

## CENTER FOR MODERN TORAH LEADERSHIP

Center for Modern Torah Leadership



חרות ואחריות

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### WAS MAKING THE GOLDEN CALF A VIOLATION OF HALAKHAH?

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According to *yibadel l'chayyim* my father, my grandfather ז"ל did not sing the stanza "Tzeitkhem l'shalom" (Go in peace) on Friday nights, because he thought it was rude. My wife's family sings Tzeitkhem, but omits the stanza "Barkhuni l'shalom" (Bless me in peace) on the ground that asking angels for blessings violates Rambam's Fifth Principle of Faith. We've agreed to disagree about this.

I sometimes frame the issue this way to our confused guests: Do you worry more about interpersonal mitzvot, or rather about mitzvot between humans and G-d? About *derekh erez*, or about *avodah zarah*? Then I justify my grandfather's position by quoting King David: "*Let us please fall at the hand of Hashem, for His mercies are numerous, and let me not fall at the hand of a person.*"

There are other options. We could sing neither stanza, and leave the angels standing there awkwardly ("In every other house they ask us to bless them!?!") until they decide on their own to leave. Or we could add the fifth stanza "Shuvkhem l'shalom" (Return in peace), which at least mitigates the rudeness.

But it turns out that our eccentric pattern of sounds and silences beautifully models for our students the ability to disagree passionately and yet respect each other's practices. (For our children, the punchline of the old Jewish joke applies: "That was the custom, to fight about it!")

The truth is, though, that I started off thinking that Deborah's objection to Barkhuni was simply wrong. After all, Yaakov Avinu denies an angel leave to go "unless you bless me," and he asks for his grandchildren to be blessed by "the angel who has redeemed me from all evil!" I discovered some years ago that the objection was reliably attributed to R. Chayyim Volozhin, but with all respect, could not understand how he justified it in light of the verses about Yaakov. The more serious theological problem with "Shalom Aleikhem," it seemed to me, is that people tend to sing not "*melekh malkhei hamelakhim*" (King who is king of all kings) but rather "*melekh mal'akhei hamelakhim*" (King who is messengers of the kings, or: King of the messengers of kings).

Netziv's commentary to Parshat Ki Tisa made me rethink this issue, and several others along the way.

Netziv starts from the classic question: How could the great Aharon haKohen have enabled idolatry by making the Golden Calf? He rejects out of hand the notion that Aharon was simply afraid for his life. Nor does he deploy his radical notion of *aneirah lishmah* (sinning for the sake of Heaven), according to which a violation of halakhah can sometimes be justified on consequentialist grounds. He does not cite the Midrashic claim that Aharon was surprised by the spontaneous emergence of a calf from the melted gold. Instead, Netziv argues that Aharon must have had a **correct** legal argument that justified making the Calf.

Netziv knows perfectly well that the Golden Calf becomes the archetypical *avodah zarah* in Tanakh. He does not suggest that Aharon's argument is **still** valid. But he contends that G-d extended the perimeter of the prohibition against *avodah zarah* **in reaction** to the Calf. Praying to intermediaries that can only carry out Hashem's will was originally permitted, and the desire for mediation was a legitimate expression of fear of G-d. However, the experience of the calf demonstrated that intermediaries would inevitably be taken as substitutes. Perhaps it also created the social-religious will necessary for a ban on intermediaries to be effective rather than generating a worse counterrevolution.

*This prohibition comes after the Giving of the Torah via the Ten Statements*

*"Do not make with me elohim of silver, and elohim of gold you must not make for yourselves"*

*meaning that they must not make a form of silver that would make it convenient for G-d to manage Israel and relate to their prayers and needs, or a form of gold that would make it convenient for Israel to constantly ask it to receive their needs from The Holy Blessed One.*

*This is not actual avodah zarah, which was prohibited to them in the Ten Statements when He said "You must not have other elohim..." as there the meaning is an overseer with power, that we would chas v'shalom believe that The Holy Blessed One transferred His management to some middlebeing, but this prohibition, that comes after the Giving of the Torah, comes to add a ban even in a manner where the middlebeing will ask Hashem for our needs,*

*and this is actually permitted, as I explained regarding the above verse "Behold I send an angel..." (23:20)*

*as it is only when The Holy Blessed One is as close to Israel as he actually was with Mosheh that it is forbidden to transfer our request to angels even in that manner, as opposed to when he manages us via an angel, when even though it is possible to ask Him directly, nonetheless there is no sin chas v'shalom in asking the angels to seek mercy for us from Him the Blessed...*

***This was the intention of Aharon the Righteous, which was an accidental violation of a prohibition that he had as yet no responsibility to know, but great corruption came from this...***

When Yaakov demanded a blessing from the angel, he was clearly not on the level of Mosheh Rabbeinu, and the Calf had not yet happened, so his demand was legitimate. However, after the disaster of the Calf, G-d 'built a fence around the Torah' by forbidding us to addressing requests to intermediaries even when the ultimate addressee of our requests is clearly G-d, Who alone has the capacity to fulfill or reject them. So "Barkhuni" can be forbidden even though by singing it we follow in the footsteps of Yaakov Avinu.

Netziv does not discuss "Barkhuni" directly, and my wife Deborah considers this defense of her position more problematic than the challenge from Yaakov. I too will cheerfully continue to sing Barkhuni rather than accept Netziv's explanation, for both textual and theological reasons.

But having thought of this application of Netziv, I looked to see if anyone had made the argument explicitly. I looked in vain. But the search led me to discover that the issue goes back much further than I had realized. An excellent summary and analysis of the literature (relating to 32 separate piyyutim or tefillot!) can be found in an article by Rabbi Shlomo Sperber in the journal Yeshurun, Volume 3 (5757), which I found on the Otzar HaChokhmah site but is publicly available at [www.beureihatfila.com](http://www.beureihatfila.com).

Rabbi Sperber's earliest source is a responsum from Rav Sherira Gaon that accepts as a matter of course that one prays to angels for some matters, and directly to G-d for others. Rav Sherira uses this to explain why, when Rav states that one must not pray for one's needs in Aramaic, Rav Yochanan explains that angels don't understand Aramaic. (He concludes that one need not be concerned for this in practice, but raises no theological objections). Nonetheless, such prayers are not found elsewhere in Geonic literature (with the possible exception of Siddur Rav Amram Gaon). But they are produced in a flurry in early medieval Ashkenaz, to the dismay of the Maimonideans, and the polemics develop from there.

Rabbi Sperber concludes by publishing a responsum of Rabbi Samson Raphael Hirsch that offers a valuable model for dealing with many contemporary conflicts, which so often depend on whether we are willing to read each other's words and opinions generously.

בקשת האדם אצל המלאכים שביקשו עבורו אצל הקב"ה הוא תופעה מצויה המובאת בחז"ל בסנהדרין מד:  
"ר' יוחנן אמר: לעולם יבקש אדם רחמים שיהו הכל מאמצין את כחו",  
ופירש"י "שיייעוהו מלאכי השרת ושלא יהו מסטינים מלמעלה".  
גם בשבת יב: "לעולם אל ישאל אדם צרכיו בלשון ארמי וכו' כל השואל  
וכו' אין מלאכי השרת נזקקין לו וכו' שאני חולה דשכינה עמו",  
ופירש"י "אין המתפלל צריך שיזדקקו לו מלאכי השרת להכניס תפלתו  
למנים מן הפרגוד".

עכ"ז משפטים אלו ניתנים להבנה כפי נטיית הרצון.  
על כל פנים לפיוט מכניסי רחמים לבטח תמצא הצדקה לפי המאמרים  
הללו.

*Human requests for angels to request from The Holy Blessed One on their behalf is a common phenomenon that is brought down in Chazal on Sanhedrin 44b*

*"Rav Yochanan said: A person should always seek mercy that all bolster his strength,"*  
and Rashi explains "that the ministering angels should assist him, and not oppose him from above."

*Also on Shabbat 12b: "A person should never ask for his needs in Aramaic... because the ministering angels won't relate to him... but a sick person is different because the Presence is with him,"*  
and Rashi explains that "the (sick person) who prays does not need the ministering angels to relate to him to bring his prayer within the Curtain."

*Nonetheless, these statements can be understood however one wishes. However, you can certainly find a way of justifying the piyyut "Makbnisei rachamim" on the basis of these citations.*

It would be absurdly disingenuous to present Rav Hirsch as a model of theological tolerance who prized communal unity over truth. Rather, he explicitly and compellingly self-identified with the zealotry of Eliyahu/Pinchas.

Moreover, Aharon's error teaches us that compromise and unity are not supreme values. Sometimes there is no way to avoid calling out: "Whoever is for G-d – to me!" even at the cost of civil war, or of losing one's representation in the Knesset, and even when the other side has a technically defensible halakhic argument.

But like Pinchas in the Book of Joshua, who prevents civil war by accepting the claim of the Tribes in TransJordan that their altar was not idolatrous, Rav Hirsch's commitment to theological truth was tempered here by a commitment to human truth. He sought to accurately understand others' religious expressions in their own terms, and to defend them where a defense was available. Whether a person is capable of turning down opportunities to express their zealotry against fellow humans may be a useful metric of whether they are capable of making positive contributions to religious society.

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