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PARSHA ENCOUNTERS

26 Elul 5768 / Sept. 26, 2008

Parshas Nitzavim ✍️ Rabbi Pesach Gottesman

Purposeful Punishment

The *Mishna* (*Rosh Hashana* 16) enumerates the Days of Judgment for various parts of creation. Pesach is the Yom Hadin for the grain crop, Shavuos for the fruits, Rosh Hashana for mankind, and Succos for the rain. The Ran (*ibid*) asks the following question. The timing of the judgment for grain, fruits, and water is understandable. Pesach is the time of the grain growing, Shavuos is when the fruits start developing, and Succos is the onset of the rainy season. However, in what way is Rosh Hashana connected to man thereby causing it to be his time of judgment?

To answer this question, the Ran cites a *Pesikta*. The *Pesikta* says that Adam was created on the first of Tishrei. On the very first day of his creation Adam sinned, was judged, and then sentenced with compassion. Therefore, Hashem said, "Let this be the Day of Judgment, so that just as you were judged with compassion your children will also be judged with compassion."

At first glance, this Midrash seems perplexing. Adam and his descendants were sentenced to a life of difficulty, "by the sweat of your brow you will eat bread." What does the Midrash mean that Adam was judged with compassion?

Rav Chaim Friedlander (*Sifsei Chaim* volume 1, page 98) derives an important lesson from here that helps us focus on the thrust of our Rosh Hashana prayers. The sentencing of the Heavenly courts is not with the same objective as that of our courts. Hashem does not punish simply to give someone what he deserves or to get even. Rather, Hashem passes down a sentence in order for us to take the opportunity to correct and improve ourselves.

Until Adam sinned, he had no true *bechira*, free choice, since good and bad were as obvious to him as day and night. However, this created a situation where Adam did not have a

chance to develop *emunah* on his own. The Arizal explains that Adam's intention in eating from the Eitz Hadaas (Tree of Knowledge) was to have the ability to serve Hashem by choosing between right and wrong. In this way he would create a *kiddush Hashem* by overcoming challenges. His mistake was that despite his lofty motive Hashem's command must not be set aside. This mistake, Rav Friedlander explains, was brought on by a certain lack of *emunah*, belief in the oneness of Hashem, on his part. (See *ibid*. for an elaboration of this very deep concept.) To correct his error, Hashem gave Adam a chance to struggle to recognize Him in the darkness of His concealment.

Now we can understand how Adam was judged with compassion. Hashem judges a person based on his level of achievement in accomplishing his purpose, and provides him with the necessary tools in order to successfully fulfill his mission. Blessings of health and wealth, as well as trials and tribulations, are distributed to enable us to achieve our purpose. Rav Friedlander concludes that on Rosh Hashana we should show Hashem that we are ready to do what is expected of us and that we do not need any unpleasant challenges in order to prompt us to do our job. With this approach, may we all be *zoche in din* to a *kesiva v'chasima tova*.

Rabbi Gottesman learns full-time at the kollel.

Divrei Chizuk V'Hisoreirus

from HARAV AVROHOM SCHORR, SHLITA

Monday, October 6th

8:15 p.m. at the Kollel

For Men & Women

HALACHA ENCOUNTERS

Tashlich

Rabbi Dovid Greenberg

One of the minhagim of Ashkenazic Jewry is to recite Tashlich. In this article we will discuss some of the reasons and rules relating to this custom, as well as some relevant halachos of Yom Tov.

Reasons

The Maharil (Hil. Rosh Hashana s. 9) is the first to mention this minhag. He bases it on the Medrash that discusses when Avraham was taking Yitzchak to the Akeidah. The Satan, in a last ditch effort to thwart this tremendous act, transformed himself into an impassable river. Despite this obstacle, Avraham continued on his holy mission until the water reached his neck. At that point Hashem saw his extreme dedication and allowed him to continue on. The Zohar states that the Akeidah occurred on Rosh Hashana, and therefore we pray by a body of water in order to invoke the merit of Avraham.

Another reason is based on the Gemara (Horiyos 12a) which states that the coronation of a king was held near water to express the hope that his kingdom should be as continuous as flowing water. So too, on Rosh Hashana, when we are accepting God's majesty upon ourselves we go to a place of water (Kitzur Shulchan Aruch 129:21)

Where?

It is preferable to go to a river that contains fish. Some of the reasons for this are as follows:

- As fish are covered from man's sight, they are not subject to the harmful effect of Ayin Hara (the evil eye). So too, we daven that we should be spared from those harmful effects. (Darkei Moshe 583: 2)
- As fish multiply rapidly, we pray that our nation should also multiply in number. (ibid)
- Fish are constantly prey to man's nets and hooks. So too, we are quite defenseless against the traps of the yetzer hara. Only Torah observance will provide the necessary protection to escape those snares, and only Teshuva can help free us if we have already been "hooked".

If one is unable to go to a body of water with fish, Tashlich may be recited near a fountain or well. If need be, any pit filled with water will do.

Many have the custom to shake out their pockets to symbolize their willingness to cleanse themselves from every vestige of sin. However, feeding the fish has no connection to this minhag. In fact, Chazal forbade giving food to any wild animal on Shabbos or Yom Tov because of the chance that one may come to catch it, thereby transgressing the Melacha of trapping (M.B. 497.5).

When

Most communities have the minhag to recite Tashlich on the first

day of Rosh Hashana after Mincha. If there is not enough time after Mincha, one may recite it earlier. In many places, women recite Tashlich before Mincha to prevent any inappropriate mingling with men. If the first day of Rosh Hashana falls out on Shabbos, many authorities say that Tashlich should be postponed until the second day. This ruling is based on the chance that forbidden carrying might mistakenly occur on Shabbos, as well as Kabbalistic reasons. If Tashlich was not recited on Rosh Hashana, it may still be said throughout the Aseres Y'mei Teshuvah, and, according to some, until Hoshana Rabbah. In some communities, especially in Chassidic circles, they purposely postpone saying Tashlich until the eighth day of the Aseres Y'mei Teshuva. The thirteen Middos Harachamim are recited in that day's selichos, and it is a very auspicious day for prayer.

Carrying on Yom Tov

The Torah allows for certain Melachos (forbidden acts on Shabbos) to be done on Yom Tov for the purpose of Ochel Nefesh (physical necessities). One of these Melachos is the act of carrying items between a private and public domain or carrying four amos (cubits) in a public area. Based on the halachic principle of "Mitoch", any type of carrying is permitted on Yom Tov, provided that it serves a Yom Tov need. Hence, carrying a machzor to the water to recite Tashlich is permitted. However, carrying it back home would seem to present a problem. Assuming one has already davened Mincha, there is probably no Yom Tov use that the machzor could serve that day. The fact that one plans on using the machzor for Maariv that night is immaterial because one may not do melacha on the first day of Yom Tov to prepare for the second. Rosh Hashana according to the Torah is only one day; the second day is celebrated only out of doubt when the true Yom Tov falls out. Therefore, preparing on the first day for the second may actually constitute doing melacha on Yom Tov in preparation for a weekday, which is forbidden.

However, the Poskim do permit bringing a machzor home. Since no one would consider carrying a machzor to Tashlich and leaving it by the water, if carrying the machzor home was indeed prohibited no one would carry a machzor in the first place and Tashlich would not be recited. As a result, carrying a machzor home is considered a Yom Tov need. (M.B. 518:6)

If one stopped on the return trip to visit a friend and the machzor could be safely stored in his home, it should be left there until nightfall. The aforementioned logic would not be applicable to this case, and the prohibition of unnecessary carrying would be in force. Of course, all these halachos are irrelevant in an area surrounded by a reliable Eiruv, where one may carry without concern.

Rabbi Greenberg learns full-time at the kollel.