

# BEIT MIDRASH ZICHRON DOV PRESENTS

## SHAVUOT 5781 ALONE TOGETHER AT SINAI TEN OF OUR FAVOURITE CLASSES IN A "DO IT YOURSELF!" FORMAT

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## Our Mission

To create a communal atmosphere of learning, engaging and inspiring the Jewish community of the Greater Toronto Area. We apply our Torah heritage to the daily lives of modern Jews in our home Beit Midrash at Yeshivat Or Chaim and in the synagogues, campuses and workplaces of the GTA.

# Dedications

*Dedicated in honour of our grandchildren י"ג  
Ella Breindel, Shimon Aryeh, Sarah Leah,  
Avi, Binyamin Shimon, Dina Breindel and  
Shimon Aryeh  
Robin and Shaya Berglas*

~

*Dedicated by Fred and Susan Birnbaum  
in honour of our community  
May we be blessed to have the pleasure of  
sharing our Shul, our minyanim  
and our simchas.*

~

*Dedicated by Joby and Sharla Eisen  
and Family  
in memory of Mr. Leonard Korobkin,  
Lipa ben Yechezkel HaKohen ז"ל*

~

*Dedicated by Jonathan and Yehudit Hames  
for the yahrzeit of Jonathan's father  
Alan Hames,  
Asher Anshel ben Aharon HaLevi ז"ל*

~

*Dedicated by Janice Kirshen and Susan Ginz  
for the first yahrzeit of  
Tziporah bat Shlomo ז"ל,  
mother of Janice Kirshen and Susan Ginz,  
on 27 Tyar*

*Dedicated by Zeldie and Wayne Kurtz, and  
Zahava and Mordie Shields,  
for the first yahrzeit of their father,  
Dr. Yehudi Shields,  
Yehuda Pesach ben Chaim Nosson ז"ל*

~

*Dedicated by Ilan and Gila Metz  
in memory of  
Aryeh Ezra ben Shmuel Yaakov ז"ל,  
Miriam bat Yitzchak HaLevi ז"ל,  
and Chava bat Yitzchak Natan ז"ל*

~

*Dedicated by Robbie and Brian Schwartz  
in honour of the birth of two grandchildren,  
Uri Simcha Soroka י"ג,  
and Ora Leah Schwartz י"ג*

~

*Dedicated by Yossi and Matty Sherman  
in memory of Daniel ben Yosef Simcha ז"ל*

~

*Dedicated by  
Kevin and Amanda Wassermuhl  
in loving memory of  
Chana Raisa bas Zlata ז"ל*



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## **Rabbi Yosef Karo: Posek and Kabbalist**

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### **Preface**

**Mini-series: The Kabbalists of Safed**      <https://www.yutorah.org/search/?teacher=81072&collection=9844>

**Mini-series: Introduction to Kabbalah**      <https://www.yutorah.org/search/?teacher=81072&collection=5931>

#### **Why I selected this class**

I selected this class for our booklet because it sheds unfamiliar light on a very familiar figure. Every observant Jew relies on the rulings Rabbi Yosef Karo decided or quoted in his Shulchan Aruch, but are we also aware of his inner spiritual life?

I have chosen to include only English translations, for space reasons.

#### **A useful book**

Rabbi Dr. J. Zwi Werblowsky, *Joseph Karo: Lawyer and Mystic* (2<sup>nd</sup> ed. 1977)

### **Historical Background**

Kabbalah is, by definition, a “received tradition”; it addresses the mysteries of the universe, including the nature of G-d and how we interact with G-d through our mitzvot and beyond. Elements of it appear in the Talmud, such as in the second chapter of Tractate Chagigah. In the Middle Ages, books of Kabbalah began to appear as mystics recorded and disseminated what they had learned. In particular, circles of Kabbalists who were also experts in Halachah developed in Gerona and Provence.

The 16<sup>th</sup> century sees the development of such a circle in Tzfat. It is a time of flight from persecution, and the upheaval of communities leads to deterioration of access to teachers and their traditions. Further, rationalism fails to explain the suffering of Jews through expulsion, disease and religious persecution. Messianism also increases during this time, as noted by Don Isaac Ababanel in his writings in the early 16<sup>th</sup> century.

Jews had lived in the Galilean city of Tzfat for many centuries, other than during a gap when they may have been evicted by Crusaders in 1140. In the 16<sup>th</sup> century, Jews flee the Iberian expulsions and arrive in the Ottoman Empire; mystics, in particular, come to Tzfat. Part of the appeal was from the holy sites, such as the grave of Rabbi Shimon bar Yochai in Meron. Part was the rural character of the area. Part was the existing financial base in the thriving textile industry, and the security that came with fortifications built by Suleiman the Magnificent in 1549. And part was a Zohar-based prediction that Mashiach would arrive in 1575, and his first stop would be in the Galil, where the Sanhedrin had last convened.

#### **Zohar to Parshat Shemot, pg. 7b**

At that time, the king, Mashiach will awaken, to leave the Garden of Eden, from that place which is called “the bird’s nest”, and he will awaken in he land of the Galilee...

Rabbi Yosef Karo was born in 1488 to a rabbinic family from Toledo. His uncle, Isaac Karo, was a prominent teacher of Torah, and his father Rabbi Ephraim Karo was a scholar as well. The family fled from Spain to

Portugal to Turkey. Rabbi Yosef Karo spent time in Egypt as well, before making his way to Israel; he likely arrived in 1536.

### **Rabbi Yosef Karo: Halachic Authority**

Rabbi Karo led a congregation in Tzfat, and maintained his own yeshiva, with about 200 students. He became involved in communal affairs, and he also composed significant works of Halachah. The three main works were all geared toward guiding his storm-tossed generation of Jews as they attempted to follow Halachah:

#### **Rabbi Yosef Karo, Introduction to Beit Yosef on the “Arba’ah Turim” code of law (1540’s-1550’s)**

When a long period passed, we were poured from vessel to vessel and we travelled in exile, and many pains bound together in sequence, rivals to each other, befell us, to the point that in our sins, the verse “The wisdom of its sages was lost (Isaiah 29:14)” was fulfilled in us, and the hand of Torah and its students was lost, for Torah was not made like two Torahs, but like infinite Torahs, because of the many books explaining her statutes and laws... And I decided to compose a book collecting all of the practical laws, with explanation of their roots and sources from the Talmud, with all of the disputes of the legal authorities. None would be left out.

#### **Rabbi Yosef Karo, Introduction to the Shulchan Aruch code of law (1560’s)**

I saw in my heart that it would be good to collect the lilies, the sapphires of his words, in a short form, in pure and all-inclusive language, attractive and pleasant, so that the unblemished Torah of G-d would be fluent in the mouths of every Jew, and when they would ask a scholar a law he would not be uncertain... Every law about which he would be asked for practical guidance would be clear, fluent in his mouth. This book, “built for *talpiyot*” – the *tel* (hill) to which all turn – would be divided into thirty parts, to learn part each day...

#### **Rabbi Yosef Karo, Introduction to the Kesef Mishneh, commentary to Rambam’s code of law (after the Shulchan Aruch)**

I saw that Moshe, the great luminary, son of Maimon z”l explained this Torah, “Torah was commanded to us by Moshe, an inheritance”, and he composed his great 14-part composition on all of the Torah’s laws, its general principles, its specifics, its fine points. And who is like him, to teach in brief language and purity, like the language of the mishnah. And generations who came after him, their hands were too limited to understand from his words and to descend to the depth of his pure statements, which were refined sevenfold. The source of each law was also lost upon them... And as Rabbeinu Asher wrote in a responsum (31:9), “All who give practical rulings from the words of our master, Moshe son of Maimon, without being expert in Mishnah and Gemara to know the source of his words, will make mistakes, permitting the prohibited and prohibiting the permitted... For all who read it think they understand it, and it is not so...”

Rabbi Karo was so respected that as early as 1538, when the sages of Tzfat attempted to resurrect the original, powerful form of rabbinical ordination practiced in talmudic times, Rabbi Karo was selected as one of a handful of ordainees. However, in his own writings Rabbi Karo denied that the attempt was effective.

## Rabbi Yosef Karo: Mystic

According to *Maggid Meisharim*, a text widely attributed to Rabbi Yosef Karo, Rabbi Karo was visited by a “Maggid”, a speaking entity which was the embodiment of the Mishnah. “Maggidism” was not rare in Tzfat at that time:

*Rabbi Dr. J. Zwi Werblowsky, Joseph Karo: Lawyer and Mystic pp. 13-15*

The student of mysticism needs no special proof that maggidism and similar phenomena (mentor angels, guiding spirits, voices, &c.) exist and that in certain periods and in certain groups their manifestations can be fairly frequent and typical, not to say epidemic...

The many testimonies and reports about *maggidim* and similar phenomena should not be underestimated. In spite of modern attempts – in diverse quarters – to boost the purely ‘spiritual’ side of mysticism... it becomes increasingly clear that the history of mysticism does not necessarily justify the fashionable tendencies among writers on mysticism...

As far as Karo’s Maggid goes we have solid contemporary evidence. The slightly deprecatory remark in Vital’s *Sha’ar haGilgulim* that the Maggid had misled Karo in the matter of the former incarnations of his son’s soul at any rate confirms that Karo’s Maggid was taken for granted at the time in Safed...

Rabbi Karo’s Maggid instructed him to focus on learning Mishnah, as a means of spiritual growth:

*Maggid Meisharim, Bereishit, Mahadura Kama*

You should know that I am the Mishnah, which speaks through your mouth. And when you will know all six orders of Mishnah appropriately, you will climb higher levels, and the channels of the wisdom of truth will be opened for you, for I am the Mishnah, and in my is the wisdom of truth. I am the mother upon whom (Proverbs 31) says, “Whose mother rebuked him.” Therefore, be careful from this day onward, and do not lose your thoughts from thoughts of mishnah, as you have done until now. And even though the matters of law which you are involved in are good, learning mishnah will take you to higher levels. “Grab on to this, and do not leave your hand from that either,” for both are good as one...

The Maggid also instructed Rabbi Karo to adhere to G-d and to Torah, to blend his pursuit of excellence in Halachah with his pursuit of excellence in spiritual growth, and to live an ascetic existence:

*Maggid Meisharim, Shevach haRav*

G-d is with you, etc. Only, adhere to Me, and to awe of Me, and do not separate your thoughts from My Mishnah, even for a moment. I have made you a leader of My people, etc. Have I not instructed you not to separate your thoughts, even for a moment, from My awe and My Mishnah, and do not eat and drink in the manner of pleasure at all, for what benefit is there in your pleasure in this world? Your thoughts should only be that if the soul could survive in the body without any benefit, you would want this very much. Thus you will always adhere to Hashem, and you will merit to have miracles performed via you...

*Maggid Meisharim, Acharei Mot*

Be strong and courageous in your Torah, as you do with Torah, Mishnah, Gemara, Rashi, Tosafot, rulings and mysticism, for you join them with each other...



*Maggid Meisharim, Mussar*

I ate only a little, and so I did in drinking, and I studied mishnah at the start of the night, and I slept until the light of day, and I woke and the sun was shining over the land, and I was greatly pained, saying, "How did I not rise while it was still night, so that the speech would come to me as usual!" Still, I began to review mishnah, and I read five chapters, and while I was reading mishnah a voice, my beloved knocked within my mouth, making music on its own, and it spoke: G-d is with you wherever you go, and all that you have done and will do, G-d makes you succeed. Only, adhere to Me, and to My awe and My Torah and My Mishnah always – and not as you did this night. For even though you have sanctified yourself with your food and drink, still, you have slept the sleep of the lazy... But in the merit of the six orders of the mishnah that you know by heart, and in the merit of those self-denials and afflictions you performed in the preceding days, and even now you adhere to them, they have agreed in the Heavenly academy that I may return to speak with you as at first...

### **How do we reconcile the Halachic authority with the Mystic?**

As we work to understand how a legal scholar could be so immersed in the non-rational world of mysticism, it is worth remembering three points:

- (1) To a mystic, mitzvot are not a dry, logical checklist of ritual activities; they have deeper significance;
- (2) Insight into Torah comes not only through Reason, but also through Revelation;
- (3) The concept of *deveikut* – adhering to G-d – is found not only in mysticism, but also in rationalism.

To illustrate these points, consider the following sources:

*Zohar, Parshat Vayakhel pg. 207b, regarding the mitzvah of Kiddush*

The sanctity of Friday night is the sanctity of Shabbat of Bereishit, which was sanctified from 32 paths [of *binah*] and three levels of the sacred apples. And for that sanctity we must state the deeds of Bereishit.

*Zohar, Parshat Emor 105a, regarding the mitzvah of Torah study*

When a person produces a holy declaration from his mouth, a declaration of Torah, a voice is produced from it, and it ascends above and arouses the holy ones of the Highest King, and it is crowned, and it causes great joy in realms above and below.

*Rabbi Moses Maimonides, Mishneh Torah, Laws of Repentance 10:3*

What is the appropriate love for G-d? To love G-d greatly, excessively, powerfully, to the point that his soul is tied to love of G-d, and he is perpetually lost in it, like an ill person who is ill from love, whose mind is never free of that woman, and he is perpetually lost in it, whether sitting or rising or eating or drinking. Beyond this should be the love of G-d... as G-d instructed us (Deuteronomy 6:5), "with all your heart, and with all your soul."...

### **Review Questions**

- 1) Why was the 16<sup>th</sup> century ripe for the growth of Kabbalah?
- 2) Why did mystical Jews come to Safed in the 16<sup>th</sup> century, as opposed to other parts of the Ottoman Empire?
- 3) What three major Jewish legal texts did Rabbi Yosef Karo author?
- 4) What did the Maggid want of Rabbi Yosef Karo?
- 5) What are three ways that the study of Jewish law can be mystical?

## Taking Call on Shabbat

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### Preface

#### **Why I selected this class**

I selected this class for our booklet because it requires that we apply problem-solving and text-reading skills to address interesting and relevant issues within the laws of Shabbat and medical care. Please note: This article does not provide practical medical or halachic guidance. For practical advice, please consult your licensed physician and your Rav.

#### **Acknowledgement**

Thank you to our healthcare professionals, who perpetually put the needs of others before their own; the pandemic has highlighted the sacrifices you make and risks you take to safeguard human life. You do it even on Shabbat, a day when the rest of the Jewish community learns Torah, and is free to relax and enjoy time for private reflection, or with friends and family. Sometimes your lifesaving commitment requires that you fulfill the Torah by overriding Shabbat, but sometimes there are opportunities to honour Shabbat without compromising your medical roles. This class is about those opportunities, and is dedicated to all that you do.

#### **Sample situation**

Sam, a neurologist, is required to be on stroke call one night shift per week; this may involve going to the hospital, if Sam is called. She would like to avoid being on call on Shabbat and holidays, but the month of Tishrei, with so many celebrations, makes this difficult. May Sam take call on Shabbat or holidays?

### Step 1: Saving Lives Overrides Shabbat

#### **How do we know that we violate Shabbat in order to save lives?**

In the following passage from the Talmud, sages offered various textual bases for the rule that we violate Shabbat to save lives:

*Talmud, Yoma 85b*

...רבי יוסי ברבי יהודה אומר: "את שבתתי תשמרו" - יכול לכל? תלמוד לומר "אך" - חלק.  
רבי יונתן בן יוסף אומר: "כי קדש היא לכם" - היא מסורה בידיכם, ולא אתם מסורים בידה.  
רבי שמעון בן מנסיא אומר: "ושמרו בני ישראל את השבת" - אמרה תורה: חלל עליו שבת אחת כדי שישמור שבתות הרבה.  
אמר רב יהודה אמר שמואל: אי הואי התם הוה אמינא דידי עדיפא מזדידהו וחי בהם ולא שימות בהם אמר רבא לכולהו אית להו פירכא בר מדשמואל דלית ליה פרכא

...Rabbi Yosi son of Rabbi Yehudah said: "You shall guard My Sabbaths" – I might think this would override everything? It actually says "But [you shall guard My Sabbaths]" – to split [and say that in some cases, Shabbat is overridden].

Rabbi Yonatan ben Yosef said: "For [Shabbat] is holy for you" – [Shabbat] is put in your hands, you are not put in her hands.

Rabbi Shimon ben Menasya said: "And the Children of Israel shall guard Shabbat" – the Torah said: Desecrate one Shabbat for him, so that he will guard many Shabbatot.

Rav Yehudah cited Shemuel: Had I been there, I would have said, "Mine is better than theirs: Vayikra 18:5 says, 'You shall live by them' – and not die by them." Rava said: There are refutations for all of them, other than that of Shemuel.

## What happens if medical personnel are unsure that their actions are needed in order to save lives?

*Rabbi Yosef Karo (16<sup>th</sup> century Israel), Shulchan Aruch Orach Chaim 328:4, 328:6*

ד: מכה של חלל אינה צריכה אומדן, שאפילו אין שם בקיאים וחולה אינו אומר כלום, עושים לו כל שרגילים לעשות לו בחול. אבל כשיודעים ומכירים באותו חולי שממתין ואין צריך הילול, אסור לחלל עליו אף על פי שהיא מכה של חלל.  
ו: מכה שעל גב היד וגב הרגל, וכן מי שבלע עלוקה, וכן מי שנשכו כלב שוטה או אחד מזוחלי עפר הממיתים, אפילו ספק אם ממית אם לאו, הרי הם כמכה של חלל.

328:4 – An internal wound need not be evaluated [to determine whether treatment on Shabbat is actually necessary]; even without experts, and with the patient saying nothing, we do for him all that we would normally do during the week. But when we know and recognize that it can wait, and desecration is not needed, then one may not violate Shabbat for him, even though the wound is internal.

328:6 – A wound on the back of a hand or foot, or one who swallows a leech, or one who is bitten by a mad dog or one of the fatal dirt-slitherers – even if we are uncertain whether it would be fatal or not, we treat it as [we treat] internal wounds.

### **Step 2: We Still Avoid Desecrating Shabbat**

Here are two important words:

*Hutrah* – “Permitted” – A prohibition which is *hutrah* is entirely removed, and is not a halachic factor. One need not be concerned for it at all.

*Dechuyah* – “Overridden” – A prohibition which is *dechuyah* is subsidiary to a greater concern, but is still a factor in our thinking. We care about the overriding concern, and we also care about this prohibition.

**Question:** Is Shabbat *hutrah* or *dechuyah*? Are we obligated to reduce violation of Shabbat, so long as the pursuit of reduction does not impede medical care?

*Rabbeinu Asher (13<sup>th</sup>-14<sup>th</sup> century Germany/Spain), Commentary to Yoma 8:14*

כיון דהתורה התירה לנו אוכל נפש ביום טוב הוה לדידן כל אוכל נפש ביום טוב כמו בחול. והכי נמי כיון שהתירה תורה פיקוח נפש הוי כל מלאכה שעושה בשבת בשביל חולה שיש בו סכנה כאילו עשאה בחול.

Because the Torah permitted us to prepare food on Yom Tov, all food preparation on Yom Tov is like on a weekday for us. So, too, because the Torah permitted saving lives, every act one performs for a dangerously ill person on Shabbat is as though one did it on a weekday.

*Rambam (12<sup>th</sup> century Egypt), Mishneh Torah, Laws of Shabbat 2:1*

דחוייה היא שבת אצל סכנת נפשות כשאר כל המצוות.

Shabbat is pushed off regarding danger to life, as are the rest of the mitzvot.

We follow Rambam’s view in practice.

### Step 3: Avoiding Anticipated Violation of Shabbat

Looking back at our Sample Situation, is Sam required to avoid possible violation of Shabbat by remaining at the hospital on Friday before her Shabbat call? We have seen that Shabbat is *dechuyah*, meaning that we try to preserve it while saving lives, but must one plan in advance for a circumstance which may not arise? Or only for an anticipated circumstance?

#### *Talmud, Shabbat 19a*

תנו רבנן: אין מפליגין בספינה פחות משלשה ימים קודם לשבת. במה דברים אמורים - לדבר הרשות, אבל לדבר מצוה - שפיר דמי. ופוסק עמו על מנת לשבות, ואינו שובת, דברי רבי. רבן שמעון בן גמליאל אומר: אינו צריך. ומצור לצידן, אפילו בערב שבת מותר. תנו רבנן: אין צריך על עיירות של נכרים פחות משלשה ימים קודם לשבת, ואם התחילו - אין מפסיקין.

One may not embark on a boat for an optional trip within three days of Shabbat, but one may do so for a mitzvah purpose. Rebbe said: One must arrange with the boat to halt. Rabban Shimon ben Gamliel said: This is not necessary. One may travel from Tyre to Cidon even on a Friday.

One may not lay siege within three days of Shabbat, but one need not halt a siege which already began.

This passage is odd. If we are concerned about possibly needing to violate Shabbat on the boat, why is that concern limited to a situation where one embarks in the three days preceding Shabbat? And if we are not concerned for a possible need to violate Shabbat, what is the concern here at all?

Here are two explanations offered by leading medieval authorities:

#### *Rabbi Yitzchak Alfasi ("Rif", 11<sup>th</sup> century Morocco), Sefer Halachot to Shabbat, 7b*

היינו טעמא דאין מפליגין בספינה פחות מג' ימים קודם השבת משום בטול מצות עונג שבת דכל ג' ימים הוא להו שינוי וסת משום נענוע הספינה... והיינו טעמא דלדבר מצוה שרי משום דפטירי ממצות עונג דאמר מר העוסק במצוה פטור מן המצוה

We don't embark on a boat within three days of Shabbat because it would undermine the mitzvah of enjoying Shabbat; one suffers the effects of change due to the shifting of the boat, for three days...

#### *Rambam, Mishneh Torah, Hilchot Shabbat 30:13 agrees with Rif*

#### *Rabbi Zerachyah haLevi (12<sup>th</sup> century Spain), HaMaor HaKatan to Shabbat, 7a*

כל שלשה ימים קודם לשבת קמי שבתא מקרי ונראה כמתנה לדחות את השבת מפני שאין דבר שעומד בפני פקוח נפש והוא הדין להפריש במדברות וכל מקום סכנה שאדם עתיד להלל בו את השבת

All three days preceding Shabbat are called "before Shabbat" and one who embarks appears to have decided to violate Shabbat, for nothing stands before saving a life. The same would apply to embarking into the wilderness or some other dangerous place, such that one is destined to violate Shabbat.

Rabbi Alfasi contends that the boat discussion is merely about enjoying Shabbat, and not about a concern that one might need to desecrate Shabbat. But Rabbi Zerachyah HaLevi argues that the boat discussion is about anticipating a need to violate Shabbat, and he says this is a concern up to three days before Shabbat. It is as though the window for Shabbat concerns opens on Wednesday. [See Gittin 77a for a related idea.]

The Shulchan Aruch follows elements of both:

*R Yosef Karo (16<sup>th</sup> c. Israel), R Moshe Isserles (16<sup>th</sup> c. Poland), Shulchan Aruch Orach Chaim 248*  
הא דאין מפליגין בספינה פחות משלשה ימים קודם השבת הטעם משום עונג שבת, שכל שלשה ימים הראשונים יש להם צער ובלבול; ודוקא למפליגים בימים המלוחים, אבל בנהרות אין שום צער למפליגים בהם...  
הגה: וכן בספינה שיצטרך הישראל לבא לידי מלאכה בשבת, אסור ליכנס בה שלשה ימים קודם השבת...  
היוצאים בשיירא במדבר, והכל יודעים שהם צריכים לחלל שבת כי מפני הסכנה לא יוכלו לעכב במדבר בשבת לבדם, ג' ימים קודם שבת אסורים לצאת, וביום ראשון ובשני ובשלישי מותר לצאת, ואם אחר כך יארע לו סכנה ויצטרך לחלל שבת מפני פיקוח נפש, מותר, ואין כאן חילול...

We don't embark on a boat within three days of Shabbat due to enjoyment of Shabbat, for people are pained and confused during the first three days. This is specifically when travelling on salty seas, but there is no pain in travelling on rivers...

*Rama:* And so regarding a boat, where a Jew will need to perform melachah on Shabbat, one may not enter within three days of Shabbat...

We may not embark on a caravan within three days of Shabbat, if it is well-known that we will need to violate Shabbat due to the danger of halting there alone on Shabbat. We may embark on Sunday, Monday and Tuesday, and if danger occurs afterward and we need to violate Shabbat to save lives, it is permitted and that is not termed 'desecration'...

It appears that we accept the position of Rabbi Zerachyah haLevi, and one must act to avoid an anticipated need to violate Shabbat, if it arises within three days of Shabbat.

#### **Step 4: A Sudden Event**

What if an emergency arises, unexpected? Must one attempt to reduce Shabbat violation?

*Rabbi Yosef Karo (16<sup>th</sup> century Israel), Shulchan Aruch Orach Chaim 328:2*

מי שיש לו חולי של סכנה, מצוה לחלל עליו את השבת; והזריז, והריוז, והשואל, הרי זה שופך דמים.

It is a mitzvah to violate Shabbat for one who is dangerously ill. One who is energetic is praised; one who consults is shedding blood.

*Rabbi Yossi Sprung, Rosh Beit Midrash, Beit Medrash Gavoah l'Halachah uRefuah*

<https://mh.projects.nodeside.com/2021/01/07/traveling-to-and-from-the-hospital-on-shabbos/>

...[I]f a doctor needs to travel to the hospital on Shabbos for a scheduled shift, he should make every effort to avoid *Chilul Shabbos* if at all possible. On the other hand, a Hatzala volunteer who responds to emergencies should not attempt to enlist a non-Jew to drive him, as he cannot delay and must reach the patient as soon as possible.

#### **Review Questions**

- (1) Must one avoid a situation which will require Shabbat violation to save lives, if Shabbat is more than three days away?
- (2) Must one act on Friday to avoid an expected Shabbat violation which will be done to save lives?
- (3) If an emergency arises on Shabbat, must one minimize violation of Shabbat while saving lives, if that might cause a delay?

**The Challenge of Shemita Year:** The “Heter Mechirah” or “dispensation to sell” involves Jewish farmers selling their land in Israel to Non-Jews during the Shemita Year. Read sources 1-4 and consider why this dispensation is necessary, and what factors allow for this dispensation.

**1. Rabbi Moses Maimonides (12<sup>th</sup> century Egypt), Laws of Shemita and Yovel 1:1-2, tr. Sefaria**

מִצְוֹת עֲשֵׂה לְשֵׁבֶת מְעַבְדֵי הָאֶרֶץ וְעַבְדֵי הָאֵילָן בְּשָׁנָה שְׁבִיעִית שְׁנָאָמַר (ויקרא כה ב) "וְשִׁבְתָּהּ הָאֶרֶץ שְׁבֹתָ לָהּ" וְנֶאֱמַר (שמות לד כא) "בְּחֹרֵישׁ וּבְקָצִיר תִּשְׁבֹּת". וְכָל הָעוֹשֶׂה מְלָאכָה מְעַבְדֵי הָאֶרֶץ אוֹ הָאֵילָנוֹת בְּשָׁנָה זוֹ בְּטֹל מִצְוֹת עֲשֵׂה וְעֵבֵר עַל לֹא תַעֲשֶׂה שְׁנָאָמַר (ויקרא כה ד) "שָׂדֶךְ לֹא תִזְרַע וְכַרְמֶךָ לֹא תִזְמַר":

אֵינּוּ לוֹקָה מִן הַתּוֹרָה אֲלָא עַל הַזְרִיעָה אוֹ עַל הַנְּמִירָה וְעַל הַקְּצִירָה אוֹ עַל הַבְּצִירָה. וְאֶחָד הַפְּרָם וְאֶחָד שְׂאֵר הָאֵילָנוֹת:

It is a positive commandment to refrain from working the land and caring for trees in the seventh year, as it says, "and the land shall rest a Sabbath for the Lord" (Leviticus 25:2), and it says "in plowing and in harvesting you shall rest" (Exodus 34:21). Anyone who performs one of the forbidden labors from the working of the land or caring for trees in this year has abrogated a positive commandment and transgressed a negative commandment, as it says, "you shall not plant your field, nor shall you prune your vineyard" (Leviticus 25:4).

One doesn't receive biblical lashes except for sowing, pruning, harvesting, and picking. This applies to both grapevines and other trees.

**2. Rabbi Moses Maimonides (12<sup>th</sup> century Egypt), Laws of Shemita and Yovel 6:1**

אֵין עוֹשִׂין סְחוּרָה בְּפִירוֹת שְׁבִיעִית, וְאִם רָצָה לְמַכּוֹר מֵעֵט מְפִירוֹת שְׁבִיעִית מוֹכֵר, וְאוֹתֵן הַדְּמַיִם הֵרִי הֵן כְּפִירוֹת שְׁבִיעִית וְיִלְקַח בֵּהֶן מֵאֵכֶל וְיֵאֱכַל בְּקֹדֶשֶׁת שְׁבִיעִית, וְאוֹתוֹ הַפְּרִי הַנִּמְכָּר הֵרִי הוּא בְּקֹדֶשֶׁתוֹ כִּשְׁהִיא.

We don't do business with fruits of the seventh year. If a person wants to sell a few of the fruits they can do so, and the proceeds [from the sale] are akin to fruits of the seventh year, and he should buy food with it and eat it with the sanctity of the seventh year. The fruit that is sold remains holy as it was.

**3. Rabbi Avraham Isaac Kook (20<sup>th</sup> century Israel), Shabbat Haaretz, Introduction 11**

יְסוּד הֵיטֵד הַמְכִירָה הוּא בְּעִיקְרוֹ ע"פ רוב קמאי ובתראי, דסבירא להו ששביעית בזמן הזה דרבנן. שזהו יסוד דברי רש"י (סנהדרין כ"ו א', ד"ה אגיסטון), שבקרקע של נכרי מותר לחרוש ולעשות כל עבודה....

The basis for the “Heter Mechirah” is mainly on most early and late sources that hold that the Sabbatical year nowadays is rabbinic which is the basis for the words of Rashi (Sanhedrin 27a, s.v. *agiston*) that in non-Jewish land it's permissible to plough and do all types of work...

- *What challenges does the year of Shemita raise for Jewish farmers and vendors in the land of Israel?*
- *What is the basis for the Heter Mechirah? How does it alleviate the challenges of observing the Shemita year?*

**The Philosophy of the Heter Mechirah:** As we will see, the Heter Mechirah is fraught with legal controversy. However, the opposition to Heter Mechirah stems from philosophical disagreements as well. Read sources 4-5 and consider the hashkafic stances taken by each side of the debate.

**4. Rabbi Yaakov Wilovsky (20<sup>th</sup> century Israel), Beit Ridvaz Chapter 4 pg 57b**

כָּל עֵיקַר הַהִיתָר הוּא אֲךָ אֵלִיבָא דְשִׁיטַת הַבֵּית יוֹסֵף ז"ל דְּסַבִּירָא לֵיהּ אֵין שְׁבִיעִית נוֹהֵג בְּשַׁל נְכָרִים, וְכָל עֵיקַר טַעְמוֹ מְשׁוּם דְּסַבִּירָא לֵיהּ דִּישׁ קִנְיָן לְגוֹי בְּאֶרֶץ יִשְׂרָאֵל לְהַפְקִיעַ מְקֹדֶשֶׁתָּהּ, לְפִי זֶה כִּיּוֹן שְׁנַפְקֵיהּ הַקְּדוּשָׁה עַל יְדֵי גוֹיִם אִם כֵּן הֵיכִי שִׁיךְ לְמִימַר 'מְשׁוּם יֵשׁוּב אֶרֶץ יִשְׂרָאֵל לֹא גִזְרוּ רַבְנָן', דְּמַבְטְלִינָן דְּבָרֵי רַבְנָן מְשׁוּם יֵשׁוּב אֶרֶץ יִשְׂרָאֵל?... דְּהָא לְמֵאָן דְּאָמַר דְּסַבִּירָא לֵיהּ 'יֵשׁ קִנְיָן לְגוֹי בְּאֶרֶץ יִשְׂרָאֵל לְהַפְקִיעַ קְדוּשָׁתָּהּ'

הוי כחו"ל?... לפי זה האיך אפשר להעלות על הדעת דמותר להפקיע קדושת הארץ ולעשותה חול משום ישוב ארץ ישראל, כיון דעל ידי זה לא הוי כלל קדושת הארץ?

The entire dispensation is only according to the opinion of the Beit Yosef z"l who holds that the Sabbatical year doesn't apply to Non-Jewish produce. His entire reason is because he holds that Non-Jews can make acquisitions in the land of Israel to uproot its sanctity. According to this, since the sanctity is uprooted by Non-Jews, how is it relevant to say: "the Rabbis didn't decree [when it conflicts] with settling the land of Israel" such that they nullify the laws of the Rabbis to settle the land of Israel?...For according to the opinion that Non-Jews can make acquisitions in the land of Israel to uproot its sanctity, [the land] is akin to foreign land...As such, how is it possible to even consider that it's permissible to uproot the sanctity of the land and make it mundane in order to "settle the land of Israel", since through this it won't have the sanctity of the land at all?

## 5. Rabbi Avraham Isaac Kook (20<sup>th</sup> century Israel), Shabbat Haaretz, Introduction 11

כמו כן היא קדושת ארץ ישראל, אף על פי שבקדושתה היא מביאה אותנו גם בחורבנה לידי כמה מצות שאין לנו דוגמתן בחוץ לארץ, וקל וחומר בבנינה, 'מי מנה עפר יעקב', מכל מקום לא זה הוא כל עיקר מעלתה... ואפילו אם מפני הדחק, צריכים להפקיע איזו מצוה מהמצות התלויות בארץ לא יפול על זה, חס ושלום, לבם של הזוכים להסתופף בצלצח קדושת חבת נעימת ארץ חמדה אשר עיני ד' אלוקינו בה תמיד מראשית השנה עד אחרית שנה... כי עצם ישיבת ארץ ישראל מצד עצמה שקולה היא נגד כל המצות שבתורה...

Such is the case with the land of Israel. Although in its sanctity it also brings us even while in ruin to many mitzvot that we have no example of abroad, all the more so in its construction, 'Who counted the dust of Jacob', in any case it is not the essence of its virtue... and even if out of pressure, one has to uproot a few mitzvot which depend on the land, the hearts of those who merit to bask in the splendor of the holiness, the preciousness of the beloved land in which the eyes of G-d are always on it from the beginning of the year to the end of the year should not fall...**for simply living in the land of Israel in its own right is equal to all the mitzvot of the Torah.**

➤ *What argument did Rabbi Wilovsky make against using the Heter Mechirah? How did Rav Kook respond to his argument?*

**Lo T'chanem- The Prohibition of Selling the Land of Israel to Non-Jews:** One obstacle to the Heter Mechirah is the prohibition of selling the land of Israel to Non-Jews altogether. As you read through sources 6-8, consider the reasoning behind the prohibition and whether it should apply to the Heter Mechirah

## 6. Devarim 7:1-2 (adapted from JPS Tanakh 1985)

כִּי יביאֲךָ ה' אֱלֹהֶיךָ אֶל־הָאָרֶץ אֲשֶׁר־אַתָּה בָּא־שָׁמָּה לְרִשְׁתָּהּ וְנָשַׁל גּוֹיִם־רַבִּים מִפְּנֵיךָ קַחְתִּי וְהִגַּרְגִּשִׁי וְהֶאֱמַרְי וְהִפְנַעְנִי וְהִפְרֹזִי וְהִחֹלִי וְהִבֹּסִי שִׁבְעָה גּוֹיִם רַבִּים וְעַצוּמִים מִמֶּךָ: וְנִתְּנָם ה' אֱלֹהֶיךָ לְפָנֶיךָ וְהִפִּיתָם הַחֶרֶם תַּחְרִיב אֹתָם לֹא־תִכְרַת לָהֶם בְּרִית וְלֹא תִחַנֵּם:

When the LORD your G-d brings you to the land that you are about to enter and possess, and He dislodges many nations before you—the Hittites, Girgashites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites, seven nations much larger than you—and the LORD your G-d delivers them to you and you defeat them, you must doom them to destruction: grant them no terms and **show them no favour.**

## 7. Talmud, Avodah Zarah 20a (William Davidson Edition)

תניא נמי הכי "לא תחנם" **לא תתן להם חנייה בקרקע** דבר אחר לא תחנם לא תתן להם חן דבר אחר לא תחנם לא תתן להם מתנת חנם This is also taught in a *baraita*: "You should not show them mercy"; **this teaches that you should not give them a chance to encamp in the land of Eretz Yisrael.** Another matter: "You should not show them mercy"; this indicates that you should not give them favor. Another matter: "You should not show them mercy"; this teaches that you should not give them an undeserved gift.

## 8. Rabbi Avraham Isaac Kook (20<sup>th</sup> century Israel), Shabbat Haaretz, Introduction 11

לכאורה נראה לומר, שאיסור לא תחנם דחניה בקרקע, כיון שהוא נאמר דוקא בארץ ישראל, אם כן בזמן הזה, למאן דאמר שבטלה קדושת הארץ לחיובי המצות התלויות בארץ, הוא הדין נמי דבטלה לענין חניה בקרקע ואינה אלא מדרבנן. לכאורה נראה לומר, שאיסור לא תחנם דחניה בקרקע, כיון שהוא נאמר דוקא בארץ ישראל, אם כן בזמן הזה, למאן דאמר שבטלה קדושת הארץ לחיובי המצות התלויות בארץ, הוא הדין נמי דבטלה לענין חניה בקרקע ואינה אלא מדרבנן

At first glance it appears, that the prohibition of “You shall not show them favour” of encampment in the land, since it was only said about the land of Israel, if so nowadays, according to the opinion that the sanctity of the land has been nullified regarding the obligations of the mitzvot which depend on the land, the same applies that it’s nullified in terms of encampment and it’s only a rabbinic prohibition.

➤ Explain Rav Kook’s argument regarding why the prohibition of “Lo Tichanem” is only rabbinic. Why might you disagree with his reasoning?

**Leniency in Cases of Financial Loss:** The Talmud in Sanhedrin discusses a dispensation to work during Shemittah based on *arnona*. Read sources 9- 12 to explain this dispensation and determine whether it still applies today.

## 9. Talmud, Sanhedrin 26a (William Davidson Edition)

כדמכריז רבי ינאי: פוקו וזרעו בשביעית, משום ארנונא. חזרו לומר: אוספין - כשרין, סוחרין – פסולין  
As Rabbi Yannai proclaimed: Go out and sow the fields during the Sabbatical Year due to the *arnona* that you must pay. Once this happened, the Sages then said: Gatherers of the produce of the Sabbatical Year are fit to bear witness, as they were no longer viewed as transgressors, but merchants who trade in this produce are still disqualified.

## 10. Rabbi Shlomo Yitzchaki (11<sup>th</sup> century France), Rashi ibid.

ארנונא - מס שגובה המלך מן התבואות כך וכך כורין מן השדה לשנה:  
*Arnona*- a tax the king collected from the grain such and such volume from the field per year.

## 11. Rabbi Moshe di Trani (16<sup>th</sup> century Israel), Mabit 2:64

ישראל שיש לו שדה שחכר אותו מן הגוי, או אפילו הוא שלו ממש ויש למלך או לעבדו חק על כל מה שיצא מן הזריעה חלק ידוע, ואפילו לא יזרע אותו יכריחנו לתת לו החלק שהיה מוציא הקרקע אם היה זורע אותו, שהוא מותר לחרוש בו. דהוי כמו ארנוני לפירש רש"י ז"ל. וכל הני רבוותא דסברי דשביעית בזמן הזה מדרבנן יכולים לפרש פירוש זה, ואינו צריך שיהיה אונס גדול...  
A Jew that rents a field from a Non-Jew, or even if it is his and the king or his servant has a tax on any produce, and even if he doesn’t sow they will make him pay the portion the land would produce if he sowed, it is permissible to plow it because it is like *arnona* as Rashi explained. All the Rabbis who hold that Shemittah is rabbinic nowadays can explain in this way, and it doesn’t need to be such a great difficulty.

## 12. Rabbi Yechiel Michel Tukachinsky (20<sup>th</sup> century Israel), Sefer HaShemittah pg. 65

עכשו כשיש לנו ברוך השם ממשלת ישראל על ארצנו... מצד אחד החמרה בעית השמיטה... קשה לצרף את ההיתר 'משום ארנונא'... שאין הסברא נותנת להתיר לממשלת ישראל (המצוה גם היא על התורה והמצוה) משום ארנונת ישראל... אבל מצד השני יתכן לומר... שכיום יש לא רק מסתננים חומסים ושוודדים אלא שהננו מוקפים אויבים אורבים לנפש, ושגם שמו עלינו מצור כלכלי ולא על נקלה יש להביא מזון מבחוץ,

Now that we have, thank g-d, Jewish control over our land...on the one hand Shemittah is more strict...it’s difficult to combine the dispensation of *arnona* since its illogical to allow this for the government of Israel (which is also commanded by the Torah) because of Jewish taxes. But, on the other hand one could say...that today not only are we threatened by thieves and robbers, but we are surrounded by our actual roving enemies, and they have besieged us financially and it’s difficult to bring food from the outside...

➤ What is *arnona*? Why does it allow work during the Shemittah year?  
➤ Should the dispensation of *arnona* apply nowadays? Explain



**Legal Fiction:** As currently constructed, the sale of land during Shemita year can be seen as a legal fiction (הערמה). Neither the seller nor the buyer have any plans to maintain the sale after Shemita year. Read sources 26-27 to investigate why this may be problematic and how we address this issue today.

### 13. Rabbi Mordechai Yaakov Breish (20<sup>th</sup> century Switzerland), Chelkat Yaakov on Yoreah Deah 184

המכירה היא הערמה גדולה עד שבני אדם מן השוק מחייבין עליה למכור כל ארץ ישראל לאיש ערבי, דבר שלא יעשו בעד כל הון (לא כן במכירת חמץ אם הגוי ישלם עבור כל החמץ לא איכפת לישראל באמת למכור כל החמץ שלו לעכו"ם) ועיקר ההיתר שכמה רבנים סמכו עליו משום גודל הלחץ הצריך בארץ ישראל אם יאסר להם שביעית, וכהאי דירושלמי המובא בתוספות סנהדרין (כו, א) דהוי כפקוה נפש, ומסייע ההיתר דמכירה שלא תשתכח תורת שביעית - אם כן ממילא להדרים בחוץ לארץ בודאי שיש להם להחמיר על עצמם.

The sale itself is a great trick such that people from the market joke about it, to sell all of Israel to an Arabic man, something they wouldn't do for all the money (as opposed to selling chametz where if the non-Jew would pay for the Chametz, the Jews wouldn't mind selling all their chametz)! The dispensation many Rabbis rely on is only because of the pressure in the land of Israel if the Shemita year would forbid them, akin to the Yerushlami quoted in Tosafot Sanhedrin 26a that it is a matter of saving lives, and the Heter Mechirah helps that Shemita won't be forgotten- if so it follows that those who live outside the land should certainly be strict.

### 14. Rabbi Yosef Tzvi Rimon (Modern Day Israel), Shemita pg. 299

אמנם נדמה שכיום אין כל כך בעיה של חיסרון בגמירות דעת למכירה. ראשית, מדובר במכירה לזמן. אם כך, בסופו של דבר אם היהודי יקבל את הכסף הראוי, ייתכן שיסכים לכך. בנוסף לכךכיום נעשה ההיתר בצורה של חוזה משפטי. החקלאים בודקים אותו, נותנים אותו לעורכי הדין שלהם, ויש כאלו שאפילו מסבירים להתום עליו. לכן, גמירות הדעת שמושגת בסופו של דבר עשויה להועיל גם לדעות המחמירות.

Although it seems that nowadays there is not so much a problem of lack of consummation for sale. First, it's a temporary sale. If so, in the end if the Jew gets the money he deserves, he may agree to it. In addition, today the permit is made in the form of a legal contract. Farmers check it out, give it to their lawyers, and some even refuse to sign it. Therefore, the finality of opinion that is eventually achieved may also help for the strict opinions.

➤ *What do we do to ensure the sale is no longer considered a legal fiction?*

### 15. Rabbi Avraham Isaac Kook (20<sup>th</sup> century Israel), Mishpat Kohen 71:5

מפני שכל דבר ההיתר הוא באמת רק מפני הדחק העצום, ובתורת הוראת שעה, על כן הנהגנו שלא לנטע נטיעות חדשות כלל, מפני שכל מגמתנו היא להגן על הישוב שכבר נשתכלל שלא יהרס על ידי הפסקת העבודה והמסחר בשביעית, לפי המצב הירוד והנורא שהישוב עומד עליו כעת, עד בא עת לחננה בישיע אלקים. אף על פי שמצד הדין הנטיעה היא מכלל המלאכות, שלדעת כמה מרבתינו הראשונים הן אסורות רק מדרבנן, והיה ראוי להקל אחר המכירה לעשותה גם על ידי ישראל, מכל מקום מפני שההשערה היא תמיד, שעל ידי מניעת נטיעות חדשות לא תצא קלקלה למעמד הישוב, הונהגו להחמיר בה עוד יותר מבשאר מלאכות, שהן על פי דין תורה חמורות ממנה, מפני שהן נוגעות יותר למצב הישוב.

Because the whole dispensation is really only because of the enormous pressure, and designed as a temporary order, therefore we have the custom not to plant new plants at all, because our whole goal is to protect the already completed settlement that it should not be destroyed by stopping work and trade in the seventh year, according to the poor and terrible situation now, until the time comes to grace it in the salvation of G-d. Although planting by law is one of the forms of work, which according to some of our first rabbis is forbidden only rabbinically, and it would be appropriate to be lenient after the sale for it to be done by Jews as well, nevertheless because the hypothesis is always that preventing new plants will not spoil the status of the settlement, we have the custom to be stricter [regarding planting] than other forms of work, which according to Torah law are more serious than it, because they relate more to the situation of the settlement.

➤ *According to Rabbi Kook, is the Heter Mechirah a permanent solution? Explain.*

## What is Religious About Zionism?

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**Introduction-** Despite their appreciation of the sanctity of the land of Israel, many prominent Torah personalities do not identify with the Zionist movement. In sources 1-2 we present a few arguments against Zionism. Over the course of the rest of this shir we consider how Religious Zionists might respond to those arguments.

### The Agudas Yisrael Approach

#### **1. Rabbi Aharon Lopiansky, Time Pieces, “Where Do We Stand?”, pg. 281- 284**

Dr. Glick concludes his article with a challenge: “The events of the last thirty years cannot be ignored. The Satmar Rebbe, zt”l, believed them to be *ma’aseh Satan*. Mizrahi (i.e., the religious Zionists) believe it to be “*ischalta digeulah*”. Where do we stand?”

It is a powerful question. I would suggest a twofold response: (1) **we don’t know**, and (2) even if we did know, **it wouldn’t make a difference...**

**Thus, our guideline for action is the *Shulchan Aruch*.** Neither the term “*ma’aseh Satan*” nor “*ischalta digeulah*” is meaningful in a halachic sense. Under those circumstances wherein the *din* requires us to immigrate to Eretz Yisrael, **we must do so-** even if the Satan is the prime minister and the cabinet members are demons. We must obey the *halacha*.

Conversely, even if the prime minister would wear a *shtreimel* and all the Knesset members would study *daf yomi* together, if the *halachah* determines that an individual should not go to Eretz Yisrael- such as when there is a spiritual advantage to remaining in *chutz la’aretz*- **he should not go.**

#### **2. Rabbi Aharon Lopiansky, Time Pieces, “Where Do We Stand?”, pg. 281- 284**

Pursuing this line of thought, one would not question why 5 Iyar, Israel’s Independence Day, passed unmarked in Agudas Yisrael and most yeshivah circles. **For the State of Israel is neither sacred nor profane, but rather mundane.** Just as a person is enjoined to make a normal and reasonable effort to secure a job, a house, clothing etc., so too should the *medinah* defend itself against enemies, promote industry and commerce, retain reasonable relations with other groups or nations, and generally secure its communal or national interests. Furthermore, by virtue of its mundane status, the State can become sanctified when used as a means for furthering Jewish spiritual welfare. On the other hand, it can become degraded when used as a hindrance to it, or even in opposition to it, *chas v’shalom*. **However, statehood is never an end or a goal in itself.** It is only a means for further accomplishment.

- What arguments does Rabbi Lopiansky make against Zionism as a religious movement? How might Religious Zionists disagree?
- Can one agree with some of Rabbi Lopiansky’s points and still strongly identify with Religious Zionism?  
**ראשית צמיחת גאולתינו - Confidence that Medinat Yisrael is the First Flowering of Redemption**

In the text of the prayer for its welfare, we refer to the State of Israel as “*Reishit Tzmichat Geulatainu*”, “the First Flowering of our Redemption”. Read sources 3-5 to see why make this assertion

### 3. Talmud, Sanhendrin 97a (Davidson Edition Translation)

תנא דבי אליהו ששת אלפים שנה הוי עלמא שני אלפים תוהו שני אלפים תורה שני אלפים ימות המשיח

The school of Eliyahu taught: Six thousand years is the duration of the world. Two thousand of the six thousand years are characterized by chaos; two thousand years are characterized by Torah, from the era of the Patriarchs until the end of the mishnaic period; and two thousand years are the period of the coming of the Messiah.

### 4. Ramban Vayikra 26:16

וכן מה שאמר בכאן (בפסוק לב) ושממו עליה אויביכם היא בשורה טובה מברשת בכל הגליות שאין ארצנו מקבלת את אויבינו וגם זו ראייה גדולה והבטחה לנו כי לא תמצא בכל הישוב ארץ אשר היא טובה ורחבה ואשר היתה נושבת מעולם והיא חרבה כמוה כי מאז יצאנו ממנה לא קבלה אומה ולשון וכולם משתדלים להושיבה ואין לאל ידם

And also when it says: "Your enemies shall be desolate upon it" it signifies good news which should spread throughout our exile. Our land will not accept our enemies. This is a great proof and promise to us. For you will not find in all of civilization a land which is good and expansive and was always settled but is now in ruins like [the land of Israel]. For since we have left, she has not accepted a nation or tongue. They all try to settle it and are unsuccessful.

### 5. Rambam, Laws of Kings 11:1 (Translation by Reuven Brauner)

המלך המשיח עתיד לעמוד ולהחזיר מלכות דוד ליושנה לממשלה הראשונה, ובונה המקדש ומקבץ נדחי ישראל, וחוזרין כל המשפטים בימיו כשהיו מקודם, מקריבין קרבנות, ועושין שמטין ויובלות ככל מצותה האמורה בתורה, וכל מי שאינו מאמין בו, או מי שאינו מחכה לביאתו, לא בשאר נביאים בלבד הוא כופר, אלא בתורה ובמשה רבינו

The King Messiah will arise and re-establish the monarchy of David as it was in former times. He will build the Sanctuary and gather in the dispersed of Israel. All the earlier statutes will be restored as they once were. Sacrifices will be offered, the Sabbatical and Jubilee years will be observed, as commanded in the Torah. Anyone who does not believe in him or one who does not anticipate his coming not only denies the Prophets, but also the Torah and Moses our Teacher.

- What events linked to the establishment of the State of Israel can be seen as signs of an upcoming redemption?
- Based on the Rambam in source 6, why should we be careful to recognize historical indicators that the messianic era is approaching?

### The Call to Action

Rabbi Lopiansky argues that *Medinat Yisrael's* status as *Reishit Tzmitichat Geulatainu* has no halachic relevance. Read sources 6-7 to see why the unique era we live in demands our active participation.

### 6. Rabbi Tzvi Hirsch Kalischer (19<sup>th</sup> Century Germany), Drishat Tzyion 1<sup>st</sup> Essay

גאולת ישראל אשר אנחנו חוכים מחכים לה אל יחשוב החושב כי פתאום ירד השם יתברך שמו משמים ארץ לאמור לעמו "צאו", או ישלח משיחו כרגע מן שמים לתקוע בשופר גדול על נדחי ישראל ויקבצם ירושליימה ויעשה לה חומת אש ומקדש א-ל ממרומים תרד כאשר הבטיח על ידי עבדיו הנביאים. לא כן קורא המשכיל. וודאי כל ייעודי הנביאים יתקיימו באחרית הימים ולא יפול חס וחלילה דבר ארצה ולא במנוסה נלך ולא בחיפזון יום אחד כי אם מעט מעט תבוא גאולת ישראל לאט לאט תצמיח קרן ישועה עד וישראל יעשה חיל וישגה מאד

באחריתו בקיום כל הייעודים והבטחות של הנביאים הקדושים כאשר אברר בעזרת השם מן הכתובים ומדברי רבותינו ז"ל וגם המושכל יסכים לה

The redemption of Israel that we are desperately waiting for, do not think that **suddenly** Hashem will descend from the heavens to the land to say to his people "come out", or send his Messiah from heaven to blow a great shofar on the rejected of Israel and gather them to Jerusalem and make for it a wall of fire, or that the temple of G-d will descent from on high as promised by his servants the prophets. Not so the educated reader. Surely all the predictions of the prophets will be fulfilled in the last days and G-d forbid nothing will fall to the ground, but not in flight will we go not in a hurry in one day. Rather bit by bit the redemption of Israel will come, slowly, slowly the pride of salvation will sprout until Israel takes up force and achieves its end in fulfilling all the predictions and promises from the Scriptures and the words of our late rabbis, and also logic dictates this.

## 7. Rabbi Joseph B. Soloveitchik, Kol Dodi Dofek, "Missing the Appointed Hour"

Miraculous grace places upon man an absolute responsibility to fulfill the larger imperative that calls out from the miracle. A transcendental imperative always accompanies miraculous activity. "Command the Children of Israel" (e.g., [Numbers 5:2](#), 28:1, 34:2, 35:2). Woe unto the beneficiary of a miracle who does not recognize it for what it is, and whose ear is deaf to the echo of the imperative that arises out of this metahistorical event. Pity the one who benefits from the miracles of the Master of the Universe but the spark of faith is not kindled in him, and his conscience is not stirred by the sight of this singular event.

- Why do we need to take the initiative to aid in the process of bringing about the redemption?

### Just A Means To an End?

Read sources 8-10 to learn about the religious significance of establishing a Jewish state in Israel

## 8. Rabbi Joseph B. Soloveitchik, *The Rav Speaks: Five Addresses on Israel, History, and the Jewish People* pg. 154 (tr. S.M Lehrman and A. H Rabinowitz)

Providence demands from us now, perhaps for the first time in Jewish history to meet the outside world with pride and courage, with the *kippah* on the head and the tractate *Yibamoth* in the hand, and to sanctify it by conquest... Wherever we place our feet- be it in the laboratory or in the business office, in the university campus or in the factory- must be sanctified by is: that the young man who enters these subdue them and does not allow the secular to swallow up the holy.

## 9. Rabbi Eliezer Melamed (21<sup>st</sup> century Israel), *The Mitzvah of settling the Land of Israel*

<https://www.yeshiva.org.il/midrash/133>

בעת הכרזת המדינה, זכה עם ישראל אחר אלפיים שנות גלות לחזור ולקיים את מצוות ישוב הארץ. שעל ידי הכרזת המדינה והחלת הריבונות על חלקים מארץ ישראל, התחלנו לקיים את המצווה שהארץ תהיה בידינו ולא ביד אומה אחרת. שכל זמן שארץ ישראל תחת ריבונות של עם זר, אפילו אם יגורו בה יהודים רבים, אף שכל אחד ואחד מקיים בישיבתו בארץ מצווה פרטית, מכל מקום את עיקר המצווה, שהיא מצווה כללית של ישוב הארץ אין מקיימים. ורק על ידי החלת ריבונות ישראלית על ארץ ישראל זוכים אנו לקיים את מצוות ישוב הארץ.

At the time of the declaration of the state, the people of Israel merited after two thousand years of exile to return and keep the commandment to settle the land. That by declaring the state and applying sovereignty to parts of the Land of Israel, we began to keep the mitzvah that the land would be in our hands and not in the hands of another nation. As long as the Land of Israel is under the sovereignty of a foreign people, even if many Jews live in it, even though each and every one observes a private mitzvah in his yeshiva in Eretz Yisrael, in any case the main mitzvah, which is a general mitzvah of settling the land, is not observed. And only by applying Israeli sovereignty over the Land of Israel do we gain the observance of the commandment to return to the land

## 10. Rabbi Avraham Yitzchak HaKohen Kook, Orot, Lights from Darkness, Land of Israel, Chapter 8

בתוך הלב פנימה, בחדרי טהרתו וקדושתו, מתגברת היא השלהבת הישראלית, הדורשת בחזקה את ההתקשרות האמיצה והתדירה של החיים אל מצות ד' כולן, לצקת את רוח ד', רוח ישראל המלא הכללי הממלא את כל חללה של הנשמה, בתוך כל הכלים הרבים המיוחדים לה, להביע את הבטוי הישראלי המלא בהבלטה גמורה, מעשית ואידיאלית. הרשפים מתגברים בלב הצדיקים, יקוד אש קודש יוקד ועולה, ובלב כל האומה הוא בוער מימים ימימה (ויקרא ו:1) אש תמיד תוקד על המזבח לא תכבה", ובלב כל ריקנים שבישראל ובלב כל פושעי ישראל האש בוער ויוקד בפנימי פנימיות, ובכללות האומה כולה כל חפץ החירות וכל תשוקת החיים, כל תשוקת חיי הכלל והפרט, כל תקוה של גאולה, רק ממקור מעין חיים זה הם נובעים, כדי לחיות את החיים הישראליים במלואם בלא סתירה ובלא הגבלה, וזאת היא תשוקת ארץ ישראל, אדמת הקודש, ארץ ד', שבה המצות כולן מתגלמות ומתבלטות בכל חטיביותן.

Inside the heart, in the rooms of its purity and holiness, the Jewish flame increases, which strongly demands the courageous and frequent attachment of life to the commandments of G-d. To pour the Spirit of G-d, the full Spirit of Israel that fills the whole space of the soul, within all the many vessels that are special to it. To express the full Jewish expression with complete prominence both practically and idealistically. The flames increase in the heart of the righteous, the sacred fire burns and rises, and in the heart of the whole nation it burns from time immemorial, "a constant fire kindled on the altar, it shall not be extinguished (Leviticus 6: 6). And in the heart of all the empty ones in Israel and in the heart of all Israel's criminals the fire burns inwardly. And in the whole nation the desire for freedom and the desire for life- both of the individual and the nation, the hope of redemption, only flow from this fountain of life to live the Jewish life fully without contradiction and without limitation. This is the desire of the Land of Israel, the Holy Land, the Land of G-d, where the mitzvot are all embodied and stand out in all their divisions.

- Give three explanations regarding why cultivating the growth and success of the state of Israel is a religious end in and of itself.
- Rabbi Soleveitchik, Rabbi Melamed, and Rabbi Kook emphasize different aspects of the state of Israel's significance. While Rabbi Soleveitchik emphasizes national pride, Rabbi Melamed focuses on the legal details of the mitzvah of settling the land of Israel, and Rabbi Kook highlights the wholeness of the Jewish experience in our homeland.
  - Which approach do you find most relatable?
  - How might these perspectives differ in dealing with practical challenges such as annexation, engaging the secular population, and giving away "land for peace"?

## Emotional Judaism

### **Excitement: A Recipe for Disaster and Success**

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*This shiur about the place of excitement in our service of G-d is meaningful to me because during the past year, we have confronted the tension that sometimes exists between what **excites us** about Judaism versus what **G-d desires**. Public health regulations and Halachah have required us to forego many meaningful religious experiences, including praying with a minyan, sharing joyous occasions, and participating in a range of activities that provide inspiration.*

*Consider:*

- *What place - if any – does excitement have in the service of G-d?*
- *When – if ever – can excitement be detrimental?*
- *If you think that excitement can be positive, how do we know when our excitement is consistent with G-d's will, and when it is not?*

#### **Part 1: The Danger of Excitement**

*Since the beginning of the pandemic, strong desire for religious experiences sometimes resulted in compromise of health regulations, such as in the following example. What do you think motivated such behaviour?*

##### **1. “Hasidic pilgrims at Ukraine border refuse to return despite Israel’s plea,” Times of Israel**

KYIV, Ukraine — Hundreds of Hasidic Jews were still massed at Ukraine’s border Thursday, with some saying they had no intention of leaving, even though Kyiv has refused their entry, citing coronavirus, and Israel has urged them to return.

Tens of thousands of Hasidic Jews head to the central Ukrainian city of Uman every Jewish New Year — which falls on September 18-20 this year — to visit the tomb of Rabbi Nachman, the founder of the Bratslav Hasidic movement.

The believers departed for Uman this year even though both the Ukrainian and Israeli governments last month had urged them not to travel because of the pandemic.

Speaking to AFP from the Ukrainian-Belarusian border, one of ultra-Orthodox pilgrims, Itsik Cohen, said the believers were hoping for divine intervention.

“I’m waiting and praying that they open the borders, so we can have the privilege of being with our Rabbi, G-d willing,” said Cohen, an Israeli Bratslav Hasid from Jerusalem.

“We believe in G-d, and if G-d wants it this way, we need to do anything we can to show our determination, to the very last minute.”

Ukrainian authorities said the situation had not changed since Monday when crowds of believers began building up on the closed Ukraine border and pilgrims were still refusing to leave.

*Do you think any lessons - positive or negative - can be drawn from this episode?*

*The episode of Nadav and Avihu offering of a “foreign fire” to G-d cautions us of the dangers of religious excitement that can lead to actions that He did not command.*

## 2. Vayikra 10:1-2 (Judaica Press translation)

ויקחו בני-אֶהֱרֹן, נָדָב וְאַבְיָהוּא, אִישׁ מִחֶמְתּוֹ, וַיִּתְּנוּ בָהֶן אֵשׁ, וַיִּשְׂמוּ עָלֶיהָ קִטְרֶת; וַיִּקְרִיבוּ לִפְנֵי ה' אֵשׁ זָרָה--אֲשֶׁר לֹא צִוָּה אֹתָם: וַתֵּצֵא אֵשׁ מִלִּפְנֵי ה' וַתֹּאכַל אוֹתָם; וַיָּמָתוּ לִפְנֵי ה'.

And Aaron's sons, Nadav and Avihu, each took his pan, put fire in them, and placed incense upon it, and they brought before the Lord foreign fire, **which He had not commanded them**. And fire went forth from before the Lord and consumed them, and they died before the Lord.

## 3. Rashi to Vayikra 10:2 (chabad.org translation)

ר' אליעזר אומר לא מתו בני אהרן אלא על ידי שהורו הלכה בפני משה רבן, רבי ישמעאל אומר שתויי יין נכנסו למקדש, תדע, שאחר מיתתן הנהיר הנוטרים שלא יכנסו שתויי יין למקדש.

Rabbi Eliezer says: Aaron's sons died only because they rendered halachic decisions in the presence of Moses, their teacher. Rabbi Ishmael says: [They died because] they had entered the sanctuary after having drunk wine. The proof is that after their death, [Scripture] admonished the survivors that they may not enter the sanctuary after having drunk wine.

*Rabbi Eliezer's interpretation provides important advice for ascertaining when an action stemming from religious excitement is advisable: seek advice from someone more knowledgeable! Had Nadav and Avihu asked Moshe if they should pursue this particular course of action, they would have realized that it was ill-advised.*

*We have seen that a religious action borne out of excitement, but lacks the Divine command, is dangerous. However, do you think motivations for such actions come from a “good place”? Are they driven by the good inclination or the evil inclination?*

*Rabbi Yehudah Aryeh Leib Alter and Rabbi Nachman of Breslov, two Chassidic masters, are divided on this question (sources 4 and 5):*

## 4. Rabbi Yehudah Aryeh Leib Alter, Sfat Emet, Shemini 5636 (VBM translation)

בשם אמו"ז ז"ל ע"פ אשר לא צוה אותם. ללמוד כי העיקר כח כל מעשה האדם מצד ציווי ה'. כי כל שכל אדם בטל לכח זה. והנה נדב ואביהוא היו צדיקים גדולים ועשו לשם שמים רק שהי' חסר הציווי.

In the name of my revered grandfather, of blessed memory, on the verse, "which He commanded them not." This teaches that the primary force of every human action is the Divine command. For all of human reason is nullified by this force. Now Nadav and Avihu were exceedingly righteous men and **they acted for the sake of heaven**; but the command was missing.

## 5. Rabbi Nachman of Breslov, Likkutei Moharan 41 (VBM translation)

אָבֵל מִי שְׂמֵרְקֵד בְּהִתְלַהֲבוֹת הַיִּצָּר, זֶה נִקְרָא חֲטָא שֶׁל נָדָב וְאַבְיָהוּא, שְׂפָתוֹב בָּהֶם (ויקרא י"א): וַיִּקְרִיבוּ אֵשׁ זָרָה. נָדָב וְאַבְיָהוּא הֵם נִצָּח וְהוֹד, וְהִתְלַהֲבוֹת שֶׁבִקְדוּשָׁה נִקְרָא יִין הַמְּשַׁמֵּם, שְׁעֵל־יָדוֹ נִמְתְּקִים הַבְּכוֹרוֹת. וְאֵשׁ זָרָה, נִקְרָא יִין הַמְּשַׁכֵּר, הִתְלַהֲבוֹת הַיִּצָּר. וְשֵׁם יֵשׁ, חֵם וְשָׁלוֹם, אַחֲיָנָה לְהַחֲיוֹנִים, אֲשֶׁר לֹא צִוָּה אוֹתָם.

But one who dances with the **excitement of the [evil] inclination** - this is called the sin of Nadav and Avihu, about which it is written: "And they offered strange fire" (Vayikra 10:1). Nadav and Avihu are *netzach* and *hod*. Excitement in holiness is called wine that gladdens, through which the firstborns are sweetened. And a strange fire is called wine that intoxicates, the excitement of the *yetzer*. There is, G-d forbid, room for the externals to take hold, which He did not command.

*If excitement has the potential to be so dangerous, and our main concern must be with fulfilling the Divine command, should we eschew excitement altogether? Can excitement be valuable? Essential?*

## **Part 2: The Value of Excitement**

*Despite its risks, excitement is an essential component of our service of G-d. In fact, the Shulchan Aruch (Code of Jewish Law) opens with the mandate to be excited about our service of G-d from the moment we wake up:*

### **6. Rabbi Yosef Karo, Shulchan Aruch, Orach Chaim 1:1 (Wikisource translation)**

יתגבר כארי לעמוד בבוקר לעבודת בוראו שיהא הוא מעורר השחר.

One should strengthen himself like a lion to get up in the morning to serve his Creator, so that it is he who awakens the dawn.

### **7. Rabbi Yisrael Meir Kagan, Mishnah Berurah 1:1 (Sefaria Community translation)**

לעבודת בוראו – כי לכך נברא האדם, כמו שאמר הכתוב: "כל הנקרא בשמי ולכבודי בראתיו" וגו'. ואף אם ישיאנו יצרו בחורף לומר: איך תעמוד בבוקר, כי הקור גדול; או ישיאנו בקיץ לומר: איך תעמוד ממיטתך, ועדיין לא שבעת משנתך? יתגבר עליו ואל ישמע לו, ויחשוב בנפשו: אילו היה נצרך לעמוד לשרת לפני מלך בשר ודם, כמה היה זהיר וזריז לעמוד בהשכמה להכין עצמו לעבודתו; כל שכן וקל וחומר בן בנו של קל וחומר לפני מלך מלכי המלכים הקדוש ברוך הוא.

In order to serve his Creator - because for this was man created. As the text says "Every one that is called by My name, and whom I have created for My glory... " And even if his Evil Inclination advises him in the winter and says 'How will you arise in the morning, because it is very cold?' or in the summer advises and says 'How will you arise from your bed, when you still have not slept to your satisfaction?' Overcome him and do not listen to him, and think to yourself: If I had needed to arise to appear before a king of flesh and blood, how carefully and zealously would I arise and awaken in order to prepare myself for this service? All the more so and obviously, before the King of kings the Holy One blessed is He.

*Based on sources 6 and 7, what should motivate religious excitement? About what ought we be excited?*

*Our sages describe the value of being excited about the performance of mitzvot:*

### **8. Talmud, Berachot 6b (William Davidson Edition translation)**

למייעל [לבית הכנסת] — מְצוּנָה לְמַרְהֵט, שְׁנֵאָמַר: "נִרְדְּפָה לְדַעַת אֵת ה'..." אָמַר רַבִּי זֵירָא: מְרִישׁ כִּי הוּא חֲזִינָא לְהוּ לְרַבְנָן דְּקָא רְהִטִי לְפָרְקָא בְּשַׁבְּתָא, אָמִינָא: "קָא מְחַלְיִין רַבְנָן שַׁבְּתָא". כִּינּוּן דְּשִׁמְעֵנָא לְהָא דְרַבִּי תַנְחֻם אָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי: לְעוֹלָם יְרוּץ אָדָם לְדַבֵּר הַלְכָה נֶאֱפִילֵי בְּשַׁבְּתָא, שְׁנֵאָמַר: "אֶחָרִי ה' יִלְכוּ פְּאַרְיָה יִשְׂאָג" וְגו', אָנָּא נְמִי רְהִיטְנָא.

With regard to entering [a synagogue], it is a mitzvah to run, as it is said: "[And let us know,] eagerly strive to know the Lord" (Hosea 6:3). [One who eagerly enters a synagogue displays his enthusiasm to follow the path of G-d....]. Rabbi Zeira said: Initially, when I saw the Sages running to the lecture on Shabbat, I said: These Sages are desecrating Shabbat. [One is prohibited from running on Shabbat in deference to the sanctity of the day.] Once I heard that which Rabbi Tanchum said that Rabbi Yehoshua ben Levi said: One should always run for a matter of *halakha*, even on Shabbat, as it is stated: "They shall walk after the Lord, who will roar like a lion" (Hosea 11:10). [In other words, one should rush as though he were chased by a lion]; I too run.

### **9. Rabbi Chaim Kanievsky, Orchot Yosher (ArtScroll translation), p. 369**

...You should know that it is not sufficient to merely *perform* the mitzvah...The basis upon which all of this depends is that when someone does a mitzvah, he should not view it as a heavy burden that he is in a rush to remove from his back. Rather, he should imagine that by doing this mitzvah he is earning a million gold coins. He should be elated when performing the mitzvah with unlimited joy in his heart and soul, and with great enthusiasm, as if they were actually handing him a million gold coins right now for fulfilling this mitzvah.

This is the profound secret of the verse (*Devarim 28:47*): *Because you did not serve Hashem, your G-d, with gladness and goodness of heart.* This is the underlying interpretation of the story of Rav Beruna, who, on the day that he prayed [*Shemoneh Esrei*] immediately after the *berachah* of redemption, did not stop smiling the entire day. This [smile] illustrated that his belief and trust in Hashem was so extreme that the joy of the mitzvah was greater than if an immense reward was actually placed before him.



*The following “Musings of an Anonymous Rabbi,” shared widely on social media before Rosh Hashanah 2020, argues that the [perhaps, misguided] determination of so many people to spend Rosh Hashanah in Uman, despite the risks posed by the COVID-19 pandemic, is cause for us to reflect on the level of religious excitement within our communities:*

### **10. Musings of an Anonymous Rabbi**

I hope the chassidim make it to Uman this year. I really do.

I hope they have their minyanim, as usual, with convenient accommodations and pleasant flights.

But if not, then perhaps it’s a time for a long-overdue conversation and it starts with looking inward, at our shuls and schedules.

I’m a rabbi at a fairly large, fairly relevant congregation, one with a busy office, active website, and many member families.

And over the years, we’ve “lost” many of our core members to Rosh Hashanah in Uman. Other colleagues in the rabbinate have experienced the same phenomenon, and it begs a question. And the question is on us.

The veteran Breslover chassidim, those whose fathers and grandfathers went or dreamed of going to Uman — of course that’s where they belong.

Those who’ve become close to Breslov through the seforim, who maintain a serious learning seder in Likutei Moharan and try to live with Breslover minhagim all year long — in tefillah, in simchah, in emunah — that’s where they belong as well.

But let’s be honest. So many of the tens of thousands who make the pilgrimage are Breslov only in regard to the Uman experience: That’s where it starts and ends. No doubt, the inspiration is real; and no doubt, the tzaddik’s zechus opens up gates of prayer for them. I understand why they go back. My question is why they had to go in the first place, if they really have no connection to Breslov during the three hundred and sixty-two days a year?

I know the answer. The answer is it’s our fault.

They wanted connection and we gave them sound bites about politics. They wanted chizuk and we gave them lectures. They wanted someone to talk up to them and we talked down. They wanted to sing and we told them to listen to the chazzan.

Now, we have another chance.

Even if Uman happens, many of the ones who were going simply to “rebel” against the standard, same-old, unemotional davening will stay home. It’s not yet certain what we’ll be able to provide this year, if our shuls will be open — and if yes, indoors or outdoors? In small groups or together?

But whatever the case, we will have learned our lesson and try to bring in some of the fire of Uman. More talk about Hashem and less about politics. More honesty and genuineness. We will sing and sing again, stripping away the embarrassment until every child in shul is singing out loud. Rather than hiring pedigreed chazzanim, we will make sure that every person who stands by the amud is worthy, and when they cry, the tzibbur will cry along, because it’s for real.

Whatever happens this Rosh Hashanah, give us a chance to try again.

It’s what Rebbe Nachman taught, right? There’s always another chance."

*Do you agree? Disagree?*

### **Questions for reflection:**

1. *What factors make religious excitement dangerous?*
2. *When is religious excitement appropriate?*
3. *What are some opportunities **you** can find for excitement during this time when opportunities are more limited?*

## **Halachah in Modern Israel: Land for Peace?**

Rabbi Alex Hecht [ahecht@torontotorah.com](mailto:ahecht@torontotorah.com)

*This shiur is meaningful to me because it was the first in my **Halachah in Modern Israel** series, which explores questions that have arisen since Jewish sovereignty in Eretz Yisrael was re-established. The question of relinquishing parts of Eretz Yisrael in efforts towards peace with her neighbours has arisen throughout Israel's history, and is fraught with political, military, practical, and ideological considerations. This shiur explores the halachic factors in this ongoing debate:*

*Before looking at the sources, consider the following question: If there was a guarantee that relinquishing parts of Israel **would** achieve peace with her neighbours, and refusal to give up land would cost Israeli lives, would you support a "land for peace" agreement?*

**Part I:** Sources 1-6 arguably **oppose** "land for peace." They suggest that the Jewish people should endeavour to conquer - and retain - the entire Land of Israel, even if doing so involves danger.

### **1. Bamidbar 33:53 (Artscroll translation)**

וְהוֹרִשְׁתֶּם אֶת-הָאָרֶץ, וּישְׁבַתְּם-בָּהּ: כִּי לָכֶם נָתַתִּי אֶת-הָאָרֶץ, לְרִשְׁתָּהּ אֹתָהּ.

You shall possess the Land and you shall settle in it, for to you have I given the Land to possess it.

### **2. Ramban to Bamidbar 33:53 (Chavel translation)**

על דעתי זו מצות עשה היא יצוה אותם שישבו בארץ ויירשו אותה כי הוא נתנה להם ולא ימאסו בנחלת ה'.

In my opinion, this is a positive commandment, in which He is commanding them to dwell in the Land and inherit it, because He has given it to them, and they should not reject G-d's inheritance.

*Consider: We are required to transgress all of the mitzvot of the Torah in order to avoid being killed, except for murder, idolatry, and sexual immorality. (Talmud, Sanhedrin 74a) If so, how can the Torah command us to engage in warfare – which inevitably involves risk to life – to fulfill the mitzvah of conquering the Land of Israel.*

*The following source contends that war must be an exception to the rule:*

### **3. Rabbi Yosef Babad, Minchat Chinuch 425**

וצ"ע נהי דכל המצות נדחים מפני הסכנה מכל מקום מצוה זו דהתורה ציותה ללחום עמהם וידוע דהתורה לא תסמוך דיני' על הנס כמבואר ברמב"ן ובדרך העולם נהרגים משני הצדדים בעת מלחמה אם כן חזינן דהתורה גזרה ללחום עמהם אף דהוא סכנה. אם כן דחוי' סכנה במקום הזה ומצוה להרוג אותו אף שיסתכן וצ"ע.

And this requires further analysis, since all mitzvot are pushed off in cases of danger. Nevertheless, the Torah commands us to wage war with them [the seven Canaanite nations], and it is known that the Torah does not expect mitzvot to be fulfilled miraculously, as Ramban explained. And it is the way of the world that there are casualties on both sides in a time of war. If so, we see that the Torah decrees that we wage war with them, even in a situation of danger. If so, consideration of danger is pushed off in this instance, and it is a mitzvah to wage war with them, even if there is danger. And this requires further analysis.

*Does the mitzvah to conquer the Land of Israel apply nowadays?*

#### **4. Ramban, Challenges to Rambam's Sefer haMitzvot, Positive Commandment 4**

היא מצוות עשה לדורות מתחייב כל אחד ממנו ואפילו בזמן גלות.

This is a positive commandment that applies to everyone in all generations, even in times of exile.

*In addition to the mitzvah to conquer Eretz Yisrael, sources 5 and 6 indicate a prohibition to give or sell land in Eretz Yisrael to non-Jews:*

#### **5. Devarim 7:2 (Artscroll translation)**

וַיִּתְּנֵם ה' אֱלֹהֶיךָ לְפָנֶיךָ וְהִכִּיתָם הַחֶרֶם תַּחֲרִימֵם אֲתָם לֹא-תִכְרֹת לָהֶם בְּרִית וְלֹא תִחַנְּמָם.

And Hashem, your G-d, will deliver them before you, and you will smite them - and you shall utterly destroy them; you shall not seal a covenant with them nor shall you show them favour.

#### **6. Talmud, Avodah Zarah 20a (Davidson Edition translation)**

דאמר קרא: לא תחנם, לא תתן להם חנייה בקרקע.

The verse states: “You should not show them favor [*lo tehonnem*]” (Devarim 7:2), which is understood as meaning: You should not give them [a chance to] encamp [*hanayah*] in [i.e., to acquire] land [in Eretz Yisrael].

*In sources 7 and 8, Rabbi Hershel Schachter and Rabbi Menachem Mendel Schneerson express opposition to any relinquishment of land in Eretz Yisrael.*

*Rabbi Schachter argued that Israel must hold onto land, even if doing so may result in harm of some of its citizens:*

#### **7. Rabbi Hershel Schachter, *Journal of Halacha and Contemporary Society* Vol. 16, p. 79 (1988)**

In answer to this it would appear that the heart of our preparedness to fight for Eretz Yisrael is the fact that Israel's role today is as the national home and of the Jewish people. Since a nation's land is vital to its existence as a nation-state, to the point that in various limited contexts only those Jews residing in Eretz Yisrael are considered full members of *Klal Yisrael*, conquest by a foreign power is considered a lethal blow to the essence of the conquered nation. Therefore, just as a doctor would amputate a patient's limb in order to save life, when the "life" of an entire nation is endangered, it is permissible to sacrifice the lives of the few for the purpose of sparing the nation at large.

*Rabbi Schneerson argued that land must be retained for safety reasons, and that relinquishing land will result be dangerous for Israel:*

#### **8. Rabbi Menachem Mendel Schneerson (March 2, 1980, [chabad.org](http://chabad.org))**

- Code of Jewish Law rules that if our enemies set out to besiege Jewish cities, then even if they come for a seemingly benign purpose such as “gathering straw and stubble,” they must be fought off, even at the cost of desecrating the Sabbath.
- This applies even if they only express their intention to attack, because if they are not prevented from entering, it may leave the entire land vulnerable
- In 1967, Israel was facing a coalition of Arab armies mobilized at its borders. After a preemptive strike and miraculous victory, any talk of giving away captured territories is not only contrary to Jewish law, it is plain dangerous.

**Part 2: Sources 9-13 support** relinquishing parts of Eretz Yisrael in a proposal that presents a realistic opportunity of peace.

Sources 9 and 10 suggest that when the Jewish people were sent into exile, G-d required them to take oaths that they would not aggressively endeavour to achieve control over Eretz Yisrael. (This is the primary basis for religious anti-Zionism, which maintains that the Jewish people may not establish any government in the Land of Israel before the coming of Mashiach.)

#### **9. Talmud, Ketuvot 111a (Davidson Edition translation)**

ג' שבועות הללו למה? אחת שלא יעלו ישראל בחומה ואחת שהשביע הקדוש ברוך הוא את ישראל שלא ימרדו באומות העולם ואחת שהביע הקדוש ברוך הוא את העובדי כוכבים שלא ישתעבדו בהן בישראל יותר מדאי.

Why are these three oaths (Song of Songs 2:7, 3:5, 8:4) needed? One, so that the Jews should not ascend to Eretz Yisrael as a wall, but little by little. And another one, that the Holy One, Blessed be He, adjured the Jews that they should not rebel against the rule of the nations of the world. And the last one is that the Holy One, Blessed be He, adjured the nations of the world that they should not subjugate the Jews excessively.

#### **10. Rabbi Yitzchak Leon ibn Tzur, Megillat Esther on Sefer haMitzvot, Positive Mitzvah 4:1**

נראה לי כי מה שלא מנאה הרב הוא לפי שמצות ירושת הארץ וישיבתה לא נהגה רק בימי משה ויהושע ודוד וכל זמן שלא גלו מארצם אבל אחר שגלו מעל אדמתם אין מצוה זו נהגת לדורות עד עת בוא המשיח, כי אדרבא נצטוינו לפי מה שאמרו בסוף כתובות (דף קי"א) שלא נמרוד באומות ללכת לכבוש את הארץ בחזקה.

It appears to me that the Rambam's omission of the conquest of the land, and dwelling in it [in his Sefer haMitzvot] indicates that these mitzvot are only applicable in the days of Moshe, Yehoshua, and David - and during any time that we are not in exile. However, after we have been exiled, this mitzvah is not operative until the coming of Mashiach. On the contrary, we are commanded not to rebel against the nations and conquer the land with force.

*Although Rabbi Ovadia Yosef and Rabbi Elazar Shach (sources 11 and 12) did not understand the aforementioned oaths to absolutely proscribe a Jewish government in the Land of Israel prior to the arrival of Mashiach, they took them into consideration, and argued that Israel should not aggressively conquer or hold onto parts of Eretz Yisrael, if conceding land has the potential to save Jewish lives:*

#### **11. Rabbi Ovadia Yosef, Techumin Vol. 10, p. 42 (1989)**

כשבידינו להחזיר שטחים, ולמנוע סכנת מלחמה של האויבים, חייבים לעשות כן משום פיקוח נפש...

When it is in our hands to return settlements and prevent the danger of war with our enemies, it is an obligation to do so because of *pikuach nefesh*.

#### **12. Rabbi Elazar Shach, Michtavim u-Maamarim 7 (1978)**

וכל פשרה שיכולה לקרב את השלום מחוייבים אנחנו לקבלה, כי הרבה שפיכת דמים ימנע על ידי השלום, וכל הדיבורים בענין איסור לא תחנם, ובענין הבטחה מהקב"ה שכל הארץ ניתנה לנו בשלימותה, לפי מצבינו בתקופתנו אין לכל דברים על מה שיסמכו.

We are obligated to accept any compromise that is able to bring peace closer, for much spilling of blood will be prevented through peace. And all this talk concerning "*lo techanem*" and the guarantee that Eretz Yisrael was given to us in its entirety, are not to be considered in our current circumstances...

*Similarly, Rabbi Moshe Feinstein contended that in the absence of a Sanhedrin (High Court), the mitzvah to conquer the Land of Israel is not operative:*

#### **13. Rabbi Moshe Feinstein, Igrot Moshe, Choshen Mishpat II:78 (1979)**

שענין מלחמה כיון שנוגע לפיקוח נפש צריך ציוי מיוחד ואורים ותומים וסנהדרין אף במלחמת מצוה כמלחמת עמלק

Since war is relevant to *pikuach nefesh*, we need a specific command from the *urim v'tumim* and a Sanhedrin, even for a *milchemet mitzvah*, such as the war against Amalek.

Sources 14 and 15 include selections from a debate between Rabbi Avraham Shapira and Rabbi Aharon Lichtenstein regarding the 2005 Israeli disengagement from Gaza, and whether Israeli soldiers may refuse to follow orders to evacuate Jewish residents:

**14. Rabbi Avraham Shapira, *Tradition*, “A Rabbinic Exchange on the Gaza Disengagement,” p. 18 (2005)**

According to Torah law, it is completely forbidden to give land in Israel to a non-Jew, due to the prohibition of lo tehanem (“Do not give them a foothold in the Land,” Deut. 7:2) and due to the nullification of the commandment to settle the land of Israel that is incumbent upon every individual of Israel. This prohibition applies to every Jew, soldier and civilian alike. An order to take part in the evacuation of Jews from their homes in order to give over the land to non-Jews is an order that is against the religion of our holy Torah and forbidden to fulfill. Every order that is contrary to Jewish law and compels one to violate the words of the Torah holds no validity, is forbidden to fulfill and no person has the authority to deliver it.

**15. Rabbi Aharon Lichtenstein, *Tradition*, “A Rabbinic Exchange on the Gaza Disengagement,” pp. 22-23 (2005)**

Another point on the same topic, I assume that your ruling was given to someone who regards himself as subordinate to his authority. Do you think that the ruling is valid, and to the same degree of severity, for members of other communities, whose leaders have not expressed adopted your view, and may even rule in the opposite manner? For example, what would you recommend to a disciple of my revered teacher, Rabbi Yosef Dov Soloveitchik, zt”l, who resolutely and vigorously asserted that there is no prohibition to hand over portions of the Land of Israel to the nations of the world when there are considerations of saving life, and moreover held that the definition of these considerations must take into account the views of military and political leaders?

*The Talmud notes that G-d’s most precious gifts – including Eretz Yisrael – are acquired through struggle. This is apparent from the complex issue we have just explored. May G-d grant the Jewish people everlasting peace in the Land of Israel with the arrival of Mashiach and the Final Redemption!*

**16. Talmud, Berachot 5a**

רבי שמעון בן יוחאי אומר: שלש מתנות טובות נתן הקדוש ברוך הוא לישראל, וכולן לא נתן אלא על ידי סורין, אלו הן: תורה וארץ ישראל והעולם הבא.

Rabbi Shimon ben Yochai says: The Holy One, Blessed be He, gave Israel three precious gifts, all of which were given only by means of suffering. They are: Torah, Eretz Yisrael, and the World-to-Come.

*In Parshat Vayishlach, we see the story of Yaakov and his struggle with the mysterious adversary and subsequent injury. What is the significance of this injury and what does it symbolize?*

**1. Bereishit 32:23-33 (Chabad tr.)**

**23** And he arose during that night, and he took his two wives and his two maidservants and his eleven children, and he crossed the ford of [the] Jabbok. **כג** וַיָּקָם | בַּלַּיְלָה הַזֶּה וַיֵּלֶח אֶת־שְׁתֵּי נָשָׁיו וְאֶת־שְׁתֵּי שִׁפְחֹתָיו וְאֶת־אֶתְד עֶשֶׂר יְלָדָיו וַיַּעֲבֹר אֶת מַעְבַּר יַבְבֹּק:

**24** And he took them and brought them across the stream, and he took across what was his. **כד** וַיִּקְחֵם וַיַּעְבְּרֵם אֶת־הַנָּחַל וַיַּעֲבֹר אֶת־אֶשְׁרֵי־לוֹ:

**25** And Jacob was left alone, and a man wrestled with him until the break of dawn. **כה** וַיִּוְתַר יַעֲקֹב לְבַדּוֹ וַיִּאָּבֵק אִישׁ עִמּוֹ עַד עֲלֹת הַשָּׁחַר:

**26** When he saw that he could not prevail against him, he touched the socket of his hip, and the socket of Jacob's hip became dislocated as he wrestled with him. **כו** וַיֵּרָא כִּי לֹא יָכֹל לוֹ וַיַּגַּע בְּכַף־יָרְכוֹ וַתִּקַּע כַּף־יָרְכוֹ יַעֲקֹב בְּהֶאָבֵקוֹ עִמּוֹ:

**27** And he (the angel) said, "Let me go, for dawn is breaking," but he (Jacob) said, "I will not let you go unless you have blessed me." **כז** וַיֹּאמֶר שְׁלַחֲנִי כִּי עֹלָה הַשָּׁחַר וַיֹּאמֶר לֹא אֲשַׁלְּחֶךָ כִּי אִם־בֵּרַכְתָּנִי:

**28** So he said to him, "What is your name?" and he said, "Jacob." **כח** וַיֹּאמֶר אֵלָיו מִה־שְּׁמֶךָ וַיֹּאמֶר יַעֲקֹב:

**29** And he said, "Your name shall no longer be called Jacob, but Israel, because you have commanding power with [an angel of] G-d and with men, and you have prevailed." **כט** וַיֹּאמֶר לֹא יַעֲקֹב יִשְׁמָךְ עוֹד שְׁמֶךָ כִּי אִם־יִשְׂרָאֵל כִּי שָׁרִיתָ עִם־אֱלֹהִים וְעִם־אֲנָשִׁים וַתִּוְקַל:

**30** And Jacob asked and said, "Now tell me your name," and he said, "Why is it that you ask for my name?" And he blessed him there. **ל** וַיִּשְׁאַל יַעֲקֹב וַיֹּאמֶר הַגִּידָה־נָא שְׁמֶךָ וַיֹּאמֶר לָמָּה זֶה תִּשְׁאַל לְשְׁמִי וַיְבָרֶךְ אֹתוֹ שָׁם:

**31** And Jacob named the place Peniel, for [he said,] "I saw an angel face to face, and my soul was saved." **לא** וַיִּקְרָא יַעֲקֹב שֵׁם הַמָּקוֹם פְּנִיֵאל כִּי־רָאִיתִי אֱלֹהִים פָּנִים אֶל־פָּנִים וַתִּנָּצַל נַפְשִׁי:

**32** And the sun rose for him when he passed Penuel, and he was limping on his thigh. **לב** וַיִּזְרַח־לוֹ הַשָּׁמֶשׁ בְּאֶשֶׁר עָבַר אֶת־פְּנוּאֵל וְהוּא זָלַע עַל־יָרְכוֹ:

**33** Therefore, the children of Israel may not eat the displaced tendon, which is on the socket of the hip, until this day, for he touched the socket of Jacob's hip, in the hip sinew. **לג** עַל־כֵּן לֹא־יֵאָכְלוּ בְּנֵי־יִשְׂרָאֵל אֶת־גִּיד הַנֶּשֶׁה אֲשֶׁר עַל־כַּף הַיָּרֵךְ עַד הַיּוֹם הַזֶּה כִּי נָגַע בְּכַף־יָרְכוֹ יַעֲקֹב בְּגִיד הַנֶּשֶׁה:

- *The result of this event is an everlasting commandment to never eat the 'gid hanashe'.*
- *An interesting anecdote from Chinese tradition.*

**2. Judaism in China, <https://www.chinasage.info/judaism.htm>**

Discovering a Jewish synagogue in Kaifeng came as a great surprise to Europeans in the 19th century. Although the synagogue was built in Chinese traditional style it had a copy of the Torah and was following traditional Jewish teachings. It opened up all sorts of intriguing possibilities. Could the scriptures of an ancient, isolated

community provide answers to key questions in Christianity as well as Judaism? Was the Jewish community a long last tribe with origins going back to Biblical times? How could have an isolated mono-theistic society have survived in China for so long?

The Chinese regarded the Jews (犹太 Yóu tài) as belonging to a branch of Islam and called them 'blue Muslims' because of the color of headdress and shoes. For centuries, the Chinese considered all three Abrahamic religions as sects of a single religion. **The Jews were also known as 'extract tendon teaching' (挑筋教 Tiǎo jīn jiāo) as a description of the way that meat was prepared by removing any tendons to conform with the Torah.**

- *Rashi quotes the Midrash as to whom this mysterious adversary was.*

### 3. Rashi, Bereishit 32:25 (M. Rosenbaum and A.M. Silberman tr.) [Northern France, 1040-1105]

וּפְרָשׁוֹ בִּזְ"ל לְשֵׁהוּא שְׁרוּ שָׁל עֵשׂוֹ (בראשית רבה):

Our Rabbis of blessed memory explained that he was Esau's guardian angel (Genesis Rabbah 77:3).

- *Before seeing some explanations of the event, let us first examine, was this a real encounter?*

### 4. Rambam, Moreh Nevuchim 2:42 (Friedlander tr.) [Spain-Morocco-Egypt, 1135-1204]

כבר בארנו כי כל מקום שנזכרה בו ראית 'מלאך' או דבורו שזוה אמנם הוא 'במראה הנבואה' או 'בחלום' - יבואר בהם או לא יבואר הכל שוה כמו שקדם. ודע זה והבנהו מאד מאד! ואין הפרש בין שיכתוב תחילה שהוא ראה ה'מלאך' או יהיה הנראה מן המאמר תחילה - שהוא חשבו איש מבני אדם ואחר כן בסוף הענין התבאר לו שהוא 'מלאך' - אחר שתמצא סוף הענין כי זה אשר נראה ודיבר היה מלאך תדע ותאמת שמתחלת הענין היה 'מראה הנבואה' או 'חלום של נבואה'. וזה שב'מראה הנבואה' או 'בחלום של נבואה' פעמים יראה הנביא האלו-ה' ידבר עמו כמו שנבאר ופעמים יראה מלאך ידבר עמו ופעמים ישמע מי שידבר עמו ולא יראה איש מדבר ופעמים יראה איש מבני אדם שידבר עמו ואחר כן יתבאר לו שזוה המדבר - 'מלאך'; ובכמו זה המין מן הנבואה יזכור שהוא ראה איש יעשה או יאמר ואחר זה ידע שהוא 'מלאך'.

We have already shown that the appearance or speech of an angel mentioned in Scripture took place in a vision or dream; it makes no difference whether this is expressly stated or not, as we have explained above. This is a point of considerable importance. In some cases, the account begins by stating that the prophet saw an angel; in others, the account apparently introduces a human being, who ultimately is shown to be an angel; but it makes no difference, for if the fact that an angel has been heard is only mentioned at the end, you may rest satisfied that the whole account from the beginning describes a prophetic vision. In such visions, a prophet either sees G-d who speaks to him, as will be explained by us, or he sees an angel who speaks to him, or he hears someone speaking to him without seeing the speaker, or he sees a man who speaks to him, and learns afterwards that the speaker was an angel. In this latter kind of prophecies, the prophet relates that he saw a man who was doing or saying something, and that he learnt afterwards that it was an angel.

- *How does the Rambam explain occurrences with angels?*

...והבן הענין הזה עוד כי הוא סוד מן הסודות: וכן אומר עוד בענין יעקב באמר "ויאבק איש עמו" - שהוא בצורת הנבואה אחר שהתבאר באחרונה שהוא 'מלאך'. והוא כענין אברהם בשוה אשר הקדים ספור כללי "וירא אליו ה' וגו'" אחרי כן התחיל לבאר איך היה זה. וכן ביעקב אמר "ויפגעו בו מלאכי אלוקים" ואחר כן התחיל לבאר איך קרה עד ש'פגעו בו' - ואמר שהוא שלח שלוחים ופעל ועשה "ויותר יעקב לבדו וגו'" - וזהו 'מלאכי אלוקים' הנאמר עליהם תחילה 'ויפגעו בו מלאכי אלוקים'; וזה ההתאבקות והדיבור כולו - 'במראה הנבואה'.

...Note this well, for it is one of the great mysteries [of the Law]. The same, I hold, is the case when it is said in reference to Jacob, "And a man wrestled with him" (Gen. 32:25); this took place in a prophetic vision, since it is expressly stated in the end (ver. 31) that it was an angel. The circumstances are here exactly the same as those in the vision of Abraham, where the general statement, "And the Lord appeared to him," etc., is followed by a detailed description. Similarly the account of the vision of Jacob begins, "And the angels of G-d met him" (Gen. 32:2); then follows a detailed description how it came to pass that they met him; namely, Jacob sent messengers, and after having prepared and done certain things, "he was left alone," etc., "and a man wrestled with him" (ibid. ver. 24). By this term "man" [one of] the angels of G-d is meant, mentioned in the phrase, "And angels of G-d met him"; the wrestling and speaking was entirely a prophetic vision.

- *How is his concept applied to Yaakov's story?*

## 5. Ramban, Bereishit 18:1 (Sefaria tr.) [Spain-Israel, 1194-1270]

וכן אמר (שם) בענין "ויאבק איש עמו" (להלן לב כה) שהכל מראה הנבואה ולא ידעתי למה היה צולע על ירכו בהקיץ ולמה אמר (להלן לב לא) כי ראיתי אלוקים פנים אל פנים ותנצל נפשי כי הנביאים לא יפחדו שימותו מפני מראות הנבואה...

And [the Guide there] also said about the matter of "and a man wrestled with him" (Genesis 32:25), that it was all a prophetic vision. And [if so,] I don't know why he limped on his thigh when he woke up, and why he said (Genesis 32:31), "For I have seen G-d face to face, and He saved my soul"; as the prophets did not fear that they would die because of prophetic visions...

- *What difficulty does the Ramban raise on the Rambam's approach?*
- *Many ideas are suggested in understanding the significance of the injury and the everlasting prohibition to not eat the gid hanashe.*

## 6. Sefer HaChinuch, Mitzvah 3 (Sefaria tr.) [Spain, 13<sup>th</sup> century]

משרשי מצוה זו, כדי שתהיה רמז לישראל, שאף על פי שיסבלו צרות רבות בגלות מיד העמים ומיד בני עשו, יהיו בטוחים שלא יאבדו, אלא לעולם יעמד זרעם ושמם, ויבא להם גואל ויגאלם מיד צר. ובזכרם תמיד ענין זה על יד המצוה שתהיה לזכרון, יעמדו באמנתם ובצדקתם לעולם. ורמז זה הוא לפי שאותו מלאך שנלחם עם יעקב אבינו, שבא בקבלה (בר"ר עה) שהיה שרו של עשו, רצה לעקרו ליעקב מן העולם הוא וזרעו ולא יכול לו, (שם לב כו) וצערנו בנגיעת הירך. וכן זרע עשו מצער לזרע יעקב, ולבסוף תהיה להם תשועה מהם. וכמו שמצינו (שם שם לב) באב שזרחה לו השמש לרפאתו ונושע מן הצער, כן יזרח לו השמש של משיח וירפאנו מצערנו ויגאלנו במהרה בימינו, אמן.

It is from the roots of this commandment [that it is to serve as] a hint to Israel that though they will suffer many troubles in the exile by the hand of the nations and by the hand of the [descendants] of Esav (i.e. the Christians), [the Jews] should trust that they will not perish, but rather that their descendants and name will stand firm forever, and that their redeemer will come and redeem them from their oppressor. And in continually remembering this idea through the commandment that serves as a reminder, they will stand firm in their faith and righteousness forever. And this hint [stems from the fact that] that the angel who fought with Yaakov our forefather - who according to tradition (Bereishit Rabbah 78) was the guardian angel of Esav - wished to eliminate Yaakov from the world, he and his descendants; but he could not [get the better] of him, (Genesis 32:26) but anguished him in injuring his thigh. Likewise, Esav's seed anguishes the seed of Yaakov; but in the end, [the latter] will be saved from them. As we find (Genesis 32:32) with respect to [our] forefather that the sun shone to heal him and he was saved from pain, so will the sun of the messiah shine and he will heal us from our pain and redeem us speedily in our days, amen!

- *The Sefer HaChinuch views the event in a symbolic fashion, relating to the Jewish people's eternal struggle with other nations and our inevitable redemption.*

## 7. Radak, Bereishit 32:33 (Eliyahu Munk tr.) [France, 1160-1235]

בני יעקב אסרוהו על עצמן לכבוד אביהם שלקה בו והם צוו לבניהם... ונאסר להם ולבניהם ולבני בניהם עד עולם, וכתבו משה רבינו בתורה על פי ה', אבל לפירז"ל בסיני נצטוו וכתבה במקומו להודיע הטעם שנאסר בעבורו.

The children of Yaakov adopted this prohibition for themselves in commemoration of their father whose thigh muscle had been injured. They in turn commanded their children to abstain from eating this part of any animal. This continued until the Torah was given and it became law... Moses recorded the custom of the Israelites not to eat this organ as one of the 613 commandments. Although the Torah does not generally consider it necessary to justify G-d's legislation with a reason, in this case, since this law had been observed as a Jewish tribal custom for so many hundreds of years prior to the giving of the Torah, we are told how the custom which became enshrined in Torah law originated.

- *The Radak sees this story as the historical origin of one of our more puzzling prohibitions.*



## 8. Bechor Shor, Bereishit 32:33 (Sefaria tr.) [France, 12<sup>th</sup> century]

להיות להם לזכרון כי אביהם נלחם עם המלאך ולא יכול לו ולכך נגע בכף יריכו במקום שגיד הנשה שם והיא זכרון כבוד וגדולה:  
It is to be a commemoration for them that their forefather fought with the angel, and [the latter] could not subdue him. And so [the angel] pressed him on the hollow of his thigh, in the place where there is the sciatic nerve. And it is a commemoration of glory and greatness.

- *It was a celebration of the angel being unable to defeat Yaakov Avinu.*

## 9. Chizkuni, Bereishit 32:33 (Eliyahu Munk tr.) [France, 1250-1310]

אעפ"י שהבטיחו הקב"ה ושמרתיו בכל אשר תלך הזיקו המלאך לפי שנתיירא מעשו כדכתיב ויירא יעקב מאד...  
The angel succeeded to injure Yaakov despite G-d's assurances to him that "I will protect you wherever you go;" because Yaakov allowed himself to be frightened of Esau in spite of G-d's assurances. [This was a lack of faith in G-d's promise. Ed.] ...

על כן לא יאכלו כמו והוא לא כן ידמה, כלומר בדין הוא שיש לקנוס ולענוש בני ישראל מאכילת גיד הנשה שהניחו את אביהם הולך יחידי כדכתיב ויותר יעקב לבדו. והן היו גבורים והיה להם להמתין אביהם ולסייעו אם יצטרך והם לא עשו לו לוייה והזוק על ידם ומכאן ואילך יהיה להם לזכר ויהיו זריזים במצות לוייה...

ד"א על כן שיכול יעקב לעמוד נגד המלאך לא יאכלו בני ישראל את גיד הנשה ולתפארת כי אביהם נלחם עם המלאך. ד"א על כן שהזוק יעקב בגיד הנשה קבלו עליהם בניו משם ואילך שלא יאכלו ממנו. משל לאדם שחש בראשו או באחד מאיבריו, שמקבל עליו שלא לאכול מאותו אבר מעולם כדי שיהא לו אותו האבר לרפואה.

... It would be right and proper to punish the Israelites not to eat that particular sinew as they should not have allowed their founding father to be exposed to hostile forces at night. Yaakov's sons were physically strong, and they should have been at hand to assist their father if the need arose to do so. Seeing that they failed to do this, the blame for the injury sustained by their father was theirs. From now on they would have learned their lesson and would practice the commandment to accompany their father, or for that matter, any older and wiser person, especially at night...

A different approach to the verse above: as a result of their father Yaakov having stood up to the protective celestial force of Esau, his sons stopped eating the part of the body that the angel had been able to injure. They did this out of a feeling of pride in their founding father.

A third approach to this verse: due to their father Yaakov having sustained an injury, his descendants voluntarily decided not to eat the part of the body of an animal that had been injured in their father's body. This has to be understood better by the use of a parable; a person suffered from a headache or from pains in a different part of his body. As a reminder of that pain, he decides not to eat that part of the body of an animal as a symbol of his having been healed from that pain, so that it (abstention) would serve as a remedy for them (preventive medicine) in the future.

- *Several more reasons are brought here. The injury was a punishment to Yaakov, the prohibition is a punishment to Yaakov's sons, it serves as a commemoration and as a future method of healing.*

## 10. Rashbam, Bereishit 32:25,28 (Eliyahu Munk tr.) [France, 1085-1158]

ויותר יעקב לבדו - כלומר: שהעביר כל אשר לו שלא היה עוד לעבור אלא הוא לבדו ורצה לעבור אחריהם, כדי לברוח דרך אחרת שלא יפגשו עשו נתכווין.

After he had transferred all his belongings to the other side of the river, so that the only one still to be brought across was he himself. The reason that he wanted to cross only after everyone else had already crossed was that he intended to flee in a different direction so as to avoid a face-to-face encounter with Esau.

ויאבק - מלאך עמו שלא יוכל לברוח ויראה קיום דברו של הקב"ה שלא יזיקהו עשו.

There wrestled an angel with him, so that he could not flee, and so that fulfillment of the word of the Holy One, blessed be He, would be seen, that Esav would not harm him.

כי שרית - ומה שלקה יעקב ונצלע, לפי שהקב"ה הבטיחו והוא היה בורח.

And the fact that Ya'akov was struck and was lamed was because the Holy One, blessed be He, promised him yet he fled.

- *This was one of the more astonishing reasons I came across. The Rashbam explains that Yaakov was fleeing, and the angel was sent to stop him.*

### **11. Kli Yakar, Bereishit 32:33 (Sefaria tr.) [Poland-Czech Republic, 1550-1619]**

מצינו לרז"ל שדברים עמוקים שהשגתם קשה, נמשלו לגידין... ורמז במצוה זו לדורות למנוע מישראל החקירה בנסתרות כמ"ש (חגיגה יג.) אין לך עסק בנסתרות, כי יש לחוש פן יהרסו שכלם ויבואו לידי אפיקורסות, כי לא רבים יחכמו להבין כל הסודות על מתכונתם, מצד היות שכלם עובר בעמק עכור כי הבלי העולם הזה והמדותיו מבלבלין שכל האדם... ואם ליעקב השלם קרה מכשול זה לפי שעה כשנטה קצת מדרך השווי, מה יעשו אזובי קיר אשר רוב עסקיהם בהבלי העה"ז והמודותיו, על כן לא יהיה להם עסק בנסתרות כ"א יחידי סגולי הדור כר"ש בן יוחאי ודוגמתו, אשר קצו ומאסו בהבלי העה"ז...

We find in [statements of] the Rabbis, may their memory be blessed, that deep things, the comprehension of which are difficult, are compared to tendons... And this commandment is a hint for the [future] generations to prevent Israel from hidden (mystical) investigations; as [Ben Sira] said, "You have no businesses in hidden things." For one should be concerned [about this], lest their minds be destroyed, and they come to heresy. As the many will not have the wisdom to understand the secrets properly, because their minds travel through the muddled valley. [This is] because the vanities of this world and its pleasures confuse the mind of man... And if this setback temporarily occurred to the perfect Jacob when he veered a little from the even path, what will the 'hyssop of the wall' (average people) - whose primary occupation is with the vanities of this world and its pleasures - do? Therefore, they should not be occupied with hidden things, except for the special few, like R. Shimon Bar Yochai and his likeness - who become repulsed by, and renounce, the vanities of this world.

- *A more mystical approach is suggested by the Kli Yakar. The commandment is a deterrent to unworthy individuals who try and uncover the hidden Torah.*

### **12. Tur HaAroch, Bereishit 32:26,33 (Eliyahu Munk tr.) [Germany-Spain, 1269-1343]**

וי"מ שכיון לעשותו בעל מום לפוסלו מן העבודה על שלקח הבכורה מעשו כיון שעבוד' בבכורים :

Some commentators claim that the angel tried to inflict a disabling blow on Yaakov, one that would disqualify him from performing service on the altar, as a penalty for his having taken the birth right from Esau, i.e., Esau's privilege to perform such service for G-d. on the altar. Prior to the building of the Tabernacle all such service was performed by the firstborn of each Jewish household.

- *On a practical level, the angel was trying to injure Yaakov in order to disqualify him from the birthright he had acquired from Esav.*
- *Yaakov tried to imitate Esav his entire life, starting by grabbing his heel when they left the womb. Yaakov's transition to Israel, a person of his own right, was finally completed when Esav's guardian angel grabbed Yaakov's thigh. This idea is brought forth by Rabbi Sacks z"l.*

### **13. Rabbi Sacks, Vayishlach 5780 [England, 1948-2020]**

<https://rabbisacks.org/wp-content/uploads/2019/12/CC-5780-No-Longer-You-Be-Called-Jacob-Vayishlach-5780-1-1.pdf>

<https://rabbisacks.org/covenant-conversation-5768-vayishlach-jacob-wrestling/>

The fact that Jacob and Esau were twins is fundamental. Their relationship is one of the classic cases of sibling rivalry. Key to understanding their story is what Rene Girard called mimetic desire: the desire to have what someone else has, because they have it. Ultimately, this is the desire to be someone else.

That is what the name Jacob signifies. It is the name he acquired because he was born holding on to his brother Esau's heel. That was consistently his posture during the key events of his early life. He bought his brother's birthright. He wore his brother's clothes. At his mother's request, he took his brother's blessing. When asked by his father, "Who are you, my son?" He replied, "I am Esau, your firstborn."

Jacob was the man who wanted be Esau. Why so? Because Esau had one thing he did not have: his father's love. "Isaac, who had a taste for wild game, loved Esau, but Rebecca loved Jacob."

**All that changed in the great wrestling match between Jacob and the unknown stranger.** Our Sages teach us that this stranger was an angel in disguise. After they fight, he tells Jacob that his name would now be Israel. The stated explanation of this name is: “for you have wrestled with G-d and with man and have prevailed.” It also resonates with two other senses. Sar means “prince, royalty.” *Yashar* means “upright.” Both of these are in sharp contrast with the name “Jacob,” one who “holds on to his brother’s heel.”

How then are we to understand what, first the stranger, then G-d, said to Jacob? *Not as a statement, but as a request, a challenge, an invitation.* Read it not as, “You will no longer be called Jacob but Israel.” Instead read it as, “*Let your name no longer be Jacob but Israel,*” meaning, “Act in such a way that this is what people call you.” *Be a prince. Be royalty. Be upright. Be yourself. Don’t long to be someone else.* This would turn out to be a challenge not just then but many times in the Jewish future.

Often, Jews have been content to be themselves. But from time to time, they have come into contact with a civilisation whose intellectual, cultural and even spiritual sophistication was undeniable. It made them feel awkward, inferior, like a villager who comes to a city for the first time. Jews lapsed into the condition of Jacob. They wanted to be someone else.

The first time we hear this is in the words of the Prophet Ezekiel: “You say, ‘We want to be like the nations, like the peoples of the world, who serve wood and stone.’ But what you have in mind will never happen” (Ez. 20:32). In Babylon, the people encountered an impressive empire whose military and economic success contrasted radically with their own condition of exile and defeat. Some wanted to stop being Jews and become someone else, anyone else.

We hear it again in the days of the Greeks. Some Jews became Hellenised. We recognise that in the names of High Priests like Jason and Menelaus. The battle against this is the story of Chanukah. Something similar happened in the days of Rome. Josephus was one of those who went over to the other side, though he remained a defender of Judaism.

It happened again during the Enlightenment. Jews fell in love with European culture. With philosophers like Kant and Hegel, poets like Goethe and Schiller, and musicians like Mozart and Beethoven. Some were able to integrate this with faithfulness to Judaism as creed and deed – figures like Rabbis Samson Raphael Hirsch and Nehemiah Nobel. But some did not. They left the fold. They changed their names. They hid their identity. None of us is entitled to be critical of what they did. The combined impact of intellectual challenge, social change, and incendiary antisemitism was immense. Yet this was a Jacob response, not an Israel one.

It is happening today in large swathes of the Jewish world. Jews have overachieved. Judaism, with some notable exceptions, has underachieved. There are Jews at or near the top of almost every field of human endeavour today, but all too many have either abandoned their religious heritage or are indifferent to it. For them, being Jewish is a slender ethnicity, too thin to be transmitted to the future, too hollow to inspire.

We have waited so long for what we have today and have never had simultaneously before in all of Jewish history: independence and sovereignty in the state of Israel, freedom and equality in the diaspora. Almost everything that a hundred generations of our ancestors prayed for has been given to us. Will we really (in Lin-Manuel Miranda’s phrase) throw away our shot? Will we be Israel? Or will we show, to our shame, that we have not yet outlived the name of Jacob, the person who wanted to be someone else? Jacob was often fearful because he was not sure who he wanted to be, himself or his brother. That is why G-d said to him, “Let your name not be Jacob but Israel.” When you are afraid, and unsure of who you are, you are Jacob. When you are strong in yourself, as yourself, you are Israel.

*The fact that the Torah and tradition still use the word Jacob, not just Israel, tells us that the problem has not disappeared.* Jacob seems to have wrestled with this throughout his life, and we still do today. It takes courage to be different, a minority, countercultural. It’s easy to live for the moment like Esau, or to “be like the peoples of the world” as Ezekiel said.

**I believe the challenge issued by the angel still echoes today. Are we Jacob, embarrassed by who we are? Or are we Israel, with the courage to stand upright and walk tall in the path of faith?**

- *Yaakov’s struggle didn’t end with his fight with the angel, it followed him his entire life and the lessons resonate with us to this day.*

- *Finally, a beautiful rendition from the verses of Yaakov's battle by Mordechai Ben David.*

**14. Venisgav, Mordechai Ben David Kumzitz**

[https://www.youtube.com/watch?v=9QRI8vqD\\_Ss](https://www.youtube.com/watch?v=9QRI8vqD_Ss)

- *Many reasons are given behind Yaakov's battle and his injury- rational, mystical, Midrashic, symbolic and several more. They speak to the different ways of viewing a story and interpreting it's meaning. This is one of the wonders of Torah, which we can celebrate on Shavuot. There is no one correct way to understand an event or a mitzvah. The beauty is being able to see the Torah and it's teaching in many lights, helping us reach a more complete understanding.*
- *How does the Rambam explain Yaakov's encounter with the angel?*
- *What are some of the reasons suggested by the various commentators for Yaakov's struggle with the angel, his injury, and the prohibition that followed?*
- *What message is Rabbi Sacks trying to teach from Yaakov's battle and how does he arrive at it?*

## Honi the Circle-Drawer: Can Man Interfere With Nature?

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*The story of Honi the Circle-Drawer is a remarkable event brought in the Gemara.*

### 1. Masechet Ta'anit 23a (William Davidson tr.)

ת"ר פעם אחת יצא רוב אדר ולא ירדו גשמים שלחו לחוני המעגל התפלל וירדו גשמים התפלל ולא ירדו גשמים עג עוגה ועמד בתוכה כדרך שעשה חבקוק הנביא שנאמר (חבקוק ב, א) על משמרתני אעמדה ואתיצבה על מצור וגו'

**The Sages taught: Once, most of the month of Adar had passed but rain had still not fallen. They sent this message to Honi HaMe'aggel: Pray, and rain will fall. He prayed, but no rain fell. He drew a circle in the dust and stood inside it, in the manner that the prophet Habakkuk did, as it is stated: "And I will stand upon my watch and set myself upon the tower, and I will look out to see what He will say to me, and what I shall answer when I am reproved"** (Habakkuk 2:1). This verse is taken to mean that Habakkuk fashioned a kind of prison for himself where he sat.

אמר לפניו רבונו של עולם בניך שמו פניהם עלי שאני כבן בית לפניך נשבע אני בשמך הגדול שאיני זז מכאן עד שתרחם על בניך התחילו גשמים מנטפין אמרו לו תלמידיו רבי ראינוך ולא נמות כמדומין אנו שאין גשמים יורדין אלא להתיר שבועתך

**Honi said before G-d: Master of the Universe, Your children have turned their faces toward me, as I am like a member of Your household. Therefore, I take an oath by Your great name that I will not move from here until you have mercy upon Your children** and answer their prayers for rain. **Rain began to trickle down, but only in small droplets. His students said to him: Rabbi, we have seen that you can perform great wonders, but this quantity of rain is not enough to ensure that we will not die. It appears to us that a small amount of rain is falling only to enable you to dissolve your oath, but it is not nearly enough to save us.**

אמר לא כך שאלתי אלא גשמי בורות שיחין ומערות ירדו בזעף עד שכל טפה וטפה כמלא פי חבית ושיערו חכמים שאין טפה פחותה מלוג אמרו לו תלמידיו רבי ראינוך ולא נמות כמדומין אנו שאין גשמים יורדין אלא לאבד העולם

**Honi said to G-d: I did not ask for this, but for rain to fill the cisterns, ditches, and caves. Rain began to fall furiously, until each and every drop was as big as the mouth of a barrel, and the Sages estimated that no drop was less than a log in size. His students said to him: Rabbi, we have seen that you can call on G-d to perform miracles and we will not die, but now it appears to us that rain is falling only to destroy the world.**

אמר לפניו לא כך שאלתי אלא גשמי רצון ברכה ונדבה ירדו כתיקנן עד שעלו כל העם להר הבית מפני הגשמים אמרו לו רבי כשם שהתפללת שירדו כך התפלל וילכו להם אמר להם כך מקובלני שאין מתפללין על רוב הטובה

**Honi again said before G-d: I did not ask for this harmful rain either, but for rain of benevolence, blessing, and generosity. Subsequently, the rains fell in their standard manner, until all of the people sought higher ground and ascended to the Temple Mount due to the rain. They said to him: Rabbi, just as you prayed that the rains should fall, so too, pray that they should stop. He said to them: This is the tradition that I received, that one does not pray over an excess of good.**

אעפ"כ הביאו לי פר הודאה הביאו לו פר הודאה סמך שתי ידיו עליו ואמר לפניו רבש"ע עמך ישראל שהוצאת ממצרים אינן יכולין לא ברוב טובה ולא ברוב פורענות כעסת עליהם אינן יכולין לעמוד השפעת עליהם טובה אינן יכולין לעמוד יהי רצון מלפניך שיפסקו הגשמים ויהא ריוח בעולם מיד נשבה הרוח ונתפזרו העבים וזרחה החמה ויצאו העם לשדה והביאו להם כמהין ופטרתיות

**Honi continued: Nevertheless, bring me a bull. I will sacrifice it as a thanks-offering and pray at the same time. They brought him a bull for a thanks-offering. He placed his two hands on its head and said before G-d: Master of the Universe, Your nation Israel, whom You brought out of Egypt, cannot bear either an excess of good or an excess of punishment. You grew angry with them and withheld rain, and they are unable to bear it. You bestowed upon them too much good, and they were also unable to bear it. May it be Your will that the rain stop and that there be relief for the world. Immediately, the wind blew, the clouds dispersed, the sun shone, and everyone went out to the fields and gathered for themselves truffles and mushrooms that had sprouted in the strong rain.**

שלח לו שמעון בן שטח אלמלא חוני אתה גוזרני עליך נידוי שאילו שנים כשני אליהו שמפתחות גשמים בידו של אליהו לא נמצא שם שמים מתחלל על ידך

**Shimon ben Shetaḥ relayed to Honi HaMe'aggel: If you were not Honi, I would have decreed ostracism upon you. For were these years like the years of Elijah, when the keys of rain were entrusted in Elijah's**

**hands**, and he swore it would not rain, **wouldn't the name of Heaven have been desecrated by your** oath not to leave the circle until it rained? Once you have pronounced this oath, either yours or Elijah's must be falsified. אבל מה אעשה לך שאתה מתחטא לפני המקום ועושה לך רצונך כבן שמתחטא על אביו ועושה לו רצונו ואומר לו אבא הולכיני לרחצני בחמין שטפני בצונן תן לי אגוזים שקדים אפרסקים ורמונים ונותן לו ועליך הכתוב אומר (משלי כג, כה) ישמח אביך ואמך ותגל יולדתך. **However, what can I do to you, as you nag G-d and He does your bidding, like a son who nags his father and his father does his bidding. And the son says to his father: Father, take me to be bathed in hot water; wash me with cold water; give me nuts, almonds, peaches, and pomegranates. And his father gives him. About you, the verse states: "Your father and mother will be glad and she who bore you will rejoice"** (Proverbs 23:25).

- *After reading the story, here are some questions to I would like to discuss:  
Firstly, is it justifiable to turn to an individual to ask for rain?  
Secondly, when turning to an individual, what challenges might that present?  
And third, what can we learn from this event and how can it positively affect us?*
- *Before addressing those questions, let us discuss Honi's name. The Gemara never mentions where Honi received his nickname from. HaMe'aggel is commonly translated as circle-drawer, derived from the Hebrew word ma'agal-circle. However, another suggestion is possible.*

## 2. Mishnah Makkot 2:1 (Dr. Joshua Kulp tr.)

אלו הן הגולין, שהורג נפש בשגגה. היתה מעגל במעגילה ונפלה עליו והרגתו

The following go into banishment: one who kills in error. If [for instance] while **he was pushing a roller** [on the roof] and it fell down and killed somebody.

- *An additional translation of the word is a profession- someone who pushes a roller on a roof, similar to a painter. It was common that Sages had other jobs as well and it's possible that's where Honi's nickname originated from.*
- *Is it permissible to turn to an individual?*

## Order of the fasts in case of a drought (Based on Mishnah Ta'anit 1:4-7)

- 17<sup>th</sup> of Cheshvan- only individuals hold three fasts (1:4)
- Rosh Chodesh Kislev- the entire congregation holds three 'light' fasts (1:5)
- After the first three- the entire congregation holds three 'strict' fasts (1:6)
- After the second three- the entire congregation holds seven fasts (1:6)
- After the last seven, restrictions are instituted and only individuals fast until the end of Nissan (1:7)
- *Based on the Mishnayot, we see that turning to individuals was encouraged as the first step and as the last resort in case of a drought.*
- *Looking back at the story, during what month did it take place and how does that fit in with the different sets of fasts recorded in the Mishnah?*

## 3. Masechet Ta'anit 9a (William Davidson tr.)

א"ר יוחנן מטר בשביל יחיד... דכתיב (דברים כה, יב) יפתח ה' לך את אוצרו הטוב לתת מטר ארצך

**Rabbi Yohanan said: Rain falls even for the sake of an individual**, in response to the petition of a single person in need of rain... **as it is written: "The Lord will open for you His good treasure, the heavens, to give the rain of your land"** ([Deuteronomy 28:12](#)). The fact that this verse is written in the second person singular demonstrates that rain can fall even for the sake of an individual.

#### 4. Rashi, Masechet Ta'anit 9a

מטר בשביל יחיד - שאם א"צ מטר אלא לאדם אחד כגון שזרע אחר זמן זריעת בני אדם או שדר בעיר שכולה נכרים וצריך למטר בא בזכותו Rain for the sake of an individual- If no rain is needed except for one person, for example if he sowed after the sowing time of the people, or he lives in a city of all Gentiles and he needs rain, it comes in his merit.

- *From these sources we see that rain can fall in the merit of an individual.*

#### 5. Masechet Ketubot 5a (William Davidson tr.)

מיתבי (תהלים יט, ב) השמים מספרים כבוד א-ל ומעשה ידיו מגיד הרקיע הכי קאמר מעשה ידיהם של צדיקים מי מגיד הרקיע ומאי ניהו מטר

**The Gemara raises an objection: “The heavens declare the glory of G-d, and the firmament proclaims the work of His hands” (Psalms 19:2).** The heavens were created by His hands. The Gemara answers that **this** is what the verse is saying: **Who attests to the handiwork of the righteous**, that they are performing the will of G-d? It is **the heavens**. **And what is** the avenue through which the heavens do so? It is by means of **rain** that falls due to the prayers of the righteous.

#### 6. Rashi, Masechet Ketubot 5a

הכי קאמר – שהרקיע מעיד עליהם לבריות שהם צדיקים שמתפללין על הגשמים ומטר יורד

Is saying- The heavens testify on their behalf to the people that they are righteous, as they pray for rain and it rains.

- *Rain can also fall at the request of a righteous individual.*
- *Another well-known event relating to seemingly controlling nature, but this time stopping rain, was caused by Eliyahu.*

#### 7. Masechet Sanhedrin 113a (William Davidson tr.)

מיד (מלכים א ז, א) ויאמר אליהו התשבי מתושבי גלעד חי ה' אלוקי ישראל אם יהיה טל ומטר וגו' בעי רחמי והבו ליה אקלידא דמטרא וקם ואזל.

The verse relates Elijah's reaction: **Immediately: “And Elijah the Tishbite, who was of the inhabitants of Gilead, said to Ahab: As the Lord G-d of Israel lives, before whom I stand, there shall not be dew or rain these years, but according to my word” (I Kings 17:1).** Elijah **prayed for mercy and they gave him the key to rainfall** enabling him to dictate when it would rain, **and he arose and went.**

- *In Masechet Ta'anit there are other stories of individuals who were requested to bring rain, two of them being Honi's grandchildren.*
- *Clearly, turning to an individual is permissible and even encouraged, as the natural sequence of events in case of a drought, and there are many stories of such cases. But what challenges might arise from these actions?*
- *One possible concern is raised by חנן הנחבא - Chanan who Hides, Honi's grandson who was also blessed with the ability to influence rain through his prayers. He was named 'who hides' as he would hide from the people so they would not bestow any honor upon him.*

#### 8. Masechet Ta'anit 23b (William Davidson tr.)

אמר לפני הקב"ה רבש"ע עשה בשביל אלו שאין מכירין בין אבא דיהיב מיטרא לאבא דלא יהיב מיטרא

**He said before the Holy One, Blessed be He: Master of the Universe, act on behalf of these children, who cannot distinguish between their Father in Heaven, Who can provide rain, and the father who cannot provide rain.**

- *His concern was that the people would attest the rain to him and not to G-d.*

- A second concern is raised by Eliyahu, during a supernatural event when he seemed to be controlling the elements.

### 9. Masechet Berachot 6b (William Davidson tr.)

”עֲנֵנִי” — שִׁתְּרַד אֵשׁ מִן הַשָּׁמַיִם, וְ”עֲנֵנִי” — שְׁלֵא יֵאמְרוּ מִעֲשֵׂה כְשָׁפִים הֵם

In passing, the Gemara explains why it was necessary for Elijah to repeat, “answer me, Lord, answer me”: The first **answer me** was the request **that fire descend from the heavens, while** the second **answer me** was the request **that** Israel should accept complete faith in G-d and **not say that** the fire descending from the heavens **was an act of sorcery.**

- *Eliyahu’s concern was sorcery. That concern might seem irrelevant to us, but during those times there was a serious fear of sorcery.*
- *In a Mishna regarding the practice of hanging a corpse after execution, it’s mentioned that Shimon ben Shatah hanged 80 women for fear of witchcraft. As the leader of the generation, one of his main focuses was to eradicate witchcraft!*

### 10. Mishnah Sanhedrin 6:4 (William Davidson tr.)

הָאִישׁ תּוֹלֵן אוֹתוֹ פָּנָיו כְּלָפֵי הָעָם, וְהָאִשָּׁה פָּנֶיהָ כְּלָפֵי הָעֵץ, דְּבַרֵּי רַבִּי אֱלִיעֶזֶר. וְחֻכְמִים אוֹמְרִים, הָאִישׁ נִתְּלָה וְאִין הָאִשָּׁה נִתְּלִית. אָמַר לְהֵן רַבִּי אֱלִיעֶזֶר, וְהֵלֵא שְׁמַעוֹן בֶּן שִׁטָּח תְּלָה נָשִׁים בְּאַשְׁקְלוֹן. אָמְרוּ לוֹ, שְׁמַנִּים נָשִׁים תְּלָה, וְאִין דְּנִין שְׁנַיִם בְּיוֹם אֶחָד.

The corpse of **a man is hung facing the people, but** the corpse of **a woman**, out of modesty, is hung with **facing the tree**; this is **the statement of Rabbi Eliezer. And the Rabbis say:** the corpse of **a man is hung, but** the corpse of **a woman is not hung. Rabbi Eliezer said to the Rabbis: Did Shimon ben Shatah not hang in Ashkelon women** who were found guilty of witchcraft, proving that the corpse of a woman who is executed is also hung? **They said to him:** No proof can be brought from here, as **he hanged eighty women** on that day, **and** the *halakha* is that the same court **may not judge** even **two** people charged with capital transgressions **on the same day.** It is therefore clear that he was not acting in accordance with Torah law, but rather his execution of the eighty women was an extraordinary punishment necessitated by unusually pressing circumstances.

- *Looking back at the story of Honi in source 1. How do you understand the rebuke of Shimon ben Shatah now?*
- *Another concern can be found in the Gemara, where Honi is brought as an example of how someone who acts arrogantly towards G-d would normally merit excommunication.*

### 11. Masechet Berachot 19a (William Davidson tr.)

”הַמְּגִיִּס דְּעֵתוֹ כְּלָפֵי מַעְלָה” מַאי הִיא? — דְּתַנּוּ, שְׁלַח לוֹ שְׁמַעוֹן בֶּן שִׁטָּח לְחוּנֵי הַמְּעַגָּל: צָרִיךְ אַתָּה לְהַתְּנַדוֹת, וְאַלְמָלָא חוּנֵי אַתָּה גּוֹזְרֵנִי עֲלִיךְ נְדוּי, אֲבָל מָה אֶעֱשֶׂה שְׁאַתָּה מִתְּחַטֵּא לְפָנֵי הַמָּקוֹם וְעוֹשֶׂה לָּהּ רְצוֹנָה, כְּבֵן שְׂמִתְחַטֵּא לְפָנֵי אָבִיו וְעוֹשֶׂה לוֹ רְצוֹנוֹ. וְעֲלִיךְ הַכְּתוּב אוֹמֵר: ”יִשְׁמַח אָבִיךָ וְאִמְךָ וְתִגַּל יוֹלְדֹתֶיךָ”.

**What is the source for the third case, one who is arrogant vis-à-vis Heaven?** The mishna relates that Honi HaMe’aggel, the circle-drawer, drew a circle and stood inside it, and said that he would not leave the circle until it rained, and he went so far as to make demands in terms of the manner in which he wanted the rain to fall. After it rained, **Shimon ben Shatah**, the *Nasi* of the Sanhedrin, relayed to **Honi HaMe’aggel:** **Actually, you should be ostracized** for what you said, **and if you were not Honi, I would have decreed ostracism upon you, but what can I do? You nag G-d and He does your bidding, like a son who nags his father and his father does his bidding** without reprimand. After all, the rain fell as you requested. **About you, the verse states: “Your father and mother will be glad and she who bore you will rejoice” (Proverbs 23:25).** Apparently, one who is arrogant vis-à-vis Heaven would ordinarily merit excommunication.



## 12. Rashi, Masechet Ta'anit 23a

לא נמצא שם שמים מתחלל – בתמיהה שאלוהו נשבע חי ה' אם יהיה השנים האלה טל ומטר כי אם לפי דברי (מלכים א' יז) ואתה נשבע שאין אתה זו עד שירדו גשמים:  
נמצא שם שמים מתחלל על על ידך – דזה או זה בא לידי שבועת שוא:

Wouldn't the name of Heaven have been desecrated- In astonishment, as Eliyahu swore: As the Lord G-d of Israel lives, before whom I stand, there shall not be dew or rain these years, but according to my word" (I Kings 17:1). And you swear you will not move until it rains.

The name of Heaven has been desecrated by you- Since this or the other one will have sworn in vain.

- *How does Rashi explain the concern of Shimon ben Shatah- Honi swearing an oath in vain?*
- *We see that several real challenges can arise from the seemingly supernatural actions of an individual- not attesting it to G-d, witchcraft, arrogance and a possible desecration of G-d's name. Then why do these events occur? What positive effects and significance can these actions have?*

## 13. Bereishit Rabbah 13:7 (adapted Soncino tr.)

וְאָדָם אֵין לְעֵבֶד אֶת הָאֱלֹהִים (בראשית ב. ה) וְאָדָם אֵין לְהַעֲבִיד אֶת הַכְּרִיּוֹת לְהַקְדֹּשׁ בְּרוּךְ הוּא, כְּאֵלֶיהוּ וּכְחוּנֵי הַמַּעֲגֵל.

And there was not a man to till the ground (Bereishit 2:5): i.e. there is no man to make men serve the Holy One, blessed be He, as Elijah and Honi did.

- *The Midrash compares Honi to Eliyahu, as reaching a level of causing people serve G-d, through their actions.*

## 14. Masechet Ta'anit 23a (William Davidson tr.)

תנו רבנן מה שלחו בני לשכת הגזית לחוני המעגל (איוב כב, כח) ותגזר אומר ויקם לך ועל דרכיך נגה אור

**The Sages taught: What message did the members of the Chamber of the Hewn Stone, the Great Sanhedrin, send to Honi HaMe'aggel?** About you, the verse states: **“You shall also decree a matter, and it shall be established for you; and the light shall shine upon your ways.** When they cast down, you will say: There is lifting up, for He saves the humble person. He will deliver the one who is not innocent, and he will be delivered through the cleanness of your hands” (Job 22:28–30).

ותגזר אומר אתה גזרת מלמטה והקדוש ברוך הוא מקיים מאמריך מלמעלה ועל דרכיך נגה אור דור שהיה אפל הארת בתפלתך  
They interpreted: **“You shall also decree a matter”**; you, Honi, decree from below, and the Holy One, Blessed be He, fulfills your statement from above. **“And the light shall shine upon your ways”**; a generation that was in darkness, you have illuminated it with your prayer.

כי השפילו ותאמר גוה דור שהיה שפל הגבהתו בתפלתך ושה עינים יושיע דור ששה בעונו הושעתו בתפלתך ימלט אי נקי דור שלא היה נקי מלסתו בתפלתך ונמלט בבור כפיך מלסתו במעשה ידיך הברורין

**“When they cast down, you will say: There is lifting up”**; a generation that was cast down, you lifted it up with your prayer. **“For He saves the humble person”**; a generation that was humble in its transgression, you saved it through your prayer. **“He will deliver the one who is not innocent”**; a generation that was not innocent, you have delivered it through your prayer. **“And he will be delivered through the cleanness of your hands”**; you have delivered an undeserving generation through the clean work of your hands.

- *The Sages immediate response to Honi's actions is crediting him with saving the entire generation through the powerful demonstration and influence of his prayers.*
- *Why aren't they emphasizing the economic relief Honi brought to the land through the rain? Why is their focus the religious effect it had on the nation?*

## 15. Devarim 11:10-17 (Chabad tr.)

**10** For the land to which you are coming to possess is not like the land of Egypt, out of which you came, where you sowed your seed and which you watered by foot, like a vegetable garden. **כִּי הָאָרֶץ אֲשֶׁר אֲתָהּ בֹאֲשֶׁמָּה לְרִשְׁתָּהּ לֹא כְאֶרֶץ מִצְרַיִם הִוא אֲשֶׁר יִצְאֲתֶם מִשָּׁם אֲשֶׁר תִּזְרַע אֶת-יְרֵעֶךָ וְהִשְׁקִיתָ בְּרַגְלֶךָ כְּגַן הַיָּרֵק:**

**11** But the land, to which you pass to possess, is a land of mountains and valleys and absorbs water from the rains of heaven, **יֵאָרֶץ וְהָאָרֶץ אֲשֶׁר אַתֶּם עֹבְרִים לְשָׂמָּה לְרִשְׁתָּהּ אֶרֶץ הַרִים וּבְקִעֹת לְמַטֵּר הַשָּׁמַיִם תִּשְׁתַּה-מַּיִם:**

**12** a land the Lord, your G-d, looks after; the eyes of Lord your G-d are always upon it, from the beginning of the year to the end of the year. **יֵב אֶרֶץ אֲשֶׁר-ה' אֱלֹהֶיךָ דֹרֵשׁ אֹתָהּ תָּמִיד עֵינָיו ה' אֱלֹהֶיךָ כִּי מְרִשִׁית הַשָּׁנָה וְעַד אַחֲרִית שָׁנָה:**

**13** And it will be, if you hearken to My commandments that I command you this day to love the Lord, your G-d, and to serve Him with all your heart and with all your soul, **יֵב וְהָיָה אִם-שָׁמַעַתְּ תִשְׁמַעוּ אֶל-מִצְוֹתַי אֲשֶׁר אֲנֹכִי מִצְוֶה אֲתֶכֶם הַיּוֹם לְאַהֲבָה אֶת-ה' אֱלֹהֵיכֶם וּלְעִבְדוֹ בְּכָל-לִבְבְּכֶם וּבְכָל-נַפְשְׁכֶם:**

**14** I will give the rain of your land at its time, the early rain and the latter rain, and you will gather in your grain, your wine, and your oil. **יֵב וְנָתַתִּי מַטְר-אֲרָצְכֶם בְּעֵתוֹ יוֹרֵה וּמַלְקוֹשׁ וְאֶסְפֹּף דְגָנְךָ וְתִירְשֶׁךָ וְיִצְהַרְךָ:**

**15** And I will give grass in your field for your livestock, and you will eat and be sated. **טו וְנָתַתִּי עֵשֶׂב בְּשָׂדֶךָ לְבִהֲמֹתֶךָ וְאָכַלְתָּ וּשְׂבַעְתָּ:**

**16** Beware, lest your heart be misled, and you turn away and worship strange gods and prostrate yourselves before them. **טז הִשְׁמְרוּ לְכֶם פְּנֵי-יְפֹתֶיךָ לְבַבְכֶם וְסַרְתֶּם וְעַבַדְתֶּם אֱלֹהִים אֲחֵרִים וְהִשְׁתַּחֲוִיתֶם לָהֶם:**

**17** And the wrath of the Lord will be kindled against you, and He will close off the heavens, and there will be no rain, and the ground will not give its produce, and you will perish quickly from upon the good land that the Lord gives you. **יז וְחַרָּה אַפָּי-כֶם בְּכֶם וְעָצַר אֶת-הַשָּׁמַיִם וְלֹא-יִהְיֶה מַטְר וְהָאֲדָמָה לֹא תִתֵּן אֶת-יְבוּלָהּ וְאָבַדְתֶּם מִהָרָה מֵעַל הָאָרֶץ הַטֹּבָה אֲשֶׁר ה' נָתַן לָכֶם:**

- *There's a special role for rain in the climate of the land of Israel. As we just saw in the pesukim, it's directly related to the relationship between the people and G-d. When there are no obvious miracles, rain becomes the tool with which we can see G-d's involvement and view his part in this seemingly natural occurrence. But the biggest fear arises from those who choose not to see G-d's handiwork and influence but rather attest events to circumstance and random occurrence.*
- *This situation was what led Eliyahu to stop the rain (source 7). Yehoshua had placed a curse on whoever would rebuild the city of Jericho, that his all his children would die during the construction. Hiel did not heed the curse, and indeed, all his children died.*

## 16. Masechet Sanhedrin 113a (William Davidson tr.)

אחאב שושביניה הוה אתא איהו ואליהו למשאל בשלמא בי טמא יתיב וקאמר דילמא כי מילט יהושע הכי לט לא יריחו על שם עיר אחרת ולא עיר אחרת על שם יריחו א"ל אליהו אין אמר ליה השתא לווטתא דמשה לא קא מקיימא דכתיב (דברים יא, טז) וסרתם ועבדתם וגו' וכתיב וחרה אף ה' בכם ועצר את השמים וגו' וההוא גברא אוקים ליה עבודת כוכבים על כל תלם ותלם ולא שביק ליה מיטרא דמיזל מיסגד ליה לווטתא דיהושע תלמידיה מקיימא

**Ahab was Hiel's close friend and groomsman. He and Elijah came to inquire about Hiel's welfare in the house of mourning [bei tanya]. Hiel sat and said: Perhaps when Joshua cursed, this is what he cursed: Not to build Jericho even after changing its name to the name of another city, and not to build another city after giving it the name of Jericho. Elijah said to him: Yes, that is the curse. Ahab said to Elijah: Now the curse of Moses is not fulfilled, as it is written: "And you go astray and worship other G-ds," and it is written: "Then the Lord's anger will flare against you, and He will close the heavens, and there will be no rain" (Deuteronomy 11:16–17). And that man, referring to himself, established an object of idol worship on each and every furrow**

in the kingdom of Israel, **and the rain** is so plentiful that **it does not allow him to go and worship it; will the curse of his student, Joshua, be fulfilled?**

- *King Ahab claimed Hiel's children dying was circumstantial as how could it be that Yehoshua's curse would be fulfilled if Moshe's was not? What was Moshe's curse? As we saw in the verses in source 15, that no rain will fall if the nation worships idols. So how did Eliyahu react to Ahab? He stopped the rain! The most effective way of fighting the claim that events are circumstantial is through these supernatural events that can't be explained away- the only possible conclusion can be- it's from G-d.*
- *Yet in the story of Honi, there is no mention of any sins that caused the drought to occur. On the contrary, the years of Shimon ben Shatah were peaceful and plentiful.*

### 17. Vayikra Rabbah 38:10

מְעֹשֶׂה בְיָמֵי שְׁמֵעוֹן בֶּן שִׁטָּח וּבִימֵי שְׁלֹמֶזֶר הַמֶּלֶכָה שָׁהִיו גְּשָׁמִים יוֹרְדִים בְּלֵילֵי שַׁבָּתוֹת עַד שֶׁנִּצְעָשׂוּ חֲטָיִם כְּכִלְיוֹת וּשְׁעוּרִים כְּגִרְעֵינֵי הַזֵּיתִים וְעֲדָשִׁים כְּדִיָּרֵי זָהָב.

It happened during the days of Shimon ben Shatach and the days of queen Shlomzion that rain would fall on Shabbos eve until the wheat were the size of kidneys, the barley like olive pits and the lentils like gold dinars.

- *If we examine the story through a historical lens, the time of the Second Temple was a time of corruption and rebelliousness. Perhaps, during these rare abundant years, the people began to attribute the success and prosperity to themselves, forgetting G-d in the process. Then came the drought and Honi's actions to awaken them to the reality that everything is from G-d, strengthening their belief once more.*
- *A final lesson that can be learned from Honi is from the accounts of his death. One account can be found in the Babylonian Talmud.*

### 18. Masechet Ta'anit 23a (William Davidson tr.)

אמר ר' יוחנן כל ימיו של אותו צדיק היה מצטער על מקרא זה (תהלים קכב, א) שיר המעלות בשוב ה' את שיבת ציון היינו כחולמים אמר מי איכא דניים שבעין שנין בחלמא

**Rabbi Yoḥanan said: All the days of the life of that righteous man, Honi, he was distressed over the meaning of this verse: “A song of Ascents: When the Lord brought back those who returned to Zion, we were like those who dream” (Psalms 126:1). He said to himself: Is there really a person who can sleep and dream for seventy years?** How is it possible to compare the seventy-year exile in Babylonia to a dream?

יומא חד הוה אזל באורחא חזייה להווא גברא דהוה נטע חרובא אמר ליה האי עד כמה שנין טעין אמר ליה עד שבעין שנין אמר ליה פשיטא לך דחיית שבעין שנין אמר ליה האי [גברא] עלמא בחרובא אשכחתייה כי היכי דשתלי לי אבהתי שתלי נמי לבראי

**One day, he was walking along the road when he saw a certain man planting a carob tree. Honi said to him: This tree, after how many years will it bear fruit? The man said to him: It will not produce fruit until seventy years have passed. Honi said to him: Is it obvious to you that you will live seventy years, that you expect to benefit from this tree? He said to him: That man himself found a world full of carob trees. Just as my ancestors planted for me, I too am planting for my descendants.**

יתיב קא כריך ריפתא אתא ליה שינתא נים אהדרא ליה משונתא איכסי מעינא ונים שבעין שנין כי קם חזייה להווא גברא דהוה קא מלקט מינייהו אמר ליה את הוא דשתלתייה א"ל בר בריה אנא אמר ליה שמע מינה דניימי שבעין שנין חזא לחמריה דאתיילידא ליה רמכי רמכי

**Honi sat and ate bread. Sleep overcame him and he slept. A cliff formed around him, and he disappeared from sight and slept for seventy years. When he awoke, he saw a certain man gathering carobs from that tree. Honi said to him: Are you the one who planted this tree? The man said to him: I am his son's son. Honi said to him: I can learn from this that I have slept for seventy years, and indeed he saw that his donkey had sired several herds during those many years.**

אזל לביתיה אמר להו בריה דחוני המעגל מי קיים אמרו ליה בריה ליתא בר בריה איתא אמר להו אנא חוני המעגל לא הימנוהו אזל לבית המדרש שמעינהו לרבנן דקאמרי נהירן שמעתתין כבשני חוני המעגל דכי הוי עייל לבית מדרשא כל קושיא דהוה להו לרבנן הוה מפרק להו אמר להו אנא ניהו לא הימנוהו ולא עבדי ליה יקרא כדמבעי ליה חלש דעתיה בעי רחמי ומית אמר רבא היינו דאמרי אינשי או חברותא או מיתותא

**Honi went home and said to the members of the household: Is the son of Honi HaMe'aggel alive? They said to him: His son is no longer with us, but his son's son is alive. He said to them: I am Honi HaMe'aggel. They**

**did not believe him. He went to the study hall, where he heard the Sages say about one scholar: His halakhot are as enlightening and as clear as in the years of Honi HaMe'aggel, for when Honi HaMe'aggel would enter the study hall he would resolve for the Sages any difficulty they had. Honi said to them: I am he, but they did not believe him and did not pay him proper respect. Honi became very upset, prayed for mercy, and died. Rava said: This explains the folk saying that people say: Either friendship or death, as one who has no friends is better off dead.**

- *Honi was the Jewish Rip Van Winkle. He slept for 70 years and after awakening and not being recognized, he died. The Jerusalem Talmud records this story as well but attributes it to Honi's grandfather, named Hone HaMe'aggel (possibly giving credence to my first point, in source 2, that מעגל was Honi's profession and it ran in the family). This tragic story isn't what I wanted to focus on, but rather a different record of Honi's death, brought by Jewish-Roman historian Josephus in his book 'The Antiquities of the Jews'.*
- *This story is of two brothers who were fighting for control of the land, and one of them (Hyrchanus) placed a siege on the other (Aristobulus) and on Jerusalem.*

### **19. The Antiquities of the Jews 14:2:1 (William Whiston tr.)**

After these promises had been given to Aretas, he made an expedition against Aristobulus with an army of fifty thousand horse and foot and beat him in the battle. And when after that victory many went over to Hyrcanus as deserters, Aristobulus was left desolate, and fled to Jerusalem; upon which the king of Arabia took all his army, and made an assault upon the temple, and besieged Aristobulus therein, the people still supporting Hyrcanus, and assisting him in the siege, while none but the priests continued with Aristobulus. So Aretas united the forces of the Arabians and of the Jews together, and pressed on the siege vigorously. As this happened at the time when the feast of unleavened bread was celebrated, which we call the Passover, the principal men among the Jews left the country, and fled into Egypt. **Now there was one, whose name was Onias, a righteous man he was, and beloved of G-d, who, in a certain drought, had prayed to G-d to put an end to the intense heat, and whose prayers G-d had heard, and had sent them rain.** This man had hid himself, because he saw that this sedition would last a great while. However, they brought him to the Jewish camp, and desired, that as by his prayers he had once put an end to the drought, so he would in like manner make imprecations on Aristobulus and those of his faction. And when, upon his refusal, and the excuses that he made, he was still by the multitude compelled to speak, he stood up in the midst of them, and said, "O G-d, the King of the whole world! since those that stand now with me are thy people, and those that are besieged are also thy priests, I beseech thee, that thou wilt neither hearken to the prayers of those against these, nor bring to effect what these pray against those." Whereupon such wicked Jews as stood about him, as soon as he had made this prayer, stoned him to death.

- *The record tells us that a man named Onias, who was able to bring rain through his prayers was captured by Hyrcanus's men and commanded to pray for the fall of Aristobulus. However, he prayed to G-d not to listen to either faction and they killed him.*
- *The historical timeline fits the time Honi was alive, and the explanation of his previous actions sounds remarkably familiar. Even if it was not the same man, the message is still clear. There were those who misunderstood the lessons from Honi's story, they saw him as someone who was able to bend G-d to his will through his prayers. Instead of using his relationship with G-d for unity, they tried to use it for divisiveness.*
- *This teaches us that there is a fine line when interpreting these seemingly supernatural events. It can be used to unite and strengthen out belief in G-d, but on the other hand can lead to a desecration of G-d's name and believing in a human ability to control G-d and nature.*
- *When can we turn to individuals to pray for rain?*
- *What are some of the concerns that may arise through such an individual's actions?*
- *What are some of the benefits that may arise through these actions?*
- *What lesson can we learn from the tragic record of Honi's death?*

## Did Moshe Know EVERYTHING?

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Why I chose this Shiur – Seeing as how Shavuot is a celebration of the receiving of the Torah at Mount Sinai, I decided to add a class that relates to this topic.

*Exactly how much did Moshe Rabeinu know? What was written down? What was he given at Har Sinai?*

### **1. Shemot 34:27**

וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה כְּתֹב־לְךָ אֶת־הַדְּבָרִים הָאֵלֶּה כִּי־עַל־פִּי וְהַדְּבָרִים הָאֵלֶּה כְּתַבְתִּי אִתְּךָ בְּרִית וְאֶת־יִשְׂרָאֵל:

And the LORD said to Moses: Write down these commandments, for in accordance with these commandments I make a covenant with you and with Israel.

- *Moshe is told to write 'these commandment' but what were they?*

### **2. Shemot Rabbah 47:1**

כְּתֹב לְךָ אֶת הַדְּבָרִים הָאֵלֶּה, הִדָּא הוּא דְכְתִיב (הושע ח, יב): אֶכְתֹּב לּוֹ רַבִּי תוֹרָתִי כְמוֹ זֶר נִחְשְׁבוּ,

'Inscribe those words for yourself [for according to those words I have formed a covenant with you and with Israel]' As it is stated: 'I write for them the great things of My law like strange things they are considered.'

- *Why is the Midrash quoting Hoshea? What does this indicate?*

### **3. Hoshea 8 (11-13)**

(יא) כִּי־הִרְבָּה אֲפֻרִים מִזְבְּחֹת לַחֲטָא הַיּוֹלֵוּ מִזְבְּחֹת לַחֲטָא: (יב) אַכְתוּב־אֶכְתֹּב־לּוֹ רַבּוֹ רַבִּי תוֹרָתִי כְמוֹ־זֶר נִחְשְׁבוּ: (יג) זָכַרְתִּי הַבְּהֵמִי וְזָבָחוּ בְשֹׁר וַיֵּאָלְלוּ יְהוָה לֹא רָצָם עֲתָה יִזְכָּר עֲוֹנָם וַיִּפְקֹד חַטֹּאתֵם הִמָּה מִצְרִים יִשׁוּבוּ:

11. For Ephraim has multiplied altars—for guilt; His altars have redounded to his guilt: 12. The many teachings I wrote for him Have been treated as something alien. 13. When they present sacrifices to Me, It is but flesh for them to eat: The LORD has not accepted them. Behold, He remembers their iniquity, He will punish their sins: Back to Egypt with them!

- *Indicating the extent that the people had unfortunately ignored the Torah and G-d's teachings*
- *So what precisely is included?*

### **4. Shemot Rabbah 47:1 continued**

בְּשַׁעַת שְׁנֵיגְלָה הַקְּדוּשׁ בְּרוּךְ הוּא בְּסִינַי לַמֶּן תוֹרָה לְיִשְׂרָאֵל, אָמְרָה לְמֹשֶׁה עַל הַסֵּדֶר מִקְרָא וּמִשְׁנָה תַלְמוּד וְהַאֲגָדָה, שְׁנֵי אֲמָר (שמות כ, א): וַיְנַדְּבֵר אֱלֹקִים אֶת כָּל הַדְּבָרִים הָאֵלֶּה, אָפְלוּ מֵה שֶׁהִתְלַמֵּד שׁוֹאֵל לְרַב אָמַר הַקְּדוּשׁ בְּרוּךְ הוּא לְמֹשֶׁה בְּאוֹתָהּ שַׁעַת . מֵאַחַר שֶׁלְמַדָּה מִפִּי הַקְּדוּשׁ בְּרוּךְ הוּא, אָמַר לּוֹ לְמַדָּה לְיִשְׂרָאֵל.

אָמַר לְפָנָיו רַבּוֹנוֹ שֶׁל עוֹלָם אֶכְתֹּב אוֹתָהּ לָהֶם, אָמַר לּוֹ אֵינִי מִבְקָשׁ לְתַנְּנָה לָהֶם בְּכֹתֵב, מִפְּנֵי שֶׁגִּלּוּי לְפָנָי שְׁעוֹבָדֵי כּוֹכָבִים עֲתִידִים לְשַׁלֵּט בָּהֶם וְלַטֵּל אוֹתָהּ מֵהֶם וַיְהִי בְּזוּיִים בְּעוֹבְדֵי כּוֹכָבִים, אֵלֶּה הַמִּקְרָא אֵינִי נוֹתֵן לָהֶם בְּמִכְתָּב, וְהַמִּשְׁנָה וְהַתַּלְמוּד וְהַאֲגָדָה אֵינִי נוֹתֵן לָהֶם עַל פִּיהֶם, שְׁאֵם יְבוֹאוּ עוֹבְדֵי כּוֹכָבִים וַיִּשְׁמַעְעֲבְדוּ בָּהֶם יְהִי מְבַדְּלִים מֵהֶם.

אָמַר לְנִבְיָא אִם אֶכְתֹּב לּוֹ רַבִּי תוֹרָתִי כְמוֹ זֶר נִחְשְׁבוּ, וְיָמָּה אֵינִי עוֹשֶׂה לָהֶם, נוֹתֵן אֶת הַמִּקְרָא בְּכֹתֵב, וְהַמִּשְׁנָה וְהַתַּלְמוּד וְהַאֲגָדָה בְּעַל פִּיהֶם. כְּתֹב זֶה הַמִּקְרָא, (שמות לד, כז): כִּי עַל פִּי הַדְּבָרִים הָאֵלֶּה זֶה הַמִּשְׁנָה וְהַתַּלְמוּד, שֶׁהֵם מְבַדְּלִים בֵּין יִשְׂרָאֵל לְבֵין הָעוֹבְדֵי כּוֹכָבִים.

When G-d revealed Himself at Sinai to give the Torah to Israel, He said [taught] to Moses the following order: Bible, Mishnah, Talmud, and Aggadah, as it says: "G-d spoke all these words, saying", even what a student will ask his teacher.

G-d then said to Moses, after he had learnt it from the mouth of G-d, "Teach it to Israel".

Moshe said, "G-d! Should I write it down?"

G-d replied "I am not asking you to give it to them in writing because it is known to Me that in the future the nations will rule over them, and take it [the Torah] from them, and it will be degraded by the nations. So, the

Scriptures I will give them in writing but the Mishna, Talmud and Aggadah I will give orally. If the nations will enslave them, the Jews will be different [unique] to the nations.

He said to the prophet (Hoshea) 'If I write for them the great things of My law, they will be considered like strangers.' And what am I [G-d] going to do? I will give them the Bible written, the Mishna, Talmud and Aggadah orally. 'Inscribe those words for yourself' 'Inscribe' refers to the Bible, 'for according to those words' refer to the Mishna and Talmud, for those are what separates the Jews from the nations.

- *But did Moshe really receive all Torah that will ever be learned?*

### 5. Talmud Menachot 29b (William Davidson Translation)

אמר רב יהודה אמר רב: בשעה שעלה משה למרום מצאו להקב"ה שיושב וקושר כתרים לאותיות. אמר לפניו, רבש"ע מי מעכב על ידך? אמר לו: אדם אחד יש שעתידי להיות בסוף כמה דורות ועקיבא בן יוסף שמו שעתידי לדרוש על כל קוץ וקוץ תילין תילין של הלכות. אמר לפניו: רבש"ע הראהו לי. אמר לו: חזור לאחורך. הלך וישב בסוף שמונה שורות, ולא היה יודע מה הן אומרים. תשש כחו. כיון שהגיע לדבר אחד אמרו לו תלמידיו: רבי, מנין לך? אמר להן: הלכה למשה מסיני. נתיישבה דעתו.

Rav Yehuda says that Rav says: When Moses ascended on High, he found the Holy One, Blessed be He, sitting and tying crowns on the letters of the Torah. Moses said before G-d: Master of the Universe, who is preventing You from giving the Torah without these additions? G-d said to him: There is a man who is destined to be born after several generations, and Akiva ben Yosef is his name; he is destined to derive from each and every thorn of these crowns mounds upon mounds of *halakhot*. It is for his sake that the crowns must be added to the letters of the Torah.

Moses said before G-d: Master of the Universe, show him to me. G-d said to him: Return behind you. Moses went and sat at the end of the eighth row in Rabbi Akiva's study hall and did not understand what they were saying. Moses' strength waned, as he thought his Torah knowledge was deficient. When Rabbi Akiva arrived at the discussion of one matter, his students said to him: My teacher, from where do you derive this? Rabbi Akiva said to them: It is a halakha transmitted to Moses from Sinai. When Moses heard this, his mind was put at ease, as this too was part of the Torah that he was to receive.

- *Why couldn't Moshe follow in Rabbi Akiva's class? Look at sources 6-9*

### 6. Rashi Menachot 29b

נתיישבה דעתו - של משה הואיל ומשמו אומר אף על פי שעדיין לא קיבלה.

his soul was at ease- Moshe felt better since Rabbi Akiva said it in his name, even though moshe hadn't received it yet

### 7. Shemot Rabbah 41:6

(ו)...כל התורה למד משה?! כתיב בתורה (איוב יא): ארוכה מארץ מדה ורחבה מני ים, ולא רבעים יום למדה משה?! אלא כללים למדהו הקב"ה למשה.

Did Moshe learn the whole Torah?! It is written "It is longer than the land and wider than the sea" (Iyov 11) and Moshe learned it in forty days?! Rather, Hakadosh Baruch Hu taught Moshe general principles.

### 8. Sefer HaIkarim 3:23 (Rabbi Joseph Albo Composed in Castille (1425 CE))

במשפטים והדברים הנפעלים הם רבים מאד משיכללם ספר, על כן נתנו למשה בסיני על פה דרכים כוללים נרמזו בתורה בקצרה כדי שעלידם יוציאו החכמים שבכל דור ודור הפרטים המתחדשים

The laws and things that are acted upon are many more than can be told, therefore Moshe was given at Sinai the ways and rules that hinted at the Torah in short, so that on them the Rabbis learn out in every generation the new explanations.

## 9. Maharal (R. Yehudah Loeb b. R. Bezalel 16th century Prague) Menachot 29b

ואתה אל תתמה מה שאמרו כי לא ידע מרע"ה מאי קאמרי, ותאמר ח"ו כי מדריגת ר"ע היה יותר מן משה רבינו ע"ה [ח"ו] לומר כך. אבל הכל נאמר על ענין זה, שלא היה למשה רבינו ע"ה חבור אל התגין. וזה מפני כי מרע"ה השגתו בכלל התורה שהיא תורה אחת כללית, שנאמר (דברים ד') וזאת התורה והתגין הם יוצאים מן האות והוא השגה על השגה. ומשה היה מביט בהשגת התורה עצמה, ולכך במה שהיה משיג התורה בנבואה לא היה משיג עם זה השגת התגין. ואם היה משה מביט ומשיג השגת התורה בעצמה בנבואה והיה משיג התגין שהם על האותיות, היה מדריגתו יותר שהיה משיג בנבואה התגין שהם על האותיות שהוא השגה מתוך השגה, וזה בודאי השגה יותר עליונה. ור"ע שלא היה משיג השגת התורה בנבואה, ולכך היה משיג התגין ג"כ שהם השגות וענין שלא היה למשה רבינו ע"ה השגה בנבואה בהשגת הדקין שהם על התורה. ולא היה דורש אותם ג"כ בלא נבואה, כי משה רבינו ע"ה לא היה דורש רק את אשר משיג בנבואה, כי בנבואה נתנה לו כל התורה.

You should not be surprised that Moshe did not understand, don't say that Rabbi Akiva is on a higher level. But everything was said about this matter, which Moshe Rabbeinu did not have a connection to the Crowns. what Moshe received was through prophecy and not through his own efforts at trying to understand the Torah. Moshe didn't fail to understand what they were saying, rather he couldn't understand how Rabbi Akiva achieved it without prophecy.

## 10. Menachot 29b continued

חזר ובא לפני הקב"ה. אמר לפניו: רבונו של עולם יש לך אדם כזה ואתה נותן תורה ע"י? אמר לו: שתוק כך עלה במחשבה לפני. אמר לפניו: רבונו של עולם הראיתני תורתו הראני שכרו. אמר לו: חזור [לאחור]. חזר לאחוריו. ראה ששוקלין בשרו במקולין. אמר לפניו: רבש"ע זו תורה וזו שכרה? א"ל שתוק כך עלה במחשבה לפני.

Moses returned and came before the Holy One, Blessed be He, and said before Him: Master of the Universe, You have a man as great as this and yet You still choose to give the Torah through me. Why? G-d said to him: Be silent; this intention arose before Me. Moses said before G-d: Master of the Universe, You have shown me Rabbi Akiva's Torah, now show me his reward. G-d said to him: Return to where you were. Moses went back and saw that they were weighing Rabbi Akiva's flesh in a butcher shop [bemakkulin], as Rabbi Akiva was tortured to death by the Romans. Moses said before Him: Master of the Universe, this is Torah and this is its reward? G-d said to him: Be silent; this intention arose before Me.

*This may be hinting at another reason – some parts of the Torah and the working of G-d are simply beyond comprehension and since the Torah is from G-d there are elements that we will never truly comprehend.*

## Summary-

- How can Moshe know everything that will ever be taught yet be confused when sitting in Rabbi Akiva's classroom?
  - Rashi - Moshe really knew everything in Torah but not at the time when he sat in Rabbi Akiva's class
  - Shemot Rabbah, Sefer Halkarrim - Moshe wasn't given absolutely everything
  - Maharal miPrague - A matter of perspective
  - There will always be something that we don't understand, and the important question is whether we can live with that and place our trust in G-d

**1. Kings I Chapter 15**

(ט) ובשנת עשרים לירבעם מלך ישראל מלך אסא מלך יהודה: (י) וארבעים ואחת שנה מלך בירושלם ושם אמו מעכה בת-אבשלום: (יא) ונעש אסא הישר בעיני יקוק כדוד אביו: (יב) ויעבר הקדשים מן-הארץ ויסר את-פלהגללים אשר עשו אבותיו: (יג) וגם את-מעכה אמו ויסרה מגבירה אשר-עשתה מפלצת לאשרה ויכרת אסא את-מפלצתה וישרף בגחל קדרון: (יד) והבמות לא-סרו רק לבב-אסא הנה שלם עם-יקוק כל-ימיו: (טו) ויבא את-קדשי אביו וקדשו וקדשי בית יקוק כסף וזהב וכלים: (טז) ומלחמה היתה בין אסא ובין בעשא מלך-ישראל כל-ימיהם: (יז) ויעל בעשא מלך-ישראל על-יהודה ויבן את-הרמה לבלתי יצא ויבא לאסא מלך יהודה: (יח) ויקח אסא את-כל-הכסף והזהב הנותרים באוצרות בית-יקוק ואת-אוצרות בית מלך המלך ויתנם ביד-עבדיו וישלחם המלך אסא אל-בן-הנדב בן-טברמן בן-חזיון מלך ארם הישב בדמשק לאמר: (יט) ברית ביני ובינך בין אבי ובין אביך הנה שלחתי לך שחל כסף וזהב לך הברה את-בריתך את-בעשא מלך-ישראל ויעלה מעלי: (כ) וישמע בן-הנדב אל-המלך אסא וישלח את-שרי החילים אשר-לו על-ערי ישראל ויבן את-עיון ואת-דון ואת אבל בית-מעכה ואת כל-כנרות על כל-ארץ נפתלי: (כא) ויהי כשמע בעשא ויחזל מבנות את-הרמה וישב בתרצה: (כב) והמלך אסא השמיע את-כל-יהודה אין נקי וישאו את-אבני הרמה ואת-עציה אשר בנה בעשא ויבן בם המלך אסא את-גבע בנימן ואת-המצפה: (כג) ויתר כל-דבריי אסא וכל-גבורתו וכל-אשר עשה והערים אשר בנה הלא-תמה כתובים על-ספר דברי הימים למלכי יהודה רק לעת זקנתו חלה את-רגליו: (כד) וישכב אסא עם-אבותיו ויקבר עם-אבותיו בעיר דוד אביו וימלך יהושפט בנו תחתיו:

**9** And in the twentieth year of Jeroboam king of Israel began Asa to reign over Judah. **10** And forty and one years reigned he in Jerusalem; and his mother's name was Maacah the daughter of Abishalom. **11** And Asa did that which was right in the eyes of the LORD, as did David his father. **12** And he put away the sodomites out of the land, and removed all the idols that his fathers had made. **13** And also Maacah his mother he removed from being queen, because she had made an abominable image for an Asherah; and Asa cut down her image, and burnt it at the brook Kidron. **14** But the high places were not taken away; nevertheless the heart of Asa was whole with the LORD all his days. {S} **15** And he brought into the house of the LORD the things that his father had hallowed, and the things that himself had hallowed, silver, and gold, and vessels. **16** And there was war between Asa and Baasa king of Israel all their days. **17** And Baasa king of Israel went up against Judah, and built Ramah, that he might not suffer any to go out or come in to Asa king of Judah. **18** Then Asa took all the silver and the gold that were left in the treasures of the house of the LORD, and the treasures of the king's house, and delivered them into the hand of his servants; and king Asa sent them to Ben-hadad, the son of Tabrimmon, the son of Hezion, king of Aram, that dwelt at Damascus, saying: **19** 'There is a league between me and thee, between my father and thy father; behold, I have sent unto thee a present of silver and gold; go, break thy league with Baasa king of Israel, that he may depart from me.' **20** And Ben-hadad hearkened unto king Asa, and sent the captains of his armies against the cities of Israel, and smote Ijon, and Dan, and Abel-beth-maacah, and all Chinneroth, with all the land of Naphtali. **21** And it came to pass, when Baasa heard thereof, that he left off building Ramah, and dwelt in Tirzah. **22** Then king Asa made a proclamation unto all Judah; none was exempted; and they carried away the stones of Ramah, and the timber thereof, wherewith Baasa had builded; and king Asa built therewith Geba of Benjamin, and Mizpah. **23** Now the rest of all the acts of Asa, and all his might, and all that he did, and the cities which he built, are they not written in the book of the chronicles of the kings of Judah? But in the time of his old age he was diseased in his feet. **24** And Asa slept with his fathers, and was buried with his fathers in the city of David his father; and Jehoshaphat his son reigned in his stead. {P} (JPS 1917)

**2. Divrei HaYamim II Chapter 16**

(י) ובעת ההיא בא חנני הראה אל-אסא מלך יהודה ויאמר אליו בהשענף על-מלך ארם ולא נשענף על-יקוק אלקיך על-כן נמלט תיל מלך-ארם מידך: (ח) הלא הכושים והלובים היו לתילו לרב לרכב ולפרשים להרבה מאד ובהשענף על-יקוק נתנם בנדך: (ט) כי יקנך עיני משטות ככל-הארץ ליהתחזק עם-לבכם שלם אליו נסבלת על-זאת כי מעתה יש עמך מלחמות: (י) ויכעס אסא אל-הראה ויתנהו בית המהפכת כיי-בזעף עמו על-זאת וירצץ אסא מן-העם בעת ההיא: (יא) והנה דברי אסא הראשונים והאחרונים הגם כתובים על-ספר המלכים ליהודה וישראל: (יב) ויחלא אסא בשנת שלושים ותשע למלכותו ברגליו עד-למעלה חליו וגם-בדליו לא-דרש את-יקוק כי בראים: (יג) וישכב אסא עם-אבותיו וימת בשנת ארבעים ואחת למלכו: (יד) ויקברהו בקברתיו אשר ברה-לו בעיר דוד וישכיבהו במשכב אשר מלא בשמים וזנים מרקחת מעשה וישרפו-לו שרפה גדולה עד-למאד: פ



7 And at that time Hanani the seer came to Asa king of Judah, and said unto him: 'Because thou hast relied on the king of Aram, and hast not relied on the LORD thy G-d, therefore is the host of the king of Aram escaped out of thy hand. 8 Were not the Ethiopians and the Lubim a huge host, with chariots and horsemen exceeding many? yet, because thou didst rely on the LORD, He delivered them into thy hand. 9 For the eyes of the LORD run to and fro throughout the whole earth, to show Himself strong in the behalf of them whose heart is whole toward Him. Herein thou hast done foolishly; for from henceforth thou shalt have wars.' 10 Then Asa was wroth with the seer, and put him in the prison-house; for he was in a rage with him because of this thing. And Asa oppressed some of the people the same time. 11 And, behold, the acts of Asa, first and last, lo, they are written in the book of the kings of Judah and Israel. 12 And in the thirty and ninth year of his reign Asa was diseased in his feet; his disease was exceeding great; yet in his disease he sought not to the LORD, but to the physicians. 13 And Asa slept with his fathers, and died in the one and fortieth year of his reign. 14 And they buried him in his own sepulchres, which he had hewn out for himself in the city of David, and laid him in the bed which was filled with sweet odours and diverse kinds [of spices] prepared by the perfumers' art; and they made a very great burning for him. {P}

### Why was King Asa Punished?

#### 3. Sotah 10a (William Davidson translation)

דרש רבא מפני מה נענש אסא? מפני שעשה אנגריא בתלמידי חכמים שנאמר (מלכים א טו, כב) והמלך אסא השמיע את כל יהודה אין נקי מאי אין נקי אמר רב יהודה אמר רב אפילו חתן מחדרו וכלה מחופתה

**Rava taught:** For what reason was Asa punished in his feet? Because he made Torah scholars perform forced labor [*angarya*], as it is stated: “Then King Asa made a proclamation unto all Judah; none was exempted; and they carried away the stones of Ramah and the timber thereof, with which Baasa had built, and King Asa built with them Geba of Benjamin and Mizpah” (I Kings 15:22). The superfluous expression “unto all” indicates that the proclamation was issued to **everyone, including** Torah scholars. The Gemara asks: **What** is the meaning of the next phrase in the verse: “None was exempted [*ein naki*]”? **Rav Yehuda** says that **Rav** says: This includes **even a bridegroom from his chamber and a bride from her canopy**, as the verse states with regard to a bridegroom: “He shall be free [*naki*] for his house one year” ([Deuteronomy 24:5](#)).

אסא ברגליו דכתיב (מלכים א טו, כג) רק לעת זקנתו חלה את רגליו ואמר רב יהודה אמר רב שאחזתו פדגרא א"ל **מר זוטרא בריה דרב נחמן לרב נחמן** היכי דמי פדגרא א"ל כמחט בבשר החי מנא ידע איכא דאמרי מיחש הוה חש ביה ואיכא דאמרי מרביה שמע ליה וא"ד (תהלים כה, יד) סוד ה' ליראיו ובריתו להודיעם

**Asa** was stricken **in his feet, as it is written:** “Now the rest of all the acts of Asa, and all his might, and all that he did, and the cities that he built, are they not written in the book of the chronicles of the kings of Judah? **But in the time of his old age he was diseased in his feet**” (I Kings 15:23). **And Rav Yehuda** says that **Rav** says: This indicates **that gout [*padagra*] grabbed hold of him**. **Mar Zutra, son of Rav Nahman, said to Rav Nahman:** **What are the circumstances of gout?** What pain does it involve? **He said to him:** It feels **like a needle inserted into living flesh**. The Gemara asks: **From where did he know this?** The Gemara answers: **Some say** that he himself **suffered from this** condition, **and some say** that he **heard it from his teacher, and some say** that he knew it through divine inspiration, as it stated: “**The secret of the Lord is with them that fear Him; and His covenant, to make them know it**” ([Psalms 25:14](#)).

#### **4. Ralbag Kings I (Gersonides - Levi ben Gershon (1288 – 1344) France)**

במה ששלח אל בן הדד מלך ארם ולא בטח בה' אשר הפיל מחנה הכושיים לפניו ואחשוב שלזאת הסבה חלה את רגליו לעת זקנתו כי הוא שלח זה אל בן הדד כאילו לא היו לו רגלים ללכת במלחמה ולזה סבב הש"י שחלש כח רגליו לעת זקנתו:

Because he sent to Ben-Hadad, as he himself did not believe in G-d who had struck down the Cushites before so I think this is the reason he had a sickness in his feet in his old age because he sent for aid from Ben-Hadad it was as if he didn't have legs to go to war so G-d made him weak in his legs.

#### **5. Yirmiyahu Chapter 41: 9**

(ט) וְהַבּוֹר אֲשֶׁר הִשְׁלִיךְ שָׁם יִשְׁמַעְאֵל אֶתוֹ כָּל־פְּגַרֵי הָאֲנָשִׁים אֲשֶׁר הִכָּה בְיַד־גְּדַלְיָהוּ הוּא אֲשֶׁר עָשָׂה הַמֶּלֶךְ אֲסָא מִפְּנֵי בַעֲשָׂא מֶלֶךְ־יִשְׂרָאֵל אֲתוֹ מֵלֶא יִשְׁמַעְאֵל בְּרִיתָנְהוּ חֻלְלִים:

#### **6. Rabbi Alex Israel, I Kings: Torn in Two (pages 206-207)**

A more serious critique emerges from an incidental reference in the book of Jeremiah. Jeremiah describes the treacherous assassination of Gedaliah, the Jewish governor appointed by in the aftermath of the Temple's destruction and killed by Jewish political opponents. This terrible act of violence precipitates a mass flight of the surviving Jewish population from the land of Israel, intensifying the devastation of the land after the destruction. From the Talmud's perspective, this assassination is a national calamity, warranting the institution of an annual fast day (Tzom Gedalia). In recording the murder, Jeremiah writes:

The cistern into which Ishmael threw all the corpses of the men he had killed in the affair of Gedaliah was **the one King Asa had constructed on account of King Baasha of Israel (Jer. 41:9)**

Gedaliah's corpse and those of his associates are thrown into the moat that was dug in this standoff between Baasha and Asa. Jeremiah's pedantic intertextual reference links these two awful events. The prophet groups the assassination of Gedaliah together with the dreadful conflict of Asa and Baasha, establishing them in Jewish history as twin landmarks of heinous killing and devastating infighting.

#### **But was that all King Asa did wrong?**

#### **7. Divrei HaYamim II 16: 12**

(יב) וַיִּחַלֵּא אֲסָא בְּשָׁנָתוֹ שְׁלוֹשִׁים וַתִּשַׁע לְמַלְכוּתוֹ בְּרַגְלָיו עַד־לְמַעְלָה חֻלְיוֹ וְגַם־בְּחֻלְיוֹ לֹא־דָרַשׁ אֶת־יְקֹנֶק כִּי בְרַפְאִים:

**12** And in the thirty and ninth year of his reign Asa was diseased in his feet; his disease was exceeding great; yet in his disease he sought not to the LORD, but to the **physicians**.

#### **8. Ramban Vayikra 26:11**

ואמר הכתוב (דהי"ב טז יב) "גם בחליו לא דרש את ה' כי ברופאים," ואילו היה דבר הרופאים נהוג בהם, מה טעם שיזכיר הרופאים, אין האשם רק בעבור שלא דרש השם ... אבל הדורש השם בנביא לא ידרוש ברופאים

The verse states, "yet in his disease he sought not to the LORD, but to the physicians." If this was something that could be addressed by the doctors why mention doctors? Then the only problem would be not seeking G-d. Rather one who seeks out G-d through prophets shouldn't seek out doctors for G-d's will.

#### **9. Malbim DH: II 16:12 ( Rabbi Meir Leibush b"r Yehiel Michel Weiser 19<sup>th</sup> century, Ukraine)**

גם בזה חטא שסמך עצמו על אמצעיים טבעיים שזה מורה שלא היה בטחונו שלם:

He also sinned in that he relied on natural means which shows his faith wasn't complete.



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