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"Taking Responsibility for Torah"

Was Making the Golden Calf a Violation of Halakhah?

(significantly revised from 2019)

By Rabbi Aryeh Klapper

According to my father z"l, his father did not sing the stanza "Tzeitkhem l'shalom" (Go in/to peace) on Friday nights because it's rude to rush guests out. My wife's family sings "Tzeitkhem" but omits "Barkhuni" (Bless me in/to peace) on the ground that asking angels for blessings violates Rambam's Fifth Principle of Faith, which forbids praying to Heavenly beings intermediaries. Deborah and I have agreed to disagree about this. We sometimes hum along to each other's verses.

Here's how I frame the issue to guests: Should we give more weight to mitzvot *bein adam lachaveiro* (interpersonal), or rather to mitzvot *bein adam lamakom* (=between humans and G-d)? To maintaining *derekh eretz*, or to avoiding *avodah zarah*? Then I justify my received custom 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 human being."

That framing assumes a false dichotomy. We could omit both stanzas, and just leave the angels standing awkwardly in our dining room ("In every other house they ask us to bless them?!") until they decide to leave. Or we could add "Shuvkhem l'shalom" (=return in peace)¹, which mitigates the rudeness.

But students tell us that our family's eccentric pattern of sounds and silences beautifully models for them 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!")

I initially thought that Deborah's objection to Barkhuni was simply wrong. After all, Yaakov Avinu detains an angel "until you bless me", and asks that his grandchildren be blessed by "the angel who has redeemed me from all evil"! I eventually learned that the objection was reliably attributed to R. Chayyim Volozhin, but with all respect, still could not understand how it could be squared with the verses about Yaakov². The more

serious theological problem I saw with "Shalom Aleikhem" is that people tend to sing not "*melekh malkhei hamelakhim*" (King who is king of all kings) but rather "*melekh malakhei hamelakhim*" (King of the messengers of kings).

Netziv's commentary to Shemot 32:2 made me rethink.

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 acted out of fear for his life. He does not even raise his radical version of *aveirah lishmah* (sinning for the sake of Heaven), according to which a violation of halakhah can sometimes be justified on consequentialist grounds. He also ignores the Midrashic claim that Aharon was surprised by the spontaneous emergence of a calf from the gold he melted. Instead, Netziv argues that Aharon must have had a **formally correct** halakhic argument to justify making the Calf.

Netziv contends that G-d extended the perimeter of the prohibition against *avodah zarah* **in reaction** to the Calf. Praying to intermediaries that carry out Hashem's will was originally permitted, with the desire for mediation understood as a legitimate expression of fear of Heaven. But the experience of the Calf demonstrated that established intermediaries would inevitably become substitutes. Perhaps that experience also created the social-religious will necessary for a ban on intermediaries to be effective rather than generating a worse counterrevolution.

The Torah articulated this prohibition (immediately) 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"... 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

¹ When I published the previous sentence in 2019, I was certain that adding *shuvkhem lesbalom* was a traditional if rarely chosen option. However, www.israelnationalnews.com/news/381269 reports that when Ishay Ribo performed on 1/12 for the return of our hostages, "To the traditional verses bidding the angels to arrive and depart in peace, Ribo added a new verse – 'Return in peace.'" Was I being prophetic in 2019?

Disappointingly, no; Gershon Klapper found a reference to the verse in an account of a 2012 JTS graduation, and in an Israeli musical performance pre 10/7. But I was not aware of either in 2019. So I welcome more information as to where "Shuvkhem" developed.

² Hebrew Wikipedia now informs me that the attribution is disputed by Rabbi Naftali Hertz, [ידור הגר"א בנגלה ובנסתר, ירושלם תרנ"ה, דף פה](https://www.hebrew4christians.com/Books/Chofetz/Chofetz_1000.htm), ע"א

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.**

This is actually permitted, as I explained regarding the above verse “Behold I send an angel...” (23:20) ... when he manages us via an angel, 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...

but all this refers only to mere requests, but not to making a fixed form or idol to receive from Hashem and give to us, which we were cautioned against after the Ten Statements... but this prohibition was not yet known to Aharon, all the more so to the masses of Israel... (so this) **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, the Calf had not yet happened. 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 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.

But having thought of applying Netziv to Barkhuni, I looked to see if anyone had made the connection 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.beureihatefila.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.

The mission of the Center for Modern Torah Leadership is to foster a vision of fully committed halakhic Judaism that embraces the intellectual and moral challenges of modernity as spiritual opportunities to create authentic leaders. The Center carries out its mission through the Summer Beit Midrash program, the Rabbis and Educators Professional Development Institute, the Campus and Community Education Institutes, weekly Divrei Torah and our website, www.torahleadership.org, which houses hundreds of articles and audio lectures.

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.

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 “Makhnisei rachamim” on the basis of these citations.

It would be absurd and 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 Pinchas/Eliyahu.

Moreover, Aharon’s error teaches us that compromise and unity are not supreme values. Sometimes one must call out: “Whoever is for G-d – to me!”, even at the cost of civil strife or electoral strength, even when the other side has a technically defensible halakhic argument.

But in the Book of Joshua, Pinchas 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 is similarly tempered here by a commitment to accurately understanding others’ religious expressions in their own terms, and to defend them where a defense is available.

Maybe only zealots capable of turning down opportunities to express their zealotry against fellow humans are capable of making positive contributions to religious society.

Shabbat shalom!