

BS”D

Siyum Mesechet Rosh Hashanah

Creating Oneself – On Prayer, Repentance and Judgement

Elul 5786

Rabbi Dr. Mois Navon

David Schwartz

Thank you for joining me to complete Mesechet Rosh Hashanah in memory, in honor and for the elevation of the soul of Sergeant Maj. David Schwartz, HYD. David, originally from the US, grew up in Elazar, went to Derech Avot in Efrat and joined Hesder at Yeshivat Har Etzion. He was living with his wife Meital in Rehovot and studying to be a lawyer at Reichman University when he volunteered to serve in a special unit fighting in Gaza as a combat soldier in the 8219th engineering battalion of the 551st Hatzai Ha'esh (Arrows of Fire) formation.

His mother [wrote](#) of him: “You have a unique character that combines many different attributes, which appear contradictory, yet are somehow joined together in you in complete harmony: wisdom and humility, self-confidence and modesty. Practicality and spirituality, heroism and tenderness. A sense of humor, joy and seriousness; quiet, strong and stable leadership; nobility. We could always rely on you. Consult with you. Your judgement is balanced and healthy. And as we learn from the Mishnah in Avot (2:9): “A good heart” above all.”

His mother-in-law [wrote](#) that one of David’s most oft-quoted aphorisms was: Everything is in the hands of Heaven, except for the fear of Heaven. He had it posted above his bed and included it in his many divrei Torah. It is the teaching that gives his family strength to move forward.

He fell in battle in Gaza on January 28, 2024.

He was 26 years old.

Overturing the Decree of Judgement Day

Mesechet Rosh Hashanah, appropriately, discusses the holy day of Rosh Hashanah – the day that marks the beginning of the year (RH 10b, see esp. Maharsha); the day that man was created and judged (Lev. R. 29:1; San 38b; Zohar Emor 100b-101a); and the day that humanity is perpetually judged (RH 16a). Much of the discussion in the mesechet, and indeed the very last Mishnah, concerns two of the essential elements of our practice on the day – *mitzvat de'yoma* – shofar and prayer:

תלמוד בבלי מסכת ראש השנה דף לג עמוד ב

משנה. [שופר] סדר תקיעות: שלש של שלש שלש. שיעור תקיעה כשלש תרועות, שיעור תרועה כשלש יבבות. תקע בראשונה ומשך בשניה כשתים - אין בידו אלא אחת. מי שבירך ואחר כך נתמנה לו שופר - תוקע ומריע ותוקע שלש פעמים. [תפילה] כשם ששלח צבור חייב - כך כל יחיד ויחיד חייב. רבן גמליאל אומר: שלח צבור מוציא את הרבים ידי חובתן.

Since the last Mishnah, and indeed the Gemara itself, concludes with the subject of prayer, let us ask why prayer is the appropriate theme with which to close a tractate devoted to man's judgement. Prayer is, of course, an integral and essential part of the holy day's activities – we are, after all, praying for our very lives. Yet the discussion here is not solely about the prayer of the day, but about prayer throughout the year.¹

Prayer – though fundamental to religion (indeed, it is the performative aspect of Maimonides' fifth principle of faith)² – is at the heart of a theological paradox. For, on the one hand: “Ostensibly, prayer is an attempt on the part of man to effect a change in God's conduct vis-à-vis man” (R. Bleich, *With Perfect Faith*, p. 238);³ on the other hand, “He does not change, for there is nothing that can cause Him to change” (Hil. Yesodei HaTorah 1:11). The paradox of prayer comes into relief when we consider that, on the one hand,

¹ Note that prayer is defined as “worship of the heart” (Mechilta DeRashbi 23:25; Hil. Tef. 1:1),” in which one calls out to God with words of praise, petition, and thanksgiving (ibid. 1:2). This structure of prayer was formalized by Ezra in what is known today as the Shemoneh Esrei, or Amidah (ibid. 1:4). Accordingly, I understand all references to prayer here to refer to the Amidah.

² It is also Maimonides' fifth positive commandment.

³ Certainly, this is the upshot of the stories of R. Hanina ben Dosa on the individual level (Ber. 34b) and Honi HaMaagel on the national level (Ta'anit 3:8).

“from the beginning of the year it is determined what will be at its end” (RH 8a), while, on the other hand, “prayer (*tzaaka*) is beneficial both before and after the decree” (RH 16a).⁴

This paradox – if God has already decreed an individual’s fate, how can prayer overturn that decree? – can be answered by realizing that prayer is not about changing God as much as it is about changing man.⁵ This is evident in R. Soloveitchik’s articulation of the essence of prayer:

“In praying, we do not seek a response to a particular request as much as we desire a fellowship with God. Prayer is not a means for wheedling some benefit from God” (“Prayer as Dialogue” in *Reflections*, Vol. 1, p. 78).⁶

But fellowship with God can be attained only through allegiance to Him and His covenant—that is, by pledging fealty to God as King (see *ibid.*, p. 79), as indeed we do throughout the Rosh Hashanah liturgy (e.g., *Hashem Melech*). And while pledging fealty generally requires a “return” to God’s ways, the day’s prayers are decidedly not about repentance *per se* (notably, we do not recite “al chet”) but about allegiance: “so that you should proclaim Me King over you” (RH 16a). That said, one must take account of oneself and “awaken” the “thought of repentance” (*birbur teshuva*). It is to this end that we sound the shofar:

“Wake up you sleepy ones from your sleep and you who slumber, arise. Inspect your deeds, repent, remember your Creator” (Hil. Tesh. 3:4).

רמב"ם הלכות תשובה פרק ג הלכה ד - עורו ישינים משנתכם ונרדמים הקיצו מתרדמתכם וחפשו במעשיכם וחזרו בתשובה וזכרו בוראכם, ...

While the term “repent” (*hizru beteshuva*) is mentioned here, R. Soloveitchik understands it to mean “thoughts of repentance” (*birbur teshuva*). Accordingly, he explains that the

⁴ Note that while this statement is under investigation in the Gemara, it is accepted as normative (see esp. Ritva, ad loc., s.v. *keman matzlinan*; Rambam, Hil. Tesh. 2:6).

⁵ For other responses, see *Schottenstein Talmud*, Rosh Hashanah 16a, n. 20.

⁶ In a similar way Maimonides, who holds that man must aspire to connect to God, explains that prayer is a means to strengthen that bond (Guide 3:51; see also Bleich, *With Perfect Faith*, p. 239).

commandment to hear the shofar includes not only the obligation to hear its blasts, but the obligation to “experience the jarring awakening associated with *hirbur teshuvah*. ... jolted with the sudden awareness of the grievous extent to which our actions have alienated us from God” (“The Message of the Shofar” in *Before Hashem*, p. 8).

This “thought of repentance” is not an ethereal notion without consequence but has very concrete implications. The Rav explains that while verbal confession (*vidui*) is required to attain atonement (*kapara*), thoughtful repentance – consisting of regret and resolve alone – changes the *status* of the individual (*Halakhic Man*, p. 111). In his words:

The first principle of repentance is that the sinner be divested of his status as a *rasha*. This can only be attained if the sinner terminates his past identity and assumes a new identity for the future. It is a creative gesture which is responsible for the emergence of a new personality, a new self. This creative gesture is precipitated by an absolute decision of the will and intellect together. ... The abandonment of sin and the regret over the past divest the sinner of his status as a *rasha*. They sever his spiritual continuity and transform his identity (and He who knows all secrets will bear witness to this act of creation) (*Halakhic Man*, p. 112).

Significantly, this act of self-creation is the result of self-judgement achieved through the medium of one’s prayer, as the very word for prayer indicates. R. S. R. Hirsch (*Collected Writings*, Vol. II, p. 59; Gen. 20:7, p. 347) explains that the Hebrew word “to pray” – *lehitpalel* – is the reflexive form of the Hebrew word “to judge” – *palel*, thus indicating that prayer is an act of self-judgement. On this R. Bleich writes: “Prayer becomes the occasion for man to bring himself to trial, to engage in self-examination with a view to determining whether his conduct conforms to the norms required of a true servant of God, and to reflect upon the ways in which his conduct may be improved and brought into conformity with these ideals” (Bleich, *With Perfect Faith*, p. 239 n.1).⁷

How appropriate that, on the day when humanity was created and judged, every individual engages in self-judgement and creates himself anew. Through this act of self-reflection, the

⁷ Prayer can, of course, include petitions for many other needs, but these come only after the individual has first affirmed his alignment with God’s will, thereby situating his requests within that broader context.

individual transforms his identity and thereby enables himself to be judged favorably on the Day of Judgement.

It is precisely this “creative” approach to prayer, repentance and judgement that resolves our paradox – i.e., if God has decreed an individual’s fate, how can prayer overturn that decree? For the capacity of the individual to reflect, judge and transform his identity through prayer is not limited to one day a year, but can be undertaken whenever one finds oneself “in a situation of sin”:

The desire to be another person, to be different than I am now, is the central motif of repentance... A person is creative; he was endowed with the power to create at his very inception. When he finds himself in situation of sin, he takes advantage of his creative capacity, returns to God, and becomes a creator and self-fashioner. Man, through repentance, creates himself, his own “I” (*Halakhic Man*, p. 113).

How does this help the individual whose fate has been sealed on Rosh Hashanah? The answer is that he no longer exists! Through prayer – an act of self-reflection, self-judgement, and repentance – he divests himself of his former, incriminated identity and creates a new “I.” In the words of Maimonides, the penitent can sincerely proclaim: “I am another person and am not the same man who committed those deeds” (Hil. Tesh. 2:4).

R. Yosef Albo also views repentance as “changing a person to another upon whom the decree was not made” (*Sefer Ikkarim* 4:18), but with an important nuance. He clarifies the phenomenon in addressing the original paradox of prayer we noted at the outset – i.e., if God and His will are immutable, of what efficacy is prayer? R. Albo explains that the divine will, expressed in a given decree for a given individual, is dependent on the state of preparedness of that individual. To elucidate this, he offers the example of a farmer for whom God has decreed abundant crops. If, however, the farmer does not prepare his field by plowing and sowing, all the rain in the world will not bring about the good decree.

“Our idea therefore is that when a benefit is determined in favor of anyone, it is conditional upon a certain degree of right conduct. ... In the same way when a certain evil is determined upon someone, it is also conditional upon his being wicked in a certain degree or of being predisposed to it. And if the degree of

wickedness or predisposition thereto changes, the pre-determined event or fate changes as well, necessarily, for the better or the worse.”

Accordingly, it is not God’s will that changes through man’s prayer but man himself. “In this way,” R. Albo writes, “it is clear that prayer and right conduct help to prepare the person to receive the good influence or to nullify the evil that has been decreed concerning him, because he changes from the evil state in which he was.” It is in this way that prayer is efficacious in changing a divine decree, as it were, and thus he concludes with the very statement in our Gemara that gave us the paradox: “prayer (*tzaaka*) is beneficial both before and after the decree” (RH 16a).⁸

Siyum

And that brings us to the siyum. The last Mishnah, as we noted, ends with the obligation to pray as individuals versus having the prayer obligation fulfilled by the *shaliach tzibbur*.

תלמוד בבלי מסכת ראש השנה דף לג עמוד ב

משנה. כשם ששליח צבור חייב - כך כל יחיד ויחיד חייב. רבן גמליאל אומר : שליח צבור מוציא את הרבים ידי חובתן.

The Mishnah presents two opinions: that of the Rabbis (anonymously), according to which both the *shaliach tzibbur* and the individuals in the congregation capable of reciting the prayer themselves (*baki*)⁹ are obligated to say their own prayer (*shemonah esrei*); and that of Rabban Gamliel, who holds that no individual is obligated to recite his own prayer, since the *shaliach tzibbur* fulfills the prayer obligation for them all.

The Gemara proceeds to clarify the precise positions of the disputants and the operative halacha (for a comprehensive summary, see Ritva RH 34b, s.v., *matn' mi shebeirach*). Ultimately, the Rabbis concede that, in principle, the *shaliach tzibbur* does have the power to discharge the prayer obligation of everyone present in the synagogue; however, they maintain that if an individual is capable of saying his own prayer (*baki*), he must say it

⁸ Our argument here also explains the Zohar: “Whoever prays with tears before the Almighty can procure the cancellation of any chastisement that has been decreed against him” (Vayehi 223a).

⁹ This nuance is brought out in the Gemara (34b).

himself and, by rabbinic decree, his prayer obligation is not discharged by the *shaliach tzibbur*. The Gemara then distinguishes between the prayers during the year from those of Mussaf on Rosh Hashanah and Yom Kippur of Yovel, both of which have nine long special blessings, thus making their recital cumbersome (*avshay*) for the unfamiliar. In practice (*halacha le'maase*), the Gemara states that we follow the opinion of Rabban Gamliel on Rosh Hashanah and Yom Kippur of Yovel, and the opinion of the Rabbis for the rest of the year.

Now, given our understanding of the importance of the individual's prayer as a time for self-reflection and self-creation, how can it be that one's prayer is fulfilled by someone else – especially on Rosh Hashanah and Yom Kippur?! Perhaps the answer is that the listener fulfills his prayer only if he is attentive to every single word, concentrating his own personal thoughts on the words said by the *shaliach tzibbur*. This level of concentration is so intense that, today, it is held to be too difficult to achieve, and thus everyone recites their own prayer (see, e.g., Tur OH 591:1, s.v. *ve'achar she'igmor*).¹⁰ Alternatively, R. Yitzhak ibn Ge'at (cited *ibid.*) records an earlier Geonic practice whereby everyone, at the very least, recited the familiar seven-blessing Mussaf prayer and only then listened attentively to the *shaliach tzibbur*. Accordingly, every individual spent time in personal self-reflection.

The Gemara ends with one more distinction that Rabban Gamliel made regarding the power of the *shaliach tzibbur* to discharge the prayer obligations of the community:

תלמוד בבלי מסכת ראש השנה דף לה עמוד א

כי אתא רבין אמר רבי יעקב בר אידי אמר רבי שמעון חסידא: לא פטר רבן גמליאל אלא עם שבשדות, מאי טעמא - משום דאניסי במלאכה, אבל בעיר - לא.

¹⁰ **טור אורח חיים הלכות ראש השנה סימן תקצא** ואחר שיגמור התקיעות מיושב יתחיל ש"צ אשרי העם יודעי תרועה וגומר עד תרום קרננו ויאמר אשרי יושבי ביתך וגומר ומחזיר ס"ת למקומו ואומר קדיש ומתפללין הצבור בלחש תפלת מוסף אף על גב דקי"ל כר"ג דאמר ש"צ פוטרן דתנן כשם שש"צ חייב כך כל אחד ואחד חייב רבן גמליאל אומר ש"צ פוטר את הרבים ואסיקנא הלכה כרבן גמליאל דאמר בר"ה וי"ה ש"צ מוציא לכל מי שהוא בב"ה ושמעו ממנו התפלה מראש ועד סוף אפי' אם הוא בקי ויודע להתפלל ומי שהוא אנוס ואינו יכול לבא לבית הכנסת כגון עם שבשדות וזקן וחולה הוא פוטרן אפילו לא בא לב"ה מ"מ מוטב שיתפללו יחידים כי מי שירצה לצאת בתפלת ש"צ צריך שיכוין לכל מה שאומר ש"צ ואם חסר אפלו מלה אחת שלא כיון לה לא יצא ואין כל אדם יכול לעמוד בזה וכ"ש לבעל העיטור שכתב שאין ש"צ פוטר אלא מי שאינו בקי אבל בקי אפילו אם הוא בב"ה אינו פוטרן הלכך טוב הוא שיתפלל כל יחיד ויחיד וכן נוהגין. ובענין תפלת המוסף של צבור כתב הרי"ף גיאת שנהגו בב' ישיבות בבבל שאין הצבור מתפללין אלא שבע וש"צ יורד ומתפלל תשע.

Rabban Gamliel, ostensibly, holds that the *shaliach tzibbur* only discharges the prayer obligation of those working in the fields and, by extension, anyone who, under duress (*anus*), could not come to the synagogue (e.g., the elderly and infirm – Tur OH 591:1). The commentaries debate whether this condition is exclusive – exempting only those under duress (Yom Teruah, Chazon Ish) – or inclusive of Rabban Gamliel’s previous condition, such that both those who come to the synagogue and listen attentively and those under duress are exempt (Rif, Rabbeinu Hannanel).¹¹

Be that as it may, we are again confronted with the question of prayer as a transformative gesture. How can one’s prayer be fulfilled by another, especially if one does not even hear the prayer being said?! The answer, I suggest, is that the fulfillment here is on the communal level.¹² Prayer is a religious obligation instituted in lieu of one’s obligation to participate in the communal sacrifices (Ber. 26b, Shul”A 98:4). It is in this sense, and this sense only, that the *shaliach tzibbur*, as representative of the individuals of the community, discharges the religious obligation (see Piskei Rid RH 35a).¹³ The more fundamental aspect of personal transformation, on the other hand, can only be performed by the individual.¹⁴

Conclusion

To conclude, Mesechet Rosh Hashanah ends with the power of prayer – a message as important for the holy day as it is for the rest of the year. For prayer is the *avoda she’be’lev*

¹¹ See *Schottenstein Talmud*, RH 35a, n. 12. Notably, the Rambam (Hil. Tef. 8:9–10) does not mention the issue of *anus* at all. As the Beit Yosef (OH 591:1) explains, it is irrelevant: we follow Rabban Gamliel only regarding Rosh Hashanah and Yom Kippur of the Yovel, when anyone unable to prepare the special prayers properly may rely on the *shaliach tzibbur*, whether or not he is *anus*. No one, however, is exempt from attending the synagogue (see the following note).

¹² Alternatively, the Beit Yosef (OH 591:1) explains the Rambam (Hil. Tef. 8:9) as holding that the dispensation granted for the “people in the fields” rests solely on their inability to prepare their own prayers and thus they may rely on the *shaliach tzibbur* – but only if they actually attend the synagogue, listen to his prayer, and answer amen after each blessing.

¹³ **פסקי רי”ד מסכת ראש השנה דף לה עמוד א** ודווקא בתפילה פוטר שליח ציבור את עם שבשדות, אבל לא בשאר מצות כגון תקיעת שופר ומקרא מגילה והלל, וטע’ דתפלה משום דתפילות כנגד תמידין ומוספין תיקנום, וכי היכי דקורבנות מיחייבי להביא כל ישראל למיעבדינהו, ועבדי כהנים ומשמרות ופטרי כל ישראל הם, הכי נמי בתפילת המוספין כיון דאניסי, מתפלל שליח ציבור תפילה יתירה כדי להוציאן ידי חובתן.

¹⁴ One may benefit from being included in the atonement of the community, but not as an individual.

– the labor of the heart – the lifelong labor of creating our own “I.” How appropriate that David, among all his fine qualities, was described by his mother as having, above all, “a good heart.” It is the heart that God wants (*rachmana liba ba’ei*) – the personal transformation through which we align ourselves with the purpose and will of the Creator. That is really what life is about.

And this is something David, HYD, knew so well: Everything is in the hands of Heaven except the fear of Heaven. There are Heavenly decrees beyond our power to understand and beyond our power to change. But there are, as we have learned, Heavenly decrees we do have the power to change – through our own self-transformation, through the creation of a new “I,” impelled by our fear of Heaven.

May this be the year in which we all reflect upon, refine, and recreate ourselves, thereby becoming worthy of a new relationship with God – one in which only good decrees are brought to fruition. And may this be the year in which all the people of Israel deepen their relationship with God, so that He may bring about the ultimate decree that has awaited fulfillment in Heaven ever since the creation of the first man – the decree of complete redemption. BBY.

הדרן עלך "יום טוב" וסליקא לה מסכת ראש השנה.