

Ki Tisa, Shiur From The Rav

- The Rav tz"l on Parshat Ki Tisa. The three tefilot of Moshe during the episode of the Golden Calf and its aftermath are discussed and elucidated by the Rav. What did each accomplish? Why were all three necessary? What is the significance of Moshe's insistence that Hashem and not a malach lead us into the Promised Land? Transcribed by Josh Rapps and Israel Rivkin, from a 1957 shiur at Moriah Shul.

KI TISA: SHIUR HARAV JOSEPH B. SOLOVEITCHIK ZT"l

(Shiur date: 2/26/57 from the shiurim of the Rav ZT"l on Masechet Brachos)

The Torah tells us that Moshe prayed three separate times during the episode of the golden calf and its aftermath. The first prayer was VAYECHAL MOSHE, the prayer that Moshe offered immediately upon being informed by HASHEM that BNAY YISRAEL sinned in the gravest manner, by creating an idol. The Torah records Moshe's remarkably short prayer, after which the Torah tells us that HASHEM, KIVAYACHOL, consoled Himself (VAYINACHEM HASHEM) and Moshe descended the mountain with the LUCHOS. After breaking the LUCHOS, he again ascends the mountain on the eighteenth of Tammuz in an effort to win forgiveness for the people (ULY ACHAPARAH PANAV) and spent another forty days praying on their behalf. The Torah tells the story of the golden calf in KI TISA and in EIKEV (SEFER DEVARIM).

Complementary details of the story are presented in the two PARSHIOS. For example, the Torah does not record the length of his stay in PARSHAS KI TISA, but it is mentioned in PARSHAS EIKEV. The Torah uses different terms to describe the events in the two PARSHIOS. For instance, the prayer of VAYECHAL is not mentioned in EIKEV. However in EIKEV Moshe states that the second prayer lasted forty days and nights through which Moshe fasted. In EIKEV, Moshe says that he was fearful of the anger of God. Moshe concludes the story of the second prayer with the statement that HASHEM listened to Moshe again that time (VAYISHMA HASHEM ALAY GAM BAPAAM HAHEE). The complete story is stitched together through both PARSHIOS.

In PARSHAS EIKEV Moshe tells of the second prayer that he offered. This prayer appears very similar to VAYECHAL, yet it has certain important differences. In Eikev the word NACHALASCHA (Your portion) is used and the words YAD CHAZAKAH are added. This prayer also lasted for forty days. The Torah only records the essence of the prayer, those key points that Moshe made in defense of the people, and omits the details of the prayer.

PARSHAS EIKEV records a third prayer of forty days by Moshe that culminated with the 13 MIDOS (attributes) of HASHEM and the receipt of the second set of LUCHOS. Moshe says that HASHEM listened to him and accepted that prayer as well, as HASHEM did not desire to destroy BNAY YISRAEL (LO AVAH HASHCHISECHA).

The Rav asked why Moshe had to pray so many times. If he was successful in his original prayer of VAYECHAL, then why was the second prayer necessary? What caused Moshe to remain fearful of the great wrath of HASHEM if all was forgiven, as it appears to have been, after VAYECHAL? What prompted the need for the third prayer if the first two prayers were accepted?

The Rav explained that Moshe asked HASHEM for three things, of which the last two requests were as difficult to attain as the first.

After the episode of the golden calf, BNAY YISRAEL were in grave danger as HASHEM was prepared to physically destroy BNAY YISRAEL. However, the time for Moshe to ask for forgiveness for the people had not yet arrived. After all, how could Moshe ask HASHEM for forgiveness if the people were still dancing around the golden calf? In the prayer of VAYECHAL, Moshe asks only that HASHEM suspend the execution of the death sentence against the people. He invokes the memory of the Egyptians, lest they taunt that HASHEM took them out of Egypt for the sole purpose of slaying them in the hills of the desert. Moshe said that they really are guilty and deserve their punishment, yet no matter how inappropriately they may have acted, the Egyptians in comparison were much worse. Moshe succeeded in suspending the DINA KASHE, the immediate dispensing of justice against the people, as it says VAYINACHEM HASHEM AL HARA'AH ASHER DIBER LAASOS LAMO, and HASHEM relented regarding the punishment that He was prepared to mete out against His nation. They were given a suspended sentence, but the judgement and associated punishment were still in place.

CHAZAL offer different interpretations as to why Moshe shattered the LUCHOS. According to one opinion, Moshe willfully destroyed the LUCHOS in order to save the people. By destroying the LUCHOS he severed the obligation of the people to follow the commandments, hence retroactively they never accepted the commandment forbidding the creation of an idol image. CHAZAL compare this to the case of a woman who commits adultery where the betrothal was created with an attached condition (KIDDUSHIN AL HATENAY) and the husband nullifies the Kiddushin so that retroactively his adulterous wife's sin would not be considered adultery and she would be spared the death penalty.

Another opinion as to why Moshe broke the LUCHOS is that Moshe reasoned that if BNAY YISRAEL were incapable of keeping the first MITZVOS contained in the LUCHOS, what chance would they have of keeping 613 commandments? Moshe reasoned that their guilt and punishment would be mitigated if the LUCHOS and the writings etched upon them by HASHEM, would not be a constant indictment of their behavior. Without the LUCHOS, there would be no HISCHAYVUS SHEL YISRAEL, no obligation to act as a Jew who has accepted and embraced the covenant of HASHEM.

CHAZAL tell us that the people murdered Chur, the son of Miriam, and they were prepared to murder Aaron as well, if he did not provide what they asked for. Yet this same rebellious lot meekly drank the water with the ground up dust of the golden calf, similar to the ceremony of the SOTAH, without revolt or protest. What caused this sudden change in their personality? The sobering sight of Moshe shattering the LUCHOS combined with the reappearance of the awesome personality of Moshe, was enough to foster regret among the people. The people experienced AVAYLUS, mourning, for what they lost, as the Torah tells us VLO SHASU ISH EDYO ALAV, they people did not place upon themselves the special crown granted them at Sinai. The shattering of the LUCHOS combined with the shame at seeing their leader forced them to appreciate the scandal they caused. In short, they experienced HIRHUR TESHUVA, the

beginning thoughts of repentance.

However, now Moshe was faced with a major problem: how to get a second set of LUCHOS from HASHEM for BNAY YISRAEL. Without LUCHOS, BNAY YISRAEL would have been caught in a terrible paradox. By smashing the LUCHOS, Moshe was successful in reverting them to their original status of BNAY NEICHAR, gentiles, rendering the union between HASHEM and the people into a MEKACH TAUS, a transaction entered into under misinformation. The covenant with HASHEM was gone. In retrospect they had not violated the prohibition of worshiping another deity and HASHEM set aside the decree of destruction, VAYINACHEM HASHEM AL HO'RAH. HASHEM, KVAYACHOL, told Moshe let them stay in the desert without the LUCHOS and the Torah, no longer a chosen nation, no longer a kingdom of priests and a holy nation. Let them remain a nomadic desert clan like the many others that populated the region at the time of the Exodus and who have long since faded from history without a trace. Moshe, if you prefer, you can remain their chieftain. For if they insist on retaining the betrothal (AYRUSIN) to HASHEM affected by the LUCHOS and keeping their special status as the nation of HASHEM, they open themselves up to the punishment that fits their sin of idol worship. Why should HASHEM be obligated to grant them a second set of LUCHOS and restore their original status? For example, the head of the rabbinic court who sins is not returned to his original position, he must suffer the consequences of his actions. Among the nations of the world, a scandal blots a leader's record forever. There are no second chances.

Since this nation is no longer the chosen people, HASHEM is no longer obligated to provide them with Manna. Let them survive in the wilderness like other nomadic tribes. If you will ask how the promises made to Avraham in the BRIS BAYN HABESARIM will be fulfilled? For that Moshe's own children will survive and over the course of hundreds of years will grow into a large nation that will receive the second set of LUCHOS and the Torah (RECHUSH GADOL) and would inherit the land promised to the patriarchs.

As far as this group of people is concerned, HASHEM said that he would deal with them like He deals with all nations of the world. They will retain the 7 Noahite laws and that's it. The decree of erasing their name from underneath the heaven will be fulfilled as they fade into history without even a footnote, just like all the other nomadic clans of the era. When HASHEM said HEREF M'MENI V'ASHMIDAYM, let go of Me, KVAYACHOL, and I will destroy them – He intended that they be destroyed either physically and immediately or historically and over time, but the end result would be the same: they would be gone and in their place Moshe's children will carry on the tradition of the patriarchs. No matter what, the LUCHOS were destroyed and with it the original MATTAN TORAH and HASHEM was not interested in a second one. After all, there is no obligation for HASHEM to be MACHZIR GRUSHASO, to remarry His divorcee.

Moshe was successful in getting HASHEM to annul the decree of physical destruction with the prayer of VAYECHAL. But he could not ask for a new KRISAS BRIS and new LUCHOS [ed. note: even though Moshe had not yet descended from the mountain and the LUCHOS were still intact, they were considered already destroyed] while the golden calf was still being celebrated by the Jews below. He had to wait to descend the mountain and destroy the idol and punish the sinners. Moshe told the people that he must again ascend the mountain to beseech HASHEM for a different kind of forgiveness: a second set of LUCHOS that would renew His relationship with

the people.

However, there was no requirement that HASHEM present the people with a replacement gift after they rejected and destroyed the original. Moshe respectfully offers, KIVAYACHOL, an ultimatum. IF HASHEM will not forgive the people, He should erase Moshe's name from His Torah. Moshe did not want his children to replace the chosen nation and condemn the group that left Egypt to wander as nomads in the desert. HASHEM rejected this plea by Moshe, and said that those that have sinned will be erased from the Torah. So Moshe dug in his heels and prayed for forty days and forty nights. He pleaded with HASHEM: AL TASHCHAYS AMCHA, do not destroy Your people. The Rav noted that in PARSHAS EIKEV the term Tashchays is used to denote destruction instead of the word TASHMID. TASHMID means to destroy physically. However there are other ways to destroy a person, for example by trivializing them. When the angels attacked the people they did not harm them physically, HASHMADAH. Instead, they removed the spiritual crowns they earned at KABBALAS HATORAH. Moshe responded that this people is NACHLASCHA, the chosen portion of HASHEM. NACHLA denotes an eternal possession. Not only should such a people be spared physical destruction, but they should continue to play a major role in the world as befitting the chosen of HASHEM.

The Rav gave as an example of HASHCHASAH on a personal level where criticism and LASHON HORAH belittle the efforts of another to the point where the target of the criticism loses the prestige of his colleagues, his self confidence and creative will. For example, if one gives an excellent SHIUR that others belittle for no reason other than their own pettiness, the result will be a loss of self confidence so that the next SHIUR will indeed be of poor quality. If one loses the SIMCHAS HANEFESH, spiritual joy of creativity, he will descend into the depths of despair and depression. The Rav said that educators must be very sensitive to this point and must strive to develop the talents of children. If they do not encourage and enhance their students they are called MASHCHISIM, destroyers.

History is full of issues that revolved around the Jew and Israel and the same can be said of modern times as well. The Rav noted that this special role of the Jew can be seen in modern times by the disproportionate amount of attention the world pays to Jews and Israel. No other country's territorial conquests are as heavily scrutinized and criticized as Israel's. [These comments were made in 1957 after the Suez campaign, but are uncannily appropriate to the present situation in Israel.]. For example, when Rome finally conquered Jerusalem and destroyed the second Temple, Titus minted special coins to celebrate the victory. The Jewish People have always been targeted because of their status as AM HANIVCHAR, the chosen nation. Moshe said that a people that was once chosen by HASHEM deserves special dispensation and should not be cast off.

We find that HASHEM intercedes on behalf of an individual who is pursued by an aggressor. In one situation, the one protected is not the most righteous of individuals, but HASHEM takes his side in order to punish the more wicked individual. This was the situation in Egypt, when HASHEM punished the Egyptians BYAD CHAZAKAH U'BZROAH NETUYAH, with a mighty hand and an outstretched forearm, because of the terrible sins committed by the Egyptians. It was not the righteousness of the Jewish People that earned them this protection. The second case is when HASHEM redeems someone because He is concerned for the well

being of the oppressed. HASHEM does not want the oppressed to remain exposed to the onslaught of the oppressor too long, lest he be scarred permanently by the experience.

Moshe argued that both of these reasons applied to the Jewish people. The sins of the Egyptians, who oppressed them and callously murdered Jewish children by throwing them into the Nile, were sufficient grounds for HASHEM to punish them. However, HASHEM also wanted to redeem the people before they descended into the fiftieth level of defilement, from which there could be no redemption. This is the meaning of Moshe's statement ASHER PADISA, that You redeemed. God redeemed the Jews from Egypt before they became irrevocably immersed in the spiritual and physical bondage of Egypt and while there was still time to rehabilitate them as the Jewish People. That is why HASHEM brought them to Mount Sinai, so they would fulfill their destiny as the chosen nation, as NACHLAS HASHEM, and develop the abilities they inherited from the patriarchs.

The prayer of VAYECHAL, at the end of the first forty day period, focused on the comparison between BNAY YISRAEL and the Egyptians. The purpose was to show that the Jew was not as wicked as the Egyptians who justly deserved to be destroyed because of their mistreatment of the Jews. Moshe argued that if HASHEM postponed the punishment of the Egyptians, the Jews were much more deserving of a delay in execution. The stay of execution was granted.

The prayer of the second forty days was to emphasize that the purpose for their redemption from Egypt, to become the chosen nation, still applied. They were still NACHLAS HASHEM. Moshe said that not only should they not be destroyed physically, they should receive a new HITCHATNUT (wedding) with HASHEM, new LUCHOS, and they should regain their special status among the nations of the world. HASHEM accepted the second prayer as well, and ordered Moshe to carve out new LUCHOS at the conclusion of the second forty day period.

In PARSHAS EIKEV the Torah tells us that Moshe prayed a third time for forty days when he went up the mountain to receive the second set of LUCHOS. What was the purpose of this third prayer? He had already succeeded in rescinding the punishment of physical destruction (VAYECHAL) and he had restored their status as the chosen nation (ASHER PADISA B'GADLECHA), what was left to accomplish? The last prayer was to convince, KVAYACHOL, HASHEM to travel in the midst of BNAY YISRAEL instead of sending an angel to lead the way. The Rav asked why should the fact that the people are a stiff necked lot convince, KIVAYACHOL, HASHEM to travel among them?

The Gemara (Rosh Hashonah 17b) says that the word HASHEM appears twice among the 13 attributes revealed to Moshe when he received the second set of LUCHOS during the third forty-day period, and both represent distinct attributes of HASHEM. The Gemara says that one refers to HASHEM before man sins and the other refers to HASHEM who is there after sin and repentance. HASHEM promises to return the sinner who repents to the same status he enjoyed prior to his sin, as if the sin never happened. The second name of HASHEM quoted in the verse teaches us that God never forsakes man in a state of sin. HASHEM is always near him, prodding him to repent.

Reb Chaim of Volozhin says that HASHEM is referred to as both a father and a mother in

TANACH. Why are both attributes necessary? After all, both parents love their child and it is impossible to say whose love is greater. He answered that when a father comes home from work he will take his child and play with him. As soon as the child soils his diaper, the father will hand the child to the mother and say "Here, you take him". The mother will instinctively take the child and wash him and once he is clean hand him back to the father. Reb Chaim said that if HASHEM treated mankind only from the perspective of the father, He would discard us the moment we dirty ourselves with sin. It is the motherly attribute of God that pushes the Jew to repent. It is the motherly attribute that expresses itself through the God who dwells with them even in the midst of their defilement who is willing to cleanse the Jew from his spiritual impurity.

HASHEM said that the angel would lead them. Moshe responded that they want HASHEM to lead them. What was so terrible about being led by the angel of God? Moshe said that while HASHEM forgave the people and returned them to their status after this episode, what will happen the next time they sin? What will happen after Moshe disappears from the scene, who will stand behind the Jew and whisper in his ear "repent!" if not HASHEM? Moshe asked HASHEM to travel in their midst, because not only do we need HASHEM with us when the LUCHOS are intact, but we need HASHEM always in our midst because we are a stiff necked people! Such a problem will happen again and they will need You to push them to repent. The Rav explained that the reason we say ATA NOSEN YAD L'POSHIM, You offer a hand to those that have sinned and not Ata MEKABEL SHAVIM, you accept those that repent, is because HASHEM comes to the Jew while he is still in the depths of sin and offer him a hand and a way out of the abyss of sin, even before man looks for help. HASHEM comforts man with the thought that He will be with him every step of the way on the road to repentance. This idea is seen throughout Jewish History. The Jews worshiped idolatry but they always repented. In the time of Achashveirosh, 12,000 Jews enjoyed the hospitality of the king's party. But a short while later, they all repented when faced with the decree of death.

The second HASHEM in the 13 attributes represents HASHEM who extends a hand to the sinner. Not only did Moshe succeed in rescinding the decree of destruction, and in returning their status, he succeeded in attaining a new covenant with HASHEM that He will always be there to prod and help the Jew repent and return to HASHEM.

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(Submitted by Nisson Shulman)