, Yeshiva University and RIETS*

Not at eighteen. Not at twenty-five. Not at fifty. At every stage of life, that answer evolves. And yet, the responsibility remains constant: to seek it honestly, courageously, and deeply.

This is not a luxury. It is an obligation.

To be created *b’tzelem Elokim* means that each of us carries a unique reflection of the Divine. Your voice, your talents, your questions, your struggles—these are not incidental to your *avodat Hashem*. They are the very substance of it.

And that is why a Torah education must be expansive.

At Yeshiva University, we do not see

Torah, *Madda*, student life, chess, and even athletics as separate tracks. They are all part of a single, integrated journey: the discovery of how you, uniquely, encounter Hashem.

Some find that connection most deeply in the Beit Midrash. Others in the laboratory, uncovering the elegance of creation. Others in leadership, in creativity, in the rhythms of a team, or in acts of kindness and responsibility. These are not distractions from Torah. They are expressions of it—pathways through which a person comes to know themselves and, through that, to know God.

## From Self to Service

But self-discovery is not the endpoint.

It is the beginning.

When a person truly finds their authentic self, something remarkable happens: they are no longer consumed by the question of “Who am I?” That question gives way to another: “What am I here to give?”

And that is where the individual meets the *klal*.

Because the deepest contributions are not generic. They do not come from a place of obligation alone. They come from authenticity—from a person bringing their full self into the service of something larger.

A teacher who teaches from their authentic passion transforms students. A leader who leads from their inner conviction inspires



See more shiurim and articles from  
Rabbi Dr. Berman at  
[yutorah.org/teachers/Rabbi-Dr.-Ari-Berman](http://yutorah.org/teachers/Rabbi-Dr.-Ari-Berman)

trust. A professional who sees their work as a calling elevates the world around them. In each case, it is precisely the alignment between self and service that makes the contribution meaningful.

This is not a trade-off. It is a fusion.

## Pesach to Shavuot: From Individuals to a Nation

Perhaps this is the deeper meaning of the journey from Pesach to Shavuot.

At Pesach, each individual is redeemed. Each person must see themselves as if they personally left Egypt. The dignity of the individual is restored—one by one.

And immediately, we begin *Sefirat HaOmer*, counting each day, each individual unit, marking the passage of time with intention and awareness.

Only then do we arrive at Har Sinai.

Not as a collection of erased individuals, but as a people formed through the refinement of each person's inner journey. The *klal* is not built by dissolving the self. It is built by elevating it—by bringing each authentic individual into a shared covenant.

The unity at Sinai is not uniformity. It is harmony.

## The Call of Shavuot

On Shavuot, we do not stand at Sinai as blank slates. We stand as individuals who have begun the lifelong process of becoming ourselves.

And we are called to bring that self forward—not to leave it behind.

The Torah we receive is not meant to flatten our individuality. It is meant to shape it, deepen it, and ultimately direct it outward—toward a life of meaning, responsibility, and contribution.

The question, then, is not *I or We*.

It is: How do I become the kind of *I* that can truly serve the *We*?

And how do we build a *We* that allows every *I* to flourish?

When we live that way—when self-discovery leads to self-transcendence, and individuality becomes the foundation of community—we begin to realize that the tension was never the point.

The point was always the integration.

And that is the Torah we receive, anew, each Shavuot.

We want  
to hear  
from you!

To share your thoughts on something you've read in this issue, or request that your community get printed copies of this publication, or to find out about advertising in a future issue of the Torah To-Go series, please contact [office@yutorah.org](mailto:office@yutorah.org).

# SERVICE TO OTHERS AS A FORM OF KEDUSHA

## Rav Shimon Shkop's Introduction to Sha'arei Yosher

*Rav Shimon Shkop, who served as rosh yeshiva at RIETS from 1928–1929, wrote a foundational piece on the role of the individual within the community as part of his introduction to his Sha'arei Yosher. We included an English adaptation as a foreword to this issue.*

### The Divine Nature and Our Calling

Blessed is the Creator who formed us in His image and likeness, planting within us an eternal life force that drives us toward a singular purpose: to benefit others. This impulse to do good for others—whether for individuals or the community, in the present or future—reflects the very nature of Hashem Himself. Everything the Creator brought into existence serves one purpose alone: to benefit His creations and His will is to walk in His ways, meaning that we who are chosen among His creatures should dedicate our physical and spiritual capacities to serve the community, each according to our abilities.

This entire concept, I believe, is encompassed in the mitzvah: *kedoshim tihiyu*, "You shall be holy" (Vayikra 19:2). The Midrash on this verse presents a fascinating teaching. When the Torah commands us to be holy, one might think this means we should strive to be exactly

like Hashem. But the text immediately adds, "for I am holy"—and the Midrash explains: "My holiness is above your holiness." In other words, we cannot and should not attempt to replicate Hashem's holiness in its fullness. There exists an unbridgeable gap between divine and human kedusha.

### The Traditional Understanding of Holiness

The classical interpretation of this commandment focuses on separation and restraint. Chazal state: "You shall be holy—you shall be separate." Ramban, in his commentary on the Torah, elaborates extensively on this concept of separation, explaining that it means distancing oneself from excessive pleasures and indulgences, even those that are technically permissible according to halacha. He famously warns that a person could become "a scoundrel within the bounds of the Torah"—someone who technically observes all the rules while living a life of self-indulgence and moral



coarseness.

But if holiness is primarily about self-restraint and withdrawal from pleasure, the Midrash's teaching is puzzling. How does separating ourselves from indulgence relate to imitating Hashem? And why does the Midrash emphasize that God's holiness surpasses ours? The statement "My holiness is above your holiness" suggests there is indeed some similarity between divine and human holiness, but that Hashem's version is more comprehensive and encompassing. Yet if holiness simply means avoiding excess, this quality doesn't apply to

Hashem at all—He has no physical desires from which to abstain.

## A Deeper Definition: Holiness as Dedication

I humbly suggest that this mitzvah contains the very foundation and purpose of our existence: that all our work and effort should always be dedicated to the benefit of the community. We should not engage in any action, movement, pleasure, or enjoyment unless it somehow serves the good of others. This understanding aligns with the concept of holiness in all its forms—dedication to a noble purpose, setting something apart for a higher calling.

When a person directs his life toward this goal, constantly striving to dedicate his way of living to the community, then even what he does for himself, maintaining his physical and mental health, becomes part of this commandment of holiness. By taking care of himself, he becomes better able to serve the many who depend on him. However, if someone indulges in pleasures of the superfluous kind, enjoyments that aren't necessary for maintaining the body and spirit, such pleasure contradicts holiness. In that moment, he benefits himself (or imagines that he does) while providing no benefit to others.

According to this understanding, the practice of separation and restraint

represents the visible, behavioral expression of the commandment to be holy. But in thought and spiritual aspiration, this commandment extends to all of a person's endeavors and actions, even in his private relationship with Hashem. In this respect, human holiness does bear some resemblance to divine holiness. Just as Hashem's every action in creation, and in every moment of sustaining the world, is dedicated to the benefit of others and not to Himself, so too does He desire that our actions always be dedicated to the collective good rather than to self-gratification.

## The Limits of Imitating Hashem

We might think that the ideal would be to completely suppress our nature and reach such an elevated state that we have no thought or desire for personal benefit whatsoever. That all aspirations would be solely for the good of others. In this way, it might seem, we could achieve the holiness of the Creator Himself, whose will in all creation and governance of the world is only to benefit His creatures, with absolutely no benefit to Himself.

At first glance, reaching such a level might appear to be the ultimate perfection. But the sages teach us in this Midrash that this is not the case. We should not strive to imitate Hashem's holiness in this particular aspect, because "Hashem's

holiness is above our holiness." His holiness is directed only toward His creatures and not toward Himself at all. Nothing is added to the Creator, nor will anything ever be added, through the actions He performed or continues to perform. His entire will is solely to benefit His creations.

But what Hashem wants from us is not of this nature. Rabbi Akiva taught us the principle: "Your life takes precedence." The sages also hinted that we should interpret the verse "Love your neighbor as yourself" in a negative formulation: "What is hateful to you, do not do to your fellow." But in positive terms, it is proper for a person to prioritize his own welfare.

## The Divine Purpose of Self-Love

Moreover, there is a place in the very foundation of human creation where the Creator instilled within us self-love in very great measure. The masters of Kabbalah explain the purpose of all spiritual work with these words: "The Infinite One, blessed be He, desired to bestow complete goodness—such that there would not even be shame for the recipients." This concept is startling in what it reveals about the power of self-love: a person wants his own measure more than he wants a larger measure given to him as a free gift, even from Hashem Himself. This shows that the quality of self-love is in fact desired by Hashem, and that it is something about which the pasuk states: "the righteous walk with it, but transgressors stumble in it." (*Hoshea 14:10*)

In my view, beyond all the evils and sins that fill the world as a result of misuse of self-love, this trait also combines with the test of wealth to cause one's downfall into the abyss. As Scripture states: "Lest I become sated and deny, saying 'Who is Hashem?'" Because of the magnitude of a person's desire for what is his, if Hashem

**When a person directs his life toward this goal, constantly striving to dedicate his way of living to the community, then even what he does for himself, maintaining his physical and mental health, becomes part of this commandment of holiness. By taking care of himself, he becomes better able to serve the many who depend on him.**

blesses him with wealth and he believes with true faith that everything belongs to Hashem, then he is functionally poor—what he has is not really his. But if he denies Hashem, then everything is his and he is truly rich according to his own perception. Therefore, to fulfill their desire to possess their wealth, they train themselves to deny Hashem, and thus satisfy their craving completely.

This same dynamic can be felt in the acquisition of an even greater wealth: the acquisition of wisdom. If a person in the course of acquiring Torah wisdom (each according to his capacity) does not strive to achieve the wisdom of reverence of Hashem and untainted faith, then there is room to stumble if there is too much self-love, just as this quality causes similar harm to those who engage in secular wisdoms. Though it would be fitting for one's faith to increase through the expansion of his knowledge of God's works—as it says, "The heavens declare the glory of God"—[with too much self-love] he may instead fall and descend. If he were to understand that all his wisdom and acquisition is not his, he would lose all his wealth [and stature]. Only through denial does he become rich, because [in his mind] all of his gains are his alone, and then he has something in which to take pride.

Similarly, we can understand the teaching: "Moses rejoiced in the gift of his portion, for You called him a faithful servant." One should only rejoice in the gift of wisdom if one is a faithful servant who considers that nothing is truly his own, but belongs only to his Master and Lord. Then there is complete joy in the acquisition of wisdom. Without this perspective, there may be no joy in acquiring wisdom, because through it one might come to denial [of the fundamentals of faith], God forbid.

### Expanding the Boundaries of Self

At first glance, the feelings of self-love and the feelings of love of others appear to contradict one another. But we must look more deeply into this to find the quality that unites them, since Hashem demands both from us. This unifying quality lies in clarifying and establishing for oneself the true nature of one's "I"—one's self. By this measure, the worth of every person is determined according to his level.

The coarse and lowly person's entire "I" is limited only to his physical being and body. Above such a person is one who feels that his "I" is composed of both body and soul. Higher still is one who includes in his "I" his household and family. The

person who walks according to the ways of Torah has an "I" that includes all the people of Israel, because in truth, every individual Jew is like a limb of the body of the Jewish nation.

There are even higher levels. The perfected person should implant in his soul the feeling that all the worlds together constitute his "I," and he himself is merely like a small limb within all of creation. Then the feeling of self-love actually helps him to love all the people of Israel and all of creation.

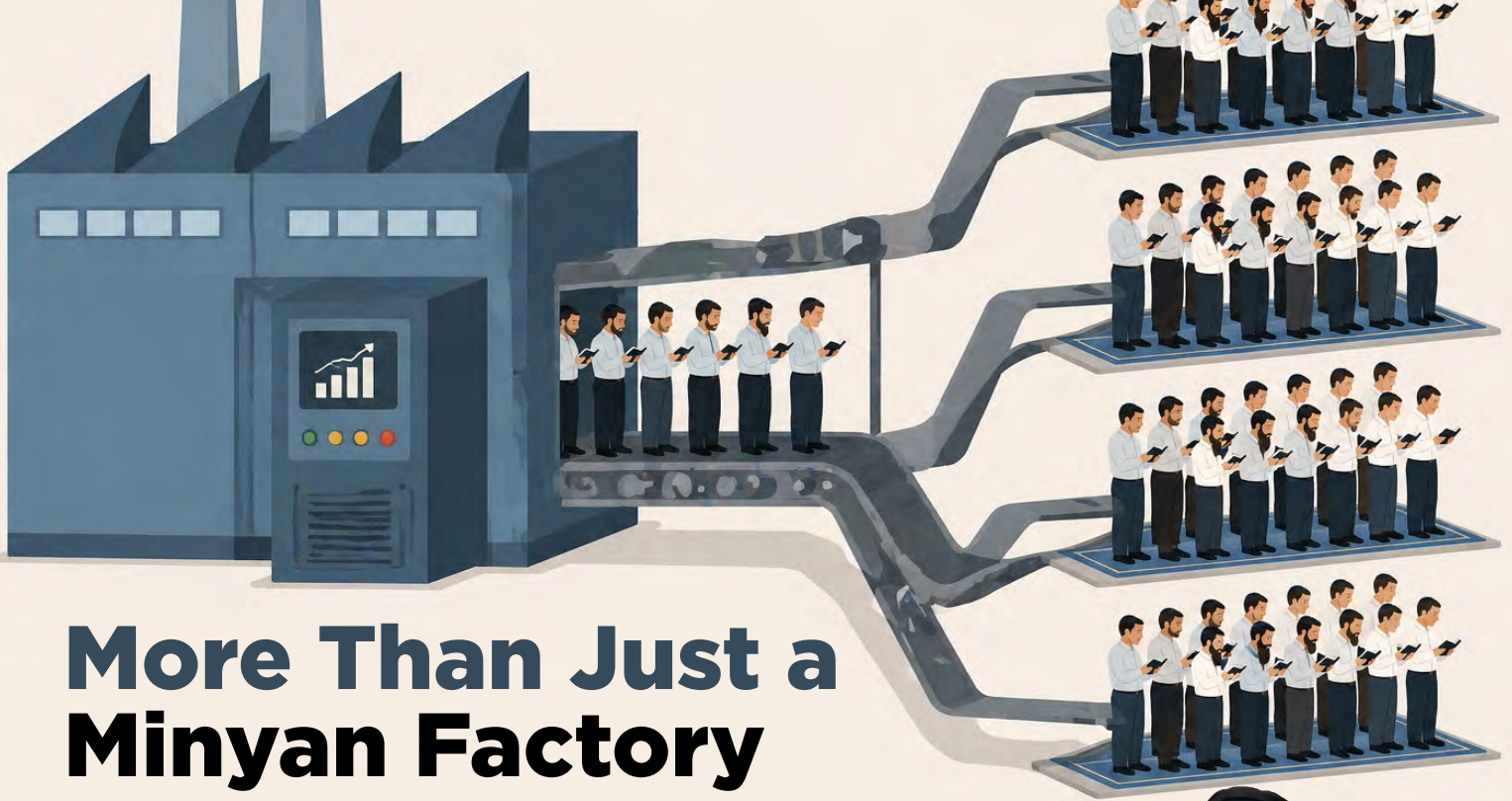
I believe this concept is hinted at in Hillel's teaching: "If I am not for myself, who will be for me? But when I am only for myself, what am I?" This means that every person should always exert himself to care for himself. But along with this, he should strive to understand: "When I am only for myself, what am I?" If he limits his "I" to a narrow circle and a superficial perspective, then what is this "I"? It is vanity, considered as nothing. But if his perception is truthful—that the totality of creation is the great human being, and he too is like a small limb in this great body—then his own worth is also elevated and exalted. In a great machine, even the smallest screw, if it serves some function for the machine, is very important. The whole is built from parts, and the whole is worthless without the parts.

## Eating Dairy on Shavuos: Recognizing Individual Contributions to the Klal

Rav Moshe Sofer, Derashos Chasam Sofer (Shavuos 5582) offers a fascinating explanation for why we eat dairy on Shavuos. Milk comprises distinct components: fat becomes butter, curds become cheese, and whey remains relatively worthless in isolation. Yet milk's true value lies not in its parts, but in the whole: a vital substance that sustains life.

This mirrors the composition of Klal Yisrael. Some Jews make profound contributions, like butter—a prized delicacy. Others make modest but meaningful ones,

like curds in cheese. Still others worry they contribute little of value, like whey. But just as we cherish milk as a unified drink rather than as separated components, the Torah was not given for individuals to make isolated contributions. It was given for each person to participate in something larger than themselves—a collective whole. Every contribution—whether celebrated or overlooked, significant or small—matters precisely because it is part of the klal. Together, these individual efforts create something far greater than the sum of their parts.



# More Than Just a Minyan Factory

Some time ago, I was asked a perplexing question by a student. She had received a prestigious post-graduate training externship in a health field, and while she had been assured she would not have to work on Shabbos, it now seemed she would have Shabbos responsibilities after all. I consulted a senior posek, who said that she should not work on Shabbos, even in matters relating to *pikuach nefesh*. We used to see only medical doctors take positions like this. Expansion of this would be a major *pirtza* in our communal observance of Shabbos. What will Shabbos look like in our community if we allow more people to routinely work on Shabbos?

This was an unexpected answer. We're used to dealing with individual halachic questions by thinking about the implications for that individual in that particular situation. Moreover, this individualistic approach tends to color our understanding of our obligations and paradigms of Judaism. Is there a unique status of a community, a collective or is it

merely a group of individuals, each one trying to fulfill personal obligations?

The concept of a community emerges in several halachic frameworks. One example that is highly emphasized is *tefilla betzibur*, public prayer. *Tefilla betzibur* is rooted in the halachic concept of *tzibur*. We require a *tzibur* to recite Kaddish, Barechu, Chazaras Hashatz and Kedusha, since they are all considered *devarim shebekedusha*, which requires a minyan.

What is accomplished by this group tefilla? Rav Hershel Schachter points out (Rav Schachter on *Orach Chaim*, p 231, *Nefesh Harav* 115) from Rav Soloveitchik that the reason Kaddish or Barechu is recited at the beginning of each *tefilla betzibur* is so that the people gathered aren't just a group of individuals, but rather a *tzibur*. Therefore, we begin Shacharis with Kaddish then Barechu. Mussaf starts Chatzi Kaddish and then the Amida. Mincha starts with Ashrei, followed by Chatzi Kaddish and then the Amida and Ma'ariv starts with Barechu.

Rav Soloveitchik explains that this is why



**Rabbi Reuven Boshnack, MSed LMHC**  
Undergraduate Torah Studies Rebbe and Mashgiach, Yeshiva University  
Rabbi, Ocean Avenue Jewish Center

the Rambam (*Hilchos Tefilla* 9:1) writes that *tefilla betzibur* (of Shacharis) begins with Chatzi Kaddish. Similarly, the Rema (54:3) explains that one should not interrupt between Kaddish and Barechu, and *Shulchan Aruch* 52:1 (quoting Rabenu Yona) says if one comes late to shul and the *tzibur* has already started the first bracha of Shema, he should skip Psukei Dzimra and join the *tzibur*.

For this reason, if the minyan starts before the appropriate time for tallis and tefillin and reaches Yishtabach at the time for

tallis and tefillin, the congregation should put it on after reciting Yishtabach, yet the chazan should recite it before Yishtabach. This is because he should not have any interruption from Yishtabach through Kaddish and Barechu, since this is what establishes the group of people as a *tzibur*.

The concept of *tzibur* carries over to the Chazaras Hashatz. Why do we recite Chazaras Hashatz? Is it just to say Kedusha? The Rambam (*Hilchos Tefilla* 9:3) writes that the chazara is to benefit those who don't know the tefillos. Now that we have a printed siddur is there really a need for Chazaras Hashatz? Rav Soloveitchik explained that once Chazal instituted the concept of Chazaras Hashatz, it is not simply a pragmatic solution for those who don't know how to pray. The rabbis introduced Chazaras Hashatz as a *tefillas hatzibur*, a tefilla of the entire community. The *tzibur* is a new entity — a new personality has emerged, the community — and this is the prayer that the community offers (*Nefesh Harav*, 123-124).

Similarly, another law that emerges from the concept of *tzibur* is Krias Hatorah. Must an individual seek out Krias Hatorah? Why must the person receiving an Aliyah make a bracha before the reading commences? Shouldn't the Birchos Hatorah that every individual recites each morning suffice? The Rav explained (based on Rambam, *Hilchos Tefillah* 12:5) that Krias Hatorah is an act of communal Torah study. The *tzibur* is learning Torah together, not as a group of individuals, but a new entity called a *tzibur*. This obligation only occurs when there is a community present (*Mishna Megila* 23). This type of

communal learning is distinct and requires a separate bracha.

The communal tefilla experience described in halacha — the creation of a new entity called *tzibur*, that isn't simply a group of individuals gathering together to pray or learn Torah — is sometimes distant from what we personally experience. While we observe the halacha in creation of community, there are times when we enter into a “minyan factory”-style minyan and don't feel this sense of connection. We are very proud of the devotion our community shows to praying with a minyan. The level of commitment to minyan is inspiring. The convenience of having multiple minyanim helps busy people with full schedules have less stress in their lives as they juggle all of their obligations.

And yet, sometimes it feels like minyan attendance is more of a personal obligation than communal prayer, a group of individuals praying together, content that there are others in the room to assist these individuals to fulfill *tefilla betzibur*. We are alone in a room full of people we don't know, but hopefully nod at. Is it too nostalgic to think that a minyan should be a place where “everybody knows your name,” and they call to make sure everything is okay when you don't show up? Maybe it is a result of our highly individualistic society that we seek only to discharge our individual obligations without thinking more broadly.

Perhaps this is part of a constant swing of the pendulum as we seek to find the correct nuance to balance the individual and the community. Rav Kook

(*Maamarei Reiyah* 177–181) observed that we often revisit earlier times in our modern lives and feel the baggage of earlier ideological battles. One such battle is recorded in *Menachos* 65a, which cites the ancient scroll of fasts that records a victory over the Tzadukim and Beitusim in establishing the tamid offering and the holiday of Shavuos. These disputes were with groups who contested the veracity of the Torah Sheba'al Peh. In our Gemara, the students of Tzadok believed that an individual can donate the communal daily tamid offering and the students of Beitusim disputed the halacha which permits harvesting the omer on Shabbos, which would shift Shavuos to a different date.

What was the debate?

Rav Kook explains that the Tzadukim and the Beitusim, while both erring in approach to Torah Sheba'al Peh, represented two different errors in understanding the Torah. The Tzadukim overemphasized the role of the individual within the community. What is a community but a group of individuals? This overemphasis of individuality led them to believe that an individual may donate a communal daily korban.

The Beitusim, however, misunderstood the role of the community. The omer offering, which is the centerpiece of this time of the year, escorts the Jewish people from the holiday of Pesach to Shavuos. Generally, our primary concern counting the omer and maintaining continuity, so that a bracha can be recited throughout *sefiras haomer*. It is mostly a focus on the individual. However, the mitzvos of *ketziras haomer* and *hakravas haomer* on the second day of Pesach are two parts of a communal korban. It is this korban that initiates the count. The conclusion of our count, the holiday of Shavuos, features a korban of two wheat breads, the *shte halechem*, which is also a communal korban.

One might think the Beitusim's opposition to harvesting the first barley on Shabbos



See more shiurim and articles from Rabbi Boshnack at [www.yutorah.org/teachers/Rabbi-Reuven-Boshnack](http://www.yutorah.org/teachers/Rabbi-Reuven-Boshnack)

for the omer was their way of advocating for the sanctity of Shabbos in the face of an act of mundane farming. However, it was truly a rebellion against the sanctity of Jewish Peoplehood. If this was an act performed by an individual, the Beitusim would be correct — individual mitzvos don't override the sanctity of Shabbos. However, this seeming individual, secular act of farming grain was the foundation of the economy and peoplehood.

The Torah commands us to harvest this barley and bring it as a korban, transforming its simple nature into an act of spectacular national meaning. This act is on par with one of the acts of divine service in the Beis Hamikdash. There is a sanctity to the nation's seemingly earthly substance! This very act of agrarian first-born grain sets the date for the holiday of the giving of the Torah! The grain might be harvested by a single individual,

but it is done on behalf of the whole community. Communal acts performed for the service in the Beis HaMikdash override Shabbos.

It is our challenge to balance communal affiliation and personal obligation and meaning. The Torah calls on us to acknowledge the connection between individual and community, to draw strength and commitment from both aspects of our lives.



**RIETS PRESS**  
PILLARS SOCIETY

## Help RIETS Press publish the Torah of our Yeshiva! Become a RIETS Press Pillars Society Member!

### RIETS Press Trustee

- Name listed among trustees in all future RIETS Press publications for the duration of your membership in the society.
- Complimentary collection of full RIETS Press library and copies of all future RIETS Press publications for the duration of your membership in the society.
- Receive an annual RIETS Press gift package.
- Access to exclusive events with RIETS Roshei Yeshiva and RIETS Press authors

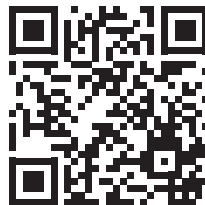
### RIETS Press Supporter

- Name listed among pillars in all future RIETS Press publications for the duration of your membership in the society.
- Complimentary collection of full RIETS Press library and copies of all future RIETS Press publications for the duration of your membership in the society.
- Receive an annual RIETS Press gift package.

### RIETS Press Friend

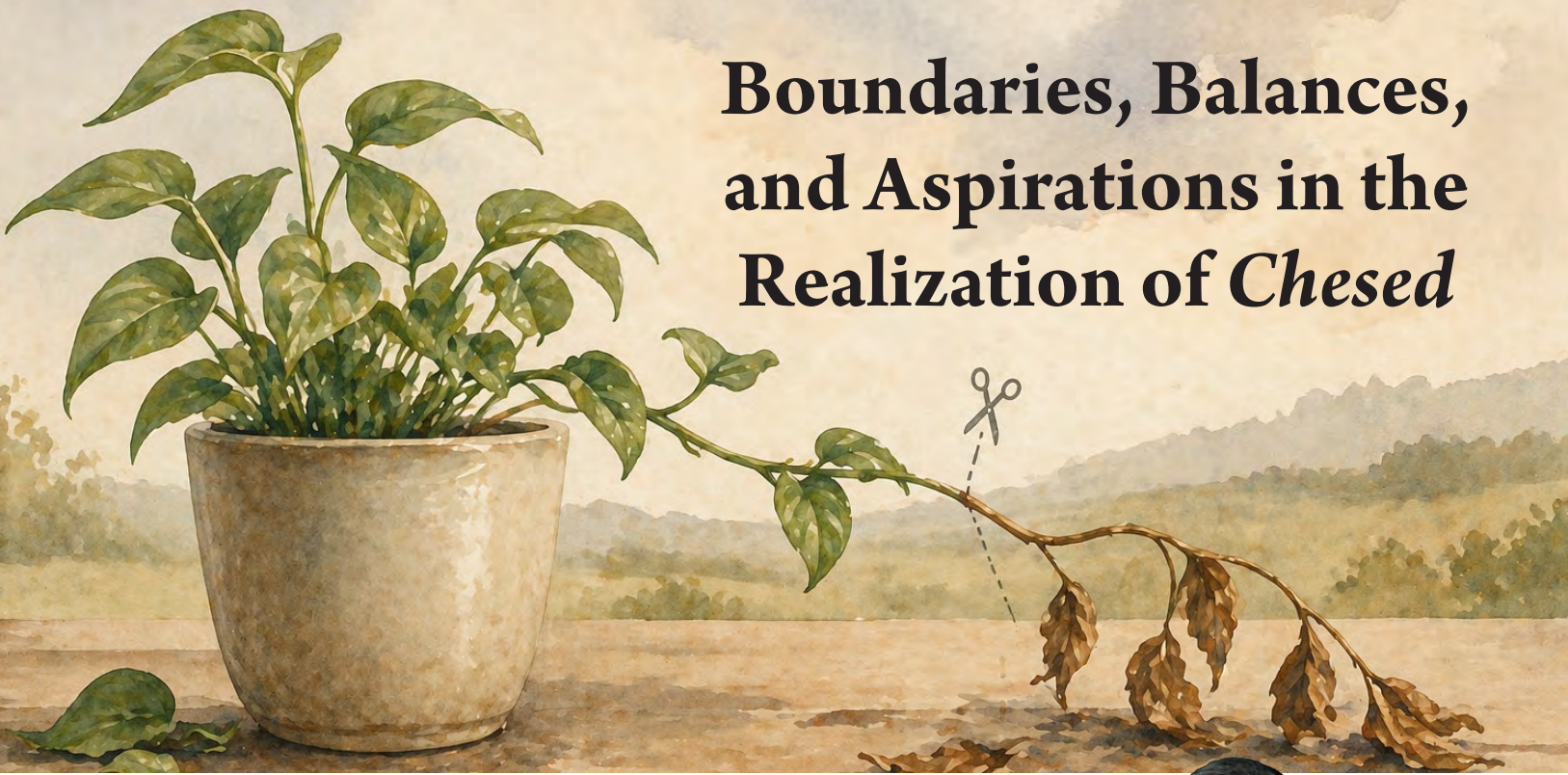
- Name listed among supporters in all future RIETS Press publications for the duration of your membership in the society.
- Complimentary collection of full RIETS Press library and copies of all future RIETS Press publications for the duration of your membership in the society.

Scan the QR code  
below to learn more



To learn more, visit us online at [yu.edu/rietspresspillars](http://yu.edu/rietspresspillars)

# Boundaries, Balances, and Aspirations in the Realization of *Chesed*



## I. The Scope of the Obligation

In the often quoted words of the *Sefer Ha-Chinukh*, “the attitudes are formed as a consequence of the actions.”<sup>1</sup> Creating an instinctive attitude of *chesed* is predicated upon the repeated practice of the halakhic requirements. As such, the general parameters of the broad imperative of *chesed* have been the subject of much halakhic analysis.

The *mishnah* identifies performance of *chesed* as an obligation that has no “limit” (*shi’ur*).<sup>2</sup> Some commentaries understand this to mean that there is no minimum to the command; any small amount of *chesed* constitutes a *mitzvah*.<sup>3</sup> The more common interpretation, however, is that there is no upper limit to the commandment.

A number of commandments are similarly described: “The following are the things for which no definite *shi’ur* is prescribed: the corners [of the field];

first-fruits; [the offerings brought] on appearing [before the Lord at the three pilgrim festivals]; the practice of loving-kindness; and the study of the Torah.” R. Aryeh Leib of Metz observes, however, that there is a distinction between the first three items listed and the last two, *chesed* and Torah study.<sup>4</sup> The first group represents commandments that are, in fact, given required limits in the Torah, but it is nonetheless possible to go beyond those limits and thus increase the fulfillment of the commandment. *Chesed* and Torah study, by contrast, are truly without measure; their call is constant and unceasing, and their mission is never considered accomplished.

Similarly, R. Yitzchak Zev Yadler notes that the obligation of *imitatio Dei* is phrased as “walking” in God’s path, because the call of *chesed* is not a delimited action but a constant journey with a perspective attuned to the needs of others.<sup>5</sup>

Nonetheless, reality does necessitate



practical limitations on *chesed*. Halakhic authorities observe that one is not required to incur financial loss to fulfill this obligation, which is one of physical rather than financial assistance.<sup>6</sup> Thus, in this realm *chesed* is not comparable to charity, which presumes monetary sacrifice. Rather, *chesed* would be similar to a commandment such as returning lost objects (*hashavat aveidah*); in that context, one is expected to expend time

and effort, but not funds, in returning objects to their owners.<sup>7</sup> The Talmud links this concept to the verse, “But there shall be no needy among you” (Deut. 15:4), understood as meaning that one should not allow oneself to slip into poverty.<sup>8</sup>

In theory, the exemption from spending money on *chesed* is absolute, as noted by the first Lubavitcher Rebbe, R. Schneur Zalman of Liady, in *Shulchan Arukh Ha-Rav*,<sup>9</sup> and does not even require one to forgo profit. However, defining *chesed* as a function of service rather than of money does not mean to suggest that no expenditure is ever necessary in this area. First, there are outlays that are so small that they are not even accounted for. R. Yitzchak Zilberstein expressed this point in the context of discussing one who has the opportunity to save another from a parking ticket by putting a coin in the meter before the ticket is issued.<sup>10</sup> While this does involve the spending of a coin, that expense is negligible compared to the cost of the fine that it prevents, and the mandate of “Love your neighbor” is thus invoked.<sup>11</sup> Further, as will be discussed below, the theory of exemption from financial loss does not represent the ideal.

The model of returning property is similarly instructive when considering the question of whether one is required to undergo personal humiliation in order to accomplish an act of *chesed*. In accordance with the frequent assertion of the Talmud that ascribes high importance to human dignity, one is not required to endure personal embarrassment in order to raise money for the sake of performing commandments such as *lulav* and *tefillin*.<sup>12</sup> The Talmud explicitly applies this principle in the case of returning lost property; a dignified elder is exempt from undertaking a mission of return that would compromise his status. Authorities debated the question of whether it is meritorious for the elder to waive his honor and engage in the *chesed* regardless of his exemption<sup>13</sup> or if it is inappropriate to compromise one’s personal dignity.<sup>14</sup>

It is important to note that many authorities assert that these exemptions only apply when the mission does not present itself obviously as one of a *mitzvah*. If it is clear that the undertaking is in pursuit of a religious duty, the assumption is that one can never claim embarrassment as an exemption from the performance of a *mitzvah*.<sup>15</sup>

While the elder’s exemption from compromising his dignity in the realm of the laws of returning lost property is the subject of some analysis, it is assumed that this exemption extends to all interpersonal obligations,<sup>16</sup> with the explicit exceptions of visiting the sick and burying the dead.<sup>17</sup>

Outside of the issues of financial expenditure and personal humiliation, it is clear that *chesed* cannot be expected to be effortless; its very nature demands personal attention. On the other hand, some human limitations are to be expected, as “the Torah was not given to the ministering Angels.”<sup>18</sup> Authorities analyze the extent to which significant personal inconvenience, or *tirchah*, can be expected. R. Moshe (Maharam) Shick takes it as obvious that *tirchah* is expected, and even welcomed by the practitioner, as the spiritual rewards for engaging in *chesed* are so great.<sup>19</sup> To support his assertion, he cites the verse, “He who chases after righteousness and kindness (*chesed*) finds life, prosperity, and honor” (Proverbs 21:21).

A general rule, again derived from returning lost property, is that one is exempt from performing a task on behalf of another if he will incur a loss to himself greater than the proposed advantage

to his friend.<sup>20</sup> Similarly, the necessary prioritization of self is cited as grounds for exempting one from *chesed* when the activity is accompanied by significant discomfort or unpleasantness.<sup>21</sup>

Nonetheless, the Talmud warns against taking this standard too literally, stating that one who applies “‘this’ [exemption] to himself with too much precision, will in the end, become ‘this’ [one in need of *chesed* himself].”<sup>22</sup> Rashi explains that despite the fact that the Torah has not imposed an actual obligation in such a situation, it is worthwhile to go beyond the letter of the law in a situation of insignificant cost, and not maintain an attitude of “mine takes precedence.” For, he continues, one who consistently takes the self-focused view removes from himself the concept of *chesed* and charity, and will ultimately find that he needs the help of others.

There is, apparently, a dual concern here: first, that one will stretch the boundaries of judgment beyond legitimate limits, exempting himself when such an exemption is uncalled for, and second, that even legitimate exclusions, when utilized unswervingly, will leave one devoid of any involvement in the needs of others. This notion is more than good advice, and is brought by the codes as practical *halakhah*.<sup>23</sup>

Later authors, expanding on Rashi’s formulation, identify the standard for exempting oneself appropriately from *chesed* as “*hefsed mokhiach*,” an evident, demonstrable loss.<sup>24</sup> If such a standard is met, it is reasonable to protect one’s financial well-being at the expense of losing an opportunity to help others;



See more shiurim and articles from Rabbi Feldman at [www.yutorah.org/teachers/Rabbi-Daniel-Z.-Feldman](http://www.yutorah.org/teachers/Rabbi-Daniel-Z.-Feldman)

## TORAH, CHESED AND SHAVUOS

דרש ר' שמלאי תורה תחלתה גמילות חסדים וסופה גמילות חסדים תחילתה גמילות חסדים דכתיב ויעש ה' אלהים לאדם ולאשתו כתנות עור וילבישם וסופה גמילות חסדים דכתיב ויקבר אותו בניא  
סוטה יד.

*Rabbi Simlai expounded: The Torah begins with acts of kindness and ends with acts of kindness. It begins with acts of kindness, as it is written: "And the Lord God made for Adam and for his wife garments of skin, and He clothed them." And it ends with acts of kindness, as it is written: "And He buried him in the valley."*

### Sotah 14a

א"ר זעירא מגלה זו אין בה לא תומאה ולא טהרה ולא איסור ולא היתר ולמה נכתבה ללמד כמה שכר טוב לגומלי חסדים.  
רות רבה ב:ד

*Rabbi Zeira said: This scroll (Ruth) contains neither laws of ritual impurity nor purity, neither prohibitions nor permissions—so why was it written? To teach you how great the reward is for those who perform acts of kindness.*

### Rus Rabbah 2:14

מה שקורין רות בשבועות ... טעם ג' משום דמגלת רות מדברת בחסד ושבועות הוא יום מתן תורה"ק שהיא חסד בתחלתה ובאמצעיתה ובסופה.  
ספר המנהגים לרב יצחק טירנא

*One of the reasons we read Ruth on Shavuot ... is because the Scroll of Ruth speaks about kindness, and Shavuot is the day of the giving of the Holy Torah—which is characterized by kindness at its beginning, in its middle, and at its end.*

### R. Yitzchak Tirnau's Sefer HaMinhagim (15th century)

that is, indeed, the intent of the verse, "But there shall be no needy among you." If, however, the loss is not evident, it is wrong to worry about undefined variables; such elements can always be found, and, as Rashi predicts, can lead one to abandon *chesed* entirely. The *Perishah* understands Rashi's intent even more starkly, and writes that absent the standard of "evident loss," a Biblical obligation is present in full force.

R. Chaim Kanievsky suggests that this issue is affected by the Rambam's formulation of *chesed* as both a Biblical imperative of "Love your neighbor" and a rabbinic directive in its specific formulation. The scope of the Biblical imperative, as central as it is, has limitations; one might legitimately abstain from pursuing *chesed* because of one's own pressing personal needs. However, once the Rabbis instituted the practices of visiting the sick and the like as affirmative responsibilities, a new level of prioritization was assumed. In other words, the Rabbis, with their innovations, transformed *chesed* from a free-floating ideal to an active responsibility possessed of its own inherent urgency.<sup>25</sup>

Maimonides, as previously noted, interprets the mandate of "Love your neighbor" as an affirmative obligation, advocating active behavior on behalf of one's fellow. Others disagree, noting that it is impossible to actively do as much for even one other individual as one does for one self; the Talmud states as much when it rules, per R. Akiva, that *chayekha kodmin*, "the needs of your life take precedence."<sup>26</sup> Accordingly, some commentaries assume that the imperative of "Love your neighbor" is actually a negative one, to abstain from treatment that one would personally find odious to

receive; in the formulation of Hillel, "that which is hateful to you, do not do toward others."<sup>27</sup>

In explaining the Rambam's view, some have suggested that "Love your neighbor" manifests itself as a two-tiered obligation. As a negative, it is an absolute; one is categorically enjoined from acting towards another in a way that one would not want to be treated. As an affirmative concept, it is voluntary and subjective; constituting a fulfillment of a *mitzvah* when acted upon, but not engendering any culpability when omitted.

Building on this model, it has been theorized that when *chesed* can be performed without serious consequences in terms of diverting resources or incurring loss, then the *chesed* becomes obligatory. To fail to express *chesed* under these circumstances would place one in the category of possessing "the quality of [the inhabitants of] Sodom."<sup>28</sup> Similarly, the Talmud teaches that one should not dispose of water from his property if others could make use of it.<sup>29</sup> However, if legitimate counter-indicative factors exist, then to refrain is understandable, although not necessarily laudable. Under those circumstances, the act of *chesed* becomes a voluntary *mitzvah* fulfillment rather than an obligation.<sup>30</sup>

## II. Finding the Balance

This last point raises the issue of determining the proper balance between the demands of two all-consuming obligations, Torah study and the pursuit of *chesed*.<sup>31</sup> From a technical halakhic perspective, the issue is a complex one. As a general rule, involvement in one *mitzvah*

exempts one from taking up another *mitzvah* (*osek be-mitzvah patur min ha-mitzvah*).<sup>32</sup> However, the study of Torah is an exception to this rule; its occupation only excuses one from another *mitzvah* if that second *mitzvah* will be attended to by another. If there is no one else who can or will perform that task, the second obligation is in effect even upon one who is involved in Torah study.<sup>33</sup>

The unique character of *chesed* may cause it to deviate from this rule, possibly in both directions. Clearly, it is crucial that all people should be involved in *chesed* in some form and to some degree. The Talmud states that one who has learned Torah, but not involved himself in *chesed*, is comparable to one who has no God.<sup>34</sup> According to the 16<sup>th</sup> century author R. Moshe ibn Makhir, in his work *Seder Ha-Yom*,<sup>35</sup> one is instructed to interrupt his Torah study for the call of *chesed*, even if the act can be performed by another. While this is against the general rule, he traces his idea to the statement of the *mishnah* that rules that Torah study is set aside in order to escort a bride or for a funeral, which he understands to be a general reference to *chesed* as a whole.<sup>36</sup> He explains this perspective by noting that those involved in *chesed* “uphold the entire world like involvement in Torah, almost more so.”<sup>37</sup>

Other sources appear to indicate an opposite perspective.<sup>38</sup> Since the opportunities and demands of *chesed* are basically infinite and never satisfied, the entire realm may be categorized as “impossible to be attended to by another,”

## *Chesed* is operative and effective on two planes, toward serving the needy, and toward the creation of a Godly personality.

and, *reductio ad absurdum*, demand the permanent abandonment of Torah study. As that is an obviously impossible conclusion, the conflict demands a specialized resolution.

Viewing *chesed* as a voluntary fulfillment, at least when there are complicating factors, allows for such a resolution. Since the call to *chesed* is infinite, it cannot be understood as obligatory, and thus one cannot be expected to cast aside all other responsibilities and pursuits. Nonetheless, in the words of the *mishnah*, “the task is not yours to complete, but neither are you free to neglect it.”<sup>39</sup> A life devoid of involvement in *chesed* is just as unthinkable as one in which the demands of *chesed* supersede all other aspects of life.

This is particularly so in light of the principle established above; *chesed* is operative and effective on two planes, toward serving the needy, and toward the creation of a Godly personality. Even were it to be the utopian case that no needy subjects existed anywhere in proximity, the imperative of *imitatio Dei* would forbid one from living an existence without attention to others. Thus, a balance must be struck between the concerns of *chesed* and those of the other priorities of life.

R. Naftali Tzvi Yehudah Berlin, known as the *Netziv* of Volozhin, in his commentary to the Torah,<sup>40</sup> discusses how individuals are to identify in which direction to focus their nobly intentioned efforts. Citing the verse, “Rejoice, O young man, in your youth, and let your heart cheer you in the days of your youth, and walk in the ways of your heart, and in the sight of your eyes; but know, that for all these things God will bring you into judgment” (Ecc. 11:9), the *Netziv* explains that walking “in the ways of your heart” indicates that, within the framework of the Torah’s directives, one must be sensitive to the pull of one’s natural tendencies and proclivities, understanding that this is probably indicative of what is best for him. For some, Torah study will emerge as the dominant pursuit; for others, it will be *chesed*. Halakhic authorities emphasize that one who is devoted to *chesed* is as deserving of respect as is one who totally involved in learning.<sup>41</sup>

In an oft-quoted responsum, R. Moshe Feinstein asserts that even one who has devoted himself exclusively to Torah study, and has displayed the capacity and aptitude to do so, must feel a responsibility to spend some of the time he has for such study in assisting those less capable.<sup>42</sup> He suggests that the model

### For Further Discussion

- If *chesed* is an infinite obligation, and also follows the principle that “your life takes precedence,” where should a person draw the line between caring for themselves and giving to others?
- Torah study and *chesed* are both described as all-consuming ideals. When the needs of the community conflict with personal spiritual growth, which should take priority—and why?
- Providing *chesed* to family members is one of the highest forms of *chesed*. Would you consider to be a personal form of *chesed* or a communal form of *chesed*?

of the biblical requirement of tithes (*ma'aser*) is an appropriate guideline, thus recommending that at least one tenth of one's time be spent in such a manner.<sup>43</sup>

From a technical standpoint, R. Yisrael David Harfenes tentatively suggests that the notion that one does not interrupt Torah study for a *mitzvah* that can be done by another refers specifically to the interruption of a session that has already started. However, one who is currently unoccupied and is choosing between Torah study and an act of *chesed* may possess the latitude to opt for either of these crucial and exalted activities.<sup>44</sup>

The assumption that *chesed* begins as an all-encompassing obligation but makes allowances for the other priorities of life has a significant halakhic ramification. It is possible to assert that one who declines to perform a *chesed* for ignoble reasons, such as jealousy, indifference, or haughtiness, may actually be in affirmative violation of the imperative of "Love your neighbor."<sup>45</sup>

### III. The Priority of Family

It is crucial to point out, within the context of this discussion, an often neglected aspect of the *mitzvah* of *chesed*. It frequently happens that those who devote themselves to acts of communal service overlook the fact that the members of their immediate family are also in need of time and attention. Not only are close relatives appropriate recipients of *chesed*, they maintain the highest priority. First on the list is one's spouse; indeed, the Talmud mandates one must respect his wife "more than oneself."<sup>46</sup> Family as a whole takes a high priority through the normal rules of *chesed* and charity allocation, as well as for reasons of proper social practice (*derekh eretz*)<sup>47</sup> and the general admonition toward family loyalty represented by the verse "that you hide not yourself from your own flesh" (*mi-besarkha al titalem*; Isaiah 58:7).<sup>48</sup> Similarly, *chesed* is in no

sense limited to benefiting adults, and the service of small children, including one's own children, is absolutely within the scope of this obligation.<sup>49</sup>

The Alter of Slobodka adds that in a subtle yet significant way, the closer one is related to the beneficiary, the more profound and complete the act of *chesed*. When one provides kindness to a stranger, that person benefits, but at the same time undergoes the humiliation of requiring the aid of a stranger. When one benefits a close relative, and especially one's spouse or children, there is both a benefit and the lack of any ensuing embarrassment. Accordingly, the act is a more perfect realization of the *chesed* of God that we are meant to emulate.<sup>50</sup>

In all cases, the encouragement of halakhic authorities is to rely sparingly on exemptions from *chesed* and to pursue all reasonable opportunities. We are constantly reminded that *chesed* is both the identifying hallmark of the Jew and the Divine trait we are most directly bidden to imitate. The call of *chesed* is indeed infinite; but so, too, is its reward.

### Endnotes

1. *Sefer Ha-Chinukh*, *Mitzvah* 18.

2. *Pe'ah* 1:1.

3. See R. Moshe Zacuto, *Kol Ha-Ramaz* on *Pe'ah*. Compare the comments of the Ga'on of Vilna, regarding Torah study, in his *She'not Eliyahu* commentary to the *mishnah* in *Pe'ah*.

4. *Turei Even*, *Chagigah* 7a.

5. *Tiferet Tziyon*, to *Sotah*, pp. 50-51.

6. See R. Yisrael D. Harfenes, *Responsa Va-Yevarekh David*, I, *Yoreh De'ah*, 112.

7. *Bava Metzia* 30a-b.

8. For an analysis of this concept as a prohibition, advice, or a prediction, see R. Yehoshua Menachem Ehrenberg, *Responsa Devar Yehoshua*, II, 140:3.

9. *Shulchan Arukh Ha-Rav Ba'al Ha-Tanya*, *Hilkhos Metziah U-Pikadon*, 33-34. R. Schneur Zalman's conclusion is that this attitude should not dictate one's practical approach, consistent with the qualifications mentioned later in this article. See

also R. Ya'akov Yeshaya Bloi, *Pitchei Choshen*, I, *dinei aveidah*, 8:2, and n2; and R. Yosef Bar Shalom, *Responsa Va-Yitzbor Yosef*, II, 85.

10. *Responsum* printed in R. Moshe Michael Tzurn, *Aleinu Le-Shabeach* IV, pp. 627-628. It should be noted that this activity might be illegal in some municipalities.

11. R. Zilberstein cites R. Elitzur as proving this point based on the words of *Tosafot*, *Avodah Zarah* 20a, s.v. *ve-Rabbi Meir*. See also R. Chanan Aflalo, *Responsa Asher Chanan*, I, 115, who takes a similar attitude (based on different sources) regarding one who objects to giving another a ride in his car due to the cost of the extra gas consumed by carrying an additional passenger.

12. *Berakhot* 19b; *Shabbat* 81b and 94a; *Megillah* 3b; and *Eiruv* 41b. See the extensive listing of sources in *Va-Yevarekh David*, *ibid*, unnumbered footnote on p. 396; and see *The Right and the Good: Halakhah and Human Relations*, ch. 14.

13. This view appears in the *Shulchan Arukh*, *Choshen Mishpat* 263:3.

14. The view of the Rosh, cited by the Tur and the Rama, *ibid*; see *Sma*, 263:5 and *Be'er Heitev* #3. See *Orach Meisharim*, ch. 17, *biur* #4, for an analysis regarding practice.

15. See *Bi'ur Halakhah*, *Orach Chaim* 250, s.v. *ki zehu ke-vodo*; *Responsa Va-Yevarekh David*, note 12 above. Note the language of Maimonides in *Mishneh Torah*, *Hilkhos Lulav*, 8:15.

16. See R. Elchanan Wasserman, *Kovetz Shiurim*, to *Ketubot*, 67b, and R. Alter Chaim Knoblich, *Netiv Chaim*, to *Bava Metzia*, 25. For further discussion of the exemption of the dignified elder, see R. Yitzchak Blazer, *Responsa Peri Yitzchak*, I, 53-54; R. Aharon Reich, *Devar Aharon*, to *Bava Metzia* 30b; R. Moshe Shteynholtz, *Moresheet Moshe*, to *Bava Metzia*, 39; and R. Michael Klagsbald, *Me'Yey'mini Michael*, to *Bava Metzia*, 146-147.

17. *Bava Metzia* 30b; see *Ahavat Chesed*, III, ch. 2, in fn.; see also R. Mordechai Carelbach, *Chavatzet Ha-Sharon al ha-Torah*, Genesis, pp. 188-189, who suggests a distinction between different elements of obligations such as visiting the sick: an interpersonal aspect, that exempts the dignified elder, and the *imitatio Dei* aspect, which is regulated differently.

See also *Responsa Maharam Shick*, *Orach Chaim*, 331, where it is implied that when there is a binding interpersonal obligation, one is required to undergo personal humiliation in order to fulfill the obligation; and note the objection of R. Shmuel Wosner, *Responsa Shevet Ha-Levi*, IV, 64.

18. *Yoma* 30a, *Kiddushin* 54a.

19. *Responsa Maharam Shick*, *Choshen Mishpat*, 31.

20. *Bava Metzia* 30a and 62a; see R. Katriel Fishel Tsurch, in the journal *Techumin* (vol. I, p. 234).
21. See *Turei Zahav, Yoreh De'ah* 240:7; R. Moshe Troyesh, *Orach Meisharim* (17:2); R. Chaim Yeshayah Keonig, *Responsa Chukkei Chaim*, IV, 37. See also R. Moshe Shternbuch, *Mo'adim U-Zemanim*, I, 88, and VIII, 1:88, who considers this question in light of a report he had heard concerning R. Chaim Ozer Grodzinski of Vilna. Apparently, one year, on the festival of *Sukkot*, R. Grodzinski (a preeminent halakhic authority of his generation, and author of the *Responsa Achiezer*) had judged himself exempt from the obligation of *sukkah*, due to his ailing physical state. However, he was hosting a guest who was in good health, who thus chose to eat in the *sukkah*. While eating his meal, the guest was surprised to see R. Grodzinski join him in the *sukkah*; the latter explained that while his health condition exempted him from *sukkah*, it did not exempt him from the obligations of hospitality and creating a pleasant atmosphere for his guests. The implication, if this report is accurate, is that the great authority considered himself obligated to endure what was apparently significant physical discomfort in order to fulfill the demands of *chesed*. Concerning this incident, see also R. Yitzchak Yehudah, *Yismach Yehudah*, (Gen. 18:2); R. Shmuel Eliezer Rolnick, *Torat Shmuel*, (Gen. 18:5); and R. Shimon Yosef Meler, *Shai Le-Torah*, (Gen. p. 37-38). R. Shternbuch expands on this incident in his *Chokhmah Ve-'Da'at*, (Gen. 18:2).
- A related discussion by R. Yitzchak Zilberstein (in a responsum published in *Aleinu Le-'Shabe'ach*, II, pp. 644-645) concerns one who is asked to transport in his vehicle a patient with an offensive odor or discharge that will stain the vehicle. R. Zilberstein considers the question from several angles; if the driver is a taxi driver, who may lose revenue from other passengers as a result of this *chesed*, he has the right to incorporate the monetary factor in that decision. If that is not the case, or the lost revenue and/or damages are compensated for, the directive of *chesed*, is, in his assessment, dominant.
22. *Bava Metzia* 33a.
23. See *Tur* and *Shulchan Arukh, Choshen Mishpat* (264:1). See also R. Natan Gestetner, *Natan Piryo*, to *Bava Metzia*, (pp. 197-198, s.v. *aveidato*).
24. See *Sefer Me'irat Einayim, Choshen Mishpat* (264:2); and R. Eliezer Goldshmidt, *Ezer Mishpat*, (#23).
25. *Orechot Yosher*, ch. 3. See a similar approach in R. Avraham Erlanger, *Birkhat Avraham, Nedarim* 39b (p. 81). See, as well, R. Yitzchak Rosenblatt, *Chedvat Yotzer*, 26.
26. *Bava Metzia* 62a.
27. *Shabbat* 31a. See *The Right and the Good: Halakhah and Interpersonal Relations*, pp. 171-177.
28. This expression is found, among other places, in a passage in the Talmud (*Bava Batra* 12b), where it emerges that one who withholds benefit to another, despite the fact that the benefit causes no loss to the first individual (*zeh neheneh ve-zeh lo chaser*) is termed as exhibiting "*middat Sedom*." The ruling is that *Beit Din* may compel one not to behave in this manner; thus, it appears that avoiding an attitude categorized as *middat Sedom* is an obligation.
29. *Yevamot* 11b.
30. See R. Avraham David of Butchach, *Kesef Ha-Kodashim, Choshen Mishpat* 237:1; and R. David Ariav, in the journal *Torat Ha-Adam Le'Adam* (IV, pp. 95-96, and fn, 2).
31. See also the Talmudic discussion (*Kiddushin* 40b, and *Tosafot*, s.v. *talmud*), as regarding the general question of the comparative value of study and deed. See, as well, the lengthy analysis in *Responsa Va-Ye-varekh David*, 174.
32. *Sukkah* 25a, *Berakhot* 11a.
33. *Mo'ed Katan*; 9b; Maimonides, *Hilkhot Talmud Torah* 3:4; *Tur* and *Shulchan Arukh, Yoreh Deah*, 246:18. See also R. Shlomo Schneider, *Divrei Shelomoh*, II, 146:17; R. Yitzchak Shmuel Schechter, *Responsa Yashiv Yitzchak*, II, 11; R. Shammai Kehat Gross, *Responsa Shevet Ha-Kehati*, I, 268; R. Aharon Yehudah Grossman, *Responsa Ve-Darashita Ve-Chakarta*, I, *Yoreh De'ah* 30:8.
34. *Avodah Zarah* 17b. The *Chafetz Chaim* addressed this from a spiritual perspective in *Ahavat Chesed*, II, ch. 4. See also R. Chaim Freidlander, *Siftei Chaim: Midot Ve-'Avodat Hashem*, I, pp. 294-299. This is apparently true even if one has learned Torah extensively; see *Responsa Aderet Tiferet*, III, pp. 350-351.
35. Last paragraph of commentary to the *mishnah* in *Pe'ah* (1:1). "*Eilu Devarim*" (*Pe'ah* 1:1).
36. *Megilah* 3b.
37. Later sources questioned the correctness of the position of the *Seder Ha-Yom*, noting that the passage in the Talmud Yerushalmi (*Pesachim* 3:7), which the *Seder HaYom* quotes, explicitly includes *chesed* under the category of *mitzvot* that only take priority over Torah study when they cannot be done by another; see as well *Tiferet Yisra'el, Pe'ah* 1:1. Concerning the general validity of the *Seder Ha-Yom's* assumption, see *Yosef Ometz*, p. 266; *Responsa Shevet Ha-Kehati*, V, 180; R. Avraham Duri, *Responsa Aderet Tiferet*, IV, 44.
38. See R. Ariav, note 30 above, pp. 100-101, and in his *Le-Re'akha Kamokha*, II, *Kuntres Ha-Bi'urim*, 3.
39. *Avot* 2:21.
40. *Ha'amek Davar*, Num. 15:41.
41. See Rashi, *Menachot* 99b. s.v. *she-bitulo shel Torah*; *Responsa Maharshdam, Yoreh Deah*, 100.
42. *Responsa Iggerot Mosheh, Even Ha-Ezer*, IV, 26:4.
43. See also *Aleinu Le-'Shabe'ach*, I, p. 659.
44. *Responsa Va-Yevarekh David* II, Tzvi Ve-Chamid, 174-177. See also the analysis of R. Ya'akov Farbstein, *Mitzvat Bikkur Cholim*, ch. 37.
45. This observation was made by R. David Ariav to R. Chaim Kanievsky, who agreed (*Le-Re'akha Kamokha*, II, p. 318, #19).
46. *Yevamot* 62b; see *Le-Re'akha Kamokha* II, *biurim* 7.
47. See *Le-Re'akha Kamokha*, *ibid* p. 101.
48. See *Ahavat Chesed*, I, ch. 4, fn 2.
49. See R. Avraham Ehrman, *Halikhot Olam*, 54:6; *Mishpetei Ha-Shalom*, p. 157, fn 37. See also R. Yitzchak Zilberstein, cited in R. Moshe Michael Tzurn, *Aleinu Le-'Shabe'ach*, V, pp. 524-527; and *Ve-'Ein Lamo Mikshol*, VI, pp. 318-319.
50. R. Natan Tzvi Finkel, *Ohr Ha-Tzafun*, I, pp. 162-165. In this manner, R. Finkel explains the midrashic comment (*Gen. Rabbah*, 58:9; see Introduction) that Abraham reached a God-like level of *chesed* specifically when he attended to the burial of his wife.



# Individuals Who Obligate Us

I want to tell the story of three individuals that I know personally who are an example of what it means to engage more deeply with the Torah and its values. What strikes me most about them is that they think far beyond their own needs. They care deeply about strengthening the klal, the Jewish community as a whole. And I believe their example not only inspires us but obligates us. Let me frame their stories with a message connected to Shavuot.

This Shavuot will be a moving experience. We will stand again at the foot of Mount Sinai and receive the Torah anew. Amid all the challenges facing Israel and the world, it seems our connection to our Jewish identity and to God only grows stronger. This isn't folklore, and it isn't a trend. It's not something that will fade as time passes since the October 7th massacre, nor is it something that was born as a result of the October 7th massacre. This is people connecting to the truth: the Jewish people are returning

to Torah and mitzvot. In these times, it feels like every day is a new revelation at Sinai. Those already engaged Jewishly are becoming even more committed. Those who were on the outside are coming in.

In Tractate Yoma, we are told about several figures whose examples obligate others to engage with Torah, because they themselves managed to do so under extraordinarily difficult conditions. Our sages tell us there that if a poor person is asked after death why he didn't study Torah, and he says he was too busy trying to make a living, they'll tell him: "Surely you weren't poorer than Hillel the Elder, who nevertheless spent his time mastering the Torah." The same applies to the wealthy. If a rich person arrives in the World to Come and answers that he was too preoccupied with his assets to study, they'll ask him: "Were you wealthier than Rabbi Elazar ben Charsom? Rabbi Elazar, despite his great wealth, studied Torah day and night." And so on, even regarding someone primarily occupied with his



## Sivan Rahav-Meir

*Sivan Rahav Meir is an Israeli journalist and lecturer. She lives in Jerusalem with her husband, Yedidya, and their 5 children. She was chosen by "Globes" magazine as Israel's favorite journalist and by The Jerusalem Post as one of the most influential Jews in the world.*

evil inclination and desires. They'll tell him about Yosef HaTzadik, who was handsome in appearance yet withstood temptations in Egypt and clung to Torah. In summary, our sages conclude: "Hillel obligates the poor, Rabbi Elazar ben Charsom obligates the wealthy, Yosef obligates the wicked."

From this perspective, I want to tell you about three people in our generation who obligate us.

## Chaim Elchanan Aidan

Have you ever read a Torah newsletter typed with someone's nose? I hadn't either, until I met Chaim Elchanan Aidan. He's a 21-year-old from Jerusalem living with cerebral palsy. He can't walk, eat, or speak independently. A few years ago, when he tried typing on a computer as usual, he felt once again that his fingers weren't responding quickly enough. His nose, however, tapped out letters in sequence. That's how it all began.

"I'm typing to you with my nose right now too," he wrote when I interviewed him this year on WhatsApp. Then he sent me a file—his weekly newsletter on the Torah portion. A publication called "Or HaTorah," which he started producing back in seventh grade. It turns out he sends texts and printing instructions to the print shop, and also distributes the newsletters himself with his motorized wheelchair to synagogues throughout Jerusalem. "I have to act and do," he explained. "Otherwise I get depressed."

It's an impressive and fascinating publication. Full of quotations, sources, stories, and laws. And he publishes consistently, week after week. If you read the newsletter, you couldn't imagine how it was written. Elchanan handles both the content and the technical side. He obligates us to reconsider our assumptions about our own limits, especially when we tell ourselves we lack the stamina or capacity to take part in a cause or project.

Here's a quote from his Passover issue, an idea that was perhaps also written about himself: "Many people ask what 'v'hi (and she) she'amda' means—that famous passage from the Passover Haggadah. Who is 'she'? I heard an idea: 'she' is our faith. What has stood by our ancestors

and us throughout all generations is faith, even in difficult moments. We have an inner capacity to believe things will be good. When a person maintains faith, he's already on the path to freedom!"

When I asked Elchanan for a tip, he typed this to me with his nose: "My recommendation to everyone is to pray, to talk with God always, even in your own language. I talk to Him a lot, and I recommend it. He's there, He's listening. And you don't need to type to Him with your nose..."

## Leah Rieder

Leah Rieder was laid to rest a few weeks ago in Jerusalem, at age 68. She was the wife of Ralph Rieder, and together, they partnered in countless acts of charity, chessed, and kindness.

I'll start with my first encounter with her: "I'm Leah," a lovely woman introduced herself at an event in New York. "Tomorrow my mother, a 96-year-old Holocaust survivor, is coming to the historic Siyum HaShas ceremony. You should come."

So I came. The next day I showed up there with a camera crew. One hundred thousand Jews arrived at MetLife Stadium in New Jersey for the celebratory event. Anyone who studies one page of Talmud each day completes the entire Shas at the end. And consistent Torah study, particularly in the United States, is something worth celebrating and honoring.

Leah introduced me to her mother, who became the hero of the story that I

broadcasted. Marlit Wandel is a survivor of nine concentration camps. I stood beside her and her descendants as she spread her hand and pointed to the entire crowd, one hundred thousand Torah-loving Jews: "Hitler wanted to destroy us all, and now—look around! Look! They wanted to destroy us—and we're dancing a dance of Torah. If someone had told me this back then in Auschwitz..."

I thanked Leah for the "news item," which was so much more than a news item. It was a rare encounter to connect with the *Am HaNetzach*.

After the terrible massacre on October 7th, I was invited to accompany a group of Nova survivors who came to observe Shabbat together in Jerusalem. About 400 young people gathered at a hotel, and with them—Ralph and Leah Rieder as well. That's how I discovered they were the donors behind this amazing initiative, launched by Tzili Schneider from the Keshet Yehudi organization. You can't count the Shabbatot and holidays we've celebrated together since then, in this special community. Leah personally accompanied the Israelis who chose Torah and mitzvot, heard their stories, and was even a member of the active WhatsApp group called "From Nova to Jerusalem." There are about 3,000 Nova survivors and this group has more than 3,000 members who support and inspire each other.

This past Simchat Torah, these growing Nova survivors requested their own Torah scroll, in memory of the friends who were murdered. Ralph and Leah agreed to donate it. Imagine Nova survivors, on Simchat Torah, dancing



See more shiurim and articles from Mrs. Rahav-Meir at [www.yutorah.org/teachers/Mrs-Sivan-Rahav-Meir](http://www.yutorah.org/teachers/Mrs-Sivan-Rahav-Meir)

with a Torah scroll, feeling the souls of their murdered friends dancing with them above. As Marlit said: "They wanted to destroy us, and we're dancing a dance of Torah." I covered this event as well and again thanked Leah for the "news item," which was so much more than a news item. It was another opportunity to connect with the *Am HaNetzach*.

The following story, which went on behind the scenes, tells us about the impact that Ralph and Leah made on this group. Shira is one of the young Nova survivors; she comes from a religious home and reconnected after she survived. She approached Ralph and asked for the Torah scroll, saying "I keep some of the Shabbatot."

Ralph answered her with a smile: "Then I'll give you part of the Torah scroll. We'll take out a few portions."

Shira understood the hint. Since then she's kept Shabbat fully, every week, and so have other young people from this group.

In recent years, Leah faced a serious illness with grace, until she passed away in her home, on Shabbat—the day that so identified with her. Hasidic and Lithuanian women from Monsey, NY alongside young women with piercings and tattoos in Israel, shed tears for their shared friend. For me, she was an example of someone whose priorities were not confused by financial success. On the contrary, success obligates us to use money for the most important thing—to add Torah and mitzvot to the world.

The funeral procession departed from New York, and on Monday morning, the eve of Holocaust Remembrance Day, Leah was laid to rest in Jerusalem. Because all roads—from Auschwitz, from New York, from Nova—lead to Jerusalem.

## Julie Kupershtein

There are many more examples of self-sacrifice in special circumstances. I considered writing about soldiers I've met who studied Torah on the battlefield. I considered writing about famous artists returning to observance and releasing songs of faith that are conquering the Israeli playlist. I considered writing about daily Daf Yomi classes in the city of Kiryat Shmona that continue under fire. Or about Chabad emissaries throughout the world who are writing a new chapter of Jewish self-sacrifice during this period. But then, on Chol HaMoed Pesach, I met Julie Kupershtein at the Western Wall. I've had the privilege of accompanying her over the past two and a half years, and watching her withstand the most difficult tests. She truly is an "obligating" figure.

Julie is married to Tal, and they have five children. She became observant and tried to bring family members closer to Judaism as well. Tal was injured in a car accident and became disabled. Their eldest son, Bar Kupershtein, was a security guard at the Nova party and was kidnapped and held hostage in Gaza. During this difficult reality, Julie became a symbol. She created an "Iron Dome" of prayers, Shabbat, mitzvot, and Torah study, and managed to reach very distant sectors and connect them.

The Israeli and international media tried to get news headlines and political statements from her. Julie refused. For two and a half years, she ran a command center of faith alone. Every time they asked her to say something about the Prime Minister, about the President of the United States, about the approaching deal, she raised her eyes upward. She reached the most insular ultra-Orthodox communities and the most secular and left-wing protesters with exactly the same words. I saw her one Shabbat before Bar returned home. She was leading an initiative of students who came to keep Shabbat for the first time. Minutes before

candle-lighting I saw her smiling, moved when someone put on tefillin before sunset in order to add more merits on behalf of Bar.

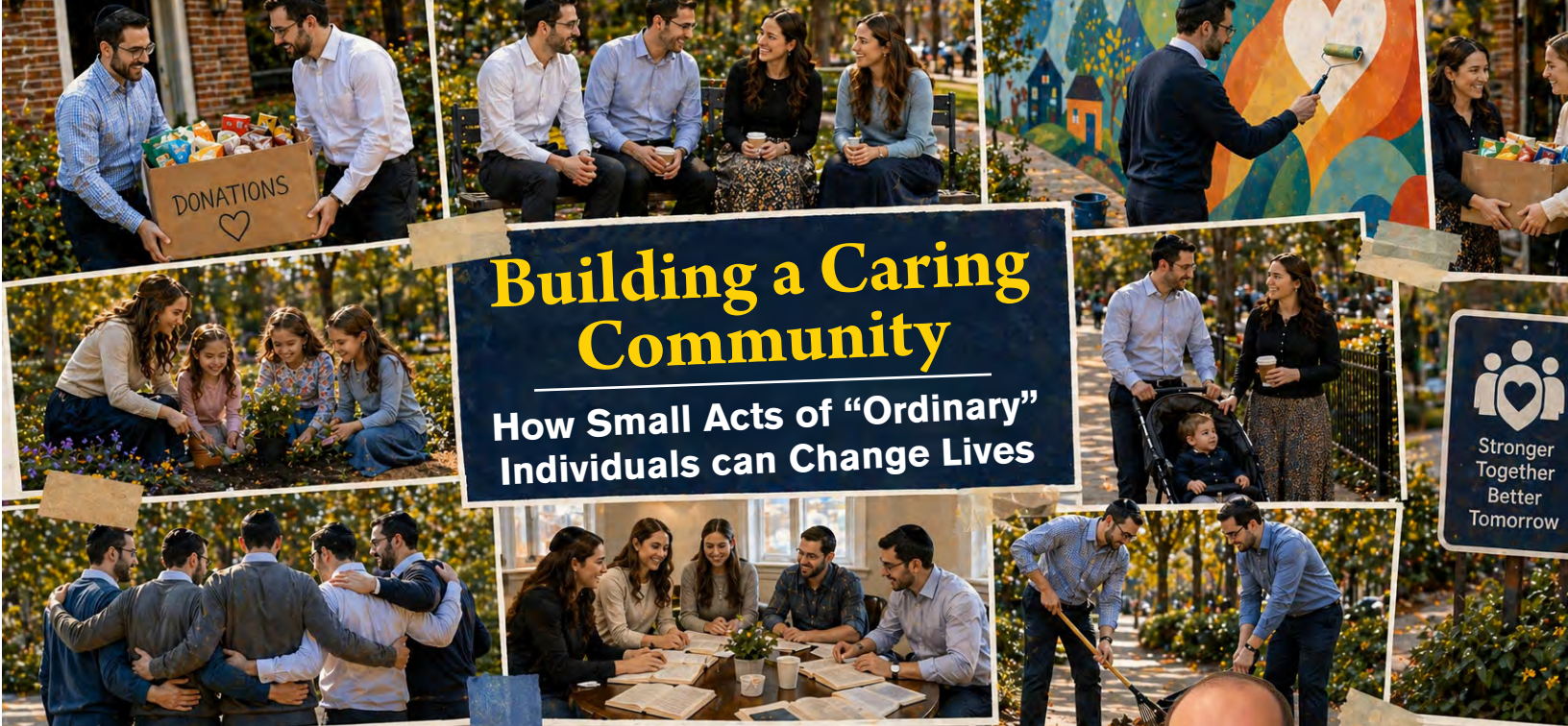
"People think I'm crazy, but what I'm doing is the most real thing. You'll see," she said throughout the journey. Bar came home, healthy and whole. And then this past Chol HaMoed Pesach, with Bar, at the Western Wall. They were celebrating his 24th birthday. Julie, beside Tal in his wheelchair, watched Bar in a kippah and tzitzit as he was lifted on the shoulders of people singing "Am Yisrael Chai."

"Look," she said to us, "you're seeing your prayers come true before your eyes. We didn't believe Bar would return like this, and he did. I don't think this a private story. It's a message for all of the people of Israel: this is how all our prayers will come true. We need to believe, to pray, to act."

\*\*\*

Most of us are ordinary people, far from the three stories described here. Our Jewish lives aren't so dramatic, but even in them—every mitzvah and every good decision matters. It's so moving to see people on airplanes, at bus stops, and in every place and situation—studying Daf Yomi, studying daily Chumash, connecting to Torah. There have never been so many opportunities and apps and accessible, explained content. And every bit of our daily learning is a touch of eternity. Shavuot is an opportunity to take upon ourselves such daily study.

Let's return to the Talmud in Tractate Yoma, which asks us to look at figures who went to the extreme and succeeded in passing the test. May we all learn from them, draw inspiration, and succeed.



# Building a Caring Community

## How Small Acts of “Ordinary” Individuals can Change Lives

When Hashem introduces Himself to us through a particular *midah*, it is never incidental. It is meant to teach. It is meant to shape who we become.

At one of the most formative moments in Jewish history, as Moshe Rabbeinu encounters Hashem for the first time at the burning bush, Hashem does not appear in grandeur. He speaks from within a *sneh*, a low, thorny bush. Rashi explains that this choice was deliberate. Hashem was conveying a message: *Imo Anochi batzarah*, I am with them in their pain. Their suffering is not distant. It is present with Me.

This moment sets the tone not only for the redemption from Egypt, but for the kind of people we are meant to be.

When Moshe Rabbeinu ascended Har Sinai, he saw beneath the Kisay HaKavod (Throne of Glory) a brick of sapphire (Shemos 24:10). The Midrash explains that it represented the bricks Bnei Yisrael were forced to produce in Mitzrayim. The image was held close, a reminder that their pain would never become abstract or forgotten.

Hashem models for us what it means to be *nosei b'ol im chaveiro*, to help carry the burden of our friends. To live a Torah life is obviously to learn Torah and do the mitzvos, but it is also to learn how to feel, how to notice, and how to respond.

A number of years ago, at my first rabbinic meeting in the Five Towns, I found myself mostly listening. An older gentleman entered the room and spoke with urgency. He described an organization he had built to support single mothers, women carrying the full weight of raising families while navigating financial strain and emotional exhaustion. His message was simple and direct: There are people in our community who are struggling deeply, and we cannot allow them to remain unseen.

I introduced myself afterward. His name was Dov Wolowitz.

About two years later, over Pesach, he passed away suddenly. His absence left more than a void. It left a responsibility.

A group of community members came together to continue running the organization that he founded — Al Kanfei Nesharim. What quickly became clear was that the need was far greater



than we had imagined. Today, we support over 190 single mothers in our community. These are women working tirelessly to provide for their families, with limited resources and support. We help with basic expenses, supermarket gift cards and home repairs, and connect them with other organizations that can assist across a wide range of needs.

But what has stayed with me most are not the numbers. It is the moments.

A woman came into my office before Pesach. We were able to give her a modest check. It was not life changing in the way we tend to define it. But as she received it, she broke down in tears. For her, this

There is a natural hesitation at times to “copy” an idea, as if it diminishes its originality. But when it comes to chesed, the opposite is true. Copying what works is not only acceptable, it is a form of respect. It is the greatest compliment. **It means that something meaningful was built, something worth repeating.**

meant groceries for Yom Tov. It meant a bit of breathing room. It meant knowing that someone cared.

What actually changes lives is rarely something dramatic. We don't need to be people of stature or means. Each individual can make a difference. It is the small acts, done consistently, that are within reach for all of us. These experiences have shaped how I think about chesed. Four ideas stand out.

### **1. Each individual's small contribution makes a bigger impact than we realize.**

We tend to measure impact in sweeping terms. We imagine that changing a life requires something large and transformative. But in reality, what people often need most is something immediate, something tangible, something that allows them to breathe again.

The woman who came before Pesach was not looking for everything to be solved. She needed groceries. She needed relief.

That moment did not change everything. But it changed something real. And sometimes, that is what allows a person to keep going.

I once told someone about what we were doing, and his response was, “That's not my thing.” It struck me. What does that mean?

Does it mean that giving itself isn't “your thing”? That seems unlikely as we are, after all, the children of Avraham, Yitzchak and Yaakov, a people built on chesed.

Or does it mean that you feel like what you can give isn't significant enough?

I am going to assume it was the second and it's just simply not true.

### **2. Individual acts become powerful when we do them together.**

No single person is responsible to carry everything alone. But when people each take hold of a small part, something meaningful begins to take shape.

What Dov Wolowitz started, and what has continued through running Al Kanfei Nesharim, is exactly that. A structure where many individuals contribute in small ways, and together those efforts provide real support to families who need it.

We see this with the daily giving initiative, a platform that allows individuals to donate small amounts each day, which are then distributed to various charities. I also got to see it firsthand with an initiative my grandfather, Steve Savitsky, helped build after seeing a similar model in Eretz Yisrael. A simple group that shares real, vetted needs within the community.

At first, the group consisted of just three people: my grandfather, my sister, and myself. But he believed in it. He spoke

about it to anyone who would listen. He pushed. He persisted.

Today, that group called “mitzvah opportunity” has grown to over 1,200 members. Each week, a story is shared. A real need. A real person. And then something remarkable happens: people give. Five dollars. Ten dollars. Twenty dollars. Small amounts, multiplied by many.

And suddenly, \$20,000 is raised. A burden is lifted. A family breathes again. Recently, the group surpassed one million dollars in total giving.

A caring community is not built through grand gestures. It is built through many people quietly doing their part.

### **3. Our impact is greatest when we collaborate and learn from each other.**

In the world of chesed, there should not be competition, only collaboration. When something works, when a system is helping people in a real and meaningful way, it should not remain limited to one community or one organization. It should be shared, replicated, and adapted so that more people can benefit.

There is a natural hesitation at times to “copy” an idea, as if it diminishes its originality. But when it comes to chesed, the opposite is true. Copying what works is not only acceptable, it is a form of

respect. It is the greatest compliment. It means that something meaningful was built, something worth repeating.

Every community has its own needs, its own nuances, but no community needs to start from scratch. Reaching out, learning from others, and implementing proven models allows us to help more people, more effectively, and quickly.

If the goal is truly to alleviate the burdens of others, then success should never be guarded, it should be spread.

#### 4. Each individual can make an impact simply by being more “observant.”

Most of what people carry is not visible. It exists beneath the surface, behind routine, dignity, and quiet resilience.

To be an “observant” Jew can be



See more shiurim and articles from Rabbi Schreier at [www.yutorah.org/teachers/Rabbi-Ashie-Schreier](http://www.yutorah.org/teachers/Rabbi-Ashie-Schreier)

understood in a deeper way. Of course it is about observing mitzvos, but it is also about observing opportunities to help, to step in, and to make a difference.

A woman who cannot afford seats for the Yamim Noraim may never say it. Because asking is difficult.

If we are not looking carefully, we will not see the need. And if we do not see it, we cannot respond.

Every act of chesed begins with that moment of awareness.

When Hashem revealed Himself from within the thornbush, He was not only

speaking to Moshe. He was showing us how to live. To draw close to the pain of others and refuse to let it remain distant. We may not be able to solve everything, but we are never without the ability to do something. To notice, to reach out, to give a little, to ease a moment. As we prepare for Shavuot and recommit ourselves to Torah, we are also recommitting to this calling, to building a community where people do not carry their burdens alone. This is how a difference is made, not all at once and not by one person, but by many people, each willing to do something small. And for someone who is struggling, that small act can mean everything.

**THE MARCOS AND ADINA KATZ**  
**YUTorah®**  
*Society*

**Join now for \$36 a month**  
Special student rate of \$18

- One dedication of a day of learning per year
- Your choice of YUTorah SWAG
- 10% discount at [rietspress.org](http://rietspress.org)
- A copy of Rabbi Aryeh Lebowitz's new sefer "Kinyan Halacha: From Pesukim to Poskim"
- YUTorah stickers for your car and laptop
- Your name listed on our dedicated YUTorah Society page on YUTorah
- Access to exclusive shiurim and updates

Join now at [yutorah.org/society](http://yutorah.org/society)

# From YACHID to RABBIM

## The Strength That Binds Us

There is a tension that runs through Jewish life: between the *yachid* and the *rabbim*, between the individual and the collective. We speak often about the *koach harabim*, the strength of the many. We gather for tefillah, we celebrate together, we mourn together. There is a power in the *tzibbur* that is irreplaceable; certain *tefillos* that can only be said in the presence of a minyan. Certain *brachos* can be recited only when the masses join together. And yet, every *rabbim* is built on the shoulders of the *yachid*.

The progression of Shemoneh Esrei captures this duality. In the 13 middle *brachos*, we begin with the needs of the individual. We ask for *daas*, for understanding. We seek *selichah*, forgiveness. We pray for *refuah*, for healing. These are deeply personal requests, carrying the weight of our own unique needs.

But then the tone shifts and the language broadens. The focus expands to the in-gathering of our exiled nation, the restoration of our judges, the return to Yerushalayim with compassion and the renewal of the Davidic kingship. The sequence of tefillah transitions us from the *yachid* to the *rabbim*.

This pivot suggests that our *tefillos* are not meant to remain confined to the self. When we stand before Hashem and articulate our own needs, we are led to recognize that we are part of something larger. Our personal lives are bound up with the fate and the redemption of our people. The *yachid* expands into the *rabbim*.

Rav Samson Raphael Hirsch<sup>1</sup> offers a striking metaphor for this relationship. The *tzibbur*, he writes, is like rain. Rain does not fall for one field alone, nor does it distinguish between one plant and another. It descends upon all, sustaining life across the entire landscape. And yet, each plant absorbs what it needs according to its own nature.

Rain creates a shared environment of growth, but it does not erase differences. Each plant draws from the same source, yet what emerges is shaped by its own structure, its own capacity, its own identity. No two are the same, even as they are nourished together. At times, rain can overwhelm as well, reminding us that any powerful force must be approached with care and awareness.

So too, the *tzibbur* is not simply a gathering of individuals. It is the very channel through which life flows. Each



**Rebbetzin Dr.  
Adina Shmidman**

*Director, OU Women's Initiative*

person receives from it differently, shaped by his or her own role and capacity, but no one exists apart from it. To step outside of that collective is not only to stand alone, but to step away from the source that sustains. The strength of the *tzibbur* lies not in uniformity, but in a shared *mekor chayim* from which all draw.

But working for the *tzibbur* is not as simple as it sounds. Irving Bunim,<sup>2</sup> drawing on his own experience as a communal leader, notes that it is often easier to love humanity than it is to love people. A community is not made up of ideals, but of individuals, each with his or her own particularities, his or her own limitations, his or her own ways of being. The very word *צבור*, he writes, is

a conjugation of all types, צדיקים, בינונים, ורשעים, the righteous, the average, and the wicked. Individuals introduce complexity, each with his or her own unique needs and characteristics.

The *yachid* is often the one we notice, the one at the podium, the one whose name appears on the program, the one who carries a visible role within the community. That *yachid* matters, helping give shape and direction to the collective. But there is another *yachid* as well, the quieter one, who does not define himself or herself by role or recognition, but by responsibility. These “hidden *yechidim*” hold our community, unrecognized but so needed.

The mikvah attendant who welcomes women nightly into a physical space of spiritual transformation is often nameless, yet remarkably present at a moment of vulnerability. Her work is meant to be almost invisible, but without it, our community couldn't go on.

There is a kallah teacher who sits with a young woman at the threshold of a new chapter in her life. She teaches halacha carefully and clearly, but she is also shaping a new Jewish home built on Torah values and ideals. She may never see how the picture unfolds, but she helps influence and inform it.

There is the lay leader who stays late after a meeting, who makes the extra phone call, who follows up when it would have been easier to move on. This is the person who ensures that the logistics are in place, that the program runs, that the community functions.

There is the person who notices who is missing, recognizing when someone has drifted to the margins. With a gentle phone call or a kind word, someone is now included and feels part of the community. It is reaching out not because it is a role, but because something must be done.

These are people who are *oskei b'tzarchei tzibbur b'emunah*. They are often unseen, yet they carry the *rabbim* through their steady efforts. In doing so, they remind us that the strength of the many depends on the responsibility of the one.

This idea is echoed in the opening of every perek of *Pirkei Avot: Kol Yisrael yesh lahem chelek l'olam haba*. Every Jew has a portion, a share in something larger. Our task is to develop what is ours, to nurture and refine our own *chelek*. The Chofetz Chayim<sup>3</sup> explains that each person is given a *chelek*, a portion in Torah and in *avodat Hashem*, which must be developed and brought to fruition through effort. Without that investment, it remains unrealized.

This *chelek* is like a plot of land. Each of us receives an empty field, and it is our responsibility to tend it and uncover its potential. Will it bear fruit or yield thorns and brambles? Without effort, it will remain barren. As Yeshayahu says:

וְעַמּוּד כָּלָם צְדִיקִים לְעוֹלָם יִירָשׁוּ אֶרֶץ נֶצֶד  
מִטְעֵי מַעֲשֵׂה יָדֵי לְהַתְפָּאֵר.

*And your people, all of them righteous, shall possess the land for all time; they are the shoot that I planted, My handiwork in which I glory. (60:21)*

Each portion is unique, yet it does not exist in isolation. Our individual growth strengthens the whole and the strength of the whole sustains the individual. This dynamic is not merely additive. It is exponential. What may feel beyond reach on our own becomes possible when understood as part of a shared process.

When the *yachid* dedicates himself or herself, it doesn't just contribute one unit of strength to the *rabbim*. The individual's integrity, focus, and acts of *emunah* become a powerful example, elevating the entire community. In turn, a vital, sustained *rabbim* provides a deeper, richer source of strength, allowing each *yachid* to reach heights of growth and impact that would be impossible alone.

Acts of chesed and communal contributions serve as bridges between our portions. They allow what is cultivated within the individual to extend beyond the self and become part of the shared life of the community. Recognizing that we are bound to one another ensures that individual growth fuels collective strength. We are a people whose impact expands when we recognize the power of our deeds, both as the *yachid* and as part of the *rabbim*.

## Endnotes

1. Rav Samson Raphael Hirsch, *Collected Writings*, Vol. VII (Feldheim), pp. 271–273.
2. Irving M. Bunim, *Ethics from Sinai*, Vol. I (Feldheim), commentary to *Pirkei Avot* 2:2.
3. Chofetz Chayim, *Shem Olam*, Part II, ch. 10.



# NO ONE SAVES MORE LIVES IN ISRAEL IN TIMES OF CRISIS.



There are many ways to support Israel and its people, but no gift is more transformative than one to Magen David Adom, Israel's emergency services system. Your support of MDA isn't just changing lives — it's literally saving them — providing critical care and hospital transport for everyone from victims of heart attacks to rocket attacks, and every emergency in between.

**Donate today at [MagenDavidAdom.org](https://MagenDavidAdom.org) or call 866.632.2763.**



# HOW BIG IS OUR TZIBUR?

## Grappling With Complexity, Transcending Our Self

**W**e are all naturally self-centered. So when we are asked to rise above our own needs and prioritize the community we find the task difficult.<sup>1</sup> This perspective presumes a parochial sense of self. Perhaps if we can broaden our sense of self, we can learn how to naturally transcend our self. To do this let us digress and address a different question.

Thinking people naturally struggle with questions. Sometimes it feels like there are no easy answers. Whether it is inner tension or external questions, we wonder, why can't Torah be simple?<sup>1</sup> While grappling with complexity is certainly hard, our ability to do so is our greatest gift. *Nefesh ha-Chaim* (1:6) writes that humans were created last not just because they were the purpose of creation but also because in so doing, they incorporated all the previous creations, even angels.<sup>3</sup> Of course, as purely spiritual beings, angels are "closer" to the Divine and capable of spiritual perception that humans cannot reach, at least while trapped in a physical body. Nevertheless, humans, with their *bechira*, are not only more impactful, but contain within them all that preceded them, from animal to angel, from the

most material to the most holy. They are the *koach me-asef lechol hamachanot*, the final integrating power for all the camps. When a person incorporates the vast diversity spanning all of creation into himself, singing the song of each and every creature, he has achieved the pinnacle of creation.

This is the source of man's ability to handle complexity, to simultaneously embrace unresolvable realities. Thus, man's dialectical mission, which demands that he hold onto contradictory truths, stems from the moment of his creation.

With this, R. Shimon Schwab addresses a troubling question. When the angels sang upon seeing the drowning of the Egyptians, God criticized their insensitivity. But the Jews were praised for their song of salvation. Why the difference? The answer is that humans are inherently dialectical. A person can simultaneously hold onto two contradictory emotions. Angels, on the other hand, have a singular mission, and can experience only one emotion. For an angel to sing is to express pure joy—an inappropriate emotion at a time when human life was lost. But the Jews were praised for singing. Why? Because a person can rejoice over the triumph of good while also bemoaning the tragic loss



**Rabbi Netanel  
Wiederblank**

*Maggid Shiur, RIETS*

of human life. No other creation has such a capacity.<sup>4</sup>

*Nefesh ha-Chaim* explains that this is why angels can only sing one song. Either they declare: קדוש קדוש קדוש ה' צבאות מלא כל הָאָרֶץ כְּבוֹדוֹ, "Holy, holy, holy is the Lord of hosts; the whole world is filled with God's glory," a testimony of God's immanence (His glory fills the world). Or they recite: בְּרוּךְ ה' מִמְּקוֹמוֹ, "Blessed be the Lord's glory from God's place," an ode to His transcendence (His eminence resides in His place). A single angel cannot sing both—because they are mutually exclusive, two vastly different conceptions of the Divine. But a human recites both. He can handle complexity; he can relate to the Divine in multiple ways; he can love and revere; God is his master, his friend, his lover.<sup>5</sup>

We were born into a state of necessary confusion, and our freedom is realized through the resultant tension since the human being is, at his core, a contradiction.

### It's Okay to Live with Tension When Will It End?

We have seen how our ability to handle complexity is our greatest asset and it is our defining quality, but practically, how do we deal with complexity? While we may feel we have to choose, to be consistent, R. Soloveitchik frequently emphasized the need to adopt a dialectical approach, meaning we must sometimes live with apparent contradictions: "Judaism ... operates with two frames of reference because Judaism is engaged in the dialectical method, in an antithetical approach to reality. One frame of reference is one sector of being, the this-worldly sector, and a second frame of reference is Being in its majestic totality."<sup>6</sup> Likewise, *Halakhic Man* begins with the following declaration: "Halakhic man reflects two opposing selves; two disparate images are embodied within his soul and spirit." While living with a dialectical reality proves challenging, it is what makes us human, and it is the source of our greatest accomplishments.

But why is it so important? R. Soloveitchik frequently emphasizes that only from the challenge can we triumph. Thus, he begins "Confrontation" by highlighting a number of "paradoxes" that "**burden**" man, including "his paradoxical capability of being concurrently free and obedient, creative to the point of self-transcendence and submissive in a manner bordering on self-effacement." Of course, not everybody is burdened by this struggle. Natural man is "unaware of the element of tension." Accordingly, he "has no need to ... find **redemption**." Accepting our dialectical reality is trying. However, from the tension emerges redemption.

Before God created the ordered world, He created *tohu va-vohu*.<sup>7</sup> Why? What was the purpose of first creating a state of astonishment and bafflement only to replace it with order and structure? Kabbalistic sources (*Zohar* vol. 3 227a, *Nefesh ha-Chaim sha'ar 3, Tanya, Sha'ar ha-Yichud vi-ha-Emuna*) and rationalistic sources (*Moreh ha-Nevuchim* 3:9,11) offer the following answer, though with different formulations. In order to allow for free will, God had to obscure Himself. Only in a murky environment where God's omnipotence isn't obvious does evil appear as a reasonable choice. Thus, to shield man from God's light, He created *tohu va-vohu*. To disguise His existence, He created three screens: *tohu*, the darkness that emerges from *tohu*, and *bohu*. We were born into a state of necessary confusion, and our freedom is realized through the resultant tension since the human being is, at his core, a contradiction. We are body and soul, two seemingly incompatible realities, each pulling us in different ways.

R. Soloveitchik in *Lonely Man of Faith* adds that the tension is realized to an even greater degree in the dual mission of man as depicted in the two creation narratives.<sup>8</sup> In the first, man is charged to fill the earth and subdue it (*Bereishit* 1:27-28). As a being created in the image of God, he must be God like—creative and majestic. His mission is to achieve majesty and dignity. He cures diseases, builds bridges, and even creates machines with artificial intelligence that free him from menial chores and allow him to engage in more noble pursuits. But his

second task, depicted in the second chapter of *Bereishit*, is quite different (*Bereishit* 2:7-15). He is charged to cultivate a deep relationship with fellow humans and with God. Created from the dust of the earth, he is deeply humble, but emerging from a divine kiss he yearns to reconnect with His creator. The tension creates both loneliness and confusion.<sup>9</sup>

So, when will it end? Will harmony ever be achieved? In a footnote towards the end of *Lonely Man of Faith*, R. Soloveitchik addresses this question:

*Jewish eschatology beholds the great vision of a united majestic-covenantal community in which all oppositions will be reconciled and absolute harmony will prevail. When Zechariah proclaimed, "the Lord shall be King over all the earth; on that day the Lord shall be one and His name one," he referred not to the unity of God, which is absolute and perfect even now, but to the future unity of creation, which is currently torn asunder by inner contradictions. On that distant day the dialectical process will come to a close and man of faith as well as majestic man will achieve full redemption in a united world. (55)*

God's name will be one when we are one. So long as He is not one, we are not one.<sup>10</sup> The complexity will end when our mission ends. Until then we grow from the challenge.<sup>11</sup>

### Complexity for What? Where Does it Lead Us?

Let us return to where we began. We are the *koach me-aseflechol hamachanot*, the final integrating power for all of creation. This is not only the source of man's ability to handle complexity but the source of a person's capacity to rise above themselves. *Nefesh ha-Chaim* writes when a person incorporates the vast diversity spanning all of creation into himself, singing the song of each and every creature, he has achieved the pinnacle of creation.<sup>12</sup>

Of course, we all must think of ourselves. *Im ein ani li mi li*—if I do not take care of myself, who will take care of me? If I do not focus on my growth, I will never fulfill my potential. But it cannot be all about me: *ke-she-ani le-atzmi mah ani*—I must transcend myself. I must think of others. I must consider the *tzibur*. In light of what we have seen, we cannot stop there. We must go further.

Our status as the *koach me-asef lechol hamachanot* is not only the source of man's ability to handle complexity but the source of our capacity to transcend ourselves. It is not sufficient to merely understand all the perspectives, we must transcend our sense of self, to rise above our parochial interests and narrow perspective to be God-like, to the extent possible. This is no easy task. Some people only manage to sing their own song. Some go further (no small feat given how naturally self-centered we are) and sing the song of their nation. Some go even further (a remarkable accomplishment); they sing the song of humanity.<sup>13</sup> Some go even further; they join all of creation and sing in unison (*Perek Shira*). R. Kook, the master unifier, powerfully expressed this with his characteristic poetic power in a poem called *shir miruba*:



שיר מרובע

יש שהוא שר שירת נפשו, ובנפשו הוא מוצא את הכל, את מלא הסיפוק הרוחני במילואו.  
 ויש שהוא שר שירת האומה, יוצא הוא מתוך המעגל של נפשו הפרטית, שאינו מוצא אותה מרוחבת כראוי, ולא מיושבת ישוב אידיאלי, שואף למרומי עז, והוא מתדבק באהבה עדינה עם כללותה של כנסת ישראל, ועמה הוא שר את שיריה, מצר בצרותיה, ומשתעשע התקוטיה, הוגה דעות עליונות וטהרות על עברה ועל עתידה, וחוקר באהבה ובחכמת לב את תוכן רוחה הפנימי.  
 ויש אשר עוד תתרחב נפשו עד שיוצא ומתפשט מעל גבול ישראל, לשיר את שירת האדם, רוחו הולך ומתרחב בגאון כללות באדם והוד צלמו, שואף אל תעודות הכללית ומצפה להשתלמותו העליונה, וממקור חיים זה הוא

שואב את כללות הגיונותיו ומחקריו, שאיפותיו וחזיונותיו.

ויש אשר עוד מזה למעלה ברוחב יתנשא, עד שמתאחד עם כל היקום כולו, עם כל בריות, ועם כל העולמים, ועם כולם אומר שירה, זה הוא העוסק בפרק שירה בכל יום שמובטח לו שהוא בן עולם הבא.

ויש אשר עולה עם כל השירים הללו ביחד באגודה אחת, וכולם נותנים את קולותיהם, כולם יחד מנעימים את זמריהם, וזה לתוך זה נותן לשד וחיים, קול ששון וקול שמחה, קול צהלה וקול רנה, קול חדוה וקול קדושה. שירת הנפש, שירת האומה, שירת האדם, שירת העולם, כולן יחד מתמזגות בקרבו בכל עת ובכל שעה. והתמימות הזאת במילואה עולה היא להיות שירת קודש, שירת אל, שירת ישראל, בעוצם עזה ותפארתה, בעוצם אמתה

Why Were the Aseres HaDibros Written in the Singular?

אנכי ה' אלקיך אשר הוצאתיך וגו' נאמר בלשון יחיד, כל אחד כפי קבלתו וכפי כחו לז"א בלשון יחיד, עוד נאמר בלשון יחיד שאילו נאמר בלשון רבים היה היחיד פוטר עצמו מלעסוק בתורה לומר שנאמר בלשון רבים לזה נאמר בלשון יחיד, עוד לומר שאפילו אחד שיושב ועוסק בתורה לא נברא העולם אלא לו, כמאמר רבי מאיר שאמר כל העוסק בתורה לשמה זוכה לדברים הרבה, ולא עוד אלא שכל העולם כלו כדאי הוא לו... עוד אמר בלשון יחיד לומר מאחר שנעשו נפש אחת ונעשו כלם כאחד שנאמר ויתן שם ישראל ראויים לקבל התורה שהיא תורה אחת.

"I am the Lord your God who brought you out..." uses the singular form. Each person receives it according to his own capacity and strength. It's also stated in the singular for if it had been written in the plural, an individual might

excuse himself from studying Torah by saying, "That was addressed to the group, not to me personally." There's another reason too. It teaches us that even one person, sitting alone and studying Torah, can know that the world was created for him. As Rabbi Meir said: "Whoever studies Torah for its own sake earns countless rewards. And more than that—the entire world is worthy on account of that one person." ... Additionally, the singular form emphasizes that when all of Israel became one unified soul, when they were all brought together as one, they became worthy to receive the Torah. As it says, "And Yisrael encamped (in the singular)".

Rav Mordechai HaKohen, *Sifsei Kohen to Shemos ch. 20*



He has a "one-track mind"; his singular purpose is the completion of the mission for which he was sent by *HaKadosh Baruch Hu*. He therefore cannot say *shirah* for the redemption of the Bnei Yisrael while his mission is the destruction of the Egyptians.

5. נפש החיים שער א פרק יא : ולזאת המון צבאות מעלה כתות כתות יש אחת אומרת קדוש והם השרפים כמ"ש בהיכלות דבראשית ופקודי בהיכלא תניינא שם מ"ב א' ושם רמ"ז סוף ע"א וכמ"ש (ישעיה, ו) שרפים עומדים ממעל לו וגו' וקרא זה אל זה ואמר קדוש גו'. והשנית לעומתם משבחים ואומרים ברוך. והם האופנים וחיות כמשרו"ל ר"פ ג"ה והאיכא ברוך ברוך אופנים הוא דאמרי לי' וכמו שסדרו אנשי כנה"ג בקדושת יוצר שכל כת מקדשת כפי מקורה ושרשה בהעלמות אבל ישראל קבוצי מטה אומרים שניהם קדוש וברוך להיותם כוללים כל המקורות והשרשים יחד:

6. "A Halakic Approach to Suffering," published in *Out of the Whirlwind*, pp. 86–115.

7. The world was created *ex nihilo*. Thus, when *Bereishit* 1:2 states that the land was *tohu va-vohu* it does not mean that such was its state before creation, because there was nothing before creation. Thus, *Chagiga* 12a states that *tohu va-vohu* was one of the ten things created on the first day of creation. Rashi *Bereishit* 1:2 writes that *tohu* connotes astonishment and bafflement and *bohu* suggests emptiness and desolation.

8. In *Lonely Man of Faith*, R. Soloveitchik identifies four discrepancies between the Torah's two depictions of the creation of man and shows that they reflect aspects of the human persona. While the two accounts of the creation of man differ considerably, "the answer lies not in an alleged dual tradition but in dual man, not in an imaginary contradiction between two versions but in a real

contradiction in the nature of man." However, these are not two different people, "In every one of us abide two *personae* — the creative majestic Adam the first, and the submissive, humble Adam the second."

The biblical dialectic stems from the fact that Adam the First, majestic man of dominion and success, and Adam the Second, the lonely man of faith, obedience, and defeat, are not two different people locked in an external confrontation as an "I" opposite a "thou," but one person who is involved in self-confrontation.

God created two Adams and sanctioned both. Rejection of either aspect of humanity would be tantamount to an act of disapproval of the divine scheme of creation which was approved by God as being very good.

Portrayed typologically, the views of Adam I and Adam II are not commensurate; their methods are different, their modes of thinking, distinct, the categories in which they interpret themselves and their environment, incongruous. Yet, no matter how far-reaching the cleavage, each of us must willy-nilly identify himself with the whole of an all-inclusive human personality, charged with responsibility as both a majestic and covenantal being.

9. The tension is not absolutely inherent. *Moreh ha-Nevuchim* 3:51 depicts that the *avot* and Moshe were able to engage with this world without pausing their deep connection to God. But most people are lonely when they turn away from God to fulfill their divine mission of engaging with the world.

10. Of course, God is absolutely one, but His oneness is not realized. Thus, *Zechariah* declares, "on that day the Lord shall be one and His name one." Rashi explains *shema* in that vein: "Listen Israel, Hashem that is now our God will one day be one." While God is inherently one, His oneness is not realized or appreciated. So much in the world contradicts that oneness. In the words of R. Bachya:

ספר כד הקמה יחוד השם: וידוע כי עיקר היחוד לימות המשיח שהרי בזמן הגלות והשעבוד אין סימני היחוד ניכרין כי זה עובד לשמש וזה לירח וזה לככבים ומזלות וזה לאש וזה למים ותרבה הכפירה בעולם בהכחשת האמת ויתפכו הדעות בהתהפך האמונות, אבל לימות המשיח יאבדו כמה מן המלכיות וישבו כל האמונות לאמונה אחת ויהיה העולם מתוקן במלכות שדי וסיכמו כולם לעבודת השם יתברך בלבד לקרא כלם בשם ה' ולעבדו שכם אחד ואז יתפרסם יחודו של אלהינו בפי כל האומות, והוא שהבטיח הנביא לעתיד ואמר (זכריה יד) והיה ה' למלך על כל הארץ ביום ההוא יהיה ה' אחד ושמו אחד:

11. רש"י על בראשית לו ב

ביקש יעקב לישב בשלוחה קפץ עליו רוגנו של יוסף צדיקים מבקשים לישב בשלוחה אומר הקב"ה לא דיין לצדיקים מה שמתוקן להם לעוה"ב אלא שמבקשים לישב בשלוחה בעוה"ז.

12. נפש החיים שער א פרק יב

והו"ג כ"ענין אמירת פרק שירה שאמרו ז"ל כל האומר פרק שירה בכל יום כו' שע"י אמירת האדם אותו שהוא כולל כל הכחות כולם הוא נותן כח להמלאכים והשרים של כל אלו הבריות שיאמרו אלו השירות ועי"ז הם מושכים חיותם ושפעם להשפיע בכל התחתונים.

13. But we must also go in order. Skipping steps leads to superficiality, with nothing accomplished. It is easy to talk of our concern for humanity but it is a distortion if in doing so we have abandoned our own people, our true family.

14 Translation by Benjamin J. Samuels.

The Marcos and Adina Katz YUTorah.org presents

## The Ed & Rita Balk z"l YU Tefillah Platform

Dedicated in loving memory by Rabbi Hanan & Barbara Balk, Cincinnati, OH

Podcasts • Nussach • Halacha • Inspiration

[www.yutorah.org/BalkLegacy](http://www.yutorah.org/BalkLegacy)



# נשיה בחוקיד

DISCUSSIONS FROM OUR BEIS MEDRASH

VOLUME 3:1 • SHAVUOS 5786

## Public Health Interventions

by Rabbi Kalman Laufer  
Director of Graduate Halacha Programs, RIETS



Living a life as a Jew comes with both the great privilege and the enormous pressure to fulfill all the mitzvos as an individual. We each make sure to keep Shabbos, daven, give tzedakah and observe countless other mitzvos. Yet there are times when each of us may be excluded from or exempt from a particular mitzvah. One example: the requirement to protect others has recently become a topic of significance as vaccination recommendations have changed. Is any one person obligated to be vaccinated in order to protect all of us as a community? And what happens if nobody steps up to take responsibility?

## Establishing Personal Responsibility

The Gemara establishes a principle that we are each responsible for our own property and must ensure that proper safety measures are taken to mitigate dangerous situations:

### BAVA KAMA 15B

האי כלבא דאכל אימרי, ושונרא דאכלה תרנגולא - משונה הוא, ולא מגבינון בבבל... ובין כך ובין כך משמתינו ליה - עד דמסלק הזיקא, מדרבי נתן; דתניא, רבי נתן אומר: מניין שלא יגדל אדם כלב רע בתוך ביתו, ואל יעמיד סולם רעוע בתוך ביתו? ת"ל: לא תשים דמים בביתך.

*There is a proactive requirement to remove dangerous items from the home.*

Neighbors, even where financial recompense may not be exacted in beis din, are still responsible to mitigate the circumstance causing the damage. The Gemara derives this from the pasuk:

### DEVARIM 22:8

כי תבנה בית חדש ועשית מעקה לגגך ולא תשים דמים בביתך כי פל הנפל ממנו:

*When one builds a home, there is a requirement to place a fence around the roof.*

The Torah obligates new homeowners to ensure that a proper fence is placed to prevent accidental falls. The Gemara extends this to a responsibility to ensure that one's personal property is not causing damage. Meiri comments here that if the property owner fails to do so, beis din may put him in *cherem* until he deals with the offending situation – which Rashi explains as killing the aggressor animal in the case the Gemara cited.

This is codified as a broad principle requiring each of us to take responsibility for our property:

## SHULCHAN ARUCH, CHOSHEN MISHPAT 427:8

וכן כל מכשול שיש בו סכנת נפשות, מצות עשה להסירו ולהשמר ממנו ולהזהר בדבר יפה, שנאמר: השמר לך ושמור נפשך (דברים ד, ט). ואם לא הסיר והניח המכשולות המביאים לידי סכנה ביטל מצות עשה ועבר בלא תשים דמים (דברים ד, ט)

*There is an obligation to remove any dangerous item from one's property.*

The Shulchan Aruch, however, goes further, deriving the mitzvah of removing individual sources of damage not from the pasuk of *ma'akeh* but from the broader requirement to protect our health, which comes from the following pesukim:

## DEVARIM 4:9,15

רַק הַשְּׁמֶר לְךָ וּשְׁמֹר נַפְשֶׁךָ מֵאֵד פֶּן תִּשְׁכַּח אֶת הַדְּבָרִים אֲשֶׁר רָאוּ עֵינֶיךָ וּפֶן יִסּוּרוּ מִלְּבָבְךָ כֹּל יְמֵי חַיֶּיךָ וְהוֹדַעְתָּם לְבָנֶיךָ וּלְבְנֵי בָנֶיךָ: ... וְנִשְׁמַרְתָּם מֵאֵד לְנַפְשֶׁתְּכֶם כִּי לֹא רְאִיתֶם כָּל תְּמוּנָה בְּיוֹם דְּבַר ה' אֱלֹהֵיכֶם בְּחָרֵב מִתּוֹךְ הָאֵשׁ

*There is an obligation to proactively guard one's health (Chazal's interpretation of these pesukim).*

## What About Disease?

The Gemara provides different levels of intervention we must take when an illness overcomes our community, ranging from isolation and quarantine to fleeing the city altogether:

## BAVA KAMA 60B

ת"ר: דבר בעיר - כנס רגליך, שנאמר: ואתם לא תצאו איש מפתח ביתו עד בקר, ואומר: לך עמי בא בחדריך וסגור דלתך בעדך, ואומר: מחוץ תשכל חרב ומחדרים אימה. מאי ואומר? וכי תימא, ה"מ בליליא, אבל ביממא לא, תא שמע: לך עמי בא בחדריך וסגור דלתך; וכי תימא, ה"מ [היכא] דליכא אימה מגואי, אבל היכא דאיכא אימה מגואי, כי נפיק יתיב ביני אינשי בצוותא בעלמא טפי מעלי, ת"ש: מחוץ תשכל חרב ומחדרים אימה, אע"ג דמחדרים אימה - מחוץ תשכל חרב. רבא בעידן רתחא הוי סכר כוי, דכתיב: כי עלה מות בחלונינו.

*During a plague one should stay indoors. Even if there is potential danger (to contract the disease from someone) inside, going outside is more dangerous.*

Later Achronim, citing this Gemara as precedent, suggested that other interventions, where appropriate, would be ideal. For example, the Shelah HaKadosh inveighs heavily against parents who fail to flee with their children when severe diseases overtake their city. Later poskim such as the Kaf HaChaim required vaccination, and in modern times our poskim have obligated vaccination as a means of protecting our individual health:

## KAF HACHAIM, YD 116:60

כשיש חולי אבעבועות לילדים אין צריך להבריא בניו מן העיר יען דעכשיו בזמן הזה עושין לו תרופה על ידי הרכבה של אבעבועות ויש רופאים מומחים ממונים על זה, ודלא כהשל"ה שכתב שצריך להבריא בניו מן העיר (שו"ת זרע אמת י"ד לב). והגם שסיים שהוא משתמיט בזה ולא אומר לא איסור ולא היתר מ"מ אנו בדין תהלות לקל יתברך יש לנו רופאים מומחים על זה שעושין הרכבה ולא ניזוק אדם מעולם וכן מעשים בכל יום (זבחי צדק אות מא). ועתה נתחכמו יותר הרופאים שעושין זריקה על ידי מחט ביד הילדים ועל ידי זה אין מוציאין הילדים חולי אבעבועות הנד'.

*While the Shelah recommended leaving town during a smallpox outbreak, now that we have vaccines and physicians who can manage the disease, there is no requirement to leave.*

## LETTER FROM RAV ASHER WEISS

ומ"מ נראה ברור ופשוט בזמנינו דלא זו בלבד שמותר לקחת חיסונים אלא אלא אף חובה היא למנוע סכנה מן היחיד והרבים. ואף אם בזמניהם לפני מאות שנה התחבטו, אין זה אלא משום שאכן היו ילדים שמתו כתוצאה מן החיסון כמבואר בדבריהם, משא"כ בחיסונים שבזמנינו חובה גמורה לחסן.

*Vaccination is not only permitted, it is obligatory.*

The question, of course, remains: what is the source obligating any individual to vaccinate? The Gemara cited earlier mentions multiple strategies for avoiding illness, and none of them were to vaccinate — so how did the poskim create such an obligation? The answer, of course, lies in a fundamental and famous Gemara:

**BAVA KAMA 85A**

דתניא, דבי ר' ישמעאל אומר: ורפא ירפא - מכאן שניתן רשות לרופא לרפאות.

*When the Torah states that the victim of an injury is entitled to medical compensation, it teaches us that a physician has permission to heal.*

The Torah gives permission for the physician to heal. Rashi there comments that the pasuk explicitly grants this permission because otherwise we may have thought that it would be prohibited – reasoning that “God afflicts, God will heal.” This principle is illustrated most powerfully in the Medrash:

**OTZAR MIDRASHIM, TEMURAH CH. 2**

ר' עקיבא פתח, אנוש כחציר ימיו וגו' (תהלים ק"ג) מעשה בר' ישמעאל ור"ע שהיו מהלכין בחוצות ירושלים, והיה עמהם אדם אחד, פגע בהם אדם חולה, א"ל רבותי אמרו לי במה אתרפא, א"ל עשה כך וכך עד שתתרפא, א"ל ומי הכה אותי? א"ל הקב"ה. א"ל ואתם הכנסתם עצמכם בדבר שאינו שלכם, הוא הכה ואתם מרפאים, אינכם עוברים על רצונו? א"ל מה מלאכתך, א"ל עובד אדמה אני והרי המגל בידי, א"ל מי ברא את הכרם, א"ל הקב"ה, א"ל ואתה מכניס עצמך בדבר שאינו שלך, הוא ברא אותו ואתה קוצץ פירותיו ממנו, א"ל אין אתם רואים המגל בידי, אילולי אני יוצא וחורשו ומכסהו ומזבלו ומנכשו לא תעלה מאומה, א"ל שוטה שבעולם, ממלאכתך (צ"ל מימך) לא שמעת מה שכתוב אנוש כחציר ימיו (תהלים ק"ג), כשם שהעץ אם אינו מנכש ומזבל ונחרש אינו עולה ואם עלה ולא שתה מים ולא נזבל אינו חי והוא מת, כך הגוף הזבל הוא הסם ומיני רפואה ואיש אדמה הוא הרופא.

*R. Akiva and R. Yishmael encountered someone who challenged them, saying that using medicine violates the divine will. They responded that just as a farmer does not violate the divine will by harvesting fruit, neither does using medicine.*

The Medrash explicitly corrects the approach that we humans should not interfere with God's plan. Rather, just as agriculture is in the hand of Hashem, so too is our health. Just as we farm the land – working it, investing in it, caring for it – our personal health and care of the bodies Hashem gave us is also our responsibility. Ramban goes even further:

**RAMBAN, TORAS HA'ADAM, SHA'AR HAMEICHUSH**

ענין הסכנה – בפרק החובל (פ"ה ב') תנא דבי ר' ישמעאל ורפא ירפא מכאן שניתנה רשות לרופא לרפאות. פי' שמא יאמר הרופא מה לי בצער הזה שמא אטעה ונמצאתי הורג נפשות בשוגג לפיכך נתנה לו תורה רשות לרפאות. וקשיא לי הא דתניא בתוספתא (ב"ק פ"ט) רופא אומן שרפא ברשות ב"ד והזיק ה"ז גולה, אלמא עונש שוגג יש בדבה, ויש לומר הכי, הרופא כדיין מצווה לדון, ואם טעה בלא הודע אין עליו עונש כלל, כדאמרין (סנהדרין ו' ב') שמא יאמר הדיין מה לי בצער הזה ת"ל עמכם בדבר המשפט אין לדיין אלא מה שעיניו רואות, ואעפ"כ אם טעה ונודע לב"ד שטעה משלם מביתו על הדרכים הידועים בו, ואע"ג דהתם אם דן ברשות ב"ד פטור, אף כאן מדיני אדם פטור מן התשלומין אלא שאינו פטור מדיני שמים עד שישלם הנזק ויגלה על המיתה, הואיל ונודע שטעה והזיק או המית בידים. וכן אמרו בתוספתא דב"ק (פ"ו ה"ו) גבי פטורים מדיני אדם וחייבין בדיני שמים, רופא אומן שרפא ברשות ב"ד פטור מדיני אדם ודינו מסור לשמים, ומ"מ בלא הודע שלו אינו חייב כלום כמו שהדיין פטור לגמרי בין מדיני אדם בין מעונש שמים, והוא שיזהר כמו שראוי ליזהר בדיני נפשות ולא יזיק בפשיעה כלל.

ומסתברא דהא דאמרין נתנה תורה רשות לרופא לרפאות, לומר שאינו אסור משום חשש השגגה, א"נ שלא יאמרו הקב"ה מוחץ והוא מרפא, שאין דרכן של בני אדם ברפואות אלא שנהגו, כענין שכתוב (ד"ה ב' ט"ז) גם בחליו לא דרש את ה' כי אם ברופאים. אבל האי רשות רשות דמצוה הוא דמצוה לרפאות ובכלל פקו"נ הוא

*The Torah needed to give permission to heal because it is a tremendous responsibility.*

According to Ramban, healthcare isn't just something we may practice using our own judgment to make medical decisions. Rather, it as a mitzvah – and one that requires special training and expertise, just as becoming a judge does! This expertise cannot be outsourced; when it comes to healthcare, we don't rely on the court system to make medical decisions, but instead trust the expertise of physicians. The *Aruch HaShulchan* explains Ramban's opinion further:

## ARUCH HASHULCHAN YD 336:2

ומיהו אסור להתעסק ברפואות א"כ הוא בקי ויש לו רשות מב"ד והאידינא צריך להיות מוסמך מהממשלה שיש לו רשות ליתן רפואות לחולאים וגם לא יהא שם גדול ממנו שאל"כ כשהזיק הרי הוא שופך דמים ואם ריפא שלא ברשות ב"ד והממשלה חייב בתשלומין אפילו הוא בקי אם החולה נתנוק על ידו וצריך להוציא ממון על רפואות וכ"ש אם מת על ידו ה"ז כהורג נפש במזיד אבל אם ריפא ברשות וטעה והזיק פטור מדיני אדם וחייב בדיני שמים אם היתה ע"י התרשלותו ולא עיין יפה דאם עיין אין לו שום חטא שהרי מצוה לרפאות וכבר אמר החכם שגגת הרופא כונת הבורא ואם מת ע"י רפואותיו ונודע לו ששגג ה"ז גולה על ידו כשיש לו מקום לתלות שהוא גרם לו ע"י התרשלות או שלא עיין יפה אבל בלא זה נ"ל דאינו חייב גלות דמי גרע מאב המכה את בנו והרב את תלמידו דפטור מגלות [כנלע"ד לפרש התוספתא ודברי הרמב"ן שהביאו הטור והש"ע ועי' ב"י ודו"ק]:

*One shouldn't practice medicine without proper licensing from official government agencies.*

Everything we have learned so far helps establish our obligation to take our health seriously and to individually take the steps to preserve and promote it. How can this create an obligation to vaccinate? The answer rests in the way to read the following Gemara:

## MOED KATAN 5A

דתניא: יוצאין לקוץ את הדרכים, ולתקן את הרחובות ואת האסטרטאות, ולמוד את המקואות. וכל מקוה שאין בו ארבעים סאה מרגילין לתוכו ארבעים סאה. ומנין שאם לא יצאו ועשו כל אלו, שכל דמים שנשפכו שם מעלה עליהם הכתוב כאילו הם שפכום? - תלמוד לומר והיה עליך דמים.

*The beis din would go out and inspect the roads and thoroughfares for safety.*

The Gemara requires that public infrastructure be the responsibility of the beis din to maintain, and that any injury resulting from their failure to do so is a violation of the obligation to create *arei miklat* (sanctuary cities) for the exiled murderer. Rabbeinu Chananel, citing our Gemara, has a different *girsā* that adds the pasuk mentioned in the context of *ma'akeh* — the requirement to fence one's roof (see the second and third sources above). Why does our version of the Gemara not discuss *ma'akeh* damage at all, as Rabbeinu Chananel suggests?

## HE'AROS RAV ELYASHIV, MOED KATAN 5A

ת"ל והיה עליך דמים. והר"ח גרס מעלה אני עליהם כאילו הם שפכום שנא' ועשית מעקה לגגך. ובפשטות כוונתו דדוקא במעקה מצאנו שתבעה תורה לתקן הדבר שלא יהא למכשול ולפוקה.

ולכאורה צ"ב גירסא דידן שגרסו קרא הנאמר בערי מקלט, ונראה דדוקא גרסו כן דבקרא דמעקה לא שמענו אלא שבמכשול שבא מחמתו דבנה בית, ועכשיו יש מכשול, שיש גג בלא מעקה, בזה אמרה תורה לתקן המכשול, אבל אין ראייה למקרה דנן שאין אשם בדבר שגדלו קוצים מעצמם, ואין בי"ד אשם בכך שנאמר שחייב לתקנו, לזה הביאה הגמ' קרא דערי מקלט דהחייב הוא על בי"ד לתקן ערי מקלט כדי שלא יהרגו את הרוצח, נמצא דהם אחראים גם על מכשול שהם לא אשמים ביצירתו, וא"כ ה"נ במכשול שבא מעצמו שבי"ד הם אחראים לזה להסיר מכשול.

*Beis din's requirement extends beyond the requirement of ma'akeh and it includes dangers that arose on their own.*

Rav Elyashiv zt"l offers the following explanation: it is the responsibility of the beis din to remove public dangers by maintaining the roads, even though the dangers themselves (thorns and brush) grew on their own, and the beis din played no role in creating them. This requirement stems from the beis din's obligation to ensure the protection of the unintentional murderer — whom they likewise did not endanger — and as such, they must remove all dangers, even those that they didn't create. Rav Elyashiv argues that the beis din has the responsibility to ensure the community is protected from all public danger.

Public health is one such area. Even though a single individual may not be responsible for the genesis of certain illnesses, and we may each be sufficiently healthy as not to need certain specific protections, the duty falls on beis din — today, our rabbanim — to ensure that each of us thinks beyond personal obligation and toward the role we can play by thinking communally. Our rabbanim require all of us to take steps to protect every member of our communities, and in doing so, we all become part of the klal.

Stay tuned for the  
Business Halacha  
Program starting Fall 2026!

# EARN A MASTER'S IN BIOETHICS AND HALAKHA

Halakhic Foundations for Real-World Medical Ethics

- ▶ Expert Faculty in Torah and Medicine
- ▶ Case-Based, Practical Curriculum, CME credit available
- ▶ Evening Classes, Part-Time Online Format
- ▶ Master's and Certificate Tracks

**Now accepting  
applications!**

**Learn more at  
[yu.edu/riets/  
bioethics](https://yu.edu/riets/bioethics)**



ישיבת רבנו יצחק אלחנן  
Rabbi Isaac Elchanan Theological Seminary  
An Affiliate of Yeshiva University





# נשיה בחוקיד

DISCUSSIONS FROM OUR BEIS MEDRASH

VOLUME 3:1 • SHAVUOS 5786

## Killalos Ne'emru B'Sinai: The Klal Gadol BaDin as a Lens to Understand Business Halacha

by Rabbi Josh Fagin

Assistant Director Graduate Halacha Programs, RIETS



There is a fascinating story that recounts an interaction between the Dubno Maggid and the Vilna Gaon regarding the recitation of *Tikkun Leil Shavuos*,<sup>1</sup> which is a carefully curated collection of Torah excerpts meant to capture the essence of the entire Torah, so that, in principle, one could study the “whole Torah” on Shavuos night:

### SIACH SARFEI KODESH 3:447 (PP. 122-123)

שמעתי מא' כי הדובנער מגיד היה אצל הגאון בחג השבועות ואמר 'הג' תיקון ליל שבועות והמגיד לא אמר, רק למד בספר אחד ושאל אותו הגאון למה לא אומר גם הוא תיקון, והשיבו במשל: אברך אחד אחר חתונתו איזה שנים היה דוחק אותו חתוננו: למה אינו עושה עסק!?! ושאלו, 'איזה עסק המסחר אני אעשה לי?' ואמר לו שילך בהשוק להביט מה שאחרים עושים יעשה גם הוא! והלך להשוק וראה שלפני החנותים תולים הפצים וזה הוא מסחרם, והלך גם הוא ושכר חנות ותלה לחוץ לפני החנות איזה הפצים ובפנים החנות לא שם מאומה. ובאו קונים להחנות ולא היה לו מה למכרם ובא להתוודעות על מסחרו וסיפר לו שעשה כשאר חנותים ולו אין פדיון! וצעק עליו עליו חתוננו, 'הלא שוטה אתה! שאר חנונים מה שתולים לפני החנות הוא רק סימן להראות מה שיש למכור בהחנות פנימה ולא שדי להם בזה.' כן תיקון הוא רק התחלת פרשיות וסוף פרשיות והוא רק כסימן מה שהוא בתורה כולה ולכבודו הגאון יש כל התורה טוב לו גם הסימנים, אבל איני יכול לצאת לכד בהסימנים.<sup>2</sup>

*The Maggid argued that Tikkun Leil Shavuos was relevant only for those who could study the excerpts and derive from them the full breadth of Torah. For the average (or even*

*very above average) Jew,<sup>3</sup> its simple recitation held less significance.*

While we are certainly not near the quantitative and qualitative intellectual level of the Gra – and perhaps should spend our Shavuos nights more as the Dubno Maggid suggested – the Maggid’s point regarding the Torah’s overarching ideas – principles that can contextualize and illuminate large swaths of Torah – still holds true. In our limited capacity, there are concepts in halacha that allow a small glimpse into the Gra’s world, where a single rule can shed light on vast areas of halacha.

To honor this sentiment – and, in a way, to participate in the spirit of *Tikkun Leil Shavuos* – we will focus on one such general rule in the world of *Choshen Mishpat*.

At its core, *Choshen Mishpat* outlines how individuals with property rights and other entitlements interact. The laws help shape a society capable of functioning harmoniously and cohesively.<sup>4</sup> One particularly significant rule, called the *klal gadol badin* for its far-reaching applications, is *hamotzi mechaveiro alav hara'ayah* – “One who seeks to take from his fellow bears the burden of proof.” While there are multiple ways to understand this rule, here we explore the Chazon Ish’s approach, which he considers central to almost every area of *Choshen Mishpat*. However, before we delve into his explanation, we first need to

examine why this law is so important and the areas over which it takes precedence.

RIF, BAVA KAMA 20A

אבל חכמים אומרים זה כלל גדול בדין המוציא מחבירו עליו הראיה וקי"ל דיחיד ורבים הלכה כרבים למה לי למימר זה כלל גדול בדין דאפילו ניזק אומר ברי ומזיק אומר שמא אי נמי לכי הא דאיתמר המוכר שור לחבירו ונמצא נגחן רב אמר הרי זה מקח טעות ושמואל אמר יכול לומר לו לשחיטה מכרתיו לך ואמרינן ונחזי אי גברא דזבין לרדיא לרדיא ואי גברא דזבין לנכסתא לנכסתא ל"צ בגברא דזבין להא ולהא וכו' כדכתבנוה בפ' המוכר פירות לחבירו ולא צמחו עד ושמואל אמר כי אזלינן בתר רובא באיסורא אבל בממונא לא אזלינן בתר רובא והמוציא מחבירו עליו הראיה:

*There are two reasons why hamotzi mechaveiro alav hara'ayah is considered a klal gadol badin: first, a claimant cannot extract money without clear proof, even if he is certain and the defendant is unsure; second, even a majority is insufficient in monetary cases to take money from its current holder without strong, demonstrable evidence.*<sup>5</sup>

The Gemara (quoted by the Rif) explains two reasons why *hamotzi mechaveiro alav hara'ayah* is considered a *klal gadol badin*. First, even when the potential damager is unsure about what occurred and the claimant insists he knows, we do not automatically transfer the money to the claimant without more convincing cause, because there is nothing to prove that the claimant is owed another's money.

Instead, the claimant must provide substantial proof that what he posits indeed occurred, regardless of the defendant's doubts. Second, even if a majority points to a specific course of action, we follow Shmuel in monetary cases: a majority alone is insufficient to force someone to part with their money unless it can be reasonably proven that the defendant is truly in the majority. In every case of doubt in monetary law there is the *muchzak* (the defendant) and the *motzi* (the claimant). The claimant needs proof to be *motzi* from the *muchzak*. But what is the nature of this rule? Why does it function as it does, and how exactly does it operate? We sometimes use sayings like "possession is nine-tenths of the law," which may be the basis of this ruling,<sup>6</sup> but Rav Shimon Shkop and others note that

*hamotzi mechaveiro alav hara'ayah* is fundamentally different than that:

SHAAREI YOSHER 5:15

ועד כאן לא מיקרי מוחזק לומר שהדבר בחזקתו, אלא היכא דשייך הכלל של החזקה כל מה שתחת יד אדם הוא שלו, אבל אם החפץ שעומד בחצירו אינו מוכיח כלום שלבעל הרשות הוא, בכה"ג לא מיקרי מוחזק, דמוחזק הוא שהדבר עומד בחזקתו על פי מה שנראה ומוחזק לנו, ומהאי טעמא נקטו הראשונים לשון "מוחזק" ולא "מחזיק".

*There is a difference between someone in possession of something and someone who is muchzak in something.*

So, what does it mean to be *muchzak*? What is the basis of this very fundamental rule?

The Chazon Ish explains:

CHAZON ISH, KESUVOS 72:7

וטעמא דכל הני, דהבא בטענה שהיא משנה ומחדשת את העניין השיב כמוציא והמחזיק בטענה המעמדת את הדבר על ענינו הידוע השיב מוחזק. וכי היכי דהמוחזק בממון שאין לאחד טענה מחוורת מחברו מהני חזקת המוחזק להעמיד הממון בידו, ה"נ כל הני שהממון ידוע טפי לאחד חשיב כמוחזק ואידך כמוציא. וע' ב"י אה"ע ס"ס פ"ו שכל הטוען דבר מחדש עליו הראיה.

*We generally assume a case based on the information before us. Anyone who seeks to change or reinterpret that simple account is considered the motzi. They must prove that the basic explanation of what occurred is not correct. Until such proof is provided, the case remains in its simplest form.*

In other words, anyone who wants to alter the presentation of the case must demonstrate that an alternative account is the truth. This principle is rooted in earlier sources as well, though expressed slightly differently.<sup>7</sup>

TESHUVOS HARASHBA (CHADASHOS) 248

אלמא כל שיש נכסים ידועים שהיא מתעסקת בהן וטוענת שנכסים אחרים שאינם ידועים נפלו לה אינה נאמנת, שכל שטוען דבר מחדש עליו הראיה.

*Anyone looking to change the status quo must bring a proof.*

The Rashba slightly refines the *klal gadol badin* to emphasize its underlying idea: anyone who is *mechadesh* — who seeks to present a new account or reinterpretation of what happened — must provide proof.

This underlying principle, meant to guide all monetary disputes, served as the framework for the Maharit for years — without precedent — until he eventually identified some:

### TESHUVOS MAHARIT 1:128

וזה לי ט"ו שנה שכתבתי על סברות הללו ועתה באקראי מצאתי בטור אבן העזר סימן פ"ו תשובות הרשב"א שהובאה בבית יוסף שם על מי שנתן לבתו או לאחותו מעות על מנת שאין לבעלה רשות בהם והיא עשת' הודאה שאין לה שום ממון בעולם משלה אלא אותן נכסים שנתן לה אביה ומתה האשה והבעל טוען שהנכסים אלו משלו הן ואותן נכסים שנתן לה האב נאבדו והשיב שהדין עם האב וכל שטוען דבר מחודש עליו להביא ראיה

*Maharit found this Rashba as a basis for his overarching understanding and application of hamotzi mechaveiro alav hara'ayah.*

According to the Chazon Ish, this rule underlies many guiding principles in *Choshen Mishpat* and applies broadly to virtually every monetary dispute in *beis din*. While he offers numerous examples, we will focus on three cases where this understanding of our rule serves as the foundation.

### Minhag Ha-Medinah<sup>8</sup>

The Chazon Ish explains that *Minhag Ha-Medinah*<sup>9</sup> and other customary practices, which shape assumptions about contracts and agreements, help establish the status quo and preserve the simplest explanation of what occurred. One example<sup>10</sup> of this appears in the Gemara in *Bava Metzia*:

### BAVA METZIA 110A

אריס אומר: למחצה ירדתי, ובעל הבית אומר: לשליש הורדתי, מי נאמן? רב יהודה אומר: בעל הבית נאמן, רב נחמן אומר: הכל כמנהג המדינה.

*Whenever there is a dispute over what was agreed upon, we assume the status quo follows common regional practice. Any deviation from this norm must be proven by those who claim a divergent agreement.*

The Chazon Ish explains that the power of custom to shape halacha can only be understood through his view of *hamotzi mechaveiro alav hara'ayah*: it establishes a realistic story of what occurred, and any departure from it requires proof.

### Ein Safek Yotzeh Midei Vadai

The principle of *ein safek yotzeh midei vadai* (“something that is a doubt cannot override a certainty”) has wide-ranging applications in Jewish monetary law. One example is found in the laws of inheritance:

### RAMA, CM 280:7

הגה: וכן כל ודאי וספק, אין ספק מוציא מידי ודאי (רמב"ם ס' רפ"ה וטור). ולכן ראובן שיצא בנו למדינת הים ואין יודעים אם הוא חי או לא, אין אחי ראובן יורדין לנחלה בנכסי ראובן, שמוקמינן בנו על חזקתו שהוא חי. אבל אם ראובן ואשתו יצאו למדינת הים וספק אם ניתן להם בן, לא חיישינן שמא ילדו, ואחי ראובן ירשינן את ראובן (ת"ה סימן שמ"ט).

*One cannot claim that someone may have had another child (i.e. an additional inheritor), because the established status quo is that there is no son. To compel payment based on such a claim, it must be proven that this circumstance actually occurred.<sup>11</sup>*

The Chazon Ish explains that a doubt cannot take money from a certainty because the certainty represents the basic understanding of the actual circumstances. Thus, whenever a doubtful circumstance tries to override this certainty without proof, it cannot succeed.

## Bari V'Shema

The Chazon Ish explains that a similar approach can illuminate the basis of the rule *bari v'shema bari adif*. Although we generally do not rely on this rule,<sup>12</sup> the Ri MiGash provides an important qualification for when it would apply:

### RI MIGASH, BAVA BASRA 34B

והני מיילי היכא דתרווייהו קא אמרי ברי אבל היכא דחד מינייהו קאמר שמא ואידך אמר ברי כיון דההיא מידי לאו ברשותיה דחד מינייהו הוא מוקמינן ליה ברשותא דההוא דקאמר ברי והוה אידך מוציא מחבירו דקיימא לן ברי ושמא ברי עדיף.

*The Ri MiGash explains that, in the absence of concrete possession, even a confident claim can establish a muchzak, which becomes relevant to an object in dispute if the other party is uncertain about what actually occurred.*

At first glance, the Ri MiGash's use of *hamotzi mechaveiro alav hara'ayah* seems unusual, since the object in question is not in the possession of either party. However, the Chazon Ish offers a way to understand this application of our rule. In the absence of any concrete evidence about what occurred, a confident claim alone — when one party is certain and the other uncertain — can establish a basic assumption of reality and render the doubtful party the *motzi*.

From these examples, we begin to see the broad vision the Chazon Ish presents. He maintains that this fundamental rule should inform every aspect of Jewish monetary law. Without this underlying framework, even a thorough knowledge of every detail leaves a gap in one's ability to properly adjudicate a case and determine a correct verdict.

### RAV YEchezkel ABRAMSKY, KUNTRUS DINEI MAMONOS (PG.4)

וכל מי שלא עמד על ה'בראשית' של איזה משפט, חסרה לו המדה שתורתו נדרשת בה, וכל הלכותיו נדמות כערמה גדולה של צרופי דברים שאין קו משותף וצד השוה ביניהם. והוא הולך ותועה בין ריבוי גוונים של דינים שונים. מבלי דעת שיש להם סדר ושיטה ברעיון הגיוני

אחד. סוף דבר: כל השונה פרקו בחקירה ובהבחנה מן היסוד, אשר על פיו מתגלה הכלל בכל מקום שמתגלה אחד מפרטיו, דרכו ארוכה בראשיתה וקצרה באחריתה, וכל הכונס דברי תורה פרטים פרטים הם מיגעים אותו ואינו יודע מה לעשות', ודרכו קצרה בתחלתה וארוכה בסופה.<sup>13</sup>

*The Klal Gadol allows one to understand all the specific details within the proper framework. Without it, one cannot determine how to classify issues, balance competing considerations, or correctly apply the halacha.*

Matan Torah was a time of *klalim* — fundamental principles that underlie and organize the entirety of Torah.<sup>14</sup> Hashem first revealed the *klalim* to Moshe at Sinai, only then revealing their applications.<sup>15</sup> Additionally, the Luchos serve as *klalim* in multiple ways: they embody the *klalim* for all the commandments,<sup>16</sup> provide a structure for the Torah's organization,<sup>17</sup> and offer a model for how one should structure one's own learning.<sup>18</sup> Just as the *klal gadol badin* provides a guiding framework for adjudicating monetary disputes, Torah *klalim* serve as the roots of all halacha; they shape the way we learn, understand, and apply the law. They are the source from which all specifics flow, and are ultimately meant to shape how we live, learn, and act. They form the foundation of our mission and the way Hashem intends for us to approach life. The *klal gadol badin* stands as an apt paradigm for such a message.

The term *hamotzi mechaveiro alav hara'ayah* contains a word that is often overlooked — *chaveiro*. Why don't our rabbis use the term "*hamotzi mehamuchzak*"? Perhaps our rabbis are teaching us that every monetary claim is not only a legal interaction, but a human one. We are not extracting from an abstract "*muchzak*," but from a *chaveir* — another member of the *tzibur*, someone with whom we share a broader moral and communal bond. A prerequisite for Matan Torah was that all of Israel stood together at Sinai unified in purpose, yet each in their own place,<sup>19</sup> according to their level and understanding.<sup>20</sup> That moment established not just a system of law, but a society of *chaveirim*: a *tzibur* built on shared commitment alongside a deep recognition

of individual roles. In this way, Sinai creates the paradigm<sup>21</sup> for a truly harmonious community: a *tzibur* of *chaveirim*, where individuality is preserved, unity is cultivated, and the relationships between people become a *klal gadol BaTorah*.

## Endnotes

1. For a thorough and extensive treatment of the tradition of *Tikkun Leil Shavuos*, see Sefer-Series, *Hevel Nahalato*, 18:12.
2. Surprisingly, this story first appears in the early 20th-century anthology compiled by Rav Yoatz Kim Kadish Reketz, a collection of Chassidic stories and Torah insights — hardly the expected source for a tale about the Gra and Dubno Maggid. It does not appear in early biographies of the Gra, such as *Aliyos Eliyahu*, *Sa'aras Eliyahu*, or the more halachically oriented *Maaseh Rav*.  
Some elements are particularly striking, such as the Gra reportedly interrupting his learning because he noticed the Dubno Maggid not performing *Tikkun Leil Shavuos*. Given what we know about the Gra, this is astounding. As his sons note in the introduction to the *Beiur HaGra* on the *Shulchan Aruch*, the Gra was capable of complete immersion in Torah, to the point of completely forgetting the world around him. For example, they recount an incident in which he was so absorbed in thought that he only realized a month had passed when he went to take a bath — a time when Torah study was impossible — and recognized he had been away from home for an entire month!
3. However, see *Chok Yaakov*, 494:1, who understands the tradition of *Tikkun Leil Shavuos* as originating for the layperson rather than for intellectually elite figures like the Gra. Additionally, see Rabbi Dr. Andrew Schein's article in *Torah To-Go*, Shavuot 5771, 42, for his attempt to discern which view is more historically accurate. Additionally, see Rav Yosef Ezra Zalicha in *Or Torah*, 5754, 655-665 who cites numerous Sefardic poskim who seem to support the Chok Yaakov advocate for the recitation of *Tikkun Leil* even without comprehension.
4. Cf. *Iyov* 4:20, *Mechilta D'Rebbi Yishmael*, beginning of *Mishpatim*, *Mishnas R' Eliezer*, chapter 16, *Avos*, 1:18 and the beginning of *Tur*, *Choshen Mishpat*, 1 in the name of Rabbenu Yonah; see also *Bach* *ibid*.
5. The Rif offers a more concise version of *Bava Kama* 46a-b and retains the sections most relevant from a halachic perspective.
6. See *Responsa Maharik*, 72; Rav Yechezkel's *Abramsky*, *Dinei Mamonos*, (London, 5699) 6-7; and *Binas Adam*, *Sha'ar Rov V'Chazakah*, *Siman* 6 who explain that a *motzi* is anyone who seeks to take money from another's possession, while the *muchzak* is the one in possession. In modern terms, it very closely resembles the saying above.
7. Also see *ibid*. *Kesuvos* 67:7, *Bava Kama* 7:7, and *Choshen Mishpat*, *Likutim* 5:7. Rav Ariav Ozer, Rosh Yeshiva of Itri, cites this principle from the Chazon Ish to elucidate a wide range of concepts throughout *Choshen Mishpat*.
8. For a more thorough treatment of the topic and further potential extensions of the Chazon Ish's idea, see R' Itamar Rosensweig, "Minhag Ha-Sochrim: Jewish Law's Incorporation of Mercantile Custom and Marketplace Norms,"

*The Journal of the Beth Din of America*. Vol. 3, 2023. 35-72.

9. Cf. *Mishna*, *Bava Metzia* 83a.

10. Other examples cited by the Chazon Ish relevant to *Minhag Ha-Medinah* include the formulation of terms and conditions of a sale (*Bava Batra* 30a; *Shulchan Aruch*, *Choshen Mishpat* 218:25; *Aruch Ha-Shulchan* *ibid*.:24), as well as determining the going price of a commodity and whether a prohibition of *Ona'ah* (halachic price gouging) applies (*Rama*, *Choshen Mishpat* 227:9; *Nesivos Ha-Mishpat* *ibid*.:8; *Responsa Maharit*, *Choshen Mishpat* 19).

11. Cf. *Yevamos* 38a.

12. Cf. *Kesuvos* 12b-13a and Rambam, *Mishneh Torah*, *To'en V'Nitaan* 1:8-9.

13. See *Eruvin* 53b. For an understanding of the Gemara from the perspective of the proper path in *Avodas Hashem*, see *Tanya*, introduction.

14. See *Chagigah* 6a. While this is particularly true according to Rebbi Yishmael, it also applies, to a lesser degree, to Rebbi Akiva.

15. *Shemos Rabbah* 41:6; Also see *Sefer Ha-Ikkarim* 3:23 for the practical utility of conveying the *Mesoras HaTorah* through general principles and axioms.

16. For examples, see Rashi *Ex.* 24:12 and Rav Saadia Gaon's *Sefer HaMitzvos*.

17. See *Abarbanel* *Shemos* 21:1 and *Seforno* *Vayikra* 19:1.

18. *Sifrei* *Devarim*, *Parshas Haazinu*, *Piska* 306, *Tashbetz* 2:128, and *HaKsav V'Hakabbalah*, Introduction, *Haarah*, *dh M'Toeles HaSeder B'Limuddim*.

19. *Shir HaShirim Rabbah* 1:2:2 and *P'sikta Rabassi* 21:1.

20. *Shemos Rabbah* 28:6, *Alshich* *Shir HaShirim* 3:8.

21. *Tiferes Shlomo*, *Shavuos*, p. 141a.



### Have you ever asked any of the following questions?

- Am I committed to a sale if I agree to it in an email or online?
- Can I outsource my work to AI?
- Can long-term care facilities provide care on Shabbos?

**Visit [yu.edu/riets/bioethics](http://yu.edu/riets/bioethics) for more information about the Business Halacha Program!**

**The Custom to Eat Dairy • The Connection of Ruth to Shavuot**  
**Where do the rules of conversion come from?**  
**The Mesorah from Sinai • The Laws of Yom Tov**  
**Brachot After Staying Up all Night • Getting Kids Excited about Torah**  
**Jewish Unity and Torah • The Importance of the Luchot**  
**Shavuot as the culmination of Sefirah • The Tefillot of Shavuot**  
**Yom Tov Sheni • The Shte Halechem • The Month of Sivan**

Prepare for Shavuot with thousands of shiurim on

**The Marcos and Adina Katz**

**YUTorah.org**



**Yeshiva University**