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Themes in Ramban to Shemot: Human Responsibility and the Supernatural

by R. Gidon Rothstein

A Confession

My summaries of selections of Ramban's comments on the Torah follows a similar series I did for Rashi. In those and other of my endeavors (such as my *A Responsum a Day*, both in writing at torahmusings.com as well as in audio at ou.org), I have been seeking ways to randomize the Torah that comes my way.

I have been doing this in search of ways to stumble across underlying foci of the Torah; it starts with my realization that *arukah me-eretz middah*, Torah as a whole is so big and so great, any attempt to summarize it or identify its central concerns runs the risk of being about the person pre-senting it rather than Torah itself. I tried to do this in one way in my book *We're Missing the Point: What's Wrong with the Orthodox Jewish Community and How to Fix It*. This, repeated essays into randomized selections of Torah ideas, is another.

As I reviewed my studies of Ramban to *Shemot*, the running themes (which covered most of the comments, but not all) lined up well on two axes: the metaphysical/divine/supernatural, where Ramban comments on how Hashem runs the universe and/or directly impacts the world, and the human, where he sees people as capable of and responsible for their impact on the world.

That worries me a bit, because it feels familiar, like those were central issues in Ramban to *Devarim* and/or *Bereshit*, and Rashi as well. It's possible, and I hope it's true, that that's because I've discovered a central dichotomy to how Ramban and other Torah giants read the Torah, that there is what we do and what Hashem does. But in case it's me finding what I wanted, in case I've unconsciously chosen those comments that fit what I was looking for already, I wanted to alert you to that ahead of time.

For now, though, this is what I've got. To change it up a bit, I'm going to start with the human and then move to what he has to say about Hashem and the supernatural. In *Shemot*, we saw comments of Ramban's that addressed the individual, familial, societal, and universal, which seemed to me to put forth a vision of human responsibility in all these arenas.

How We Become Ourselves—Getting Gd Right

For all that I have left the supernatural for later, Ramban individualizes the Jew's relationship with Hashem in a way that seems to me an in-escapable starting point. In his view, Hashem started the *Aseret HaDib-*

berot with a reference to the Exodus (and phrased all the *Dibberot* in the singular) to make clear that each Jew does, should, and is expected to have a personal relationship with Hashem, going back to Egypt.

The flip side, with roots in Ya'akov Avinu's promise as he left for Lavan's house, was that no Jew could "have" another god. The ruled out subscribing to, believing in, or accepting anything other than Hashem as an independent power in one's life.

With *Kiddushin* 30b as guide, Ramban thought each Jew's attitude towards his/her parents should closely parallel how to act towards Hashem. The Jew must acknowledge the parent and recognize that that brings an obligation of service with no ulterior motive. Parents are a fact of our lives, to whom we owe fealty and service, as is Hashem. For no other reason than that they brought us into the world we inhabit.

Uplifted Hearts

Aside from what we might call faith issues, Ramban made three points about our internal lives. First, when 35:21 spoke of those who made contributions to building the *Mishkan*, the verse spoke of people whose hearts lifted them up and others whose spirit moved them to generosity.

Ramban thinks the former were those who found themselves able to perform the various crafts needed to build a *Mishkan*. We'll see below that he attributed that ability to Hashem, but the verse's description makes it also a reflection of something going on inside these people. Their hearts lifted them to this work in some way he does not unpack further.

Others found their spirits moved them only to generosity, to give money or materials at a level that most people did not.

Then, for a final example of Ramban's interest in how our internal states affect who we become, 6:9 speaks of where the people do not or cannot listen to Moshe because of the shortness of their spirit and hard labor. Ramban read shortness of spirit as fear Par'oh would kill them and hard labor as the pressure the Egyptians placed upon them, which denied them the mental space to hear Moshe.

He does not say it, but his view seems to be that how we react to news depends partially on what's going on inside of us, perhaps as much as the news itself. For the Jews of the Exodus, their internal business was too overwhelming to let them hear the good news that came their way. Since we'll see that Ramban thought the people as a whole were at a low spiritual state, this point about our internal lives becomes more important; had the Jews been able to hear Moshe early on, the rest of the story might have gone differently as well.

What We Do

Turning from the internal to the external, who we are in the world, a first

step is how we use our money. When 36:6 tells the people that no more contributions are needed for the *Mishkan*, it says not to do any more *melachah*, work. Since most people were not doing materials construction, it makes sense that he would read *melachah* to include donations of money. Buried in that reading, however, is the idea that the money we make, and how we spend/contribute it, is part of our life's work, part of what we do.

Then there's our physical actions. Ramban thought the artisans of the *Mishkan* contributed creatively in addition to technically, for example in that they figured out how to weave gold into the threads that would make up some of the garments and coverings of the *Mishkan*.

Ramban thought Moshe set up and took down the *Mishkan* throughout the week of its dedication, by himself. He could have read it as Moshe supervising the *Levi'im* who did the actual work (as we'll see with Betzalel), especially since part of the point of this repeated taking down and putting up was preparing them to do it from then on. Instead, he read it simply, that Moshe did it all himself.

He thinks we can also earn credit even without direct action. The beginning of *Parshat Pekudei* says Betzalel did all that Hashem commanded, when we know that many others were involved. Ramban answered that Betzalel supervised so closely, checked everything before accepting it, he was rewarded as if he did it himself.

Ramban envisions the possibility of credit for that which we *want* to happen, without our doing anything. 25:10 uses a plural verb for the command that the Jews should make an *Aron*, an Ark, where the next verses make clear individuals will do the actual work. Ramban suggests several ways the people as a whole could be involved in what was ultimately an individual endeavor. They could designate money for this project in particular, help with some aspect of construction, or they could want the *Aron* to be built. That opens a whole horizon of who we are and who we become, since the bare fact of wanting or hoping for a certain outcome earns us some status of having contributed to that as well.

How We Treat and Mistreat Others

The last step of Ramban's view of the individual on his/her own is the responsibility he assigns to how we treat others and/or how we allow ourselves to be mistreated. His starting point is 22:15, which speaks of a man who was *mefateh*, seduced, a young woman. Ramban thinks the seducer must have lied, or else he would not have any liability.

That assigns more responsibility to the young woman than we might have thought, if she agreed of her own free will and under no false pretenses.

At the same time, he thinks we all are supposed to learn to resist false seductions. He notes that the punishments in the second paragraph of *Shema* start with our hearts being seduced (*pen yifteh levavchem*) by false worships, a word with a common root as this seducer. Another place that root is used is in *Mishlei* 14:15, which terms a *peti* (commonly translated as simple) as someone unable to distinguish truth from falsehood.

Another actor with more rights than expected is the non-Jewish slave,

whose killing brings the same death penalty for the master who beat him as it would for any ordinary human being. Ramban did think that slave was property, and allowed corporal punishment to educate/discipline the slave, but if he got killed, that was murder.

Family, Nuclear and Generational

That's the individual on his own (one of the emergent messages of the Torah and of Ramban's commentary is how infrequently we are in fact all on our own). Most of us, however, live in a web of relationships. The closest are family, who Ramban saw as more a part of us than we might realize. First, when *Shemot* 21:3 refers to the freeing of an *eved Ivri* (a Jewish indentured servant)'s wife, Ramban thinks the Torah obligated the master to fulfill all his servant's familial financial responsibilities, including financial support for his wife and children.

For as long as *custom* prescribed that for the father. However Jewish families evolved implicated a Jew who purchased another Jew's labor. It's more than money that links families. 29:15 says Aharon's sons would place their hands on the *chatat*, the sin offering, given as part of the dedication of the *Mishkan*. Since Ramban thought that *chatat* came to atone for the Golden Calf, it's not immediately clear why the sons had to be part of it. Ramban answered that *Devarim* 9:20 told us Aharon deserved to be destroyed for his role in the Calf, which means *kilui banim*, the killing of one's children.

The destruction of his children would have been destruction of Aharon, not just a tragedy or sorrow-inducing event. That works in reverse, too—20:5 limits Hashem's visitation of the sins of the forefathers on those of their descendants who continue their ways to the fourth generation. Beyond that, the ancestor has no meaningful link to, connection with, or impact on descendants. Before that, though, he does, which is why the forefather's sin is part of the descendant's.

Some Positive Contributions of Society

National societies count as actors as well in Ramban's comments to *Shemot*. He thinks Moshe in his role as king of the Jews established a coin that became *kadosh*, sanctified, because it was put to *kadosh* purposes, to fund the *Mishkan* and then pay for the sacrifices of its service. (That was parallel, in Ramban's mind, to how Hebrew is considered *kadosh* because it's used for important purposes like creating the world and Divine communication with prophets).

The Jewish nation also establishes its own calendar to commemorate the Exodus. As *Yirmiyahu* 16:14-15 taught Ramban, all the redemptions that come thereafter were supposed to be woven into that calendar as well, such as by giving the months names that originated in Bavel.

Where Society Gets It Wrong—The Egyptians

Turning to the negative side, we can start with the Egyptians, whose failures distress us less than those of our ancestors. Ramban assumes the Egyptians had more power to stop Par'oh than we might think. That's why Par'oh hid his attempt to kill the Jews behind a tax of labor, a secret program of midwives' killing Jewish babies, and then killing the babies out-

right. For that last step, he still did not ask Egyptians to do it, he let word spread the government would not prosecute such killings.

That last faltered when his daughter adopted Moshe—she prevailed upon her father to stop—or when word got out, and the people again refused to tolerate their king’s involvement in genocide.

The belief that the Egyptians had the power to produce better outcomes does not mean they had the will to do so. For example, once Par’oh made clear there would be no prosecution for killing Jewish babies, all too many Egyptians were happy to commit that crime.

Nor was it a momentary lapse, he thinks. Eighty years later, when Moshe and Aharon start the redemption process, the officers of the Jewish people (5;21) think they have given the Egyptians a more legitimate reason to kill them. For Ramban, the Egyptians’ interest/desire to kill Jews was always just underneath the surface, ready to bubble up, given the right encouragement.

Nor did the plagues and release of the Jews materially change their view. Ramban thinks Hashem structured the Splitting of the Sea so the Egyptians would not be forced to see it as supernatural, because they did not *want* to see it that way. In his view, they still longed to hurt the Jews, so Hashem let them see their way to a course of action they wanted anyway.

For Ramban, the Egyptians show us a society with the power to do better, to rein in their king, to treat the Jews differently, to concede when Gd has stepped in, and repeatedly chose not to.

They also taught us the cosmic limits on human endeavor, in Ramban’s reading, when their magicians could not produce lice. Were this a supernatural intervention, it would teach us little about the ordinary workings of the world. Ramban seems more convinced by Midrashim that think lice presented an example of the hard limits on human interference with the world. Whether because that was pure creation or because the lice were so small, Ramban favors the view that there are areas where human creativity and effort cannot help.

Where Society Gets It Wrong—The Jews

Most glaringly, Ramban thinks the Jews limped to the Exodus. They got there thirty years later than they should have, and only because Hashem made significant efforts (2;24–5 use several verbs for how Hashem came to decide to redeem the Jews; Ramban thinks that’s because it took effort—and the Jews’ cries and prayers- to find reason to redeem them).

The delay was their own fault, in that they abandoned much of the tradition while there. They ceased circumcising their sons, worshipped powers other than Hashem, were unable to accept that Moshe was Hashem’s agent for the redemption (that’s why 14;10–11 speaks of people calling out to Hashem and others complaining about being taken out of Egypt. For Ramban, they denied Moshe more than Hashem, claimed that Moshe initiated the Exodus on his own, for his own reasons).

For all that the verse refers to the people believing in Hashem and Moshe his servant after the Splitting of the Sea, not too long later, Ramban has to explain why the Golden Calf is treated as a national sin, when “only” three

thousand Jews were killed. He answered that the Jews as a whole returned to believing that powers other than Hashem also run the world. That was how they could donate golden rings for the Calf and watch silently (or approvingly?) as others worshipped the Calf.

It’s another example of where our agreement implicates us, in this case as a nation as a whole.

The Ounce of Prevention

The Jews differ from the Egyptians in that Hashem gives them the way to do better. 15;26 tells the Jews that keeping the Torah will help them avoid the ills that befell the Egyptians. Ramban reads that to mean the consequences of the Egyptians’ actions were natural, the way the world tends to work. Observance of Torah and *mitzvot* places people outside of the usual workings of the world; Hashem heals the Jews by prescribing the best preventive medicine out there.

The essence of that medicine is found in the *Aseret HaDibberot*, which he calls *avot*, organizing categories, of *mitzvot* as a whole. It segues well into our consideration of his more supernaturally focused comments, since these *Dibberot*, in their physical manifestation on the Tablets, were the centerpiece of the *Mishkan*, to which we’ll now turn our attention.

Bringing the Divine Into the World, Continuingly

Ramban thought the *Mishkan* was a way for the Jewish people to continue the experience of the Divine Presence that had started at Sinai. He identified the *Aron* as the centerpiece of that aspect of the *Mishkan* (which is why it was the first part described in detail), because the Torah says Hashem would appear and speak to Moshe from on top of that *Aron*, where the *keruvim* sat.

Their location there was because that *Aron* contained the Tablets with the *Aseret HaDibberot* on them, is what made the *Aron* a proper chariot for the Divine Presence. In other words, the *luchot*, which had the *avot* of *mitzvot* written on them, the broad categories of Hashem’s service, were the vehicle for the continuing revelation of the Sinaitic Presence.

A Communicative Divine

The content of that continuing revelation was communicated clearly, as Ramban tells us with his distinctive reading of the word *leimor*. In his view, the Torah is at pains to stress that Hashem’s messages to Moshe were complete and clear, that he words Moshe Rabbenu reported to us were exactly those Hashem conveyed.

That’s not the only form of communication we were given. The *Urim ve-Tumim* meant that the loss of Moshe and/or all prophets did not cut off the Jewish people’s access to direct information from Hashem. The *Kohen Gadol*, aside from all his other services, wore the breastplate that contained them, which allowed him to receive answers to questions the nation posed of Hashem. After that was lost, there was still the *bat kol*, the Divine Voice that would be heard at various junctures of the Second Temple era.

A Minimally Invasive Divine

Ramban was adamant that Hashem is the only power that controls the world, but Hashem does not always disrupt the natural course of events, as happened at the Exodus. Another way to set the course of the world is to implant in people the ability to do that which Hashem wanted. In Ramban's reading, that's what happened with the building of the Mishkan, where former slaves with no experience or education contained a population of people who instinctively knew how to work the crafts needed. Ramban saw that as an example of *Yeshayahu* 41:4's description of Hashem as *korei hadorot me-rosh*, sets up generations ahead of time.

Hashem also does not always dictate what will happen, even on the supernatural plane, which is why the *sarei ma'alah*, the angels that serve as some sort of intermediaries in running the world, could incur punishment for their actions.

Ramban also accepts the idea of a Heavenly Court that brings strict justice as a counterpart to Hashem's complete compassion. That will change in the future, according to Ramban, but the world we inhabit does not run only as it would were Hashem to do it all on His own, as it were.

An Incomparable Divine

The words "as it were" matter crucially here, because none of what we just mentioned can be allowed to take away from Hashem's absolute control of all that occurs. As Par'oh's sorcerers found out, Hashem can stop the usual workings of the world at any time—such that they could not bring forth lice when they usually could, and/or because they came across

the limits beyond which Hashem does not allow powers, human, demonic, or other to function.

The Jews noted and praised that inimitability after the Splitting of the Sea, when they said none among the *elim*, the putative powers that control parts of this world, in any way compared to or competed with Hashem. It's when Hashem shows that element, when Hashem is *nora*, awe-inspiring, in ways that lead the Jews to praise Hashem, that that becomes most clear.

The Linchpin and Lodestar of Our Relating to Hashem

Ramban implies a balance between the existence of powers that in some way control events supernaturally, enough to be judged for their actions and for other people to serve or worship, and the absolute control Hashem exerts. That explains why he thinks that the intergenerational punishment mentioned in 20:5 came only for the sin of believing in or worshipping other powers, and why one can qualify for the kindnesses extended to *ohavei Hashem*, who love Hashem (20:6), with life-forfeiting dedication to declaring that Hashem is the only true power.

In fear of repeating myself, that's Ramban to *Shemot*: a world where people have important contributions to make, as individuals, families, and societies, but has a supernatural component, one that interacts with the human world at some times and in some ways, and where Hashem leaves room for others to act while not ceding any meaningful control.

On to *Vayikra*!

Ownership, Hubris and the Sacrificial Conundrum II

by R. Francis Nataf, part 2 of 3 (continued from part 1), excerpted from the forthcoming book, *Redeeming Relevance in the Book of Leviticus*.

Part 2: From an Event to a Practice

If Kayin's jump from the idea of gifting to man to the idea of gifting to God was a major step, no less a step was the Torah's move of taking it from an event and turning it into a practice. Going back to our metaphor of human giving, there are two major types of gifts that people give to each other. The first is event-based, and that is what we usually associate with gifts – presents given on birthdays, weddings and holidays are something with which we all well acquainted. But there is another type of gift that is even more common, though often overlooked. That is the daily giving within more intimate circles, such as one finds with spouses or with parents and their children. While these circles exchange event-based gifts as well, it is the daily gifting that has far greater impact on the relationships involved. That is because, this type of gifting is not just a show of love. It also speaks a maximal commitment to the needs and concerns of the recipient. And that is why it is reserved for only the closest of relationships.

It is to such an idea that R. Shimon Ben Pazi speaks when he presents the

daily sacrifice as the most important verse in the Torah.¹ His assertion is memorably surprising for it is not only unexpected in the context of all the more famous and glamorous statements in the Torah. It is also surprising in the context of the sacrifices themselves: The daily sacrifice is the smallest of the communal sacrifices of animals. If we want to celebrate sacrifices, would we not pick on one of the more bountiful holiday sacrifices? Ben Pazi's point is that even in the realm of sacrifices – to put it colloquially – 'slow and steady wins the race.' In other words, just like such constancy creates stronger relationships among humans, so too can it do in the relationship between man and God.

If Kayin was able to establish the concept of large event-based gifts to God, it required God, Himself, to add that the idea of the small regular gifts could also be transferred to the man-God relationship – something which Ben Pazi only highlights, after it was indicated in the Torah. The regular sacrifices that would now take a certain pride of place in Jewish practice became those small regular gifts that man would give to God. While the daily sacrifice would be the model, the regular offering of sacrifices throughout the year, and in response to many situations more generally, took what had previously been an occasional ceremony and turned it into a regular practice

Moreover with the laws of the Torah, the notion of giving to God became institutionalized. While we cannot totally discard the possibility that both the institutionalization and ritualization of sacrifices reflects a sort of Plan B, there is no question that sacrifices would continue to play a positive

role in developing the relationship between man and God, as they had for the generations that lived before the Torah was given.² And once that would be the case, the Torah doesn't stop with general principles. Rather, it develops very particular rules about what should be given, when and by whom. Moreover, it choreographs entire ceremonies around it as well. By doing so, it seems that the Torah is presenting us with a blueprint for how to maximize its effectiveness.

I will not pretend that this background opens up our understanding to all – or even most – of the details in the Torah's blueprint, but I think it is a good first step. That step having been taken, we will now proceed to look at the details of just one law – the prohibition of chametz on the altar – as a model for further explanation of many of the other laws as well. But here too, we will require some more background before we can get to the law itself.

Giving What You Don't Have

So far we have discussed the difficulty of giving God what He doesn't need. But there is actually an even more fundamental problem. And that is that on a very real level, there is really nothing we are entitled to *give*. In order to give something, one must first own it. Otherwise, it is an act of theft.

While we often speak of human ownership of property and objects, we all ultimately know that it is really more of a legal fiction and social convention than anything else. In order to provide orderly interaction among people and avoid constant fighting, there is a need for some rules as to who is entitled to any given item and who is not. We call this property rights. But the fact that I have a conventional right to something does not truly mean that it is mine. Karl Marx – among others – famously tried to address this by suggesting a different way to look at the connection between humans and objects. He claimed that we invest value on that upon which we expend of our labor – the so called labor theory of value. But this is no less artificial than the traditional concept of ownership. In what way does the fact that I spend my time and effort on something affect the object's essence? My reaping cotton to get it to the marketplace has no impact on the product whatsoever. And even if I make a table out of wood, all I have done is reshape that which existed before without me.

Even if – as we read in *Tehillim* (115:16) – God “gave the earth to man,” we would be fooling ourselves if we understood that man was given anything more than stewardship. It has been said that given where we end up after we die, the earth really owns us more than we own it! Indeed, one of the things that has always bothered man is that he can only give to God from what is already His.³ The positive side of this conundrum is that it reflects a keen awareness of where man stands, as well as an ambition to give what would be more appropriate. And so man is always – at least, latently – searching to give something that he can really call his own.

So is there anything we can truly call our own? On an essential level, the only thing would be something we actually create. But has God not created everything already? Is anything that we fashion – as just mentioned with the example of the table – not just a rearrangement of things already created by God? Yes, and no. The Talmud points out that there is something that we literally create, and that is other people. True, parents could

not create a child without God. But the distinct use of their own bodies, genes and DNA in the creation of a new being represents a process wherein the parents imitate the Divine act of taking of Himself to bring about new beings.⁴ As a result, the rabbis suggest a certain equation between God and one's parents in their status vis-à-vis the child – one which has important practical ramifications.⁵

This leads us to the very chilling conclusion that the only thing that would be a meaningful sacrifice is something we almost dare not ponder. If just about all moderns have problems with animal sacrifices, there would likely be wall to wall unanimity when it comes to human sacrifices. I think it would be fair to even say that Judaism takes pride in having had a role in the process that led to this antagonistic attitude towards such a ritual. For one, the Torah seems to describe it as something that God hates,⁶ a hatred which is formalized by the prohibition of sacrificing children to Molekh. Since all idolatry is forbidden, why would the Torah single out this particular idolatrous practice, if it were not to reject this particular form of worship above and beyond its idolatrous intention?⁷ Human life is sacred and God does not want us to offer people to Him, the way we might do with animals.

And yet it is something that has not only been pondered but consummated as well. Given what we have said until now, we are in a better position to understand why this was not an uncommon practice in the ancient world. And its theoretical value is something about which the Torah is actually quite cognizant. By the end of the story of the binding of Yitzchak, God's opposition to the practice emerges. But its tentative request of Avraham also indicates that there is something uniquely powerful about it.⁸ Even if it was meant to be aborted, its very suggestion points to its value – something, that could apparently not be replaced with some less objectionable demand. There is another source in Tanakh which might point to the Jewish tradition's appreciation for the value of child sacrifice – even if it ultimately reviles it – as well. In 2 Melakhim 3:27, we read that Misha, the king of Moav, was able to bring about the defeat of the Israelites by sacrificing his firstborn son.⁹ Though many commentators are understandably troubled by this, several rabbinic sources understand it as act of powerful (if obviously not uninterested) dedication.¹⁰

Of course, there is a whole other dimension of sacrificing children beyond the question of the parents' ownership of the child based on their having created him. And that is the fact that regardless of this question, there is no greater sacrifice that a parent can make than their own children. To the extent that value can be based on the attachment that a person has to something, there is great significance in giving something of far more value than anything else we can give. Yet it goes even further than that. One of the things that makes the binding of Yitzchak so poignant is that a child is something that a parent would normally not give up at any price – their child is at least as dear to them as their very selves, and frequently even more so. It can, however, be argued that our having created them and the love we feel for them are ultimately two sides of the same coin. Why is it that we are so emotionally attached to our children? One of the central reasons is certainly because our children are our unique creations.

Regardless of the theoretical value of child sacrifice, however, the Torah makes clear that it is not an option. So we are back to square one. But there may be something else, a little less dramatic, that we could also call

our own.

1. Found in an unidentified midrash in the introduction to R. Ya'akov Ibn Chaviv's *Ein Ya'akov* One could add that this development occurs when the Jews become God's intimates, because small gifting is only appropriate in such a situation. Up until then, it would have been overly presumptuous and an affront to the human metaphor involved here, similar to Kayin's affront discussed above. ←
2. Indeed, the existence of these pre-Sinaitic sacrifices is brought by Ramban in his commentary on Vayikra 1:9 as a proof against Rambam's more negative understanding mentioned at the beginning of this chapter. ←
3. See *Avot* 3:7. ←
4. The fact that also occurs in the animal and plant worlds does not take away from its significance, though it does lead to an interesting discussion of why this capability was given to non-humans. ←
5. *Kiddushin* 30b. ←
6. *Devarim* 12:31. ←

7. *Vayikra* 18:21; 20:1-5. Here we follow the approach of Abarbanel on *Vayikra* 20, who also attributes it being called out to its particularly onerous character. There are many other approaches, and the rabbis in the Talmud (*Sanhedrin* 64) are even divided about whether we are dealing with idolatry altogether here. The position that it is not idolatry could serve as an alternative answer to our question and so undermine our answer. Likewise, there are some approaches that suggest that the children are not actually killed in this ritual. Nonetheless, we favor Abarbanel's approach as being closest to the simple meaning of the verses, and the various other passages in Tanakh that relate to it explicitly or implicitly. ←
8. See R. Eliyahu Dessler's *Michtav Me'Eliyahu*, vol. 2, pp. 194-99, for a particularly insightful approach as to why such would be the case. It also bears noting that human sacrifice did not always involve parents sacrificing their children. By extension, it can be claimed that it is an entire community that gives birth to a child. Nonetheless, it is less obvious, and that is presumably one of the reasons the sacrifice of one's own children was so common. ←
9. See *Sanhedrin* 39b, *Tanchuma* Ki Tissa 5. ←
10. While some explain that it was not his son, but the son of the king of Edom, that is not the most straightforward reading of the text. ←

Insights Into Sacrifices

by R. Gidon Rothstein

Vayikra is called *Torat Kohanim* (as is its *Midrash Halachah*), the laws of priests, for a reason. We can exaggerate the extent to which it's focused on the rules of the *Mishkan*/Temple and the *kohanim* who serve there, but the first several sections of the book live up to that reputation. *Parshat Vayikra* especially.

The Cryptic Olah

The first chapter opens with the rules for an *olah*, a voluntarily offered sacrifice all burnt to Hashem, of which no humans partake. The verse does not tell us its purpose; Rashi records the view of *Torat Kohanim* that the *olah* atones for the failure to act in ways the Torah obligated (failure to fulfill an 'aseh) or for violation of a *lo ta'aseh ha-nitak le-aseh*, for committing a prohibition for which the Torah prescribes an obligation that follows—such as to return an item brazenly stolen. Neither of those types of transgressions have Torah-described methods of atonement. *Torat Kohanim* thought the *olah* did that.

The *Midrash Halachah* first dismissed other possibilities, such as that the *olah* could atone for capital crimes (either where the court would kill the defendant or *mittah bidei shamayim*, where Hashem would) or those that incur lashes. Those could not be the target, according to *Torat Kohanim*, since the Torah already told us their punishment.

Ramban complains that that's irrelevant, since sacrifices almost always atone for sins where the person did not fully realize what s/he was doing. An *olah* could have been set up to absolve the person of an unwitting sin whose deliberate transgression incurred one of these punishments (for example, *some* such crimes incur a *chatat* when done without full realization, but others, such as striking a parent or cursing him/her, do not).

What's Left for the Olah to Resolve

Torat Kohanim knew that was not true because the Torah *did* give ways of atonement for the knowing transgression of those sins. Since the Torah told us how to react to *some shogeg* transgressions, and then only told us what to do about *meizid* (malice aforethought) versions of capital or lash-incurring sins, it signaled there is no reaction to be had.

For Ramban, that means that unwitting violations of these commandments are *not in fact sins* and do not need *ritzui*, appeasement or restoration of the relationship with Hashem. [Ramban does not explain why there would be this difference; perhaps he thought that since they produced lesser punishments in their deliberate version, the unwitting version did not need any atonement.

Note that he could have said less, that the Torah did not mandate a particular act for atonement or appeasement. Instead, he said there was no *nesi'at cheit*, it does not count as a sin.

This is a position many of us might think to take about *all* sin, but the Torah clearly counted unwitting acts of *kareit* prohibitions as somewhat of

a sin, since it set up a sacrifice to offer. So Ramban is drawing a distinction as to which types of unwitting sins count as sins at all].

Since the Torah did not lay out any atonement for the deliberate refusal of obligations or violations linked to obligations—and Ramban is sure there must be some reaction to such sins—the *olah* is a good candidate.

Atonement and Appeasement

As my late teacher R. Aharon Lichtenstein pointed out, Ramban focuses here on the word *ritzui* as opposed to the usual word *kapparah*. *Ritzui* means Hashem will again be pleased with this person, or the sin will be wiped away, the relationship restored.

The topic comes up again in 4;2, where the verse tells us about sacrifices that atone for sins *bi-shegagah*, without full realization of what one was doing. Ramban *there* says all sin blemishes the soul, which will not merit greeting its Creator without purifying itself of *all* sin. That's what the sacrifices for unwitting sins accomplish.

If so, we are left to take Ramban's earlier comment about unwitting violations of certain sins (such as those that incur lashes when done with full knowledge) at face value, that when committed without full knowledge, they do not affect the sinner at all. [I have trouble with that, especially since punishment for the deliberate transgression requires witnesses, warning, etc. Does Ramban mean only then is there a *nes'iat cheit*, a soul-affecting experience of sin? He might, but it's surprising].

Another outlier in this issue is the *Kohen Gadol*, where the Torah does not include the usual formula after offering his sacrifice, that he will be atoned and forgiven (as it does for the similar sacrifices offered by others for their unwitting sins). Ramban suggests he is so exalted a figure, spiritually, he might need prayer and supplication to completely cleanse himself.

[That offers a new idea that could have changed how he dealt with that earlier question. If the *Kohen Gadol* needs more atonement than provided by the sacrifice, we could equally have said that sacrifice would not have accomplished what was needed for other sins. Once we know of atonement that takes sacrifice plus, there can be sins or sinners for whom sacrifice has no role to play in the needed atonement. But that's speculation].

Salt's Dual Role, in Sacrifices and in Life

2;13 tells us not to desist from having salt on our offerings, described as "the salt of the covenant with your Gd." Ramban points out that the word used for Gd here is *Elokecha*, where most sacrifices refer to Hashem or the combination of the two, *Hashem Elokecha*. He reminds us that salt comes from water treated with sun (we today would say the sun baked off the water from the solution, leaving behind the salt. Ramban sees that differently, that ordinary sea water *is* salt, just that it needs the sun's baking to get to it).

Water fosters plant growth, says Ramban (although that's not true for salt

water—Ramban seems to be ignoring or unaware of the differences between water that would not produce salt no matter how much we baked it, and salt water), where salt destroys plant life and can render a patch of land unsuitable to grow any other plant life.

On the other hand, salt has a positive role in giving taste to foods, making them more palatable. If so, salt can symbolize many different aspects of how Hashem impacts our lives, in ways we experience as positive (growth and taste) and punitive (the fire of the sun that baked off the water and the salt itself when it affects land and makes it inimical to producing vegetation).

The covenant with Hashem has both sides to it, where Hashem sustains us and where Hashem punishes us, and our use of salt in the *Mishkan/Mikdash* is there to remind us of that.

Defining *Cheilev* as Polemic

3;9 refers to *chelbo ha-alyah temimah*, the whole fat of the tailbone. Ramban tells us that *cheilev* (which is distinct from *shuman*, fat) refers to all fat that is not mixed in with the animal's meat or flesh. He does not elaborate, but that definition makes an interesting point about the choice of fat Hashem told us to offer—it is the fat that's not really part of the animal.

Shuman is a part of the animal's body, mixed in with the rest, but when we open an animal, we also see areas of fat that are just that, as if the fat were a separate organ or collection of tissue. We put that fat on the *mizbe'ach* [this hints at the sacrifice expressing the idea that sin is an unwanted addition, that we intend to keep the sin as *cheilev*, separate from our essential selves. But I've already gone far enough away from Ramban].

I'm skipping much of the comment, but he closes that he felt the need to discuss this at such length to counter the claims of the Sadducees (he means Karaites, whom Rabbinic Jews reacted to as if they were a continuation of that earlier heresy). *Mishlei* 26;5 tells us to reply to a *kesil ke-ivalto*, to answer a fool according to his folly, and *Avot* 2;14 tells us to study Torah assiduously so that we can know how to reply to heretics.

R. Sa'adya Gaon and ibn Ezra had already tried on this issue (he does not say what the Karaites claimed, but that's not my interest here), but Ramban prefers his view. It's a reminder that the Karaites posed problems going back to R. Sa'adya in the tenth century CE, and were still enough of an issue for Ramban in the thirteenth century that he felt obligated to expound expansively.

It can take three centuries or more to beat back heretical versions of Judaism, Ramban shows us, at the same time as he gives us a useful definition of the difference between *cheilev* and *shuman*.

Our first steps into Ramban's world of sacrifice: sins that do and do not need *ritzui*, salt as a symbol of the covenant, and *cheilev* as a fat separate from the body, which became a point of contention between Torah scholars and those who separated themselves from the Jewish people.

Ownership, Hubris and the Sacrificial Conundrum III

by R. Francis Nataf, part 3 of 3 (continued from part 1, part 2), excerpted from the forthcoming book, *Redeeming Relevance in the Book of Leviticus*.

Part 3: Dr. Frankenstein's Chametz

If there is no true parallel to our essential connection to our children, there are things that bear the stamp of our unique impact upon it. In that sense, it may be possible to envision such a connection with something, if we were to reconfigure its makeup in such a way that would never normally occur in the natural world. Without stretching the concept too far, such a process could also be described as creation. And taken to its theoretical limit, this is the story of Dr. Frankenstein's monster. But one need not go to that disturbing extreme to find examples of the above.

When man imports a chemical reaction to substances that would otherwise not experience them, he is coming very close to creating something of his own. And the most widespread and ancient example of this is leavened bread. The actual science here is secondary, since the Torah concerns itself with the way things appear to most people. What is important is that whatever leavening is used, the dough takes on a new airy property. While no new life is actually created, leavening goes beyond changing the substance – it adds movement to it. The dough will literally rise. And left long enough, the process can actually be quite dramatic, with the dough expanding to several times its original size. Were one not familiar with what is going on, he might indeed feel the wonder and satisfaction of having taken an inanimate and given it life. That being the case, we should think that leavened bread should be the perfect sacrifice: It has most of the advantages of child sacrifice without its serious ethical downside.

Hence the fact that this is not the case requires an explanation. And a good one at that, since chametz is not just part of a long list of what is forbidden on the altar. It is actually on a very short list of two (alongside natural sweetener, *devash*, which is prohibited in the same verse).¹ And even on this list, it is singled out as the more problematic of the two.

I believe the explanation is as follows: Human ownership is not one-dimensional. It is true that something that we truly owned would be a much more fitting gift than something we did not, if all other things about it were equal. But all other things are not equal. It is specifically when we can call something our own that our humility is most threatened. Recall the Frankenstein-like feeling we can get by looking at the dough expand, knowing that it is the result of our most decisive input. The pride of offering such a thing is of a different nature than the pride of offering something very expensive, like a large animal. With the latter, the pride is generally felt about one's ability to amass wealth. But even if the animal was actually raised by the man giving it, the relationship to it remains fairly superficial – it is not that of a creator giving its creation. Not so, however, with chametz. With bread in our hands, we can come to God almost like an equal. And for obvious reasons, this is not what the Torah wants. In-

stead, the Torah demands that we come to Him with the awareness of a different line in *Tehillim* than what we read earlier. A more fundamental and pervasive reality is, "To God is the earth and everything in it."² Everything includes us as well. And it is only with this humble and accurate awareness of the human condition that we can stand with the right attitude in front of God's altar.

In the final analysis, the limitation on chametz puts the sacrificial relationship in its proper context. With its prohibition, our sacrifices can only resemble that of the infant who receives food from his parent and, in his love for the parent, gives it right back. The act is comic. And for that reason, no competent adult would do it. Yet when it comes to God, this is the situation that we must not only accept, but even embrace. For while the child is able to eventually become independent from the parent, no matter how much a man might rebel, he will always remain completely dependent on God. And though there is an obvious rationale and – as per our discussion – even a certain nobility to it, giving the few things we might somehow call our own to God, ends up being a pitiful display of inauthenticity. As opposed to allowing us to pretend we are what we are not, the Torah designs sacrifices as a tool to develop the role actually given to us. For acknowledging that dependence – even while we express our love – is an essential component of the proper relationship to God.

Of Chametz and Chametz

For most of us, there is an altogether different association with chametz, nearly impossible to sideline whenever the word comes up. And that is the monumental concern that has developed around it before and during Pesach. That being the case, we would be remiss if we did not even mention its possible connection with our discussion.

Though not all commentators agree, it is likely that the two prohibitions of chametz are not totally disparate, and that there at least be some common ground. Netziv is one of the commentators that builds on this axiom. For him – and similar to what we said above – chametz represents a human machination and an attempt to alter God's creation. In and of itself, there is nothing wrong with using what God gave us to improve our lot. Indeed, it is sometimes a commandment to do so. But apparently not in all contexts. As Netziv puts it, "the closer one comes to God, the more fitting is it to minimize the machinations of man."³ That is because these processes tend to distort our true relationship with God. It gives the appearance of human independence, something which can all too easily lead to the forgetting of God about which the Torah so frequently warns.

For the one who stands before God's presence in the Temple, the inappropriateness of such a stance is fairly obvious. But one could ask why Pesach would be more deserving of this type of awareness than the other holidays. Moreover – and like our query about chametz on the altar – this prohibition would seem to come with a not insignificant downside. Like any other holiday, and perhaps even more so,⁴ proper leavened bread (usually, what we call Challah) would certainly add to the banquet-like atmosphere that is called for. It is true that once legislated, matzah has taken a special place in Jewish hearts. But this is only after the fact. Were we not to know this law, there is no question that we would think of matzah as a much less festive substitute for what would otherwise be one

of the meal's staples.

Netziv responds that Pesach is different for its very essence is the inculcation of faith. While there is such a component to all of the holidays, there is little doubt that the Exodus from Egypt is *the* central pillar of Jewish faith in God, and that Pesach serves as its primary commemoration.⁵ According to his (and our) understanding of chametz, this basic foodstuff could not help but impede the greater idea of the festival. For in building our faith in God, what is critical is an understanding of His total power and a healthy awareness of the totally dependent nature of our relationship with Him – the feeling of human power we have with the creation of chametz is clearly antithetical to this. So while there may be times and places for celebrating the abilities God has granted us and the accomplishments that have come from them, a holiday of faith is not one of them.

Coming Full Circle

We began our discussion with the observation that gifting to God was modeled on gifting to other people. As we then noted, adapting such a very human institution to God came with some difficulties, and that is why it was only attempted by mankind's second generation. One of the biggest problems encountered was that man has nothing to give God that God does not own already. And seemingly making matters worse, the Torah came along and forbade the two things towards which man might come with some claim of ownership – hence the things that would make the most sense for humans to give Him – people and leaven. But we also saw that it is these very restrictions that allow man to develop his sense of humility and know his place in front of God.

But it is not only in front of God that humility is appropriate. Humility is a key trait in interacting with other people. And so, it is a trait that needs to be maintained in the gifting process between people as well. For it would seem that along with all of the good that even the most sincere gifting does, it automatically comes along with a certain hubris. That I have the ability to give you something you would not otherwise have cannot but create a certain amount of pride, even if subconscious. In the best of circumstances when the giver is focused on showing love to the recipient, it is a naturally hierarchical situation wherein the giver is coming from a place of superiority, at least within the specific act. That being the case, it would make sense to not only learn about gifting to God from gifting to man, but also visa-versa.

When we first looked at the two-tiered composition of gifting, we noted that the basic functional aspect of providing someone with something they can use is just as integral as its emotive aspect of relationship-building. Yet given the hubris created by this functional content, gifting of this kind falls short of being ideal. Rather, it comes out that the sacrifices – which were learned from man's actions towards man – turn around and actually teach us the true model for giving to other people. That sacrificial model teaches that ideal gifting is when there is no hubris-laden functional side to it, but is rather all emotive. Like most Godly ideals, it may take a long time to implement, but it is certainly one we must develop.

As the world becomes wealthier and – at least on that level – closer to a utopian situation, there will be more and more people that literally already have everything. But the answer to how you find a gift for the ever more common man or woman who has everything is not to find something so new or exotic that you can still delight them. The real answer is to develop the elevated consciousness that understands that man's world can never serve as an ultimate model for dealing with God. It is always going to be the opposite – understanding how God interacts with humans will always be what edifies us in how to deal with other humans, ourselves. Understanding that in the context of gifting will teach us to give and receive 'useless' gifts with great joy – just like God. It will also make us understand that when we give gifts, it is only a physical embodiment of something deeper and much more profound.

Hence when we truly study the world of sacrifices, we will come to a true and internalized appreciation that when it comes to gifts, it really is only the thought that counts.

1. *Vayikra* 2:11. ←

2. *Tehillim* 24:1. ←

3. *Ha'amek Devar Vayikra* 2:11. See also *Ha'amek Devar on Shemot* 13:3. ←

4. As the first night of Pesach is one of only two holiday meals that are absolutely mandatory, the other one being the first night of Sukkot. ←

5. See Chapter Seven in *Redeeming Relevance in Exodus* (Jerusalem: Urim Publications, 2010) entitled The Zikaron of Pesach for elaboration of this idea. ←

Use of a Heter Iska when Lending Money to One's Company

by R. Daniel Mann

Question: I am a general partner (having special authority and responsibility) in an LLC (Limited Liability Company) with only Jewish partners. In order to facilitate a real estate purchase, some of us lent money to the

company (we have the authority to do so at market rate interest or invest for equity) without a *heter iska*. Does one need a *heter iska* to lend money to an LLC, and if yes, can we do one now?

Answer: Rav Moshe Feinstein (Igrot Moshe, Yoreh Deah II, 63) posits that the prohibition on *ribbit* applies only when there is a full-fledged borrower, one who has a personal obligation to pay, beyond having a lien on his assets. In an LLC (as well as a corporation), no individual has a personal obligation to pay; only an amorphous financial entity has to pay, with its assets seized if necessary. While a Jewish-owned LLC may not take interest from Jews, he rules that Jews can take interest from the company.

Not all *poskim* accept Rav Moshe's logical but novel leniency, but many agree on the level of Torah law, and it is seen as a legitimate opinion one can choose to rely upon it (see *Torat Ribbit* 17:52-54; *Laws of Ribbis*, p. 105). It is generally recommended (see *ibid.*) to use a *heter iska* when lending money to a Jewish-owned corporation (Israeli banks have *heter iskas*). This makes the return on the money given linked to an investment (in which the money is not guaranteed but, fundamentally, based on the recipient's success).

Yet, you face challenges in implementing a *heter iska*. First, the fact that you did not have one at the time of the loan was a problem; your money is now a loan, not an investment, so the return you seek is *ribbit*. You can redo the process and turn the money into an *iska* investment. The best thing is for the money to be returned and then given again with a *heter iska* (*Laws of Ribbis*, p. 404). The partner-lenders and the company can also do a *kinyan sudar* to transfer assets to the lenders in lieu of payment and then give them back to the company as an *iska* (*ibid.*; *Torat Ribbit* 16:28-29; *Brit Yehuda* 40:23).

The second problem is that it does not fix things retroactively. Therefore, you cannot take interest due before this process, which might be a lot of money. Some *poskim* allow raising the rate of return in the *heter iska*, which is somewhat flexible (*Netivot Shalom*, *Kuntrus Heter Iska* 25), but only when it is not clear that it is to make up for relinquishing past *ribbit*. In your case, you are supposed to receive only an accepted interest rate,

so it does not seem feasible, on practical and halachic grounds, to raise the rate.

Finally, the full provisions of the *heter iska* likely do not work for you. In an *iska*, one cannot promise the investor a given return, which must be a product of profits. The reason the projected return is usually given is that to pay less, the *iska* recipient must corroborate lack of gains by oath and losses with witnesses. Otherwise, we assume profits. Many *poskim* (see *Torat Ribbit* 27:11) rule that this cannot be done when the investor is a partner in the business because when the investor knows there were not enough profits, he cannot demand proof of what he knows. Therefore, receiving the expected returns when they are not justified is *ribbit*. Some are lenient on the matter (*ibid.* (24)), but the stringency is logical. You could make the *heter iska* and use it for cases where there are profits. Realize that you would have to accept the risk of losses that you would know about. How would the *heter iska* help at all? The value would be in cases when there are apparent profits but it is hard to quantify them, so the *heter iska* sets clear return assumptions.

In summary, it is legitimate to rely on Rav Feinstein and not worry about anything. If you want to do a *heter iska*, it can be done, but if you want to use it even for cases where there were not gains, it is questionable whether it helps and will probably not allow profits on the past. You may want to just end the loan and, from this point and in the future, take the equity approach.

When a Father Does Not Have to Support His Daughter

by R. Gidon Rothstein

29 Adar: R. Ovadya Yosef on When a Father Does Not Have to Support His Daughter

Like most life situations, we can make divorce better or worse. *Shu"t Yabi'a Omer* 8; *Even HaEzer* 22, dated 29 Adar 5743 (1983) deals with a mother who made the situation much worse. She brought the suit, because the ex-husband refused to pay child support. He counterclaimed that she had stopped him from seeing his now-fifteen year old daughter in the ten years since they separated.

He had registered this complaint for all those years, in their periodic appearances before the court to adjust the amount of support he owed as the girl grew up. By this point, the mother had so convinced the daughter that the father was uninterested in seeing her, and refused to support her, that the daughter herself had appeared before the court to say she did not wish to see him. She thought herself old enough to not have to see him if she didn't want to.

The original *beit din* was uncertain as to what to do, and had said they would not force the father to pay child support until it got new instructions from a higher court.

Traditional Child Custody and Support

R. Yosef starts with Rambam's ruling about how to handle custody of young children. In *Laws of Marriage* 21:17, Rambam followed the Gemara's view that a child needed to be with his/her mother until age six. Until that point, the father has to provide support despite the child living with the mother.

Beyond that, Rambam [R. Yosef will not apply Rambam or the Gemara's views exactly, but to translate them to modern circumstances appropriately requires first understanding the Talmudic ruling for itself] held the father could refuse to support a boy unless he lived with him (a girl could insist on living with her mother past the age of six, since it was her mother who could better teach her how to grow into a proper woman. The father would have to support her as long as he had enough money that he had to give charity).

Ra'avad argued that the father should be able to insist on the son joining him as young as four or five, since he already has to teach him Torah. *Maggid Mishneh* objects that six is the age prescribed for the boy to start study with a teacher; the only obligation before that is to teach the child to say "*Torah tzivah lanu Mosheh*, Moshe commanded us the Torah," and the father can do that during visitations.

Beyond six, *Chelkat Mechokek* thought the father's right to refuse to pay support came only when the child himself insisted on staying with the mother. R. Yosef emphasized the language *Chelkat Mechokek* used, that the father could claim he does not have any obligation to give charity to a child who did not want to live with him to learn Torah and all the other

lessons the father was supposed to teach.

For both the son and daughter, we have the implication that feeding beyond six falls under the rubric of charity. That might be an enforceable obligation, but it is not an obligation of child support, it's an obligation of charity.

When the Rabbanut Have Decreed

In 1944, however, the Chief Rabbinate promulgated a new rule, that fathers must support their children until age fifteen, a rule accepted by all the rabbinical courts in Israel [this was in recognition of changed expectations, that parents see themselves as responsible for children longer than in times past]. That might have meant the Chief Rabbinate had changed the nature of those payments, but for the language they used in promulgating the rule.

They said that for all that the Talmudic standard was six, courts and communities would always humiliate a father who refused to support his children. The Chief Rabbis were only making their new rule because that moral suasion no longer carried the power it once had, and courts would (or could) not make a father pay charity.

That last bit showed that they were still thinking of this as an issue of charity. The corollary is that if the child has sufficient assets to support him/herself, the father does not have to pay the charity. Except that while some rabbis ruled that way in practice (he names R. Ovadyah Hedayah, R. Ya'akov Adas, and R. Elyashiv), R. Uzziel argued that changed times leveled an absolute obligation on fathers until age fourteen. R. Herzog thought the Chief Rabbinate's ruling had that effect, to create an obligation independent of charity.

A Rebellious Daughter

Once he's worked out the nature of the father's obligation (charity or the general requirement of support) does R. Yosef turn to her refusal to see him. Earlier *acharonim* debated a similar issue, whether the mother could move with the child (against the father's will). For Mahari ibn Lev, who thought she could, the daughter's refusal is no worse, and the father should still be obligated. For Maharashdam, she could not (Maharashdam was actually discussing a daughter, but R. Yosef waxes eloquently about

how inconceivable it is that the mother could cause her ex-husband the emotional turmoil of losing his son. There's much to say about his comment, since it assumes the loss of a son is so much worse than of a daughter, but it's not explicit in R. Yosef, so let's leave it).

R. Yosef returns to Ra'avad's insistence that the child should have to live with the father from age four or five, so he could teach him Torah to prove his point. To make sense, Ra'avad must be assuming that the father needs round the clock access to the boy.

Who Wins a Monetary Dispute

For a girl, that still translates into not allowing the mother to move with her. That's because (as Ramban said) the mother has the obligation to teach her how to act as a proper Jewish woman, but the father has the right to check in and see that she's doing her job (or she can lose custody).

He knew of a later debate on this topic as well, between R. Shalom Messas [the grandfather of the more recent R. Shalom Messas— chief rabbi of Jerusalem and a respected Sephardi *posek*] and rabbis of Fez.

In the course of reacting to the Rabbis of Fez, R. Messas pointed out that the father can say *kim li*, I am confident the *halachah* accords with those authorities who exempt me from support payments as long as my child is made unavailable to me.

R. Yosef adds that in this case, she's more than unavailable, she has rejected him, by her own testimony, with her mother's encouragement. We arrive at the same upshot, that the daughter's rejection of visitation loses her the right to support once she's past the age that this is seen as a charitable obligation.

In such circumstances, R. Yosef thinks that not only do we not enforce a ruling about how much the father has to pay, we vacate it completely, until and unless the daughter changes her mind (he calls it *chazarah bitteshuvah*, meaning that he thinks her current actions count as sinful), and ask for her father's forgiveness.

Parental support is not an absolute right, R. Ovadya Yosef is claiming. It's an extension of a relationship between the father and child. If the child refuses the relationship, the father can refuse the support.