**S.A.L.T. – PARASHAT KI TAVO**

**By Rav David Silverberg**

Motzaei Shabbat

In Parashat Ki-Tavo, Moshe describes to *Benei Yisrael* the special ceremony that they were to conduct at Mount Gerizim and Mount Eival after entering the Land of Israel. This ceremony consisted of the pronouncement of blessings and curses upon those who fulfill and violate (respectively) certain basic precepts of Torah law. The series of curses, which Moshe here dictates, concludes, “Cursed is he who does not uphold the words of this Torah” (27:26).

The Talmud Yerushalmi (Sota 7:4), famously cited by the Ramban in his commentary to this verse, ambiguously interprets this curse as referring to the “*chazan*.” The Ramban explains that the Yerushalmi speaks of the custom known to us as “*hagbeha*,” lifting the *Sefer Torah* in the synagogue so the entire congregation sees the sacred writing. The “*chazan*” mentioned by the Yerushalmi, the Ramban explains, is the person assigned the job to lift the Torah and show it to the congregation.

The practice of *hagbeha* appears explicitly in Masekhet Sofrim (14:14), and is codified by the *Shulchan Arukh* (O.C. 134:2). The *Shulchan Arukh* mentions the custom of *hagbeha* before its presentation of the laws of Torah reading, in accordance with the view that *hagbeha* is performed before the Torah is read, the practice observed by Sephardic communities. The Rama, however, representing the Ashkenazic tradition, codifies the practice to perform *hagbeha* after the reading of the Torah.

It emerges according to the Ramban’s understanding of the Yerushalmi’s comment that there is a special curse pronounced upon those who fail to observe this practice of *hagbeha*, who do not show the Torah to the congregation at the time of the Torah reading. Apparently, at least according to the Ramban, *Chazal* afforded great importance to this custom, to the point where those who neglect it are deserving of a “curse.” How might we understand the special significance of *hagbeha*? Why did *Chazal* deem it so vital to show the congregation the Torah scroll when it is read (either before or after)?

When a specific portion of Torah is studied, the danger arises of viewing all of Torah from the narrow purview of that particular section. Reading one particular portion of the Torah in the synagogue could potentially mislead the congregants into thinking that this portion contains the Torah’s entire message for their lives. Lifting the Torah at the time of the Torah reading is thus vitally important as a way of reminding ourselves that the portion being read constitutes but a small piece of a much larger body of religious teaching. The Torah’s message and its expectations of us cannot be narrowed down and simplified into a single adage, or even into two or three columns of text. The body of law and the set of values incorporated by the Torah are vast and complex, and this might very well be the reason why *Chazal* instituted the custom of *hagbeha* and afforded such importance to this practice. We need to put every piece of Torah we learn into its broader perspective, and recognize that it is part of a wide range of values, principles, requirements and concepts, and no specific portion of Torah can possibly represent, on its own, the full scope of what the Torah seeks to teach us.

Sunday

Yesterday, we noted the Ramban’s surprising suggestion, based on the Talmud Yerushalmi (Sota 7:4), interpreting the verse in Parashat Ki-Tavo (27:26), “Cursed is he who does not uphold the words of this Torah” as referring to the custom of *hagbeha* – the practice of lifting the *Sefer Torah* to show the text to the congregation. As we mentioned, Sephardic custom follows the view requiring lifting the Torah before the Torah reading, whereas Ashkenazim lift the Torah only after the reading (*Shulchan Arukh* and Rama, O.C. 134:2).

Rav Efrayim Zalman Margoliyot, in his *Sha’arei Efrayim* (10:14), addresses the case of a person invited to perform *hagbeha*, but finds that one side of the scroll is too heavy for him to lift. According to Rav Margoliyot, it is perfectly acceptable to roll the *Sefer Torah* as needed in order to reduce the imbalance so that it will be easier to lift. In his view, the custom of *hagbeha* does not require showing the congregation specifically the portion of text that is read on that occasion in the synagogue, and any portion of text may be shown to fulfill this requirement. By contrast, Rav Yitzchak Yehuda Yechiel Safrin of Komarno, in his [*Shulchan Ha-tahor*](http://www.hebrewbooks.org/pdfpager.aspx?req=9003&st=&pgnum=214), writes that the person lifting the Torah must show the congregation the text that was just read (or, according to Sephardic custom, that will be read), and therefore one must not roll the Torah to a different spot before lifting it.

[Rav Asher Weiss](http://www.torahbase.org/%D7%94%D7%92%D7%91%D7%94%D7%AA-%D7%A1%D7%A4%D7%A8-%D7%AA%D7%95%D7%A8%D7%94-%D7%AA%D7%A9%D7%A2%D7%95/) explains that underlying this debate is the fundamental question as to whether *hagbeha* was instituted as part of the Torah reading process, or as a separate custom. Rav Margoliyot apparently viewed *hagbeha* as an act which is performed for the sake of showing honor to the *Sefer Torah*, and is not integrally connected to the obligation of Torah reading. Therefore, it does not matter whether the congregation is shown the text of that day’s reading or a different portion of text. Rav Safrin, however, likely understood that *hagbeha* was instituted as part of the procedure of Torah reading. *Chazal* established that the Torah must be both read and shown to the congregation, so they encounter its words both audially and visually. According to this perspective, *hagbeha* requires showing the congregation specifically the portion that is read that day.

Rav Weiss notes that this conceptual question might also affect other practical aspects of *hagbeha*. For example, the halakhic authorities debate the issue of whether a person can perform *hagbeha* on a fast day if he does not observe the fast, due to a medical condition and the like. The *Shulchan Arukh* (O.C. 566:6) rules that one who does not fast may not be called for an *aliya* to the Torah on a fast day, and Rav Yechiel Michel Epstein (*Arukh Ha-shulchan*, O.C. 135:14) applies this *halakha* to *hagbeha*, as well. In his view, one who is unable to fast may not perform *hagbeha* in the synagogue on a fast day. On the other hand, Rav Margoliyot, in his work *Mateh Efrayim* (602:15), rules that although one who cannot fast may not receive an *aliya* on a fast day, he may perform *hagbeha*. Rav Weiss insightfully observes that Rav Margoliyot’s ruling in this context is consistent with his aforementioned ruling that *hagbeha* does not require showing specifically the text that is read on that occasion. Rav Margoliyot viewed *hagbeha* not as part of the Torah reading process, but rather as a separate requirement intended to show honor to the Torah. As such, it does not matter which portion of text is shown, and, for the same reason, *hagbeha* is not subject to the same restrictions as *aliyot*, such that on fast days, even those who may not receive *aliyot* may perform *hagbeha*.

Monday

In our last two editions of S.A.L.T., we briefly mentioned the different customs that exist regarding *hagbeha* – the practice to lift the *Sefer Torah* in the synagogue and show it to the congregation. The *Shulchan Arukh* (O.C. 134:2), representing the Sephardic tradition, codifies the custom to lift the Torah scroll before the reading, whereas the Rama records the Ashkenazic custom to perform *hagbeha* only after the Torah is read.

Rav Chaim Benbenishti, in his [*Sheyarei Kenesset Ha-gedola*](http://www.hebrewbooks.org/pdfpager.aspx?req=41295&st=&pgnum=41), expresses support for the Ashkenazic practice, of lifting the Torah after the reading. He writes that many ignorant congregants mistakenly afford primary importance to viewing the Torah scroll, as opposed to hearing the reading. If *hagbeha* is performed before the Torah reading, then these people will simply leave after seeing the words of the Torah, rather than staying to listen and pay attention to the words of the Torah. Rav Benbenishti therefore concludes that it is preferable to follow the Ashkenazic practice of lifting the Torah only after the reading.

This mistake observed by Rav Benbenishti reflects the tendency among many to feel content with shallow exposure to Torah without putting in the hard work and effort needed to properly internalize and apply the Torah’s messages. We are mistaken if we think it suffices to merely “see” the Torah, to encounter it briefly, superficially and effortlessly, that we fulfill our religious duties by spectating, by observing from the side, by taking a quick occasional glance. In order to absorb the Torah’s timeless messages so we can live proper Torah lives, we need to take the time to hear its words, and invest effort to understand them.

In every generation, there are those who “lift” the Torah, who devote themselves to teaching and disseminating Torah knowledge. We bear the obligation to not simply look on as the Torah is shown to us, but to put in the work needed to study its words, internalize them, and apply them in every area of our lives.

Tuesday

The Torah in Parashat Ki-Tavo (26:12-15) presents the *mitzva* known as *vidui ma’aser*, requiring one to verbally avow fulfilling his various tithing obligations. This proclamation must be made in the third and sixth years of the seven-year halakhic agricultural cycle, at the time of *bi’ur*, when *Halakha* requires one to settle all outstanding tithing obligations.

A number of writers raised the question of why *Chazal* chose to refer to this proclamation with the term *vidui,* which is generally used to mean “confession.” In this proclamation, the individual does the precise opposite of confession, avowing his compliance with the various tithing requirements. Why, then, is this declaration commonly referred to in rabbinic literature with the term “*vidui*”?

The simplest answer, perhaps, is that offered by Malbim, who explains that the term *vidui* refers to any verbal account of one’s actions, positive or negative. Although we generally use this word in reference to our confession of sin, in truth, it can be used even in reference to a declaration of one’s noble and admirable actions.

By contrast, the *Minchat Chinukh*, in a controversial passage (607:19), drew upon the term “*vidui*” to arrive at a novel and surprising theory. He asserted that the entire *mitzva* of *vidui ma’aser* is restricted to the specific case of one who had been negligent in regard to one of his tithing requirements. In such a case, he must make a “confession” of sorts, declaring that although he delayed his mandatory gifts, he has now fulfilled all his obligations. However, if a person fully complied with all his requirements, then he has no need to make this proclamation.

This issue appears to be subject to a debate between Rashi and Tosefot, in their respective commentaries to Masekhet Yoma (36a). The Gemara there brings the view of Rabbi Yossi Ha-gelili that when a person brings a voluntary *ola* sacrifice, he should confess over the sacrifice his violations in regard to the mandatory gifts to the poor that one must give from his produce. Specifically, Rabbi Yossi Ha-gelili mentions the portions of one’s field which must be left for the needy (*leket*, *shikhecha* and *pei’a*), as well as *ma’aser ani* – the tithe given to the poor on the third and sixth years of the seven-year halakhic agricultural cycle. If one has neglected any of these requirements, Rabbi Yossi held, then he makes a confession to this effect when offering an *ola*. Rashi comments that the term “*ma’aser ani*” was added as a result of a copyist’s error, and should be removed from the text, for in truth, one does not confess *ma’aser ani* violations when bringing a sacrifice. Since *ma’aser ani* is included in the *vidui ma’aser* proclamation which one makes every third and sixth year, there is no need for this violation to be repeated when one brings a sacrifice. Rashi seems to work under the assumption that *vidui ma’aser* is recited over one’s violations, not to avow compliance. It seems that in his view, *vidui ma’aser* is recited when one has neglected his tithing responsibilities and now fulfills his outstanding requirements, as the *Minchat Chinukh* suggested, and thus this declaration indeed constitutes a confession of wrongdoing. And since it constitutes a confession, it is not repeated when one offers a sacrifice. Tosefot, however, dispute Rashi’s emendation of the text, noting that *vidui ma’aser* is a declaration avowing compliance, not a confession of wrongdoing. As such, Tosefot argue, there is no reason not to confess neglect of one’s *ma’aser ani* obligations when offering a sacrifice. In Tosefot’s view, then, this proclamation is required every third and sixth year even if one strictly fulfilled his tithing responsibilities and gave all the mandatory gifts on time, in contradistinction to the theory advanced by the *Minchat Chinukh*.

(See [*Peninei Minchat Chinukh*, Parashat Ki-Tavo, 5776](http://beinenu.com/sites/default/files/alonim/177_50_76_0.pdf))

Wednesday

Yesterday, we saw the controversial theory advanced by the *Minchat Chinukh* (607) imposing a significant limitation on the scope of the *mitzva* of *vidui ma’aser* – the declaration avowing compliance with one’s tithing obligations. Noting that *Chazal* refer to this declaration with the term “*vidui*,” which normally denotes confession of sin, the *Minchat Chinukh* suggests that the declaration is perhaps required only when one had delayed giving the mandatory tithes and gifts. The *vidui ma’aser* declaration is made at the end of the third and sixth years of the seven-year *shemita* cycle, at the time of *bi’ur*, when the Torah requires fulfilling all outstanding tithing obligations, and the *Minchat Chinukh* suggests that it applies only when one has outstanding obligations due to his having delayed his tithes. As we saw, this theory appears to be the subject of a debate between Rashi and Tosefot in explaining a passage in Masekhet Yoma (36a). Rashi there comments that *vidui ma’aser* is a confession of wrongdoing, whereas Tosefot assert that to the contrary, this declaration affirms one’s satisfactory compliance with the tithing requirements. Seemingly, Rashi’s view reflects the novel theory espoused by the *Minchat Chinukh*, that *vidui ma’aser* functions as a confession for having delayed one’s tithes.

The obvious difficulty with this theory is that the text of *vidui ma’aser* makes no mention at all of delinquency. In this proclamation, one says only that he has fully complied with the tithing obligations, going so far as to say, “*Asiti ke-khol asher tzivitani*” – “I have done in accordance with all You have commanded me” (Devarim 26:14). How can this proclamation be understood as a confession of wrongdoing, if it makes no mention of any wrongdoing?

This question might force us to adopt a variation of the *Minchat Chinukh*’s theory, as proposed by Rav Shalom Brander, in his work *Chukat Ha-yom* (Yoma, vol. 2), in explaining Rashi’s position. He contends that the *Minchat Chinukh* went too far in asserting that one who paid all his tithes on time as required does not make the *vidui ma’aser* proclamation. Nevertheless, Rav Brander writes, even if all people must recite *vidui ma’aser*, we can still accept Rashi’s view that this proclamation is, at its core, a confession. Fundamentally, *vidui ma’aser* – as its name suggests – is a declaration confessing having improperly delayed giving the required tithes, which one makes when he fulfills his outstanding obligations. However, it is formulated as an affirmation of compliance because the Torah wanted all people to make this declaration, and not only those who were delinquent. The *Sefer Ha-chinukh* writes that the Torah issued the command of *vidui ma’aser* because of the special importance of the tithing obligations, through which the *kohanim*, the *Leviyim*, and the poor are supported. By requiring one to make a formal announcement avowing compliance with these laws, the Torah helps ensure that people fulfill these obligations, as most people are not so brazen as to make such a declaration falsely. Accordingly, Rav Brander suggests, this declaration must be made by all people, as its serves as an important deterrent to negligence in the area of tithes. Therefore, although the essence of *vidui ma’aser* is confession, it is formulated as a declaration of compliance so that it may be recited by all people.

By distinguishing between the essential definition of *vidui ma’aser* and its practical application, Rav Brander suggests, we can reconcile Rashi’s position with the text of *vidui ma’aser*. Fundamentally, this declaration is a confession of delinquency, but practically speaking, it is formulated as a declaration of compliance.

Thursday

We read in Parashat Ki-Tavo the list of curses which the *Leviyim* were to pronounce at Mount Gerizim and Mount Eivel after *Benei Yisrael*’s entry into the Land of Israel, condemning violators of certain transgressions. One of the curses was pronounced upon “*makei rei’eihu ba-sater*” – “one who strikes his fellow in hiding” (27:24). A number of commentators, including Rav Saadia Gaon and Rashi, interpret this verse as referring not to actual beating, but rather to *lashon ha-ra* – gossip and slander. One beats his fellow “*ba-sater*,” secretly, by defaming him, sharing negative information about him in private conversations with others, thereby causing him shame and isolation. This is the approach adopted also by Rav Shimshon Raphael, who explains, “…he strikes his neighbor without the latter knowing it, or finding out from where the blow came. This is the blow struck with slander…which, out of the reach of the law courts, undermines the happiness, peace and honor of one’s neighbor.”

Rav Hirsch suggests explaining on this basis a subtle grammatical nuance in this verse, noting that the word for “strike” here is “*makei*” (with a *tzeirei* vowel), as opposed to “*makeh*” (with a *segol* vowel). The difference between “*makei*” and “*makeh*,” Rav Hirsch explains, is that the former is a noun and the latter is a verb. “*Makeh*,” the more commonly-used term, denotes the occurrence of a beating, whereas “*makei*,” the word used here, refers to a habitual beater. The Torah uses *makei*, the noun, in this context because it speaks here not of actual beating, but rather of *lashon ha-ra*, gossip and slander, a transgression which so commonly becomes habitual. Rav Hirsch explains:

Scandal-mongering is a sin which, like no other, becomes so easily a habit, it becomes more and more a daily and hourly practice. That is why it does not say here *makeh* which as a verb would also designate the blow being given just once, but *makei* (a smiter) which as a noun form designates one to whom scandal-mongering is habitual and has become part of his character. It does not designate the sin itself but the disgraceful creature who is a scandal-mongerer.

The curse pronounced here is upon the person who habitually indulges in gossip and slander, who relishes opportunities to observe or hear, and then relay, negative information about other people. This is an activity which becomes habitual and even addictive, as people seeking to boost their fragile egos turn their attention to the faults of others in order to avoid having to acknowledge and address their own failings.

If, indeed, this is the meaning of the curse pronounced upon “*makei rei’eihu ba-sater*,” then the converse must also be true. Namely, the Torah confers great blessing upon those who turn their attention away from other people’s wrongdoing and focus instead on their own imperfections, working to constantly grow and improve themselves rather than blissfully ignore their deficiencies by proudly mocking the deficiencies of others.

Friday

The Torah in Parashat Ki-Tavo describes the calamities that God threatened to bring upon *Benei Yisrael* should they violate His laws. These warnings include the nation’s banishment into exile, where they will be subjugated by an enemy nation that will “place an iron yoke upon your shoulder” (28:48).

The Talmud Yerushalmi, in Masekhet Shabbat (14:3), offers a fascinating interpretation of this warning, explaining that this “iron yoke” refers to “*ha-ra’ayon*” (literally, “thought”). The *Penei Moshe* commentary explains: “This is negative thoughts and anxiety that a person places in his heart excessively… This ‘thought’ resembles an iron yoke placed on the neck such that a person is unable to turn one way or the other. This person, too, who is submerged in his thoughts, does not know where to turn.”

According to the Yerushalmi, the Torah refers – or alludes – here to the paralyzing effect of anxiety and negative thoughts. Just as an oppressor chains his victims and does not permit them to act as they wish, to pursue their own dreams and seek personal fulfillment, similarly, the “*ra’ayon*” – excessive worry can stifle us and prevent us from working to grow and achieve. The Torah here warns that part of the punishment for abandoning God is that the series of crises and calamities which will befall *Benei Yisrael* will cause them constant fear and anxiety, to the point where even when the troubles subside, they will be unable to function properly due to their debilitating worries.

The Yerushalmi’s interpretation of this verse reminds us to try to avoid undue anxiety, the essence of which lies in “*ra’ayon*,” in our minds, in negative thoughts. It is perhaps not coincidental that in the preceding verse, the Torah tells that *Benei Yisrael* will be forced to serve enemy nation because “you did not serve the Lord your God with joy and good-heartedness” (28:47). The plain meaning of this verse is that since *Benei Yisrael* failed to serve God when they enjoyed prosperity, He will punish them by forcing them to serve their enemies in a state of oppression and destitution. However, this verse is also commonly understood as alluding to the critical importance of joy in the service of God. (See, for example, the Rambam’s famous remarks in Hilkhot Lulav 8:15.) We are to serve God with joy, vitality and confidence, not in a state of fear and anxiety. To this end, we must release ourselves from the “iron yoke” of worry which so often weighs us down, and live with the emotional freedom to pursue ambitious goals and maximize our potential to its very fullest.

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