

What place does the State of Israel have in Jewish Thought? What — if any — are the *halachic* consequences of its Day of Independence? Specifically, are any special prayers (such as Hallel) to be recited? Rav Aaron Soloveitchik, presently the *Rosh Yeshiva* of the Hebrew Theological Seminary in Skokie Illinois, discusses these issues in the paper printed below. This paper was originally presented by Rav Soloveitchik to his *Shiur* in Yeshiva University on *Yom Ha'atzmaut* 5726 (1966).

### ISRAEL'S DAY OF INDEPENDENCE: REFLECTIONS IN HALACHA AND HASHKafa

The Torah consists of prose and poetry. While rhythm and rhyme are the usual distinctions between human prose and poetry, there is another distinction between divine prose and poetry. The Gemara tells us that the Song of Moses, the Divine Poetry, has to be written in a particular way, in the form of a "half-brick" set upon a "whole brick." The "half-brick" refers to the written part of the *shira*, and the "whole brick" refers to the space left blank. The blank part of the *shira* is double the written part. Divine prose, however, is written with only as much blank space as is necessary to separate one word from another. This is symbolic of the essence of the poetic as contrasted to the non-poetic part of the Torah. What this means for us will be explained shortly.

There is a dispute between R. Eliezer and R. Joshua in the Midrash: *היכן החכמה מצויה* — where is wisdom located? R. Eliezer says that the heart is the source of wisdom, while R. Joshua asserts that the mind is the source of wisdom. The Torah in its entirety is composed of two categories of *mitzvot*, one based upon the wisdom of the mind, and the other based upon the wisdom of the heart. There is a logic of the heart just as there is a logic of the mind;

„יענך ה' ביום צרה" משל למה הדבר  
דומה? לאב ובן שהיו מהלכין בדרך, נתיגע  
הבן אמר לאביו: אבא, היכן היא המדינה?  
אמר לו: בני סימן זה יהא בידך. אם ראית  
בית הקברות לפניך הרי המדינה קרובה לך.  
כך הנביא אומר לישראל, אם ראיתם הצרות  
שיכסו אתכם מיד אתם נגאלים שנאמר יענך  
ה' ביום צרה.

ילקוט שמעוני על תהילים כ' ב'

and the two phylacteries, for the arm and the head, represent these two categories. The one worn on the head represents the *mitzvot* that stem from the wisdom of the mind, and the one worn on the forearm opposite the heart represents the *mitzvot* which stem from the wisdom of the heart. The halacha is that the phylactery of the arm must be put on before that worn on the head. The reason for this halachic rule is that the *mitzvot* which emanate from the wisdom of the mind are significant only if these *mitzvot* are coupled with, and preceded by, the *mitzvot* which emanate from the wisdom of the heart.

The halachic rule as to the peculiar manner in which Divine poetry, contrasted with Divine prose, is to be written is based upon the fundamental distinction between *mitzvot* based upon logic of the mind and *mitzvot* based upon logic of the heart. Divine prose is perceived through observation and deductive and inductive reasoning in accordance with the wisdom of the mind; divine poetry, however, which contains blank space double that of the written space, stems from, and is to be perceived intuitively through, the logic of the heart.

As we cannot find any explicit statement by *Chazal* regarding the establishment of the State of Israel, we have to delve into the "blank lines" of the Torah. In understanding an historical phenomenon that did not take place in the time of *Chazal*, we have to apply primarily, although not exclusively, the wisdom of the heart.

### I

Those who do not recognize the importance of the establishment of *Medinat Yisrael* give several reasons. The first argument raised is that non-observant Jews led the movements which culminated in the establishment of the State. They argue that the results of such leadership cannot be of great historical significance for the Jewish people. These results cannot be considered as a step towards *geula*, but rather as a step away from *geula*.

A second argument is that inasmuch as *galut* is a penalty for abandonment of the Torah, it follows that any salvation or deliverance can take place only as a result of *teshuva*. The Zionist

movements, however, did not originate as part and parcel of a universal Jewish movement of repentance.

A third argument against the significance of the *Medina* is that the State of Israel came into being through natural processes. According to the opinion of some rabbis — though I think they constitute a very small minority of *g'dolei yisrael* within the last fifty years — any form of *geula* must take place in a supranatural fashion.

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Chapter VII of the second book of Kings has a bearing on all these arguments. Samaria, the capital of the northern kingdom of Israel, was besieged by the mighty armies of Syria and was in the throes of famine. Ordinary food was unobtainable and articles of food which, under normal circumstances, would have been considered repulsive were obtainable only at fantastic prices. Samaria seemed doomed.

Desperate as the situation of the inhabitants of Samaria was, the condition of the four lepers outside the city was infinitely worse. According to our sages, these four lepers were none other than Gehazi and his three sons who were afflicted with physical leprosy as a penalty for their spiritual leprosy (Maimonides in his commentary on the Mishna describes them as epicureans and heretics). Kept from the city because of their malady, they faced certain death by starvation. Consequently they decided to surrender to the Syrians. At worst, they might be put to death immediately — that would be much better than starving. At best, their lives might be spared. They had nothing to lose and everything to gain.

As they approached the camp of the armies of Syria, they beheld a miraculous spectacle — the camp was empty, and on every side there were signs of a panicky flight. In their haste, the Syrian soldiers had abandoned everything: tents, horses, an abundance of food and arms, and precious stones and metals. The four lepers went from tent to tent taking these precious objects and hiding them. But as soon as they finished providing for their own needs, their consciences began to prick them, and they said, "We are not deporting ourselves properly. This is a day of good tidings. We are not allowed to be passive. If we tarry till the next morning, we will

be guilty of an unforgiveable sin." Consequently, they entered the city of Samaria and conveyed the good tidings to the inhabitants. We thus see that the miracle of the deliverance of all the inhabitants of Samaria was carried out through the medium of four lepers: physical lepers, yes, but above all, spiritual lepers.

The first argument as to how any relief to the Jewish people could be realized through the medium of *apikorsim* can easily be rebutted by the precedent of the deliverance accorded to the people of Samaria through the medium of the four lepers. This episode shows that no Jew can be excluded from the grace of God, that *ישראל אע"פ שהטא ישראל הוא*, and that there is an innate tendency towards altruism even in the hearts of spiritual lepers; it also shows that God does not exclude any Jew from salvation and He may therefore designate even spiritual lepers as the messengers of relief and deliverance for the people of Israel. Consequently we cannot ignore the significance of the establishment of the State of Israel simply because Jews who stand a substantial distance from any form of observance of *mitzvot* were in the forefront of the movements which established the State and are in the forefront of the State itself. Perhaps the fact that nonobservant Jews are in the forefront today is a penalty for Orthodox Jewry's failure to play the most important part in the formation of the State.

A remarkable fact is noted in II Kings (XIV, 23-27):

בשנת חמש עשרה שנה לאמצייהו מלך יהודה מלך ירבעם בן יואש מלך ישראל... ויעש הרע בעיני ה' לא סר מכל המאות ירבעם בן נבט אשר החטיא את ישראל. הוא השיב את גבול ישראל מלכוא חמת עד ים הערבה... כי ראה ה' את עני ישראל מרה מאד ואפס עצור ואפס עוזב ואין עוזר לישראל. ולא דבר ה' למחות את שם ישראל מתחת השמים ויושיעם ביד ירבעם בן יואש.

Y'ravam ben Yoash did not depart from the evil deeds of Y'ravam ben N'vat. Yet he restored the borders of Israel from *Chamat* unto *Yam Ha'arava*. The extent of his conquest forms the substance of a dispute in the Jerusalem Talmud (*Shvi'it*). One opinion holds that everything that Joshua conquered, Y'ravam ben Yoash restored to the Jewish people, while the other holds that the extent of Y'ravam ben Yoash's conquest was greater than that of Joshua.

Now the question arises, why Y'ravam ben Yoash, certainly not

a greater *tzadik* than Ben Gurion, merited such a great privilege? In answering this question, we will also be able to answer the question how any relief, any form of *geula*, can take place for the Jewish people when the Jews had not prepared themselves for it through a universal repentance. Many raise the question why it was that during the reigns of David and Solomon, when the Jews complied with the principles of the Torah and there was almost no idol worship, the boundaries of Israel were not as extensive as they were during the reign of Y'ravam ben Yoash when the bulk of Jewry in the Kingdom of Israel all followed his example and were idol worshippers.

The answer is, *ולא דבר ה' למחות את שם ישראל מתחת השמים*, ויושיעם ביד ירבעם בן יואש. During the reigns of David and Solomon it was not necessary to make the empire of Israel so extensive. But if during the reign of Y'ravam ben Yoash this deliverance had not been realized by God, then the name of Israel could have been wiped out. Similarly, 800 years ago, in the times of the Rambam, five hundred years ago, in the time of the Shulchan Aruch, a Jewish state was not indispensable for the survival of the Jewish people. The Jews survived very well; they suffered, but they survived. And they blossomed intellectually and spiritually without a state. But after the experience of the Nazi holocaust, the Jewish people could not survive any longer without a state.

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Now in order to refute the third contention that has been raised by many orthodox Jews, that the *geula* must take place outside the framework of history and natural processes, we must recognize that there are two kinds of redemption: there is a *ketz nistar* and a *ketz nigleh*. The whole process of redemption from beginning to end can be realized in the form of a *ketz nistar*. The *ketz nistar* means that it is possible that the whole redemption will be realized not in accordance with natural processes, not within the framework of history, but on a meta-natural level. The Messiah will come not within the framework of history and natural processes, not with a Balfour declaration and not with the consent of the members of the United Nations, but on a meta-natural level. This will be

realized if the Jews will do *teshuva*. But suppose the Jews do not do *teshuva*? Then, although the ultimate redemption cannot be realized without repentance, the initial stages leading to redemption will take place on a natural level — this is the *ketz nigleh* — and only the culmination of the *geula* will be on a meta-natural level.

This is the import of the two statements of Rabbi Alexandri found in Sanhedrin 98a: [אני ה' בעתה אחישנה (ישעי' נ' כ"ב)] אומר ר' אלכסנדר ריב"ל רמי כתיב בעתה וכתיב אחישנה. זכו אחישנה. "I will hasten it in due course." (Isaiah LX, 22). There seems to be an inconsistency in this expression. *בעתה* implies that it will take place in due course. *אחישנה* implies that it will be hastened. There is no inconsistency. *זכו* — if Jewry merits it, if they do *teshuva*, then *אחישנה*, it will be hastened. *לא זכו* — if they do not do *teshuva* then the redemption will still come, but *בעתה*, it will come only in due course.

Rabbi Alexandri continues by quoting a verse in Daniel (VII, 13): וארו עם ענני שמיא כבר אנוש אתיה. And from the clouds there will appear the form of a human being, *melech hamashicach*. He then quotes Zachariah (IX, 9): עני ורוכב על חמור — this implies that the Messiah will arrive riding a donkey. There seems to be an inconsistency. From the verse in Zachariah, it appears that the *mashiach* will arrive riding on a donkey. From the verse in Daniel, it appears that the *mashiach* will come from the clouds. *זכו עם ענני*, *שמיא*, *לא זכו*, *עני ורוכב על חמור*. There is no inconsistency. If the Jews merit it, the Messiah will come from the clouds. If they do not, he will come anyway, but he will come riding a donkey. This does not mean that *mashiach* will literally come riding on a donkey; rather, the donkey is symbolic of gradualness.

If *זכו*, if the Israelites repent, then *עם ענני שמיא* the Messiah will come from the clouds, and the redemption will take place on a meta-natural level. But, if *לא זכו*, if they do not repent — the Messiah will come as one riding on a donkey; the redemption will occur on a natural level within the framework of history and natural processes. Then the Jews are bound to comply with the mandate of *למען יברכך ה' אלהיך בכל מעשה ידך אשר תעשה* — *בשעה שאתה עושה ולא בשעה שאתה יושב במל*. Thus the Rambam writes in a responsum to the leaders of the Jewish community of Marseilles that

the sin of our forefathers was that they did not involve themselves in the conquest of the land of Israel. Now this is not the only reason why we are in *galut*. However, so long as there were other sins which precluded the realization of redemption on a meta-natural level, it is the obligation of Jewry to expedite the initial steps leading towards redemption as far as possible, and that can only be done on a natural level. Our ancestors failed in doing this and this was their sin.

What are the symptoms of a *ketz nigleh*, of redemption on a natural level? R. Abba in the same Gemara in Sanhedrin (98a) says: אין לך קץ מגולה מזה שנאמר: ואתם הרי ישראל ענפיתם תתנו ופרייתם תשאו לעמי ישראל כי קרבו לבא. כי הנני אליכם ופניתי אליכם ונעבדתם ונזרעתם והרביתי עליכם אדם כל בית ישראל כלה ונושבו הערים והחרבות תבנינה. "There is no other *ketz* which is more manifest (*meguleh*) than is the one mentioned in Ezekiel (XXXVI, 8): 'Mountains of Israel, you shall yield your fruit to my people Israel for the days are approaching; I am turning towards you, and you shall be tilled and sown. And I will multiply the house of Israel upon you, and the cities shall become inhabited and the ruins rebuilt.'" The significance of this promise becomes apparent in light of the verse in Leviticus (XXVI, 32): והשימותי אני את הארץ ושמונו עליה: "I shall destroy the land and your enemies who shall inhabit the land shall leave it desolate." The fact that the enemies of Israel will leave the land of Israel desolate after inhabiting it for hundreds and thousands of years in itself represents a miraculous phenomenon. The land was inhabited by the Romans and then alternately by the Christians and the Moslems, and yet until the first *chalutzim* settled in Israel eighty years ago, it was as desolate as it was nineteen hundred years ago. The *chalutzim*, in a matter of decades, converted a wilderness into paradise. The mountains of Israel brought forth fruit. This is indicative of a *ketz nigleh*. The days are approaching; Almighty God is turning towards us.

In a word, how is redemption reached on a natural level? By full dedication to the upbuilding of the land of Israel — through colonization, through settlement, through reclamation of the land. Not through war, but by peaceful means.

This approach is in full accord with the Gemara in Ketubot 111:

Rabbi Joseph ben Chanina says that three oaths were administered by God: a) that Israel should not return to their land by force, b) that Israel should not rebel against the nations, and c) that the nations of the world should not oppress Israel too much.

But how can any redemption be realized on a natural level through peaceful means, if the nations of the world forbid Jews to settle the land peacefully? Suppose boats crammed with Jews desperately attempting to escape the Nazi holocaust are not admitted into Palestinian ports — or American ports either, for that matter — and are sunk within sight of the coast. What peaceful means are open to the Jews?

This situation was anticipated by the Gemara as also symptomatic of a *ketz nigleh*. R. Elazar quotes Zachariah (VIII, 10) as indicative of a *ketz nigleh* — a *ketz* achieved by natural means: *כי לפני הימים* — *ההם שכר האדם לא נהיה ושכר האדם איננה וליוצא ולבא אין שלום מן הצר ואשלח את כל האדם איש ברעהו*. Prior to the establishment of the State of Israel says Zachariah, there will be no peace, for the Jews will not be allowed to emigrate, or to leave any land to immigrate to Israel. Are the Jews still bound by their oaths not to go to their land by force and not to rebel against the nations? Of course not! The oaths of *שלא ימרדו בגויים* and *שלא יעלו בחומה* are dependent upon a reciprocal fulfillment by the nations of the world of the oath imposed upon them not to persecute the Jews too much. If the nations of the world violate their oath (as was the case during and immediately following the war) then the Jews are justified in revolting against them. This is simply the halachic requirement of self-defense — *הבא להרגך השכם להרגו* — expressed on a national level.

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It is written in the Psalms (CIII, 12): *כרחוק מזרח ממערב הרחיק*: *ממנו את פשעינו*; as far as east is from west, so have our sins kept us away from God. The Rebbe of Kotsk once asked his chasidim how far east is from west. The chasidim responded, "Why, the whole world separates east from west." The Rebbe disagreed, "You are laboring under a grave error. If a Jew is facing west all he has to do to face east is turn his head." It is true that as far as east is from

west, our sins have kept us away from God. But if we make just one turn towards God, then the distance disappears.

The establishment of the State, the fact that we have succeeded in sowing and tilling, and in multiplying the Jews upon the land of Israel, is proof that God has turned towards us: *כי הנני אליכם ופניתי כי הנני אליכם*. We must now turn towards Him.

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The Midrash in Song of Songs mentions a story on the verse *מי זאת הנשקפה כמו שחר* (VI, 10). Several Amora'im were walking on the road to Tiberias throughout the night. Before dawn they noticed the *אילת השחר*, that the morning had started. Said one to the other, "Take good notice of the manner in which the day rises. First appears the morning star, *אילת השחר*, then the dawn, *עמוד השחר*, then the *חמה*, and the sun comes out in full glory. So will be the redemption of Israel, little by little until the sun comes out in full glory."

It is to be noted that the Midrash equates the beginning of redemption with *ayelet hashachar*, not *amud hashachar*. Halachically, there is a fundamental distinction between the two. All *mitzvot* whose fulfillment can take place during the day, if performed during the period of *amud hashachar* are considered *בדיעבד* (*ex post facto*) to be valid, even though *לכתחילה* (*ante factum*), one must wait until after *החמה*. The same *mitzvah*, if performed *before amud hashachar*, during *ayelet hashachar*, is invalid, for *ayelet hashachar* is part of the night. This is clearly shown by the halacha of tefillin. It is forbidden to don tefillin during the night. In extenuating circumstances however, it is permitted to don tefillin after *amud hashachar* and thereby fulfill the *mitzvah* of wearing tefillin during the day. *Ayelet hashachar* however, does not mark the beginning of the day, but a stage prior to the beginning of the day, and under no circumstances may tefillin be donned then.

The State of Israel represents not the *amud hashachar* of redemption, but the *ayelet hashachar* of redemption. The *amud hashachar* of redemption must be part of the actual day of *geula*. Unfortunately, we have not yet attained that. Perhaps, if in the course of the last fifty years all observant Jews had dedicated themselves to the up-

building of the land and would not have allowed spiritual lepers to take the lead, then we might have attained the עמוד השחר של גאולה and perhaps even more.

## II

Before turning to the halachic questions raised by *Yom Ha'atzmaut*, we must ask whether 5 Iyar, the day on which the independence of Israel was declared, is of more significance than any other day in the course of our fight for survival in the War of Independence. I think it is. The attainment of a great military victory is without significance if people do not use it as a starting point for building. If Israel had attained all its victories, but had abstained from declaring its independence — as the U.S. State Department urged at the time — then I am afraid that all the victories would have been futile. The United States celebrates the Fourth of July not because any important military victory was attained that day, but because it is the date of the Declaration of Independence. Similarly it is that 5 Iyar is endowed with more significance than any other stage in the victories attained by Israel in the War of Independence.

Let us now deal with some of the halachic questions raised by *Yom Ha'atzmaut*. The first problem that concerns us is whether or not a Jew should say *Tachanun* on *Yom Ha'atzmaut*. *Tachanun* is not said on any festive day, even if there is no prohibition of work (איסור מלאכה) on that day. Lag Ba'omer has no halachic significance as far as work is concerned, but since it is considered a festive day, *Tachanun* is not recited. Similarly, the fifteenth day of Av; although there is no prohibition of work, no reading of the Torah, nor any specific laws attached to the day, still, because it is a festive day, *Tachanun* is not recited. The Mishna says: לא היו ימים טובים לישראל כיום הכפורים ומ"ו באב. The Gemara understands the festive nature of Yom Kippur. It is a day of atonement. But why is the fifteenth of Av so unique? The Gemara offers several reasons. Among the reasons given is the following: Rav Matneh says, יום שנתנו מתי ביתר לקבורה. Until the fifteenth of Av it was forbidden on pain of death for the Jews to bury any of the hundreds of thousands of martyrs of the siege of Beitar. But on the fifteenth of Av a decree was issued by the Roman authorities allowing the Jews

to bury them. Now there is absolutely no doubt that on the fifteenth day of Av we do not say *Tachanun*. No one says lamentations on that day. Why, then, should there be any doubt with regard to *Yom Ha'atzmaut*? If the fifteenth of Av is important because on that day the martyrs of Beitar were buried, if it was a great relief when hundreds of thousands of Jewish bodies did not have to lie exposed on the roads of Israel and could be placed in graves with the dignity due them, if this is of such significance for the Jewish people that the fifteenth of Av deserves to remain a festive day for generations to come, then how much more so should the day when the remnant of the European Holocaust came not to Jewish graves, but to the refuge of the Jewish homeland, be a festive day.

Another reason offered by the Gemara for the importance of the fifteenth day of Av is that on that day the last of the doomed generation of the Exodus from Egypt died in the desert — יום שכלו בו מתי מדבר. Similarly, after the liberation from the concentration camps, the death rate in many instances rose among the Jews for they were not used to a regular diet after so many years of starvation. Those Jews who were interned in camps after the liberation would have kept on dying if not for the refuge presented by the formation of the State of Israel.

The third reason presented by the Gemara is that on the fifteenth of Av, Hosea ben Eylal, himself an idol worshipper, repealed the wicked decree of Y'ravam ben N'vat that forbade the Jews to practice the Torah and observe the commandment of *aliyah b'regel*. Now I am not oblivious to the shortcomings of the administration of the State of Israel, but certainly the day of the declaration of independence of the State of Israel is important, for it provided the only place in the world where legally *mamzerut* cannot grow and where *tabarat hamishpacha* can be maintained. This is certainly of at least as much significance as the fact that the Jews were able to observe the commandment of *aliyah b'regel*, for it would be unpleasant, but no spiritual tragedy, if this commandment could not be observed. But it would be a great spiritual catastrophe indeed if *tabarat hamishpacha* could not be maintained. Thus there is no doubt that the fifth day of Iyar has to be considered a festive day on which *Tachanun* should not be recited.

One of the great *talmidei chachamim* of our generation, Rabbi Meshulam Roth, was of the opinion that today we have to say Hallel with a blessing on *Yom Ha'atzmaut*. However, his view is a שיטת יחיד. His reasoning is based on the Gemara in Pesachim (117a) which states that the נביאים were מתקן the saying of Hallel upon deliverance from oppression: נביאים שביניהן תקנו להם לישראל שיהו אומרים: אותו על כל פרק ופרק ועל כל צרה וצרה שלא תבא עליהן ולכשנגאלין אומרים אותו על גאולתן.

However, the view of the שאלתות, the הלכות גדולות, and the רמב"ם, is that there is a biblical obligation to recite Hallel (with a blessing) upon the actual redemption of the *tzibbur*. In addition, the saying of Hallel was enacted על כל פרק ופרק, i.e. on every anniversary of the event; this was the role of the תקנת נביאים. On the first Chanukah when the Jews attained their victory over the Syrian Greeks, the recitation of Hallel was biblically obligatory. But Hallel on Chanukah today is only a rabbinic enactment. It is obvious that the argument of Rabbi Roth that Hallel (with its accompanying blessing) is biblically obligatory today because of the halacha stated in Pesachim, can be raised only with regard to the first *Yom Ha'atzmaut* when Israel declared its independence and the actual redemption took place. Today, however, we observe only the anniversary of that redemption and there is certainly no biblical obligation (חיוב דאורייתא) to recite Hallel. The תקנת נביאים and תקנת חכמים of saying Hallel with a blessing על כל פרק ופרק, i.e. on every anniversary of a redemption, was limited only to those days explicitly declared by *Chazal* as days of Hallel. No one today has the authority to declare any day as a day of Hallel if it has not already been set aside as such by *Chazal*. There is no doubt that Hallel cannot be recited with a blessing today.

Before turning to an analysis of whether or not Hallel could have been recited with a blessing on the first *Yom Ha'atzmaut*, allow me to present a brief resume of the שיטות הראשונים with regard to Hallel in order to clarify whether or not it is at all possible to say Hallel (even without a blessing) today.

The Rambam maintains that the *mitzvah* of Hallel is a rabbinic enactment under all circumstances. He therefore takes issue with all the other *rishonim* who accept it as a biblical commandment. Both the

*Halachot Gedolot* and the Ibn Ezra (the latter in his *sefer hamitzvot*, *Yesod Moreh*) count the saying of Hallel in the *minyan hamitzvot*. The Rambam, לשיטתו, claimed that Hallel could not be counted in the *minyan hamitzvot*. The Ramban, in defending the *Halachot Gedolot's* inclusion of Hallel in the *minyan hamitzvot*, cites two possible sources for the *mitzvah* of Hallel: either it is a הלכה למשה וכי תבאו מלחמה בארצכם: (X, 9) or it stems from Numbers (X, 9): על הצר הצר אתכם והרעתם בחצוצרות ונוכרתם לפני ה' אלקיכם ונושעתם מאויביכם.

The Ibn Ezra's source is Deut. (X, 21): הוא תהלתך והוא אלקיך אשר עשה אתך את הגדלת ואת הנוראת האלה אשר ראו עיניך. When the Torah says הוא תהלתך, it means that God is He to whom gratitude must be given by the *tzibbur* for any salvation granted us and for any miracle performed on our behalf.

Rav Daniel Habavli cites the *Sifra* on Leviticus (XXII. 32): „ולא תחללו“ — ממשמע שנאמר ולא תחלל אמר קדש. וכשהוא אומר „ונקדשתי“ — מסור את עצמך וקדש שמי. יכול ביחודי, ת"ל „בתוך בני ישראל“ as the source for saying Hallel. While none of the other commentaries explains the *Sifra* in this manner, Rav Daniel explains that the means of glorifying *Hashem* (קדש) in public (ברבים) is by *shira*, by the saying of Hallel.

Now what is common to all these sources is that the obligatory recitation of Hallel is a *mitzvah* on the *tzibbur*, the corporate body of Israel. It is not related to individuals even if the number of individuals involved in a miraculous deliverance from disaster constitutes a majority of the community of Israel.

However, the Meiri in Pesachim says that if an individual or a community, overtaken by a *tzara* is miraculously delivered from the disaster, then there is a *mitzvah*, not of חיוב but of רשות, to recite Hallel at the time of the redemption and to designate future anniversaries of that redemption as a day of Hallel. However, because it is only a Hallel of רשות, no blessing is recited. (It is obvious that when the Meiri says: כל יחיד שארעתהו צרה ונגאל הימנה רשאי לקבע הלל לעצמו באותו יום בכל שנה, אלא שאינו מברך עליו, וכן הדין בכל צבור that רשאי does not mean "allowed." Why shouldn't one be allowed? There is nothing wrong with reciting chapters of the Psalms. And the injunction against saying Hallel בכל יום ויום, which

precludes saying Hallel for insignificant occasions, does not apply. Therefore, when the Meiri says that we are רשאים to recite Hallel without a blessing, he means that there is a קיום המצוה involved in such a recitation.) In other words, if someone was delivered from an עת צרה — even as a יחיד — and if, subjectively, he feels overwhelmed by this miracle, then when he recites Hallel there is a קיום of a מצוה דאורייתא. On this basis we are certainly permitted to recite Hallel on *Yom Ha'atzmaut* today — but only without a blessing.

Having established that, based on the Meiri, it is permissible to recite Hallel on *Yom Ha'atzmaut*, and that such recitation involves a קיום דאורייתא, we must now ascertain if on the first *Yom Ha'atzmaut* there was a חיוב (an obligation) to recite Hallel.

The obligatory recitation of Hallel with a blessing depends upon the realization by the *tzibbur* of a complete *geula*, *geula gufanit* and *ruchanit*, i.e., physical and spiritual redemption. When the children of Israel were delivered from their Egyptian bondage, they achieved *geula* in both senses. Thus, they were the first to recite Hallel. In the Haggadah we recall their physical and spiritual bondages and the commensurate deliverances. עבדים היינו לפרעה במצרים. We were slaves of Pharaoh in Egypt, recalling our physical servitude. ויוציאנו ה' א' משם. This latter recalls our physical redemption. Then, מתחילה עו"ז היו אבותינו ועכשיו קרבנו המקום לעבודתו, recalling how prior to our spiritual redemption, our forefathers were idol worshippers, and with the exodus and subsequent revelation at Sinai, God commanded us to His worship. While no one can deny the importance of physical redemption — the Jews had to first be delivered out of Egypt before they could go to Mt. Sinai — that is not the final goal. The goal is חרות הנפש, the ultimate spiritual redemption which was experienced with the exodus from Egypt. ויאמינו בה' ובמשה עבדו.

The Gemara raises the question as to why we do not say Hallel on Purim. One answer is that אכתי עבדי אחשורוש אנן, we are still servants of Ahasueras. This fact contradicts the phrase הללו עבדי ה' which is mentioned in Hallel, and this contradiction precludes the saying of Hallel on Purim. The relief granted the Jews in the times of Mordecai and Esther was a deliverance from death. However, there was no political independence, the Jewish people did not have

their own state, and therefore could not realize the concept of עבדי ה', of being servants of God alone, in the full sense.

By contrast, on Chanukah, where political independence was obtained, where the Jewish people were not subject to decrees of an Ahasueras, *geula* in the physical and spiritual domains was completely realized and Hallel was recited.

The Gemara in Pesachim says: הלל זה מי אמרו? ר' יוסי אומר: אלעזר בני אומר משה ובני ישראל אמרוהו בשעה שעלה מן הים. וחלוקין עליו חבריו לומר דוד אמרו. ונראין דבריו מדבריהם. אפשר ישראל שחטו את פסחיהן ונמלו את לולביהן ולא אמרו שירה? ד"א פסלו של מיכה עומד וישראל אומרים את השירה?

The son of Rabbi Eliezer maintains that Hallel was first recited by Moses and Israel at the splitting of the sea, while his חברים say that David was the first one to recite Hallel. And, continues the Gemara, his son's saying is to be preferred, for it is impossible that prior to David's time Hallel was not recited, and secondly, that David could not have instituted Hallel.

Now David attained great victories over neighboring nations and the Jews in his time were more observant than the Jews of today. Yet David could not have introduced the recitation of Hallel. Why? Because the participation of a segment of the Jewish people — mainly from the tribe of Dan — in the idol worship of פסלו של מיכה (an *avoda zarah* which originated in the times of the Judges) was tolerated even during the reign of David. But what does one thing have to do with the other? The answer is that the saying of Hallel must derive from a complete *geula* — physical and spiritual. In David's time the segment of Jews addicted to idol worship blighted the spiritual redemption of the Jewish people as a whole and rendered it incomplete. Therefore, says the Gemara, David could not have instituted Hallel.

\* \* \*

The *Yerushalmi* in שביעית says that in ימות המשיח when the Jews will return from exile to Eretz Israel, they will recite Hallel only after they cross *Nachal Mitzraim*. That is, only after the crossing of *Nachal Mitzraim* will they be obligated to say Hallel, for only then they will be considered to be נגאלין, redeemed, in a complete sense.



But just what is the significance of the crossing of *Nachal Mitzraim*? The answer lies in our understanding of *Yemot Hamashiach*.

The Rambam, in discussing the characteristics indicative of the Messiah, says: ואם יעמוד מלך מבית דוד הוגה בתורה ועוסק במצות כדוד אביו כפי תורה שבכתב ושבקל פה ויכוף כל ישראל לילך בה ולחוק בדקה וילחם מלחמות ה' הרי זה בחזקת שהוא משיח.

If there appears a descendant of David who is steeped in the knowledge of Torah, and who inspires the Jewish people to turn towards God, then he is בחזקת משיח, i.e., there is a presumption that he is the Messiah. However, continues the Rambam: אם עשה והצליח: ובנה מקדש במקומו וקבץ נדחי ישראל הרי זה משיח בודאי.

If he succeeds in rebuilding the *Beit Hamikdash*, and in bringing the Jews to Eretz Israel, these accomplishments establish with certainty his status as the Messiah.

The reason that Rabbi Akiba believed that Bar Kochba was the Messiah was because he was הוגה בתורה ועוסק במצות כדוד אביו and because he inspired Jews to turn to God. On the basis of the presumption created by these facts, Rabbi Akiba predicted that Bar Kochba was, in fact, the awaited Messiah.

Now undoubtedly, inspiring Jewish people to walk in the path of God is more important than the ingathering of the exiles. The building of the *Beit Hamikdash* is not of great significance if Jews do not observe the commandments. The Jews had a *Beit Hamikdash* and it was destroyed precisely because they did not walk in the path of God. Why is it then, that the ingathering of the exiles and the rebuilding of the *Beit Hamikdash* finalize his status as *mashiach* while his accomplishments in terms of turning Jews to Torah only creates the presumption that he is the Messiah?

It seems to me that this can be explained on the basis of that which is a preface to *Yemot Hamashiach* and *Yemot Hamashiach* per se. Clearly, one cannot be considered משיח בודאי until *Yemot Hamashiach* actually begin, and *Yemot Hamashiach* will not commence until the total ingathering of the exiles takes place. This is why the Rambam describes the unfolding of events as he does.

The Rambam says that if we see a descendant of the House of David who metes out retribution to those who shed Jewish blood, and who inspires the entire people of Israel to walk in the path of

God, that creates the presumption that he will turn out to be the Messiah. But, *Yemot Hamashiach* per se will not begin until first the building of the *Beit Hamikdash* takes place and is followed by the ingathering of the exiles. Even if we know that the next day *Yemot Hamashiach* will commence, the fasts commemorating the destruction of the Temple, and the mitzvot which were enacted זכר למקדש will all be in effect. The Messiah cannot be confirmed in his role until *Yemot Hamashiach* commences. And *Yemot Hamashiach* will commence only when the נדחי ישראל assemble in the land of Israel.

Now we can understand why the *Yerushalmi* says that the Jews will be obligated to say Hallel only after they cross *Nachal Mitzraim*, for only then will the miracle of *geula* be complete in both aspects, physical and spiritual. First there will have been a universal Jewish repentance — ויכוף את כל ישראל לילך בה ולחוק בדקה and finally the נדחי ישראל will assemble in the land of Israel. Only then will *Yemot Hamashiach* commence.

The recitation of Hallel is obligatory only when the redemption will affect the Jewish nation in its entirety and this will be realized only in *Yemot Hamashiach*. The establishment of the State of Israel affected the lives of all twelve million Jews throughout the world. However it affected their lives only as twelve million individuals — not as a *tzibbur*. As a *tzibbur* they will be affected only לימות המשיח when the Jews will have crossed *Nachal Mitzraim*. Only then — and not before — can the recitation of Hallel with a blessing be obligatory.



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"The essence of our knowledge of the Deity is this: that He is One, the Creator and the Revealer of Commandments. And all the varied faculties of the spirit are only so many aids to the solution and the detailed description of this knowledge; their purpose is to clarify it and present it in a form that will be at once the most ideal, noble, rational, practical, simple and exalted..."

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