

Maintaining a Connection to the Land of Israel from the Diaspora

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As we celebrate Yom Ha'atzmaut each year, many people in the Diaspora reflect on their connection to the Land of Israel. For those who are planning *aliyah*, the connection is tangible. For those who don't see *aliyah* as an option in the near future, there are other means of connecting to the Land of Israel for the Diaspora. In this article, we will discuss some of the activities people from the Diaspora perform in order to maintain a connection to the Land of Israel and frame them in a Torah context.

Visiting Israel

One of the ways people from the Diaspora maintain their connection is by visiting the Land of Israel. Is there a Torah value to visiting the Land of Israel? The Gemara implies that there is:

Said R. Jeremiah b. Abba in the name of R. Johanan, that whoever walks four cubits in the Land of Israel is assured of a place in the world to come.

Ketubot 111a (Soncino Translation)

א"ר ירמיה בר אבא א"ר יוחנן כל
המהלך ארבע אמות בארץ ישראל
מובטח לו שהוא בן העולם הבא.
כתובות קיא.

The rabbis considered walking in the Land of Israel valuable enough to merit a portion in the world to come. There is a dispute among the commentators as to why it is considered valuable.

R. Yitzchak ben Sheshet (Rivash, 1326-1408) states that walking in Israel is a fulfillment of the mitzvah of settling the Land of Israel:

Since it is permissible [to embark on a journey] for mitzvah purposes, even if one leaves on Friday, there is no doubt that travelling to the Land of Israel is considered a mitzvah ... They also stated that anyone who walks four cubits in the Land of Israel is assured a place in the world to come ... One should not say that one does not fulfill a mitzvah by travelling [there], only by settling.

Teshuvot HaRivash no. 101

ואחרי שלדבר מצוה מותר אפי'
בע"ש אין ספק שהעליה לארץ
ישראל מצוה היא ... וכן אמרו שם
כל המהלך ד' אמות בארץ ישראל
מובטח לו שהוא בן העה"ב ... וכן
אין לומר שאין העליה מצוה כי אם
הישיבה.

שו"ת הריב"ש ס' קא

R. Yosef Trani (Maharit, 1568-1639) does not consider walking in the Land of Israel a mitzvah. Rather, he considers it a merit:³

It seems to me that the reason of Rabbeinu Asher in this responsa, where he equates this vow [to travel to the Land of Israel] to all other types of non-mitzvah vows, is that a vow to travel [to the Land of Israel] does not constitute a mitzvah because the primary mitzvah is not travelling there, but settling there, as stated by Ramban. However, regarding one who travels there to visit with intent to return, we do not find a prominent mitzvah. Even if one were to say that there is a merit, from what they said that anyone who walks four cubits in the Land of Israel is assured a place in the world to come as it states 'and spirit to those who walk within it', nevertheless, there is no mitzvah.

Teshuvot Maharit, Vol. II, Yoreh De'ah no. 28

ומשמע לי שטעמו של הרא"ש
בתשובה זו שהשוה נדר זה כשאר
נדרי הרשות היינו משום דנדר זה
שנדר לעלות אין בו מצוה שאין עיקר
המצוה בעליה אלא בישיבה והדיר'
שמה כמו שהביא הרמב"ן ז"ל אבל מי
שעולה לראותה ע"ד לחזור לא מצינו
בזה מצוה מפורסמת. ואפי' תימא
שזכות הוא לו ממה שאמרו כל המהלך
ד' אמות בא"י מובטח לו שהוא בן
העולם הבא דכתי' ורוח להולכים בה
מ"מ מצות עשה ליכא.
שו"ת מהרי"ט חלק ב יו"ד ס' כה

The dispute between Rivash and Maharit is cited by R. Avraham Gombiner (c. 1633-1683), *Magen Avraham* 248:15, in the context of certain travel arrangements that are only permissible when one is travelling to fulfill a mitzvah. According to Rivash, these travel arrangements are permissible for someone who is travelling to visit the Land of Israel. According to Maharit, visiting the Land of Israel without intent to remain there does not constitute a mitzvah and therefore, these types of arrangements are prohibited.

Purchasing Land in Israel

Some people maintain their connection to the Land of Israel by owning property in the Land of Israel. The Gemara implies that purchasing property in the Land of Israel is considered a mitzvah:

[Our authority further says that] 'a field bought in Syria is like one bought on the outskirts of Jerusalem'. What rule of conduct can be based on this? — R. Shesheth Says: It means that a contract for selling it [to a Jew] can be drawn up even on Sabbath. What? On Sabbath? — You know the dictum of Raba, 'He tells a non-Jew to do it.' So here, he tells a non-Jew to draw up the contract. And although there is a Rabbinical prohibition against telling a non-Jew to do things on Sabbath [which we may not do ourselves], where it was a question of furthering the [Jewish] settlement of Eretz Israel the Rabbis did not apply the prohibition.

Gittin 8b (Soncino Translation)

והקונה שדה בסוריא כקונה
בפרוארי ירושלי' למאי
הילכתא אמר רב ששת לומר
שכותבין עליו אונן ואפילו
בשבת בשבת ס"ד כדאמר רבא
אומר לעובד כוכבים ועושה
ה"נ אומר לעובד כוכבים
ועושה ואע"ג דאמירה לעובד
כוכבים שבות משום ישוב א"י
לא גזור רבנן.
גיטין ח:

³ Maharit also suggests that perhaps there is no independent merit to visiting the Land of Israel. The Gemara's statement regarding someone who walks four cubits in the Land of Israel may only be referring to one who visits during his lifetime and then is buried in the Land of Israel.

It is permissible to ask a non-Jew to sign the closing documents on Shabbat in order to purchase property in the Land of Israel.⁴ The Gemara does not stipulate that one must live on that property in order to fulfill the mitzvah.

If one can fulfill a mitzvah by purchasing property in the Land of Israel, this implies that there is a mitzvah to acquire the land, independent of the mitzvah of living there. This, in fact, is the opinion of Ramban (1194-1270):⁵

We are commanded in its conquest and its settlement. From the rabbis statement that the war of Joshua to conquer [was considered an obligatory mitzvah], you will understand that the mitzvah is conquest ... We are commanded in the mitzvah of conquest in all generations. I say that the mitzvah that the rabbis praise is living in the Land of Israel to the extent that they said that anyone who leaves [the land] and lives in the Diaspora should be viewed as one who worships idols ... This is all part of the positive commandment that we were commanded to acquire the land and settle it.

Hasagot HaRamban to Sefer HaMitzvot, Aseh no. 4

שנצטוינו בכיבושה ובישיבתה.
וממאמרם מלחמת יהושע לכבש תבין
כי המצוה הזו היא בכבוש ... הרי
נצטוינו בכיבוש בכל הדורות. ואומר
אני כי המצוה שהחכמים מפליגין בה
והיא דירת ארץ ישראל עד שאמרו
שכל היוצא ממנה ודר בחוצה לארץ
יהא בעיניך כעובד עבודה זרה ... הכל
הוא ממצות עשה הזה שנצטוינו לרשת
הארץ ולשבת בה.
השגות הרמב"ן לספר המצוות מ"ע
ד'

R. Shlomo ben Shimon (Rashbash, 1400-1467) is of the opinion that acquiring property in the Land of Israel is not a mitzvah. Rather, it is necessary step for the mitzvah of living in the Land of Israel. The leniency to allow a non-Jew to sign the closing documents on Shabbat is a leniency to allow for a preparatory stage necessary to live in the Land of Israel:

In the first chapter of Gittin and in Perek Merubah [the seventh chapter of Baba Kamma] it is stated that one who acquires a house in the Land of Israel can draft the contract on Shabbat etc. The primary purpose is settling the land, which means that one lives there. Travelling to the land is the means by which one can settle and settling is a means of living there ... One who is outside of the Land of Israel, if he does not first travel to the Land of Israel, he can't enter the land. Settling it includes [activities] such as planting fields and orchards and acquiring homes, because wherever one finds food and

ובפ"ק דגיתין ובפרק מרובה אמרינן הלוקח
בית בא"י כותבין עליו אוננו אפילו בשבת.
ופירוש אוננו שטרו. ואמרינן התם דאע"ג
דאמירה לגוי שבות, משום ישוב א"י לא גזרו
רבנן ... והעיקר היא הישיבה שהיא הדירה,
ועליה היא סבת השגת הישיבה והישוב הוא
צורך קיום הישיבה ... וכן הדבר בעלייה
ובישוב, כי המצוה עצמה היא הישיבה שהיא
הדירה, וסבה הקודמת היא העליה, שמי
שהוא חוץ לא"י אם לא תקדם לו העליה לא
יכנס לארץ, והישוב הוא כמו נטיעת גנות
ופרדסים וקניית בתים, שכל זמן שימצא מזון

⁴ According to Tosafot, *Gittin* 8b s.v. *Af Al Gav*, and Rambam, *Hilchot Shabbat* 6:11, this is the only mitzvah that warrants asking a non-Jew to violate a biblical prohibition in order to fulfill the mitzvah.

⁵ R. Shlomo Yosef Zevin, *L'Ohr HaHalacha* pg. 269, notes that the Talmud Yerushalmi, *Moed Katan* 2:4, proves the permissibility of asking a non-Jew to sign the closing documents on Shabbat from the fact that Yericho was conquered by Yehoshua on Shabbat. R. Zevin sees this as a support to Ramban's position that there is an independent mitzvah of conquest of the Land of Israel. See also, R. Avraham Pietrovski (early 20th century), *Piskei Teshuva* 1:248, who writes that acquiring land is a fulfillment of the mitzvah of conquest because we follow the opinion that a "private conquest" of the Land of Israel is also considered a conquest. As such, there is no mitzvah to purchase property from another Jew.

shelter, one finds proper settlement. It is possible for someone to have fields, orchards and homes that allow him to settle there, but he doesn't live there. Therefore, settlement is not included in living there ... For this reason, I say that settling and travelling to the Land of Israel are two prerequisites to the mitzvah, but the mitzvah itself is living there.

Teshuvot Rashbash no. 1

ומדור תמצא הישיבה, ואפשר שיהיה לאדם שם גנות ופרדסים ובתים, והם סיבת הישוב, והוא אינו דר שם, על כן הישוב אינו הישיבה, וכן יראה מדרך הענין שאין ישיבה וישוב בענין אחד. על כן אני אומר שהישוב והעליה שתיהן סבות המצוה אלא שהאחת מקדמת והאחרת מגעת ואין המצוה אלא הישיבה.

שו"ת רשב"ש ס' א

While Rashbash does not consider purchasing property in the Land of Israel a mitzvah, R. Avraham Borenstein (1838-1910), *Avnei Nezer, Yoreh De'ah* no. 454, seems to accept the opinion of Ramban and still considers purchasing land in Israel while living in the Diaspora a "great mitzvah" that is "partially comparable to living in the Land of Israel."⁶

Providing Financial Support to Causes in the Land of Israel

One can maintain his connection to the Land of Israel by providing financial support to its inhabitants. The Midrash addresses how to prioritize one's charitable distributions and states:

Within your gates. The people of your city precede the people of another city. In your land. The people of the Land [of Israel] precede the people of the Diaspora.

Sifri, Re'eh no. 62

באחת שעריך. יושבי עריך קודמים ליושבי עיר אחרת: בארצך: יושבי הארץ קודמין ליושבי ח"ל.

ספרי פרשת ראה פסקא סב

The Midrash states that the people of one's own city take precedence over the people of another city and that the people of the Land of Israel take precedence over people in the Diaspora. The Midrash does not address whether the people of one's own city take precedence over the people of the Land of Israel. R. Yoel Sirkes (1561-1640), *Bach, Yoreh De'ah* no. 151, rules that the people of one's own city take precedence. R. Yisrael of Shklov (d. 1839) disagrees. In disputing *Bach*, he states the following:

By giving to the people of the Land of Israel, one fulfills two mitzvot: supporting the poor and maintaining the settlement in the Land of Israel.

Pe'at HaShulchan, Hilchot Eretz Yisrael, Beit Yisrael 2:29

דבנתינתו ליושבי א"י מקיים ב' מצות להחיות עניים ולקיים ישיבת א"י.

פאת השלחן, הל' ארץ ישראל, בית ישראל ב:כט

R. Yisrael of Shklov is of the opinion that one can fulfill the mitzvah of settling the Land of Israel by supporting its poor inhabitants.

R. Chaim Y.D. Azulai (Chida, 1724-1807) provides a compromise between the opinion of *Bach* and the opinion of R. Yisrael of Shklov:

⁶ See *Tzitz Eliezer* 6:32.

It is possible that Bach did not say [that one should give to the people of one's own city before the people of the Land of Israel] except when one gives to the poor people living in the Land of Israel. However, if a representative comes from the Land of Israel whose purpose is to promote the settlement of the Land of Israel, and if not for the support of those in the Diaspora, the land and its people would be downtrodden by the other nations and by thieves with their persecutions and despicable acts, and the Jews would have no presence in the Land of Israel, it would seem that even Bach would agree that they precede the poor of one's own city. The rabbis were so concerned about settling the Land of Israel that they allowed purchasing a home in the Land of Israel from a non-Jew on Shabbat etc.

P'nei David, Parshat Re'eh no. 15

ואפשר דגם הרב ב"ח לא אמרה אלא
במתנדב לעניי א"י דוקא אמנם כשבא
שליח מא"י דעיקר שליחותו הוא
משום ישוב א"י דאי לאו סיוע בני
הגולה נמוגים ארץ וכל יושביה מפני
גוים מפני לסטים בעלילותם
ובתועבותם ולא יזכר שם ישראל עוד
בא"י נראה דבזה גם הרב ב"ח ודעמיה
מודים דקדמי לעניי העיר דכמה
החמירו רבותינו זכרונם לברכה משום
ישוב א"י עד שהתירו לכתוב בשבת
בערכאות שלהם ולקנות בית בא"י מן
העכו"ם בשבת וחותרם ומעלה
בערכאות.

פני דוד פרשת ראה ט' טו

Chida suggests that *Bach* agrees that a person (or organization) representing the settlement of the Land of Israel as a whole takes precedence over the poor of one's own city. Chida seems to be focused on maintaining a Jewish presence in the Land of Israel. In this regard, his approach differs slightly from R. Yisrael's. According to R. Yisrael, supporting the poor in the Land of Israel is a fulfillment of the mitzvah of settling the Land of Israel because it allows those poor individuals to live in the Land of Israel. According to Chida, there is an additional fulfillment to support the settlement of the Land of Israel as a whole. This fulfillment appears to be based on Ramban's understanding of the mitzvah of conquering the Land of Israel. In order for the Jewish People to control the Land of Israel, there must be a Jewish presence. By allowing those who maintain the Jewish presence to remain in the Land of Israel, one is contributing to the conquest of the Land of Israel. Based on Chida's comments, one can add that there are other means of financially supporting the settlement of the Land of Israel including the purchase of Israeli products and investment in Israeli companies.

Performance of Mitzvot in the Diaspora

There is a Midrash that provides a means of connecting to the Land of Israel on a daily basis:

Another interpretation 'you will be quickly lost' 'you shall place these words etc.,' even though I exile you from the Land [of Israel] to the Diaspora, you should be decorated with mitzvot so that when you return, they should not be new to you. This is comparable to a human king that was angry at his wife and sent her to her father's house. He said to her 'Continue to adorn jewelry so that when you return, they should not seem new to you.' Similarly, G-d said to the Jewish People, 'My children, be decorated with mitzvot so that when you return, they should not be new to you.'

Silfri, Ekev no. 7

דבר אחר ואבדתם מהרה, ושמתם את
דברי אלה וגו', אף על פי שאני מגלה
אתכם מן הארץ לחוצה לארץ היו
מצויינים במצות שכשתחזרו לא יהו
עליכם חדשים, משל למלך בשר ודם
שכעס על אשתו וטרפה בבית אביה
אמר לה הוי מקושטת בתכשיטיך
שכשתחזרי לא יהו עליך חדשים כך
אמר הקדוש ברוך הוא לישראל בני היו
מצויינים במצות שכשתחזרו לא יהו
עליכם חדשים.

ספרי פרשת עקב פיסקא ז

According to the Midrash, there are certain mitzvot that are observed in the Diaspora so that the people of the Diaspora will be familiar with these mitzvot upon returning to the Land of Israel. Rashi (1040-1105) seems to understand that the Midrash refers to all mitzvot:⁷

Even after you are exiled, you should be decorated in mitzvot, place tefillin, make mezuzot in order that they should not be new to you when you return.

Rashi, Devarim 11:18

אף לאחר שתגלו היו מצויינים
במצות, הניחו תפילין, עשו
מזוזות כדי שלא יהיו לכם
חדשים כשתחזרו.
רש"י דברים יא:יה

Ramban also follows Rashi's approach and provides an additional explanation:

The verse that states "you will be quickly lost" 'you shall place these words etc.,' only requires one in the Diaspora to perform mitzvot that relate to the body [and not the land] such as tefillin and mezuzot. The rabbis explained that the obligation is so that they don't seem new to us when we return to the land because the mitzvot are primarily for those who are living in the land of G-d. Therefore, they stated in the Sifri 'You shall inherit it and settle in it, And you shall observe [the mitzvot] settling the Land of Israel has the same weight as all of the other mitzvot combined.'

Ramban, Vayikra 18:25

והנה הכתוב שאמר ואבדתם מהרה
ושמתם את דברי אלה וגו', אינו
מחייב בגלות אלא בחובת הגוף
כתפילין ומזוזות, ופירשו בהן כדי
שלא יהו חדשים עלינו כשנחזור
לארץ, כי עיקר כל המצות ליושבים
בארץ ה'. ולפיכך אמרו בספרי
וירשתם אותה וישבתם בה
ושמרתם לעשות ישיבת ארץ
ישראל שקולה כנגד כל המצות
שבתורה.

רמב"ן ויקרא יח:כה

If one takes Ramban's comments at face value, one would come to the conclusion that the mitzvot are meant to be observed in the Land of Israel and the only reason why mitzvot are observed outside of the Land of Israel is so that we are able to properly perform the mitzvot upon returning to the Land of Israel. However, this cannot be true for a number of reasons. First, the agricultural laws that apply in the Land of Israel are observed to some extent outside of the Land of Israel in order to properly perform these mitzvot upon returning to the Land of Israel. When these laws are applied in the Diaspora there are many leniencies. Yet we find no halachic distinctions between observance of non-agricultural mitzvot in the Land of Israel and observance of these mitzvot in the Diaspora. Second, if observance of mitzvot in the Diaspora was merely a training exercise, one who performed mitzvot in the Diaspora would be required to repeat those mitzvot upon entering the Land of Israel (if the timeframe of the original mitzvah has not passed). Yet, we don't find such a requirement. Third, the Gemara, *Avodah Zarah* 13a,

⁷ *Divrei Eliyahu, Parshat Ekev* quotes the Vilna Gaon (1720-1797) that there is a mistake in our version of Rashi. Originally, Rashi wrote an abbreviation "ה"ת ע"מ". This was meant to say "הפרישו תרומה עשרו מעשרו" that one should observe the mitzvot of *terumot* and *ma'asrot* while in the Diaspora in order to be accustomed to observing these mitzvot upon returning to the Land of Israel. However, the copiers thought that since Rashi's comments appear in a section dealing with tefillin and mezuzah, the abbreviation must stand for "הניחו תפילין עשו מזוזות". The Vilna Gaon contends that it is logical to assume that Rashi meant to refer to *terumot* and *ma'asrot* because there is no inherent requirement to observe agricultural laws in the Diaspora and there is an inherent requirement to observe tefillin and mezuzah in the Diaspora.

states that it is permissible to leave the Land of Israel in order to perform certain mitzvot. If it were true that observance of mitzvot outside of the Land of Israel is only for preparation purposes, what value is there to any mitzvah in the Diaspora that would justify leaving the Land of Israel?⁸

One must conclude that even Ramban agrees that the mitzvot performed in the Diaspora are not merely training exercises⁹. Ramban's opinion is understood by R. Naftali Z.Y. Berlin (Netziv, 1816-1893) as follows:

The verse teaches us an important principle that Ramban wrote about in Parshat Toldot and other places that the Torah and its mitzvot, even though the non-agricultural mitzvot are observed in the Diaspora, they are nevertheless, more specific to the Land of Israel. For this reason, mitzvot are called 'the laws of the G-d of the Land.' It is understood that for this reason, even though its purposes also apply in the Diaspora, they are nevertheless, more relevant to the Land of Israel

Ha'Amek Davar Shemot 20:12

אלא בא המקרא בזה ללמדנו עיקר גדול
דכבר כתב הרמב"ן בפרשת תולדות
ובכמה מקומות שהתורה ומצוותיה אע"ג
דמצוות שאין תלויות בארץ נוהגות אפילו
בחוץ לארץ מ"מ מיוחדות המה יותר
בארץ ישראל ועל כן נקראות משפט אלקי
הארץ והדבר מובן שלפי זה גם יעודיה
אע"ג שישנם בחו"ל מ"מ יותר משמשים
ומגיעים בארץ ישראל.
העמק דבר שמות כ:יב

The mitzvot have inherent significance whether they are observed in the Diaspora or in the Land of Israel. The difference between mitzvot observed in the Land of Israel and mitzvot observed in the Diaspora is that mitzvot observed in the Land of Israel have greater significance.

Based on Netziv's explanation, one must then question the reference by the Midrash, Rashi and Ramban to mitzvot in the Diaspora as preparation. If the mitzvot have inherent value in the Diaspora, why is their observance considered preparation for the observance of mitzvot in the Land of Israel?

Perhaps the answer lies in the parable provided by the Midrash. The Midrash compares observance of mitzvot in the Diaspora to adorning jewelry. Jewelry is not considered a necessity. The purpose of jewelry is to enhance one's appearance. Similarly, mitzvot can be observed in an

⁸ Rambam, *Hilchot Melachim* 5:9, writes that there are four situations that allow one to leave the Land of Israel: to learn Torah, to find a spouse, to escape persecution, or to earn a livelihood. Of the four, learning Torah and finding a spouse are the only two that constitute mitzvot. It is possible that according to Rambam, the permissibility of leaving the Land of Israel is not based on the ability to perform the mitzvah in a more enhanced manner in the Diaspora, but rather to enable one to perform the mitzvah in a more enhanced manner upon returning to the Land of Israel. Finding a spouse allows one to perform the mitzvah of *p'ru ur'vu*, procreating. Torah learning provides one with the knowledge to perform all other mitzvot. Tosafot, *Avodah Zarah* 13a, s.v. *Lilmod*, write that the permissibility to leave the Land of Israel for these mitzvot is a function of the fact that finding a spouse and learning Torah are considered very important mitzvot. The comment of Tosafot implies that the value of fulfilling the mitzvah in the Diaspora is greater than the value of remaining in the Land of Israel. R. Achai Gaon, *She'iltot* no. 103, rules that one may leave the Land of Israel to perform any mitzvah.

⁹ See *The Rav Thinking Aloud* pp. 218-222, 229-238, where R. Yosef D. Soloveitchik is quoted as saying that there are two separate covenants relating to the observance of mitzvot. The first is the covenant of Avraham that only requires mitzvot to be observed in the Land of Israel. The second is the covenant of Sinai that applies in all places and is not limited to the Land of Israel.

ordinary manner or in an enhanced manner. When one is in the Land of Israel, the sanctity of the Land allows and demands that one observe the mitzvot in an enhanced manner. Through the sanctity of the land, there is an ability to achieve greater spiritual heights through the observance of mitzvot. The sanctity of the land also demands a more meticulous observance of mitzvot.¹⁰ The message of the Midrash is that when one is in the Diaspora, one should try to observe mitzvot in that same enhanced manner so that when one returns to the Land of Israel, one is accustomed to the observance of mitzvot in an enhanced manner. Our efforts to fulfill mitzvot in an enhanced manner can be categorized as a longing to fulfill mitzvot in the Land of Israel.

Summary

We presented various means of maintaining a connection to the Land of Israel while living in the Diaspora. Most of these means are a form of the mitzvah of settling the Land of Israel or living in it. We also noted that one can maintain the connection by striving to perform mitzvot in an enhanced manner reflective of the observance of mitzvot in the Land of Israel.

¹⁰ Ramban's comments begin by addressing the question of why the Torah (Vayikra 18:25) refers to the violation of incest as a defilement of the Land of Israel. Ramban explains that the sanctity of the Land of the Israel allows for even less tolerance of violations of incest and idol worship than the Diaspora does.