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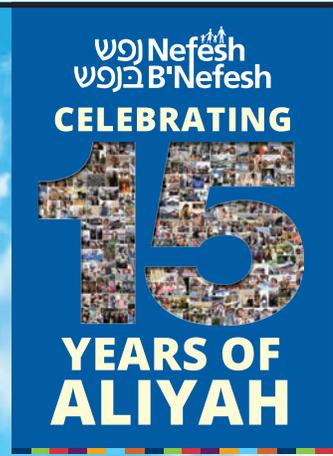
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Rashi and Ramban explain that both terms relate to a singular phenomenon. The Jewish people had reached a breaking point. Their slavery had become so oppressive that they simply could no longer tolerate the unfolding process of redemption. They didn't want any more speeches or dramatic promises of grandeur and greatness. They just wanted liberation and they wanted it now! Nuanced formulations of freedom are unappreciated by a nation existentially exhausted from generations of servitude. R' Shamshon Raphael Hirsch explains that they simply lost patience with the *process* of redemption. Hearing the various "languages of redemption" only accentuated the incremental nature of their unfolding future.

The *Meshech Chochmah* (6:9) has an entirely different approach:

ולא שמעו אל משה (מקצר רוח ומעבודה קשה). פירוש, ענין הבאה לארץ ישראל, מקוצר רוח ומעבודה קשה. כי דרך קשי יום אשר יחפצו לשמוע רק כדי לצאת מצרתם, ולא לשמוע בהבטחות עתידות ובהצלחות נפלאות.

*They would not listen to Moshe — Meaning that [they wouldn't listen to] the idea of coming to the Land of Israel because of their shortness of breath and cruel bondage. Because people who are having daily difficulties in their lives only want to hear how they can escape their difficulties. They don't want to hear about future promises or phenomenal prosperity.*

The Jewish people could relate to the notion of freedom from their Egyptian oppressors. However, as a coda to the formulations of *geulah*, Moshe mentions the ultimate goal of *yetzias Mitzrayim*, which is *veheiveisi* — to bring us to Eretz Yisrael. The slave mentality of the Jewish people simply could not appreciate the vision of a vibrant and independent homeland. That stood too far beyond the scope of their conception as they remained slaves in Mitzrayim.

*Velo sham el Moshe* — they couldn't hear the words of Moshe because their identity was simply not aligned with a potential reality of that magnitude. The Jewish people desired to extricate themselves from the abyss of

Mitzrayim, but were not yet prepared to live the dream of making their way to Eretz Yisrael.

Indeed, for centuries, we only drink four cups of wine at the Seder, corresponding to the initial four formulations of redemption. The final cup, that of Eliyahu, is left on the table as symbol of our yearning to actualize the fifth formulation of *veheiveisi*.

We find ourselves living in miraculous times. We are privileged to have the opportunity to study, visit, and ultimately settle in the Land of Israel. The dream of *veheiveisi* is within reach for many Jews living in the Diaspora. It is a great privilege for us to partner with Nefesh B'Nefesh in bringing you this issue of *Torah To Go*. There is no doubt that the work of NBN is monumental in bringing the Jewish people back to their homeland. Yeshiva University is proud of its countless institutional relationships throughout Israel, and of the thousands of alumni who have made their way home to settle the Land of our people. It is with great pride that we include in this issue a collection of Hagadah insights from some of our Rabbinic Alumni living in Israel. It is our hope that this issue, which combines insights into Pesach, Yom Haatzmaut and Yom Yerushalayim, will inspire you to reflect on the *kos shel Eliyahu* and its charge to participate in the process of the ultimate redemption of our people.



The Jewish people had reached a breaking point. Their slavery had become so oppressive that they simply could no longer tolerate the unfolding process of redemption. They didn't want any more speeches or dramatic promises of grandeur and greatness. They just wanted liberation and they wanted it now!



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# The Enduring Covenant: Insights into *Bris Bein HaBesarim*

## Introduction

**B**ris Bein HaBesarim (literally “the covenant between the parts”) — the treaty sealed with Avraham Avinu<sup>2</sup> promising the Land of Israel to his progeny — is one of the most dramatic and seminal events recorded in the Torah. Aside from the promise of the Land, *Bris Bein HaBesarim* contains a prophecy regarding the servitude in Egypt<sup>3</sup> as well as the ensuing Exodus.<sup>4</sup> Rabbinic tradition records that subsequent exiles and redemptions are alluded to as well. The covenant is formalized through an elaborate ritual involving a series of animals and birds whose parts were positioned opposite each other while a smoky furnace and torch of fire passed in between them.

The Haggadah Shel Pesach invokes *Bris Bein HaBesarim* as a basis for reinforcing our faith in Hashem. The passage “*Baruch shomer havtachaso le’Yisrael*” — Blessed is He who fulfills His promise for the Nation of Israel — affirms the Divine role in calculating the endpoint of the Egyptian exile as foretold to Avraham Avinu.<sup>5</sup> The subsequent passage, “*ve’hi she’amda la’avoseinu velanu*” — And it is this (the aforementioned promise) which has stood for our fathers and for us — attests that Jewish survival throughout the ages can be traced to the promise of *Bris Bein HaBesarim*. Additionally, the extended *Tachanun* prayer recited on Mondays and



Rabbi Elchanan Adler

Rosh Yeshiva, RIETS

Thursdays includes a request that Hashem recall *Bris Bein HaBesarim*. Apparently, the reservoir of promise latent within this covenant is never depleted.

What are the main features of *Bris Bein HaBesarim*? Why does it have such significance? What is the symbolism associated with its enigmatic details?

## Two Aspects of *Bris Bein HaBesarim* and their Inter-Relationship

As is evident from its closing pesukim (v. 18-21), the essence of *Bris Bein HaBesarim* lies in its promise that Avraham’s offspring would inherit the Land of Israel. Although Hashem had previously<sup>6</sup> informed Avraham that his children would receive the Land (Bereishis 12:7, 13:14-17), this is the first time that such a prophecy is accompanied by a covenant. Additionally, *Bris Bein HaBesarim* delineates clear borders (river to river) and enumerates ten nations<sup>7</sup> whose lands were included in the promise.<sup>8</sup>

Another significant aspect of this covenant is the prophecy regarding

the enslavement in Egypt<sup>9</sup> and the subsequent Exodus (v. 13-14). This includes a number of components: the length of the servitude, the judgment to be meted out against the oppressor nation and the victimized nation exiting with great wealth. Concomitantly, Avraham is assured that he would be personally spared the ravages of this slavery (v. 15).

Why did Hashem inform Avraham about the slavery in Egypt alongside the promise to bequeath the Land of Israel to his offspring? What is the connection between these two aspects of *Bris Bein HaBesarim*?

The Gemara (*Nedarim* 32a) cites the opinion of Shmuel that the Egyptian slavery was decreed as a consequence of Avraham’s question, “How shall I know that I am to possess it?”<sup>10</sup> According to this view, the juxtaposition of the two prophecies is clear. However, the Gemara cites other opinions, which link the decree of servitude to other lapses committed by Avraham.<sup>11</sup> According to these views, there must be a more basic link between the promise of the Land and the prophecy regarding the bondage in Egypt.

## Main Text of Bris Bein HaBesarim<sup>1</sup> (Bereishis 15:7-21)

וַיֹּאמֶר אֵלָיו אֲנִי ה' אֲשֶׁר הוֹצֵאתִיךָ מֵאוּר כַּשְׁדִּים לָתֶת לְךָ אֶת הָאָרֶץ הַזֹּאת לְרִשְׁתָּהּ. ח וַיֹּאמֶר ה' אֱלֹקִים בְּמָה אֲדַע כִּי אֵירֶשְׁנָהּ. ט וַיֹּאמֶר אֵלָיו קַח־לִי עֵגְלָה מְשֻׁלֶּשֶׁת וְעֵז מְשֻׁלֶּשֶׁת וְאֵיל מְשֻׁלֶּשׁ וְתֹר וְגֹזֶל. י וַיִּקַּח לֹו אֶת כָּל אֵלֶּה וַיִּבְתֵּר אֹתָם בְּתֵנּוֹף וַיִּתֵּן אִישׁ בְּתֵרוֹ לְקִרְיַת רַעְהוּ וְאֶת הַצֶּפֶר לֹא בָתֵּר. יא וַיֵּרֶד הַעֵיט עַל הַפְּגָרִים וַיֵּשֶׁב אֹתָם אַבְרָם. יב וַיְהִי הַשֶּׁמֶשׁ לְבוֹא וְתַרְדֵּמָה נָפְלָה עַל אַבְרָם וְהָנָה אִימָה חֹשֶׁכָה גְדֹלָה נִפְלֶת עָלָיו. יג וַיֹּאמֶר לְאַבְרָם יָדַע תֹּדַע כִּי גֵר יִהְיֶה זְרַעְךָ בְּאֶרֶץ לֹא לָהֶם וְעַבְדוּם וְעֵנּוּ אֹתָם אַרְבַּע מֵאוֹת שָׁנָה. יד וְגַם אֶת הַגּוֹי אֲשֶׁר יַעֲבֹדוּ דָן אֲנִי וְאַחֲרָי כֵן יֵצְאוּ בְרִכְשׁ גָּדוֹל. טו וְאַתָּה תָּבוֹא אֶל אַבְתָּיִךְ בְּשָׁלוֹם תִּקְבֹּר בְּשִׂיבָה טוֹבָה. טז וְדוֹר רְבִיעִי יֵשׁוּבוּ הָנָה כִּי לֹא שָׁלֵם עֹן הָאָמְרִי עַד הַנֶּה. יז וַיְהִי הַשֶּׁמֶשׁ בָּאָה וְעֵלְטָה הָיָה וְהָנָה תִּנּוֹר עֹשֵׂן וְלִפִּיד אֵשׁ אֲשֶׁר עָבַר בֵּין הַגְּזָרִים הָאֵלֶּה. יח בַּיּוֹם הַהוּא כָּרַת ה' אֶת אַבְרָם בְּרִית לְאָמֵר לְזַרְעֶךָ נִתְּתִי אֶת הָאָרֶץ הַזֹּאת מִנְהַר מִצְרַיִם עַד הַנְּהָר הַגָּדֹל נְהַר פְּרָת. יט אֶת הַקְּיּוּנִי וְאֶת הַקְּנֹזִי וְאֶת הַקְּדָמְנִי. כ וְאֶת הַחֲתִי וְאֶת הַפְּרֹזִי וְאֶת הַרְפָּאִים. כא וְאֶת הָאָמְרִי וְאֶת הַכְּנַעֲנִי וְאֶת הַגְּרִגָּשִׁי וְאֶת הַיְבוּסִי.

7 He said to him, "I am Hashem who brought you out of Ur Kasdim to assign you this land as a possession." 8 And he said, "My Lord, Hashem, how shall I know that I will possess it?" 9 He answered, "Bring Me a three-year-old heifer, a three-year-old she-goat, a three-year-old ram, a turtledove, and a young dove." 10 He brought Him all these; he cut them in the center, placing each piece opposite the other; but he did not cut up the bird. 11 Birds of prey descended upon the carcasses, and Abram drove them away. 12 As the sun was about to set, a deep sleep fell upon Abram, and behold — a great dark dread descended upon him. 13 And He said to Abram, "Know well that your offspring shall be strangers in a land not theirs, and they shall be enslaved and oppressed four hundred years; 14 But also the nation that they shall serve, I shall judge, and afterwards they shall leave with great wealth. 15 As for you, You shall go to your fathers in peace; You shall be buried in a ripe old age. 16 And they shall return here in the fourth generation, for the iniquity of the Amorites is not yet complete." 17 When the sun set and it was very dark, there appeared a smoking oven, and a flaming torch which passed between these pieces. 18 On that day Hashem made a covenant with Abram, saying, "To your offspring I assign this land, from the river of Egypt to the great river, the river Euphrates: 19 the Kenites, the Kenizzites, the Kadmonites, 20 the Hittites, the Perizzites, the Rephaim, 21 the Amorites, the Canaanites, the Girgashites, and the Jebusites."

This connection can be discerned from a pasuk that serves as a bridge between the two aspects of the covenant (v. 16): "And they shall return here in the fourth generation."<sup>12</sup> The juxtaposition of this pasuk with the reference to the Egyptian exile implies that the reason for mentioning the latter event was in order to impress upon Avraham that his offspring's inheriting of the Land would not happen until after their being enslaved in a foreign

land. Indeed, several commentators interpret Avraham's question, "How shall I know that I will possess it?" to mean "In what way will I inherit the Land?"<sup>13</sup> To this query Hashem responded that the inheritance would not be granted immediately inasmuch as the iniquities of the Amorites were not yet complete. Rather, there would first be a four-hundred-year period of servitude which would culminate in an Exodus, after which the later generation would inherit the

Land bequeathed to Avraham in this covenant.

Taking this a step further, we may suggest that the slavery in Egypt was not merely a "holding period"; it was a necessary condition — a prerequisite for receiving the Land. In order for the Jewish people to become worthy of the gift of Eretz Yisrael, they would first need to undergo a refinement process through the travails of the Egyptian servitude.<sup>14</sup>

In this vein, Rav Yitzchak Zev Soloveitchik (The Griz) elucidates a comment of Rashi which implies that *Bris Bein HaBesarim* was a voluntary covenant incumbent on those descendants deemed to be spiritual heirs to the legacy of Avraham. Commenting on the verse that describes Esav's leaving the Land of Canaan to settle in Seir "because of his brother Yaakov" (Bereishis 36:6), Rashi states:

מפני יעקב אחיו, מפני שטר חוב של גזירת כי גר יהיה זרעך, המוטל על זרעו של יצחק, אמר אלך לי מכאן, אין לי חלק לא במתנה שנתנה לו הארץ הזאת, ולא בפרעון השטר.

*Because of Yaakov his brother — Because of the contract of debt of the decree (Genesis 14:13), "your seed shall be sojourners etc." which was imposed upon Isaac's descendants. He said, "I will get myself away from here. I desire no part, neither of the gift of this land which has been made to him (my father) nor in the payment of the contract."*

The Griz infers from Rashi's comments that inheriting the Land was conditioned upon first spending time as sojourners in a foreign land. By leaving Canaan now for the "greener pastures" of Seir, Esav wished to avoid "paying the price" associated with inheriting the Land.

Based on this insight, the Griz elucidates the significance of the

words “*yado’a teida*” — “know well” — which introduce the prophecy of the Egyptian bondage (v. 13). By prefacing the prophecy with these seemingly superfluous words,<sup>15</sup> Hashem wished not only to inform Avraham about the impending bondage of his children but also to stipulate the terms relating to his offspring’s inheritance of the Land.

## Symbolism of the Various Creatures — *Korbanos*

*Bris Bein HaBesarim* is replete with symbolism. In response to Avraham’s question, “How shall I know that I will possess it?” (v. 8), Hashem instructs him to take<sup>16</sup> “a three-year-old<sup>17</sup> heifer, a three-year-old she-goat, a three-year-old ram, a turtledove and a young dove. The animals were all cut into halves while the birds<sup>18</sup> were not.” The next verse (v. 10) relates, “Birds of prey descended upon the carcasses and Avraham drove them away.” Rashi notes that in ancient times, the splitting of animals and walking between them was a common symbolic act of entering into a covenant.<sup>19</sup> However, the commentaries probe the details described here for deeper symbolic meaning and offer an array of fascinating insights.

Rashi explains that the animals represent various *korbanos* that Bnei Yisrael would eventually bring to atone for their sins.<sup>20</sup> The heifer corresponds to the heifer brought on Yom Kippur, the heifer brought for mistakes of the Sanhedrin (*par he’elem davar shel tzibbur*) and the *eglah arufah* (the cow that is killed when a body is found between cities). The she-goat corresponds to the goat that was brought on Yom Kippur, the goat brought on the holidays and the goat

brought for individual sin offerings. The ram symbolizes the *asham* sacrifice for specific definite sins (*asham vadai*) and contingent sins (*asham taluy*) and the sheep offered for an individual sin offering.<sup>21</sup>

According to Rashi, the *korbanos* served as the merit upon which the promise of the Land was based. Avraham’s query “How shall I know that I will possess it?” is interpreted to mean, “In what merit will I possess it?” Hashem’s response was that it would be through the merit of *korbanos*, which would provide atonement.<sup>22</sup>

Ramban similarly interprets the creatures’ symbolism in terms of *korbanos*, and notes that the birds were not cut since the Torah states with regard to the bird offering (Vayikra 1:17 and 5:8), “He shall not separate [them].”<sup>23</sup> Additionally, the Ramban explains the symbolism of the birds of prey that descended upon the carcasses and were chased away by Avraham as reminiscent of an era of religious persecution where attempts would be made to abolish the service of *korbanos* in the Beis Hamikdash, but the Jewish people would successfully resist these challenges.<sup>24</sup>

## The Creatures as Symbolic of Am Yisrael and the Nations of the World

Rashi, based on the Midrash, provides additional symbolism of the creatures mentioned in the *Bris Bein HaBesarim*. The animals represent the nations of the world who are compared to heifers, rams and goats, while the Jewish people are compared to the turtledove. The splitting of the animals portends the eventual demise of the various nations. The birds were not cut because they correspond to the

Jewish people who are eternal.

Based on this symbolism, the Radak explains that the animal halves were positioned opposite one another (v. 10) to indicate that the nations of the world would eventually “self-destruct” as a result of mutual military aggression. In addition, it illustrates that their competing ideologies and inherent factionalism inhibit them from joining together in a harmonious alliance. By contrast, the Radak notes, the birds (symbolizing Am Yisrael) were not cut because despite the Jews’ historical split into two separate kingdoms, they remain a nation united by their faith capable of joining together in the Messianic era. It also reflects the fact that during the long period of exile, the Jewish people will remain loyal to the Torah and never completely assimilate.<sup>25</sup>

Radak proceeds to offer an insightful interpretation of the birds of prey that descended upon the carcasses and were driven away (v. 11). Radak suggests that the *pegarim* (carcasses) described are not the animal carcasses but rather the whole birds who represent the Jewish people. Based on this he writes the following:

רמז לו בזה כי בכל דור ודור אומות העולם עומדים עלינו לבלותינו והקב"ה מצילנו מידם בזכות אברהם.

*This is an allusion to the fact that in each generation, the nations of the world stand ready to destroy us and the Holy One Blessed Be He saves us from their hand in the merit of Avraham.*<sup>26</sup>

Radak’s comments, taken almost verbatim from the *Vehi She’amda* passage of the Haggadah, shed a beautiful light on the aforementioned passage. The word *Vehi* — “And it” — refers to *Bris Bein HaBesarim* (referenced in the previous paragraph in the Haggadah). The section goes

on to relate how in every generation there are those who rise up to destroy Am Yisrael; yet HaKadosh Baruch Hu saves us from their clutches. How has *Bris Bein HaBesarim* stood for our forefathers and us? The answer lies in the symbolism of this verse as interpreted by the Radak. The vultures attempted to harm the whole bird carcasses but Avraham, with Divine assistance, successfully drove them away.

## The Symbolism of the Four Exiles and Their Significance

Commenting on the phrases associated with the dread that overcame Avraham (v. 12), the Midrash states the following:

והנה אימה חשיכה גדולה נופלת עליו אימה זו  
 בבל דכתיב (דניאל ג) באדין נבוכדנצר התמלי  
 חמא חשיכה זו מדי שהחשיכה עיניהם של  
 ישראל בצום ובתענית גדולה זו יון ... נופלת  
 עליו זו אדום שנאמר מקול נפלם רעשה  
 הארץ. ויש שמחלפין נופלת עליו זו בבל  
 דכתיב בה (ישעיה כא) נפלה נפלה בבל גדולה  
 זו מדי דכתיב (אסתר ג) אחר הדברים האלה  
 גדל המלך אחשוורוש חשיכה זו יון שהחשיכה  
 עיניהם של ישראל בגזרותיה שהיתה אומרת  
 לישראל כתבו על קרן השור שאין לכם חלק  
 באלהי ישראל אימה זו אדום דכתיב (דניאל  
 ו) וארו חיוא רביעאה דחילה ואמתני ותקיפא  
 יתירא.

*"A great dark dread descended upon him," Dread refers to Bavel ... Dark refers to Madai ... Great refers to Greece ... Descended upon him refers to Rome ... There is a different version: Descended upon him refers to Bavel ... Great refers to Madai ... Dark refers to Greece ... Dread refers to Rome.*<sup>27</sup>

### Bereishis Rabbah no. 44

According to the Midrash, *Bris Bein HaBesarim* contains symbolism regarding the four exiles that will span the course of history until the

Messianic age.<sup>28</sup> The Torah alludes to each of these exiles with a particular word used in connection with the terror experienced by Avraham as he was about to be informed about the Egyptian servitude.<sup>29</sup>

What is the connection between the four exiles and *Bris Bein HaBesarim*, whose focus seems to be on the promise of Eretz Yisrael?

Ramban explains that the four exiles constitute a built-in caveat to Hashem's gift of the Land. If the Jewish people sin, they will have to suffer through exile and only then will they receive the Land of Israel.<sup>30</sup>

On the other hand, Abarbanel (in *Sefer Yeshuos Meshicho*) explains that the purpose of *Bris Bein HaBesarim* was to show Avraham four kingdoms and their destruction in response to Avraham's question "How shall I know?" According to Abarbanel, Avraham wished to know if the Jewish people would inherit the Land on a permanent basis like all other inheritances. In response, Hashem showed Avraham that even after the Jewish people enter the Land, they will be exiled and experience four different exiles.<sup>31</sup> Once those four kingdoms will be destroyed, Mashiach will arrive and the Jewish people will possess the Land forever.

Radak follows this approach as well. He explains that Avraham's question "How shall I know?" related to how the inheritance will take place. Namely, will the Jewish people remain in the Land permanently or will they be exiled? If they are to be exiled, what will come afterward? In response, Hashem showed him the animals which represent different periods of exile. The heifer represents the exile to Egypt. The goat represents the Greek Empire which is compared to a goat.

Thus began a period of bondage in Eretz Yisrael, which was continued by the Roman Empire, culminating in the Jews' exile from the Land.<sup>32</sup> The Ram represents the First Temple and the exile to Bavel, which was extended by Paras and Madai.<sup>33</sup>

We may further suggest that the four exiles and the redemption from them correspond to the bondage in Egypt and the ensuing Exodus. The bondage and redemption from Egypt serve as a blueprint for all subsequent exiles and redemptions. Just as we find after the splitting of the sea that "there did not remain a single one" (Shemos 14:28), so too, the nations responsible for Am Yisrael's future exile will fade into oblivion (as symbolized by the cutting up of the animals). When Hashem informed Avraham about the exile to Egypt and the redemption, it symbolizes all periods of exile and that "in each generation, they stand ready to destroy us and Hashem saves us from their hand."<sup>34</sup>

## Further Symbolism in *Bris Bein HaBesarim*

According to midrashic sources, *Bris Bein HaBesarim* contains symbolic allusions to profound concepts and historical milestones. These include: Beis HaMikdash, Gehenom, *kerias Yam Suf* and Matan Torah.<sup>35</sup> Each of these aspects and the relationship between them carries enormous mystical significance that transcends our discussion.<sup>36</sup>

From a linguistic perspective it is noteworthy that *Bris Bein HaBesarim* shares some striking commonalities with the Torah's narrative concerning Avraham's pursuit of the four kings. These include the names of some of the 10 nations whose land was being

promised, as well as several word associations.<sup>37</sup> The significance of these literary parallels is not explicitly addressed in the midrashim,<sup>38</sup> and merits further attention.<sup>39</sup>

## Conclusion: *Bris Bein HaBesarim* as a Source of Ongoing Inspiration

Pesach affords us a golden opportunity to revel in the remarkable historical journey experienced by our people from *yetzias Mitzrayim* until our very day. Simultaneously, we are summoned to renew our faith in the glorious prophecies associated with the Messianic age. For both of these dimensions, *Bris Bein HaBesarim* serves as an anchor and guidepost. It is, at once, a powerful testament to Hashem's protection of our people throughout the ages, as well as a compass that lays out a vision drawing us to our ultimate inheritance of the Promised Land and to the rebuilding of the *Beis HaMikdash*.

## Endnotes

1 According to most commentaries, *Bris Bein HaBesarim* begins with "*Achar hadevarim ha'eila*" (15:1). See, however, Tosafos to *Berachos* 7b, who posits (based on several textual discrepancies) that the account described in verses 1-6 occurred at a subsequent occasion, while *Bris Bein HaBesarim* begins with verse 7.

2 For the sake of clarity we have consistently referred to the protagonist by the name Avraham. It should be noted, however, that the name change from Avram to Avraham did not occur until later on in Parshas Lech Lecha (in connection with the commandment of *Bris Mila*).

3 Interestingly, the verses here do not reference Egypt by name but speak instead of a "land that is not theirs." According to Midrashic sources, this is because the 400 years of sojourning began with the birth of Yitzchak and included the years that the latter

spent as a stranger in Eretz Yisrael (which was then under the dominion of other nations). [See, however, Shemos 12:40 and the commentaries there.]

4 Indeed, Rashi (Shemos 12:42) cites a midrashic tradition that *Bris Bein HaBesarim* took place on the night of the 15th of Nisan, the same calendar day as the Exodus itself.

5 See *Chidushei HaGriz al HaTorah*, Parshas Bo (cited also in *Haggadah MiBeis Levi*) who suggests an ingenious explanation of this passage in terms of how Hashem manipulated various numerical calculations associated with the Exodus to ensure that they each converged at the identical point in history.

6 It should be noted that various midrashic accounts suggest that Avraham was 70 years old at the time of *Bris Bein HaBesarim* (see Rashi to Shemos 12:40). This assumption necessitates reconstructing the chronological flow of the events described in Parshas Lech Lecha since the Torah records Avraham's age at the outset of the parsha as 75. [For further elaboration, see Ramban to Shemos ibid, *Daas Zekeinim* to Bereishis 12:4, Tosafos to *Berachos* 7b and *Shabbos* 10b s.v. *Shel*.] If so, the prophecies of *Bris Bein HaBesarim* actually preceded those recorded earlier in the parsha.

7 As noted by Rashi, seven of the ten nations were promised for an earlier point in history while the remaining three (Keini, Kenizi and Kadmoni) were intended for the Messianic era.

8 Ramban to Bereishis 15:18. See there for an analysis of the relationship between the various promises issued to Avraham regarding his offspring inheriting the Land.

9 See note 3 above.

10 The language employed in the Gemara in describing this sin is "*shehifriz al midosav*," which Rashi interprets to mean that Avraham went beyond what was appropriate in inquiring about Hashem's attributes. See, however, *HaKesav Ve'Hakabala*, who notes that this statement should not be taken literally. See also *Gevuros Hashem* (chapter 9) of the Maharal for a profound interpretation of this statement.

11 See Maharal ibid, who finds a common motif in all of the various opinions. See, also, *VaTisa'eini Ru'ach* by R. Shabtai Sabato (Parshas Lech Lecha) for an original perspective on the various opinions cited in the Gemara. Also noteworthy are the comments of the Ramban (Bereishis

12:10), who views the bondage in Egypt as a punishment for Avraham's going down to Egypt when there was a famine rather than remaining in the Land and having faith in Hashem. For a discussion of Ramban's view, see the notes of Rabbi Chavell ibid.

12 For differing interpretations as to whether "the fourth generation" refers to Avraham's progeny or to the Emorites, see Rashi and Ramban ibid.

13 See *Bechor Shor*. [By contrast, Rashi explains that Avraham wished to know what merits were required for his offspring to inherit the Land. According to the Ramban, Avraham requested assurances that his sins or those of children would not cause Hashem to renege on this guarantee.]

14 Indeed, the Gemara (*Berachos* 5a) lists Eretz Yisrael as one of the three gifts that were granted to the Jewish People via *yisurim* (suffering).

15 The words *yado'a teda* seem extraneous in light of the comment of the Ramban in *Moreh Nevuchim* that every prophecy is transmitted with absolute certainty. Therefore, it must mean something more than just knowing that the prophecy will be fulfilled.

16 Most commentaries assume that the Torah's description of Avraham's taking and cutting up of the animals were events that actually transpired as he received the prophecy. According to Abarbanel (*Yeshuos Meshicho*, p. 16) all of this was part of Avraham's prophetic vision.

17 An alternative rendition offered by the *meforshim* for the word "*meshuleshes*" is an animal that was a third-born to the mother (see Radak). Rashi, based on midrashic sources, explains that three animals of each species were taken.

18 Although the Torah uses the singular expression ("*ve'es hatzipor lo vasar*"), most commentators explain that this refers to both the turtledove and the young dove whose carcasses remained intact and were placed opposite one another. [Interestingly, *Pirkei de'Rebbi Eliezer* implies that they remained alive.]

19 For elaboration of this practice see Rabbeinu Bachya (15:18) and *Sefer Haikarim* of R. Yosef Albo (Maamar 4, #45).

20 Rashi does not explain which *korbanos* the turtledove and the young dove refer to.

Perhaps the reference is to the *korban oleh v'yored* (see Vayikra 5: 7-10) — for which an individual who cannot afford an animal as a sin offering may offer two birds instead.

21 By assigning three animals for each species, Rashi accords with his interpretation of *meshuleshes* (and *meshulash*) as connoting “three animals” (see earlier note).

22 The *Beis HaLevi* cites a Gemara in *Megilla* (31b) that Avraham feared the extinction of his children as a result of intentional sin. If so, he asks, how can sacrifices which atone for accidental sin serve as an adequate reassurance. *Beis HaLevi* answers that intentional sins emerge out of an environment where accidental sins are commonplace and go unforgiven. Hence, atonement for accidental sins serves to avert the committing of intentional sins on a mass scale.

23 The meaning of “he shall not separate” has different connotations in the two cases. With regard to an *olah* bird it refers to not separating the wings from the body; with regard to the *chatas* bird it refers to not severing the head (whereas with the *olah* bird the head was to be severed). Interestingly, the Midrash interprets the phrase “and the bird he did not cut” as referring to one of the birds in accordance with the practice of *chatas ha'of*, while the other bird which symbolized the *olas ha'of* was cut.

24 The Ramban does not indicate which historical period is being alluded to. Perhaps it refers to the religious persecutions that took place during the times of the Chashmonaim. See *Yekev Ephraim* on the Ramban.

25 Abarbanel (*Yeshuos Meshicho*, p. 16), who interprets the halving of the animals as an aspect of the prophetic vision (see note 16), explains that Avraham prayed that the forces of the four Empires (see later section) be weakened. This was accomplished through pitting of one Empire against the other, thus allowing the Jewish Nation to remain intact.

26 For other interpretations of this verse, see Rashi, Abarbanel (*Yeshuos Meshicho*, p. 17).

27 There are various (and at times conflicting) midrashic accounts regarding the four Empires. See *Mechilta* to Parshas Yisro (on the pasuk

*Vechol ha'am roim es hakolos* 20:15), *Pirkei de'Rebbi Eliezer* (Chapter 28 – and in *Yeshuos Meshicho*, pp. 10-15), Targum Yonasan ben Uziel. There is much discussion among the Rishonim as to whether Yishmael is included among the four empires. See Ramban, *Sefer HaGeulah* and commentary to Bamidbar 24:23. In some versions, the Kingdom of Persia is mentioned instead of Edom. See *Emes LeYaakov* of R. Yaakov Kaminetzky who conjectures that “Persia” was inserted instead of “Edom” out of censorship concerns. See, however, *Sanhedrin* 98b, and Rashi there (s.v. *She'ain kol dekel*), as well as *Midrash Eicha* 1:41 (on *paras reshesh l'raglai*) and *Midrash Shir Hashirim* 8:13, which speak of a Persian assault on Eretz Yisrael at the end of days.

28 For an extensive hashkafic analysis of the four exiles, see the sefer *Ner Mitzva* of the Maharal of Prague.

29 See *Pirkei de'Rebbi Eliezer* (ibid) who interprets the various animals as corresponding to the four Empires. See also Radak who similarly interprets the animals as corresponding to different exiles, but who views the calf as a reference to the first exile in Mitzrayim.

30 This idea dovetails with the comments of the *Beis HaLevi* (based on the Gemara *Megillah* 31b) that Avraham was concerned that his children would sin and forfeit the Land. Hashem responded that He will treat them differently. Instead of waiting until their sins amass and they are worthy of destruction, He will exile them upon their first sinning in order that they could eventually return to inherit the Land.

31 Abarbanel's interpretation which views the four exiles as an inevitable part of the process of Am Yisrael's inheriting Eretz Yisrael is in stark contrast to that of Ramban who views the decree of subjugation to the four exiles as contingent on Israel's sinning. In addition, Abarbanel's interpretation of Avraham's question as referring to Am Yisrael's ultimate inheritance of Eretz Yisrael is at odds with the Ramban who explains that the Divine promise of eternal possession of Eretz Yisrael was made in connection with Avraham's

receiving the commandment of Bris Milah, whereas the question of “How shall I know?” reflected Avraham's desire for reassurance that the promise would not be reneged on in the event of his offspring's sinning or the Canaanites' repentance (see Ramban's commentary to 15:7 and 15:18).

32 Hence, both the Greek and Roman Empires are symbolized by the goat.

33 See Radak who offers several explanations of why these three kingdoms are alluded to by the symbol of a ram.

34 See Rashi's comments to “But also (*ve'gam*) the nation that they shall serve, I shall judge,” which interprets the introductory word “*ve'gam*” as an allusion to the four world empires who subjugated Am Yisrael.

35 Kerias Yam Suf is alluded to in the expression “between the pieces.” Matan Torah is alluded to by the “smoking oven and flaming torch.”

36 The midrashim speak of a delicate choice that Hashem placed before Avraham regarding his offspring: whether to subject them to Gehenom or to subservience to the nations of the world. The Rabbis (*BR* # 44 on “*Vayehi hashemesh lavo*”) debate which one Avraham opted for. For an analysis of this issue, see *Yaaros Devash* Vol. I, ch. 2.

37 For example: the word “Dan” appears in connection to Avraham's pursuit of the kings (14:14) and with regard to Hashem's judging the oppressing nation (15:14); the word *rechush* (property) appears with regard to Avraham's restoring Sedom's wealth (14:16,21) and in connection to the Exodus (15:14); the notion of “halving” appears in connection to the nocturnal pursuit (14:15) and with the various animals cut into parts (15:10).

38 The one midrashic connection between the two narratives is the symbolic linking of the four kings with the four exiles (see Ramban to Bereishis 14:1).

39 For some interesting conjectures see *VaTisa'eini Ruach* by R. Shabtai Sabato (Parshas Lech Lecha) and *Patterns in Genesis and Beyond* by R. David Sykes (pp. 77-97).



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# Nachshon and the Jump Heard around the World

The climactic point of the Exodus, or the “shot heard round the world” is the splitting of the Yam Suf. If one were to take a survey about how the splitting of the sea occurred, the likely narrative is that Moshe was standing at the sea while b’nei Yisrael were waiting for something to occur, remaining doubtful of anything possibly transpiring. Afraid to go into the sea, Nachshon Ben Aminadav forged ahead and jumped into the sea to show his *emunah*, or belief, in Hashem. Finally, as the waters rose to his neck, Hashem split the sea. However, if we were to look at the Torah, none of these details are mentioned. There is no mention of Nachshon in the story of the Exodus. What merely occurred was that Moshe raised his staff, the sea split, and b’nei Yisrael entered the dry land. In this article, we will explore Nachshon’s “jump” and its purpose, and in doing so, we will gain a greater appreciation of the miracle of the splitting of the sea.

The source for Nachshon jumping into the sea before it was split can be found in the Gemara:

אמר לו רבי יהודה לא כך היה מעשה אלא זה אומר אין אני יורד תחילה לים וזה אומר אין אני יורד תחילה לים קפץ נחשון בן עמינדב ירד לים תחילה...באותה שעה היה משה מאריך בתפלה אמר לו הקב"ה ידידי טובעים בים ואתה מאריך בתפלה לפני אמר לפני רבונו של עולם ומה בידי לעשות אמר לו דבר



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אל בני ישראל ויסעו ואתה הרם את מטך ונטה את ידך וגו'

*R. Yehuda said to [R. Meir]: That is not what happened; but each tribe was unwilling to be the first to enter the sea. Then sprang forward Nachshon the son of Amminadav and jumped first into the sea ... At that time Moshe was prolonging his prayer; so the Holy One, blessed be He, said to him, "My beloved ones are drowning in the sea and you prolong your prayer to Me?" (Moshe) said to Him, "L-rd of the Universe, what is there in my power to do?" He replied to him, "Speak unto the children of Israel that they go forward. And lift thou up thy rod, and stretch out thy hand etc."*

### Sotah 37a

The Gemara seems to put missing information into the text of the Torah and elaborates on our story. Nachshon jumps into the sea and is close to death; at that point Hashem tells Moshe to raise his staff so that He can split the sea. There must have been something in the text that led Chazal to elaborate on what is written in the Torah.

Perhaps one way to answer this question would be to attempt to unravel the primary motive of the

added narrative: Why did Nachshon jump? What was the motive of Nachshon that placed him in such a vastly vaunted role, as Chazal attributes to him the reason for the splitting of the sea? The common answer given, that I am certain many have heard and would probably answer to this question, is that Nachshon jumped in to show his *emunah* in Hashem. However, as I will show, such a claim would run counter to the evidence in the Torah.

Let's attempt to examine the impact of Nachshon's jump. In the description of our Gemara, Nachshon jumps into the sea and Moshe lifts his staff, the sea gets split by Hashem and everyone goes home happy. But what happens if Nachshon doesn't jump in or if Moshe does not raise his staff? If neither Nachshon jump in nor Moshe raises his staff, according to all accounts, the sea does not split. What would have happened if Moshe didn't lift his staff after Nachshon jumped in? The midrash seems to indicate that Nachshon would have drowned. If the jump was to show his *emunah* in Hashem, it seems fruitless. If it were not for Moshe lifting his staff, Nachshon would have been

unsuccessful. Additionally, if Moshe had lifted his staff and Nachshon did not hurdle into the sea, according to the Torah, everything would have gone off without a hitch. So what was Nachshon adding by jumping in?

Furthermore, with a close reading of the Torah, it seems that there was a causative relationship between Moshe lifting his staff and the splitting of the sea.

וְאַתָּה הָרַם אֶת־מִטְּךָ וַיִּנְטֶה אֶת־יָדְךָ עַל־הַיָּם  
וּבְקַעֲתוֹ וַיָּבֵאוּ בְנֵי־יִשְׂרָאֵל בְּתוֹךְ הַיָּם בַּיַּבֵּשָׁה:  
*And you lift up your staff and hold out your arm over the sea and split it, so that the Israelites may march into the sea on dry ground.*

**Shemot 14:16**

The Torah is directing our attention to the singular cause of Hashem splitting the sea by explaining that it must be immediately preceded by Moshe raising his staff. The *Ohr Hachaim* likewise points out this fundamental point:

ויש לדעת אימתי היתה נטית ידו של משה  
אם בתחלת הלילה אם בסופו, והנה משטח  
הכתוב מוכח כי קודם הבוקר היתה, וקשה  
דאם כן אין היכר לקריעת ים סוף שהיתה על  
ידי משה...

*And we need to know when was the raising of the hand of Moshe, if it was at the beginning of the night or if it was at the end of the night. And it seems from the plain reading of the text that it occurred before the morning, and it is difficult, because if that is the case, there is no recognition for the splitting of the sea that it was done through the hands of Moshe...*

As the *Ohr HaChaim* points out, and accepts as fundamental to understanding the narrative, there must be a connection between Moshe lifting his staff and the splitting of the sea.

If Nachshon's jump was not the immediate cause of the splitting of the sea (Moshe's lifting his staff was), and it wasn't to show his *emunah* in Hashem (it would have been futile had Moshe not lifted his staff), what was its purpose? A comment of Ramban helps connect these sources and provides us an answer.

**If Moshe had lifted his staff and Nachshon did not hurdle into the sea, according to the Torah, everything would have gone off without a hitch. So what was Nachshon adding by jumping in?**

The Ramban, in his commentary on our verses, writes:

וייראו מאד ויצעקו בני ישראל אל ה', ויאמרו  
אל משה המבלי אין קברים במצרים... כי היו  
העם מאמינים בה' ומתפללים אליו להצילם,  
אבל במשה נכנס ספק בלבם פן יוציאם למשול  
עליהם. ואע"ף שראו האותות והמופתים חשבו  
שעשה אותם בדרך חכמה או שהשם הביא  
עליהם המכות ברשעת הגויים, כי אלו חפץ  
השם ביציאתם לא היה פרעה רודף אחריהם.

*"They were very frightened, and the children of Israel cried out to the L-rd. They said to Moses, Is it because there are no graves in Egypt?" (Exodus 10,11) For the nation believed in Hashem and were praying to Him to save them, but in Moshe a doubt entered their hearts, perhaps he took them out to rule over them. And even though they saw the signs and wonders, they thought that*

*he (Moshe) did them through wisdom or that Hashem was bringing plagues due to the wickedness of the nations, for if Hashem desired that they would be leaving (Egypt), Pharaoh would not be chasing after them.*

**Ramban on Exodus 14:10**

The Ramban shows us that really there was no doubt in the minds of the people that Hashem controlled the universe. This is a group of people that had just witnessed the ten plagues. The Torah repeatedly stated the purpose of these plagues was *למען תדע כי אני ה'*—in order that you know that I am Hashem. How did He accomplish this task? Hashem showed the people that there weren't many different powers that controlled different aspects of the universe, rather, He controlled everything, from the ground, to the skies, to the people—everything. As such, b'nei Yisrael had just witnessed the power of G-d, so they had no doubt. However, they did have a doubt; it was in Moshe.

In fact, if we look to the two verses the Ramban quoted, it is clear that the anger of b'nei Yisrael was directed toward Moshe and the fear was directed towards Hashem. They prayed to Hashem out of fear, as it says 'ה'—and the children of Israel cried out to the L-rd." Then, in a separate verse (since the one to whom they were speaking had changed), they turned to Moshe and blamed "him" for their seemingly impending death, as the verse states, "They said to Moses, is it because there are no graves in Egypt?"

They felt that perhaps Moshe was in the right place at the right time. Perhaps due to the evil nature of the Egyptians, Hashem brought plagues, or perhaps due to the merit of their forefathers Hashem brought these

plagues, and perhaps through trickery Moshe associated himself as the messenger of G-d. As a result of these doubts, Hashem had to authenticate the authority of Moshe. How could He do that? By coordinating a situation where the focus of the entire nation will be on Moshe and Moshe's actions will be directly attributed to Hashem's miracle.

With this idea in mind, we could explain Nachshon's jump. The people had turned to Moshe in anger and blamed him for their situation. As the leader they had chosen to follow, they were expecting him to resolve the situation. However, b'nei Yisrael lacked confidence in Moshe. Nachshon, through showing his confidence and *emunah* in Moshe as the true messenger of Hashem, dove into the sea with full faith in Moshe's ability to save the people. With a now almost certain immediate death of Nachshon looming, the people were unwaveringly focused on what Moshe could do to save both Nachshon, and quite shortly, the rest of the people. So Moshe raised his staff and the sea split. By jumping in, Nachshon became a partner in helping b'nei Yisrael understand that Moshe was the true messenger of Hashem. And what was the result? The very last verse that leads into *Az Yashir* shows us that, in fact, they did trust in Moshe:

וַיֵּרָא יִשְׂרָאֵל אֶת הַיָּד הַגְּדוֹלָה אֲשֶׁר עָשָׂה ה' בְּמִצְרַיִם וַיִּירָאוּ הָעָם אֶת ה' וַיֹּאמְרוּ בְּה' וּבְמֹשֶׁה עַבְדּוֹ.

*And Israel saw the great hand, which the L-rd had used upon the Egyptians, and the people feared the L-rd, and they believed in the L-rd and in Moshe, His servant.*

We see here that upon seeing the incident of the splitting of the sea, that not only did they verify their trust in Hashem, but they also trusted in Moshe as the true messenger of Hashem. Yes, it is true that their belief in Moshe is a function of their belief in Hashem. They did not believe Moshe performed these wonders. However, to associate Moshe as the leader was a separate, and necessary, step.

Why did this *emunah* only take place after the splitting of the sea? We can gain insight by looking at a comment of Rashi that gives us a definition of *emunah*. In *Parshat Miketz*, before Yoseph reveals himself to his brothers, he tells them to bring Binyamin, the youngest brother down to Egypt, to verify what they have said earlier:

וְאֵת אַחֵיכֶם הַקָּטָן תְּבִיאוּ אֵלַי וַיֹּאמְרוּ דְבָרֵיכֶם וְלֹא תָמוּתוּ וַיַּעֲשׂוּ כֵן.

*"And bring your youngest brother to me, so that I will have emunah in your words, and you will not die." And they did so.*

**Genesis 42:20**

On that verse, Rashi explains what

exactly *emunah* is:

וַיֹּאמְרוּ דְבָרֵיכֶם: יתאמתו ויתקיימו, כמו (במדבר ה כב) אמון אמון, וכמו (מ"א ח כו) יאמון נא דבריך.

*Heb. וַיֹּאמְרוּ, let them be confirmed and fulfilled, like "Amen, amen (אָמֵן)" (Num. 5:22), and like "may Your word now be verified (וַיֹּאמְרוּ)" (I Kings 8:26).*

We see that *emunah* really means to accept verification. With regards to the splitting of the sea, in order for the people to follow Hashem, through Moshe, the people needed to verify the claims of Moshe. As a result, Hashem needed to connect the splitting of the sea to the lifting of the staff by Moshe. Had that not been done, there would have been no reason to follow Moshe.

Chazal, through a close reading of the text, showed us the proper attention that must be paid to Moshe as the messenger of Hashem. The credibility of Moshe as the leader is crucial to every aspect of our lives. Every mitzvah we have, every aspect of both our Oral and Written Torah, stems from the authenticity Hashem placed upon Moshe. If we realize how central the leadership of Moshe is in the world of the Torah, and recognize the great care and depth Hashem gave to establish his veracity, we can begin to understand how an entire nation accepted the word of Moshe as true, and continued to pass on his legacy for countless generations.



# The Mitzvah of Sefiras Ha'omer

There is an important dispute among the Rishonim as to whether counting sefiras ha'omer nowadays is a biblical mitzvah (*d'oraisa*) or a rabbinic mitzvah (*d'rabbanan*). Rambam writes explicitly that the mitzvah is *d'oraisa*:

מצות עשה לספור שבע שבתות תמימות מיום הבאת העומר ... מצוה זו על כל איש מישראל ובכל מקום ובכל זמן ונשים ועבדים פטורין ממנה.

*There is a positive commandment to count seven full weeks from the day of bringing the omer offering ... This mitzvah applies to every Jewish male in all places and in all times and servants and women are exempt from it.*

**Rambam, Hilchos Temidin Umusafin 7:22,24**

Tosafos, *Menachos* 66a, s.v. *Zecher*, disagree and are of the opinion that the mitzvah nowadays is only *d'rabbanan*. The point of contention is about how closely related the mitzvah of sefiras ha'omer is to the bringing of the korban ha'omer. Rambam is of the opinion that the two are not connected and therefore, nowadays, when we don't bring the korban ha'omer, the mitzvah is nevertheless *d'oraisa*. Tosafos are of the opinion that the mitzvah *d'oraisa* only applies in conjunction with the bringing of the korban ha'omer, and since we don't bring the korban ha'omer nowadays, the mitzvah to count is only *d'rabbanan*.

Rabbeinu Yerucham, *Nesiv Adam* 5:4, presents a third opinion. The mitzvah to count the weeks is only *d'rabbanan* but the mitzvah to count the days is *d'oraisa*. This is based on



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the presentation of the mitzvah in the Torah:

וּסְפַרְתֶּם לָכֶם מִמִּחֶרֶת הַשַּׁבָּת מִיּוֹם הַבִּיאָכֶם אֶת עֹמֶר הַתְּנוּפָה שֶׁבַע שַׁבָּתוֹת תְּמִימוֹת תִּהְיֶינָה. עַד מִמִּחֶרֶת הַשַּׁבָּת הַשְּׁבִיעִית תִּסְפְּרוּ חֲמִשִּׁים יוֹם וְהִקְרַבְתֶּם מִנְחָה חֻדְשָׁה לַה'.

*You shall count for yourselves, on the day after your rest day, from the day you bring the omer offering, they shall be seven complete weeks. Until the day after the completion of the seventh week, you shall count fifty days and you shall offer a new meal offering to Hashem.*

**Vayikra 23: 15-16**

Rabbeinu Yerucham notes that the Torah connects the counting of the weeks to the korban ha'omer but does not do so for the counting of the days. Therefore, counting the weeks nowadays is *d'rabbanan* but counting the days is *d'oraisa*. The *Sefer Hachinuch* no. 306, might also reflect this opinion (see the notes on the *Machon Yerushalayim* edition of the *Minchas Chinuch*).

This dispute among the Rishonim is rooted in a dispute found in the Gemara:

אמר אביי מצוה למימני יומי ומצוה למימני שבועי רבנן דבי רב אשי מנו יומי ומנו שבועי אמרימר מני יומי ולא מני שבועי אמר זכר למקדש הוא.

*Abaye said: There is a mitzvah to count the days and a mitzvah to count the*

*weeks. The Rabbis of Rav Ashi's school counted the days and they counted the weeks. Ameimar counted the days but he did not count the weeks saying that the practice is a remembrance of the Temple.*

**Menachos 66a**

Abaye and the Rabbis of the school of Rav Ashi are of the same opinion that one counts the weeks and the days. Ameimar only counted the days and not the weeks because he felt that the obligation is only *d'rabbanan* in order to commemorate the Beis Hamikdash and therefore, there is no need count the weeks. Counting the days is a sufficient remembrance of the Beis Hamikdash. Rambam will explain the dispute as follows: Abaye together with the the Rabbis of the school of Rav Ashi are of the opinion that counting nowadays is *d'oraisa*. Therefore, one must count the weeks and the days. Ameimar is of the opinion that the mitzvah nowadays is *d'rabbanan* in order to remember the Beis Hamikdash and therefore, it is sufficient to count days and not week. The Rambam is of the opinion that we follow Abaye together with the the Rabbis of the school of Rav Ashi. Tosafos, on the other hand will argue that all everyone — Abaye, the the Rabbis of the school of Rav Ashi and Ameimar are of the opinion that the mitzvah is *d'rabbanan*, and the

only dispute is whether the *d'rabbanan* mitzvah requires counting the weeks and the days or just the days. Rabbeinu Yerucham will argue that we follow Abaye and the Rabbis of Rav Ashi's opinion that one is required to count the weeks and the days, just that they are fulfilled on different levels. The obligation to counting the days is *d'oraisa* and the obligation to count the weeks is *d'rabbanan*.

There are a number of practical differences between these opinions. First, Tosafos write that it is permissible to count during the time between sunset and *tzeis hakochavim* (nightfall). This period of time, known as *bein hashmashos* or *safek chasheicha*, is considered *safek yom v'safek layla*—there is a doubt as to whether it is night or day. Why does Tosafos permit counting during this time? Because Tosafos are of the opinion that the mitzvah is *d'rabbanan* and one may count even if it is doubtful if the next day started. The Rambam would say that since the mitzvah is *d'oraisa*, one may not count during this period of doubt and must wait until after *tzeis hakochavim*.

Second, are women obligated to perform sefiras ha'omer? The aforementioned Rambam states explicitly that women are exempt from the mitzvah. This is because sefiras ha'omer is a *mitzvas aseh shehazman gerama*—a time-bound positive mitzvah, which women are exempt from performing. The Rambam, *Kiddushin* 34a, gives a list of mitzvos that are not *zman gerama* and included in that list are the initials *ע"ה*. Some Acharonim interpret that as *sefer ha'avodah*, the requirement of saying daily korbanos. However, most assume that he is referring to sefiras ha'omer. Sefiras ha'omer seems to be

a classical *mitzvas aseh shehazman gerama*. We recite it from the second day of Pesach until Shavuos and only during that time. Why isn't this a *mitzvas aseh shehazman gerama*? R. Yechezkel Borenstein, in *Divrei Yechezkel* no. 45, answers that in order for something to be considered a *mitzvas aseh shehazman gerama*, it has to be directly linked with time. Sefiras ha'omer is not directly linked with time, but rather, its obligation is generated by the bringing of the korban ha'omer and therefore, it is considered *mitzvas aseh shelo hazman gerama* and women are obligated to perform the mitzvah.

We find a similar idea regarding *kiddush levanah*. The *Magen Avraham*, *siman* 426, writes that women are exempt from reciting *kiddush levanah* because it is a *mitzvas aseh shehazman gerama*. Rav Shlomo Kluger in *Chochmas Shlomo* disagrees. He says that *mitzvas aseh shehazman gerama* only applies in a situation where the mitzvah can potentially be fulfilled at any time and the Torah imposes on us a certain time to fulfill the mitzvah. Time is an external factor in the fulfillment of the mitzvah. *Kiddush levanah* also has a time element. It is only recited in the first half of the month. However, the time factor is not external. It is an intrinsic part of the mitzvah because the mitzvah could only be fulfilled when the new moon is still waxing. While this might seem counterintuitive, when the time factor is intrinsic to the mitzvah, it is not considered a *mitzvas aseh shehazman gerama*.

As such, in order for something to be considered a *mitzvas aseh shehazman gerama*, the mitzvah must be directly linked to time and time must be an external factor in the performance of

## ***Zecher L'Mikdash or Zecher L'Churban?***

Rabbi Yosef Dov Soloveitchik (cited in *MiPinei HaRav* pp. 287-289) noted that there are certain rabbinic mitzvot that were enacted to memorialize a particular mitzvah that was performed when the Beit HaMikdash was standing (*zecher l'mikdash*). There are other rabbinic mitzvot that were enacted to commemorate the destruction of the Beit HaMikdash (*zecher l'churban*). The former are performed with great joy and the latter are performed with an element of sadness. R. Zerachiah HaLevi, *Ba'al HaMaor* (end of Pesachim) notes that we do not recite Shehechyanu on the first night of sefirat ha'omer because it is not a mitzvah that brings us joy, but rather a mitzvah that brings agony that we don't have a Beit HaMikdash. Rabbi Soloveitchik noted that *Ba'al HaMaor* is clearly of the opinion that sefirat ha'omer nowadays is a *zecher l'churban* and not a *zecher l'mikdash*. *Ba'al HaMaor* proves his position from Ameimar's practice to count the days and not the weeks. Rabbi Soloveitchik explained further that when a mitzvah is performed as a *zecher l'mikdash*, the mitzvah is performed in the same manner that it was performed when the Beit HaMikdash was standing. A *zecher l'churban* is specifically not performed in the same manner in which it was performed when the Beit HaMikdash was standing because its goal is to show that we are incomplete without the Beit HaMikdash. Therefore, Ameimar felt that we should specifically not count the weeks.

**Torah To Go Editors**

the mitzvah.

This issue is directly connected to the dispute as to whether sefiras ha'omer is *d'oraisa* or *d'rabbanan* nowadays. Ramban follows the majority of Rishonim that sefiras ha'omer nowadays is *d'rabbanan*. This is because the mitzvah is directly connected to the bringing of the korban ha'omer. Since it is directly connected to the korban ha'omer, there is room to say that the mitzvah is not a time-bound mitzvah. Its performance is not contingent on time, but rather the event of bringing the korban. However, according to the Rambam, the mitzvah of sefiras ha'omer is independent of the korban ha'omer. Therefore, sefiras ha'omer nowadays is *d'oraisa* and for that very reason, it makes sense that sefiras ha'omer would be a *mitzvas aseh shehazman gerama*.<sup>1</sup>

A third application may relate to the text we use when performing the mitzvah. Some siddurim use the text *hayom (yom echad) la'omer* and some use the text *ba'omer*. Rabbi Soloveitchik (cited in *The Yeshiva University Haggadah*) had the practice of reciting both versions. What is the difference between these two versions? *La'omer* means “to the omer.” It refers to the fact that the korban ha'omer generates the mitzvah to count. This many days have passed since the offering of the korban ha'omer. *Ba'omer* means “in the omer,”

and implies that the counting of the omer and the offering of the korban ha'omer are done at the same time but are not conceptually linked. They are coincidental.<sup>2</sup>

Fourth, Tosafos, *Megillah* 20b, s.v. *Kol*, write that after counting the omer, one should recite a prayer asking for Hashem to rebuild the Beis Hamikdash. This is why recite the *Harachaman* prayer after counting the omer. The Rambam does not mention reciting such a prayer. Both Tosafos and the Rambam are consistent within their own opinions. Tosafos are of the opinion that without the korban ha'omer, there is no mitzvah *d'oraisa*. We perform sefiras ha'omer on a *d'rabbanan* level as a remembrance of the Beis Hamikdash. When we perform a mitzvah as a remembrance of the Beis Hamikdash, it is appropriate to recite a prayer asking for the rebuilding of the Beis Hamikdash so that we could fulfill the mitzvah in its ideal form. The Rambam holds that the mitzvah of sefiras ha'omer is independent of the korban ha'omer and there is nothing lacking in our counting. As such, there is no specific need at the time of the performance of the mitzvah to recite a prayer about rebuilding the Beis Hamikdash.

To summarize, we saw a machlokes between the Rambam and other Rishonim as to whether sefiras ha'omer is directly connected to the bringing of the korban ha'omer. If

the two are directly connected, the mitzvah nowadays is *d'rabbanan*. If the mitzvah of counting is independent, the mitzvah nowadays is *d'oraisa*. The four practical differences relate to counting during *bein hashmashos*, whether counting is a *mitzvas aseh shehazman gerama*, whether one should say *la'omer* or *ba'omer* and whether one should recite the *Harachaman* prayer.

## Endnotes

1 There is a dispute between Rashi and Tosafos in *Berachos* 20b, as to whether the exemption of *mitzvas aseh shehazman gerama* applies to *mitzvos d'rabbanan*. If one assumes that they don't, then that explains why women are obligated nowadays because the whole obligation is *d'rabbanan* and women don't get the exemption of *mitzvas aseh shehazman gerama*.

2 My talmid, Rabbi Elon Soniker pointed out that the *Shulchan Aruch's* position on the matter requires clarification. On the one hand, the *Shulchan Aruch* OC 489:2, writes, regarding the proper time to count, that scrupulous people (*medakdekin*) wait until *tzeis hakochavim* to count. This implies that *me'ikar hadin*, according to the letter of the law, one may count before *tzeis hakochavim*. This is the opinion of Tosafos that one can count during *bein hashmashos* because the mitzvah of sefiras ha'omer nowadays is only *d'rabbanan*. According to the analysis, we would expect the *Shulchan Aruch* to write that the proper text is *la'omer* to connote that on a Torah level, the counting is directly linked to the korban. However, *Shulchan Aruch* OC 489:1, writes that the proper text is *ba'omer*.



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<http://www.yutorah.org/Rabbi-David-Hirsch>

# Experiencing the Pesach Seder

The Pesach Seder is one of the greatest opportunities we have for experiential education. The Seder is interactive, includes lots of symbolism, uses different senses, encourages the asking of questions and involves a lot of singing.

Each year our family challenges itself to come up with something fun and creative to do differently at the Seder. We've created our own box of *makot*, played Seder bingo, and have enjoyed chocolate-shaped frogs for dessert.

As busy as the Pesach prep is, making time to ensure that there are fun and interactive activities at your Seder, will enhance your family's Seder experience. Below are a few ideas that you and your family may enjoy doing to make things even more exciting at your Pesach Seder!

## Pesach: Say What?

This is a game of word association.

Each person takes a few cards and has to get everyone else at the Seder to guess the word at the top of their card without using the words below the line.

If they use any of the words below the line they have to give up the card to the player on their left.

A set of cards is available at [yutorah.org/togo/pesach](http://yutorah.org/togo/pesach). Remember to print and cut out the cards before Pesach begins. If you didn't cut out the cards, you can improvise using the page at the end of this article.



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## Who's Who at the Seder

Throughout the Haggadah we are introduced to a number of different personalities: Rabbis, the people involved in the story of Yetziat Mitzrayim, the Four Sons.

Take some time before Pesach to assign family members to do research on each of these personalities, and then to represent these figures when their name is mentioned in the Haggadah.

When you get up to the part in the Seder where your character appears, stand up and do your best to represent them; consider dressing up, sharing their biographical history, or what you imagine it would be, and what you think they would bring if they were a guest at your Seder table.

## Thanksgiving Dinner at the Pesach Seder

Most of Hallel is said after *Shulchan Orech* is done and the afikoman is eaten. By that time, many kids, and likely many adults, are already on the tired side, and some have even fallen asleep. Take the opportunity during *Shulchan Orech*, for everyone to go around and share what they are thankful for over Pesach.

Begin the prompt by reminding

everyone that we were once slaves in Mitzrayim, and now we have all the freedoms and rights we could want. Share with everyone what you are thankful for as a Jewish person this Pesach.

"This Pesach, I am thankful for \_\_\_\_\_."

## DIY Symbolism at the Seder

by Aaron Steinberg

This is an instruction guide for an activity that places a stuffed elephant on the Seder table, and asks every participant to think of their own explanation as to why a symbolic elephant might belong at the Seder. [Obviously the elephant can be replaced by any item you want, but you will need to have some reason prepared as to why you chose it.]

### Stage One — Instructions for Facilitator

1. Please place a toy/stuffed elephant on the Seder table — preferably toward the beginning of the Seder.
2. Don't intentionally draw attention to the elephant — wait for someone to ask.
3. If someone asks about it at a good time, great. If they ask about the elephant too early, tell them you'll

explain a little later.

4. When you're ready to explain the elephant, go to stage two.

### Stage Two — Explanation of the Elephant's Role at the Seder

When you're ready to explain the game, read the following:

*The Passover Seder is filled with symbols and symbolism. We have a ritual washing of the hands, there is a Seder plate filled with symbolic items, and maybe even Savta will symbolically (and literally) whip us with scallions. The symbols are present to remind us of themes related to the Passover holiday, and to serve as a stimulus for discussion and reflection.*

*But who said the symbols are limited to those prescribed in the Hagaddah? Many families have their own traditions of symbols that they bring out at the Seder each year to bring the Seder to life. For example, there are those who decorate their table to look like the Splitting of the Sea, others who wear masks representing the Ten Plagues. Whatever the symbol is, it's there to promote conversation, and bring more meaning to the Seder.*

*The literal "elephant in the room" is an example of a new symbol on the Seder table. I have one explanation for the presence of an elephant on the Seder Table, but first we should all take some guesses as to what the elephant symbolizes. Later on, I'll share my explanation. So, who has any ideas for what an elephant might symbolize?*

### Stage Three — An Elephant Explanation

*Why did I put an elephant on the table? To symbolize memory. We have all heard about elephants having a good memory, but I personally never knew a serious answer (it's not because they keep things in their trunk...). Apparently*

*they have very large brains, and elephant matriarchs are able to remember where their watering holes are over very large areas. But the elephant is just the symbol, right? The real point is about memory. On Passover, we are fulfilling the Biblical commandment to remember what God did for us when he took us out of Egypt. We are required every day, and particularly on Passover, to remember something that happened thousands of years ago to our ancestors. But why do we need a Seder to remember this story? On Purim, we remember the story by reading Megillat Esther. Couldn't we do the same on Passover by just going to synagogue and reading relevant portions from the Torah? What's with the whole production? Some psychiatrists say that research into memory tells us that when we remember things, we re-encode them in our brains. It's not simply an act of recall; we have the potential to rewrite the memory in our heads. The more involved and elaborate the recollection, the more impactful the re-encoding can be. By talking about and acting out the Seder, in some small way we are actually making ourselves part of the story. So when you look at this little cute elephant on the table, think about how your memory and connection with Passover and Jewish heritage and values can be affected by participation in the Seder. Think about ways to internalize the lessons of tonight.*

**Stage Four** — If everything went well, encourage each participant to think of (or bring) their own symbolic item they think belongs on the table. Each person will have a chance to argue for the relevance of their symbol, and we can even vote on which item is the best Passover symbol. Who knows? Maybe that symbol will win a spot on the table for the next Seder (tomorrow or next year).

## Say What? Cards

### SEDER PLATE

---

Round

Food

Symbolic

### HAGGADAH

---

Book

Story

Order

### PESACH

---

Holiday

Leaving Egypt

Bnei Yisroel

### MATZAH

---

Crunchy

Round

Square

## AFIKOMAN

---

Hide  
Dessert  
Present

## MAH NISHTANAH

---

Hagaddah  
Four  
Questions

## FOUR SONS

---

Boys  
Evil  
Doesn't know how to ask

## KIDDUSH

---

Wine  
Grape Juice  
4 Cups

## BEDIKAT CHAMETZ

---

Hide  
Search  
Candle

## BIUR CHAMETZ

---

Bread  
Burn  
Morning

## CHAMETZ

---

Bread  
Rise  
Prohibited

## MARROR

---

Bitter  
Horseradish  
Romaine Lettuce

## CHOL HAMOED

---

Great Adventure  
Trips  
Bagged lunch

## MACAROONS

---

Coconut  
Sweet  
Cookie

## CHAD GADYA

---

Goat  
Song  
Malach Hamavet

## DAYEINU

---

Song  
Sufficient  
Hashem

## URCHATZ

---

Water  
Hands  
No Bracha

## KARPAS

---

Green  
Vegetable  
Ground

## YACHATZ

---

Matzah  
Break  
Afikoman

## MAGGID

---

Sing  
Story  
Leaving Egypt

## MAKOT

---

Ten  
Blood  
Frogs

## PESACH

---

Holiday  
Chametz  
Seder

## SEDER NIGHT

---

Matzah  
Order  
Singing

## SHULCHAN OREICH

---

Food  
Hungry  
Dinner

## ELIYAHU HANAVI

---

Cup of Wine  
Door  
Mashiach

## YERUSHALAYIM

---

Kotel  
Next Year  
Israel

## HALLEL

---

Singing  
Fourth Cup  
Praise

## PAROAH

---

Egypt  
Slavery  
Heart

# The Shirah Melody in the Ashkenazic and Sephardic Traditions

The oldest song in Jewish history in existence today is the one of national triumph sung by Moshe and B'nei Yisrael after their miraculous deliverance at the Sea of Reeds (Yam Suf), generally called the Red Sea. The song is identified in Jewish literature as the *Shirah*.

Having occurred on the seventh day after the Exodus from Egypt, the *Shirah* has become an affirmation of Jewish belief in God and an acceptance of His sovereignty over all the earth. Moreover, the *Sefat Emet*<sup>1</sup> comments that it is a source from which the Jews' final and total salvation will spring. The *Shirah*,



## Cantor Macy Nulman zt"l

Former Director, Yeshiva University's Philip and Sarah Belz School of Jewish Music

beginning with the initial words *Az Yashir*, contains eighteen verses. These parallel the eighteen vertebrae in the spine. The song, say the Sages, will be in the backbone of the resurrected dead and when they awaken, they too will sing to God.<sup>2</sup> During the yearly cycle of Torah reading, the Shabbat on which the *Shirah* is read has become known in Jewish tradition as *Shabbat Shirah*, the *Sabbath of Song*.

Much has been written concerning *Shirat Hayam*, which is notable for its forceful text, poetic fire, and vivid imagery. However, little has been said of the melody that accompanies the text. In the following study, an attempt will be made to outline the history and influences of this remarkable tune both in the Ashkenazic and Sephardic traditions.



## Introduction by Cantor Eric S. Freeman

Associate Director, Philip and Sarah Belz School of Jewish Music

Cantor Macy Nulman began his affiliation with Yeshiva

University's music department in 1951 as an instructor in Hazzanut and Nusah Hatefilah. He served as Assistant Director of the Cantorial Training Institute (later renamed the Belz School of Jewish Music), from 1954-1966 and as Director from 1966-1984. Cantor Nulman was among the first to successfully elevate the study of synagogue music to a level of an academic discipline and the first to research synagogue music chant from a halakhic perspective as reflected by Rabbinic tradition.

The author of numerous articles and journals on Jewish liturgy and

Jewish music education, Cantor Nulman authored several significant volumes including "The Concise Encyclopedia of Jewish Music," "Concepts of Jewish Music and Prayer," "Essays of Jewish Music and Prayer," "The Encyclopedia of the Sayings of the Jewish People" and his award winning "Encyclopedia of Jewish Prayer." He also served as editor of the *Journal of Jewish Music and Liturgy* for over 30 years.

This issue of *Torah To Go* is dedicated in memory of Cantor Jerome L. Simons. Cantor Simons was a student of Cantor Nulman while he studied at CTI. In my youth, I had the privilege to spend many Shabbos meals at the Simons'

table and listen as Cantor Simons reminisced about the insights into nusah hatefilah he picked up from Cantor Nulman. Cantor Simons was a devoted practitioner of nusah hatefilah and to this day, I incorporate aspects of the nusah I learned from him in my own davening. While Cantor Nulman was already retired when I began my training as a cantor, I trained under Cantor Bernard Beer, one of Cantor Nulman's main students and thus I consider myself to be a "second generation" student of Cantor Nulman. I adapted this article, originally printed in *The Journal of Jewish Liturgy* (1984), as a tribute to Cantor Nulman and Cantor Simons.

## Song as a Mode of Expression

In every epoch of Jewish history, song and chant became a significant mode of expression. When the Jewish people were victorious over their enemies and when God saved them from disaster, their thankfulness and joy were expressed through the medium of song. David's Song (II Sam. 22) is an obvious parallel to the *Shirah*, and its imagery seems to have been evoked by the miracle of the waters of the Red Sea.<sup>3</sup> Deborah's song of victory (Judges 4:4-5:31) also holds a high place among the triumphal odes, and is included as the special haftarah on *Shabbat Shirah* (*Parshat Beshalach*). Even in a later period, the author of the alphabetical acrostic *Esh tukad bekirbi* ("a fire [of joy] is kindled within me"),<sup>4</sup> contrasts the glory of Israel's departure from Egypt with her degradation when exiled. One of the lines reads, "Then Moshe sang a song unforgettable." The poem ends with a wish for the return to Jerusalem with rejoicing and gladness.

### The Shirah in the Bible and the Talmud

The Torah records that Moshe led the men and his sister Miriam led the women in song. Miriam, alongside her brothers, is considered as one of the three emancipators from Egypt.<sup>5</sup> According to R. Akiba the duplicated verb in the opening verse, "*Az yashir Moshe ... vayom'ru*; Then sang Moshe ... and spoke, saying," teaches that to every phrase which Moshe uttered, *B'nei Yisrael* also responded in song.<sup>6</sup> Miriam, too, "sang unto them"; thus, both the men and women answered to their respective leader in responsorial form. Miriam and the women's

singing, however, was accompanied by instruments and dance.

Moshe struck up the holy tune to glorify the Lord and all His people joined the leader's voice. But in what form or manner was this magnificent hymn of praise chanted? The Gemara offers three methods of rendering it. R. Akiba states that Moshe declaimed it, while the congregation responded with the response "I will sing unto the Lord" after every verse. R. Eliezer, son of R. Jose the Galilean, declared that the congregation repeated the whole song after Moshe. R. Nehemiah said that Moshe and the congregation recited the verses alternately.<sup>7</sup> The special fashion and methods described are still reflected in different usages in both Ashkenazic and Sephardic congregations and persist, in one form or another, in contemporary congregational singing.

### Occasions for Singing the Shirah

In the days of the Beit Hamikdash, the Leviim sang the *Shirah* at the mincha sacrifice of Shabbat.<sup>8</sup> As time went on, the *Shirah* became fixed as a daily recital at the conclusion of *Pesuke Dezimrah* in the morning service. The *Sefer Hamanhig* writes, "This song is recited throughout all the localities inhabited by the people of Israel. It would be wrong to omit this prayer, to fail to render praise for the first redemption, for it is said 'That you may remember the day when you came forth from out of the land of Egypt, all the days of your life ...'"<sup>9</sup> Other occasions when the *Shirah* is read is on the seventh day of Pesach as part of the Torah reading; in some congregations it is read responsively by the *Sheliach Tzibbur* and congregation when a Brit Milah takes

place in shul; among some Hassidic sects it is sung at a special ceremony at midnight of the seventh day of Pesach; and in Israel it is ceremonially sung at the beach in Tel Aviv and Eilat on the seventh day of Pesach.

In the Torah scroll, the *Shirah* is marked by a special way in which it is written. The verses are set in a form metrically arranged in thirty lines like a "brick in a wall." The Talmud refers to this form as *ariah al gabe leveynah* (a half brick over a whole brick).<sup>10</sup> This configuration appears in many siddurim and as such is differentiated from the other prayers.

In Kabbalistic literature great importance is attributed to the joyful and musical recitation of the *Shirah*. It is recited in a standing position, as if one were actually standing by the sea, witnessing the miracle. Some render it with the cantillation notes (*niggun hate'amim*) as it is read in the Torah. The joyful nature of the recitation of the *Shirah* explains why, on Tisha b'Av, Sephardic ritual substitutes *Shirat Ha'azinu* for *Shirat Hayam*.

One who recites the *Shirah* with the proper intent, says the *Zohar*, will merit singing the praises of future miracles.<sup>11</sup> Mystic tradition states too that, "he who recites *Az Yashir* audibly and joyously is pardoned in heaven."<sup>12</sup>

### The Shirah—Ashkenazic and Sephardic Chant

Both Ashkenazic and Sephardic traditions apply a festive tune or cadence, although divergent in detail, for the *Shirah* text. A.Z. Idelsohn, in his *Thesaurus of Hebrew Oriental Melodies*, notated the *Az Yashir* as chanted and cantillated according to the Yemenite (vol. 1, no. 9), Persian (vol. 3, no. 20), Syrian (vol. 4, nos.

28, 29) and Moroccan (vol. 5, 25-26) traditions. Isaac Levy in his *Antologia De Liturgia Judeo-Espanol* (vol. 4) notated three versions of the Sephardic chant according to Jerusalem (no. 25), Corfu (no. 26), and Tunis (no. 27; also prevalent in North Africa and Eastern Sephardi) traditions. Francis Lyon Cohen, the music editor of the *Jewish Encyclopedia*, also notated several versions of the *Shirah* melody. He quotes one version as transcribed in Federico Consolo's *Libro dei canti d'Israel* (1891) and writes that this version is chanted on Sabbath and festivals and the variant preserved among Turkish Jews is very similar.<sup>13</sup> This tune is the one sung in the Moroccan, Italian, Portuguese, and Southern France (Carpentras and Avignon) communities. Of special significance is the fact that the Ashkenazic chant is very similar to the tunes used in these communities.



Idelsohn remarks that “spiritual life in the Jewish settlement in Southwestern Germany starts about the ninth or tenth century, and that some of its prominent authorities were natives of Southern France or Provence or of Italy.”<sup>14</sup> For example, R. Gershom b. Yehudah (Me’or ha-Golah) was a native of Norbonne and settled in Mayence toward the end of the tenth century; the Kalonymos family emigrated via Italy to Germany. Thus, the Eastern and Western Ashkenazic melodies resemble one another and in

turn both correspond to the Sephardic version. Francis Cohen notes that the Sephardic version was, “handed down by the Portuguese tradition, and transmitted to the daughter congregations by Amsterdam especially. The French rendering is a variant which establishes the original identity of the Italian and of the Dutch, the latter being the source of the English and the Amsterdam forms.”

As to the melody itself, it is considered to be of ancient origin. Legend has it that it was thought by some to go back to Biblical days. That the *Shirah* is very old is upheld by Rev. D. A. DeSolo who writes, “Some have affirmed that what we now sing to the *Song of Moshe* is the same (melody) Miriam and her companions sang. ... It is highly probable that this melody belongs to a period anterior to the regular settlement of the Jews in Spain.”<sup>15</sup> Another suggestion as to its ancient origin may be its pentatonic character, one of the oldest established scales.

It has been suggested, too, that the manner and style of chanting the *Shirah* tune is an “echo of the martial notes of a trumpet-call.”<sup>16</sup> This imitation might conceivably hint to the future usage of trumpets as a means of invoking Divine aid against the foe and thus Israel “be remembered” of God and saved (Numb. 10:9-10; II Chron. 13:12-16). How did this trumpet-like chant become a metrical pattern among Sephardim? In the Sephardic rite, the prevailing custom of reciting prayers is in unison; the entire congregation sings. Therefore, *Az Yashir* became a metrical tune rather than a free recitative. However, in the Ashkenazic rite the reader only recites the tune and the free improvisatory chant

has endured. Some readers among Ashkenazim even ornamented the declamatory chant. This can be noticed in the anthologies of Abraham Baer (*Ba'al T'fillah*, p. 40, no. 118). Solomon Sulzer (*Schir Zion*, p. 183, nos. 216-219), and M. Wodak (*Hammazeach*, p. 92, nos. 272-275).

## The Shirah in Torah Reading and in the Service

In the Ashkenazic tradition, the reader is not strictly bound to the system of cantillation usually employed in reading the Pentateuch. Different customs prevail as to which verses are chanted with the special tune and those that employ the regular *te'amim*. The *ba'al koreh* generally begins to utilize the second half of the festive tune before the *Shirah* at the latter part of verses Ex. 14:22, 14:29, and 14:31. This is to acknowledge our gratitude to and belief in the Almighty. The Talmud writes that if one sees the place of the crossing of the Red Sea, he should give thanks and praise to the Almighty because it is written, “And the children of Israel went into the midst of the sea upon the dry ground” (Ex. 14:22).<sup>17</sup> The tune is again sung at the completion of the *Shirah* (Ex. 15:21), because this is the same passage that Moshe and the men sang and which Miriam and the women subsequently sang. In the *Shirah* proper, some readers adapt the tune only for the following verses: 15:1, 15:2, 15:3, 15:6, 15:11, 15:16, and 15:18. The stylistic device of parallelism in these sentences is emphasized by using the festive melody. Furthermore, the special melody is intentionally adapted to these verses in order to publicize the miracle of the splitting of the sea.<sup>18</sup> In other locales (e.g. Poland, Galicia),

each verse of the *Shirah* is rendered with the special melody.<sup>19</sup> It is also customary in some communities to utilize the festive tune for *Az Yashir* in *Pesuke Dezimrah* on *Shabbat Shirah*.<sup>20</sup> Among Sephardim, the melody is sung on *Shabbat* and the *Shalosh Regalim* during the service proper. On *Shabbat Shirah* and on the seventh day of *Pesah* the tune is adapted to the *Kaddish* before *Barekhu* both in the *Arbit* and *Shaharit* services. Some adapt it to *Adon Olam* and *Yigdal* and use it as a representative theme for various texts in the service. The Sephardic *Shirah* tune differs from the cantillation used when reading the Torah.

### Influences of the Shirah Tune

Taking a closer look at the two-part melodic organization of the *Shirah* tune, one perceives direct adaptations for sections of Biblical cantillation as well as various prayers.

The second part of the tune is discernible when chanting *Hazak Hazak Venithazek* at the conclusion of each of the *Hamisha Humshei Torah* (Five Books of Moses).



When reading *Parashat Bereishit* on *Simhat Torah* morning the second part of the tune is used for *vayehi erev vayehi voker ...* for each of the six days of creation.



The entire *Shirah* melody is adapted for the Biblical section called “*Masa’ot*” (“Journeys”). The verses chanted in pairs are Numb. 10:15-16, 19-20, 23-24, and 26-27. These verses describe the journeys of the hosts of

Israel. The following verses describe the stages of the journey: Numb. 33:10-11, 12-13, 15-16, 17-18, 19-20, 21-22, 23-24, 25-26, 27-28, 29-30, 31-32, 33-34, 35-36, 41-42, 43-44, 45-46.

On fast days when reading *Vayehal* (Ex. 32:11-14; Ex. 34:1-10) the *ba’al koreh* and *tzibbur* recite several verses responsively. Although this is an adaptation of the High Holy Day tropal system, the cadence is very similar to the second part of the *Shirah* tune.

The entire *Shirah* melody can also be identified with *Ashamnu*, the prayer recited on *Yom Kippur*.

On Friday evening at *Kabbalat Shabbat* the *ba’al tefilah* may chant the opening psalm *Lekhu Neranenuh* to a modified version of the *Shirah* melody.



At first glance it would appear to be a strange variety of texts for the *Shirah* melody to serve as thematic material. For example, what does the *Ashamnu* prayer have in common with *Az Yashir*? Why would the *Shirah* tune be associated with *Hazak Hazak Venithazek*, *Kabbalat Shabbat*, or the *Masa’ot*? In each of the above illustrations a stage or period is completed and a new point is reached. The worshiper is stimulated to a mood of victory and a sense of hopeful living in the face of an unknown and unpredictable future. Although it cannot be decisively proven, the easily recognizable melody recalls this sentiment of victory.

The unanimous response of *Hazak Hazak Venithazek* by the reader and congregation at the completion of each of the *Hamisha Humshei Torah*

marks a moment of triumph and jubilation. Just as at the completion of a tractate the *Hadran* (a brief prayer against forgetfulness and a kind of farewell to the tractate) is made, so too the entire congregation chants aloud to be strong, because one of the Five Books of Moses has been completed and to take courage and start a new book.<sup>21</sup>

Adapting the *Shirah* tune on *Simhat Torah* for each of the six days of creation designates a moment of exaltation. God created the heavens and the earth and all their hosts in six days—or in six stages of development. Each stage indicates a moment of achievement and thus the victory tune is fitting.

Drawing upon the *Shirah* tune for the *Masa’ot* is proper. All the events and vicissitudes that confronted the Israelites in their wanderings after the *Exodus*, until thirty-eight years later when they were about to enter the Holy Land, are recounted. Each halting place is marked by some attainment in their lives to fulfill the task that God assigned to them among the nations.

The special verses changed when reading *Vayehal* on fast days are no doubt the *trope* of the High Holy Days. It is possible that the *Shirah* cadence was blended with the High Holy Day tropal system so that the worshiper might attain a feeling of pardon in order that he may once again walk in the right path that the Almighty desires.

Adapting the tune for *Ashamnu* has a similar connotation.

Cantor Bernard Beer, Director Emeritus of the Belz School of Jewish Music, eloquently describes the correlation between *Ashamnu* and the

Shirah melody:<sup>22</sup>

The *Ashamnu* prayer from the *Viduy* section of each *Yom Kippur* and *Selihot* service is rendered in a most jubilant and majestic manner. Chanted in a major scale, the melody (figure 5b) in its entirety is almost identical to the cantillation (figure 5a) of *Shirat Hayam* (Song of the Sea).

**5a** 

**5b** 

(Figures 5a-5b) From the *Concise Encyclopedia of Jewish Music*, (pg 227) M. Nulman

The mood of victory and triumph depicted in the *Shirah* would seem to appear inappropriate to *Ashamnu*, a prayer of confession. Its text alone denotes a dirge like chant. Why then was the *Shirah* melody employed to the chanting of *Ashamnu*?

In the concluding mishnah of *Ta'anit*, the Tiferes Yisroel (Rabbi Israel Lipschutz, 1782-1860) explains that it is proper to sing the *Ashamnu* prayer, and that with true and sincere repentance through its jubilant singing, one's transgressions may be reversed and transformed to virtues (*z'khuyot*).<sup>23</sup>

Rabbi Joseph Soloveitchik, in a *Teshuva* lecture in 1973, discussed the conceptual distinction between communal and individual confession.

According to Rabbi Soloveitchik, when the individual confesses he does so from a state of depression, insecurity, and despair in the wake of a sin for which he has no assurance of being acquitted. In contrast, Knesset Israel (The Jewish community)

confesses out of a sense of confidence and even rejoicing with the singing of the *Viduy* in a heartwarming melody.<sup>24</sup>

On Friday evening, the Jew at *Kabbalat Shabbat* is stimulated because he was able to carry through the week and at the outset of the new week is recharged with courage for the week to come.

Singing the Hassidic tune *Agil Ve'esmach* after each of the six days of creation exemplifies rejoicing for the Divine accomplishments of each stage of the formation of the universe; the gradual ascent from amorphous chaos to order, from inorganic to organic, and from lifeless matter to vegetable, animal and man.

The Exodus experience established God's claim on Israel. According to Scripture, the future generation is to be trained to gratitude and reverence toward God by means of the story of the deliverance from Egypt. The *Shema*, *Kiddush*, *Hallel*, as well as many other prayers, make references to the Exodus. Commenting on the verse, "My dove in the clefts of the rock ... let me hear your voice," (Song of Songs, 2:14) the midrash states that God is speaking to Israel saying, "Let Me hear the same voice with which you cried out to me in Egypt."<sup>25</sup>

Prayer and song stem from the same root—*Shirat Hayam*—the magnificent hymn of praise. Both were nourished in the same soil and both together form a harmonious whole, giving clarity to prayer. "This is my God I will glorify Him," chants the Jew of today as in the past. God will rule forever and ever as He reigned at *Keriat Yam Suf*.

## Endnotes

- 1 Posthumously published novella on Talmud and Hassidic discourses on Torah by R. Yehudah Aryeh Leib Alter (1847-1903).
- 2 *Me'am Lo'ez*, Moznaim Publishing Corp., Vol. 5 New York/Jerusalem, p. 244.
- 3 See verse 16.
- 4 One of the Kinot for Tisha B'Av.
- 5 Micah 6:4.
- 6 *Sot.* 30b.
- 7 *Ibid.*
- 8 *R.H.* 31a.
- 9 *Devarim* 16:3.
- 10 *Meg.* 16b; *Shab.* 103b; *Sof.* Chapters 12, 13.
- 11 Beshallah, p. 54; cf. also the SHeLaH.
- 12 *Sefer Haredim*. See also *Mishnah Berurah* 51:18.
- 13 Vol. 2, p. 189.
- 14 *Jewish Music*, pp. 43, 47.
- 15 *The Ancient Melodies of the Liturgy of the Spanish and Portuguese Jews*, London, p. 16, no. 12.
- 16 *Jewish Encyclopedia*, vol. 2, p. 188.
- 17 *Ber.* 54a.
- 18 *Sefer Matamim Hehadash* 45:30.
- 19 J.L. Ne'eman, *Tzeliley Hammiqra*, Tel Aviv, 1955, vol. 1 p. 130.
- 20 *Minhagei Frankfurt*, Rabbi Z. Y. Leitner, Jerusalem, 5742, 108:3.
- 21 Cf. *Ozar Dinim Uminhagim*, J.D. Eisenstein, p. 129.
- 22 "Enhancing The Yamim Noraim Prayers Through Synagogue Chant As Reflected By Rabbinic Tradition: The Significant Role Of The Sheliah Tzibbur," *Journal of Jewish Music and Liturgy*, volume 31.
- 23 *Tiferes Yisroel—Ta'anit* (4<sup>th</sup> chapter, mishnah, 8).
- 24 Rabbi Joseph B. Soloveitchik, *Before Hashem You Will be Purified*, summarized and annotated by Arnold Lustiger, pg 119-120.
- 25 *Shemot Rabbah* 21:5.

# Moral Clarity Found in Our Hagaddah

Every leil Pesach, as we sit around our Seder tables enraptured by the excitement of re-experiencing our Exodus from Egypt, we encounter a seemingly bewildering statement in our Haggadah:

צא ולמד מה בקש לבן הארמי לעשות ליעקב אבינו שפרעה לא גזר אלא על הזכרים, ולבן בקש לעקור את הכל שנאמר ארמי אובד אבי...  
....

*Come and learn, what Lavan wanted to do to Yaakov. Paroh only decreed against the boys, but Lavan tried to destroy everyone!*

The Haggadah makes a powerful assertion: Lavan is a more evil villain than Paroh! And yet, when we reflect on this comment, we are perplexed. Is this really true?

In Shemot 1, Paroh declares *hava nitchakma lo*, let's outsmart the Jewish people to stop their growth into nationhood. First, he commands the midwives to murder all the baby boys at birth. Then, he instructs the Egyptians to throw the baby boys into the Nile River. Finally, he enslaves the Jewish people for 210 years with incredibly hard back-breaking work. Paroh is clearly an evil leader! What could Lavan have done that inspired our Rabbis to assert that his depravity was of greater intensity than murdering babies and enslaving our people?

When we first meet Lavan in Bereishit 24, the word that best describes him



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is selfish. His introduction is preceded by Avraham's servant arriving in town to find a wife for his master's son, Yitzchak. Rivkah is showered with jewelry and a promise to marry the chosen son. At this point, she retreats to her family home and Lavan emerges soon thereafter.

*Vayehi kir'ot et hanezem*, as soon as he sees the jewelry (24:30), he engages the stranger. In fact, Rashi writes that Lavan only bothers to meet the stranger in order to procure some jewels for himself. As the story continues, Lavan, Rivkah's brother, does not sit quietly in the marriage negotiations. He speaks out of turn, rudely cutting off his own father to have a say in the deal (24:50). The characteristics of Lavan in this story are of a selfish, greedy and disrespectful individual, but not of an evil person or a murderer!

In our second encounter with Lavan (Bereishit 29), his role evolves from brother to father (of Rachel and Leah). He is now in charge. However, his character is unchanged, tricking Yaakov into marrying the wrong daughter, thus ensuring Yaakov's continued indentured work relationship. And, when Yaakov

decides to leave, taking with him a fair portion of Lavan's animals as compensation for his unpaid labor, Lavan chases him down. At this point, G-d has to intervene and threatens Lavan:

וַיִּבֹא אֱלֹהִים לְקַיֵּם אֶל לָבָן הָאֲרָמִי בְחֶלְמָה הַלַּיְלָה וַיֹּאמֶר לוֹ הֲשִׁמְרָ לָךְ כִּן תִּדְבַר עִם יַעֲקֹב מִטּוֹב עַד רָע.

*And G-d came to Lavan in a dream at night saying: Be careful don't say anything to Yaakov, not something good or bad!*

### Bereishit 31:29

G-d warns Lavan to leave Yaakov alone!

Shockingly, even after G-d reprimands Lavan for his behavior toward Yaakov, Lavan (foreshadowing the behavior of other villains, such as Bilaam) ignores G-d. And, so, perhaps this is the evil attribute that our Haggadah is alluding to. However, as the story continues, this seems unlikely, since even as he chases Yaakov, screams at him, accuses him of stealing his idols, and searches his tents, he concludes by consecrating a treaty with him (and goes home empty-handed). Lavan ignores G-d's warnings because he is overcome with rage. He feels he has

been robbed of his family, his animals, his possession, and needs to confront Yaakov. He showed disrespect to G-d by ignoring his warning, but he does no physical harm to Yaakov. So we are still left with our question of where do we see Lavan being more evil than Paroh?

## Looking for Answers

To begin formulating an understanding of our statement in the Haggadah, we must search further for answers. Fortunately, we are helped because many of the mefarshim are disturbed by this concern as well.

### Rashi

Rashi asserts that Lavan's plan was to murder Yaakov. When chasing Yaakov, his true intention is to kill our third founding father, thus negating the future Jewish nation. G-d warns him specifically because G-d knew Lavan's true intentions. Then, after being warned, Lavan changes his plan. Instead of murdering Yaakov, he simply yells at him. Accordingly, the Haggadah is telling us that we blame Lavan for his evil intentions. Had Lavan murdered Yaakov, he would have prevented the creation of the Jewish nation. Just that consideration makes him worse than Paroh.<sup>1</sup>

### Abarbanel

A second approach is found in the Abarbanel. He writes that Lavan's true intentions are revealed to us in his words to Yaakov (when he catches up to him):

וַיַּעַן לָבָן וַיֹּאמֶר אֶל יַעֲקֹב הַבְּנוֹת בְּנֹתַי וְהַבְּנִים  
בְּנֵי וְהַצֵּאן צֵאֲנִי וְכָל אֲשֶׁר אֶתָּה רֹאֶה לִּי הוּא  
וְלִבְנֹתַי מָה אֲעֲשֶׂה לְאֵלֶּה הַיּוֹם אוֹ לְבְנֵיהֶן אֲשֶׁר  
יָלְדוּ.

*Lavan answered and said to Yaakov:  
The daughters are my daughters, the sons*

*are my sons, and the flocks are my flocks,  
and all that you see is mine! Yet what  
can I do now about my daughters or the  
children they gave birth to?*

### Bereishit 31:26

Lavan thinks it is all his! Everything that Yaakov attained during his servitude is really his, and none of it is Yaakov's. Lavan's intention is to reclaim everything from Yaakov. He wants to reclaim his daughters, his grandchildren, and all of his wealth, thereby impeding Yaakov's return to Israel and creation of the chosen nation. Again, Lavan's desire to forego the formation of the entire Jewish nation could be the basis for determining that he is worse than Paroh.

### The Vilna Gaon

An additional approach can be found in the Haggadah of the Gra: We don't know the terrible transgressions that Lavan wanted to do to Yaakov, and that is precisely the lesson of the Haggadah! Chazal are teaching us that terrible calamities can happen to us throughout history but G-d protects us from them. Recognize all the miracles that G-d does for us all the time—even those we don't know about.<sup>2</sup>

## An Alternative Perspective

These are three possible perspectives from the mefarshim to address why the Haggadah accuses Lavan of being worse than Paroh. However, there is a completely different perspective that we can consider regarding Lavan and his persona. Perhaps Lavan really isn't all that evil. Let us revisit the Lavan stories with this new perspective and then consider what this means for our understanding of the passage in the Haggadah.

In that first story of Lavan, Bereishit 24, we observe Lavan mimicking the actions of Avraham by performing the mitzvah of *hachnasat orchim*, inviting guests. He rushes to greet the servant of Avraham, offers him a place to stay, water to wash his feet, food and drink to satiate for him and his animals. Recall that providing water to him and his animals resembles Rivkah's actions, which was the very reason she merited marrying Yitzchak, and joining the Jewish nation.

Further, Sforno<sup>3</sup> writes that the Torah notes that Lavan saw the jewelry only to teach us that his hurrying to greet the stranger stems from his heartfelt appreciation for how nicely the guest treated his sister, Rivkah. Lavan is a loving, protective brother. He takes such an active role in the marriage negotiations—even cutting off his father—only to ensure his sister's wellbeing. His concern is entirely for her (hence, his desire for her to remain at home for as long as possible— Bereishit 24:55—and assurance that she wasn't being forced to leave home and marry a stranger). It is Lavan who insists on asking Rivkah for consent before being sent away (24:57). He is only looking out for the welfare of his sister! In addition to helping Rivkah, it is Lavan who recognizes Hashem as the G-d of the world as he admits to the servant, *meHashem yatza davar*, this marriage was made in Heaven (24:50)! Therefore, in the first story of Lavan, we learn three things about him: He is a gracious host, protective of his sister, and G-d-aware. At this point, he doesn't sound terribly evil!

In our second Lavan story, Yaakov is running from Esav, and needs a place to stay. He is all alone, penniless and terrified that his brother will hunt

him down. He desperately looks for his uncle's home as a place of respite. Lavan doesn't hesitate, invites Yaakov into his home, provides him with food and shelter, and much more. In fact, he invites Yaakov to be part of his household and family. He provides Yaakov with employment and offers a salary. It is Yaakov who insists on working for free in return for marrying Rachel and marrying into the family (29:15-18).

So why does Lavan trick Yaakov into marrying Leah? The answer is simple. The same Lavan who goes out of his way to protect his sister Rivkah, has grown up and become an over-protective father. Leah, his older daughter, does not share the physical beauty of his younger daughter Rachel:

וַעֲיִנֵי לֵאָה רַבּוֹת וְרַחֵל הָיְתָה יְפֹת תֹאֲר וְיַפֹּת מִרְאָהּ.

*Leah has sensitive eyes and Rachel was beautiful.*

#### **Bereishit 29:17**

From the missing statement of her beauty (as it states about almost all famous women in the Torah<sup>4</sup>), the Torah is politely implying that she is not! [Alternatively, this phrase may even mean that she was sickly. Chizkuni (29:9) infers that the sensitivity in her eyes prevents outside exposure for long periods, hence it is Rachel—and not Leah—who tends the sheep.<sup>5</sup>] And the worries of an over-protective father with a less than beautiful older daughter are exacerbated by society's norms:

וַיֹּאמֶר לָבָן לֹא יַעֲשֶׂה כֵן בְּמִקְוֵמֵנוּ לְתַתּוֹת הַצְעִירָה לְפָנֵי הַבְּכִירָה.

*Lavan said, it is not done where we live to marry off the younger daughter before the older.*

Bereishit 29:26

He tries to spare his daughter from the social stigma associated with a younger sister marrying first. It is for this reason that he tricks Yaakov into marrying Leah. Although wrong, it is hard to blame Lavan for all the problems in the future of the Jewish people that result from that action.

So we are forced to look to our third Lavan story, Bereishit 31, to figure out how he is worse than Paroh. There, Lavan chases Yaakov out of desperation and heartache. His son-in-law, two daughters and twelve grandchildren just moved away without saying goodbye. This is exactly what he says to Yaakov:

וַיֹּאמֶר לָבָן לְבָן לִיעֶקֶב מָה עָשִׂיתָ וַתִּגְנֹב אֶת לִבִּי וַתִּגְנֹב אֶת בְּנֹתַי כַּשְּׂבִיּוֹת הַחֵרֶב.

*Lavan said to Yaakov: What did you do?! You stole my heart and you treated my daughters like war captives.*

#### **Bereishit 31:26**

This is not a murderer talking, but rather a desperate, broken man who can't understand why his family just moved away without saying a word. Evidently, even after being warned by G-d to desist, the pain of losing his family overwhelms his behavior. His last words to Yaakov are to instruct him to be good to his wives, Lavan's daughters (31:50). To the end, he is a protective father.

When we appraise Lavan from this perspective, he may not appear righteous, but neither is he a villain. And certainly he doesn't appear worse than Paroh. Evidently, the Haggadah is forcing us to think about Lavan from two perspectives: (1) Pure evil and (2) his implied attributes from the *psbat*, simple read of the Torah.

But if so, why does the Haggadah choose to present Lavan as evil?

The answer is simple: Chazal generally

present all villains in Tanach as extremely bad. Thus, the Gemara, in *Megillah* 11a, explains the word *hu* found before the name of a villain in Torah:

הוא אחשוורוש הוא ברשעו מתחילתו ועד סופו הוא עשו הוא ברשעו מתחילתו ועד סופו.

*"He is Achashverosh," he was evil from his beginning to his end. "He is Esav" he was evil from his beginning to his end.* The word *hu* is coming to teach us that a villain is uncomplicated and is not capable of change; he is evil from the very beginning of his life until he dies.

Why do our Rabbis do this? Simple! The role of Chazal is not to record what transpired in history but rather to impart the values of history. We should learn about the good from virtuous people and learn to avoid the attributes of the evil ones. This explains why every villain in Torah is contrasted to a hero, the person with all of the positive attributes.<sup>6</sup>

The focus of Chazal's message is to make the moral picture clear. Good versus evil and heroes versus villains. Of course, the hero has to win. Therefore, in the narrative of Yaakov's growth, we contrast him to two horrible characters, Lavan and Esav. In this moral vision, Lavan hates everything that Yaakov represents, and wants to upend it all, just as Esav does. The message of our Rabbis is moral clarity.

This message is foundational for the Seder night. Reading the Haggadah is central to *sippur yetziat Mitzrayim*, experiencing the story of our journey out of Egypt. The focus of this mitzvah is *vehigadeta levincha*, sharing the message with our children. Precisely at the Seder, we impart to our progeny the difference between heroes and villains. In fact, our

Haggadah provides a similar contrast between the *chacham* and the *rasha*, the righteous and evil sons.

And yet, when looking closer at these two figures, their differences aren't as extreme as they may seem. Both use language in the third person, thus excluding themselves. The *chacham* says:

מה העדת והחקים והמשפטים אשר צוה ה'  
אלקינו אתכם?

*What are the laws that G-d commanded you.*

The *rasha* says:

מה העבודה הזאת לכם.

*What is this work for you?*

Despite the similarity, one brother elicits our praise and the other we “smack his teeth.”

Therefore, when the Haggadah imparts the values of *yetziat Mitzrayim*, the focus is moral clarity and contrast. Our Haggadah compares the evil villains (Paroh, Terach, Lavan and Esav) to the heroes (Moshe, Aharon, the Jewish people, and I'havdil, G-d Himself). This is the message of the Haggadah.

But we have a second religious tradition, that of the text of the Torah itself. This tradition recognizes that moral messages are not as clear and require greater effort. The lives of Terach, Lavan and even Esav teach us positive and negative messages. This tradition provides the message

of ambiguity, of humanity, and of complexity.

Lavan may not have been a role model of virtue in every situation, but he must have imparted some goodness. He merited to be the father of two of our Matriarchs, brother of the third, and is the grandfather of the twelve tribes. Lavan teaches us that life is complex and multifaceted.

As we approach leil Seder, we should be inspired to appreciate the complexity of the humanity all around us, while imbibing the moral clarity of our Rabbis.

## Endnotes

1 This image of Lavan “the murderer,” comports with the larger narrative surrounding Yaakov's life. Yaakov, the righteous chosen son of Yitzchak, needs to escape from the evil that seems to follow him. First, he escapes from Esav, the evil brother who wants to kill him (Bereishit 28). Then, he runs from Lavan, who Rashi describes as his evil father-in-law trying to kill him too (Bereishit 31). Yaakov must face down both his enemies before returning to his father, now ready to become a founding father of Am Yisrael. To do so, he faces Lavan and makes peace with him (Bereishit 31) and then makes peace with Esav too (Bereishit 33). Yaakov runs from Esav to Lavan and then back to Esav again. In this connection between Esav and Lavan, we see further support for Rashi. Esav, who explicitly states his intention to kill his brother, is juxtaposed to Lavan, whom Rashi says also intended to kill Yaakov.

2 *We don't sense the miracles that He performs consistently, but nevertheless, He is always*

*performing great miracles. Come and learn from Lavan the Aramean, meaning that at first glance, we can't see the evils that Lavan did to Yaakov and we don't know what Lavan wanted to do to Yaakov. Nevertheless, the Torah teaches us about him by stating “An Aramean tried to destroy my father.” It must be that Lavan tried to uproot everything and the Holy One Blessed Be He turned everything around for the good. This is what he does for us constantly, even if we can't sense it.*

שאין אנו מרגישים בנסים אשר הוא עושה תמיד אעפ"כ הוא עושה תמיד נפלאות גדולות לבדו. וצא ולמד מלבן הארמי כלומר שבהשקפה ראשונה לא נראה הרעות אשר עשה לבן ליעקב ואינו ידוע לנו מה ביקש לבן הארמי לעשות ליעקב ואעפ"כ העיד עליו הכתוב ארמי אובד אבי אלא ע"כ הוא בקש לעקור את הכל והקב"ה היפך לטובה כן עושה תמיד נסים עמנו אף שאין אנו מרגישים.

3 Sforno (24:30) states: וחשב שאין ראוי להיות: כפוי טוב — He thought that it is not proper to be ingratiated.

4 Sarah (Bereishit 12:14), Rivkah (Bereishit 24:16), Avigail (Shmuel I 25:3), Batsheva (Shmuel II 11:2), Tamar (Shmuel II 13:1), Avishag (Melachim I 1:4), Esther (Esther 2:7).

5 *Rachel was coming with her father's sheep because she was a shepherd" but Leah had sensitive eyes and the wind and air were difficult for her. Therefore, she wasn't a shepherd.*

ורחל באה עם הצאן אשר לאביה כי רועה היא - אבל לאה עיניה רכות והרוח והאוויר קשים לה לפיכך לא היתה רועה.

6 For example: Yishmael the evil son is compared to Yitzchak the righteous son; Esav the violent one is contrasted to Yaakov *ish tam*, the simple spiritual one; Paroh, the murderer of Jews to Moshe the savior of Jews; Achashverosh the drunk to Esther the woman of grace and charm. The contrast to their opposing character exacerbates the horror of the villain.



# Kosher for Passover Teeth?!

The story is told of Hyman Rosenberg, a wealthy businessman living in Berlin in the 1930s. Sensing the danger ahead, he sold his factories and moved his family to America. To transport his wealth inconspicuously, he bought gold and had it fashioned into five sets of golden dentures. When he arrived in the United States, the customs officials questioned the need for five sets of teeth.

“You see,” Rosenberg explained, “I am a religious Jew. Jews use separate dishes and utensils for milk and meat.” The officer questioned further, “That only accounts for two sets!” Rosenberg continued, “Yes, but we also need sets for Passover.” Once again, the officer said, “Now I understand the need for four sets. But that doesn’t explain the fifth!” Quietly, Rosenberg replied, “True, but every once in a while, I also enjoy a ham sandwich.”

The story is of course apocryphal, but still begs the question: each year we *kasher* or use new or designated *kelim*, including dishes, utensils and other culinary implements for use on Pesach. Why are our teeth—used more than any other utensil throughout Pesach—considered kosher for Pesach?

The concept behind “kosher for Pesach” *kelim* is identical to the underlying principles that require one to separate milk and meat dishes (see *Shulchan Aruch*, O.C. 451). Halacha assumes that *kelim* absorb the flavor of food that they came in contact with and can impact food that is later



## Rabbi Etan Schnall

Magid Shiur, Irving Stone Beit Midrash Program of Yeshiva University

placed in the same *kelim*. A pot used with dairy cannot be used to cook meat, as absorbed dairy flavor may be released into the meat, and the converse is true as well (*Shulchan Aruch*, Y.D. 93:1). Likewise, chametz absorbed in *kelim* can render non-chametz food unfit for Pesach in the same fashion. In other words, absorbed flavors, or *bliyot*, have the same kashrut status as their source foods; *bliyot* of chametz are treated as chametz, and will make other foods chametz when those foods absorb them. This concept is known as “*taam k’ikar*” (see *Pesachim* Daf 44b, *Nazir* Daf 37a). The process of *kashering* a utensil for Pesach essentially purges that item of any remaining *bliyot* (*Mishna Berurah*, O.C. 452:1). Our task is to understand why one’s “un-*kashered* teeth” do not pose any chametz concerns when we use them to eat on Pesach, and for that matter, the rest of the year, alternating between milk and meat. A number of mitigating elements will ultimately converge to provide a better understanding of the halachic background, while shedding light on some of the most practical questions of kashrut that arise in the kitchen. What follows is an outline of some of the factors discussed by the Poskim who have addressed these issues in the last two centuries. There is certainly

no intent to suggest that one’s teeth must be “kosher for Pesach,” but simply to present the relevant factors for a better understanding of principles of kashrut and Pesach.

### **Noten Taam Lifgam**

While we have established that *bliyot* travel from the walls of a pot into the food cooking inside the pot, this will not always produce a negative halachic result. For example, if the *bliyot* contribute a flavor that is not beneficial to the ensuing mixture, prohibited *bliyot* will not prohibit the food that absorbs them (*Shulchan Aruch*, Y.D. 98:1). This is referred to as *noten taam lifgam* (offering a negative flavor). In a similar vein, if the taste of *bliyot* has deteriorated significantly, any taste the *bliyot* provide is not halachically potent and therefore insignificant. Chazal tell us that the Torah actually prescribes a timeframe for this potency: after 24 hours from absorption, the flavor absorbed in *kelim* can no longer impact food inside the *kli* (*Shulchan Aruch*, Y.D. 93:1). For example, if one cooks meat in a dairy pot that has not recently been used with dairy products, the meat will be unaffected, as the dairy flavor is labeled as *noten taam lifgam*.

Nonetheless, the pot must be *kashered*, as the walls of the pot now



contain both dairy and meat *bliyot*. Although the “expired” dairy *bliyot* are not significant on a Torah level, Chazal deem the pot non-kosher. A Rabbinic enactment requires such *bliyot*, even after 24 hours, to be treated as viable. This helps avoid confusion and the accidental use of *kelim* with fresh *bliyot* in a prohibited manner (see *Avoda Zara* Daf 76a).

Tosafot in *Avoda Zara* (Daf 66b, s.v.

Rava) record the fact that Jews would sometimes reside in villages where the only oven fit for baking bread was in the local non-kosher bakery. Non-Jews using the bakery would smear the baking implements with lard for non-kosher baking, and so prohibiting the equipment for Jewish use. Nevertheless, halachic authorities at the time allowed Jews to clean the equipment and bake bread in the same bakery after 24 hours elapsed from

non-Jewish use. There was no other way to produce this staple and the flavor could not make the bread non-kosher at that point. Although this would ordinarily not be permitted, the rabbis did not forbid use of a *kli* with expired non-kosher *bliyot* in an extremely pressing situation (*shaat hadechak*), and so the post facto ruling was applicable.

Some Poskim posit that a similar

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logic is at work regarding one's teeth. Restricting one to only dairy or only meat would be unreasonable and impractical, and perhaps the use of one's teeth for both should also be viewed as a *shaat hadechak*. However, this would only permit eating meat after dairy (or the reverse) after 24 hours—when our practice is never to wait more than six hours.<sup>1</sup>

Rav Shlomo Zalman Auerbach, following earlier authorities,<sup>2</sup> suggests that the physical and chemical properties of one's mouth may bring *bliyot* in the teeth to the point of *noten taam lifgam* much earlier than in a *kli* that is otherwise lying dormant (*Shut Minchat Shlomo* 2:50 s.v. *Ikar*; *Nishmat Avraham*, Y.D. 89:2:1).

Indeed, this novel approach is far-reaching. Rav Shlomo Zalman notes that when a *davar charif*, a solid

sharp food, is cut with a utensil (such as teeth), taste is imparted into the food, even after 24 hours have passed (*Shulchan Aruch*, Y.D. 96:1). He concludes that the short-term deterioration of *taam* in the mouth is so thorough, even a *davar charif* will not be affected.<sup>3</sup>

While this approach may account for the laws of milk and meat, chametz follows more stringent standards. Ashkenazim prohibit the use of food impacted by *bliyot* on Pesach, even beyond the 24-hour window (Rema, O.C. 447:10), and so *noten taam lifgam* will not independently resolve our dilemma.

### Requisite Heat for Transfer of Taste

The discussion of *bliyot* requires

further qualification. We have taken for granted that *kelim* absorb flavor from foods. In reality, this is only true when the food or the *kli* reaches the temperature of *yad soledet bo*—hot enough for the unsuspecting hand to recoil after contact (*Shulchan Aruch*, Y.D. 105:2). Chazal offer guidelines to determine this temperature (*Shabbat* Daf 40b), yet there is considerable debate as to the precise definition. Opinions range from 110°F<sup>4</sup> to 160°F (*Shut Minchat Shlomo* 1:91:8 and *Shut Igrot Moshe*, O.C. 4:74:3) or higher. However, it is widely accepted to consider 120°F to 140°F for these purposes.<sup>5</sup> In other words, a new pot filled with dairy that is heated to 100°F remains *parve*, and can be used for meat, as long as it is cleaned out well in between.

For some, it may be unusual to eat

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foods at that temperature, and it is conceivable that one's teeth are truly *parve* and not "*chametzdik*" when clean. Indeed, some Poskim assume categorically that any food placed in one's mouth should be considered beneath the *yad soledet bo* threshold.<sup>6</sup> However, others note that food is commonly maintained and consumed at these temperatures and hotter.<sup>7</sup> Health regulations require many foods, such as chicken, to be held at temperatures of at least 140°F to ensure food safety.<sup>8</sup> Soup (or cholent!) is generally served at temperatures considerably hotter, and consumers are often disappointed when they are served at cooler temperatures. Hot tea or coffee may be served at temperatures nearing 195°F. Of course, the addition of milk will cool the beverage somewhat, depending on how much is used. Hot chocolate is prepared and heated to similar temperatures with milk already added. Likewise, Starbucks coffeehouse standards require steamed milk, added to specialty beverages such as lattes, to reach between 150°F–170°F.<sup>9</sup> Research published in the *Journal of Food Science* reports that surveyed consumers prefer drinking temperatures of hot beverages at a mean value of 140°F,<sup>10</sup> including respondents choosing temperatures in the 170°F–190°F range, measured following the addition of condiments.

### **Kli Rishon, Kli Sheni**

The above temperature guidelines for *bliyot* apply to foods or liquids that remain in the same pot in which

they were prepared, known as *kli rishon*. In the realm of *Hilchot Shabbat*, it is generally accepted that when transferred to another pot, a *kli sheni*, all agree that the capacity to cook most items has been diminished, even for food that maintains a temperature of *yad soledet* (*Shulchan Aruch*, O.C. 318:5,9).<sup>11</sup> Poskim debate if this principle is translatable to *kashrut* and *chametz*. While *ikar hadin* (letter of the law) assumes the lenient approach regarding milk and meat (*Shulchan Aruch*, Y.D. 105:2) at least *post facto*, once again we assume a more stringent approach for *Pesach*. It is unlikely that food will enter one's mouth directly from a *kli rishon*. According to the lenient approach, it is now safe to say that one's teeth remain *parve*. However, for *Pesach's* unique, stricter standards, even *chametz* flavor absorbed via *kli sheni* should be considered (*Rema*, O.C. 447:3).

Furthermore, *Acharonim* quote *Maharshal's* position that hot, solid food in a *kli sheni* (e.g., a potato or matzah ball) does not follow the normal leniencies that exist for a *kli sheni*. Such food is known as "*davar gush*." *Maharshal* states his position regarding the laws of milk and meat (*Yam Shel Shlomo*, *Chulin* 7:44). While many disagree with *Maharshal*, as far as *Pesach* is concerned, we would *l'chatchila* deem a *kli* that absorbed *chametz* flavor from a *davar gush* to be a "*chametzdik*" vessel. However, it is clear that *halacha* would not demand the application of either of these stringencies, *kli sheni* or *davar gush*, to be observed in the unusual

situation under discussion (see *Pri Megadim*, O.C. 451 M.Z. 9, A.A. 3). *Rav Shlomo Zalman Auerbach* notes that undue stringency in these matters would compromise one's capacity to fulfill the Torah command to rejoice on *Yom Tov*.<sup>12</sup>

### **Transfer of Flavor**

An additional consideration is relevant, as well. *Halacha* generally assumes that the transfer of flavor to or from a food or a *kli* is instantaneous. Nevertheless, some Poskim refer to the ruling of *Chamudei Daniel* (see *Pitchei Teshuva*, Y.D. 105:8), which states that *bliyot* only occur when there is continuous contact, albeit brief, between two items. For example, if milk splatters on a hot pan that has been used for meat, the pan will be rendered non-kosher and must be *kashered* before further use. However, according to *Chamudei Daniel*, if one would wipe away the spill immediately after it occurred, the pan is kosher and retains its original meat status. *Aruch HaShulchan* (Y.D. 105:43) and *Shut Maharsham* (1:197) accept this opinion, citing *Shut Radvaz* who concurs. *Darchei Teshuva* (105:35) indicates that most Poskim oppose this leniency, but suggests that it may be acceptable in cases of great loss. The hot liquids described above certainly do not remain in one's mouth for more than a moment, and according to *Chamudei Daniel* can be ignored from a *halachic* perspective. While this approach would not be accepted under normal circumstances,<sup>13</sup> it is a mitigating



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factor in the unusual circumstances of our particular question.

## Living Creatures and the Transfer of Flavor

A fascinating incident is reported in *Shut Chatam Sofer* (Y.D. 94) that may shed light on our issue. The responsum records a story of an individual heating butter on a stovetop. Suddenly, a chicken entered the room and jumped into the hot pot. The local rabbi ruled that the butter was prohibited to eat and could not even be sold to a non-Jew. Although one may sell or benefit from a mixture of chicken and milk (*Shulchan Aruch* O.C. 87:3),<sup>14</sup> there is an additional consideration in this case. Because the chicken was alive when it entered the pot, the butter should be prohibited as *ever min hachai*, because it contains

flavor that came from a living animal. Therefore, it may not be sold to a non-Jew, as the injunction against ever *min hachai* is one of the seven Noachide Laws.<sup>15</sup>

However, some Acharonim would argue that the chicken jumping into the pot does not impact the food whatsoever. For example, *Shut Amudei Or* (*siman* 54) and *Shut Tuv Taam V'Daat* (1:155) argue that living creatures do not impart their flavor and so do not follow the normal rules of *bliyyot*. *Kehillot Yaakov* (*Chulin, siman* 5) proves that this must be the case. After all, it is not uncommon for an individual to touch very hot food with his or her finger; for example, putting a finger in hot water to test its temperature. If flavor transfer existed in this case, the hot water would be prohibited by the flavor

imparted by the finger, for human flesh (*b'sar adam*) is also prohibited (Rema, Y.D. 79:1). Alternatively, food in one's mouth at the temperature of *yad soledet bo* would be rendered prohibited. Historically, this possibility was never entertained by Jewish scholars, leading us to believe that there is indeed no for concern.

Although *Shut Pri Yitzchak* (1:21) and others refute this assertion,<sup>16</sup> this approach serves as a compelling mitigating factor in our dilemma. Teeth, as part of the human body, would not be subject to the usual laws of kashrut, and would not impart any flavor to foods or drinks. However, this leniency would not apply to dentures, fillings and other dental apparatuses which would remain subject to the original analysis.



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## Dentures on Pesach

In light of the confluence of the many factors mentioned above, it is clear that natural teeth do not pose a kashrut concern on Pesach, and one merely has to clean his or her teeth well following chametz consumption on erev Pesach. Poskim apply the above principles in responsa regarding the use of dentures for milk and meat and on Pesach. The obvious difference is that dentures are removable and may undergo a more thorough *kashering* process, and perhaps must. In fact, *Shut Tzitz Eliezer* (9:25) records that the author of *Shut Tzemach Tzedek* had several sets of dentures manufactured for him by a dentist in Vienna, to distinguish between milk, meat and Pesach.

On the opposite side of the spectrum, those of the opinion that teeth never absorb chametz because food in the mouth is never *yad soledet bo*, do not require any additional measures to prepare dentures for Pesach.<sup>17</sup> However, Rav Shlomo Zalman Auerbach insisted that chametz *bliyyot* should be purged. He would *kasher* his dentures each Pesach, rather than rely on the various *tzadim l'hakel* (mitigating factors) discussed above.

## Principle of Predominant Use

One final argument can be lodged in favor of those who do not require more than a thorough cleaning of dentures for Pesach. Even if one does occasionally consume very hot chametz, as Rav Shlomo Zalman noted, this may not require *kashering* to rectify. Varying *kashering* methods exist for *kelim* that have differing modes of chametz exposure. A griddle, which can absorb chametz directly with dry heat, requires the

most intense heat (*Shulchan Aruch*, O.C. 451:4). On the other hand, a pot that only absorbs *bliyyot* via a liquid medium is subject to a lower standard, and so on (*ibid.* 5). A utensil that is exposed to chametz in more than one manner need only be *kashered* according to its most frequent mode of use, even if it is occasionally subject to a more significant form of chametz absorption (*Shulchan Aruch*, O.C. 451:6). While Ashkenazic practice is to require the most intense standard in all situations (Rema and *Mishna Berurah*, *ibid.* 48), this custom is waived in extenuating circumstances (see *Mishna Berurah*, *ibid.* 47). Because the vast majority of chametz consumed is certainly not *yad soledet bo*, a thorough cleaning of the mouth would suffice.<sup>18</sup>

## Endnotes

1 See *Chulin* 105a.

2 See *Shut Zekan Aharon* (Tinyana, Siman 56) and *Chidushei Chatam Sofer* (*Chulin* Daf 105a).

3 Not all authorities agree that every sharp food is subject to this principle (see *Beit Yosef*, Y.D. 96:1). This is noteworthy as an additional mitigating factor in our discussion.

4 It is interesting to note that scientific literature dictates that this is also the temperature at which the epidermis will be burned, reminiscent of the aforementioned Talmudic guidelines. See Lee HS, O'Mahony M. "At What Temperatures do Consumers Like to Drink Coffee?: Mixing Methods." *Journal Food Science-Chicago*-67.7 (2002):2774-7.

5 See OU Document A-171. See also *The Dairy Industry Primer*, Rabbi Zushe Blech, published in *Daf HaKashrut*, Adar 5757.

6 Chazon Ish quoted in *Orchot Rabbeinu* (2:27), *Igrot Moshe* (O.C. 1:5).

7 See *Shut Minchat Shlomo* (2:50).

8 See for example, New York State Department of Health Code for Food Service Establishments, Part 14, subpart

14-1.10 (available at: [https://www.health.ny.gov/regulations/nycrr/title\\_10/part\\_14/subpart\\_14-1.htm](https://www.health.ny.gov/regulations/nycrr/title_10/part_14/subpart_14-1.htm)).

9 *Starbucks Beverage Manual*, see pp. 4, 6, 44 and 45 (available at: [http://www.mwrbrandcentral.com/JSPVP/blog/wp-content/uploads/2015/04/WPS\\_Beverage-Manual-Complete-w-Frappuccino-Blended-7-8-14.pdf](http://www.mwrbrandcentral.com/JSPVP/blog/wp-content/uploads/2015/04/WPS_Beverage-Manual-Complete-w-Frappuccino-Blended-7-8-14.pdf)). See also *Starbucks Complete Training Manual*, available at: <http://www.imcomacademy.com/JSPVP/blog/wp-content/uploads/2016/04/Starbucks-Complete-Training-Manual.pdf>).

10 See Lee and O'Mahony op.cit.. See also *National Coffee Association Guide to Brewing Essentials*, available at: <http://www.ncausa.org/About-Coffee/How-to-Brew-Coffee>.

11 Provided that the temperature is not unusually hot, see *Mishna Berura* (O.C. 318:48).

12 See *Shut Minchat Shlomo* (2:50, s.v. *V'Gam*).

13 See *Darchei Teshuva*, 105:35.

14 Unlike beef and milk where it is prohibited to sell or benefit from the mixture (*Shulchan Aruch* O.C. 87:1).

15 See *Sanhedrin* Daf 56b and *Avoda Zara* Daf 6b.

16 *Kehillot Yaakov* reconciles his aforementioned proof. While *b'sar adam* is indeed prohibited, Rambam assumes that it is not a formal *lo taaseh*. Some Poskim hold that *taam k'ikar* only applies to a *lo taaseh*. See also *Gan Shoshanim*, by RIETS Rosh Yeshiva Rabbi Menachem Genack (2:10). Furthermore, the prohibition of *b'sar adam* may not apply until flesh is removed from the body. *Chavatzet Hasharon* on Esther (pg. 52) observes that if one places a finger in a hot liquid, he will remove it immediately, if it is indeed *yad soledet bo*. According to *Chamudei Daniel*, the liquid would be unaffected.

17 Chazon Ish quoted in *Orchot Rabbeinu* (2:27), *Igrot Moshe* (O.C. 1:5). See also *Tzitz Eliezer* (9:25) citing Rav Tzvi Pesach Frank. Rav Shmuel Fuerst reports that Rav Moshe Feinstein recommended refraining from consumption of hot chametz and *davar charif* within 24 hours of the start of Pesach.

18 See *Shut Minchat Shlomo* (2:50, s.v. *V'Gam*).

# Collected Hagadah Insights

## From RIETS Rabbinic Alumni Living in Israel

### Righteous Women and the Four Cups of Wine

Rabbi Yitzchak Blau '94R



Rosh Yeshiva,  
Yeshivat Orayta  
Living in Israel since 1997

Women must drink four cups of wine on the Seder night because they [women] too were part of the miracle (*Pesachim* 108b). Rashbam and Tosafot debate the meaning of this principle which also obligates women in the mitzvot of Hanukah candles and Megilla on Purim. According to Tosafot, women were in the same danger as the men. Rashbam, in contrast, restricts the principle to episodes where women played a central role. Esther's prominence makes the application of this idea obvious regarding Purim, but how does this apply to Pesah? Rashbam cites a Gemara (*Sotah* 11b) which attributes the Exodus from Egypt to the merit of righteous women. According to this account, it was the women who insisted on having children and perpetuating the Jewish people despite the cruel decrees of Pharaoh.

What biblical clues motivate this aggada? The second chapter of Shemot begins with a man from the tribe of Levi marrying a woman from the same tribe. In the subsequent

verse, this woman gives birth to Moshe, implying that Moshe was the oldest child. Yet we know that he had an older sister and brother. Therefore, the aggada asserts that this married couple had separated due to the decree that the Egyptians throw male Jewish children into the Nile. Since the husband, Amram, was an influential figure, other men followed suit. Miriam convinced her father Amram to return to his wife, and the others emulated this move. If so, we understand why Amram's reunion with Yoheved leads directly to the birth of Moshe (for a *peshat* alternative, see Ramban *Shemot* 2:1).

Our search for a textual basis for this aggada requires further effort. The literary clue above only suggests that the parents experienced a period of separation but does not provide a source for women's heroic role. I think that Hazal were simply reading the first two chapters of Shemot carefully. The beginning of sefer Shemot highlights the moral fortitude of three groups of women. In the first chapter, two *meyaldot* defy Pharaoh's murderous decree to kill Jewish babies. The biblical term "*meyaldot haivriyot*" lends itself to two different explanations: Either it refers to the Jewish midwives or to the midwives of the Jews. If we adopt the latter reading, scripture depicts two Egyptian women risking their lives to save Jews. Indeed, our long history includes both gentile persecutions of Jews and righteous

gentiles who swam against the violent tide.

The next heroes are Moshe's mother and sister. His mother successfully hides her baby for a few months and then the sister watches the progress of the baby as his basket floats down the river. Though despair reigns, they clutch to a small strand of hope which pays dividends when Pharaoh's daughter saves the baby and Moshe's sister arranges for the mother to nurse her own child. Of course, the third group of women includes Pharaoh's daughter. Even the royal family risks punishment when it violates a tyrant's decree; yet she defies her father. Perhaps the attendants of this princess also help her hide the truth regarding her newfound baby. The joint efforts of Jewish and Egyptian women enable the survival and ultimate redemption of Am Yisrael. Moshe will soon develop into the greatest leader we ever had, but his ascent is set in motion by various women.

Hazal read Tanakh quite sensitively when they attributed the Exodus to righteous women. In the first two chapters of Shemot, salvation emerges thanks to women with courage, moral commitment, and the ability to cling to hope in the darkest times.

# Kol Dichfin Yeitei V'yeichol — All who are Indigent Should Come and Eat: A Key Element of our Pesach Experience

**Rabbi Dr. Hillel Davis '75R**



Chief Operating Officer,  
Five Blocks  
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**T**he Shalosh Regalim that dominate our Jewish calendar are doubly blessed in that there are two sets of explanations for their existence and our observance of them. There is the agricultural aspect, with each holiday representing a segment of the agricultural cycle — from the planting on Pesach to the first fruits on Shavuot through the harvest of Sukkot. As a long-time resident of the Diaspora and the New York metropolitan area, these designations, while interesting, have seemed pretty foreign. As a result, the historical aspect of the holidays has tended to resonate more resolutely — Pesach as the Exodus from Egypt, Shavuot as the time of Matan Torah, and Sukkot, once again recalling the Exodus. Which should provoke the question: two major holidays to recall the Exodus? Would it not be sufficient to eat matzah in the sukkah and make for a much more efficient observance? What exactly do we accomplish on Sukkot that we missed on Pesach? Or is the significance of the event such that we need to review it twice a year? And if that is the case, why do we

commemorate the same event with two such different sets of mitzvot?

While there may be several explanations to this fairly obvious question, I would like to add what I think is a very important explanation provided by Moshe Glidai in an article published in *Chazon La'Moed: Derashot La'Moadim Ul'Yamim Tovim* (edited by R. Yehuda Shaviv).

Our Torah is a *Torat chaim*, a living book that encourages *ahavat chessed*, a love for charitable activities. Over and over we are commanded to express concern for and act on behalf of the needs of our fellow Jews and fellow citizens of the world. The poor, the lonely, the underprivileged, the weak all need our attention and kindness so that we can provide them all we can to assure their comfort and sustenance. Many of the mitzvot act as reminders of our social responsibilities, and on Pesach and Sukkot, the holidays in which we remember our own deprivation — the slavery and the degradation, the despair and the lack of basic necessities — the Torah gives us the means to empathize with those less fortunate, to feel their pain and thereby be more sensitive and hopefully more giving.

Sukkot corresponds to the harvest, and in good years, not only is the landowner in the Land of Israel prepared for the upcoming winter, so is the poor person. Through the mitzvot of *leket*, *maaser* and *pe'ah* among all the *matnot aniyim*, even the poor person is able to accumulate the necessary food stock to assure his survival through the winter. But while food may not be an issue, the truly poor person is about to confront a winter of rain and cold and perhaps even snow without a proper place to dwell. Where will his shelter come

from? To sensitize us to the particular needs of the poor person at that particular moment, the Torah tells us: move out of your home and into a temporary structure so that you too experience what it means to worry about the cold and the discomfort. That is an issue relevant to the onset of the winter season and best illustrated by the sukkah experience. Dwelling in the sukkah not only helps us fulfill the obligation to remember the Exodus, but based on our own deprivation it contextualizes the response we need to have for those in need.

Pesach time is different. The winter is over; where to dwell does not concern the poor person because the weather has turned and the truth is, he can sleep out in the fields without a problem. The springtime problem is one of food, for the food stored over the winter is now depleted and the *ani's* real concern is not having enough to eat. So at this moment in time, the Jew is told to restrict his own intake. The Jew should feel what it means not to have enough to eat, to eat *lechem oni*, poor person's bread, to have to worry about what his next meal will consist of. And through that act, the Jew needs to feel more empathetic and sympathetic to the less fortunate around him who at that moment is most worried about access to food. The Jew needs to be sensitized to respond: *kol dichfin yeitei v'yeichol*, all who are indigent should come and eat.

There is a social responsibility aspect to the mitzvot of Pesach and Sukkot, and we are required to use the observance of these rituals at these particular moments in time, to understand the full meaning of the slavery experience, to heighten our sensitivity and shape our social consciousness and behavior.

# L'Shana Haba'ah B'Ara D'Yisrael— Next Year in Israel: Living the Dream?

**Rabbi Reuven Spolter '98R**



Academic Coordinator,  
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Living in Israel since 2008

If I've learned anything in the eight-plus years since leaving the rabbinate for Aliyah, it's this: Americans don't appreciate being lectured by olim about Aliyah. Slogans like, "If I could do it, anyone can!" and Facebook posts like, "Living the Dream! The bus driver wished me Chag Sameach!" probably don't help. Thus, having been tasked with writing as a RIETS alumnus who made Aliyah, I'm in somewhat of a quandary. I want to write about Pesach and living in Israel. I should promote Aliyah. But that's probably the last thing those in the Diaspora want to read. So I won't. Instead I'll share a sense of unease I feel each year at this time.

Every year as I prepare for Pesach, I find the Seder somewhat challenging. From the text of the Haggadah it seems clear to me that Chazal never envisioned the Seder as we experience it today. Their vision of *geulah* did not only include conquering and settling the Land. They could not imagine a Jewish State and Jewish land without a Beit Hamikdash. They assumed that *shivat Zion*, the return to Zion, would obviously include the offering of the korban Pesach. How do I know this? It's intrinsic in the text from the very beginning of Maggid:

הַשְׁתָּא עֲבָדִי, לְשָׁנָה הַבָּאָה בְּאֶרֶץ דִּישְׁרָאֵל,

הַשְׁתָּא עֲבָדִי, לְשָׁנָה הַבָּאָה בְּנֵי הוֹרִין.  
*Now we are here; next year we will be in  
the Land of Israel; Now we are slaves,  
next year we will be free.*

In the final blessing of Maggid we recite:

כִּן ה' אֶ-לֵקֵינוּ וְאֶ-לֵקֵי אֲבוֹתֵינוּ יִגְיַעְנוּ לְמוֹעֲדֵים  
וְלִרְגָלִים אַחֲרַיִם הַבָּאִים לְקִרְאָתָנוּ לְשָׁלוֹם,  
שְׂמֵחִים בְּבִנְיַן עִירָךְ וְשִׂשִׁים בְּעִבּוּדְךָ. וְנֹאכַל  
שָׂם מִן הַזְּבָחִים וּמִן הַפְּסָחִים אֲשֶׁר יִגְיַע דָּמָם  
עַל קִיר מִזְבִּיחֶךָ לְרִצּוֹן.

*... So too Hashem, our God and the  
God of our forefathers, will bring us to  
festivals and other holidays that will  
come upon us in peace, joyous in the  
rebuilding of Your city and rejoicing in  
Your service. And we will eat there from  
the Zevachim and the Pesachim whose  
blood will arrive on the wall of Your  
altar according to Your will....*

To the authors of the Haggadah, there are only two options: there or here; freedom or slavery. In the Haggadah we find no middle ground. There is only the degradation and suffering of *galut* on the one hand, or the boundless joy and freedom of Redemption on the other. Chazal could not envision a time when we would, on the one hand, enjoy a wonderful, sunlit Chol Hamoed morning in Jerusalem, when we might park at the Mamilla Mall, walk through a bustling Old City toward the Temple Mount, only to stop at the lower plaza and accept the blessing of the kohanim at the remnants of the Retaining Wall to the complex.

They could not imagine a time when a Jew would live — as I do — a mere forty-minute ride from Jerusalem, but would spend the evening of the Seder at his home in Yad Binyamin, rather than bringing his entire family to camp out in Yerushalayim as they enjoyed the meat of the *shelamim* and a bit of lamb from the Korban Pesach.

And yet, there we are. So close, and yet so far from realizing that ultimate dream. We're not "living the dream" because what we have now is not the dream, but a small sliver of a fragment of the dream.

There is a great deal for which we must be thankful. Here in Israel the Hallel of Pesach becomes intertwined with both the mourning of Yom Hazikaron (יקר בעיני ה' המוותה לחסידיו) — "Precious in the sight of the Lord is the death of His saints"), as well as the boundless joy of Yom Ha'atzmaut.

At the same time, the binary nature of the Seder night reminds us that with all that we have achieved, and the great blessings we enjoy, our work is far from done. The dream remains ... but a dream.

## How Does Avadaim Hayinu (We Were Servants) Answer the Child's Questions?

**Rabbi Dovid Gottlieb '01R**



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Many of the commentators wonder why the paragraph of *Avadim Hayinu* follows *Mah Nishtana*; we ask four distinct questions but the continuation of the text doesn't seem to relate to any of them. If so much focus is put on the children to ask, then presumably there is an assumption that the parents will answer — and not avoid — these questions. But in what way does *Avadim Hayinu* answer the questions of *Mah Nishtana*?

A number of the early commentators (see *Haggadat Torat Chayim*, pp. 30-31) answer, in essence, that *Mah Nishtana* focuses on two themes, slavery and freedom: the first two questions focus on slavery — matzah is the “bread of affliction” and maror represents the bitterness of the servitude. The final questions — about dipping and leaning — focus on the actions that are characteristic of free men. In response, we explain to the children that the rituals of the Seder are meant to mirror the duality of Jewish experience in Egypt: “*Avadim hayinu le’Pharaoh be’Mitzrayim*,” we eat matzah and maror because we were slaves, and then, “*va’yotzienu Hashem Elokenu misham*,” we dip and we lean on the Seder night because God liberated us from Egypt and gave us our freedom.

Perhaps we can suggest another answer that touches on the essential purpose of the Seder and, in fact, a core principle of Judaism.

In addition to the special obligation of *sippur yetziat Mitzrayim*, retelling the story of the Exodus at the Seder, there is actually a regular obligation of *zechirat yetziat Mitzrayim*, remembering these events twice every day. Moreover, numerous other *mitzvot* — tefillin, mezuzah, and more — focus on this theme. The Ramban (*Shemos* 13:16) famously explains that the reason for our repeated and intense focus on *yetziat Mitzrayim* is that these events express the most basic foundations of our faith. The existence of God, His active involvement in the events of this world, the notion of reward and punishment — all of these *yesodei emunah* are demonstrated through the story of *yetziat Mitzrayim*.

In other words, while we subtly

nurture our faith throughout the year by remembering *yetziat Mitzrayim*, on the anniversary of those events we intensify those efforts through the specific mitzvah of *sippur*. It is no surprise, therefore, that many commentators refer to Pesach as the “*Chag Ha-Emunah*,” the Holiday of Faith.

Thus understood, the prominent role of questions at the Seder testifies to the fact that questions are not a threat or the opposite of faith but, on the contrary, questions are a key ingredient to faith. In Judaism, we have never shied away from or suppressed questions. On the contrary, only people with *emunah* need to ask. We may not always receive answers but we should continue asking because asking Hashem questions — wrestling with God — is itself an act of *avodat Hashem*.

Perhaps this is why *Avadim Hayinu* follows *Mah Nishtana* even though it is not really an answer to the question — because that’s the point! The Haggadah is teaching us that the real value of the question is in the question itself. There may be answers, often there are answers, but that’s not the *ikkar* and that shouldn’t be the focus, and therefore there is no immediate answer to our question. The question of *Mah Nishtana* — and all questions — has intrinsic value and therefore it can “stand on its own” without the need for an immediate explanation.

The Seder is the annual incubator of our faith and the prominent role of questions — even without obvious answers — eloquently expresses our belief that questions play a vital role in nurturing belief. (I thank R. Yaakov Robinson for pointing out a similar idea in *Haggadat Emunat Itecha*.)

## Mitchila Ovdei Avodah Zara: In the Beginning, our Ancestors were Idol Worshipers

**Rabbi Yitzchok Korn ’84R**



Rosh Beit Midrash,  
Yeshivat Netiv Aryeh  
Living in Israel since 1985

This section of the Haggada is in accordance with Rav’s version of “*matchil b’genut umsayem b’shevach*,” one begins with shame and concludes with praise, as mandated by the Mishna (*Pesachim* 116a). We begin by telling of the disgrace of our ancestor’s idol worship and conclude with the true faith that Hashem brought us close to Him. When would we be considered “brought close” to Hashem? When we received the Torah? When we built the Mishkan? If so, we should have to wait until Shavuot to conclude the Haggada, or at least tell over the story of Mount Sinai at the Seder. Why then are we totally focused on the events of the 15th of Nisan? (See Rambam, *Hilchot Chametz UMatza* 7:1).

By examining the events and the mitzvot of Pesach Mitzraim, we see that the Exodus itself serves as a worthy description of our praiseworthiness as servants of Hashem.

The korban Pesach was a nullification of avodah zara. R. Yosi Haglili in the *Mechilta* (*Masechta D’Pischa* no. 11) teaches that “*mishchu u’kchu*,” draw out and take a lamb (*Shemos* 12:21), means to draw away from idol worship and cling to mitzvot. Earlier, Moshe told Pharaoh that the children of Israel

couldn't possibly worship in Egypt, because the Egyptians would stone the Jews for sacrificing their gods. The Israelites were to roast the lamb whole and put the blood on the doorpost, which served as a public nullification of the avoda zara.

The matza also fits into this theme. In addition to the Torah's reason for eating matza on Pesach, and the symbolism of chametz representing the evil inclination in general (*Brachot* 17a), there is a specific element of avoda zara surrounding chametz. While the Torah prohibits chametz on the altar, the evil king Yeravam enticed the Jews to "Come to Bet-el and transgress ... and offer a sacrifice of thanksgiving of that which is leavened" (Yerushalmi, *Avoda Zara* 1:1). There are multiple similarities between the prohibitions of chametz and avoda zara: Both are prohibited to possess and are destroyed by fire. Neither loses its identity in an admixture, or may be used for one's benefit. The concept of "bitul," nullification, applies to both, and we must search out for both (*Haggada Shelema* pg. 241). Thus, the mitzva of matza serves to counteract the sin of avoda zara.

We see that despite the fact that our complete commitment was not established until Matan Torah, arguably even later, the events of the 15th of Nisan serve as a testament to our emunah and commitment, as well as to our total dismissal of avoda zara, our original "genut." Recounting the mitzvot and events of that day certainly fulfills "mesayem b'shevach."

Perhaps we may add that the korban Pesach serves as a *tikun* for the very wrongdoing that led us into Egypt in the first place. The lamb is steeped with symbolism, going back to the roots of our descent to Egypt. Joseph's brothers

went to graze the sheep, and Jacob sent Joseph to see how the brothers and the sheep were doing. The brothers soaked Joseph's cloak in the blood of the kid. Joseph went on to rule over the nation that worshipped sheep. Finally, the Israelites merited to sacrifice the sheep in Hashem's service (Abarbanel). The consequence of the sin of selling their brother was their descent to Egypt. I heard from the Rav (Tuesday Night Shiur, 5741) that at the core of their fault was the lack of appreciation of *achdus*.

שיר המעלות לדוד הנה מה טוב ומה נעים  
שבת אחים גם יחד.

*A song of ascents for David: How good and how pleasant it is for brothers to dwell together.*

**Tehillim 133:1**

The blemish of what the brothers did to Joseph scarred us for generations. Finally, when we are to experience the Exodus, this issue must be resolved, perhaps through the prominent role of family and community in Pesach Mitzraim. The sacrifice was done together with family, "according to the house of their fathers, a lamb for a house."

Family is so prominent in the commandment of *sipur* (recounting the story), "v'higadta l'vincha" and with the four sons. The entire nation performed the sacrifice together. Notably, the emphasis on family and *achdus* on the Seder eve continues throughout Israel to this very day.

The korban Pesach serves as a *tikun* for the very wrongdoing that led us into Egypt in the first place.

## Bekhol Dor VaDor — In Every Generation: Echoes of the Egyptian Exilic Experience<sup>1</sup>

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ALHATORAH.ORG  
Dedicated to developing  
resources which enhance the

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Living in Israel since 2000

In Tanakh, suffering on a national scale usually comes as punishment for evil deeds. Yet in the case of the Egyptian bondage, there is no indication that any particular sin was responsible for the decree.<sup>2</sup> As a result, commentators throughout the ages have struggled to understand what necessitated Israel's exile and subsequent slavery in Egypt. While doing so, many attempted to also answer the "bekhol dor vador" question: Why it is specifically our nation that is always targeted for persecution in every generation?<sup>3</sup> Naturally, these commentators utilized their own exilic experiences to illuminate the narrative of the Egyptian encounter, while reciprocally using the Biblical story as a model through which to comprehend all future oppression.<sup>4</sup> This bi-directional process leads to many fascinating insights.

Several commentators focus on how life in exile was critical for the formation of Israel's national identity and the prevention of assimilation. R. Ovadiah Seforno (15th-16th century Italy) asserts<sup>5</sup> that had Yaakov's family

remained in Canaan, they would have gradually absorbed the culture and values of their neighbors. Being exiled to a society that abhorred them<sup>6</sup> and later enslaved them is what enabled the Children of Israel to grow and develop into a nation.<sup>7</sup> As R. Hirsch (19th century Germany) further elaborates,<sup>8</sup> in medieval times, ghettos continued to play the same role as Goshen, ensuring that the Jews remained distinct and did not assimilate.

The Netziv (19th century Lithuania) moves in a similar direction,<sup>9</sup> but focuses on the second stage of the narrative, the oppression, and its utility in combatting assimilation. In contrast to Seforno, he asserts that it was in Egypt that the Children of Israel first began to assimilate, and that it was anti-Semitism which proved to be their salvation. The Netziv adds that, historically, every time the Jews attempted to join surrounding society, the result was non-acceptance and even persecution, the perfect antidote to acculturation.<sup>10</sup>

R. Hirsch<sup>11</sup> views the tribulations of exile as a vehicle not only for religious growth, but also for societal and interpersonal maturation. He claims that both the Egyptian and the current exiles resulted from jealousy and class distinctions. Yaakov's preferential treatment of Yosef and the difference in status between the sons of his primary wives and those of his maidservants led to internecine strife. Similar sectarian divisions have plagued Judaism ever since. Anti-Semitism, though, is blind to such divisions, and it serves as the great equalizer, promoting unity and forging common experiential bonds.

Finally, R. Eliezer Ashkenazi (16th-century Poland) focuses<sup>12</sup> on how the

exilic experience affects not merely the nation of Israel, but also the world at large. The exilic encounter with other nations facilitates the spread of ethical monotheism and Torah values throughout the world, and the miraculous process of redemption from Egypt proclaimed Hashem's existence to all.<sup>13</sup> May it be His will that this process be completed speedily and during our lifetime!

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## Endnotes

1 This article focuses on the positions of only a selection of commentaries. For a more comprehensive treatment of the topic, see "Purposes of the Egyptian Bondage" at: [http://alhatorah.org/Purposes\\_of\\_the\\_Egyptian\\_Bondage](http://alhatorah.org/Purposes_of_the_Egyptian_Bondage).

2 For an analysis of the midrashim and parshanim who nevertheless attempt to identify specific sins as responsible for the exile, see: [http://alhatorah.org/Purposes\\_of\\_the\\_Egyptian\\_Bondage/2#Punitive](http://alhatorah.org/Purposes_of_the_Egyptian_Bondage/2#Punitive).

3 See *Tanchuma* (Buber) *Vaera* 17 which places the following question in Moshe's mouth: "רבנו של עולם מפני מה זאת האומה משתעבדת, שבעים אומות יש בעולם ואינו משועבדות בלבד אלא האומה הזאת בלבד".

4 In some cases, commentators are probably also motivated by a desire to counter Christian polemical claims that the misfortunes of the wandering and downtrodden exilic Jew are a sign of Divine rejection. See, for example, R. Chasdai Crescas (14th century Spain), who valiantly tries to explain that the Children of Israel suffered in both Egypt and his own day as part of "afflictions of love" which God brings upon the righteous.

5 Seforno, *Bereshit* 46:3.

6 Seforno notes that since the Egyptians were xenophobic (as per *Bereshit* 43:32) and would not even eat with the Hebrews, let alone marry them, there was a greatly

reduced chance of assimilation in Egypt than in Canaan.

7 It is noteworthy that, similarly, Rabbinic Judaism developed and flourished in the aftermath of exile and destruction. By necessity, adversity leads to both self-reflection and innovation.

8 R. Hirsch, *Bereshit* 45:11.

9 *Ha'amek Davar*, *Shemot* 1:7, *Bemidbar* 23:9, and *Haggadah Shel Pesach* s.v. *Vehi Sheamedah*.

10 In fact, the Netziv suggests that Hashem's promise at the Covenant of Pieces that Abraham's descendants would always remain foreigners is what maintained Jewish identity throughout history, and is the referent of "vehi" in "והיא שעמדה לאבותינו ולנו". According to his reading, the Jewish people's best efforts to assimilate instead engender the anti-Semitism of "בכל דור ודור עומדים עלינו לכלותינו", through which "ההקב"ה מצילנו מידם" and prevents our assimilation.

11 R. Hirsch, *Bereshit* 45:11.

12 *Ma'asei Hashem, Ma'asei Mitzrayim* 1.

13 He goes so far as to suggest that when Avraham heard news of the upcoming bondage and redemption, he was thrilled that his descendants would serve as the vehicle through which the wonders of Hashem would become manifest to the world.



# Arami Oved Avi — My Father was a Lost Aramean: Out of Exile and Looking Toward our Homeland

Rabbi Shalom Z. Berger Ed.D



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מתחיל בגנות ומסיים בשבח, ודורש מארמי  
אובד אבי עד שיגמור כל הפרשה כלה.

*One commences with shame and  
concludes with praise and then expounds  
on the verses [in the section] “My father  
was a lost Aramean” until one completes  
that section.*

## Mishna, Pesachim 10:4

According to the Mishnah, the centerpiece of the Pesach Seder is the homiletic interpretation of *Mikra Bikkurim* — the *Arami Oved Avi* passage in Sefer Devarim — which is to be expounded in its entirety. As is well-known, current practice is to recite each one of those verses, and then divide them into clauses that are supported — *kemo she-ne’emar* — by other biblical verses, most of them from the first chapters of Sefer Shemot, where the Exodus story is first narrated.

The question that presents itself is obvious. Why choose the passage in Devarim to tell the story, if the ultimate goal is to return to the verses in Sefer Shemot? Surely examining the original story of the Exodus would serve as a better source for discussion and interpretation.

Many answers have been offered to this question.<sup>1</sup> I would like to suggest that a close reading of God’s promise of redemption in Sefer Shemot may offer insight into the need for an alternative text to be read and discussed at the Seder.

As is well known, the four expressions of redemption that appear in *Parashat Va’era* serve as the catalyst for a number of traditions at the Seder. The first three — *ve-hotzeiti*, *ve-hitzalti*, *ve-ga’alti* [I will free you... I will deliver you ... I will redeem you] — all refer to the promise of the Exodus from Egypt. The fourth — *ve-lakahti* [I will take you to be My people] — relates to the promise of becoming a chosen people.

Nachmanides heads a list of commentaries that point out that there is a fifth expression of redemption — *ve-heveiti* [I will bring you] — which offers a vision for the day after the Exodus. It is not enough to leave Egypt; the Children of Israel need a place to go. That place is the land that had been promised to the Patriarchs. It is important to note that *ve-heveiti* is only the beginning of that vision. The verse concludes with *ve-natati* [I will give it to you], a promise that the Children of Israel will not only be brought to the Land of Israel, but that they will inherit it as their own.

These two words *hava’a* and *netina* — bringing and giving — are repeated over and over again in *Mikra Bikkurim*, serving as a leitmotif in that section. Thus, the advantage of using the passage in Sefer Devarim is that it includes a part of the promise of the Exodus that does not — indeed, it cannot — appear in Sefer Shemot. Had the Seder been organized around the story of the Exodus in

Sefer Shemot, an essential part of the promise would be omitted — the vision of how the Exodus from Egypt is complete only when the Children of Israel enter and take hold of the Land of Israel.

This explanation, which is based on clear language parallels, has one obvious problem.

Traditional practice at the Seder is to omit the element of entering the Land of Israel by neglecting to recite the final three verses of *Mikra Bikkurim*. Although this is the text that appears in all current Haggadot, we must recognize that this ignores the clear statement of the Mishnah, and of the halakhah as it appears in the Rambam and elsewhere. All of these sources require that the passage of *Arami Oved Avi* be interpreted in its entirety (*ad she-yigmor et kol ha-parasha*). It seems likely that when the korban Pesach was brought in the Temple, the story of the Exodus reached its crescendo with the proclamation in verse 9:

וַיְבִיאֵנוּ אֶל הַמָּקוֹם הַזֶּה וַיִּתֵּן לָנוּ אֶת הָאָרֶץ  
הַזֹּאת אֶרֶץ זָבַת חֶלֶב וְדָבָשׁ.

*And He brought us to this place and gave us this land, a land flowing with milk and honey.*

Only in the Diaspora was this verse omitted, because “he who speaks untruth shall not stand before my eyes” (Psalms 101:7).

While we have not yet merited to offer the korban Pesach in our day, recognizing the miracles of our generation, perhaps it is time to fulfill the commandment of the Mishnah, and complete our interpretation of the passage of *Arami Oved Avi* in its entirety.<sup>2</sup>

## Endnotes

1 For example, the first-person account of *Mikra Bikkurim* may better fulfill the requirement to experience the redemption through the activities of the Seder. In his haggadah, Daniel Goldschmidt suggests that in order to accommodate a religious ceremony that took place at home, the Talmudic sages needed to find a text with which the head of the household would be familiar. In an agricultural society, *Mikra Bikkurim* served that purpose well.

2 My colleague, David Mescheloff, has compiled a collection of midrashim on verse 9. They can be accessed at <http://www.lookstein.org/resources/hagada1.pdf>.

## Had'chak — Pressure: The Power of Headspace

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ואת לחצנו- זה הדחק, כמו שנאמר וגם ראיתי את הלחץ אשר מצרים לוחצים אותם

*And our oppression — this is the pressure as it states: I have seen the oppression that the Egyptians are imposing on them.*

In the Haggadah, we recall how Hashem “saw ... our oppression” (Devarim 26:7) in Egypt. The Haggadah defines this oppression as *d'chak*, pressure and constriction. Hashem says that this “pressure” was an impetus for Him to take Bnei Yisrael out of Mitzrayim (Shemos 3:9). The Ritva<sup>1</sup> explains that the Egyptians pressured Bnei Yisrael to adopt Egyptian ideologies. The strategy began to work and Bnei Yisrael stopped performing bris milah and some started to worship idols.

Therefore the “pressure” was a reason that Hashem had to take them out quickly, before they would completely assimilate. The Netziv,<sup>2</sup> however, writes that Pharaoh crammed the Jews into small, airless spaces so they wouldn't be able to think.

While Pharaoh's pressure is understood according to the Ritva, the Netziv's explanation needs clarification. Why would the Egyptians care if the Jews could think or not and why was this “pressure” a reason for Hashem to take Bnei Yisrael out more quickly?

If you look at *Shiras HaYam* — the song Bnei Yisrael sang after crossing the Yam Suf — in a Sefer Torah, you'll be in for a surprise. Each parashah in a Torah scroll is separated from the next by a blank space nine letters wide.<sup>3</sup> By contrast, within a parashah, there's usually only running text, without blank spaces. In the *shirah*, however, there are numerous spaces, even mid-pasuk! On the opposite extreme, toward the end of Sefer Bereishis, between Parashas Vayigash and Parashas Vayechi, there's no space at all. Why sometimes so many spaces and other times none?

In Parashas Shemos, Moshe goes down to Mitzrayim and relays to Aharon everything Hashem has told him, including His instructions to free Bnei Yisrael from Egyptian servitude. Aharon gathers the elders and tells them the amazing news, and they in turn relay it to the rest of the nation.<sup>4</sup> What was the people's reaction? “They believed ... and they bowed their heads and prostrated themselves” (ibid. 4:31). They were ecstatic! Redemption was finally at hand.

Later, in the beginning of Parashas Va'eira, Hashem instructs Moshe to tell Bnei Yisrael that the time has

come to take them out. Hashem uses four expressions of redemption: “*vehotzeisi, vehitzalti, vega'alti, velakachti*” (ibid. 6:6–7). They won't just be taken out (*vehotzeisi*), saved (*vehitzalti*), and redeemed (*vega'alti*); they will have a relationship with Hashem (*velakachti*)! Moshe conveys this message to Bnei Yisrael, promising much more than previously. We therefore expect them to react with far greater excitement. Yet “They didn't hear Moshe, because of shortness of breath and hard work” (ibid. 6:9). What happened? What changed between Shemos and Va'eira?

Between these two speeches, Moshe and Aharon asked Pharaoh to allow Bnei Yisrael to worship Hashem in the desert (Shemos 5:1). In response, Pharaoh increased their workload (ibid. 5:9). According to the Ramchal,<sup>5</sup> Pharaoh's goal was to keep them so busy with nonstop work that they would have no headspace or time to contemplate rebellion. In fact, Rav Eliyahu Dessler<sup>6</sup> adds that “Mitzrayim” literally means “straits,”<sup>7</sup> for such was the essence of Bnei Yisrael's exile there. Confined and constrained, they heard Moshe's speech but couldn't internalize his message — just as Pharaoh had wanted.<sup>8</sup> This is the “pressure” that is referenced in the Haggadah.

Now we can understand why in the *shirah* there are spaces galore, while between Vayigash and Vayechi there are none.<sup>9</sup> At the very beginning of Vayikra, Rashi writes that the purpose of the spaces between parshiyos was to give Moshe the “space” to think about what he had learned from Hashem. In the beginning of Vayechi, Rashi explains that this parashah isn't preceded by the usual nine blank spaces, but instead is “closed,” because

once Yaakov passed away (as recorded at the beginning of Vayechi), the Egyptians began to subjugate Bnei Yisrael, and the pain of his demise sealed their eyes and hearts.

The spaces in a Torah scroll represent the ability to stop, ponder, and process. When the subjugation began, Bnei Yisrael started to lose that capacity, as signified by the lack of space introducing this parashah. By contrast, once Bnei Yisrael left Mitzrayim and crossed the sea, they gained the space to appreciate everything Hashem had done for them, which inspired them to sing.

Pharaoh's scheme to stop Bnei Yisrael from thinking wasn't just a one-time historic occurrence. As the Ramchal<sup>10</sup> points out, this is the strategy of the *yetzer hara* in every generation. The evil inclination preoccupies us with desires and priorities that keep us from contemplating our direction in life.

In today's time, we are "pressured" to be available at any moment. First with the popularization of cell phones and then with the expansion of social networking, we're constantly communicating with thousands of "friends," leaving us little time to think. Communication is good, but it can't come at the cost of reflection. By setting time in our day to stop and think and utilize the powerful headspace that reflection provides, we can be redeemed from our own Pharaohs and lead lives of meaning, growth, and happiness.

## Endnotes

1 Commentary on the Haggadah.

2 *Ha'amek Davar*, Shemos 2:25; *Imrei Shefer* (the Netziv's commentary on the Haggadah).

3 *Shulchan Aruch*, *Yoreh De'ah* 275:2. See Rambam, *Hilchos Tefillin U'Mezuzah VeSefer Torah* 8.

4 Ibn Ezra, Shemos 4:30.

5 *Mesillas Yesharim*, ch. 2, "BeVi'ur Middas HaZehirus."

6 *Michtav MeEliyahu* 2, p. 17.

7 As in "*Min hameitzar karasi* — from the straits did I call" (Tehillim 118:5). In contrast, Eretz Yisrael is "*eretz tovah urechavah* — a good and spacious land" (Shemos 3:8). Although the Land of Israel is relatively small, the Netziv (*Ha'amek Davar* ad loc.) explains that it opens one's mind, freeing him to do what he wants. Hashem described Eretz Yisrael this way specifically when promising to take Bnei Yisrael out of Mitzrayim. Thus, He highlighted the difference between the two lands.

8 See Seforno, Shemos 6:9.

9 I heard part of this answer in the name of Rav Gedalyah Shor.

10 *Mesillas Yesharim*, ch. 2.

## UveZeorah Netuyah —With an Outstretched Arm: The War of the Plagues

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ובזרע נטויה זו החרב כמה שנאמר וחרבו שלופה בידו נטויה על ירושלים.

*And with an outstretched hand — this refers to the sword, as is written (Divrei Hayamim I 21:16), "His sword is drawn in his hand, stretched over Jerusalem."*

The fourth and final verse of the section known as *Arami Oved Avi* describes various aspects of the Divine redemption: "G-d liberated us from Egypt with a strong hand and an outstretched arm..." These clear physical descriptions of hands and arms are incompatible with a non-physical G-d. As such,

the Haggadah interprets these descriptions as references to various "components" of the redemptive process. The Haggadah decodes the term "outstretched arm" or "*zeroah netuyah*" by citing a verse in *Divrei Hayamim* in which Dovid views an angel with an extended arm claspng a sword facing Yerushalayim. He recognizes this ominous threat to the welfare of Yerushalayim and begins a tefila to avert the disaster. Based on this verse and the sword clutched by the outstretched arm of the angel, the term "outstretched arm" of *Arami Oved Avi* must similarly refer to a sword. Unfortunately, the Haggadah does not specify which sword this verse refers to and we have little record of a sword playing any role in the liberation from Egypt.

An interesting *Midrash Tanchumah* (*Bo* section 4) may help decipher the sword in question. There are numerous strategies for classifying the series of plagues. The most popular system is based on Rabbi Yehuda's division of the 10 plagues into three groups of three, with the final plague being appended to the final group (*dezach adash b'achav*). The *Midrash Tanchuma* suggests a very different scheme — that the plagues were organized as a series of incremental "assaults" modeled after ancient warfare. When siege is laid to a city, an elaborate series of measures are carefully calibrated to allow successful capture. First the water source is sealed and afterward deafening sounds are blared to terrify the inhabitants. Subsequently, arrows are shot followed by invading mercenaries who cannot conquer the city but can sow panic and demoralize the residents. As the war effort mounts, fiery boulders are launched into the city, followed by a full-blown invasion. The ten plagues in Egypt mirrored this combat

model. Initially, water was converted into blood, and subsequently croaking frogs shattered the Egyptian sanity through their shrill blare. Afterward, arrows were shot (skin-piercing *kinim*), followed by invading ferocious animals similar to attacking henchmen. Finally, fiery boulders were catapulted (*barad*), preceding the invasion of innumerable armies captured in the metaphor of armies of locusts. This midrash suggests that military combat served as a template for designing the sequencing of the 10 plagues.

The Exodus not only emancipated Jewish slaves from their Egyptian tyrants but also introduced *our* nation to its G-d. In addition to discovering G-d as Father and Creator, it was imperative that the newly liberated people acknowledge Him as a Warrior. This fledging nation would be expected to defeat the formidable armies of Canaan — within months of the Exodus. Of course, this plan was ultimately derailed by the golden calf and *meraglim* debacles, but at this stage, vicious wars were expected to be waged — within months! It was crucial that the people view G-d as a warrior so they might be confident entering pending battles. Ultimately, this vision is solidified by the war waged at the Yam Suf when the nation proclaims, “*Hashem ish milchamah Hashem shmo*” — G-d is a master of war, G-d is His name. Witnessing the chariots of Pharo being tossed among the ocean waves convinced the people of Hashem’s military prowess, and imbued them with confidence that they could wage successful war against all mathematical odds. G-d would fight on their behalf! The plagues in Egypt — modeled after combat strategy — presented Hashem to his people as a Warrior.

For centuries, this image of G-d was almost irrelevant, as Jews were dispossessed of land and army and we wandered from continent to continent through the sands of history. Having returned to our land and to our history we are forced to once again take up arms and defend our homeland — once again against all odds. We have witnessed successful military triumph which can only be attributed to Divine intervention. We daven that Hakadosh Baruch Hu continue to wage war on our behalf; we further pray that our efforts, coupled with Hakadosh Baruch Hu’s providence, will yield a world that acknowledges His sovereignty, embraces the role of His chosen people, and stills the sounds of war for all eternity.

## Dayenu: Giving Thanks

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The main section of the Passover Haggadah, known as Maggid, in which we tell the story of our miraculous liberation from slavery, is capped off by a song, sung to a tune that is known and loved in virtually every Jewish home: Dayenu. This song is comprised of fifteen stanzas, in which we enumerate the miracles that brought us from the house of bondage to our homeland—God’s acts of kindness that we might not have expected or even deserved. As we mention each new step, each wondrous stage in the process of our

emancipation, we say “*dayenu*”: Had God not performed this additional miracle, we would have been satisfied with everything else He had already done for us. Each new miracle would have been, on its own, sufficient reason for us to give thanks.

The purpose of the song is to sensitize us to the myriad acts of kindness performed by God for the Jewish People, to foster a national sense of *hakarot hatov*. To understand the importance of expressing thanks and appreciation, we would do well to consider the first sin, committed in the Garden of Eden, which resulted in the first exile. When we think about that episode, the first thing that comes to mind is the forbidden fruit, but another element altogether may actually have been the real sin.

Adam and Eve eat from the fruit of the Tree of Knowledge of Good and Evil, the one and only tree God had expressly placed off limits. God conducts an inquiry, as it were; He asks Adam to explain his behavior. Rather than admitting his guilt or taking responsibility for his transgression, Adam blames his wife—and, by extension, God Himself.

וַיֹּאמֶר הָאָדָם הֲאִשָּׁה אֲשֶׁר נָתַתָּה עִמָּדִי הִיא  
נָתְנָה לִּי מִן הָעֵץ וָאֲכַל:

*The Man (Adam) said, “The woman that You gave to be with me, she gave me [the fruit] from the tree, and I ate.”*

**Bereishit 3:12**

Instead of thanking God for supplying him with a soulmate, Adam is accusative; he blames her for his transgression. Rashi considers this statement, and comments: “Here, Adam showed his ingratitude (literally, ‘denied the good’) for what God had done for him.” Had Adam apologized for his sin, had

he expressed even the most basic appreciation to God for having given him a partner, the story would very likely have had a different ending. Instead, Adam implies that had God given him a better mate, he would not have sinned. Adam blames anyone and everyone else, and turns God's kindness on its head: He does not express any appreciation for the perfect existence God created for him, nor does he have any gratitude for the miraculous creation of Eve. For this, as much as for the transgression of eating from the forbidden tree, Adam and Eve are exiled from Eden.

This gives us quite a lot to think about in terms of the Passover Seder: The Seder allows us to relive the end of the Egyptian exile, one of the most bitter exiles in the long history of Jewish wandering. Each year, as we identify with the Exodus, as we retell and commemorate the events of the Exodus, we, too, sing songs of praise and thanksgiving. The core of the Maggid section is made up of midrashic teachings that expound upon the biblical passage known as *Arami Oved Avi*. These same verses are recited during the Festival of *Bikkurim*; Rashi (Devarim 26:5) tells us that these verses, recited as we bring the first fruits up to the Holy Temple, are an expression of our joy and gratitude for all the good God has given us. With the bounty of the Holy Land in hand, we recite this particular text, which places our joy into historical, national and religious perspective. We offer thanks to God—for His kindness, and for fulfilling the covenant He made with our forefathers.

The expression of thanks that lies at the heart of the joyous *Bikkurim* celebration is, in a very real sense, the culmination of the Exodus, the

end of the exile. The Torah makes this very clear: On the festival of our liberation, we begin counting the Omer—counting the days and weeks to the Festival of *Bikkurim*. The objective of our redemption from Egypt was to bring us to the place where we were able to praise and give thanks to God with full hearts and full hands: The Festival of *Bikkurim* in the Beit HaMikdash, the Holy Temple. For this reason, the song of thanks we sing as we conclude the story of the Exodus—*Dayenu*—culminates in the fifteenth stanza, with the building of the Beit HaMikdash.

In his commentary on the Haggadah, the Gaon of Vilna teaches that the fifteen stanzas of *Dayenu* are parallel to the fifteen steps of the Beit HaMikdash that connected the *Ezrat Nashim* to the *Ezrat Yisrael*. As the Levites ascended these stairs, they sang the fifteen Songs of Ascent, songs of praise and thanksgiving to God. *Dayenu*, then, is both a lesson in the importance of appreciation and an experience of joy. As we sit at the Seder, perhaps our singing should parallel that of the Levi'im on the steps of Holy Temple. As we acknowledge each of the miracles and acts of kindness God performed for us, *Dayenu's* final stanza connects us to the Beit HaMikdash and to its joyous song, enabling us to take a moment to consider, to appreciate, and to give thanks for God's kindness.

## Opening the Door for Eliyahu and Looking Out Over Yerushalayim

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When we open the door at the end of the Seder for Eliyahu to herald the redemption, the *geula*, for us here in Yerushalayim, in Eretz Yisrael, we merely look out the door at the real life unfolding of the *geula*—and we say Hallel differently.

But let me put that emotional statement in a framework of halacha. The opening of the door at the Seder is the pivot from past to future.

The Seder tells the story of the redemption from Egypt. But while we view ourselves as if we were redeemed, for millennia we weren't. Reciting a Haggada that speaks of a wondrous redemption while sitting in Vilna or Baghdad or Kiev (or even in America) is a reality that must have caused us to squirm a bit. It is the story of redemption said by the unredeemed.

Our Haggada confronts this dichotomy directly. We tell the story of leaving Egypt with drama and detail, while dropping hints that we could really use another redemption like that.

We begin the Seder with hints of the absence of the Pesach. "Here is the bread of affliction. All who need, come in. This year here, next year in Eretz Yisrael." This intro to the Seder can be understood as a statement of *Hilchos Korban Pesach*. When we had the *korban Pesach*, we had to be signed

up before it was offered. You can't show up at 7 pm and join the Seder unannounced. But today, with no korban Pesach, just matza, come on in. Next year we won't be able to invite you in at the last moment, because we will be back in Eretz Yisrael, with the korban Pesach.

Wearing a *kittel* at the Seder is a hint to the special linen garments people wore when visiting the Mikdash (Netziv in his introduction to the Haggada). The washing of hands and dipping of karpas is a hint to a time of eating, "*al taharas hakodesh*," with a heightened level of ritual purity. Eating matza and maror together like Hillel did is a reminder of the lack of the Mikdash.

Ours is a Seder of redemption for the unredeemed.

And opening the door too. Rav Avigdor Nebenzahl in his Haggada gives a *Hilchos Korban Pesach* explanation to the door opening as well. Rav (*Pesachim* 85b) says that the upper floors and the rooves of Yerushalayim did not have the kedusha of Yerushalayim. Hence, the korban Pesach had to be eaten on the ground floor. Rav Nebenzahl suggests that once the korban Pesach was finished, the people would open the door and ascend to the roof for Hallel. There was limited ground-floor space

in Yerushalayim, so people had to share the ground floor. To make room for the next shift, Hallel would be said on the roof. Rav says in the Gemara that the Hallel would crack the roof — either from the weight of so many people or figuratively from the loud Hallel, like we say, "raising the roof."

But the completion of the korban Pesach was also the completion of the part of the Seder dealing with the past. The Hallel after the meal is the Hallel of the future. As the Rav pointed out (*Festival of Freedom*, p. 106), we don't just wish for a future redemption, we are so sure that it will come that we say Hallel and are appreciative of that which has not yet occurred.

For us, opening our doors, moving from the story of the past, here in modern-day Yerushalayim — about to recite the Hallel of appreciation of the redemption yet to occur — we look out the door and we see buildings as far as the eye can see, with more being built. We look out over hundreds of thousands of Jews, spilling way, way beyond the confines of the walls of the Old City. A sprawling city, modern, comfortable, with parks for children, homes for the elderly, spreading out right and left, in a country of millions of Jews.

The Haggada speaks of the Yad Hashem, the Hand, plucking the Jews

out of Egypt in one fell swoop, in one night, amid signs and wonders, 600,000 of fighting age, maybe 2 million in all. That is the redemption of the past.

And what will the redemption of the future look like? With Jews scattered to the four corners of the earth, I guess the Hand will be plucking them as He has been over the last few decades. Not in one fell swoop, but one by one. From the east, Iraq and Iran, from the north, Russia and Turkey, from the South, South Africa and Ethiopia, from the West, France, Germany, Poland and even the United States. Bit by bit, not in one night, but over time, 6 or 7 million will be brought back to their homeland.

The end of Hallel is appreciative of the future, while requesting redemption. We in Yerushalayim, who open our doors and gaze out, pivoting from the past to the present and to the future — we can walk out those doors and say Hallel on our roof tops, here in our city, in our land. And we can say Hallel of appreciation and of expectation with hearts that are full, bursting, having been plucked out of our own Egypts and placed here. What a privilege.

Opening the door and looking out is my favorite moment of the Seder.



# The Unification of Jerusalem

Yerushalayim was first established as the capital of the Jewish state by David HaMelech approximately 3,000 years ago, when he chose to build his royal palace there<sup>1</sup> and later made it the home of the Ark of the Covenant.<sup>2</sup>

Originally though, David was granted the kingship in Chevron:

וַיָּבֹאוּ כָּל שְׁבֵטֵי יִשְׂרָאֵל אֶל דָּוִד חֶבְרוֹנָה וַיֹּאמְרוּ לְאֹמֶר הֲנֵנוּ עֲצֻמָּה וּבְשָׂרָךְ אֲנִיחֵנוּ. גַּם אֶתְמוּל גַּם שְׁלֹשׁוֹם בְּהִיּוֹת שָׂאוֹל מֶלֶךְ עָלֵינוּ אֶתָּה הֵייתָ הַמוֹצִיא וְהַמְבִּיא אֶת יִשְׂרָאֵל וַיֹּאמֶר ה' לְךָ אֶתָּה תִרְעָה אֶת עַמִּי אֶת יִשְׂרָאֵל וְאֶתָּה תִּהְיֶה לְנֶגֶד עַל יִשְׂרָאֵל. וַיָּבֹאוּ כָּל זְקֵנֵי יִשְׂרָאֵל אֶל הַמֶּלֶךְ חֶבְרוֹנָה וַיִּכְרַת לָהֶם הַמֶּלֶךְ דָּוִד בְּרִית בְּחֶבְרוֹן לִפְנֵי ה' וַיִּמְשְׁחוּ אֶת דָּוִד לְמֶלֶךְ עַל יִשְׂרָאֵל.

*All the tribes of Israel came to David at Hebron and said, "We are your own flesh and blood. Long before now, when Saul was king over us, it was you who led Israel in war; and the LORD said to you: You shall shepherd My people Israel; you shall be ruler of Israel." All the elders of Israel came to the king at Hebron, and King David made a pact with them in Hebron before the LORD. And they anointed David king over Israel.*

## Shmuel II 5:1-3

But once he assumed the kingship, he conquered Yerushalayim and established his capital there:

בְּיָמָיו שָׁנָה דָּוִד בְּמַלְכוּתוֹ אֶרְבָּעִים שָׁנָה מֶלֶךְ. בְּחֶבְרוֹן מֶלֶךְ עַל יְהוּדָה שֶׁבַע שָׁנִים וְשֵׁשׁ חֳדָשִׁים וּבִירוּשָׁלַם מֶלֶךְ שְׁלֹשִׁים וְשֵׁשׁ שָׁנָה עַל



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כָּל יִשְׂרָאֵל וַיְהוּדָה. וַיֵּלֶךְ הַמֶּלֶךְ וַאֲנָשָׁיו יְרוּשָׁלַם אֶל הַיְבֻסִי יוֹשֵׁב הָאָרֶץ וַיֹּאמֶר לְדָוִד לֵאמֹר לֹא תָבוֹא הִנֵּה כִּי אִם הִסְרִיף הַעֲרִירִים וְהַפְסָחִים לֵאמֹר לֹא יָבֹא דָוִד הִנֵּה. וַיִּלְכֹּד דָּוִד אֶת מִצְדַּת צִיּוֹן הִיא עִיר דָּוִד. וַיֹּאמֶר דָּוִד בַּיּוֹם הַהוּא כָּל מִכָּה יְבֻסִי וַיִּגַע בְּצַנּוֹר וְאֶת הַפְסָחִים וְאֶת הַעֲרִירִים שָׁנְאֵי נִפְשׁ דָּוִד עַל כֵּן יֹאמְרוּ עוֹר וּפְסָח לֹא יָבֹא אֶל הַבַּיִת. וַיֵּשֶׁב דָּוִד בְּמִצְדָּה וַיִּקְרָא לָהּ עִיר דָּוִד וַיִּבֶן דָּוִד סָבִיב מִן הַמְּלֹא וּבְיָתָהּ. וַיֵּלֶךְ דָּוִד הַלּוֹךְ וְגָדוֹל וְה' אֶל-לִקְי צָבָאוֹת עִמּוֹ.

*David was thirty years old when he became king, and he reigned forty years. In Hebron he reigned over Judah seven years and six months, and in Jerusalem he reigned over all Israel and Judah thirty-three years. The king and his men set out for Jerusalem against the Jebusites who inhabited the region ... David captured the stronghold of Zion; it is now the City of David ... David occupied the stronghold and renamed it the City of David; David also fortified the surrounding area, from the Millo inward. David kept growing stronger, for the LORD, the God of Hosts, was with him.*

## Shmuel II 5:4-10

The text, however, does not describe David's motivation for this shift. Why did he choose to move his throne to Yerushalayim? Radak suggests

that he possessed a tradition that Yerushalayim would be the capital of sovereign Israel:

וכיון שמלך על כל ישראל הלך אל ירושלים ללכוד מצודת ציון לפי שהיתה קבלה אצלם כי ציון ראש ממלכת ישראל.

*Since he was now king over all of Israel he went to Jerusalem to conquer the citadel of Zion because they had a tradition that Zion was the head of kingship in Israel.*

## Radak, Shmuel II 5:6

Perhaps he was also aware of the tradition that Akeidat Yitzchak took place in Yerushalayim,<sup>3</sup> and knew that Yerushalayim was the "place that Hashem will choose" mentioned in Sefer Devarim<sup>4</sup> as the location of the future Beit HaMikdash,<sup>5</sup> as well as the spiritual center of the world<sup>6</sup> and the gateway to heaven.<sup>7</sup>

But the text does not imply that David had any secret traditions unmentioned in the text.<sup>8</sup> If he was indeed looking for the site of the future Beit HaMikdash, it is unlikely that he would have chosen Yerushalayim. After all, Yerushalayim is not mentioned by name in the Torah even once. The Torah states merely that the



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Mikdash will be built in the “place that Hashem will choose,” implying that the location will be revealed through prophecy when its time comes.<sup>9</sup> If David sought an appropriately holy site in the Torah, he could have picked Bet El, which is explicitly described as “the house of God” and “the gateway to heaven,”<sup>10</sup> or even his original capital of Chevron, the residence and eternal burial place of our forefathers and foremothers.

Perhaps for this reason, Malbim assumes that David’s motivation was political rather than theological. Chevron was the capital of the tribe of Yehudah, and was located in the heart of Judean territory, far from the other tribes. All twelve tribes had agreed to accept David as their king even if he ruled from afar, but David knew that his choice of capital would send a clear message to the entire Jewish people. Throughout the book of Shoftim, the tribes were not unified,<sup>11</sup> and at times were even at war with one another.<sup>12</sup> The Jews were finally unified under King Shaul, from the tribe of Binyamin, and then the kingship was taken from him and bestowed upon David. How would David conceptualize his kingship? Did he represent his own tribe of Yehudah, and see his anointment as the victory of Yehudah over Binyamin? Did he rule the entire Jewish nation because Yehudah deserved to rule over the other tribes? This would have been exactly the message he sent had he established his capital in Chevron. But David rose above partisan politics and made a bold decision. Yerushalayim was on the border of Yehudah and Binyamin,<sup>13</sup> straddling the two tribes who vied for leadership of the Jewish people:

אחר שעתה התאחדו שני ממלכות ישראל, שהיו עד עתה שבט יהודה תחת דוד, ויתר

השבטים ובנימין שבט שאול בראשם תחת איש בושת, ושבו כולם למלכות אחת תחת דוד, היה מן העצה, וכן הופיע רצון ה', שער המלוכה תהיה בגבול השייך לשני השבטים שהיו שבטי מלכות, וזה היה בירושלים שהיתה חציה ליהודה וחציה לבנימין כמ"ש בגבולי הארץ, וכמ"ש חז"ל (יומא יב א) רצועה היתה יוצאה מחלקו של יהודה לחלקו של בנימין ובו מזבח בנוי.

*And the king and his men went to Jerusalem — Once the two kingships within Israel had been united, because until now the tribe of Yehudah was under David and the remaining tribes (led by Shaul's tribe Binyamin) were under Ishboshet, and they became one kingdom under David it seemed right, and thus was the will of God, that the royal city should lie on a boundary that was connected to both kingly tribes. This was Jerusalem, which lay half in Yehudah and half in Binyamin as is written in the description of the borders of the land, and as the Sages taught “a strip protruded from the portion of Yehudah into the portion of Binyamin and on it the altar was built.” (Yoma 12a)*

**Malbim, Shmuel II 5:6**

## Yerushalayim represents the unity of the Jewish people, and the ability to transcend our political divisions in the name of the eternity of the nation.

David demonstrated forcefully and dramatically that now that he was anointed as king of Israel, he no longer belonged to his kin and political allies, but to Klal Yisrael, to the Jewish nation. Perhaps for this reason, David is known to this very day as the

quintessential Jewish king and the progenitor of Mashiach.

King David may have paid a terrible price for this bold decision. We can only imagine that the political and military leadership in Chevron, who had stood by David in difficult times and now expected to reap the fruits of their investment by ruling over the other eleven tribes, were disappointed by what they saw as the naive idealism of David; in their small-mindedness, they may even have felt betrayed by him. It is no wonder, then, that when David’s son Avshalom decided to rebel against his father and usurp the throne, he found willing allies in Chevron, and declared his rebellion there:

וַיְהִי מִקֵּץ אַרְבָּעִים שָׁנָה וַיֹּאמֶר אַבְשָׁלוֹם אֶל הַמֶּלֶךְ אֲלֵכָה נָא וְאַשְׁלֵם אֶת נְדָרַי אֲשֶׁר נִדְרֵיתִי לָהּ בְּחֶבְרוֹן: כִּי נִדַר עֲבָדְךָ בְּשִׁבְתִּי בְּגִשּׁוֹר בְּאֶרֶם לֵאמֹר אִם יָשִׁיב יְשׁוּב יִשִּׁיבֵנִי ה' וְרוּשְׁלָם וְעַבְדְּתִי אֶת ה': וַיֹּאמֶר לוֹ הַמֶּלֶךְ לֵךְ בְּשָׁלוֹם וַיָּקָם וַיֵּלֶךְ חֶבְרוֹנָה: וַיִּשְׁלַח אַבְשָׁלוֹם מֵרְגָלִים בְּכָל שְׁבֵטֵי יִשְׂרָאֵל לֵאמֹר קְשָׁמְעוּכֶם אֶת קוֹל הַשֹּׁפָר וְאַמְרַתֶּם מֶלֶךְ אַבְשָׁלוֹם בְּחֶבְרוֹן:

*After a period of forty years had gone by, Absalom said to the king, “Let me go to Hebron and fulfill a vow that I made to the LORD. For your servant made a vow when I lived in Geshur of Aram: If the LORD ever brings me back to Jerusalem, I will worship the LORD.” The king said to him, “Go in peace”; and so he set out for Hebron. But Absalom sent agents to all the tribes of Israel to say, “When you hear the blast of the horn, announce that Absalom has become king in Hebron.”*

**Shmuel II 15:7-10**

Thus began the darkest and most difficult episode of David’s life, and we might imagine that it would not have happened if David had kept his capital in Chevron. But a great leader is one who makes the right decision even if he may pay a great personal price.

Yerushalayim, then, represents first and foremost the unity of the Jewish people, and the ability to transcend our political divisions in the name of the eternity of the nation. Perhaps for that very reason, Hashem decided to establish the Beit HaMikdash there, as the Beit HaMikdash represents Hashem's presence dwelling among not a faction or sect of the Jewish people, but Klal Yisrael. The halacha is established in accordance with the opinion that *Yerushalayim lo nitchalka leshevatim*, Yerushalayim is not the inheritance of specific tribes, or of its individual residents, but rather the national heritage of the Jewish people.<sup>14</sup>

As long as the Beit HaMikdash stood in Yerushalayim, it served as a source of religious unity among the Jewish people. Since there was only one eternal capital of the Jewish people, and one Beit HaMikdash in its center, the great Sanhedrin sitting there was the ultimate religious authority. There was no possibility, as there is nowadays, for competing halachic authorities in competing religious centers, because there was only one central location that bestowed ultimate authority on those who convened there:<sup>15</sup>

כשהיה בית דין הגדול קיים לא היתה מחלוקת בישראל, אלא כל דין שנולד בו ספק לאחד מישראל שואל לבית דין שבעירו אם ידעו אמרו לו אם לאו הרי השואל עם אותו בית דין או עם שלוחיו עולין לירושלים ושואלין לבית דין שבהר הבית אם ידעו אמרו לו אם לאו הכל באין לבית דין שעל פתח העזרה, אם ידעו אמרו להן ואם לאו הכל באין ללשכת הגזית לבית דין הגדול ושואלין, אם היה הדבר שנולד בו הספק לכל, ידוע אצל בית דין הגדול בין מפי הקבלה בין מפי המדה שדנו בה אומרים מיד, אם לא היה הדבר ברור אצל בית דין הגדול דנין בו בשעתו ונושאים ונותנים בדבר עד שיסכימו כולן, או יעמדו למנין וילכו אחר הרוב ויאמרו לכל השואלים כך הלכה והולכין

להן, משבטל בית דין הגדול רבתה מחלוקת בישראל זה מטמא ונותן טעם לדבריו וזה מסהר ונותן טעם לדבריו זה אוסר וזה מתיה. *When the Supreme Sanhedrin was in session, there was never any prolonged difference of opinion among the Jewish people. Instead, if a doubt arose in a Jew's mind over any law, he would inquire of the court in his city. If not, the questioner and that court — or its agents — ascend to Jerusalem and ask the court which holds sessions on the Temple Mount. If they know, they will reply to him, if they do not know, everyone comes to the court that holds sessions at the entrance to the Temple Courtyard. If they know, they will reply to him, if they do not know, everyone comes to the Chamber of Hewn Stone, to the Supreme Sanhedrin, and presents the question. If the matter that was unresolved by all the others was known to the Supreme Sanhedrin — either as part of the Oral Tradition or because of its derivation through the principles of exegesis — they relate the decision immediately. If, however, the decision was unclear to the Supreme Sanhedrin, they deliberate about the matter at that time and debate it back and forth until they reach a uniform decision, or until a vote is taken. In such a situation, they follow the majority and then tell all the questioners: "This is the halacha." The questioners then all depart. After the Supreme Sanhedrin was nullified, differences of opinion multiplied among the Jewish people. One would rule an article is impure and support his ruling with a rationale and another would rule that it is pure and support his ruling with a rationale. This one would rule an article is forbidden and this would rule that it is permitted.*

**Rambam, Hilchot Mamrim 1:4**  
(translated by R. Eliyahu Touger—[Chabad.org](http://Chabad.org))

Not only did Yerushalayim ensure

unity among different schools of halachic thought, but the power of Yerushalayim even bridged the gap between those who were dedicated to halachic observance and those who were not fully observant. In Talmudic times, the Jews were divided into two religious classes, the *chaverim*, who were punctilious about ritual purity, and the *amei ha'aretz*, who neglected these (and other) halachot. Generally, a *chaver* would refrain somewhat from contact with the person and property of an *am ha'aretz*, for fear of contracting ritual impurity. But when Klal Yisrael came together in Yerushalayim on the three pilgrimage holidays, these halachic restrictions were relaxed, and all Jews were considered equally trustworthy in halachic matters. The Talmud Yerushalmi explains that this unity was brought about through the unifying power of Yerushalayim:<sup>16</sup>

ובירושלם נאמנין על הקודש ובשעת הרגל אף על התרומה ... אמר רבי יהושע בן לוי ירושלם הבנויה כעיר שחבורה לה יחדיו עיר שהיא עושה כל ישראל חברים

*And in Jerusalem they are reliable even with regard to sacred items, and during the pilgrimage festivals even with regard to terumah ... Rabbi Yehoshua ben Levi said: "Jerusalem built up, a city knit together" (Psalms 122:3) — A city that makes all Israel friends (chaverim).*

**Talmud Yerushalmi, Chagigah 3:6**

To this very day, we experience the unifying power of Yerushalayim three times a day, when Jews worldwide turn to Yerushalayim in prayer:

היה עומד בחוץ לארץ - יכוין את לבו כנגד ארץ ישראל שנאמר: (מלכים א' ח') והתפללו אליך דרך ארצם; היה עומד בארץ ישראל - יכוין את לבו כנגד ירושלים, שנאמר: (מלכים א' ח') והתפללו אל ה' דרך העיר אשר בחרת. *One who was standing in the Diaspora should focus his heart toward Eretz*

Yisrael, as it is stated: "And they shall pray to You by way of their land" (I Kings 8:48). One who was standing in Eretz Yisrael should focus his heart toward Jerusalem, as it is stated: "And they shall pray to the Lord by way of the city that You have chosen" (I Kings 8:44).

### Talmud Bavli, Berachot 30a

We do so not only because Yerushalayim is the conduit to the heavenly realms, but in order to emphasize the unity of the Jewish people. Although we stand in different synagogues, with different customs, cultures, and standards, spread among six continents, we pray not merely as individuals or congregations, but as one Jewish people:<sup>17</sup>

נמצא: עומד במזרח — מחזיר פניו למערב,  
במערב - מחזיר פניו למזרח, בדרום —  
מחזיר פניו לצפון, בצפון — מחזיר פניו  
לדרום; נמצאו כל ישראל מכוונים את לבם  
למקום אחד.

Consequently, one standing in the East turns to face west, and one standing in the West, turns to face east. One standing in the South, turns to face north, and one standing in the North, turns to face south; all of Israel find themselves focusing their hearts toward one place.

### Talmud Bavli, Berachot 30a

This year, we have the unique privilege of celebrating the fiftieth anniversary of the re-unification of Yerushalayim as the capital of the State of Israel. We will praise and thank Hashem for the miracle of the Six-Day War and the gift of Jewish sovereignty over an undivided Jerusalem. But we

must also remember that the essence of Yerushalayim is found not in geographical or political boundaries, but in the unity that Yerushalayim creates within the Jewish people. To merit the complete rebuilding of Jerusalem, we must rededicate ourselves to enhancing unity within the Jewish people by transcending our partisan divisions and embracing the eternity of Jewish peoplehood. Those who have the privilege of residing in the environs of Yerushalayim must radiate inclusiveness and brotherly love, and those dwelling afar must respond by turning our hearts in the direction of togetherness and a feeling of fellowship with all those who pray toward Yerushalayim. In this "unification of Yerushalayim" lies the secret to our eternity, and in its merit may we see the speedy fulfillment of our heartfelt prayer:

ולירושלים עירך ברחמים תשוב ותשכון  
בתוכה כאשר דברת ובנה אותה בקרוב בימינו  
בנין עולם.

To Jerusalem Your city may You return with mercy and dwell in the midst of it as You have spoken, and build it soon and in our day as an eternal structure.

### Endnotes

- 1 Shmuel II ch. 5.
- 2 Shmuel II ch. 6.
- 3 Rashi, Bereishit 22:2.
- 4 Ch. 12 v. 5, 11, 14, 18, 21, 26; ch. 14 v. 23, 24, 25; ch. 15 v. 20; ch. 16 v. 2, 6, 7, 11, 15, 16; ch. 17 v. 8, 10; ch. 18 v. 6; ch. 26 v. 2; ch. 31 v. 11.
- 5 Rambam, in *Moreh Nevuchim* III:45, assumes that Moshe Rabbenu and many

others knew this tradition, but he does not discuss whether King David was among them.

6 *Midrash Tanchuma, Kedoshim* 10.

7 *Bereishit Rabbah* 69:7.

8 *Chazon Ish, Yoma* 126:8, asserts that it is the universal opinion of the Sages that it was not known beforehand that Yerushalayim would be the future site of the Beit HaMikdash.

9 *Sifrei, Devarim* 62.

10 Bereishit 28:17. It is likely that Yeravam was inspired by this verse to establish one of his two temples in Bet El. It was not difficult for him to convince the Ten Tribes that it was more logical to worship in Bet El, where Hashem revealed himself to Yaakov, and Yaakov built a monument and offered sacrifices, than in Yerushalayim, which was declared holy a mere two generations ago by prophets from the court of David.

11 See e.g., 5:14-18.

12 See e.g., 12:1-6, 20:12-48.

13 Yehoshua 15:63 and 18:28. See Talmud Bavli, *Yoma* 12a.

14 Rambam, *Mishneh Torah, Hilchot Beit HaBechirah* 7:14, based on the Gemara *Yoma* 12a and *Bava Kama* 82b. For an elucidation of this topic, see <http://www.yutorah.org/lectures/lecture.cfm/870312/rabbi-assaf-bednarsh/who-owns-yerushalayim/>.

15 See Talmud Bavli *Sanhedrin* 14b and *Avodah Zarah* 8b — *melamed shehamakom gorem*.

16 See the full passage in the Talmud Yerushalmi there, and compare to Talmud Bavli, *Chagigah* 26a; Rambam, *Mishneh Torah, Hilchot Metamei Mishkav Umoshav* 11:9-11.

17 See also Talmud Bavli *Berachot* 29b-30a, and Rashi there s.v. *lishatef nafshei*, for an application of this principle with regard to the language of prayer. See also Talmud Bavli *Shabbat* 12a-12b, and Rashi there s.v. *betoch cholei yisrael*.



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<http://www.yutorah.org/Rabbi-Assaf-Bednarsh>

# A Blessed Life

One of the main distinctions between the tefillah in Eretz Yisrael and the tefillah in the Diaspora, at least in Ashkenazi synagogues, is *Birkat Kohanim*, the priestly blessings. It is well known that in Ashkenazi synagogues in the Diaspora, *Birkat Kohanim* is only performed on the holidays during the Mussaf services. In Eretz Yisrael it is performed on a daily basis, as well as at Shacharit and Mussaf on yom tov. In this article, we are going to explore why there is such a distinction, and the lesson that we can learn from it.

## Birkat Kohanim: A Daily Obligation?

If we explore the sources, it would seem that the mitzvah of *Birkat Kohanim* should be performed on a frequent basis. The Gemara states:

מניין שהקב"ה מתאוה לברכת כהנים? תלמוד לומר "ושמו את שמי על בני ישראל, ואני אברכם."

*How do we know that the Holy Blessed Be He desires the blessing of the priests? The verse states [in reference to the priestly blessings], "And I will place My name on the Jewish people and I will bless them."*

### Sotah 38b

If Hashem desires *Birkat Kohanim*, it should be performed as often as possible. In fact, the Rambam writes:

המצוה הכ"ו היא שנצטוו הכהנים לברך את ישראל בכל יום.

*The 26th commandment is the commandment on the priests to bless the Jewish people each day.*

**Rambam, Sefer Hamitzvot, Aseh no. 26**



## Rabbi Yehoshua Fass

Co-Founder and Executive Director,  
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Rambam's view that the requirement to perform *Birkat Kohanim* on a daily basis is shared by the *Sefer Yereim* no. 269, and the *Sefer Hachinuch*, no. 378.

At the same time, we also find that there are grounds for exemption. The Talmud Yerushalmi, *Berachot* 5:4, records that R. Yuda ben Pazi wasn't feeling well enough to perform the mitzvah, so he wrapped his head in a bandage and hid behind a column. R. Elazar used to exit the synagogue to avoid performing the mitzvah.

Based on this passage in the Yerushalmi, the *Semag* no. 20, the *Ran*, *Sotah* 15b, and the *Tur* and *Beit Yosef*, *Orach Chaim* no. 128, write that while there is a positive commandment on kohanim to bless the Jewish people, a kohen does not violate the commandment unless he is actively called up to the *duchan* (platform) and does not do so. If he is not called up or is not present when the kohanim are called, he does not violate the positive commandment. This would lead one to the conclusion that the obligation is not an active obligation (*mitzvah chiyuvit*), but rather an optional mitzvah (*mitzvah kiyumit*). These sources serve as the basis for an exemption to the commandment of the daily priestly blessing. Nevertheless, it is important to note that the aforementioned language of

the Rambam implies that there is an active obligation to perform *Birkat Kohanim* on a daily basis.

## Explaining the Practice of the Diaspora

We find three different approaches to explain why the Ashkenazi Jews of the Diaspora don't perform *Birkat Kohanim* on a daily basis. First, *Beit Yosef*, *Orach Chaim* no. 128, quotes from the *Sefer Ha'Agur* that the practice of kohanim was to immerse in a mikveh prior to performing *Birkat Kohanim*. The mikvaot were often very cold and it was too difficult to immerse on a daily basis. Therefore, the custom developed to only perform *Birkat Kohanim* on the holidays — when the kohanim would make the extra effort to immerse in the cold waters as special preparation for the yom tov.

The *Beit Yosef* is critical of this approach. He writes that the notion that one can only perform *Birkat Kohanim* after immersion is a *chumra d'ati lidei kula*, a stringency that leads to a leniency. There is absolutely no requirement to immerse before *Birkat Kohanim*, and therefore, it is inappropriate to undermine the mitzvah of *Birkat Kohanim* in order to fulfill this custom. He then states something uncharacteristically

remarkable in commenting on a minhag:

ויישר כחם של בני ארץ ישראל וכל מלכות מצרים שנושאים כפיהם בכל יום ואינם טובלים לנשיאת כפים.

*We must give credit to the communities in the Land of Israel and Egypt who perform Birkat Kohanim on a daily basis and do not immerse beforehand.*

The Beit Ephraim, Orach Chaim no. 6, offers a second approach as to why kohanim don't perform *Birkat Kohanim* on a daily basis. He suggests that kohanim nowadays don't have an established lineage (*yichus*) and we can't be completely sure who is a real kohen. Since there are problems with a non-kohen performing *Birkat Kohanim* and we don't know for sure who the real kohanim are, it is best if nobody performs *Birkat Kohanim*. However, if we were to abandon the mitzvah completely, the kohen legacy would not be passed on as effectively from generation to generation. This would lead to real kohanim not realizing that they are kohanim and violating the restrictions that they must follow (not marrying a divorcee and not coming into contact with a dead body). Therefore, the practice developed to perform *Birkat Kohanim* on the holidays. This explanation does not, however, explain how the custom to *duchan* daily in Israel developed.

The third approach — which is the approach most often cited — is presented by R. Moshe Isserles. In his glosses to *Shulchan Aruch*, he writes:

נהגו בכל מדינות אלו שאין נושאים כפים אלא בי"ט, משום שאז שרויים בשמחת יו"ט, וטוב לב הוא יברך מה שאין כן בשאר ימים, אפי' בשבתות השנה, שטרודים בהרהורים על מחייתם ועל ביטול מלאכתם. ואפי' בי"ט, אין נושאים כפים אלא בתפלת מוסף, שיוצאים אז מבהכ"נ וישמחו בשמחת יו"ט.

*It is common practice in these areas*

*to only perform Birkat Kohanim on the festivals because it is then that the [kohanim] are absorbed with the happiness of the festival, and someone who is satisfied and happy is worthy of reciting a blessing. However, this is not true on other days of the year, even on Shabbat, when everyone is worried about their stability and livelihood. Even on the festival itself we only perform Birkat Kohanim during Mussaf because that is when everyone is about to leave synagogue and enjoy the festival.*

#### **Glosses to Shulchan Aruch, Orach Chaim 128:44**

According to the Rama, preoccupation with one's daily needs and survival in the Diaspora preclude the kohanim from being in a proper state of mind to perform *Birkat Kohanim*.

The idea that simcha is a requirement for *Birkat Kohanim* is echoed in another comment of the Rama in the same *se'if*, where he writes that someone who is not married should not perform *Birkat Kohanim* because he is not in a state of simcha.

Why is simcha such an important factor in *Birkat Kohanim*? The Gemara, *Shabbat* 30b, states:

שאין שכינה שורה ... אלא מתוך שמחה.  
*The Divine presence doesn't descend ... unless one is in a state of happiness.*

If the goal of *Birkat Kohanim* is to cause the Divine presence to rest among us, it makes sense that we would require kohanim to be in a state of simcha. In fact, Maharam MiRutenburg in his *Teshuvot* (Prague edition no. 345) writes that we find support to the idea that *Birkat Kohanim* requires one to be in a state of simcha from the fact that Yitzchak asked Esav to bring him *matamim* (delights) before giving him a beracha.

Yitzchak sought to be in a state of simcha in order to be a proper conduit of blessing to his son.

#### **The Simcha of Living in Eretz Yisrael**

If a concern about livelihood, security, and welfare is the litmus test for the performance of *Birkat Kohanim* on a daily basis, it would seem ironic that those who live in the Diaspora have more such concerns to warrant this exemption than those living in Israel. It is worthwhile to explore why it is that the Diaspora is considered a place where these concerns are an impediment to simcha and Eretz Yisrael is not.

Of course, there is a historical component that can't be ignored, and that is that the religious Ashkenazi community in Eretz Yisrael was primarily founded by the students of the Vilna Gaon. The Vilna Gaon did not accept the Rama's reasoning for omitting *Birkat Kohanim* and tried to institute daily performance of *Birkat Kohanim* in Vilna but was unsuccessful. His students, upon settling Eretz Yisrael, instituted daily performance of *Birkat Kohanim*. Nevertheless, the reason for failure in Vilna and success in Eretz Yisrael is ultimately rooted in the longstanding practice of the Jews of the Diaspora to omit *Birkat Kohanim* and the practice of the Jews of Eretz Yisrael to recite it.

R. Aryeh Tzvi Fromer, *Eretz Tzvi* 1:30, in explaining the Rama's position, suggests that in Eretz Yisrael, even in insecure times, there is a sense of permanence that provides its residents with a peace of mind and resolve to face the ever-present challenges.

This phenomenon can be seen in the laws of mezuzah. The *Shulchan Aruch*,

*Yoreh De'ah* 286:22, rules that if one rents a home in the Diaspora, he is not required to put up a mezuzah until thirty days have elapsed. Whereas if one rents a home in Eretz Yisrael, he must put up a mezuzah right away. We see that no matter how difficult the situation is in Eretz Yisrael, living there is automatically considered more substantial and permanent. Some commentaries add that Eretz Yisrael has a higher level of *ahavah, d'veikut, shleimut*, and a more expansive level of *simcha*. It seems that living in Eretz Yisrael affords a significant sense of permanence, stability and *yishuv hada'at*.

Further, Rav Kook, *Orot Hakodesh* Vol. III (pg. 187), writes that in Eretz Yisrael, there is a certain sense of expansive *simcha* that doesn't exist in the Diaspora.

In Eretz Yisrael, there is a certain sense of *shleimut*, wholeness, that makes living there feel more permanent and more anchored than living in the Diaspora. Even if people living in the Diaspora may externally feel that they are not overburdened by their livelihood or welfare, they don't have the sense of belonging and inner security as those in Eretz Yisrael.

R. Tzvi Yehuda Kook has a beautiful explanation of the Rama's position. He posits that there is a difference

between an ordinary recitation of a beracha and *Birkat Kohanim*. Regarding *Birkat Kohanim*, Hashem is using the kohanim as a vessel to convey a blessing from Hashem. In order for *Birkat Kohanim* to be most effective, that vessel must be healthy and pure.

אבל במצב רוח לא טוב או חולני, אי אפשר לברך. זה דומה לאדם שאין לו תפילין ברשותו, ואינו יכול להניח, כי הוא אנוס. כך המצב בחוץ לארץ: צער הגלות, פירוד הגלות, טירדת הפרנסה בגלות. במצב הגלותי אין אפשרות לברך. זה גדר של אנוס. אמנם, מידי פעם, ביום טוב, יש איזו התרוממות מיוחדת, ומתגברים מכח שמחת יום טוב.

*However, when there is a bad disposition or spiritual illness, one cannot provide a blessing. It is similar to a person who doesn't have tefillin in his possession. He can't don [the tefillin] because of circumstances beyond his control. The same is true regarding [Birkat Kohanim] in the Diaspora: The suffering of the exile, the separations caused by the exile and the burden of livelihood in the exile. The exile experience doesn't allow one to provide a blessing. It is a circumstance beyond the control [of the kohanim] (thus exempting them from the mitzvah). However, every now and then, on yom tov, one can transcend these obstacles and reach the proper state of mind because of the joy of the festival.*

**Sermons of R. Tzvi Yehuda Kook, Naso, Sidra 2 (appendix to 5773)**

It has always amazed me to observe the tension and anxiety that encompasses the *olim* as they board an Aliyah flight and how it transforms to excitement, happiness and contentment. I believe that as each *oleh* steps foot onto the airplane they immediately transcend to a new reality and are engulfed by the permanence of Eretz Yisrael. They are caught up within the embrace between the Land and its people after a 2,000-year separation.

This immediate connection to the land and our people's history and destiny provides a powerful comfort and a true sense of belonging and *simcha* that is experienced solely by a Jew living in his home. This understanding of the difference in the practice of *Birkat Kohanim* in the Diaspora and in Israel should hopefully inspire Diaspora Jewry to enhance their *simcha* in the most significant way by returning to their Homeland.

We are living in miraculous times, and we have the historic opportunity to nourish our souls and provide ourselves with a serenity and *shalva* that can only be experienced in Eretz Yisrael. We pray that, after 2,000 years of praying, dreaming and yearning, that all Diaspora Jews see the blessing that awaits them.

This immediate connection to the land and our people's history and destiny provides a powerful comfort and a true sense of belonging and *simcha* that is experienced solely by a Jew living in his home.



# The Multifaceted Relationship between Jerusalem and the Land of Israel

This sicha was delivered on the Yom Yerushalayim 5760 [2000] and reprinted with permission from the Israel Koschitzky Virtual Beit Midrash.

שִׁיר מִזְמוֹר לְבְנֵי קֹרַח. גָּדוֹל ה' וּמְהֻלָּל מְאֹד  
בְּעִיר אֱלֹהֵינוּ הַר קְדוֹשׁ. יָפֵה נוֹף מְשׁוֹשׁ כָּל  
הָאָרֶץ הַר צִיּוֹן יִרְכָּתִי צְפוֹן קְרִית מְלֹךְ רַב.  
אֱלֹהִים בְּאַרְמֹנֹתֶיהָ נוֹדַע לְמִשְׁנָב.

*A song, a psalm of the sons of Korach: Great is the Lord, and highly praised, in the city of our God, the mountain of His holiness. Beautiful for situation, the joy of the whole world – Mount Zion, the sides of the north, the estate of the great King. God is known in her palaces as a fortress.*

**Tehillim 48:1-4**

In these opening verses of the chapter of Tehillim recited on Mondays, the psalmist speaks of Jerusalem as an independent location — both in terms of esthetics, “Beautiful for situation, the joy of the whole world,” and in terms of the Divine Presence dwelling there — “Great is the Lord, and highly praised, in the city of our God, the mountain of His holiness.” However, there is also another perspective on the holy city — one that views Jerusalem as an



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integral part of Eretz Yisrael, drawing from the holiness of the land and radiating its own holiness outward. I would like to focus on this aspect of Jerusalem, as part of Eretz Yisrael, rather than as a separate, secluded jewel.

The relationship between Eretz Yisrael and Jerusalem are mutual: on the one hand, the holiness of Jerusalem is the pinnacle of the holiness of the land; on the other hand, the holiness of Eretz Yisrael is not just the framework for the holiness of Jerusalem, but its very foundation.

In *Hilkhos Terumos* (1:5), the Rambam writes that Eretz Yisrael attained its holiness for all future generations only through the conquest and settlement at the time

of Ezra:

כל שהחזיקו עולי מצרים ונתקדש קדושה ראשונה כיון שגלו בטלו קדושתן שקדושה ראשונה לפי שהיתה מפני הכיבוש בלבד קדשה לשעתה ולא קדשה לעתיד לבוא כיון שעלו בני הגולה והחזיקו במקצת הארץ קדושה קדושה שנייה העומדת לעולם לשעתה ולעתיד לבוא.

*All of the lands that [the Jews] who ascended from Egypt took possession of were sanctified in the first consecration [of the land]. When they were exiled, that sanctity was nullified. [The rationale is that] the initial consecration came about because of the conquest. [Hence,] its consecration was effective for the time [it was under their rule], but not for all time. When, by contrast, the descendants of the exiles ascended [from Babylon] and took possession of a portion of the land, they consecrated*



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it a second time. [This consecration] is perpetuated forever, for that time and for all time.

**Translation from R. Eliyahu Touger, Chabad.org**

In contrast, in *Hilkhos Beit Ha-bechira* (6:14), the Rambam writes that Jerusalem was consecrated for all generations already in the building of the First Temple. He goes on to explain (6:16) the difference between the two categories of holiness:

ולמה אני אומר במקדש וירושלים קדושה ראשונה קדשה לעתיד לבוא ובקדושת שאר א"י לענין שביעית ומעשרות וכיוצא בהן לא קדשה לעתיד לבוא לפי שקדושת המקדש וירושלים מפני השכינה ושכינה אינה בטלה ... אבל חיוב הארץ בשביעית ובמעשרות אינו אלא מפני שהוא כבוש רבים וכיון שנלקחה הארץ מידיהם בטל הכבוש ונפטרה מן התורה ממעשרות ומשביעית שהרי אינה מן ארץ ישראל וכיון שעלה עזרא וקדשה לא קדשה בכיבוש אלא בחזקה שהחזיקו בה ולפיכך כל מקום שהחזיקו בה עולי בבל ונתקדש בקדושת עזרא השנייה הוא מקודש היום ואף על פי שנלקח הארץ ממנו וחייב בשביעית ובמעשרות על הדרך שביארנו בהלכות תרומה.

*Why do I say that the original consecration sanctified the Temple and Jerusalem for eternity, while in regard to the consecration of the remainder of Eretz Yisrael, in the context of the Sabbatical year, tithes, and other similar [agricultural] laws, [the original consecration] did not sanctify it for eternity? Because the sanctity of the Temple and Jerusalem stems from the Shekhina (divine presence), and the Shekhina can never be nullified... In contrast, the [original] obligation to keep*

*the laws of the Sabbatical year and tithes on the Land stemmed from the fact that it was conquered by the [Jewish people, as a] community. Therefore, when the land was taken from their hands [by the Babylonians,] their [original] conquest was nullified. Thus, according to Torah law, the land was freed from the obligations of the Sabbatical year and of tithes because it was no longer Eretz Yisrael. When Ezra returned [to Eretz Yisrael] and consecrated it, it was not sanctified by means of through conquest, but rather through chazakah (possession). Therefore, every place which was repossessed by the [exiles returning from] Babylon and consecrated when Ezra consecrated [the land] the second time, is sacred today. Thus, as explained in Hilkhos Teruma, it is necessary to keep the laws of the Sabbatical years and the tithes [on this land] even though it was taken from [the Jewish people in later years].*

The Ra'avad (6:14) disagrees:

סברת עצמו היא זו ולא ידעתי מאין לו ובכמה מקומות במשנה אם אין מקדש ירקב ... אלמא למ"ד קדושה ראשונה לא קדשה לעתיד לבא לא חלק בין מקדש לירושלים לשאר א"י.

*This is the Rambam's own conclusion; I do not know how he arrives at it. For in several places in the Mishna we find, "If there is no Temple, it [the produce set aside as ma'aser sheni] rots [because it cannot be brought to the Temple]" ... According to the view that the first sanctification was not meant to be forever, there is no distinction between the Temple and Jerusalem, and the rest*

*of the Land of Israel.*

The Ra'avad seems to suggest that the two levels of holiness — the holiness of Eretz Yisrael and the holiness of Jerusalem — exist in parallel; there is no separating them. However, Ra'avad seems to be disagreeing with the Rambam for a different reason. According to the Rambam's explanation, there was a certain period in history, between the destruction of the First Temple and the construction of the Second Temple, when Jerusalem held its consecrated status, and consecrated foods could be eaten there, while the rest of Eretz Yisrael did not have its ritual status of holiness. Ra'avad's argument against the Rambam is that Jerusalem cannot be regarded as an extra-territorial unit: the sanctity of Jerusalem is drawn from the holiness of the land; it cannot be severed from the rest of Eretz Yisrael.

Ra'avad does, however, agree that the holiness of Jerusalem not only is based on the holiness of Eretz Yisrael, but also influences it. Thus, for example, many of the Rishonim maintain that according to Ra'avad's view, the sanctified status of Eretz Yisrael was lost in the wake of the destruction of the Temple — the symbol of the destruction of Jerusalem. The relationship between the sanctity of the land and the sanctity of Jerusalem is thus two-directional, with the two levels or aspects of holiness resting upon and being nourished by one another.

The mutual relationship



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between Jerusalem and Eretz Yisrael exists not only on the ritual, religious level, but also in the political realm. In chapter 122 of Tehillim, King David describes Jerusalem as a dual capital: on one hand:

שִׁיר הַמַּעֲלוֹת לְדָוִד שְׁמַחְתִּי בְּאֲמָרִים לִי בֵּית ה' גִּלְיָהּ.

*I was glad when they said to me, "Let us go into the House of God"*

Here we see Jerusalem as a religious capital. On the other hand:

כִּי שָׁמָּה יָשָׁבוּ כְּסֵאוֹת לְמִשְׁפַּט כְּסֵאוֹת לְבֵית דִּין.

*There are set thrones of justice, the thrones of the House of David.*

Here we see Jerusalem as a political capital.

Here, again, the national status of Jerusalem is both inspired by and an inspiration to the rest of Eretz Yisrael. On the one hand, Jewish sovereignty in the land is the foundation and necessary precondition for sovereignty over Jerusalem; on the other hand,

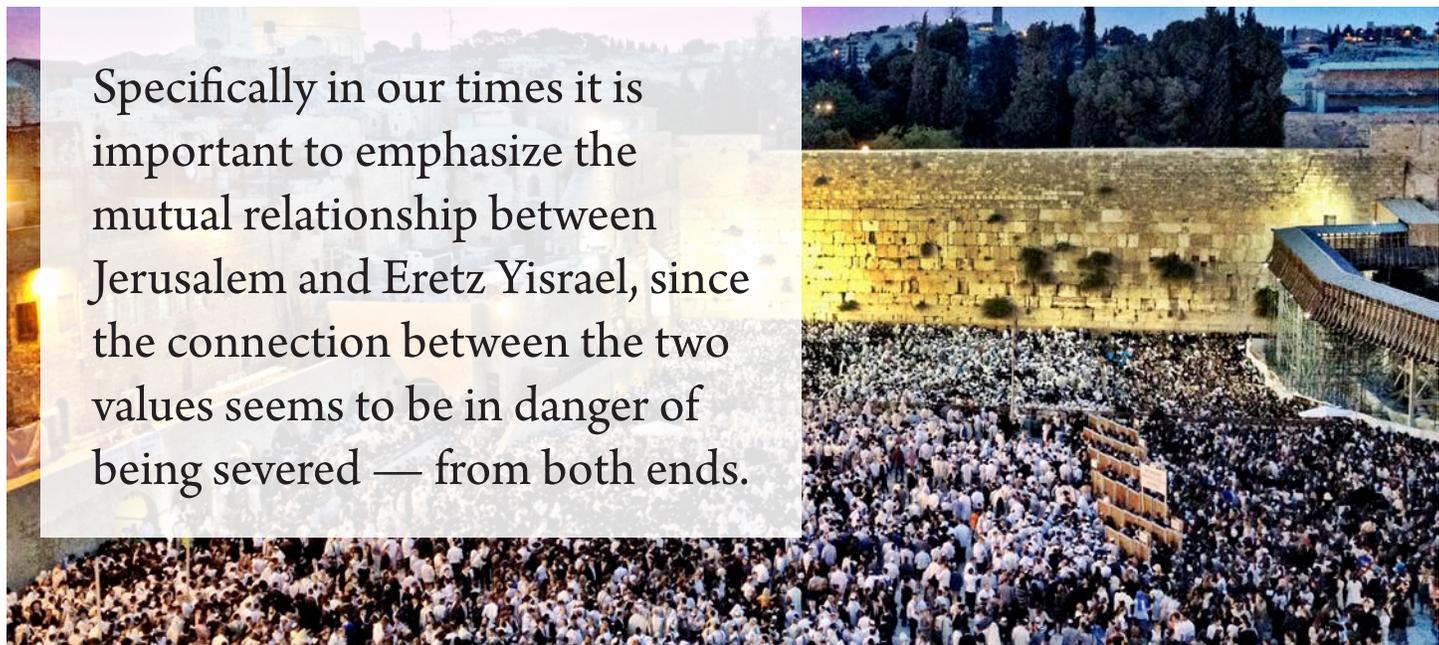
sovereignty over Jerusalem is the key to and symbol of sovereignty over the land. There is no monarch without a capital, and there can be no capital without a country. Throughout nearly two thousand years of exile we lifted our eyes to Jerusalem as "the joy of the whole world," but also as the symbol of Jewish sovereignty over Eretz Yisrael as a whole.

Specifically in our times it is important to emphasize the mutual relationship between Jerusalem and Eretz Yisrael, since the connection between the two values seems to be in danger of being severed — from both ends. On the one hand there are groups who glorify Jerusalem as an independent, stand-alone jewel with God's house at its center. They emphasize the values associated with Jerusalem alone, forgetting or neglecting the significance of Eretz Yisrael as a whole and the values associated with it.

On the other hand, there is a sense that among other groups the recognition of Jerusalem's significance and its unique contribution is

being eroded. The awareness of the importance of the connection between Jerusalem and Eretz Yisrael, which swept through the entire nation in 1967, has suffered a setback. We, in the *beit midrash*, must be sure to maintain our excitement and maintain our feeling of the two-directional current running between Jerusalem and Eretz Yisrael. We must also radiate this feeling outwards, and do our part to intensify and strengthen this awareness, which burned with such clarity when we returned to Jerusalem, rather than allowing it to subside.

Even if we lack influence on the political level, it is important that we, as students in the *beit midrash*, uphold this view on the ideological level. On this day, as we commemorate and celebrate Jerusalem, let us also strengthen our awareness of the important bond between Jerusalem, the holy city, and Jerusalem the capital, and between Jerusalem and Eretz Yisrael as a whole.



Specifically in our times it is important to emphasize the mutual relationship between Jerusalem and Eretz Yisrael, since the connection between the two values seems to be in danger of being severed — from both ends.

# Yom Ha'atzmaut and the Disappearance of The Three Oaths: An Analysis of Rav Shaul Yisraeli's Approach

When we look back gratefully on the many obstacles that Am Yisrael has overcome on the way to Jewish statehood in Eretz Yisrael, one of the most intriguing to the student of Torah is the Three Oaths:

ר' זירא הוה קמשתמיט מיניה דרב יהודה, דבעא למיסק לארץ ישראל, דאמר רב יהודה: כל העולה מבבל לארץ ישראל עובר בעשה, שנאמר (ירמיהו כז, כב): "בבלה יובאו ושמה יהיו עד יום פקדי אותם נאם ה'". ורבי זירא? ההוא בכלי שרת כתיב. ורב יהודה? כתיב קרא אחרינא (שיר השירים ב, ז): "השבעתי אתכם בנות ירושלים בצבאות או באילות השדה אם תעירו ואם תעוררו את האהבה עד שתחפץ". ורבי זירא? ההוא שלא יעלו ישראל בחומה. ורב יהודה? השבעתי אחרינא כתיב (שם ג, ה; שם ח, ד). ורבי זירא? ההוא מיבעי ליה לכדרכי יוסי ברבי חנינא, דאמר: ג' שבועות הללו למה? אחת, שלא יעלו ישראל בחומה; ואחת, שהשביע הקדוש ברוך הוא את ישראל שלא ימרדו באומות העולם; ואחת, שהשביע הקדוש ברוך הוא את העובדי כוכבים שלא ישתעבדו בהן בישראל יותר מדא.

Rav Zeira was avoiding Rav Yehuda, for [Rav Zeira] wanted to move to Eretz Yisrael, and Rav Yehuda said: Whoever moves from Bavel to Eretz Yisrael violates a positive commandment, as it says: "They will be brought to Bavel and they will be there until the day I recall them, says Hashem" (Yirmiyahu 27:22). [How does] Rav Zeira [learn this verse]? This is written about the vessels of the Beit Hamikdash. [How



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does] Rav Yehuda [respond]? There is another verse: "I administered an oath to you, Daughters of Jerusalem, by deer and gazelles of the field lest you arouse and lest you awaken the love until it is desirable" (Shir Hashirim 2:7). [How does] Rav Zeira [respond]? That verse teaches that they should not go up in a wall (or as a wall) [in force (Rashi)]. [How does] Rav Yehuda [respond]? There is another such verse (actually two—*ibid* 3:5, 8:4). [How does] Rav Zeira [respond]? That is needed for the statement of Rabbi Yossi b'Rabbi Chanina, who said: "Why are there these three oaths? One, that they should not go up in force, and one, that Hashem administered an oath that they not rebel against the nations, and one that Hashem administered an oath on the nations that they not overly enslave Israel."

## Ketubot 110b

We see that Rav Yehuda posited that the verses that rejected prematurely renewing the loving relationship between Hashem and Bnei Yisrael precluded even individuals from leaving the exile of Bavel for Eretz

Yisrael. We also see that Rav Zeira disagreed, and reasoned that it was permitted for him as an individual, but he conceded that it did preclude going there "as a wall," for which we accept Rashi's explanation as by force, or perhaps, en masse.

While there were groups of Jews who came to Eretz Yisrael throughout the ages, there was no attempt to come en masse from the time of Rav Yehuda and Rav Zeira until the era of Modern Zionism. At the time that the religious community and its rabbinic leadership were debating the merits and dangers of Zionism, the Three Oaths were among the issues at the fore. Perhaps the most extreme position and most systematic treatment of the topic was that of the Satmar Rebbe, who championed the opinions of those who opposed the establishment of a Jewish state before the time of Mashiach as an affront to the divine will. His book, *Vayoel Moshe*, came out well after the establishment of the State, and in his view, the success in the establishment and initial survival of the State did nothing to change his mind.

Several explanations have been given to justify the actions of the Zionist movement, which strove and succeeded to bring large masses of Jews to Eretz Yisrael to establish a fully viable state, including a powerful standing army.<sup>1</sup> One is to deny that the Gemara of the Three Oaths was meant to be an operative halachic statement but a theoretical aggadic one.<sup>2</sup> Some point out that the main decisors of halacha, such as the Rif, Rambam, and Rosh, do not mention them in their halachic works. Another is to say that it only is binding when the nations keep their related oath of not enslaving the Jewish people too harshly, but when peaceful survival became untenable in the exile, the Jews may take refuge in Eretz Yisrael.

The most widespread and arguably most satisfying answer is that, as Rashi says, the oath only precludes acting by force, in other words, against the will of the relevant nation(s). In the case of Modern Zionism, the settlement of Jews was (at least for the most part) done with the agreement of the possessors of the Land. In the early stages, that was the Ottoman Empire. Later on, it was with the British, who conquered the country during World War I, along with other World War I allies and with the world bodies (League of Nations, United Nations), under whose auspices the British held their Mandate of Palestine. Those who subscribe to this view, including Rav Shaul Yisraeli, posit that the opinions of the majority of residents of Eretz Yisrael and of the neighboring countries—Arabs who were hostile to Zionism—were not relevant because they did not enjoy any type of political or military control over Eretz Yisrael.<sup>3</sup>

One of the interesting and arguably unique elements of Rav Yisraeli's

presentation (in *Eretz Hemdah* I:1:6) is that he deals with the giving and receiving of this permission of the nations in halachic terms and guidelines. In this chapter, Rav Yisraeli discusses the above thesis within an analysis of the *Avnei Nezer*<sup>4</sup> based on the aforementioned opinion of Rashi.

The fact that the relevant powers allowed Jews to move to Eretz Yisrael made this move a halachic possibility. However, reasoned Rav Yisraeli, there was not necessarily anything that prevented the non-Jews from changing their mind, which would return the status of the Three Oaths to its place. We will now discuss when this precarious situation ended.

In *Eretz Hemdah*,<sup>5</sup> Rav Yisraeli posits that the events of 5708 (1947-8) prevent the non-Jewish nations from rescinding their permission to Bnei Yisrael to possess Eretz Yisrael as a nation. On November 29, 1947 the United Nations, upon British request to decide the matter, agreed to the establishment of a Jewish state in parts of "Palestine." Rav Yisraeli views this permission as applying to us vis-à-vis national *control* of the Land (not merely permission for people to settle in Eretz Yisrael). As such, finalizing our rights to the Land needed to be done in the same way that one finalizes any agreement regarding property—by means of an act of *kinyan* (acquisition). One of the forms of *kinyan* for land is *chazaka* (acting toward the land as an owner would).<sup>6</sup> Regarding the right to create a sovereign state, the way to perform *chazaka* was by declaring sovereignty. This was done by the leaders of the yishuv on that memorable and joyous (if tense) 5<sup>th</sup> of Iyar 5708. Thus, posits Rav Yisraeli, our full rights to Eretz Yisrael, for the first time in thousands



Rav Shaul Yisraeli *z.t.l.* (1909-1995) was born in Russia, where he learned Torah clandestinely, escaping to become a talmid of Rav A.Y. Kook *z.t.l.* He went on to be the rav of Kfar Haroeh, a dayan in the Supreme Rabbinical Court in Jerusalem, Rosh Yeshiva at Merkaz Harav, and founder of the Eretz Hemdah Kollel (where this writer learned under him). He was a prolific writer and important leader, including on matters of the Torah in a renewed Jewish State.

of years, occurred specifically on the first Yom Ha'atzmaut. The acting on the permission given by nations to take control of Eretz Yisrael concretized our rights to it and caused the Three Oaths to no longer be a concern. This, Rav Yisraeli argued, made the 5<sup>th</sup> of Iyar a day that is worthy of celebration, irrespective of if and when miraculous events took place on the battlefield.

This basic construct, of combining the permission of the nations with the *chazaka* the Jewish people made on Eretz Yisrael in its aftermath, arises again in the writings of Rav Shaul Yisraeli in another context.<sup>7</sup> Rav Ovadia Yosef posited that one of the reasons why an agreement that includes Israeli ceding to the Arabs significant land in Judea, Samaria, and Gaza is theoretically proper is that

holding on to these sections of the Land at such a time is in contradiction to the Three Oaths. These areas, after all, were conquered by Israel and held against the stated policy of virtually every country and international organization. Rav Yisraeli questioned the cogency of Rav Ovadia's mode of invoking the Three Oaths by widening the practical scope of Rav Yosef's position. Rav Yisraeli asked: if the Three Oaths are a problem regarding land seized in the Six Day War, then why should ceding be conditional on a viable peace settlement? We should give them up to desist from violating the Oaths. Second, if international approval is necessary, then shouldn't the problem apply to many sections of Jerusalem which have not been recognized as Israel's by world powers?<sup>8</sup> What, then, is Rav Yisraeli's rationale to apparently ignore the Three Oaths in regard to land not given to us by the nations of the world in 1947-8?

Before we revisit the idea of permission and *chazaka*, we shall present two other ideas that Rav Yisraeli promotes which answers the questions.<sup>9</sup> First, the oath of not going up by force applies to the force used to move to Israel and establish a national entity here. However, once this is accomplished with permission, the national entity is like any other, and the Oaths do not create any limitations on what sections of the Land can be subsumed under the authority of these auspices.

A second answer assumes that even if it were improper to expand the borders of the country by means of military conquest, that would only apply to initiating a war for that purpose. However, if a war was forced upon the Jewish State (as it

was in 1948 and 1967), then the State and its citizens are expected to protect themselves. If in the context of a defensive war, the borders of the State are expanded, neither the Three Oaths nor any other halachic mandate prevent us from defending our control of those lands.

A third answer that Rav Yisraeli offered is strikingly reminiscent of his 5 Iyar construct. As part of the decision of world powers meeting at the San Remo Conference in 1920,<sup>10</sup> all of Palestine (including large areas of the east bank of the Jordan) was given to the Jewish people as a homeland. Rav Yisraeli cites the famous words of the Ohr Sameiach, Rav Meir Simcha of Dvinsk, who saw in the San Remo agreement a removal of the impediment of the Three Oaths:

אולם זה במאה הזאת זרחו קוי אור ע"י גדולי המעש, כמו מונטיפיורי וכיו"ב בהתעוררות רבה, ומהרבנים ר' צבי הירש מטאהרן ור' אליהו מגריידיץ, לבנות ולשכלל ירושלים ולהסיר שוממותיה... ורבנים הרבה עמדו מנגד, ואף אותם שהיה בלבם לקרב את הדבר שמו יד לפה, מפני כי חרדו ... מהג' שבועות שהשביע לבנות ירושלים... אמנם כעת הסבה ההשגחה אשר באספת הממלכות הנאורות בסאן רעמא, ניתן צו אשר ארץ ישראל תהיה לעם ישראל, וכיון שסר פחד השבועות וברשיון המלכים קמה מצוות ישוב ארץ ישראל ששקולה כנגד כל מצוות שבתורה (ספרי פ' ראה) - למקומה. ומצוה על כל איש לסייע בכל יכולתו לקיים מצוה זו.

*In this century, rays of light shone forth with a great awakening by people of action such as Montefiore and rabbis such as R. Tzvi Hirsch [Kalischer] of Torun and R. Eliyahu [Gutmacher] of Grodzesk to build and restore Jerusalem and remove its destruction ... Many rabbis opposed their efforts and even those who wanted to join, placed their hand over their mouth because they feared ... [violating] the Three Oaths*

*of the daughters of Jerusalem ... Now, however, [we have experienced] Divine providence in the gathering of the League of Nations in San Remo and a pronouncement was made that the Land of Israel will belong to the Jewish people. Since the fear of the oaths has passed with permission of the nations, the mitzvah to settle the Land of Israel — which is equal in weight to all other mitzvot in the Torah combined — is now restored. Everyone should do what they can to help fulfill this mitzvah.*

The Jewish people acted upon this agreement by welcoming it and by the Jewish community in Palestine expanding their settlement activity in the agreement's aftermath. This too was a *kinyan chazaka* on all of "mandatory Palestine." This is because one of the laws of *kinyanim* is that performance of *chazaka* on part of the land upon which there is agreement serves to acquire all the land. Thus, all of mandatory Palestine was reacquired by the Jewish people as their homeland. Any subsequent actions, whether by Arab neighbors or even by the same international powers that bequeathed the Land, are acts of thievery, which the Jewish People does not have to accept. Thus, from the San Remo agreement on, posited Rav Yisraeli, the Three Oaths did not apply to any of the Land of Palestine, which includes Judea, Samaria, and Gaza.

One can ask whether the two similar constructs that Rav Yisraeli presents of permission followed by *chazaka* do not contradict each other in the following way: If all of Mandatory Palestine, which exceed the territory included in the 1947 Partition Plan and 1949 Armistice Agreements, belonged to the Jewish people as of

1920 and removed the Three Oaths issues, then what is the significance in this regard of the events of 1947-8? It is not possible to say that Rav Yisraeli changed his mind during the close to four decades between the writing of the two articles, because the later article also mentions the significance of the establishment of the State of Israel in 1948 in regard to the Three Oaths.

I would like to suggest that Rav Yisraeli's intention was as follows: While the San Remo Agreement gave more land than the Partition Plan regarding borders, the events of 1947-8 added significant elements that were missing in San Remo. San Remo spoke of the establishment of a Jewish homeland, which included the rights of Jews to emigrate to Eretz Yisrael and settle it. However, this did not totally remove the Three Oaths, in that we would still not be authorized to take this settlement to the point of an independent entity that had all the rights of a state. Only in 1947-8 did we receive and seize the rights to control the settlement of the Land and the administration of it, create an army, and enjoy all rights of a national entity. The idea of a *pekida* (liberation as found in the verse Rav Yehuda referred to), which Rav Yisraeli, following the *Avnei Nezer*, believed in, came to fruition much more qualitatively on the original Yom Ha'atzmaut.

In areas such as those discussed in this article, where we do not find clear halachot in such classic sefarim as the *Shulchan Aruch*, and practical ramifications did not exist until modern times, it is hard to apply the same rules for determining: "How do we *pasken*?" On the question of whether and how to celebrate Yom

Ha'atzmaut, there are many religious Jews who celebrate it<sup>11</sup> and many who do not. Those who celebrate do not always know (nor do they need) to define precisely the elements of the historical events to celebrate most intensely.

However, regarding the assumption that it is permitted to settle in Judea and Samaria despite protests of the world, we have a fascinating phenomenon within the religious community on an ostensibly difficult halachic question. It is well known and discussed that the Religious Zionist community believes it is permitted and even a special mitzva and *z'chut* to settle in Judea and Samaria. But a very broad spectrum of the Charedi community<sup>12</sup> have no halachic compunctions about living over the "Green Line." Whether discussing Ramot and Ramat Eshkol, in Jerusalem, or Beitar and Kiryat Sefer, tens of thousands of Charedim form a consensus that this is permitted. It is further interesting that the matter is not even a point of halachic discussion, and I have been unable to find a Charedi *posek* who is the "father of the leniency." Is the silent majority assuming along the lines of Rav Shaul Yisraeli? It is presumptuous for me to make such a claim. However, for one reason or another, the disappearance of the Three Oaths as a halachic concern is a fact on the ground among a broad consensus of the religious community.<sup>13</sup>

## Endnotes

1 One short work that surveys many of these is Rav Menachem Kasher's article, "*Da'at Torah al Hashevuah Shelo Ya'alu B'choma L'Eretz Yisrael*," from *Shana B'Shana* 5737.

2 Rav Yisraeli (in *Eretz Hemdah* 1:1:4) posits that the Three Oaths do not represent a prohibition that Bnei Yisrael accepted upon

themselves. Rather, they are a warning that Hashem made to them lest they go beyond their proper bounds before the proper time. However, one way or another, Rav Yisraeli agrees that the oaths are a force to be reckoned with, and it would be a dangerous mistake to "violate" them.

3 This situation is parallel to the granting of permission to resettle Eretz Yisrael after the Babylonian exile, by King Cyrus, of the relatively distant Persia, who controlled the Land politically and militarily.

4 *Yoreh Deah* 454.

5 *Ibid.*

6 *Kiddushin* 26a.

7 See *Techumin*, Vol. X, in his rebuttal of the article of his colleague, Harav Ovadia Yosef (*ibid.*), in which the latter encouraged a political settlement that would include ceding land to the Arab World should peace be possible (which Rav Ovadia did not see as a viable option at the time he wrote the article). Rav Yisraeli's article was reprinted in *Chavot Binyamin* vol. I, 13.

8 Rav Ovadia did not suggest ceding those sections of Jerusalem as part of a peace treaty.

9 *Ibid.*

10 At this conference, the World War I victors confirmed the idea of a Jewish homeland in Palestine, as promoted in the Balfour Declaration, while earmarking Syria and Mesopotamia to the Arabs. This agreement was then accepted by the League of Nations.

11 Many of the practices were actually instituted by Rav Yisraeli, both through his recommendations for the Chief Rabbinate (see appendix to *Zeh Hayom Asa Hashem*) and in his community of Kfar Haroeh.

12 This includes "non-Zionists" like the Litvish and the Chasidish, and the followers of Rav Ovadia Yosef. Only the Satmar-oriented are missing from these "over-the-green-line" communities.

13 I am proud to have studied under a *posek* who wrote extensively on such topics from both a halachic and hashkafic perspective.

# Why Israel Matters: Ramban and the Uniqueness of the Land of Israel

**O**ur generation merits the great gift of the state of Israel. We are afforded the opportunity to visit the land, dwell there temporarily, and even make it into our permanent home if we so choose. As an *olah*, I feel privileged to live and raise my family in this holy land. Yom Ha'Atzmaut provides a special opportunity for reflection on this unique gift.

Many great Jewish thinkers and commentators have explored the significance of the Land of Israel. Its relative status is assessed from numerous perspectives; Biblical commentators, Jewish philosophers, and great halachists all question and analyze the role of Eretz Yisrael. From different vantage points, they offer insights into the unique religious, national, and spiritual opportunities that are an organic part of the Land of Israel.

The purpose of this article is to explore the view of the Ramban on the holiness and status of Eretz Yisrael. The Ramban is among a small group of Rishonim whose writings impact and relate to a broad array of Torah realms. Ramban often weaves together insights relating to Biblical exegesis, Jewish thought, and halacha, and his writings on Eretz Yisrael are no exception. Indeed, few thinkers offer such a wide-ranging perspective on Eretz Yisrael. Further, many contemporary discussions relating to Eretz Yisrael, focus, at least partially, on the Ramban's positions.



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The passionate words of the Ramban paint a striking picture of the power and potential of Eretz Yisrael.

## Inhabiting the Land of Israel

Many Rishonim discuss the nature of the mitzvah of living in Eretz Yisrael. Is there, in fact, such a mitzvah? If yes, does that mitzvah apply today or is it limited to a particular time period? The Rambam, who is usually fairly equivocal in his halachic positions, is somewhat ambiguous on this issue. By contrast, the stance of the Ramban is exceptionally clear. Included in the Ramban's tally of the 613 mitzvot is the requirement to dwell in Israel. In addition to writing this in his halachic work,<sup>1</sup> the Ramban also states this position in his commentary on Chumash (Bamidbar 33:53):

והורשתם את הארץ וישבתם בה כי לכם נתתי את הארץ לרשת אתה — על דעתי זו מצות עשה היא, יצוה אותם שישבו בארץ ויירשו אותה כי הוא נתנה להם ... כי הכתוב הזה היא מצות עשה. ויחזיר המצוה הזו במקומות רבים.  
*And you shall take possession of the land and settle in it, for I have assigned the land for you to possess — In my opinion, this is a positive commandment. He commands them to settle in the land and*

*inherit it because He gave it to them ... this verse is a positive commandment. It is a commandment that recurs in many places [in the Torah].*

What makes the Ramban's position particularly noteworthy is that not only does he maintain that such an obligation exists; the Ramban is of the opinion that this obligation continues to apply throughout our time in exile. Further, as is well-known, the Ramban personally made the incredibly challenging journey to move to Israel. While some scholars have discussed the impact of his move on his commentary on Chumash, the Ramban's journey can also serve as a powerful model of religious commitment.

Thus far, the Ramban's position on the halachic status of moving to Israel has been established: moving to Israel is a fulfillment of a positive commandment. A further question relates to the status of this mitzvah as compared to other positive commandments. The Ramban seems to challenge the notion that all mitzvot are created equal, and seems to suggest that the mitzvah of inhabiting the Land of Israel has an elevated status. While in general, one

is forbidden to ask a non-Jew to do a melacha on Shabbat, even for the sake of enabling one to fulfill a *mitzvah mid'oraita* (Torah level obligation), the Ramban points out an exception to this rule.<sup>2</sup> Based on the Gemara in *Gittin* (8b), the Ramban explains that it is permissible to ask a non-Jew to perform melacha on one's behalf if it is in order to buy land from a non-Jew in Eretz Yisrael. As Rabbi Howard Jachter explains,<sup>3</sup> the position of the Ramban is based on the axiom that securing Jewish presence in and proprietorship of our holy land is a fulfillment of an important national and religious tenet.

This orientation may explain a unique position of the Ramban in his commentary on Chumash. When a famine plagued the Land of Israel and Avraham opted to descend to Egypt, the majority of commentators endorse Avraham's decision as an appropriate and pragmatic step. Remaining in Israel was dangerous, and we are advised to act with prudence rather than relying on miracles. Migrating to Egypt to procure food for his family was the responsible thing to do.

Yet the Ramban (Breishit 12:10) critiques Avraham for moving to Egypt. In fact, as part of his broader understanding of “*ma'aseh avot siman l'banim*,” the acts of the forefathers are a sign for their children, the Ramban argues that the Jewish people were forced to go into exile in Egypt as a *result* of Avraham's decision to leave Israel and go to Egypt! While there are various factors influencing the Ramban's approach, one may suggest that underlying the Ramban's fairly severe critique of Avraham is the enormous value he places on inhabiting the Land of Israel. His love for Israel and the great import with which he believes the land is endowed may

shape the way the Ramban interprets Avraham's behavior and the subsequent outcomes of Avraham's decision.

### A Unique Characteristic of Eretz Yisrael

Until this point, the Ramban's position that inhabiting the Land of Israel is a bona fide mitzvah, as well as his view that this mitzvah holds a uniquely prominent status, have been established. The pressing question that emerges is, Why? What is it about Eretz Yisrael that impels the Ramban to regard the land with such veneration and appreciation?

The Torah's prohibition of *arayot*, illicit relations, is operative regardless of one's geographical location. Yet at the end of the Torah's description of this prohibition, the verse in Vayikra (18:25) states:

וַתִּטְמָא הָאֶרֶץ וְאֶפְקַד עֲוֹנָהּ עָלֶיהָ וַתִּקָּא הָאֶרֶץ אֶת יִשְׂרָאֵל.

*Thus the land became defiled; and I called it to account for its iniquity, and the land spewed out its inhabitants.*

The Ramban points out that this verse highlights a connection between the prohibition of *arayot* and the Land of Israel. The Ramban finds this connection somewhat perplexing, given that the *arayot* are a “*chovat haguf*,” a law that is binding on the individual, applying equally within and outside of Eretz Yisrael.

In order to clarify the connection between the *arayot* and the Land of Israel, the Ramban shares an important distinction regarding how God controls Eretz Yisrael, as opposed to all other lands. The Ramban notes that when God created the world:

ונתן על כל עם בארצותם לגוייהם כוכב ומזל ידוע כאשר נודע באצטגנינות.

*And He placed over each and every people in their lands according to their nations a star and a specific constellation, as is known in astrology.*

While God is undoubtedly in control of what happens everywhere in the world, He does not deal with the other nations and their lands directly, rather through intermediaries. Hashem appoints angelic emissaries to manage and deal with the other nations. By contrast, the Ramban poetically describes Hashem's unique relationship with the Land of Israel and the people of Israel:

והנה השם הנכבד הוא א-לקי הא-לקים ואדוני האדונים לכל העולם, אבל ארץ ישראל אמצעות הישוב היא נחלת ה' מיוחדת לשמו, לא נתן עליה מן המלאכים קצין שוטר ומושל בהנחילו אותה לעמו המיוחד שמו זרע אוהביו. *And behold the honored God is the God (Power) of powers and the Master of masters of the whole universe, but upon the land of Israel—the center of the [world's] habitation, the inheritance of God [that is] unique to His name—He did not place a captain, officer or ruler from the angels, in His giving it as an inheritance to his nation that unifies His name—the seed of His beloved one.*

Ramban writes that in contrast to all other nations and lands, G-d Himself deals directly with Eretz Yisrael. This special Land is the crucible for the development of the relationship between G-d and his beloved nation. Rather than employ an intermediary, G-d opts to involve Himself in the direct management and oversight of Eretz Yisrael, pointing to the special and close relationship that G-d desires, so to speak, with the nation of Israel.

Through this lens, it is possible to explain the connection between the *arayot* and the Land of Israel. Because of God's more direct involvement with Eretz Yisrael, and because of

the elevated status that adorns Eretz Yisrael, the Land has a heightened level of purity and sanctity, which brings with it a degree of sensitivity. The Land is unable to withstand spiritual contamination. A sin performed in the Land of Israel is more severe, as it is an affront to the holiness and dignity of the Land.

Ramban elaborates on this idea in an additional context. The Torah records G-d's especially harsh punishment of the people of Sodom. The Ramban (Breishit 19:5) describes the moral depravity of the people of Sodom, but also shares an additional dimension in clarifying why G-d's reaction was so swift and severe. The ethical corruption, the Ramban explains, was intolerable to the Land of Israel. The holy Land of Israel, the Land that is referred to as "*nachalat Hashem*," the portion of Hashem, simply cannot bear sin and corruption.

### The Status of Mitzvah Performance Inside and Outside of Israel

A further dimension of the distinctiveness of Eretz Yisrael relates to the performance of mitzvot in and out of the Land. In the same way that sinful behavior may be more egregious when performed in the Land of Israel, so too, fulfillment of mitzvot in the Land of Israel may possess a special quality. In order to better understand this issue, we will first explore the views of other Jewish thinkers and we will then return to the unique approach of the Ramban.

The Torah commands us to perform 613 mitzvot. The mishna in *Kiddushin*<sup>4</sup> distinguishes between two kinds of mitzvot, those that are dependent on the Land of Israel (*mitzvot*

*hat'luoyot ba'aretz*), such as shemitta and teruma / ma'aser, and mitzvot whose fulfillment have no inherent dependence on the Land (*mitzvot she'aynan teluyot ba'aretz*), such as Shabbat observance, tefillin, and prayer. While some ambiguity exists regarding how to categorize certain mitzvot, the Talmud makes it clear that there is a subset of mitzvot that one is only obligated to fulfill inside of Israel. On a basic level, Israel is significant because it is a Land in which one has the opportunity to fulfill a greater amount of mitzvot.

The *Sifrei*<sup>5</sup> extends this concept in a fairly drastic manner. The *Sifrei* states the purpose of mitzvah fulfillment in chutz la'aretz is to prepare us for our eventual return to Israel. The startling perspective that emerges from this *Sifrei* is that mitzvah performance outside the Land of Israel has no intrinsic value. If that is the case, why, according to the *Sifrei*, must Jews continue to observe mitzvot when in chutz la'aretz? The *Sifrei* explains that it is important for Diaspora Jewry to flex their religious muscles so that when the time comes that mitzvah observance actually matters, i.e. when we return to Eretz Yisrael, we will be religiously "in shape" and capable of meticulously performing mitzvot.

Needless to say, the extent to which the *Sifrei* downplays the significance of mitzvah observance in chutz la'aretz is quite surprising. Indeed, many statements of Chazal seem to suggest that mitzvah performance in chutz la'aretz is absolutely valuable. Many commentators attempt to mitigate the implication of the *Sifrei*, as they perceive it inconceivable that the *Sifrei* actually intends to so significantly downgrade the value of mitzvot outside of Israel.

### Rav Aharon Lichtenstein zt"l on the Value of Ramban's Commentary on the Torah

לו אבד הספר "מורה נבוכים", היה זה הפסד אבל לא כביר; עם ישראל היה מחזיק מעמד. אבל אם פירושו של הרמב"ן לתורה היה הולך לאיבוד אני מרגיש שהייתה קטסרופה ... דמותו של הרמב"ן ופירושו לתורה מעמידים את עולמו הרוחני של עם ישראל ... מבחינה היסטורית, הרמב"ן הוא חיבור של תורת אשכנז ותורת ספרד, חיבור של רש"י ואבן עזרא, חיבור של כל מיני מקומות. אבל לא זו בלבד. יש בו גם סינתזה מורכבת הרבה יותר, סינתזה מבחינת התחומים.  
מתוך ספר "מבקשי פניך" - שיחות עם הרב אהרן ליכטנשטיין, עמ' 40

If the *Guide for the Perplexed* would have been destroyed (and never published), it would have been a loss, but not a huge loss. The [Torah theology of the] nation of Israel would have been sustained. However, if the commentary of Ramban on the Torah would have been destroyed, I feel that it would have been catastrophic ... The image of the Ramban and his commentary to the Torah support the spiritual world of the Jewish nation ... From a historical perspective, the [commentary of] Ramban is an amalgamation of the Torah of Germany and the Torah of Spain, of Rashi and Ibn Ezra, of all different places. But this is not all. It also contains a multi-layered synthesis, a synthesis of disciplines....

From *Mevakshei Panecha: Sichot Im HaRav Aharon Lichtenstein* p. 40

Rabbeinu Hillel<sup>6</sup> suggests that the *Sifrei's* comment is limited to *mitzvot*

*hat'luyet ba'aretz*. Even though technically these mitzvot are only binding in Eretz Yisrael, the Jewish people should continue to observe them even in chutz la'aretz in preparation for our eventual return to Israel. Other mitzvot, though, do have inherent value outside of Israel, as their performance is not tied to a particular geographical location.

Radbaz<sup>7</sup> offers an alternate explanation.<sup>8</sup> According to the Radbaz, the obligation to fulfill the Torah's mitzvot applies universally. However, the *Sifrei* is highlighting a technical reality that may have implications for our ability to perform mitzvot in chutz la'aretz. Due to the hardship of the exile, it may be challenging for Jews to keep all the mitzvot. We may therefore acquire the status of *ones*—one who is unable to perform mitzvot due to factors beyond his/her control. Therefore, this distinction between mitzvah performance in and out of Eretz Yisrael has no bearing on the intrinsic value of the mitzvah fulfillment; rather, it points to a difference in pragmatic realities, which, in turn, affects one's level of obligation.

In contrast to Rabbeinu Hillel and the Radbaz, who unequivocally mitigate the ideas expressed by the *Sifrei*, the Ramban on Vayikra 18:25 embraces the simple reading of the *Sifrei* as expressing an important element of truth. The Ramban quotes the idea that mitzvot in chutz la'aretz serve as practice for when we return to Eretz Yisrael, and connects this to the notion that the Land of Israel has a higher degree of Divine providence and closeness:

כי עיקר כל המצות ליושבים בארץ ה'.  
ולפיכך אמרו בספרי (ראה פ), וירשתם אותה  
וישבתם בה ושמרתם לעשות (דברים יא לא  
לב), ישיבת ארץ ישראל שקולה כנגד כל  
המצות שבתורה.

*Since the essence of all of the commandments are for those who are dwelling in the Land of the Lord. And therefore they said in Sifrei "And you shall possess it and you shall dwell in it. And you will guard to keep."—Dwelling in the Land of Israel is equal to all of the [other] commandments in the Torah."*

The Ramban himself admits that yes, on a technical level, all mitzvot that are not dependent on the Land of Israel are binding wherever in the world one may find oneself.<sup>9</sup> But on a metaphysical level, one cannot compare mitzvot observed in Israel with mitzvot observed in chutz la'aretz. The same technical behavior assumes a completely different spiritual status, depending on whether it is performed in the Land of Israel. The holiness of the Land alters and elevates each mitzvah that is observed on its soil.<sup>10</sup>

### **The Communal Impact**

Rav Michael Rosensweig<sup>11</sup> offers an additional perspective on the aforementioned *Sifrei*, one that while not explicitly stated by the Ramban, certainly dovetails nicely with the Ramban's overall perspective. As noted above, the Ramban maintains that one is permitted to ask a non-Jew to perform a melacha on Shabbos in order to secure land purchase in Eretz Yisrael. This, as Rabbi Jachter notes, is reflective of the significance of Jewish presence in Israel, not only at the level of the individual fulfilling a mitzvah, but as benefiting the collective Jewish nation. Rav Rosensweig explains the *Sifrei* based on a similar observation:

*The Sifrei in parshat Eikev (also cited by Rashi and Ramban Devarim 11:18) strongly implies that our performance of halakhic norms outside of Eretz Yisrael serves a preparatory function as*

*we await a return to a more ideal life in our national homeland. This perspective seems puzzling, as the mitzvot cited as examples—tefilin, mezuzah—do not have any obvious link to Eretz Yisrael. Indeed, the Gera (Kol Eliyahu, Eikev) and others (Beit ha-Levi 3:1) proposed alternate explanations of the Sifrei. However, it is possible that the Sifrei needs to be understood precisely within the context of the second section of Keriyat Shema where it appears. It is evident as Rashi (11:13) also notes that this section (contrasted with the first part of Shema in Vaetchanan), which focuses on kabbalat ol mitzvot (Berachot 13a—the commitment to implement the Torah's norms), is addressed collectively to the entire nation. Even mitzvot that devolve upon individuals are enhanced in a national-collective setting. The Sifrei declares that this communal dimension of personal mitzvot is primarily attained only in Eretz Yisrael, although as individual performances there is no particular link to the Land.*

Some explain the limitation that the *Sifrei* places upon mitzvot performed in chutz la'aretz as referring to mitzvot *hateluyot ba'aretz*; others refer to the pragmatic limitations when living under foreign rule. Rav Rosensweig highlights an additional limitation on mitzvah performance in chutz la'aretz, or, concomitantly, an additional benefit to performing mitzvot in Israel. While the individual can perform mitzvot on a personal level anywhere in the world, there is a communal dimension to mitzvah performance that only exists in Eretz Yisrael. Fulfillment of mitzvot in chutz la'aretz contributes to one's own personal religious development, while mitzvah performance in Israel imbues a national significance into the personal fulfillment of mitzvot.

## Conclusion

The Torah is unequivocal in attributing Eretz Yisrael with an elevated spiritual status. The Ramban uncovers and elaborates on the unique holiness associated with Eretz Yisrael. From a halachic perspective, the Ramban decisively rules that inhabiting the Land of Israel is a fulfillment of a positive commandment, one that may have a higher degree of import than other mitzvot. On a metaphysical plane, the Ramban describes the elevated degree of Divine providence and spirituality, one that enhances the quality of mitzvot performed within the Land of Israel. Finally, the words of the Ramban suggest that inhabiting the land and observing mitzvot within its borders achieve a national-collective objective that is not attainable anywhere else in the world.

In the view of the Ramban, no place allows us to better experience the Divine presence and more effectively actualize our individual and national spiritual potential than the Land of Israel. Reflecting upon an interaction with Rav Yitzchak Hutner zt”l in 1962, Rav Aharon Lichtenstein<sup>12</sup> beautifully recounts an encounter that highlights this perspective:

*In the course of my initial visit to Israel, during the summer of 1962, I went to visit mori verabbi, Rav Y. Hutner zt”l, who, prior to his aliya, often spent the summer at Pension Reich in Jerusalem. After reproaching me gently for having left my wife in the United States (אזא כתרובה האסטו געשריבען?), he began to question me regarding my impressions—particularly, about what had struck my notice especially.*

*As, at that stage, I had focused upon the Torah world in Israel, I noted a number of phenomena which had struck me*

*favorably, as compared to the American scene: widespread popular talmud Torah, the interaction of the Torah and general communities in the implementation of Hoshen Mishpat etc. Every reply was rebutted with the comment that its subject could have been found in Eastern Europe as well, and so was neither endemic nor unique to Eretz Israel. When he sensed that I had exhausted my material, he pressed on, inquiring as to what indeed was special about my visit, and, when it became clear that I could, at best, only respond feebly, the Rosh Yeshiva opened with a volley of sources and dicta—the description of Eretz Israel as ‘ארץ אשר ה’ א-לקיך דרש אתה (a land that Hashem your God cares for), or as that to which Moshe and Aharon had been barred access, which was now open to us (דוכתא) all trumpeting forth the sacral, metaphysical, and historical uniqueness of the land and all causing me to realize, in a flash, that I had missed the boat entirely. As he railed on, as perhaps only he could, against tourists he had met on the plane, acting and talking as if they were en route to vacation in California, the sense of failure cut deeper and deeper. I walked out into the Beit Hakerem evening air like a beaten dog. But I knew I had been beaten justly; and today, almost forty-five years later, I remain deeply grateful to the Rosh Yeshiva for opening my eyes and for opening my heart.*

Rav Hutner zt”l was emphasizing the qualitative and categorical difference between the Land of Israel and all other lands. Additionally, he was alluding to the covert nature of this unique status. Seen through the lens of casual eyes, one may see rocks and shrubs and deserts like in many geographical regions of the world. But when viewing Eretz Yisrael through spiritually astute eyes, one sees G-d’s presence and closeness and endowment of spiritual opportunity.

## Endnotes

- 1 Hasagot to Sefer HaMitzvot, Pos. Mitzvah no. 4.
- 2 See the Ramban’s commentary to *Shabbat* 130b.
- 3 Jachter, H. (2003). Living in Yesha During Dangerous Times, *Kol torah: A student publication of the Isaac and Mara Benmergui Torah Academy of Bergen County*, 12(14).
- 4 36b.
- 5 *Parshat Ekev* no. 43, cited by Rashi on *Devarim* 11:18.
- 6 *Sifrei* ad loc.
- 7 *Shut Radbaz* 6:2154.
- 8 Maharal (Gur Aryeh *Devarim* ad loc) offers a similar suggestion to Radbaz.
- 9 See the Ramban on *Devarim* 4:5.
- 10 These ideas relate to the Ramban’s position on the famous question regarding whether the Avot and Imahot observed the Torah as we know it. The Ramban (*Bereishit* 26:5) maintains that they only fully kept the Torah in the Land of Israel. The Ramban points to certain instances in the lives of the Avot and Imahot that support this notion. For example, when Yaakov is entering Eretz Yisrael, he instructs his family members to divest themselves of any possessions that are associated with idolatry (*Bereishit* 25:2). Wouldn’t propriety of such items be inappropriate at any point in time? The Ramban explains that because they were on the cusp of entering Eretz Yisrael, they augmented their meticulousness in mitzvah observance. Similarly, the Ramban sheds light on the time and place of the death of Rachel Imeinu. The Torah prohibits a man from marrying two sisters. If so, how could Yaakov Avinu have been married to two sisters? The Ramban explains that this was only the case in *chutz la’aretz*, as Rachel Imeinu passed away immediately upon entering the Land.
- 11 Rosensweig, M. (2004). *The central role of Eretz Yisrael in Torah life*. Retrieved from: [https://www.torahweb.org/torah/2004/parsha/rros\\_beraishis.html](https://www.torahweb.org/torah/2004/parsha/rros_beraishis.html).
- 12 Lichtenstein, A. (2008). Diaspora Religious Zionism: Some current reflections. In C. A. Waxman (Ed.), *Religious Zionism post engagement: Future directions* (pp. 31-56). Jersey City, NJ: Ktav Publishing House, Inc.

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		<b>Cong. Aitz Chaim</b> West Palm Beach, FL	<b>Cong. Ezras Israel</b> Chicago, IL	<b>Cong. Shaarei Tefillah</b> Newton Centre, MA	<b>Fifth Avenue Synagogue</b> New York, NY
		<b>Cong. Anshe Sfarad Kehillat Torah</b> Glendale, WI	<b>Cong. Israel of Springfield</b> Springfield, NJ	<b>Cong. Sha'arei Tzedek Mishkan Yair</b> Chicago, IL	<b>Fleetwood Synagogue</b> Mount Vernon, NY
					<b>Forest Hill Jewish Centre</b> Toronto, ON

<b>Golf Manor Synagogue</b> <i>Cincinnati, OH</i>	<b>Kingsway Jewish Center</b> <i>Brooklyn, NY</i>	<b>Ohab Zedek</b> <i>Belle Harbor, NY</i>	<b>South Fallsburg Hebrew Association</b> <i>South Fallsburg, NY</i>	<b>Yeshiva of Flatbush</b> <i>Brooklyn, NY</i>	<b>Young Israel of New Rochelle</b> <i>New Rochelle, NY</i>
<b>Great Neck Synagogue</b> <i>Great Neck, NY</i>	<b>Knesset Beth Israel</b> <i>Richmond, VA</i>	<b>Oheb Zedek Cedar Sinai Synagogue</b> <i>Lyndhurst, OH</i>	<b>Spanish &amp; Portuguese Synagogue Of Montreal</b> <i>Montréal, QC</i>	<b>YU Torah Mitzion Kollel of Chicago</b>	<b>Young Israel of North Woodmere</b> <i>North Woodmere, NY</i>
<b>Green Road Synagogue</b> <i>Beachwood, OH</i>	<b>Kneseth Israel Cong.</b> <i>Birmingham, AL</i>	<b>Ohev Sholom Cong.</b> <i>Williamsport, PA</i>	<b>Suburban Orthodox Synagogue Toras Chaim</b> <i>Baltimore, MD</i>	<b>Young Israel of Aventura</b> <i>Miami, FL</i>	<b>Young Israel of Northridge</b> <i>Northridge, CA</i>
<b>HAFTR</b> <i>Lawrence, NY</i>	<b>Kohelet Yeshiva High School</b> <i>Bala Cynwyd, PA</i>	<b>Ohr Shalom</b> <i>Bet Shemesh, Israel</i>	<b>Synagogue of the Suburban Torah Center</b> <i>Livingston, NJ</i>	<b>Young Israel of Baychester</b> <i>Bronx, NY</i>	<b>Young Israel of Oak Park</b> <i>Oak Park, MI</i>
<b>Hebrew Institute of Riverdale - The Bayit</b> <i>Bronx, NY</i>	<b>Koschitzky Minyan</b> <i>North York, ON</i>	<b>Or Chaim</b> <i>Toronto, ON</i>	<b>The Beachwood Kehillah</b> <i>Beachwood, OH</i>	<b>Young Israel of Brookline</b> <i>Brookline, MA</i>	<b>Young Israel of Oceanside</b> <i>Oceanside, NY</i>
<b>Hebrew Institute of White Plains</b> <i>White Plains, NY</i>	<b>KSY</b> <i>Beit Shemesh, Israel</i>	<b>Orot Hacarmel</b> <i>San Diego, CA</i>	<b>The Frisch School</b> <i>Paramus, NJ</i>	<b>Young Israel of Canarsie</b> <i>Brooklyn, NY</i>	<b>Young Israel Of Orange County</b> <i>Irvine, CA</i>
<b>Heichal Shiloh</b> <i>Rosh Ha'Ayin, Israel</i>	<b>Lechu Neranana</b> <i>Ra'anana, Israel</i>	<b>Orthodox Union</b> <i>New York, NY</i>	<b>The Jewish Center</b> <i>New York, NY</i>	<b>Young Israel of Century City</b> <i>Los Angeles, CA</i>	<b>Young Israel Of Ottawa</b> <i>Ottawa, ON</i>
<b>Heichal Shlomo</b> <i>Jerusalem, Israel</i>	<b>Lido Beach Synagogue</b> <i>Lido Beach, NY</i>	<b>Petah Tikva</b> <i>Toronto, ON</i>	<b>The Jewish Center of Atlantic Beach</b> <i>Atlantic Beach, NY</i>	<b>Young Israel of Chomedy</b> <i>Chomedy, QC</i>	<b>Young Israel Of Passaic-Clifton</b> <i>Passaic, NJ</i>
<b>Herzlia - Adas Yeshurun</b> <i>Winnipeg, MB</i>	<b>Lincoln Square Synagogue</b> <i>New York, NY</i>	<b>Queens Jewish Center</b> <i>Forest Hills, NY</i>	<b>The Jewish Learning Initiative On Campus</b> <i>Toronto, ON</i>	<b>Young Israel of Deerfield Beach</b> <i>Deerfield Beach, FL</i>	<b>Young Israel of Plainview</b> <i>Plainview, NY</i>
<b>Hildesheimer Shul</b> <i>Jerusalem, Israel</i>	<b>Lower Merion Synagogue</b> <i>Bala Cynwyd, PA</i>	<b>Rambam Mesivta</b> <i>Lawrence, NY</i>	<b>The Kipa</b> <i>Be'er Sheva, Israel</i>	<b>Young Israel of Forest Hills</b> <i>Forest Hills, NY</i>	<b>Young Israel of Potomac</b> <i>Potomac, MD</i>
<b>Hillel at Brandeis</b> <i>Waltham, MA</i>	<b>Ma'ayanot Yeshiva High School for Girls</b> <i>Teaneck, NJ</i>	<b>Rambam Shul</b> <i>Be'er Sheva, Israel</i>	<b>The Roslyn Synagogue</b> <i>Roslyn Heights, NY</i>	<b>Young Israel of Fort Lee</b> <i>Fort Lee, NJ</i>	<b>Young Israel of Queens Valley</b> <i>Flushing, NY</i>
<b>Hoshen Modiin</b> <i>Modiin, Israel</i>	<b>Magen David Sephardic</b> <i>Wykagyl, NY</i>	<b>Riverdale Jewish Center</b> <i>Riverdale, NY</i>	<b>The Village Shul</b> <i>Toronto, ON</i>	<b>Young Israel of Greater Cleveland</b> <i>Beachwood, OH</i>	<b>Young Israel of Riverdale</b> <i>Bronx, NY</i>
<b>The Jewish Educational Center</b> <i>Elizabeth, NJ</i>	<b>Margolin Hebrew Academy</b> <i>Memphis, TN</i>	<b>SAR High School</b> <i>Riverdale, NY</i>	<b>Thornhill Community Shul</b> <i>Thornhill, ON</i>	<b>Young Israel of Hewlett</b> <i>Hewlett, NY</i>	<b>Young Israel of Scarsdale</b> <i>Scarsdale, NY</i>
<b>JLIC - The Johns Hopkins University</b> <i>Baltimore, MD</i>	<b>Marlee Shul</b> <i>Toronto, ON</i>	<b>SCY High</b> <i>San Diego, CA</i>	<b>Tiferet Israel</b> <i>Toronto, ON</i>	<b>Young Israel of Hillcrest</b> <i>Flushing, NY</i>	<b>Young Israel of Sharon</b> <i>Sharon, MA</i>
<b>JLIC at Queens College</b> <b>Hillel</b> <i>Queens, NY</i>	<b>Meitar Merkazi</b> <i>Be'er Sheva, Israel</i>	<b>Sephardic Bikur Holim</b> <i>Seattle, WA</i>	<b>Torat Emet</b> <i>Columbus, OH</i>	<b>Young Israel of Holliswood</b> <i>Jamaica, NY</i>	<b>Young Israel of Skokie</b> <i>Skokie, IL</i>
<b>Joint Distribution Committee</b> <i>Jerusalem, Israel</i>	<b>Menorat Hamaor</b> <i>Ramat Beit Shemesh, Israel</i>	<b>Sephardic Congregation of Long Beach</b> <i>Long Beach, NY</i>	<b>Touro Synagogue</b> <i>Newport, RI</i>	<b>Young Israel of Hollywood</b> <i>Fort Lauderdale, FL</i>	<b>Young Israel of Staten Island</b> <i>Staten Island, NY</i>
<b>Kehilat Zichron Yosef</b> <i>Jerusalem, Israel</i>	<b>Merkaz Modiin</b> <i>Modiin, Israel</i>	<b>Sephardic Institute Synagogue</b> <i>Brooklyn, NY</i>	<b>Ulpanat Orot</b> <i>Downsview, ON</i>	<b>Young Israel of Houston</b> <i>Houston, TX</i>	<b>Young Israel of Toco Hills</b> <i>Atlanta, GA</i>
<b>Kehillas Bais Yehudah Tzvi</b> <i>Cedarhurst, NY</i>	<b>Mevaser Zion</b> <i>Tel Mond, Israel</i>	<b>Sephardic Kehila Centre Synagogue</b> <i>Thornhill, ON</i>	<b>United Orthodox Synagogues</b> <i>Houston, TX</i>	<b>Young Israel of Jamaica Estates</b> <i>Jamaica, NY</i>	<b>Young Israel of West Hartford</b> <i>West Hartford, CT</i>
<b>Kehillat Ahavat Tzion</b> <i>Ramat Beit Shemesh, Israel</i>	<b>Mishkan Shilo</b> <i>Beit Shemesh, Israel</i>	<b>Sha'arei Israel</b> <i>Raleigh, NC</i>	<b>University of Massachusetts JLIC Hillel</b> <i>Amherst, MA</i>	<b>Young Israel of Las Vegas</b> <i>Las Vegas, NV</i>	<b>Young Israel of West Hempstead</b> <i>West Hempstead, NY</i>
<b>Kehilat Chovevei Tzion</b> <i>Skokie, IL</i>	<b>Mizrachi Bayit</b> <i>Toronto, ON</i>	<b>Shaare Zedek Cong.</b> <i>Winnipeg, MB</i>	<b>University of Pennsylvania Hillel</b> <i>Philadelphia, PA</i>	<b>Young Israel of Long Beach</b> <i>Long Beach, NY</i>	<b>Young Israel of West Rogers Park</b> <i>Chicago, IL</i>
<b>Kehillat New Hemsptead</b> <i>Spring Valley, NY</i>	<b>MJE</b> <i>New York, NY</i>	<b>Shaarei Shomayim</b> <i>Toronto, ON</i>	<b>Viewmount</b> <i>Toronto, ON</i>	<b>Young Israel of Memphis</b> <i>Memphis, TN</i>	<b>Young Israel Ohab Zedek of North Riverdale</b> <i>Yonkers, NY</i>
<b>Kehillat Ohel Ephraim</b> <i>Ariel, Israel</i>	<b>Moledet</b> <i>Be'er Sheva, Israel</i>	<b>Shaarei Tefilla</b> <i>Las Vegas, NV</i>	<b>West Coast Torah Center</b> <i>Los Angeles, CA</i>	<b>Young Israel Of Montreal</b> <i>Montréal, QC</i>	<b>Young Israel Shomrei Emunah</b> <i>Silver Spring, MD</i>
<b>Kehillat Shaarei Torah Of Toronto</b> <i>Toronto, ON</i>	<b>Moriah Shul</b> <i>Ra'anana, Israel</i>	<b>Shaarei Tefillah Cong.</b> <i>Toronto, ON</i>	<b>Westville Synagogue</b> <i>New Haven, CT</i>	<b>Young Israel of Neve Aliza</b> <i>Karnei Shomron, Israel</i>	<b>YU High School for Girls</b> <i>Hollis, NY</i>
<b>Kehillat Shaarei Yonah Menachem</b> <i>Modiin, Israel</i>	<b>Moses Montefiore Anshe Emunah</b> <i>Baltimore, MD</i>	<b>Shaarei Torah Orthodox Cong. of Syracuse</b> <i>Dewitt, NY</i>	<b>Woodside Synagogue Ahavas Torah</b> <i>Silver Spring, MD</i>	<b>Young Israel of New Hyde Park</b> <i>New Hyde Park, NY</i>	<b>YULA Boys High School</b> <i>Los Angeles, CA</i>
<b>Kemp Mill Synagogue</b> <i>Silver Spring, MD</i>	<b>Ner Tamid Cong.</b> <i>Baltimore, MD</i>	<b>Shaarey Yerushalayim</b> <i>Valley Village, CA</i>	<b>Yagdil Torah</b> <i>Boca Raton, FL</i>		
<b>Keneseth Israel Cong.</b> <i>St Louis Park, MN</i>	<b>New Toco Shul</b> <i>Atlanta, GA</i>	<b>Shaarey Zedek</b> <i>Valley Village, CA</i>	<b>Yavneh Academy</b> <i>Paramus, NJ</i>		
<b>Keshet Israel Cong.</b> <i>Harrisburg, PA</i>	<b>North Shore University Hospital</b> <i>Manhasset, NY</i>	<b>Shalhevet High School</b> <i>Los Angeles, CA</i>	<b>JLIC at Yale University Hillel</b> <i>New Haven, CT</i>		
<b>Keshet Israel</b> <i>Washington, DC</i>	<b>Nusach Hari Bnai Zion</b> <i>St Louis, MO</i>	<b>Shivtei Yisrael</b> <i>Ra'anana, Israel</i>			
<b>Kew Gardens Synagogue</b> <i>Kew Gardens, NY</i>	<b>NY Hospital - Queens</b> <i>Flushing, NY</i>	<b>Shomrai Shabbos</b> <i>Toronto, ON</i>			
		<b>SKA High School for Girls</b> <i>Hewlett Bay Park, NY</i>			



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