Young Israel of Toco Hills
Shavuot Community Celebration
May 28, 2012 ~ 7 Sivan 5772

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**Renee Kutner**
Keter Shem Tov Award

**Steve Gilmer**
Behind the Scenes Award
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To my dear YITH friends,

This collection of divrei Torah focusing on the chagim (holidays) is an expression of our shul's commitment to the primary value and importance of Torah study. These divrei Torah are written by members of our shul to honor our three Shavuot honorees—Steve Gilmer, Renee Kutner, and Rabbi Reuven Travis—at our annual Shavuot community celebration and siyum.

The holiday of Shavuot differs significantly from the other biblical holidays that we celebrate by the fact that its time of observance is not based on a calendar date mentioned in the Torah. Rather, the date of its observance is established by counting 49 days from the second night of Pesach and thereby establishing the 50th day as the holiday of Shavuot.

In essence, Shavuot has two parts: the anticipation of the holiday for 49 days by counting to establish its date, and the observance of the holiday itself. The anticipation of the holiday is achieved by performing the mitzvah of counting the Omer, which is its own independent mitzvah, performed every night between Pesach and Shavuot. At the point when we finally conclude that count, we observe the mitzvah of celebrating Shavuot itself, commemorating the anniversary of our people’s acceptance of the Torah. These two parts—the anticipation and the observance of Shavuot itself, each with its own mitzvah—represent two very different conceptual modes of observance.

This mitzvah of Sefirat Ha’Omer is incumbent on the individual to verbally count each and every day, as the Torah states “u-s’fartem lachem”—you (plural) must count. That individuality is stressed to a much greater degree than in most other mitzvot. For example, most other mitzvot achieved through verbalization, such as Kiddush and Havdalah, can be fulfilled by listening closely to another’s words with the intent to fulfill one’s own obligation. This is the halachic principle called shome’a k’oneh—that listening with intent is considered equivalent to saying something oneself. However, Sefirat Ha’Omer is an exception to this rule because the Torah goes out of the way to say “u-s’fartem lachem,” meaning that you, the individual, must count and it cannot be achieved through another. Therefore, the principle of shome’a k’oneh is not operative in this case—the individual must verbalize the count each night himself or herself and not just listen to another count in order to fulfill the obligation.

In contrast to Sefirat Ha’Omer, the receiving of the Torah—which we are celebrating on Shavuot as Chag Matan Torateinu—is the most communal of experiences. The Torah narrative stresses the idea that at Sinai we were gathered as one collective entity. Rashi famously points this out, commenting on why the verse describing the encampment at Sinai uses the singular form of encampment, “vayichan,” as opposed to the plural form, “vayachanu,” that we would have expected. Rashi explains that this was to show that the people were united at this moment as a single entity, “like one person, of one heart.”

The contrast is striking. The lead-up and anticipation to Shavuot through Sefirat Ha’Omer is defined by a mitzvah that is so individualized that everyone must fulfill their obligation by themselves and cannot rely on others. On the
other hand, Shavuot, as Chag Matan Torateinu, marks the most communal event in our people’s history. The focus is on the collective, almost completely disregarding the individual.

Rabbi Meir Simcha of Dvinsk, one of the great 19th century rabbis, in his commentary on the Torah called the Meshech Chochmah, presents a beautiful explanation to synthesize these two seemingly conflicting ideas. He notes that the Torah stresses that the people came together as one with a singular voice to accept the Torah, as it states, “The entire nation responded together, saying as one, ‘all that is there [in the Torah] we will do’” (Ex. 19:8). R. Meir Simcha explains that when the Torah was given, it was essential for it to be received by all of Bnei Yisrael together. The reason for this is because some mitzvoth in the Torah apply only to kohanim, some only to a king or the Sanhedrin, some only to a man, and others only to a woman. The Torah could be accepted in its entirety only if everyone came together with their individuality to make up a complete whole. R. Meir Simcha likens the nation of Israel to a singular human being with many different body parts, each serving a unique and essential role so that the body can function properly as a whole. There are individuals who serve as the eyes, those who are the heart, others the ears, and others still as the arms and legs. Each plays a unique and distinct individual role within his or her portion of Torah for the betterment and completeness of the whole of the Jewish people.

This, I think, is the message of Sefirat Ha’Omer leading up to Shavuot. Each of us needs to find our individual voice and unique contribution that we bring to the communal entity of Klal Yisrael. Each individual needs to find his or her portion in the Torah. It is when we bring the strength of our individual talents and blessings and link up with others who share their blessings with us that we become a spiritually stronger, united people who are “am echad b’lev echad,” worthy of receiving the Torah on Shavuot as a collective entity.

On this Shavuot we are honoring three distinct individuals who contribute, each in his or her own significant way, to our community. We, as a collective community, benefit greatly from all the important work and dedication that they have to YITH and the Atlanta Jewish community. Our shul would not be the special place that it is without them.

Renee Kutner, the recipient of the Keter Shem Tov award, is a woman of multifaceted talents who utilizes so many of them for the betterment of our community. Renee is one of the leaders of the Tot Shabbat program, ensuring that our young ones have a positive shul experience by initiating them into the world of Tefillah and a love of coming to shul on Shabbat. She is a professional organizer who employs her talents to guide our capital campaign as we embark on this most important stage in our shuls history. She is also a role model in her serious engagement with ritual life, whether it is reading the Megillah on Purim or the way she models davening in shul with her children sitting (quietly!) at her side. She has truly earned herself a “Good Name” as a devoted member to our shul and community.

Rabbi Reuven Travis, the recipient of the Rabbi Meltzer Award for Torah Achievement, is a teacher through and through. His passion is to be in the classroom, inspiring so many young people over the years by encouraging them to become intellectually engaged with our sacred tradition. There is no greater task than educating our next generation with the tools to be students of Torah who are engaged in the modern world—and Rav Reuven has made this his life’s mission. Rav Reuven also uses his many talents to support the continued growth of our community. He takes his Torah study seriously, offers classes, and learns individually with members of the community. In addition, he assists as Gabbai, has organized the summer kollel, and serves on the YITH building committee.

Steve Gilmer is the recipient of the Behind the Scenes award. Steve is a native of Atlanta and a pillar of the Orthodox community, having lived here his entire life. Everyone knows Steve, and he feels like part of “the family.” Steve ensures that we have delicious kiddushes at shul and Shabbat and Yom Tov meals at our homes. Steve often works behind the scenes, helping YITH and Jewish organizations with their events, quietly caring for an ill community member, befriending a newcomer to Atlanta, or supporting the many different local Jewish
institutions. Steve is also a commited attendee at daily minyan who davens with energetic passion when he leads services. As I often remark to Steve when he davens, we can all feel that his neshama is doing the talking.

All of us at YITH benefit from the specific contributions of these three special individuals. We are collectively better as a kehillah kedoshah because of the gifts that each of them brings to our community. They are three unique treasures; their words and deeds make us all better people and a better community.

Mazal tov to all of the honorees and to the YITH community on our siyum HaTorah,

B'Ahava,

Rabbi Adam Starr
The Power of Words

By Dr. Paul Oberman, Head of School at Yeshiva Atlanta

In the Torah reading for the first day of Rosh Hashanah, we see concerning Sarah’s conception that when someone prays on behalf of another for an outcome that person desires for him or herself, that person is answered first (Bava Kamma 92a). In stark contrast, Hagar chooses not to comfort her dying child, but rather to distance herself from Ishmael so that she herself isn’t discomfited by the sight of Ishmael’s pain (R’ Hirsch). Indeed, these are two distinct ends of a spectrum of caring for others that has many levels of gradation along the way.

At the beginning of the year I was privileged to observe a YA student asking a teacher for lunch money for a friend who had forgotten his lunch, when she herself had not brought a lunch. This was such a wonderful and appropriate way to begin preparations for a sweet new year!

When Rosh Hashanah comes to a close and Yom Kippur draws near, repentance and particularly confession come to mind for most of us. One of the reasons that confession, such as the one uttered by the Kohen Gadol on behalf of all Jews, is powerful enough to atone is because of the extreme difficulty of recognizing painful incidents. At a very basic factual level, when I lost a close friend as a teenager I continued to refer to him in the present tense for the first few months after he passed away. How much harder is it to recognize something that was in your power, and is therefore your own fault? Because of this difficulty, there is tremendous power in voicing such a confession (R’ Yosef Dov Soloveitchik).

Two other incidents come to mind when I consider the power of confession, both occurring during the Aseret Yimei Teshuva. In the first, one ninth grader asked another for forgiveness, mentioning “you’re the only one who has not forgiven me yet.” Where else but a Jewish school would such systematic forgiveness be the norm?

The second and more powerful moment occurred when a student approached a teacher and very specifically apologized for his less-than-perfect behavior during class. He recognized his error and stated in no uncertain terms that this would not happen again. Given how difficult it is to take responsibility for one’s mistakes and given the relative youth of this student, this act seemed especially impressive and appropriate for the time of year.
What is Joshua Afraid Of?
Thoughts on the Haftara for Simchat Torah
By Rabbi Zev Farber

The book of Joshua opens with the image of Joshua as the successor to Moses. It begins with the implicit comparison of the two characters by describing their previous titles. Moses was the ‘servant of the Lord’ whereas Joshua was the ‘attendant of Moses’. As if this message were not clear enough, the first address of God to Joshua begins by reminding Joshua of why he is now the leader: “Moses, my servant, is dead.”

Joshua is told to cross the river along with the people and enter the land which God will give them. They will be given every spot upon which their feet trod, as God promised Moses. This is followed by one of the more expansive border descriptions. No one will even stand up to Joshua throughout his life, as God promises to be with him as he was with Moses, and never to abandon him.

This first description of Joshua’s task clearly paints an ideal picture. The conquest, if one could call it that, seems purely pro forma. Joshua only has to walk upon the land and it will be his. The natives have all but vanished! Perhaps the most tiring ordeal Joshua faces is the vast amount of land he and his followers will have to walk, considering that they are to inherit not only the Cisjordan, but all of the (former) Hittite lands to the north, even up to the Euphrates itself.

However, one wonders why the presentation of the conquest of Canaan takes on such a rosy hue. A possible explanation begins to suggest itself in the final, transition verse in this section. God need not promise to never abandon Joshua if Joshua were not afraid to be abandoned. This reading is strengthened when one looks carefully at the latter part of the address. In fact, the structure of this latter half of the speech (except for verses 7 -8) closely parallels the three speeches regarding Joshua and the conquest of Cisjordan in Deuteronomy 31.

Despite the variations, the basic structure of the speech can be outlined as a five part address:
1. Be brave
2. You (Joshua) will bring the people into the Promise Land
3. Do not fear
4. The Lord will be with you
5. He will not abandon you

Joshua’s apparent anxiety stands out in this address. Bravery and lack of fear punctuate the two central points of the speech.

Joshua’s response to this speech is to make two commands. First, he tells the leaders of people to have the people ready in three days to cross the river and inherit the land. Again, the term inheritance echoes God’s sanguine presentation of the upcoming conquest. Second, Joshua speaks privately with the Transjordanian tribes, reminding them of the deal they made with Moses. Here, although the same benign term “inherit” is used, Joshua’s speech hints at the realities of this inheritance, by reminding the Transjordanian tribes that they will be crossing “armed”.

The response of the Transjordanian tribes more than reinforces the earlier impression of the reader that Joshua feels insecure. They promise to do anything that Joshua says and go wherever he commands. However, in their response, seeds of doubt are subtly placed. For example, they promise to listen to him like they listened to Moses “as long as” or “since” the Lord will be with Joshua the way he was with Moses. Is this meant to be a condition? Furthermore, they promise to put anyone who disobeys Joshua to death. But God had already
promised Joshua that no one would stand up to Joshua throughout his life. Does this mean someone will stand up to him?

The speech ends with a familiar phrase: “just be strong and have courage”. Coming from the people it strikes a strange cord. God knows Joshua is nervous, and Moses suspected it as well. Now it seems that even the people are feeling the strain Joshua is under. Instead of feeling encouraged, the reader is left wondering whether Joshua will succeed after all.

Two additional but interrelated points should be made in the context of this chapter. First, considering the amount of rebellions that occurred during Moses’s tenure as leader of Israel, one wonders how seriously this ideal picture of the desert period is meant. Does Joshua not remember the spy incident or the golden calf incident? Second, there appears to be a subtle shift in emphasis regarding what Joshua should “not be afraid of”.

Whereas during God’s speech one would imagine that Joshua was being reassured that the war would go as easily as humanly possible, by the end of the chapter one feels that the reassurance is really about his own position among the Israelites. From the response of the Transjordanian tribes, one can reinterpret God’s original message. Perhaps Joshua wasn’t being told that no Canaanite will stand up to his might; Joshua, the consummate general, was probably not all that afraid that they would. Rather, what Joshua was truly afraid of was his position as leader of Israel. To this end, God was reassuring him that no Israelite will challenge his authority, that the pressure his mentor, Moses, was put under during the various desert rebellions would not be repeated during Joshua’s tenure. With that the unity of Israel under Joshua was assured, and his fears of inadequacy laid to rest.
Memory, Identity, and Megillat Esther
By Rabbi Lee Buckman, Headmaster of Greenfield Hebrew Academy

One of the most familiar narratives in the Bible is Megillat Esther. Yet, as familiar as the story line may be, what is the message we are supposed to walk away with? I would like to suggest that fundamentally the megilla is about the power of memory and the power of a community to transform itself.

Let's begin with memory, the past, and personal history. The first character in the book to be introduced with his or her lineage is not Achashverosh or Vashti, who are the first individuals to appear in the book, but Mordechai who enters in Chapter 2. We are provided Mordechai's lineage back to his great grandfather. He is Mordechai the son of Yair the son of Kish, a Benjamite (2:5). He is also known as an "ish yehudi," i.e. well known as a Jew.

The only other character whose past is highlighted is Haman who enters in Chapter 3. He is described as Haman, the son of Hamdata the Agagi. The glaring inclusion of lineage for only these two characters explains the frequently asked question: Why does Mordechai refuse to bow down to Haman? It cannot be because it is prohibited; Avraham, for example, does so in Genesis 23:8. Many times in Tanach an Israelite bows as a sign of respect to authorities.

Rather, the reason Mordechai refuses to bow down to Haman has to do with history. Haman is a descendant of Agag (as mentioned above), and Mordechai who is a Benjamite is therefore a descendant of King Saul. In I Samuel Chapter 15 we learn that King Saul was given the task of utterly destroying the Agagites, descendants of Amalek, and their property. He did so but not completely. He allowed King Agag to live and took spoils from the Agagites. For this, the kingship was taken away from Saul.

Mordechai knows his history. He corrects Saul's mistake. Saul did not understand the necessity of killing King Agag. He did not realize what it means to meet someone who is a descendant of Amalek, the very man who attacked the Israelites on their journey to Canaan. Amalek and his people attacked the elderly, the infirmed and the children who were at the rear of the Israelite camp. Amalek represents unmitigated cruelty and brutality.

Mordechai understands what Saul did not understand. He realizes that the war against Amalek is eternal (as Exodus 17:16 says "milchmama ladonai b'amalek mdor dor" a divinely ordained war against Amalek in every generation). Thus he does not bow down to Haman because he realizes Haman is the embodiment of Amalek. He remembers.

Esther, in contrast, nearly forgets her Jewish identity. Although initially asked to conceal her identity, Esther almost conceals her identity too well. She receives the news of Haman's plot to decimate the Jews and is asked to plead with the Achashvarosh to overturn the decree. Esther responds that "the law is the law" and it can't be broken (a motif common in Persian communities).

In 4:13-14 Mordechai urges Esther to remember where she came from. "Do not imagine," Mordechai says, "that you of all the Jews will escape with your life by being in the king's palace. On the contrary, if you keep silent in this crisis, relief and deliverance will come to the Jews from another quarter, while you and your father's house will perish. And who knows, perhaps you have attained to royal position for just such a crisis."

Esther is indeed moved to action. Somehow she throws off her Persianness and says "I don't know if I'll succeed. I will reject the Persian notion that you can't reject destiny and Persian law, and 'I shall go to the king, though it is contrary to the law; and if I am to perish, I shall perish' (4:16)." Esther remembers who she is.
Up to this point, Esther may have rejected Persia, but we do not yet know if the people have done the same. In Chapter 9, we see they do. They, too, remember who they are.

In verse 15, we read "they did not lay hands on the spoil" unlike Saul who did take spoils of war from the descendants of Amalek in his war against Agag. This was the first clue the people were beginning to rehabilitate themselves. In 9:17 we read of a celebration that sounds Persian-like except that by verse 19 we see the emergence of a sense of being a distinct community ("an occasion for sending gifts to one another").

The Jews are instructed by Mordechai to celebrate the overturning of their fate from year to year, on specific days depending on where they live (within a walled city or not). He instructs them about gift-giving and charitable donations essentially saying, "define your community and remember your community is not only your friends who have means, but the poor too." We are told that the Jews "assumed as an obligation (to celebrate and give gifts) that which they had begun to practice which Mordechai prescribed for them" (9:23). Their sense of community has solidified--rich and poor alike are considered part of the community.

The vehicle for remembering Purim is the reading of the book. In this way Purim "shall never cease among the Jews, and the memory of them shall never perish among their descendants" (9:28).

Now we come full circle back to what we were told in Exodus about not forgetting Amalek, for God said to Moses "write this to remind you in a book and rehearse in the ears of Joshua for I will utterly blot out the memory of Amalek...for God has sworn that the Lord will have war with Amalek from generation to generation" (Ex. 17:14-16).

Purim today includes the three primary components mentioned so far: 1) the feasting component found in the special Purim-day meal; 2) the communal aspect of mishloach manot (our obligation to send some ready-made food to friends) and matanot l’evyonim (our obligation to give tsedakah on Purim); 3) the memory aspect embodied in the book, ie. reading of megilla.

The megilla ends with one final aspect of the holiday: the fast of Esther. "They have assumed for themselves and their descendants the obligation of the fasts with their lamentations (9:31)." This parallels the fast that Esther enjoined upon the Jews when she woke up to realize who she was at the end of Chapter 4 (cited above).

The fast, as do the other three components of the holiday, underscores the main point of the book. Namely, we believe in the community's ability to transform itself. By our proper actions we can change our destiny. That is why God’s name is not mentioned in the book: We proved that we can transform ourselves by our own initiative. We do this by remembering who we are. We do so by listening to the ancient voice that addressed us when we first became a people after the Exodus.
A Puzzle of Miracles
By Devorah Chasen, in honor of her Bat Mitzvah

Just imagine you’re about to go on your dream vacation—a two-month stay in Israel which you’ve been waiting and waiting for and then suddenly at the very last minute, you find out the trip has been canceled! That’s exactly what happened to a teenage girl in Maryland. She was devastated and thought that day was the worst day of her life!

And then, just a few days later, an interesting thing happened. She received a letter informing her that she had been selected for a full scholarship to the best art school in the country...one she’d only dreamed of attending! She had just seven days to accept and had to be ready for an interview within five days! If she had gone to Israel, she would have missed the deadline to respond and therefore, she would have missed this once-in-a-lifetime opportunity!

Just like this miracle, the story of Purim uses the Hebrew word “V’nahafoch” which means “it was turned around” because everything that seemed tragic was actually a miracle from G-d. Unlike most stories in Jewish history however, the miracles of Purim are camouflaged and appear as coincidences that just happened by chance rather than by G-d who’s in control of everything.

The very name “Purim” comes from the word “pur” meaning "lottery" which many would call a game of pure luck or chance with the winner being determined at random. But as Jews, we believe that G-d runs the world and therefore things don’t just happen by chance. Even a lottery is far more than luck because G-d is in the background controlling the events from “behind the scenes.”

While learning Megillat Esther with my father, I discovered many miracles that G-d performed.

First--of all the beautiful girls in the land, it was Esther—a Jew—who was chosen to be Queen to King Achoshverosh.

Secondly—Mordechai just happened to overhear two people plotting to kill the king, and he reported it to Queen Esther who was able to save the King’s life.

Thirdly—the king couldn’t sleep one night and asked for the Book of Records where he read how Mordechai had saved his life by reporting the plot to kill him. The king was so appreciative that he rewarded Mordechai.

And finally—it was also Mordechai who alerted Esther that the wicked Haman was planning to destroy the Jewish people. So without the King’s permission, Queen Esther went to him to plead for her people knowing the King could have her put to death. As we know, miraculously, Queen Esther lived!

The fascinating story of Purim is like a puzzle. If one piece had been missing or rather if one miracle had been left out, the puzzle (or the story) could not have been completed and the story of Purim would never have happened. I am so thankful that Hashem was in charge so all the pieces of the puzzle fit perfectly with one miracle following the next and that the Jewish people were spared.

May we always be able to recognize the miracles that happen in our own lives when we least expect them!
The Pesach Seder Service as a Paradigm for Informal Jewish Education

By Daniel Rose

Introduction

The Leil seder is perhaps the most widely kept family ritual of the Jewish calendar, rivaling synagogue attendance on Yom Kippur as the most popular day of Jewish ritual observance in the year. The source for the very commandment of telling the Exodus story on this night is found in the Bible. In the book of Exodus (13:18) it is stated "And you shall tell your son on that day, because of this God did for me when I left Egypt". From this verse, the many parameters of this commandment are learnt, including the central role of the child in the seder night, the date for its performance (the anniversary of the very day that this took place), and most importantly for our purposes, the manner in which we should tell this story. We are not told to tell our children how God took our ancestors out of enslavement in Egypt, but rather the story of what God "did for me, when I left Egypt". From this the Talmud teaches us that each and every one of us must see ourselves this night as if we were personally redeemed by God from Egypt. This forms the educational philosophy for the night’s proceedings. The rituals and commandments and narrating of the story are all focused on a re-enactment and a re-experiencing of the original historical and spiritual event 4000 years ago.

The Pesach seder service should be seen as a paradigm for Jewish education, because of the centrality of experience to the ritual. This mode of Jewish education, arguably found more frequently at camp and in the youth movement than in the Jewish day school, as contained in the practices of this festival, can be considered a manual to good practice in the art of experiential Jewish education.

The Art of Storytelling

Rambam, in the seventh chapter of his "Laws of Chametz and Matza" found in the Mishne Torah, presents the laws of the Pesach seder service and instructs us how best to officiate such a service. With his help it will become clear how the seder service is a manual of good practice for Jewish educators and parents not just on leil seder.

It is a positive commandment of the Torah to relate the miracles and wonders wrought for our ancestors in Egypt on the night of the fifteenth of Nisan, as [Exodus 13:3] states: "Remember this day, on which you left Egypt," just as [Exodus 20:8] states: "Remember the Sabbath day." From where [is it derived that this commandment is to be fulfilled on] the night of the fifteenth? The Torah teaches [Exodus 13:8]: "And you shall tell your son on that day, saying: 'It is because of this..." [implying the commandment is to be fulfilled] when matzah (unleavened bread) and maror (bitter herbs) are placed before you. [The commandment applies] even though one does not have a son. Even great Sages are obligated to tell about the Exodus from Egypt. Whoever elaborates concerning the events which occurred and took place is worthy of praise.

Mishneh Torah, Laws of Chametz and Matza, 7:1

There are several Hebrew words that Rambam could have used to describe the commandment to tell the story of the Exodus. We could have received the injunction to state, learn, teach, say, relate, to name but a few of the possible terms for transmitting a story. I believe that when Rambam chose the word LeSaper (to tell) and not
the word *LeHagid*, found in the source for this mitzvah (Exodus 13:18), he wanted us to focus on the telling of the story as just that – a story, with all the magic and romance one can expect from a children's tale. What is it about a good story told by a good story teller? Why can that experience capture the hearts and minds of even the rowdiest and most challenging group of children, placing them in the palm of the master story teller? I believe it is because it is just that – an *experience*. When a child, and for that matter the most cynical adult as well, is captured by a story, they are transported to another place and time, finding themselves experiencing the plot first hand, rather than from the removed perspective of an outsiders. This is why stories prove to be a powerful tool for the educator, and why Rambam places this method of education front and center for this unique evening of Jewish historical and spiritual education.

Rambam then employs a classic Talmudic textual analysis, presenting a comparison between two verses from the Torah based on a common word found in both. One of the verses speaks of the matter in hand, the commandment to "remember" the day on which the Exodus took place [Shemot 13:3], and the subject of the second verse [Shemot 20:8] is Shabbat, where the command to "remember" is also found. Rambam is clearly comparing our commemoration of these two historical events – the Exodus and the Shabbat following the creation of the world. What is it that we know about the way we commemorate the first Shabbat in the history of the world that we can transfer to the commemoration of the Exodus from Egypt on this night? It is the experiencing of the first Sabbath through imitating the resting of God following the six days of creation that we must replicate on Pesach. The active remembering, the *imitatio dei* of the laws of Shabbat, that can help us actively remember the Exodus, by re-experiencing and replicating it. Rambam is telling us that just as we experience Shabbat every week, so we must try to experience the Exodus on *Leil Seder*.

An integral part of the re-experiencing this story, through the relating of it to our children, is that it must be done on the very night when it originally took place, in order to aid the experiential dimension of the commandment. This active memory is most unique to Judaism and the way historical events are remembered in Judaism's festivals.

What else characterizes this night of Jewish ritual? Rambam quotes the descriptive legal text introducing us to the other two biblical commandments of the evening – the *matza* and *maror*. Both of these rituals are designed to enable the literal tasting and through this the experiencing of the story. The bitter herbs allow us to relate and re-experience in some way the bitterness of the years of slavery, and the unleavened bread, the very same bread that the *Bnei Yisrael* ate when they left in haste for fear of Egyptian pursuit, is at one and the same time the bread of slavery and redemption.

This *halacha* is concluded with the instruction to those without children, even those who are wise, and presumably have studied the story to great depth and perhaps many many times before, even they have to tell the story once again, this year the same as last. If this was an academic exercise involving only the intellect, then there would be little reason for such a person to once again involve himself in the commandment. There is a finite limit to intellectual interaction with a concept. There is, however, no limit to an experiential spiritual interaction, which can happen on numerous unlimited occasions, each time unique and different from the times before. This is the commandment to tell the story of the Exodus from Egypt, every year on the night of the fifteenth of the month of Nisan.

**Re-experiencing History**

In each and every generation, a person must present himself as if he, himself, has now left the slavery of Egypt, as [Deuteronomy 6:23] states: "He took us out from there." Regarding this manner, God commanded in the Torah: "Remember that you were a slave [Deuteronomy 5:15]" – i.e., as if you, yourself, were a slave and went out to freedom and were redeemed.

*Mishneh Torah, Laws of Chametz and Matza*, 7:6
In this statement, we have the crux of the evening – the ultimate achievement of any educational program. That is absolute experiential education. Rambam tells us on this night all our efforts must be directed towards the vital goal of experiencing the Exodus "as if we ourselves left the slavery of Egypt". Over and over again we have highlighted that the focus of this evening is not one of cognition or of the intellect, but rather experiential as well as spiritual/religious in its atmosphere. In case we haven't absorbed that message and taken it to heart, the concept is spelled out clearly for us here. The commandments of the evening are designed to allow us to re-experience an event from Jewish history, and if they are insufficient to achieve this goal, then do whatever it takes.

This is intimated by Rambam's choice of terminology. To "present" oneself [LeHarot] as if one was taken out of Egypt is an uncomfortable way of expressing this sentiment. It would have been easier to instruct one to "see" himself [Lirot] as if he had left Egypt. In fact, this is the term that is found in the Talmud and in the Haggadah itself. Why then did Rambam change this accepted terminology? Traditionally we are very careful with our analysis of Rambam' choice of language as we believe he was very deliberate when choosing the terms for legal concepts. What message is he expressively conveying in exchanging these two separate Hebrew terms of the same root?

I believe he is encouraging our own communal, familial, and individual innovations in the evening's proceedings in order to achieve the goal of experientially replicating the historical event of the Exodus from Egypt. Rambam represents the Sephardi Jewish community originating in Spain himself. Oriental Jews have many more colorful customs for the evening of Pesach than their Askenazi brethren. These include dressing up as the Israelites leaving Egypt, carrying matzah in sacks over their shoulders as they walk around the Pesach Seder table, striking ones fellow with spring onions (to represent the whips of the task masters in Egypt), and the jumping over buckets of water (symbolizing the splitting and traversing of the Red Sea). These are all clearly attempts to experience the history of the festival, and each custom has the participants "presenting himself" as if he himself had left Egypt. I am suggesting that Rambam uses this term, "to present oneself", in a deliberate attempt to encourage all Jews to participate in customs and rituals such as these in order to achieve the goal of the evening – the re-experiencing of the Exodus from Egypt.

Conclusion

Informal experiential education sees every context and resource as a potential educational opportunity. In this case, even the dining of the evening can and should be used to achieve the educational goals of the evening (the charoset, the halacha that one must lean etc.) In fact, Rambam would have us utilizing our dress, the food, the seating arrangements, our conversation, and even the entertainment of the evening delivering us to our ultimate aim of the Pesach seder – to experience the historical event of the Exodus of the Children of Israel from Egypt. I would see this goal, to experience the educational themes that we are attempting to educate, as a paradigm for good educational practice.
Ruth and Abraham: Two Paradigms of Conversion to Judaism
By Dr. Ellie Schainker

According to Rabbi Aharon Lichtenstein, in his 1988 Tradition article “On Conversion”, a conversion to Judaism entails the radical transformation of turning both to God and to the Jewish people. It is an act of spiritual rebirth and an act of social affiliation. Both of these steps are essential components of joining a faith community that is constituted by the triad of God, Torah, and Israel. In our day and age, when the ancient phenomenon of non-Jews seeking out Judaism is reemerging in the wake of a Jewish state and Jews’ general ascent in the post-war era from the margins of society to its economic and cultural center, what models do we have for dealing with proselytes and prioritizing which essential component—God or Israel— is sufficient for jumpstarting the conversion process? Following the lead of the rabbis of the Talmud and medieval commentators, we can use the case studies of Abraham and Ruth as two paradigms of the successful, individual convert.

The conversion rite as we know it is a product of the Oral Torah, and, in particular, of the first few centuries of the Common Era when the Rabbis sought to formalize the boundaries between Judaism and Christianity. In constructing a conversion ritual, the Rabbis of the Talmud and early Middle Ages looked back to the Bible for instructive precedents. Aside from the experience of revelation at Sinai, which is characterized as a group conversion experience, two of the richest case studies for individual conversion drawn on are Abraham and Ruth, the first a model of converting through God, and the second a model of converting through the People of Israel.

In Yevamot 46a, Rabbi Eliezer looks back to the patriarchs as early “converts” to Judaism to argue that circumcision is the fundamental ritual that constitutes conversion. While clearly the patriarchs did not convert to a religion that had yet to form, the rabbis viewed the Patriarchs’ turning to the God of Israel as an intellectual, spiritual conversion of sorts. Maimonides, in his codification of the conversion rite in the Mishneh Torah, privileges this intellectual aspect of conversion by creating a special classification of a ger tsedek (a righteous convert) who has no social or economic interest in Judaism, but wants to cling to the true, monotheistic God. For those converts who do come to Judaism with ulterior motives, Maimonides notes that in the time of Kings David and Solomon, the main Bet Din refused to perform conversions based on the assumption that all proselytes were motivated either by fear (in the time of political centralization under David) or by a desire for wealth (in the heady times of Solomon). Regular Batei Din, though, did perform conversions, suggesting that non-intellectual conversions could still be legitimate even if not ideal.

Maimonides’ identification of the patriarch Abraham, in particular, as a model convert, is conveyed most clearly in a letter he sent to Obadiah the Proselyte, responding to the convert’s query if he could recite the same liturgy as born Jews. In particular, Obadiah referred to liturgical phrasing such as “our God”, “our Patriarchs”, and “the God who took us out of Egypt”, in which the supplicant squarely places him or herself in the long arc of Jewish history. Maimonides replied in the affirmative, explaining as follows: “The reason for this is that Abraham our Father taught the people, opened their minds, and revealed to them the true faith and the unity of God….Ever since then whoever adopts Judaism and confesses the unity of the Divine Name, as it is prescribed in the Torah, is counted among the disciples of Abraham our Father…These men are Abraham’s household, and he it is who converted them to righteousness.” According to Rambam, Jews by birth and Jews by choice are all the intellectual descendants of Abraham, who found God at the age of 40 through philosophical speculation. Thus, all Jews—native and foreign—can read themselves back into Jewish history.

While Maimonides, true to his philosophical inclination, is a champion of the Abrahamic model of conversion, this model does not speak to the communal, social aspect of conversion that Rav Lichtenstein emphasizes as equally central to the conversion rite. Another competing rabbinic model of conversion, the example of Ruth
the Moabite, exemplifies this second aspect of conversion, and is perhaps the more relevant model for many contemporary converts who convert for marriage or to attain Jewish status in the State of Israel.

In the Book of Ruth, set in the time of the Judges who led the tribes of Israel after the passing of Joshua, we meet a Judean family who leaves Bethlehem during a famine and settles in the land of Moab. While abroad, the husband and two sons die, leaving Naomi the mother and her two widowed Moabite daughters-in-law to fend for themselves. Naomi sets out to return to Judea, at which point she encourages her daughters-in-law to return to their Moabite homes. The women insist that they want to return with her to her “nation” (אֵת־הָעַמּוֹת, att hā‘amōt), to which Naomi insists that they should cut their losses and return to Moab since there is no chance for them to remarry within her family. Orpah submits and leaves, but Ruth clings to Naomi, reaffirming her desire to follow her mother-in-law, since “your nation is my nation, and your God is my God.” For Ruth, her desire to go with Naomi is not for marriage, as her mother-in-law mistakenly assumed, but to be a part of Naomi’s nation, which includes the God of Israel. It is according to this simple reading that many Bible scholars understand Ruth’s “conversion” as a national conversion, a desire to be Judean, to join Naomi’s tribal family, and to settle in that land. The ancient Israelite God is part of the group character, bound up in the nation, not a deity independently chosen or worshipped. As the rabbis looked back at Ruth and mined her story for a conversion precedent, they reframed Ruth’s focus on Naomi’s “nation” as a nation that is constituted by the “613 commandments”, thus anchoring Ruth’s communal conversion in a God-centered, legislative framework more in line with the later Rabbinic conversion rite.

Whether one reads Ruth’s conversion as a national conversion or a national-religious one (to be Judean or to be Jewish), it is clear that her conversion stems from a desire to join a community. Unlike Abraham, she does not find God through philosophical speculation or religious seeking, but she finds the community of Israel through social relationships. While not all Jews—born or chosen—can trace their lineage back to Ruth, like Rambam argues for Abraham, the Megillah tells us that Ruth the Moabite did spawn a very impressive Jewish lineage together with Boaz. She became the great-grandmother of King David, and, hence, the progenitor of the messiah. Ruth the Moabite, the outsider, the Jew by choice who values the collective and helps foster communal inclusivity, is rewarded with rearing the messianic line, the road to redemption. There are many lessons encoded in this genealogy, but, on a very basic level, Ruth’s meritorious status suggests that her communal conversion was righteous and positive, and can stand up as an alternate model of a ger tsedek.

In contemporary times, as the broader Jewish community struggles with conversion standards and the debate has reached a feverish pitch in Israel, it is important to remember Rav Lichtenstein’s message that there are two central aspects to conversion—turning to God and to the community. While both aspects are essential, I would submit that different converts start their journey to Judaism from different sides of this coin. Though the Abrahamic model is compelling, in our day we see more potential Ruths than Maimonidean proselytes. If the Ruth paradigm is instructive, embracing the God of Israel through the people of Israel can be a very powerful platform for conversion—powerful enough to sow the seeds of redemption and to unify a community so divided by how exactly to turn to God and imbibe the divine commandments.
Fear, Trembling and the Nature of Joy on Shavuot

By Rabbi Dr. Michael S. Berger

As one of the regalim, the pilgrimage festivals, Shavuot carries with it an obligation of simchah, of joy: ve-samahta be-hagekha – “rejoice on your holidays” commands the Torah (Devarim 16:14). While the halakhah seeks to formulate this obligation in specific, rather physical terms – shared sacrifices along with consumption of food and the acquisition of sartorial gifts and treats for family (Rambam, Hilkhot Shevat Yom Tov 6:18) – we assume, correctly, that these are meant to express, or possibly elicit, internal states of joy. After all, the series of historical events associated with our nation’s birth that the three festivals mark – being liberated from Egypt, receiving the Torah and enjoying G-d’s protection – are certainly causes for communal and personal celebration.

In this, the theme Rambam understood to underlie the seder – that one is obligated to behave in ways that reflect one’s personal experience of the exodus (Hilkhot Hametz u-matzah 7:6) – seems to undergird our own commandment to rejoice on the festivals. What Jew leaving Egypt after centuries of bondage or feeling secure, confident in G-d’s miraculous protection and hearing G-d’s word, did not feel elated? So, too, should we.

And yet, there is one element of that experience that we apparently bracket, or even ignore: the profound terror experienced at the Sinai revelation. Both in the days and hours leading up to the great event and immediately thereafter, chapters 19 and 20 of Shemot highlight its awesome nature and the fear and trembling that gripped its audience:

And it came to pass on the third day, when it was morning, that there were thunders and lightnings and a thick cloud upon the mount, and the voice of a horn exceeding loud; and all the people that were in the camp trembled. (19:16)

And all the people perceived the thunderings, and the lightnings, and the voice of the horn, and the mountain smoking; and when the people saw it, they trembled, and stood afar off. And they said to Moses: ‘You speak with us, and we will hear; but let not G-d speak with us, lest we die.’ And Moses said to the people: ‘Fear not; for G-d is come to prove you, and that His fear may be before you, that you not sin. And the people stood afar off…” (20:14-17)

Not a word about the people’s joy; any reference to the people’s happiness is conspicuously absent. Even Moshe’s recollection of the revelation years later, right before he died, makes no mention of joy:

And it came to pass, when you heard the voice out of the midst of the darkness, while the mountain burned with fire, you came near to me, all the heads of your tribes, and your elders; and you said: ’Behold, the L-rd our G-d has shown us His glory and His greatness, and we have heard His voice out of the midst of the fire; we have seen this day that G-d speaks with man, and he lives. Now therefore why should we die? for this great fire will consume us; if we hear the voice of the L-rd our G-d any more, then we shall die… You go near, and hear all that the L-rd our G-d may say; and you shall speak to us all that the L-rd our G-d may speak to you; and we will hear it and do it.’ (Devarim 5:19-23)
While the more visceral nature of the people’s response noted in Shemot is replaced in this passage with their orderly request to have Moshe represent them to G-d, the primary motif of apprehension and recoiling is present. Joy is once again missing entirely.

If the original event was characterized by trepidation and awe, why are we, the descendants of those original witnesses and heirs of the revelation they received, not commanded – in that Maimonidean spirit of imitation – to experience something similar? And even if an honest assessment of the human condition is that deep, visceral emotions are not to be elicited willy-nilly by simple commands – how many of us can conjure up “fear on demand”? - at least the Torah need not have required us to experience joy, given that our ancestors did not. What then is the nature of the Torah’s commandment to rejoice on Shavuot?

Let us go back and re-examine our original assumption. We cited the Rambam’s instruction that at the seder we must step into the shoes (sandals?) of our ancestors; the Rambam’s language –

חַיָּב אָדָם לְהַרְאוֹת אֶת עַצְמוֹ כְּאִלוּ הוּא בְּעַצְמוֹ יָצָא עַתָּה מִשִּׁעְבּוּד מִצְרַיִם

“A person is obligated to act [lit., ‘show himself’] as if he himself just now left Egyptian bondage”

- clearly shows that he means we should put ourselves on Egyptian soil, joining the Jews as they exited Egypt. But most editions of the Mishnah have the version of this directive that, among other differences, leaves out the phrase “just now,” meaning that we do not need to see and feel what the Jews saw and felt at the time of the actual events. Did the Jews leaving Egypt immediately feel the joy of freedom as they fled on foot, facing an uncertain future in an unwelcoming, even hostile, wilderness? We know that they did not sing Hallel until a week later, when they saw their former owners drowned on the seashore – yet we sing Hallel at the seder. [The continuation of the Rambam suggests this: כלומר כאילו אתה בעצמך היית עבד, ויצאת לחירות ונפדית: “in other words, as if you yourself were a slave, and you were emancipated and redeemed.”]. Perhaps the Jews’ joy came not in the thrill – or anxiety – of the moment, but on the morning, or week, or month after. The same goes for Sukkot: according to Ramban (Devarim 8:3), life under divine protection was neither easy nor always pleasant, but upon subsequent reflection, those who experienced such care surely looked back on it and felt incredible thanks and thus joy.

Hazal’s analogy of the Torah’s giving and a wedding is most apt – a couple certain enjoy and experience indescribable joy at their wedding, but as time passes, that joy evolves into the mature happiness of a couple who appreciate one another and are thrilled to be together – an emotion they typically seek to express more explicitly to each other each anniversary.

I believe this could be the nature of the simchah of Shavuot, and possibly all the regalim – the joy not of a wedding, but of an anniversary. We don’t imitate someone standing at the revelation itself, but someone who had personally recently stood at Sinai, and can reflect on the incredible gift of opportunity and responsibility that G-d has given our people. That is true joy. Chag sameach!
Taking Torah Seriously on Shavuot: Orthodoxy and Pluralism in Modern American Judaism

By Rabbi Michael J. Broyde

Orthodoxy, both in its Modern and less modern variations, is a religion of deed and creed; it is not merely a legal system or a social community, though it is both of these as well. While many different works have addressed aspects of ideology (hashkafa), and many areas of ideology remain in dispute, central to Orthodox existence is the notion that observance of halacha is not optional or merely a matter of choice by individuals, but rather a “yoke” of heaven. Orthodox Judaism stakes its existence (in a theological sense) on the proposition that the intentional curtailment of observance of halacha, even when sincerely motivated, is sinful and improper. Denominations predicated on the idea that Jewish law is not binding or that it can mean something very different from the classical understanding of halacha, are from an Orthodox point of view, improper approaches not only to Jewish law but to Judaism generally.

Let me restate this a bit more modestly, if you wish. A less imperious Orthodoxy might say we believe that God revealed Torah at Sinai (Torah min ha-shamayim) and that the halachic process as it has unfolded is an extension of that revelation, and these two together are the central exclusive bar by which each individual must measure him- or herself. While religious observance nowadays may be, in a practical sense, a matter of personal choice because we live (thankfully) in an open society, an Orthodox person’s own sense must be that of accepting a yoke—of obligation and responsibility—and not of personal volition. Any activity that portrays Orthodoxy as one religiously viable option among many has yielded that key point.

For this reason, Orthodoxy has always had a rather difficult time joining with other denominations of Judaism or faiths other than Judaism. Simply put, Orthodoxy is unwilling to implicitly or explicitly renounce its most basic claim—the uniqueness of its truth, and its central focus that Jewish law is binding. (This is a simplification when dealing with faiths other than Judaism, where, Judaism might see these other monotheistic faiths as valid for Gentiles but not for Jews. This detail is beyond the scope for now.)

Having said that, Orthodoxy recognizes the reality of Jewish life in America, which is that there are, in fact, other denominations within the Jewish community that are sincere in their faith and serve the Jewish community in many ways, and that cooperation with them is sometimes both practically important and religiously valuable—pragmatically important because a united front can sometimes lead to results that cannot be achieved individually, and religiously rewarding as it emphasizes that the unity of the Jewish people remains unbroken even in the face of vast theological, social, and halachic differences. However, Orthodox Judaism is not prepared to sacrifice its basic claim—the binding nature of Jewish law as the touchstone of personal conduct—in order to achieve this value.

Two basic guidelines have always resonated with me as correct.

First, Orthodox individuals and institutions gladly participate in communal events whose purpose is to socially, politically, or economically better the lot of the Jewish community as a whole, even if these events are denominationally centered, and even more so if they are not. Thus, rallies for Israel, political and social action activities, marches on Washington, and Federation-sponsored hurricane relief are just a few examples of the type of complex, denominationally-based work that Orthodoxy joins. The rationale for joining these types of events is that due to their fundamentally non-religious nature, no theological misimpression is created. One who attends or reads about an interdenominational rally to prevent genocide in Darfur, or in support of Israel, or a fundraising event at the Jewish Federation would not assume that all participants recognize one another as the-
ologically correct.

On the other hand, Orthodoxy would not participate in a religious event such as multi-denominational worship in which Orthodox, Conservative, and Reform services are offered in a spirit of ecumenical validation and people choose where and what type of service to attend or even to attend all of them. Precisely because the smorgasbord approach to prayer cannot help but convey to its participants that—just as all the food choices are proper and what one consumes is simply a matter of personal predilection—all the prayer options are valid. Orthodoxy cannot with integrity allow itself to come across, either to the non-Orthodox community or to its own community, as a choice among equals. The same is true for an educational institution that teaches its students Orthodox, Conservative, and Reform perspectives of the Torah and halacha with no notion of what is correct and what is not. It is the ultimate perversion of Orthodoxy to require that it validate perspectives that violate its fundamental tenets.

(This stands in sharp contrast with the diversity that one sees within Orthodoxy and its institutions. The Orthodox community recognizes pluralism within the confines of halacha and one certainly encounters, for example, orthodox synagogues with Ashkenazic, Sefardic, and Chasidic minyanim all in one place. So too, one finds Orthodox educational institutions of many different flavors sharing teachers, rabayim and staff.)

Let me add one substantive caveat to these two guidelines, which reflects the modern reality of some of American and Jewish life. Sometimes adults live in Jewish or secular communities that have only “practical pluralism,” with no ideological foundation, where we all agree to do our jobs (or be good neighbors) by not discussing certain matters. Thus, I am a professor at Emory University, which is a nominally Methodist institution, but which is, in fact, practically pluralistic. Each person who works at Emory maintains their own value structures in life and at work, but works comfortably in an institutional environment that is officially pluralist, or even valueless, where we perform our requisite tasks, declining to share our personal and perhaps contentious beliefs with others who have different devotional commitments and are uninterested in sharing theirs or listening to mine. Accordingly, I teach a Jewish law course to students with no requirement that they observe Jewish law—only that they learn the material. So too, Emory would not object if during a break in the work day, ten individuals came into my office for mincha services, and I fully understand that if the person in the office next to mine were to take communion on Good Friday in his office, it would reflect no ideological agreement that communion is proper on my part. Particularly in a university setting, practical pluralism becomes a way for people to function, teach, and learn. Practical pluralism can be wonderful—but institutions that claim a serious Jewish identity rarely seek that mantle and even less frequently don it comfortably, precisely because a person who is serious about his Jewish identity must draw lines grounded in religious values. Thus, for example, at Emory where practical pluralism is the highest value, I have almost no business asking my students why they wish to learn Jewish law. This stands in contrast to Jewish institutions nationwide which (I suspect) would exclude a Jews-for-Jesus member (even if born a Jew) from almost any program they run. Jewish institutions, quite rightly, seek to share values and examine motives.

Of course, within all bifurcated intellectual frameworks, there are shades of gray, in which people disagree over the facts or applications. For example, Rabbi Joseph B. Soloveitchik was of the view that interdenominational boards of rabbis were permissible so long as they did not meet to discuss matters of halacha or theology, but were limited to matters of social, political, or economic concern. Others disagreed with him, asserting that a “board of rabbis” inherently validates all its members as legitimate expositors of Judaism. Rabbi Moshe Feinstein, wrote half a century ago that an Orthodox minyan may not rent space or run religious programming in Reform or Conservative synagogues, as participants will grow confused as to whether the Orthodox view all services in the non-Orthodox synagogues as valid forms of worship. Many rabbis of the last two decades have disagreed and think that ordinary people can distinguish between the location of an event and its sponsors. So too, over the last many years Orthodox rabbis have seen the wisdom in participation in the public teaching of Jewish values at places like a Jewish community center—the basic
rationale being that each instructor teaches his own material and everyone knows that. The appearance under a single roof, the claim is made, does not create endorsement. Reality plays a strong role in these determinations. Thus, I do think that Orthodox students can pray in the Orthodox minyan at Hillel even though that same institution hosts Reform and Conservative services precisely because the students in such a minyan do not perceive Hillel as compelling the Orthodox students to validate the Conservative service. Yet, I have told a Hillel to disband rather than succumb to pressure from its university to permit a Jews for Jesus worship service in its building because I sense the same is not true for Jews for Jesus.

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Let us return to our starting point. Orthodoxy is far from monolithic and has quite a bit of diversity within its own walls. However, it is not ever-pliable and Orthodoxy has limits of both deed and creed. One of the most central ideas of Orthodox creed is the view that halacha is binding as a matter of covenantal theology, whether or not people actually observe it. When dealing with the denominations that theologically inhabit the space outside those bounds in acts and beliefs, Orthodox individuals and institutions must conduct themselves with both integrity and respect. Respect must motivate us to treat fellow Jews with honor, love, and dignity. Integrity compels us to treat our own ideology with seriousness and not allow us to compromise our identity as Orthodox Jews or our adherence to Orthodox ideology.

Rabbi Joseph B. Soloveitchik, zt"l, expresses this dichotomy theologically in his classical work Kol Dodi Dofek. The Rav states that as members of the Jewish people we feel linked to other Jews by the covenant of Abraham (brit ha-goral) and seek to help and support them, even while we must acknowledge that they do not all share fully in the covenant of Moses (brit ha-ye'ud) that we regard as mandatory and binding. The common Abrahamic covenant of Jewish history explains why I would refuse to worship in an Orthodox minyan at a Jewish Students Center that had a Jews for Jesus service, too, but am glad to be a practical pluralist at a Hillel with a Reform service. The latter is part of the Abrahamic covenant; the former is antithetical to it. Norman Lamm, portrayed these two values as the tension between our duty to treat all Jews with dignity and our obligation not to grant legitimacy to all options available to Jews.

We must succeed in expressing both values if we are to accomplish our mission, and I have always understood these two obligations as directing us to participate as much as possible in the general Jewish community, while avoiding participation in religious and educational events whose message is that whatever religious choices a person makes are legitimate, or that all models of Judaism role-modeled in America are valid, as both of these ideas deny a central creed of Orthodox Judaism, which is that Jewish law really is binding.

In sum, Orthodoxy must insist on the uniquely binding nature of halacha for Jews, and cannot be perceived as validating expressions of Judaism that violate this tenet, even if these expressions have other positive qualities and even if we seek to work together with them in mutual dignity on a variety of issues. Therefore, Orthodox Jews need to think carefully about our participation in non-Orthodox events and institutions within the Jewish community, to make sure that we remain true to ourselves and to Jewish law.

May we be blessed to live in a society where our diversity does not lead to divisiveness, and our unity is not contingent on our uniformity.
Halacha and Democracy
By Rabbi Reuven Travis

It has been said that perception is reality.

This was true in my former profession, advertising. And it is certainly true in the realm of politics, as one can see from the opinion polls which appear almost daily in the print and broadcast media regarding any major legislative initiative or election.

The question, however, is this: Is it true with regards to Judaism? Does the perception of halakha match its reality? There exists the perception, many would agree, that the Jewish legal system is far more restrictive than its American or, more broadly, democratic counterpart. According to this line of reasoning, halakha is at its core incompatible with the concepts of freedom and progress. It is, in a word, perceived to be “anti-democratic.” But is it?

Of The People, By The People

The reality of democracy, at least as formally defined, is actually rather dull: A form of government in which a substantial proportion of the citizenry directly or indirectly participates in ruling the state. It is thus distinct from governments controlled by a particular social class or group (e.g., aristocracy or oligarchy) or by a single person (e.g., despotism, dictatorship or monarchy).

The perception of democracy is far, far more exciting. Its perceived power lies with the freedom it allows and encourages. Its strength and universal appeal echo as loudly today as they did more than two centuries ago when Thomas Jefferson first penned these words:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

These words -- and the Declaration of Independence in which they are found -- gave birth to a form of democracy unlike any that came before it: "Whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."

Building on the themes embodied in this Declaration, the Government which thereafter came into being clearly defined the source of its power and authority:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Not "we the rulers," nor "we the elected authorities," but "we the people" give it substance and grant it authority. This is not a system dictated from above, but instead is one generated by the people, for the people.
It is inherently “democratic,” and allows the individual far more freedom than the Jewish legal system promulgated from on high. Or does it?

In the American system, as in other democratic systems, the demos, the people, are viewed as an absolute empirical object and, as such, as the ultimate source of authority. In the Jewish legal tradition, the people recognize the absolute authority of the law and, in turn, act as the depository of that law. This difference is indeed noteworthy. Whereas other legal systems see the law as the effect of authority, Judaism holds authority to be the effect of the law. Thus all forms of authority are limited by the law.

From whence comes this subordination of authority to the law? The answer lies with the bilateral covenant, the b'rit, contracted between God and the Jewish people at Mount Sinai. According to Rabbinic tradition, the covenant is both divine ("torah min hashamayim") and eternal. Being divine, it requires no promulgation. It binds the contracting parties at all times and in all societies. And rather than a theological doctrine, it is a fundamental legal principle. It posits that the law requires no promulgation or earthly authority to sanction it. From this perspective, God is the consequence, not the cause, of the law.

In a sense, belief in God is subsequent to – and a result of – belief in the Torah. In simple terms, it is based upon belief in the law. Within this specific context, the ultimate grounds for belief in God are legal, not theological or metaphysical. Hence, by codifying the belief in God as a mitzvah, the Jewish Sages designate belief as a covenantal or a legal obligation, not a theological doctrine.

Since the ultimate recognition of God is the law, were He to contravene any of its essential elements, He, God, would not be obeyed. Accordingly, the Talmud identifies the eternity of the law with the biblical principle “lo bashamayim hi” – “the law is not in heaven.” This principle clarifies why the Divine lawgiver may no longer promulgate new laws or reinterpret the law of the covenant. However, since the very nature of the covenant is bilateral, since it was not imposed but negotiated by the two parties – God and Israel – neither may abrogate any of its terms.

In the American system, Lincoln had to go to war to preserve its integrity. In the Jewish system, secession is an impossibility. The Jews may have been commanded from on high, but the commandments became valid only upon acceptance from below. Could there be any more powerful expression of the concept of “of the people, by the people?”

The Overlooked Hierarchy

The Jewish system is often perceived as being very hierarchical: Kohanim, Levi'im, king, even prophet. In contrast, American democracy is founded upon the immortal words of Jefferson: “We hold these truths to be self-evident, that all men are created equal . . .” But are they?

The American system of law, as was also the case with all ancient and monarchical systems, was inaugurated by a two-directional act of violence -- the simultaneous abrogation of the old order and the establishment of the new order. For this reason, the American mind can only conceive of legal relationships in hierarchical terms, determined by an initial act of “violence.” The Jewish systems stands in stark contrast, and its denial of the possibility of abrogating the law constitutes a formal rejection of the notion that “violence” stands at the very basis of all “legitimate” political and judicial systems. Consequently, the Jewish bilateral covenant implies the absolute horizontality of the contractual parties. Authority, whether political, ecclesiastical or judicial, is the effect, not the source, of the law.

Unlike the American system, in which the President can evoke “Executive Privilege” or the Congress can exempt itself from certain laws and acts it passes, even the king is not above the law in the Jewish system, as
demonstrated by the events in Shmuel II, Chapters 11 - 12. In brief, King David became enamored with Bathsheba, who was at that time married to a man named Uriah: “And it came to pass in the morning, that David wrote a letter to Joab, and sent it by the hand of Uriah. And he wrote in the letter, saying, Set Uriah in the front of the hottest battle, and retire from him, that he may be struck, and die.” (11:14-15) These orders were followed, and as David planned, Uriah fell in battle, leaving him free to wed Uriah’s widow. “But the thing that David had done displeased the Lord,” (11:27) and the prophet Natan was sent to confront the king. Rather than take umbrage at the prophet's chastisements, rather than place himself above the law, King David simply said: “I have sinned against the Lord.” (12:13)

A more telling episode is perhaps that of Ahab and Nabot. Ahab sought to acquire a vineyard owned by Nabot. (“Give me your vineyard, that I may have it for a vegetable garden, because it is near to my house; and I will give you for it a better vineyard than it; or, if it seems good to you, I will give you its worth in money.” - Kings I 21:2) When Nabot refused the king’s offer (“The Lord forbid it me, that I should give the inheritance of my fathers to you”), Ahab did a very surprising thing, at least by the standards of non-Jewish systems, he acquiesced and did not simply seize the property of his subject. And when he finally decided to act, Ahab, among the most wicked of Jewish kings, sought a legal (albeit deceitful) pretext for his actions.

And she [Jezebel] wrote letters in Ahab’s name, and sealed them with his seal, and sent the letters to the elders and to the nobles who were in his city, living with Nabot. And she wrote in the letters, saying, Proclaim a fast, and set Nabot at the head of the people; And set two worthless men before him, to bear witness against him, saying, You blaspheme against God and the king. And then carry him out, and stone him, that he may die. And the men of his city, the elders and the nobles who were the inhabitants in his city, did as Jezebel had sent to them, and as it was written in the letters which she had sent to them. They proclaimed a fast, and set Nabot at the head of the people. And there came in two worthless men, and sat before him; and the worthless men testified against him, against Nabot, in the presence of the people, saying, Nabot blasphemed against God and the king. Then they carried him out from the city, and stoned him with stones, and he died. Then they sent to Jezebel, saying, Nabot was stoned, and is dead. And it came to pass, when Jezebel heard that Nabot was dead, that Ahab rose up to go down to the vineyard of Nabot the Jezreelite, to take possession of it. (Kings I 21:8-16)

These incidents underscore the reality of the Jewish system: “Contrary to pagan thinking, whereby the right of the sword, the merum imperium, or absolute power -- the ‘monopoly of violence’ in the language of Derrida -- underlies the right of civil and criminal administration of justice, the law is the only basis of authority in Judaism.” For Ahab, unlike Richard Nixon, there was no presidential pardon. Even tyrants were expected to recognize the absolute authority of the law in ancient Israel.

Judicial Infallibility

The Supreme Court of the United States, although occasionally “erroneous,” in the words of Lincoln, can never be subject to judicial error. Even in the rare instance where a Supreme Court decision is overruled, it is always the Supreme Court itself which makes the revision. As Chief Justice Marshall declared, it “is emphatically the province and duty of the judicial department to say what the law is.”

In comparison, the Supreme Court of biblical Israel is subject to judicial error, for which it must bring an expiatory offering. As the Midrash poignantly states: “And it came to pass in the days when the judges were judged.” (Ruth 1:1) Woe unto the generation that judges its judges, and woe unto the generation whose judges
are in need of being judged. When a judge would say, ‘Remove the toothpick from between your teeth,’ the man would reply, ‘Remove the beam from between your eyes.’” (Ruth Rabbah 1:1)

**Equal Opportunity**

The American dream is built upon the notion of equal opportunity. This is a land presumably premised upon meritocracy – unless, of course, racial or gender quotas come into play. With increasing frequency, sexual preferences must be factored in, too. And while justice is assumed to be blind, not taking into account anything other than the facts, wealth, it seems, allows one the opportunity to “better package” those facts.

It is true that the Jewish system assigns distinct roles to its members, priest and Israel, man and woman, king and subject. Yet this is a system structured on the reality of “separate but equal.” There are different roles to be played, but each member of the Jewish people stands as equals before God and before the temporal powers, as the posuk clearly states: “You shall not show favoritism in judgment, small and great alike shall you hear.” (Devarim 1:17) Moreover, the Sages in Yoma 35b seem to anticipate the phenomena of political correctness and of “victim mentality” so in vogue in contemporary American. The Sages dismiss both approaches out of hand. They stress that it is personal responsibility which leads to true equality of opportunity:

> Our masters taught: When a poor man, a rich man, and a sensual man come before the [heavenly] court for judgment, the poor man is asked, “Why have you not occupied yourself with Torah?” If he answers, “I was poor and preoccupied with making a living,” he is asked, “Do you mean to say that you were poorer than Hillel?”

> The rich man is asked, “Why have you not occupied yourself with Torah?” If he answers, “I was rich and preoccupied with tending to my possessions,” he is asked, “Do you mean to say that you were richer than R. Eleazar ben Harsom?”

> The sensual person is asked, “Why have you not occupied yourself with Torah?” If he answers, “I was handsome and obsessed by my sensual passion,” he is asked, “Do you mean to say that you were more handsome and more obsessed by passion than the virtuous Yosef?”

> Thus Hillel shows up the poor, R. Eleazar ben Harsom shows up the rich and the virtuous Yosef shows up the sensual.

**A Matter Of Perspective**

For the informed, committed Jew, halakha and the system it represents, is wholly compatible with the concepts of freedom and progress. It simply is a matter of perspective, a notion expressed long ago by the Sages:

> “The writing was the writing of God, graven (harut) upon the Tablets.” (Shmot 32:16) Read not harut, “graven,” but herut, “freedom,” for no man is truly free unless he occupies himself with study of Torah. (Pirkei Avot 6.2)
Parashat Tzav might be one of the most difficult Parshiot to comment on and write about. It deals with technicalities that are ripe in Sefer VaYikra, but as we well know, within each technicality, each law, there is a lesson to be learned and a value to be taken.

There are of course a few options to delve into: Mincha – the Meal offering, Chatah – the Sin offering, Korban Asham – the Guilt offering, and Korban Todah – the Thanksgiving offering, but after reading a bit deeper, there is the Korban Olah – the Elevation offering. No, contrary to what some may believe it is not some si-fi outer body experience where you come back saying Rabbi Starr, phone home. It does, however deal with the concept of repenting and the importance of our relationship with Hashem. The Midrash comments that if a person repents it is regarded as if he had gone up to Jerusalem, rebuilt the Temple and brought on it all the offerings of the Torah.

Therefore, from this, we realize that the saying, my body my temple, may just be on target. We believe that we are made Betezlem Elokim, in the image of Hashem. We are therefore entrusted to take care of ourselves – spiritually and physically. Should we “contaminate” ourselves with sin, we repent, thereby developing our relationship with Hashem. We admit to our wrongs, we ask for his mercy, and believe that we gain his forgiveness through this process. In our daily lives and interactions, we rebuild ourselves every day; we recreate ourselves in different situations - that is human nature.

The hardest part is staying true to ourselves, finding, if you will, the balance between who we are, who we are supposed to be and who we want to be. We all make mistakes, we have too, it is how we learn, and how we grow. In our own ways, we all have our own struggles with religion, with Hashem and with our fellow man. However, everyday, we ask for forgiveness in the Shmonei Esrei, and once a year we spend 25 hours in deep thought and emotional turmoil working and sometimes repairing our relationship with Hashem. We know that we are judged only against ourselves, but in that, we must realize that we have to rise to the occasion, we must elevate ourselves to be the best we can be - in all aspects, in all relationships, outside, and most importantly, on the inside.
Thoughts Upon The Completion of Seder Moed

By Deborah Broyde, in honor of her Bat Mitzvah

To celebrate my bat mitzvah, I learned the entire Seder of Moed, which deals with Shabbat and all the holidays and their details. The books are: Shabbat, Eruvin, Pesachim, Shekalim, Succah, Betzah, Yoma, Rosh Hashana, Ta’anit, Megilla, and - finally – Chagiga. All of these sections deal with their own holidays, except for Eruvin, which deals with Shabbat, and Shekalim, which deals with Pesachim. Betzah is also known as “Yom Tov”.

Although I learned all 88 chapters in Seder Moed, I will be focusing on only one Mishnah. Then I will have my Siyyum. I am going to speak about one Mishnah in Pesachim, Chaptr 6, Mishnah 2. This Mishnah refers to the one before it (Mishnah 1).

In Chapter 6 in Pesachim, it deals with the issue of what happens if Pesach falls on Motzei Shabbat (right after Shabbat) and the Korban Pesach (the Passover sacrifice) is then brought to the Beit Hamikdash (the Temple) on Shabbat.

As always, we go by the Chachamim’s (the Sages’) opinion.

What is weird about the Mishnah is that Rabbi Eliezer calls both Rabbi Akiva and Rabbi Yehoshua by their first names without their titles, which is not normal, and Rabbi Eliezer was rude about Rabbi Yehoshua’s opinion, and would not reason with him.

Since Rabbi Eliezer was both Rabbi Akiva’s and Rabbi Yehoshua’s teacher, maybe he can have some leniency to call them by their first names. But this does not mean that Rabbi Eliezer is allowed to be rude to them about their opinions.

Now I am going to say an opinion by me and my father.

Maybe they (the Rabbis) were in private so Rabbi Eliezer could call them by their first name. But, since we don’t know that, we can’t say that. And, what’s the difference between public and private?

I think the difference is that, in private, you are either alone or on your own property but, in public, you are with people, or not on your own land. And in private, it is more friendly or informal conversation but, in public, it is more respectful.

A famous story about Rabbi Eliezer that will teach us about his stubbornness about not reasoning with people is: The Rabbis were arguing about issues relating to Tuma and Tahara (pure and impure matters) and Rabbi Eliezer was voted wrong by the others. So, he said, “if you vote against me, or if you say I am wrong, the river will flow up”; and Hashem made a miracle that made the river flow upwards. But the Rabbis still voted against him. So, he said: “if you vote against me, the walls of the school will fall”; and Hashem made a miracle that made the walls fall. So that Rabbis said: we voted against you, and you refused to accept our ruling and so, we are kicking you out of the school.

We can learn from this story that Rabbi Eliezer is sometimes stubborn and won’t reason with people.
We can learn from the Mishnah I read earlier that the way you talk to people is different when you are in public or in private and some mishnayot recite things that happened in private and others that happened in public. Also, and most importantly, you have to be careful about how you say things to other people. No matter how important you are, you are not allowed to be rude or belittling of other people’s views.

When you put them together, you also learn that you have to reason with people in a good way. You can’t just argue, argue, and argue, until they just say OK, fine. You have to listen and see if they have a point, and respond in a way that makes sense.
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