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Yom Haatzmaut 5772

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Rabbi Ari Heller
Rabbi Moshe Lichtman
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Introduction

Mrs. Stephanie Strauss

Director, S. Daniel Abraham Israel Program, Yeshiva University

Our rabbis (*Vayikra Rabbah* no. 13) teach us that Torah study in Eretz Yisrael has no parallel in the rest of the world. With this in mind, many students choose to study for a year or more at yeshivot and seminaries in Israel. This unique opportunity provides a valuable and enriching experience where living and learning in the Jewish homeland, being immersed in the world of the yeshiva and engaging in intensive Torah studies are an integral part of daily life.

Why did our rabbis assume that Torah study in Eretz Yisrael has no parallel? R. Avraham Y. Kook, *Orot HaTorah* ch. 13, explains that Torah study in the Diaspora is focused on the individual who is studying, while Torah study in Israel is focused on the community, on the nation as a whole.

The Yeshiva University S. Daniel Abraham Israel Program brings a community-minded approach to the year of study in Israel. The program is a formal arrangement between Yeshiva University and more than 43 learning institutions for men and women in Israel, enabling the hundreds of students enrolled in our program to learn firsthand about Israel's land, people, history and culture.

The Israel year is a pivotal and transformative moment in a student's life. Our Israel staff strives to nurture and enrich that experience by providing students support and guidance throughout their year(s) in Israel.

At Yeshiva University in NY, a student can continue on his or her path of Torah growth while at the same time studying at one of the premier research universities in the world. Our top-notch roshai yeshiva and excellent college faculty combine to offer students opportunities that are available only at Yeshiva University. Nowhere but here can a young man or woman participate with hundreds of fellow students in chessed and service learning missions across the United States and around the world. Nowhere but here can he or she receive the training to excel in careers from medicine to business, politics to academia, the rabbinate to finance, and only at YU will they have a 94.5% chance of being employed or in graduate school within five months of graduation, as was the case with YU's class of 2011.

The faculty at our member yeshivot and seminaries play a vital role in educating our students. It is with great pride that we present a collection of articles from our Israeli community of teachers. These articles provide us with a glimpse of the scholarship that our students are exposed to. Furthermore, they provide us with the unique flavor of *Torat Eretz Yisrael*, not only by presenting issues relating to Eretz Yisrael and *Medinat Yisrael*, but by underscoring the notion of תורה כי מציון תצא תורה which our rabbis tell us has no parallel.

The Halakhic Basis for Yom Ha-Atzmaut

Rabbi David Brofsky

Midreshet Lindenbaum

On the fifth of Iyar, 5708 (May 14, 1948) – three years after the conclusion of World War II and the destruction of European Jewry – David Ben Gurion declared the independence of the State of Israel. The establishment of the State of Israel in 1948, representing the first Jewish autonomy in the Land of Israel in almost 2,000 years, and the ensuing military victory, signaled the return of *Am Yisrael* to its Land. For the religious Jew, such events demand a spiritual response. Indeed, the Talmud (*Sanhedrin* 94a) teaches that Chizkiyahu was due to be appointed the Mashiach, but his lack of gratitude denied him, and the Jewish People, this opportunity.

Therefore, all who recognize God's hand in modern historical events feel obligated to respond –but how? What are the proper, permissible, or obligatory means of thanking Ha-Kadosh Barukh Hu?

The Establishment of New Holidays – *Bal Tosef*

In 1949, a year after the establishment of the State of Israel, the Israeli government declared that the 5th of Iyar should be observed as a national holiday. In response, the Chief Rabbis of Israel, R. Yitzhak Ha-Levi Herzog and R. Ben-Zion Meir Hai Uziel, recommended to the Chief Rabbinate Council that the 5th of Iyar be observed as a “day [commemorating] the joy of the beginning of the redemption of the Jewish People.” Since then, halakhic authorities discussed the legitimacy of the establishment of a holiday, Yom Ha-Atzmaut, as a day of praise and thanksgiving.

This establishment of a new “festival” posed a great halakhic dilemma. On the one hand, some suggested that instituting a festive day for the entire Jewish People constitutes a violation of the biblical injunction of *bal tosef*, derived from the verse, “You shall not add [to the mitzvot]” (Devarim 4:2, see also Ramban's Introduction to Rambam's *Sefer Ha-Mitzvot*). Others insist that commemorating Yom Ha-Atzmaut was not intended as an addition to the Torah, but rather an application of the well-established principles of *hakarat ha-tov* (gratitude) and giving *hoda'ah* (thanks) to Ha-Kadosh Barukh Hu for saving the Jewish People and giving them a country in Eretz Yisrael.

In grappling with this issue, numerous Poskim looked for prior historical/halakhic precedents. Centuries earlier, the Acharonim debated whether a community may establish a personal “Purim,” a day of thanksgiving commemorating a miraculous event that occurred, and whether the observance of such a day would be obligatory upon the residents of a given city even for generations afterwards. R. Moshe Alshakar (1466- 1542), for example, ruled that a community

certainly has this authority to establish a “Purim in order to publicize a miracle that happened on a specific day,” and it is binding upon generations to come (*Teshuvot Maharam Alshakar* 49). R. Chezekiah da Silva (1659-1698), in his commentary to the *Shulchan Arukh*, the *Peri Chadash*, disagreed, and insisted that one may *not* institute holidays that commemorate festive events (*Peri Chadash, Orach Chayim* 696).

R. Moshe Sofer (1762-1839), known as the *Chatam Sofer* (Responsa *Chatam Sofer, Orach Chayim* 191) rejects the *Peri Chadash*’s argument. In a responsum written in 1805, he argues that one may certainly establish days that commemorate other miracles. In fact, the *Chatam Sofer* relates that Rabbi Yosef Hahn (Frankfurt am Main, 1570-1637), in his *Sefer Yosef Ometz* (1109), records a miracle that occurred in Frankfurt am Main on the 20th day of Adar, and they established it as a festive day for generations to come. He similarly relates that his teacher, R. Natan Adler, as well as his community, which was located far away from the city, also observed this festive day. Interestingly, in a different responsum (*Yore De’ah* 233), the *Chatam Sofer* criticizes the celebration of the “*hilulla*” (*yarhtzeit*) of R. Shimon bar Yochai on Lag Ba-Omer in Tzfat. He claims that this celebration may constitute the establishment of a holiday that is *not* in commemoration of a miraculous event, which even he maintains would be prohibited.

Indeed, throughout the Middle Ages and until modern times, communities have instituted their own festive days, often known as Purim Sheini or Purim Katan. R. Ovadia Hadaya (1890-1969) cites examples of numerous communities that observed their own local “Purims” (*Yaskil Avdi, Orach Chayim* 7:44:12). R. Avraham Danziger (1748-1820), author of the *Chayei Adam*, also ruled in accordance with the R. Alshaker, and related that each year, he celebrates the day his family was saved from a fire that destroyed his home and homes of others in 1804. He describes how they would light candles, as on Yom Tov, recite specific Tehillim, participate in a festive meal for those who learn Torah, and give money to charity. He called this day the “*Pulver Purim*,” “Purim of the Gun Powder” (*Chayei Adam* 155:41).

Based upon these precedents, R. Hadaya (*Yaskil Avdi* Vol. 8, *hashmatot* 4) strongly argues in favor of establishing a festive day in commemoration of the establishment of the State of Israel, as does R. Meshulam Roth (1875- 1963), a member of the Israeli Chief rabbinic Council, who authored a responsum on this subject. He writes:

Indeed, there is no doubt that that day [the 5th of Iyar] – which was established by the government and the members of the Parliament, the elected representatives of the people, as well as the majority of the great Rabbis to celebrate through the land, to commemorate our salvation and our freedom – it is a mitzva to make it [a day of] happiness and Yom Tov and to recite Hallel. Kol Mevasser 1:21

הנה אין ספק שהיום ההוא (ה' אייר)
שנקבע על ידי הממשלה וחברי
הכנסת (שהם נבחרו רוב הצבור)
ורוב גדולי הרבנים לחוג אותו בכל
הארץ זכר לנס של תשועתנו
וחירותנו, מצוה לעשותו שמחה ויו"ט
ולומר הלל.
קול מבשר א:כא

Hallel on Yom Ha-Atzmaut

The Talmud (*Arakhin* 10a) records the eighteen days upon which one recites the full Hallel (twenty-one days in the Diaspora, due to Yom Tov Sheini). In a fascinating responsum, R.

Moshe Sofer (*Chatam Sofer, Orach Chayim* 208) claims that although the Hallel recited on the festivals may be of rabbinic or biblical origin, “Commemorating the miracles that saved us from death which occurred on Purim, Chanukkah, and the days enumerated in the *Megillat Ta’anit* is certainly *mi-de’oraita*.” In other words, the *Chatam Sofer* maintains that through reciting Hallel on Chanukkah or fulfilling the mitzvot on Purim, one fulfills a biblical commandment of commemorating deliverance from near death. While the Hallel recited on the festivals expresses one’s *simchat Yom Tov* (joy on the festival), the Hallel of Chanukkah relates directly to the miracle of Chanukkah. What is the source for this type of Hallel, and may it be recited on other occasions?

And who recited this Hallel? The prophets among them ordained that Israel should recite it at every important epoch and at every misfortune — may it not come upon them! And when they are redeemed, they recite [in gratitude] for their redemption.

Pesachim 117a

והלל זה מי אמרו נביאים שביניהן
תקנו להן לישראל שיהו אומרים
אותו על כל פרק ופרק ועל כל צרה
וצרה שלא תבא עליהן ולכשנגאלין
אומרים אותו על גאולתן.

פסחים קיז.

According to this passage, the prophets instituted that Hallel should be recited on every holiday and upon the redemption of the Jewish People from misfortune. Rashi (s.v. *ve-al*) explains that an example of such redemption from misfortune is Chanukkah. To what extent does this source serve as a precedent for reciting Hallel upon being saved from danger? The Poskim raise a number of issues.

First, what kind of “redemption” obligates one to recite Hallel? R. Tzvi Hirsch Chajes (1805-1855), (*Maharatz Chayot, Shabbat* 21b), suggests that Hallel is recited in response to a public miracle, a “*nes nigleh*,” and therefore the Talmud (*Shabbat* 21b) refers only to the miracle of the flask of oil on Chanukkah, and not to the military victory, because the miracle of the oil was blatant and apparent to all. While some argue that the pronouncement of independence and the ensuing military victory do not constitute a “*nes nigleh*,” and therefore do not qualify as deserving of Hallel according to this theory, others argue that the victory of the small Jewish army against the surrounding Arab states constitutes a “*nes nigleh*,” or that Hallel may even be recited over a redemption that occurred through natural means.

Second, when the Gemara states that upon being redeemed, “they should say Hallel”, of whom is the Gemara speaking? The *Behag* (*Hilkhos Lulav*, p. 35) and Rabbeinu Tam (*Tosafot, Sukkah* 44b) limit this recitation of Hallel to cases in which **all** of Israel was saved, such as during the Chanukkah miracle. This gives rise to the question of how we view the miraculous events of 1948 (or even 1967), and whether they can be said to have affected “all of Israel” in the same manner as the Chanukkah miracle. The Me’iri disagrees with this limitation, and explains that “any person who was delivered from trouble is allowed to establish a custom for himself to recite Hallel on that day every year, but may not do so with a *berakhah*. A similar ruling applies to a community [of the Jewish People].” According to the Me’iri, even an individual person or community that experiences salvation should recite Hallel, but without a *berakhah*. Incidentally, the Netziv (Commentary to the *She’iltot*, 26) limits the obligation to commemorate one’s deliverance from danger to the time of the miracle, and not years later.

In summary, we see that a number of Rishonim derive from the Talmud that if the entire nation is saved from danger, they may recite Hallel. They disagree as to whether this applies to individuals as well and whether this Hallel should be recited with a blessing.

May one invoke these sources in order to justify or mandate reciting Hallel on Yom Ha-Atzmaut? While R. Yitzchak Yaakov Weiss (1902-1989), former head of the *Eida Chareidit*, recorded his opposition to the establishment of Yom Ha-Atzmaut and Yom Yerushalayim and to the recitation of Hallel, many contemporary authorities endorse the recitation of Hallel on Yom Ha-Atzmaut. For example, R. Ovadia Hadaya and R. Ovadia Yosef (*Yabi'a Omer, Orach Chayim* 6:41) ruled that Hallel may be recited without a blessing, as did R. Yitzchak Herzog (cited by R. Yosef). R. Meshulem Roth, in the responsum cited above, argues that Yom Ha-Atzmaut should be observed as a festive day, and that naturally one should recite the full Hallel, with a blessing, as well. R. Shmuel Katz ("*Ha-Rabanut Ha-Rashit Ve-Yom Ha-Atzmaut*," in *Ha-Rabanut Ha-Rashit Le-Yisrael: Shiv'im Shanah Le-Yisudah, Samkhutah, Pe'uloteha, Toldoteha*, Part 2, Jerusalem: Heikhal Shlomo, 2002), discusses the various opinions of the Chief Rabbis and the Chief Rabbinical Council. Interestingly, R. Soloveitchik, whose recognition of the significance of the events of 1948 and 1967 is well documented (see *Kol Dodi Dofek*, for example), objected to reciting Hallel, as he objected to any changes in the liturgy. He sanctioned, however, reciting half-Hallel, without a blessing and at the end of *Shacharit*, as this does not constitute a major change in the liturgy (*Nefesh Ha-Rav*, pg. 96).

Although some suggest reciting Hallel without a blessing on Yom Ha-Atzmaut, either due to doubt, because the *takanah* of the prophets never included reciting a blessing over Hallel, or due to the undesirable security and spiritual situation of the State of Israel, we might suggest a different approach. In addition to the eighteen days upon which one recites the full Hallel, one recites Hallel on the evening of Pesach during the seder. This Hallel has puzzled the commentators for centuries, as it appears to violate numerous classic halakhic norms: it is recited at night, it is interrupted by the meal, and it is not preceded by a *berakhah*. The Rishonim question the nature of this Hallel and why it does not conform to the classic models of Hallel.

R. Hai Gaon, as cited by the Rishonim, offers an intriguing explanation. He distinguishes between Hallel of the eighteen days, upon which one is obligated to read (*korei*) Hallel, and the Hallel of the seder, which one is obligated to sing (*shirah*) in response to the miraculous events of *yetziat mitzrayim*. This Hallel of "*shirah*" is meant to be a spontaneous outburst of song expressing praise and gratitude to the Almighty for the redemption from Egypt. A *berakhah* before such a Hallel is not only unnecessary, but also inappropriate, as it undermines and negates the very essence of this Hallel. One might suggest that the Hallel described by the Gemara in *Pesachim*, which one recites in response to a miracle, should also be "spontaneous," a "*shirah*," and not preceded by a blessing. The closer one is to an event, the less formal and more "natural" the Hallel is. If so, then this model of Hallel, without a blessing, may actually be the more appropriate Hallel for Yom Ha-Atzmaut. Those who pray in Religious Zionist communities in Israel on Yom Ha-Atzmaut can testify to the genuine feeling of fervor and relevance with which Hallel is recited on that day.

Conclusion

It is our religious obligation to find, and implement ways of recognizing and expressing our gratitude for the establishment of the State of Israel. The celebration of Yom Ha-Atzmaut, the recitation of Hallel, and eating a “*se’udat hodayah*” are worthy means of commemorating this historically and religiously significant event.

לאומיות ישראלית

רב מרדכי גרינברג

ראש ישיבת כרם ביבנה

זה למעלה מיוכל שנים שאנו חוגגים את יום העצמאות, ועדיין רבים שואלים "לשמחה זו מה עושה". יום זה היה צריך להביע את עצמאותנו המדינית ובטחון חיינו, אך העצמאות והבטחון מאתנו והלאה. עדיין אנו נתונים למתקפות טרור, חששות מלחמה ובעיות קיומיות כבדורות עברו, בזמן היותנו בגלות. מהו א"כ יחודו של יום זה?

שרשו של הויכוח הוא במבט על הענין הלאומי. השאלה היסודית היא ראשית הכל, האם קיים מושג לאומיות בהשקפת עולמה של היהדות, שהרי אפשר שעיקר תוכנה של היהדות הוא בחיבור עם אלקים ע"י קיום תורה ומצות, ללא קשר להשתייכות הלאומית ואפשר ליהודי להיות נתין עם אחר, לקיים כל מצות התורה, ולא נגרע ממנו דבר.

על השקפה כזאת כתב הרב גלזנר, מגדולי רבני הונגריה, כאשר פרץ ויכוח בין היהודים שם במפקד האוכלוסין, כיצד לרשום בסעיף הלאום, יהודי או הונגרי. וכה אמר, "דעתי איפוא, שההצהרה על השתייכות לדת ישראל, ויחד עם זה לאומיות הונגרית, גרמנית או סלאוית, כמוה ככפירה גמורה, ואיסורה בגדר יהרג ואל יעבור".¹

אחד מנכדי בעל החידושי הרי"ם מספר, שבשבת הראשונה אחרי שהניפו הפולנים את הדגל הלאומי שלהם לאות מרד, בשנת תרכ"ג, נכנס הרי"ם לבית מדרשו, וטרם נטל את הכוס לתוך ידיו, נאנח אנחה עמוקה ואמר: חוששני פן חלילה יהא קטרוג בשמים על עם ישראל. אנו רואים איך אומה כפולנים מוסרת נפשה בשביל שחרורה ושחרור ארצה מיד זרים, ואנו – מה אנחנו עושים?²

אלא שגם אם נקבל שקיימת לאומיות ישראלית, עדין נטוש הויכוח על מהותה של לאומיות זו. יש שטענו שמבחינה לאומית אין הבדל בינינו לשאר העמים, ודרישתנו למדינה יהודית אינה שונה משאיפות כל עם לעצמאות וביטוי לאומי. אלא שאנו התייחדנו בדבר נוסף – תורה מסיני. מושג הלאומיות, אף בישראל, הינו מושג חילוני, המשותף לכל בני תרבות, ואנו איננו שונים בזה משאר העמים.

אך היו גדולי ישראל שראו במושג לאומיות דבר שונה. אין זה אותו מושג המקובל בין העמים, אלא דבר יחודי שיש בו תוכן אלוהי, שאיננו מצטמצם רק במושגים של עם וארץ. ולא זו בלבד, אלא שכל יחודו של עם ישראל – על מושג הלאומיות הוא מבוסס. "כי אין השי"ת מיוחד שמו על הפרטי, כי הפרטי בלא הצרוף הכללי, אינו תכליתי כלל".³

וכך טען הרב קוק זצ"ל כבר בצעירותו, כשהתווכח עם הרב מרדכי אליסברג בדבר הלאומיות הישראלית. כשהרב אליסברג טען שהלאומיות הישראלית צריכה להיות לאומיות טבעית כראוי ומוכרח לכל אדם לאהוב את אומתו ולהדבק בה. ולעומת זאת טען הרב קוק שהלאומיות הישראלית היא במהותה מיוחדת בתוכן קדושה העליונה והיא שייכת לצורה המיוחדת של ישראל הקשורה באחדות של ישראל, אורייתא וקב"ה. ובתגובה אמר לו הרב אליסברג: רב דזיימל, עם כבוד תורתו יהיו להבא ענינים גדולים בארץ ישראל.⁴

¹ תורה ומלוכה עמ' 67.

² חסידות וציון עמ' מח.

³ משך חכמה, פרשת אחרי מות.

⁴ לשלשה באלול, עמ' ט.

פעמים רבות חזר הרב קוק זצ"ל בכתביו על יסוד זה. "מה שאנו דורשים בשבחה של כנס"י בכלל, היא על דבר הסגולה האלקית הנמצאת בנשמת האומה בכללה, ומצדם של יחידי הסגולה אין אנו מוצאים הבדל בין עם ולשון."⁵

והחזרה החזיק אחריו בנו, הרב צבי יהודה זצ"ל, שאמר שטעות היא לחשוב "כאילו מהותנו המיוחדת שייכת היא לאישינו היחידים ולא לצבוריותנו השלמה, תחת אשר באמת כל עיקרה של התייחדותנו הישראלית היא בהבדלה שבין ישראל לעמים, אשר בחר בנו מכל העמים, הבדיל אותנו מן העמים להיות לו לעם, יצר לו עם זו לסיפור תהלתו, ושם לו עם עולם."⁶

וכך גם בפי תלמידו המובהק של הרב קוק, הרב חרל"פ זצ"ל :

שונה ונבדלת היא לאומיות ישראל מלאומיות שאר העמים. עם ישראל החי וקיים אך ורק על מושגו הכביר בנצחיות עתידו, חש ומרגיש כי אך החיים האלקיים, החיים הנצחיים, הם החיים המקוריים שלו, לא יוכל בשום אופן להסתפק במגמות חמריות וזמניות, היא נדרש דוקא למגמות רוחניות, שנצחיותן קיימת לעד ולעולמי עולמים, ולרומם ע"י זה את המגמות החמריות והזמניות, שתהיינה המעבר למגמות האלהיות וכו'.⁷

הרעיון הלאומי בישראל, הוא הרעיון היותר נאצל והיותר מקיף ורחב אצלנו. בלי הכרת הלאומיות שלנו, לא היינו זוכים לשום מצוה כללית או פרטית, כי כל יסוד קיום המצוות הוא מצד ההתקשרות עם כלל ישראל, וכל מה שאנו מקיימים הוא בשם כל ישראל.

ולזאת אחרי שיצאנו ממצרים והיינו לעם, רק אז נתקרבנו להר סיני לקבל את התורה מן השמים, ועתיד העולם להכיר שכל פרט ופרט ממצות ה' בתורה שבכתב ובתורה שבע"פ, מוכרח להתקיים מצד הצורה הלאומית, וכשם שהכל מודים ומבינים שכל תביעתנו לכל א"י קשורה עם הענין הלאומי שלנו וכו', כן יהיה ניכר ומוכן לכל היחס המוכרח שיש לכל פרט מהמצוות לגדלות לאומיותנו. ויותר ממה שאי אפשר לנו להיות עם בהעדר אחת ממצות ה' – יותר מזה אין שום תקומה לשום מצוה מבלעדי היותנו לעם, וכל מה שנזדכך ונתרומם יותר, נתקרב ביותר לקיים הכל מצד הצורה הלאומית, מרום פסגת אחדותם של ישראל.

ומפני זה הרגש הלאומי בישראל וארצו הוא מקורי ונצחי, וכל ההרגשים הלאומיים שאצל שאר העמים, אינם אלא חיקוי בלבד, וגנובים הן אצלם מארץ העברים, ואינן שלהן כלל שכן כל חייהם אינם חיים של אחדות, כי אם של פירוד, "יתפרדו כל פועלי און".⁸

מעתה יש ענין לברר מהם ביטוייה המעשיים של לאומיות מיוחדת זו. אימרה ידועה מן הברית החדשה תבהיר את השקפתה של היהדות. "תנו לקיסר אשר לקיסר, ולא לקים אשר לאלקים". פירושה של אימרה זו היא הפרדה מוחלטת בין הדת ומדינה. אך יש לה משמעות עמוקה ויסודית ביותר. והיינו שהענין המוסרי והקשר לאלקים, איננו ענין למדינה ולחברה, אלא ליחיד בלבד. משום שאי אפשר לנהל מדינה על יסודות מוסריים. פוליטיקה, שלטון, צבא ושאר עניני המדינה, אינם יכולים להיות מושתתים על יסודות דתיים.

את אידיאל היהדות, המנוגד להשקפה זו, ניתן לראות בפסוק בס' מלכים, כאשר מלכת שבא באה לבקר את שלמה, "ותרא מלכת שבא את כל חכמת שלמה והבית אשר בנה ומאכל שולחנו וכו' ועולתו אשר יעלה בית ה', ולא היה בה עוד רוח".⁹ וציין שם המלבי"ם לדברים המקבילים בס' דברי הימים, ושם נאמר "עלייתו אשר יעלה בית ה'".¹⁰ והיינו, גשר שהיה מחבר את בית המלך עם ביהמ"ק, ודבר זה שהמלך מחובר עם אלקים, לא ראתה מעולם, "ולא היה עוד רוח" מרוב התפעלות.

⁵ אגרות הראיה ח"א עמ' ע"א.

⁶ לנתיבות ישראל עמ' 73.

⁷ מי מרום ח"ו עמ' שכ"ג.

⁸ שם עמ' שכ"ה.

⁹ פ"י ה'.

¹⁰ ט' ד'.

משמעותו של חיבור זה הוא, שאין תחום חברתי או מדיני שאיננו מובסס על צדק ומוסר. יחידים בעלי מדרגה מוסרית יש גם אצל אומה"ע, אך זהו ענין אישי. חיים מוסריים ליחיד אינם קשים ומסובכים כמו הנהגת אומה. והרי זו היתה טענת הנוצרים מקדמת דנא, שמוסריותם של היהודים נובעת מכך שאין להם צורך להנהיג מדינה. ורק בהיותם יחידים יכולים הם להיות בעלי מוסר גבוה. אך א"א לנהל חברה ומדינה, יחסים בינלאומיים, מלחמות וכדו', ולהתחשב בעקרונות מוסריים.

ואברהם צוה את בניו ואת ביתו אחריו לשמור דרך ה', לעשות צדקה ומשפט, לא רק בחיי היחיד, אלא כעם, וכעם אנו שואפים להראות שגם מדינה יכולה לשמור דרך ה', ובזה מתייחדת לאומיותנו, שכעם אנו חפצים להגשים את האידאל האלקי, מבלי להפקיע אף לא תחום אחד מעניני המדינה, מהקשר שלו לאלקים.

"שנם בעולם חסידים, פילוסופים, אנשי קדש ואנשי אלקים, אבל אין בעולם אומה, שנשמתה העצמית לא תוכל להשתלם כי אם עפ"י המגמה של האידאה האלקית העליונה בעולם, כי אם ישראל."¹¹

ולשם כך אין די בדרשות והטפות, אלא יש צורך בהגשמה ובדוגמא מעשית, וע"כ יש צורך לעם ישראל במדינה שבה יוכל להגשים את דרכו כעם, כדי להוות דוגמא ומופת בחיי העמים, שהתביעות המוסריות שמציגה התורה, אפשריים הלכה למעשה, לא רק בחיי היחידים, דבר שהוא פשוט ומוכן אף לשאר העמים, אלא גם בחיי האומה.

למילואה של שאיפה זו, צריך דוקא שציבור זה יהיה בעל מדינה פוליטית וסוציאלית וכסא ממלכה לאומית. ברום התרבות האנושית, עם חכם ונבון וגוי גדול, והאידאה האלוקית מושלת שמה ומחיה את העם ואת הארץ במאור חייה. למען דעת שלא רק חכמים מצוינים, חסידים נזירים ואנשי קדש, חיים באור האידאה האלוקית. כי אם גם עמים שלמים מתוקנים ומשוכללים בכל תיקוני התרבות והישוב המדיני. עמים שלמים הכוללים בתוכם את כל שדרות האנושיות השונות. מן רום האינטליגנציה האמנותית, הפרושית, המשכלת והקדושה וכו' ועד לפלטיון לכל פלגותיו, אפילו ביותר נמוך ומגושם מזה.¹²

עם ישראל צריך להיות חפשי על אדמתו, כשהשלטון בידיו, והוא מסדר את חייו הלאומיים עפ"י הענין המיוחד שבו. מכאן החשיבות הגדולה של המשפט העברי, הבא להשתייך את יחסי החברה, לא עפ"י מוסכמות אנושיות, המתאימות לכל עם ולשון, כדי שלא לבא למצב שאיש את רעהו חיים בלעו, אלא עפ"י הענין האלוקי דוקא. מה שאי אפשר היה להעשות בלא מדינה וכל מכשיריה ומדינה זו חייבת להיות דוקא בא"י.

אלא שמגמה זו אינה פשוטה כלל ועיקר, וכבר אמר בעל חובת הלבבות "כל מה שירבה הישוב תיקון, ירבה השכל חרבן",¹³ והעיסוק בעניני החומר והצורה לעולם מתנגדים הם זה לזה.

ולפי"ז ישוב העוה"ז והקדושה ביראת השם ואהבתו ומדות יפות ומועילות ועבודת אמת, לא יכונן יחד, כמ"ש הרמב"ם ז"ל בפירוש המשנה (סוף סדר קדשים) "שבשעה שהם (זקני התורה) מזקינים ונחלשים ויפסד גופם, תרבה חכמתם ויתחזק שכלם ויוסיפו שלמות". וכ"כ חובה"ל "כל זמן שהוסיפה הארץ ישוב, הוסיף השכל חרבן". אמנם באמת אין דבר זה לכלל מוחלט, ואין זה תכלית השלמות, שאי אפשר לומר כלל שענין הגוף וישוב העולם יהיה בעצמו ענין רע, שהרי לעתיד לבא יעמוד הגוף בתחית המתים, ואם היו עניני החומר חסרון מוחלט, איך יהיה זה תכלית נכבד.¹⁴

וזהו המעלה המיוחדת שבארץ ישראל, ששם אין חשש שירבה השכל חרבן בעיסוק החמרי, וכ"כ החתם סופר:

ר' ישמעאל נמי לא אמר מקרא ואספת דגנך אלא בא"י ורוב ישראל שרויים, שהעבודה גופא מצוה משום ישוב א"י, ולהוציא פירותיה הקדושים, וע"ז צוותה התורה ואספת דגנך, ובעוז זורה גורן השעורים הלילו, משום מצוה, וכאילו תאמר: לא אניח תפילין מפני שאני עוסק בתורה, ה"נ לא יאמר: לא אאסוף דגני מפני עסק התורה. ואפשר אפ' שאר אומניות שיש בהם ישוב העולם, הכל

¹¹ אורות עמ' נ'.

¹² שם עמ' ק"ד.

¹³ שער הפרישות.

¹⁴ חבש פאר לראי"ה קוק דרוש א'.

בכלל מצוה, אבל כשאנו מפוזרים בעו"ה בין אומה"ע, וכל שירבה הישוב תיקון ירבה השכל חרבן, מודה ר' ישמעאל לר' שמעון בר יוחאי.¹⁵

וכך לפי רב חרל"פ:

התכלית המבוקשת היא שהגוף יתעלה ויתקרב אל הנשמה, ולא יהיה בהם שום ניגוד ולא יהיו בבחינות דו פרצופין – הנשמה מושכת לכאן והגוף לכאן. ולדרגה זו אי אפשר לזכות זולת בארץ ישראל.¹⁶

וזו מעלתה של הארץ,

שיעלו בה ישראל לעבודה רמה כל כך, עד שכל מה שיתוסף להם ברכה בעניני העולם, כן יוסיפו כבוד בנפשם ברוממות מעלה וקדושת אמונה ואהבת ה' באמת, ולתכלית זו אמרה תורתנו הקדושה תמיד עניני היעודים על טובות העולם הזה, אעפ"י שהן נבזות ופירות אצל כל בר דעת מצד עצמם, אבל באמת הכל מיוסד על זה הסוד הגדול, שאין פחיתות כלל לשלמות החומר, אדרבא, מעלה היא, אלא שע"י חלישות השכל תהיה במקרה שבה לענין רע, אבל כשתהיה קדושת השכל ברוממות תכליתה, אז זהו תקפו וגבורתו ותפארתו, כשיהיה לו כל טוב עולמו, ועל ידו וחרץ בעניניו לגדל ולרומם עניני הקדושה העליונה למען כבוד שם ה' ית'.¹⁷

ועל כן, לפי רב חרל"פ, "אי אפשר לאור המלכות של ישראל להתגלות בשום ארץ בעולם, כי אם דוקא בארץ ישראל, ואף אם יתקבצו כל האומות וירצו לכוון מלכות ישראל בארץ אחרת, לא תקום ולא תהיה."¹⁸ וכך ביאר הרב קוק זצ"ל מאמר חז"ל על הפסוק "מכנף הארץ זמירות שמענו צבי לצדיק,"¹⁹ גנאי הוא לחזקיהו וסיעתו שלא אמרו שירה, עד שפתחה הארץ ואמרה שירה, שנא' מכנף הארץ זמירות שמענו וגו'.²⁰ חזקיהו היה צדיק גמור ועיקר מחשבתו היתה רק בענין תורה ועבודת ה'. ואדרבא, ישוב הארץ ירד בימיו בגלל שקידתו בתורה וכו'. "והיה ביום ההוא יהיה כל מקום אשר יהיה שם אלף גפן באלף כסף, לשמיר ושית יהיה".²¹

לפי הגמרא, "מה עשה, נעץ חרב על פתח בית המדרש ואמר, כל מי שאינו עוסק בתורה ידקר בחרב זו. בדקו מדן ועד באר שבע, ולא מצאו עם הארץ, מגבת ועד אנטיפרס ולא מצאו תינוק ותינוקת, איש ואשה, שלא היו בקיאים בהלכות טומאה וטהרה."²²

אבל רצון ה' היה, שאעפ"י שזהו בודאי דרך מקודש, ואשרי האיש אשר בתורת ה' חפצו באופן כזה עד שישליך עסקי הארץ אחרי גוו, אבל ישוב א"י היא בעצמה דבר קדוש ונשגב, והצלחת ישראל בא"י גורמת טובה גדולה לכל העולם וכו' וזהו ענין "מכנף הארץ", שעם שטבע הארץ להיות מושבה בשפל, מ"מ ארץ ישראל ע"י קדושתה פרוחה לעילא, ומוסיפה כח בגבורה של מעלה ע"י ברכתה.²³

חזקיהו הבין שהנס הגדול שהיה בהצלת ישראל מחיילותיו של סנחריב, לא באו רק להציל את ישראל, שלצורך זה אפשר היה לגרום לסנחריב לעזוב את הארץ. אלא שעיקר הישועה היתה שע"י מיתתם של חיילות סנחריב, מצאו העם שלל רב, ועניני העוה"ז לא נחשבו בעיני חזקיהו סיבה מספקת כדי לומר שירה. ואמנם שבח גדול הוא לצדיק זה שעניני העוה"ז היו פחותים בעיניו, ומ"מ אין זה ראוי להיות משיח, שהמשיח תפקידו לרומם את הכל, ואילו חזקיהו לא הבין שא"י איננה ארץ חמרית אלא בעלת כנפים המסוגלות להתרומם ולומר שירה.

¹⁵ חידושים למס' סוכה פרק לולב הגזול ד"ה אתרוג הכושי.

¹⁶ מי מרום ח"ו שם.

¹⁷ חבש פאר שם.

¹⁸ מי מרום שם עמ' שכ"א.

¹⁹ ישעיה כ"ד.

²⁰ סנהדרין צד.

²¹ ישעיהו ז' י"ג.

²² סנהדרין צד.

²³ חבש פאר שם.

וזה היה חטאם של המרגלים. אף הם לא השכילו להבין ענינה של הארץ ותכליתם של ישראל בא"י, והעדיפו להמשיך בחיי המדבר, שאינם מחייבים התמודדות עם העולם החמרי.

ונאמר בתנא דבי אליהו "לשמור את דרך" – זו דרך ארץ. "עץ החיים" – מלמד שדרך ארץ קדמה לעץ החיים, ואין עץ החיים אלא תורה, שנא' "עץ חיים היא למחזיקים בה."²⁴ וכתב ע"ז ר' עקיבא יוסף שלזינגר: וצריך ביאור, איזה דרך ארץ מכוון בזה, ולפי המבואר בילקוט "כי נגרשו מן הארץ, זו א"י, אפשר לומר שקמ"ל לאפוקי מן דעת המרגלים אשר מאסו הארץ, ואמרו תורה מוקדם לא"י, ע"כ ביקשו שלא להכנס לא"י, כי אם להיות נשאר במדבר, ללמוד תורה מפי משה רבנו ע"ה, שלא נתנה תורה אלא לאוכלי המן, ע"כ בא לומר לנו כי דרך ארץ וכו' זה הדרך המביא לארץ, הוא מוקדם לתורה, כמו שכתוב בספרו: מלמד ששיבת א"י מכריע את כל התורה.²⁵

²⁴פ"א ב'.

²⁵אם הבנים שמחה.

Preparation for the First National Aliyah:

A Study of Sefer Yehoshua's First Chapter

Mrs. Esther Grossman

Machon Maayan, Shaalvim for Women

Sefer Yehoshua is usually one's first encounter with Navi in elementary school. With so many chapters dealing with war and division of land, it can leave a nine year old feeling lost and overwhelmed. However, when one returns to the *sefer* once again as an adult, there is real depth offered that perhaps a fourth grader (or, as is the case in Eretz Yisrael, a second grader), could not appreciate.

In the opening verses of the first chapter, Hashem speaks to Yehoshua regarding how to lead the nation. Rav Yehuda Mali, in his *sefer Shiurim B'Sefer Yehoshua*, points out that there are two major transitions taking place from the time period of Moshe Rabbeinu to the time period of Yehoshua. The first transition is a change in leadership, i.e. a new person, and the second transition is *B'nai Yisrael's* status, going from living *al pi neis*, a miraculous lifestyle, to *al pi tevah*, a more natural lifestyle. The beginning of *Sefer Yehoshua* fuses the natural with the miraculous, giving way, eventually, to a more permanent natural lifestyle for the nation.

Let us look at the first transition from Moshe to Yehoshua. In both the Torah (Bamidbar 27:18) and the Mishnah (*Pirkei Avos* 1:1) and various Midrashim (such as *Bereishis Rabah* 58:2), we are told that Yehoshua is to take over after Moshe Rabbeinu. Why Yehoshua and not Moshe's sons? After all, Moshe's brother, Aharon the *Kohen Gadol*, was succeeded upon his death by his sons (Bamidbar 20:23-29). The negation of Moshe's sons Gershom and Eliezer is a case of "והתורה" "אינה ירושה לך", leadership in Torah is not inherited (see *Pirkei Avos* 2:12), rather, there must be self actualization that merits one taking on a Torah leadership position. Yehoshua displayed the qualities necessary to continue Moshe's leadership as explained in *Bamidbar Rabah* (21:14):

Hashem said to him (Moshe), "He who guards a fig-tree shall eat its fruit" (Mishlei 27:18). Your sons did not learn Torah, whereas Yehoshua would be the first to arrive and the last one to leave the Beit Midrash, and he would arrange the benches and lay out the mats. Since he serviced you with all his might, it is only appropriate that he service B'nai Yisrael and not lose out on his reward. "Take Yehoshua the son of Nun" to uphold that which is said "he who guards a fig-tree shall eat its fruit".

אמר לו הקב"ה "נצר תאנה יאכל פריה" (משלי כז, יח). בניך ישבו להם ולא עסקו בתורה, יהושע... היה משכים ומעריב בבית הוועד שלך, והוא היה מסדר את הספסלים והוא פורס את המחצלאות. הואיל והוא שירתך בכל כוחו, כדאי הוא שישמש את ישראל, שאינו מאבד שכרו. "קח לך את יהושע בן נון" לקיים מה שנאמר "נצר תאנה יאכל פריה".

Yehoshua was an example of "לא המדרש העיקר אלא המעשה", what matters is not the academic study, but rather one's actions (*Pirkei Avos* 1:17) and "גדולה שימושה של תורה יותר מלימודה", even greater than learning Torah is the practice of Torah (*Berachos* 7b). We see this displayed by Yehoshua:

But his attendant, Joshua, the son of Nun, a lad, would not depart from the tent.

Shemos 33:11

ומשרתו יהושע בן נון נער, לא ימיש מתוך האהל.
שמות לג:יא

The Midrash explains:

Moshe's sons did not succeed him, rather Yehoshua did. "And he who guards his master shall be honored" (Mishlei 27:18). This is referring to Yehoshua who serviced Moshe day and night, and because he serviced his master, he merited the Holy Spirit and prophecy.

Bamidbar Rabah 12:9

שלא ירשו בניו של משה מקומו, אלא יהושע ירש מקומו. "ושמר אדניו יכבד" (משלי כ"ז, יח) זה יהושע, שהיה משמש את משה ביום ובלילה... ולפי ששימש אדוניו, זכה לרוח הקודש... זכה לנבואה.
במדבר רבה יב:ט

While at this point we may understand why Yehoshua was chosen, what does this leadership position entail, and was Yehoshua successful? Rav Avraham Remer zt"l points out, in his *sefer Ma'avor Ha'Aretz*, that choosing a leader necessitates two very important requirements which are related to us after Moshe Rabbeinu learns he will not enter Eretz Yisrael.

Let the Lord, the God of spirits of all flesh, appoint a man over the congregation, who will go forth before them and come before them, who will lead them out and bring them in, so that the congregation of the Lord will not be like sheep without a shepherd.

Bamidbar 27:16-17

יפקד ה' אלקי הרוחת לכל בשר איש על העדה. אשר יצא לפניהם ואשר יבא לפניהם ואשר יוציאם ואשר יביאם ולא תהיה עדת ה' כצאן אשר אין להם רעה.
במדבר כז:טז-יז

First, he must be "*ish al haeidah*", a man over the congregation. Rashi, quoting the *Tanchumah*, explains that this is someone who aids each individual in the nation on his particular level, a leader for all, not just some select members. Second, "*asher yeitzei lifneihem*", who will go forth before them. Here Rashi quotes the *Sifrei* that a Jewish leader is not like *malchei ha'umot*, foreign leaders, who enjoy prestige, but do not do the actual work, rather a Jewish leader is "יוצא בראש" "ונכנס בראש", a proactive head who leads the nation both going and coming.

Two additional requirements: *haskamat Hashem*, Hashem's approval, which is implicit from *Sefer Bamidbar* and the opening of *Sefer Yehoshua*, as well as *haskamat B'nai Yisrael*, the people's approval. This is seen towards the end of the first chapter in *Sefer Yehoshua*, but is powerfully expressed in chapter four after crossing over the *Yarden* and entry into Israel is complete.

The Gemara in *Bava Basra* (75a) compares Yehoshua to Moshe with the following allegory: "פני" "פני יהושע כפני חמה, פני יהושע כפני לבנה" "פני יהושע כפני חמה, פני יהושע כפני לבנה" the face of Moshe was like the sun, but the face of Yehoshua was like the moon. What does this mean? A simple understanding is that Yehoshua is a

microcosm of Moshe. Just like the moon is the reflection of the sun, so too, Yehoshua's leadership mimics Moshe's. However, if one looks deeper into this statement there is something being conveyed about the time periods during which Moshe and Yehoshua were guiding *B'nai Yisrael*. Moshe, described as the sun, represents a time when the sun shone so brightly, it was the sole force. This implies that Moshe was the strength and everyone else was passive, they followed Moshe Rabbeinu and gave themselves over to him. This was demonstrated at various junctures: Moshe split the *Yam Suf*, the nation marched after him; Moshe hit the rock, and then the nation was able to drink; Moshe received the Torah and the nation answered with "*na'aseh v'nishma*", we will do and we will hear.

Yehoshua, on the other hand, who is likened to the moon, which doesn't shine so brightly and allows the stars to illuminate, turns *B'nai Yisrael* into active participants in settling Eretz Yisrael. During *Kriat HaYarden*, Yehoshua instructs the nation how to cross, in what order and where to stand, yet, the *Kohanim* with the *Aron Hashem* lead the way, Yehoshua himself goes last. (See Radak on Yehoshua chapter 4:5.) The conquest of Yericho is not Yehoshua's war, rather all of *B'nai Yisrael* join with Yehoshua to bring down the walls of the city. So, too, with all the battles waged in the *sefer*, the nation is actively bringing about the results – the conquest of Ai, Ma'aleh Beit Choron, and the war against the northern kings. With Yehoshua at the helm, the nation takes an active role in order to succeed.

So was Yehoshua a successful leader? At the onset of Yehoshua's leadership, he is labeled "*meshares Moshe*" (Yehoshua 1:1), "Moshe's minister", but, by the end of his life and of the *sefer*, he is called by the very same appellation which Moshe received: "*Eved Hashem*", a servant of G-d (24:29). One of the greatest honors bestowed upon individuals in Tanach.

Now let us look at the second transition that took place when Yehoshua became *B'nai Yisrael's* leader. Throughout the first chapter of *Sefer Yehoshua* there is a phrase that is repeated many times: "*chazak, v'ematz*", be strong and have courage (verses 6, 7, 9 and 18). Originally the term appears in Devarim 31:7, when Moshe was inducting Yehoshua. Why did Yehoshua have to fortify himself? Rav Yehuda Mali points out that Yehoshua was faced with three major challenges.

First, he had to "fill Moshe's shoes" (or lack thereof as in Chapter 5, paralleling Moshe's experience in Shemos 3:5). Moshe led *B'nai Yisrael* for forty plus years like a father carrying his infant child, (Bamidbar 11:12) "כֹּאֲשֶׁר יֵשֵׁא הָאִמָּן אֶת הַיֶּלֶד". He led them out of Mitzrayim, turned them into *b'nai chorin*, free people, gave them the Torah, was the father of all *neviim* (prophets), the army's head and the chief judge.

Second, in capturing Eretz Canaan, the odds were heavily stacked against *B'nai Yisrael*. Surrounding Yehoshua at all times were enemies, the residents of Canaan. They lived in fortified cities, several giants among them and every time *B'nai Yisrael* attacked one group they were left exposed and vulnerable to the remaining adversaries.

The third challenge Yehoshua faced was the transition from living a life of miracles, to one of a more natural reality. This is seen in the economic and military sphere in terms of their income and protection, as well as the spiritual domain, how *B'nai Yisrael* learned Torah:

Three excellent leaders arose for Israel, they were: Moshe, Aharon and Miriam. And because of them three excellent gifts were bestowed upon Israel; they are: the well, the pillar of cloud and the manna [water, protection and food]. The well was provided in the merit of Miriam, the pillar of cloud in the merit of Aharon and the manna in the merit of Moshe. When Miriam died the well disappeared... and it returned in the merit of the other two (Moshe and Aharon). When Aharon died the clouds of Glory disappeared... both of them [the well and the clouds of Glory] returned in the merit of Moshe. When Moshe died they all [the well, the clouds of Glory and the manna] disappeared.

Taanis 9a

שלשה פרנסים טובים עמדו לישראל, אלו הן: משה, ואהרן ומרים. וג' מתנות טובות ניתנו על ידם ואלו הן: באר וענן ומן. באר-בזכות מרים, עמוד ענן-בזכות אהרן, מן-בזכות משה. מתה מרים, נסתלק הבאר... וחזרה בזכות שניהן. מת אהרן, נסתלקו ענני כבוד... חזרו שניהם בזכות משה. מת משה-נסתלקו כולן.
תענית ט.

With the three gifts that Hashem gave B'nai Yisrael, we see the embodiment of the phrase "כאשר" "ישא האמן את הינק", with the removal of Hashem's three gifts B'nai Yisrael transitioned into a new phase. Now the nation has to learn to stand on its own, the baby is being weaned and B'nai Yisrael has to "grow up". As Sefer Yehoshua tells us:

And the manna ceased on the morrow when they ate of the grain of the land; neither had the children of Israel manna anymore; and they ate of the produce of the land of Canaan that year.

Yehoshua 5:12

וישבות המן ממחרת באכלם מעבור הארץ, ולא היה עוד לבני ישראל מן, ויאכלו מתבואת ארץ כנען בשנה ההיא
יהושע ה:יב

But it is worthy to note that the last year [B'nai Yisrael were in the desert] was the end of miraculous conditions... and now as they stood ready to enter into the land of Israel, they had to accustom themselves to natural conditions under Hashem's watchfulness. Therefore, Hashem acted towards them in a transitional manner, like a nursing child who is being weaned, the caretaker slowly introduces the baby to solid food... so too, Hashem started to wean B'nai Yisrael from miracles and they began to experience the world of nature... when the water from Miriam's well stopped, B'nai Yisrael understood that this was not a punishment, rather the beginning of their adjustment to a more natural lifestyle.

Netziv on Bamidbar 20:5

אבל ראוי לדעת דבשנה האחרונה היה סוף הליכות הנסיי...ועתה היו עומדים ליכנס לארץ ישראל ולהתנהג בהליכות הטבע תחת השגחת ה'. על כן התנהג הקב"ה עמם בשנה זו בדרך הממוצע, וכמו אומנת ילד היונק העומד להגמל מחלב, כבר איזה משך לפני הגמלו מרגלת את הילד מעט מעט באכילת לחם...כך החל המקום יתברך להפרישם מן הנס ולהעמידם על הליכות עולם הטבע...והנה כשנפסק המים מן הבאר, הבינו ישראל שזהו שלא בתורת עונש על איזה דבר, אלא כדי להרגילם לחיים טבעיים
נצי"ב על במדבר כ:ה

Until Yehoshua, B'nai Yisrael lived a miraculous lifestyle. While living in the desert, all their basic needs were provided for in a miraculous manner. For shelter, they had the *ananei haKavod*, the clouds of Glory. For sustenance, they received the manna and had *be'er Miriam*, the spring of water in Miriam's merit. As for their clothes, the Midrash (*Shir HaShirim Rabah* 4:11) tells us they were always fresh and clean, and would grow with B'nai Yisrael as needed. Now with Moshe's death a life dependent upon nature begins. Reality hits in Yehoshua 1:11 when the nation is told, "הכינו לכם צדה", prepare food for yourselves. Rashi explains *tzeidah* as

klei zayin, weapons, not food, since for the next few weeks they would still have the manna. They will no longer have the protection of the *ananei haKavod* and they are about to begin the conquest of the land, so the nation must be certain they can protect and safeguard themselves.

Even the nature of the wars changed, moving from more miraculous, as demonstrated in the conquest of Yericho, to subsequently more natural tactics throughout the *sefer* as seen in the war against the Northern Kings. In terms of the spiritual domain, *B'nai Yisrael's* Torah learning went through a major metamorphosis. In the desert, *B'nai Yisrael* received their halachic guidance from Hashem through Moshe as the medium. (Bamidbar 9:8) "ויאמר אלהם משה, עמדו, ואשמעה" (Bamidbar 9:8) "מה יצוה ה' לכם" *And Moshe said to them, stand still, and I will hear what Hashem will command concerning you.* Now as the nation enters Eretz Yisrael, any halachic arguments will be resolved through our very own *talmidei chachamim*, all of the theoretical is becoming practical. Each town has a *beis din* (rabbinical court), the army functions according to halacha and the *mitzvos hateluyos ba'aretz*, may be observed. This is expressed in the Gemara:

Rav Yehuda said in the name of Shmuel: Three thousand laws were forgotten during the period of mourning for Moshe. In an effort to retrieve these forgotten laws, the people of Israel said to Yehoshua, "Ask Hashem what these laws were." He said to them, I cannot do that: "The Torah is not in Heaven." Later in history the Jewish people said to the Prophet Shmuel, "Ask Hashem to reveal these forgotten laws to you." He told them in response, it is written: "These are the commandments", which teaches that from this time forward, a prophet is not authorized to introduce anything new, i.e. after the revelation through Moshe, no law may be introduced. Rav Yitzchak Nafcha said: The law regarding a sinful offering whose owners have died was also forgotten during the period of mourning for Moshe. They said to Pinchas, regarding this and similar laws that were in doubt, "Ask Hashem what the halachah is." He said to them: "The Torah is not in Heaven." They said to Elazar, "Ask Hashem." He said to them, it is written: "These are the commandments", which teaches that from this time forward, a prophet is not authorized to introduce anything new... Yehoshua's strength waned and consequently he forgot three hundred laws and seven hundred uncertainties occurred to him. All of Israel were prepared to kill him unless he could tell them these laws and resolve these uncertainties. The Holy One, Blessed is He, said to him: To tell you these forgotten laws is impossible. Instead, go and occupy Israel with war, as it says: "And it came to pass after the death of Moshe, the servant of Hashem, that Hashem said to Yehoshua (... and now arise cross this Jordan)" ... R' Abahu said: Nevertheless, Otniel ben Kenaz restored these teachings through his Talmudic analysis.

Temurah 16a

אמר רב יהודה אמר שמואל:
שלש אלפים הלכות נשתכחו
בימי אבלו של משה. אמרו לו
ליהושע: שאל. אמר להם: "לא
בשמים היא" (דברים ל' יב').
אמרו לו לשמואל: שאל. אמר
להם: "אלה המצוות" (במדבר
ל' יג'). שאין הנביא רשאי
לחדש דבר מעתה. אמר רבי
יצחק נפחא: אף חטאת שמתו
בעליה נשתכחה בימי אבלו של
משה. אמרו לפנחס: שאל. אמר
להם: "לא בשמים היא" (דברים
ל' יב'). אמרו לו לאלעזר: שאל.
אמר להם: "אלה המצוות"
(במדבר ל' יג') שאין נביא
רשאי לחדש דבר מעתה... תשש
כחו של יהושע, ונשתכחו ממנו
שלש מאות הלכות, ונולדו לו
שבע מאות ספיקות. ועמדו כל
ישראל להרגו. אמר לו הקדוש
ברוך הוא: לומר לך אי אפשר.
לך וטורדן במלחמה, שנאמר
(יהושע א, א'-ב'): "ויהי אחרי
מות משה עבד ה' ויאמר ה'
(... קום עבור את הירדן)". אמר
רבי אבהו: אף על פי כן החזירן
עתניאל בן קנז מתוך פלפולו.
תמורה טז.

An additional challenge to living according to a more natural lifestyle is expressed by Yehoshua in verse 8: "לא ימוש ספר התורה הזה מפִּיךָ, והגית בו יומם ולילה", *this book of the Torah shall not leave your mouth; you shall meditate therein day and night*. While B'nai Yisrael are about to live a life according to nature, thereby increasing their workload and responsibilities, they are still expected to always be *osek b'Torah*, studying Torah. The nation will have to learn to balance learning with working. This involves taking Torah precepts and values into the workplace and into the field. One must incorporate *kedushah*, holiness, into one's life of *teva*, nature. So *chazak v'amatz* is encouragement for balancing Torah and *teva*, nature. The difficulties B'nai Yisrael had to endure in transitioning from life under Moshe's leadership, to life under Yehoshua's are still very much a part of our reality and existence. Every day we struggle to make a *parnassah* (living), be able to put food on the table, have our security and with all this keep Torah at the forefront. The challenges of the first national *aliyah* are similar to those who move to Eretz Yisrael nowadays.

Our Rabbis value *Sefer Yehoshua* tremendously. The Gemara in *Nedarim* on 22b states:

Had Israel not sinned, they would have been given only the Five Books of the Torah and the Book of Joshua, because it is the record of the arrangement of the boundaries of Eretz Yisrael.

אלמלא חטאו ישראל לא ניתן להם
אלא חמשה חומשי תורה וספר יהושע
בלבד, שערכה של ארץ ישראל הוא

Rashi explains that all the other *Sifrei Nac"ח* were required to rebuke B'nai Yisrael for their transgressions. Had they not sinned, the rebuke would not have been necessary. [The question begs to be asked: What about David HaMelech, Shlomo HaMelech, and the building of the Beis Hamikdash, would all that not have been recorded? The *Mussar HaNeviim* answers that all of the above was rooted in sin - asking for a king, not relying on Hashem, and the many kings that led B'nai Yisrael astray. Had we been on a higher level we would not have needed one place for Hashem to reside, we could have had Hashem in our respective dwellings due to our own righteousness. However, because of our sins, beginning with the *Egel HaZahav*, Hashem mandated a single designated place. (See the *Seforno* on Vayikra 26:11,12)]

Hopefully, from studying this small portion of *Sefer Yehoshua*, the "*archah shel Eretz Yisrael*", Israel's value, will increase for each of us. Eretz Yisrael is a precious gift that must be held onto, it is not "*l'sha'ah*", temporary, rather "*l'dorot*", enduring for all generations. May our love for Eretz Yisrael grow with this portion of learning *Sefer Yehoshua*.

The Religious Nature of Yom Ha'atzmaut

Rabbi Ari Heller

Yeshivat Hakotel

"The fundamental turning point that has occurred by the declaration of our independence in Eretz Yisrael, with Hashem's mercy upon us to save us and redeem our nefesh, obligates us to establish and accept upon us for all future generations the date of the declaration of Medinat Yisrael, the 5th of Iyar annually, as a day of happiness (celebration) of the 'atchalta d'geula' [beginning of the redemption] of Klal Yisrael..."²⁶

In the year ה'תש"ט (1949), with these words, the Chief Rabbinate of *Medinat Yisrael* led by Rav Herzog zt"l and Rav Uziel zt"l, established the very first Yom Ha'atzmaut. In coming to celebrate this very special day, we must ask ourselves what is meant to be the nature of the celebration? Addressing this question compels us to relate to the two components which exist in every other one of our *chagim* (holidays). Firstly, the more passive element, we must understand the religious significance of the historical background. Furthermore, each *chag* in our calendar presents us with its own "*avoda*", its own active manner of connecting to Hashem. What is the "*avoda*" of Yom Ha'atzmaut?

The Search for a Precedent

A search for a precedent naturally brings us to the two annual holidays which are not of biblical origin, rather are of rabbinic nature: Purim and Chanukah. Which one of these two would serve as a more appropriate model on which to base Yom Ha'atzmaut?

The *Levush* formulates a fundamental distinction between these two Rabbinic holidays in an attempt to explain the different manners in which we celebrate the two days. The *Shulchan Aruch* (O.C. 670:2) rules regarding Chanukah that "The abundance of banquets that we add are optional, as the days were not established for "*mishte v'simcha*" (banquets and happiness), [rather "*l'hallel u'lihodot*" (to praise and give thanks)]."²⁷ The question arises as to why we are

²⁶ Israeli National Archive 8562/651, translated from the Hebrew:

"המפנה היסודי שחל בחמלת ה' עלינו להצלתנו ולפדות נפשנו עם הכרזת עצמאותנו בארץ, מחייב אותנו לקיים ולקבל עלינו לדורות את יום הכרזת מדינת ישראל, הוא יום ה' באייר שבכל שנה, ליום שמחה של אתחלתא דגאולה לכלל ישראל, ולהוציא את היום שבו נעשה הנס הגדול הזה מכלל מנהגי האבילות של ימי ספירת העומר, עם מתן הוראות לתפילת הודיה ודרשות מעין המאורע בבת הכנסת..."

²⁷ להלל ולהודות – to praise and give thanks, is added by the *Mishna Berurah*, 670:6.

obligated in “*mishte v’simcha*” on Purim, yet not on Chanukah? The *Levush*²⁸ answers that the difference lies in the source of the celebration. In the story of Purim the danger was a physical threat, to eradicate the Jewish nation physically. Accordingly, the celebration reflects this nature by displaying our gratitude to Hashem through a *chag* of physical celebration of “*mishte v’simcha*”. On the other hand, Chanukah commemorates being rescued from a spiritual threat, decrees against living our lives according to Torah and mitzvot. There was no inherent physical threat, as if the Jews would have accepted Hellenism and left the Torah, the persecution would have ceased. Consequently, the nature of the celebration is not “*mishte v’simcha*” but rather “*hallel v’hodaya*”, precisely what they attempted to stop us from doing. Returning to our question, which *chag* is the more appropriate archetype for Yom Ha’atzmaut?

As Purim: Physical Salvation

Most certainly, like Purim, Yom Ha’atzmaut is a day which commemorates physical salvation. In the week preceding Yom Ha’atzmaut, *Am Yisrael* commemorates the Holocaust on *Yom Hashoah*. *Medinat Yisrael* was founded on the ashes of Auschwitz, on the devastating destruction of European Jewry. Our new country opened (and continues to open) its door to all Jews wherever in the world they may be. With the founding of *Medinat Yisrael*, there is now a natural home for each and every Jew. With the founding of *Medinat Yisrael*, there is now the I.D.F. to protect our land and our nation. Appropriately, there is certainly the component of “*mishte v’simcha*” in our celebration of Yom Ha’atzmaut. In fact the “*mitzvat hayom*” (mitzvah of the day) in Israel on Yom Ha’atzmaut is the “*mangal*”, a.k.a. BBQ. Not simply in jest, but a true *seudat mitzvah*. The unity at this *seuda*, which is traditionally eaten in large festive gatherings of family and friends, reflects the nationalistic aspect of the day. Just as on Purim, it is our obligation to express our *hakarat hatov*, gratitude, to Hakadosh Baruch Hu, for the physical salvation He blessed us with in *Medinat Yisrael*.

As Chanukah: Spiritual Salvation

Undoubtedly, Yom Ha’atzmaut is not merely a replica of the Purim model, rather much more. In *Perek 37* of *Sefer Yechezkel*, we learn of the *chazon ha’atzamot ha’yiveshot*, the prophecy of the dry bones. Hashem places Yechezkel into a valley full of dry bones, and instructs him to speak to the bones telling them that they will return to life.²⁹ Hashem then reveals to Yechezkel that the image symbolizes *Bnei Yisrael*’s returning to life after the period of the *galut*, exile.

Then he said to me, Son of man, these bones are the entire house of Yisrael; behold they say, ‘our bones are dried, our hope is lost, we are cut off.’ Therefore prophesy and say to

וַיֹּאמֶר אֵלַי בֶּן אָדָם הָעֲצָמוֹת הָאֵלֶּה כָּל
בֵּית יִשְׂרָאֵל הָמָּה הֵנָּה אֲמָרִים יָבֵשׁוּ
עֲצָמוֹתֵינוּ וְאָבְדָה תְּקוּתָנוּ נִגְזְרָנוּ לָנוּ: לָכֵן

²⁸ Quoted in the *Mishna Berurah* 670:6.

²⁹ “The hand of the L-rd was upon me, and carried me out in the spirit of the L-rd, and set me down in the midst of the valley which was full of bones... Thus says the L-rd G-d to these bones: Behold, I will cause breath to enter into you, and you shall live. And I will lay sinews upon you, and I will bring up flesh upon you, and cover you with skin, and put breath in you, and you shall live; and you shall know that I am the L-rd... So I prophesied as He commanded me, and breath came into them, and they lived, and stood up on their feet, an exceeding great army.” (Yechezkel 37:1,5,6,10, translation: The Jerusalem Bible)

them, Thus says the L-rd G-d 'behold, I will open your graves, and elevate you from your graves, my nation, and bring you into the land of Yisrael'.

Yechezkel 37:11-12

הַנְּבִיא וְאָמַרְתָּ אֲלֵיהֶם כֹּה אָמַר ה' אֱלֹהֵינוּ
הִנֵּה אֲנִי פֹתֵחַ אֶת קְבֻרֹתֵיכֶם וְהֵעֲלִיתִי
אֶתְכֶם מִקְבְּרֹתֵיכֶם עָמִי וְהִבֵּאתִי אֶתְכֶם
אֶל אֶדְמַת יִשְׂרָאֵל:
יִחְזָקָא לִזִּיא-יב

Expounding on this idea, the Vilna Gaon (Gr"a) writes:

As Yechezkel said metaphorically, as he lived in chutz la'aretz at the end of the [period of the] Beit [Hamikdash]... Since from the time the Beit [Hamikdash] was destroyed, our spirit, the crown of our heads, has left us, and we remained alone a corpse without a nefesh. Exiting to chutz la'aretz, is [going to] the grave surrounded by maggots; we do not have the ability to protect ourselves from the idol worshipers who eat our flesh -- nevertheless, there were groups and great yeshivot -- to the extent that our flesh was rotted and our bones scattered, scattering after scattering. -- However there were still some bones intact, namely the talmidei chachamim of Yisrael who enable the body [of Yisrael] to stand. [This continued] until the bones were rotted, and all that was left of us was a 'scoop of decay'³⁰ which became dust, dust on which our nefesh is prostrated.³¹ And we can only hope for tchiyat ha'metim (resurrection of the dead) to be 'shaken from our dust' etc. (Yishayahu 52), as [Hashem] will pour [His] spirit upon us from above.

Likutei HaGr"a, Sefer D'tzniuta

כי יחזקאל אמר בדרך חידה שהיה
בח"ל ובסוף הבית... כי מעת שחרב
הבית יצאה רוחנו עטרת ראשנו
ונשארו רק אנחנו הוא גוף שלה
בלא נפש. ויציאה לח"ל הוא הקבר
והרימה מסובבת עלינו ואין בידינו
להציל הן העובדי הכוכבים
האוכלים את בשרינו, ומ"מ היו
חבורות וישיבות גדולות עד שנקרב
הבשר והעצמות נפזרו פיזור אחר
פיזור. ומ"מ היו עדיין העצמות
קיימות שהן הת"ח שבישראל
מעמיד הגוף עד שנקרבו העצמות
ולא נשאר אלא תרווד רקב מאתנו
ונעשה עפר שחה לעפר נפשנו.
ואנחנו מקוין עתה לתחיית המתים
התנערי מעפר קומי כו' (ישעיהו
נב) ויערה רוח ממרום עלינו.
ליקוטי הגר"א, סוף ספר
דצניעותא

At first glance the Gr"a's words are extremely puzzling. How could close to 2000 years of Jewish history be considered a "cemetery"? What about all of the achievements in the developing of Torah which were accomplished in the *galut* (including the Talmud Bavli!)? What about all of the *gedolim* – the *Geonim*, Rashi, Rambam, Ramban, the Vilna Gaon himself? Rather, certainly the Gr"a was not referring to individuals. Individual Jews lived throughout the generations, and there were those amongst them who flourished, those who reached tremendous peaks in religious growth and production. The Gr"a was referring to the *klal*, to *Knesset Yisrael*. *Knesset Yisrael* was "in the grave" for close to two thousand years. The "*tchiyat ha'metim*" which we were *zoche* to, is not merely literally, physically, but also spiritually.

Rebbi Chiya bar Ami says in the name of Ula, from the day that the Beit Hamikdash was destroyed, the only thing Hakadosh

דאמר רבי חייא בר אמי משמיה
דעולא מיום שחרב בית המקדש
אין לו להקדוש ברוך הוא

³⁰ Scoop of decay, or scoop of dust of decomposed corpse, is used as the *shiur* (measurement) which defines *tumah* in general (see *Chulin* 125b, 126b) and in regards to a *nazir* (see *Nazir* 50b, 51b).

³¹ See *Tehillim* 44:26.

The “four amot of halacha” could loosely be translated as the four walls of the *beit midrash*; according to *Ula*, this is where Hashem could be found. Rav Kook zt”l explains that this was *b’dieved* (ex post facto), true specifically in the *galut*, inferred from *Ula*’s formulation “from the day the Beit Hamikdash was destroyed.” On the contrary, the *l’chatchila* (*ab initio*) situation is one where Hakadosh Baruch Hu is not confined to the borders of halacha, to the four walls of the *beit midrash*, but rather is allowed to enter into anywhere and everywhere in His world. The ideal is for Hashem’s *kedusha* to penetrate into everything and by doing so to sanctify the world, “*litaken olan b’malchut shakai*”. This idea could only be accomplished on the level of the *klal*, and therefore is only possible with *Am Yisrael*’s return to Eretz Yisrael.³² Accordingly, the characteristic and essence of this most special day is, similar to Chanukah, one of spiritual salvation.

The Spiritual Value Of The State: Am Yisrael, Torah, and Eretz Yisrael

A further and deeper understanding of the spiritual contribution of *Medinat Yisrael* is demonstrated by the following story.³³ In the year ה'תש"ו (1946, two years before the founding of the state) Rav Tzvi Yehuda Kook zt”l was asked the following question: “Are we religious Jews permitted to support the demand for a Jewish state?” The doubt of the questioner was based on the political leadership’s secular nature. Rav Tzvi Yehuda Kook responded: “Not only are we permitted to, but we are obligated to, for three reasons: 1) For *Am Yisrael*, 2) For the Torah, 3) For Eretz Yisrael.”

AM YISRAEL: *Am Yisrael*’s national potential could only be reached in Eretz Yisrael.³⁴ From the very founding of our nation, our destiny was bound with Eretz Yisrael. The promises and covenants that Hashem made with our *Avot* all revolved around two points: “*zarah*” - offspring, a nation, and “*aretz*” - the land of Eretz Yisrael. Hashem also told each of the *Avot* that their *bracha* was not just for our nation, but through our nation the entire world will be blessed.³⁵ For example, Hashem tells Yitzchak Avinu: “I will multiply your offspring (“*zera*”) like the stars of the heavens, and I will give to your offspring all of these lands (“*aretz*”), and through your offspring all of the nations of the earth will be blessed.” (Beraishit 26:4) Hashem chose us to be

³² This provides an additional answer to the question raised above on the G”ra. Yes there were religious accomplishments over the close to 2000 year of *galut*, but they were all within the *beit midrash*, and not in terms of spreading Hashem in the world.

³³ Told over by his student Rav Yaakov Filber in his book *Ayelet HaShachar* (Jerusalem 5751), pp. 225.

³⁴ In that particular episode, Rav Tzvi Yehuda Kook referred to the physical salvation. Yet on many other occasions he related to this more essential significance *Medinat Yisrael* contributes to *Am Yisrael*.

³⁵ To Avraham Avinu: Beraishit 12:2-3,7; 13:15-16; 15:5,18; 17:6-8; 18:18; To Yitzchak Avinu: Beraishit 26:3-4; To Yaakov Avinu: Beraishit 28:13-14; 35:11-12.

His “*Or l’goyim*”³⁶, light to the nations. At *Matan Torah*, he tells us “and you should be for me a “*mamlechet kohanim v’goy kadosh*”³⁷ – a kingdom of priests and a holy nation. We are a nation with a mission. Our mission is to continue the way of Avraham Avinu of propagating throughout the world: monotheism (“*vayikra b’shem Hashem*”), the remaining “*sheva mitzvot bnei noach*”, and Hashem’s morals, ethics, and values (“*tzedek u’mishpat*”). As Yishayahu (43:21) writes, “This nation which I have created will recount my praise”. This is a mission that can only be accomplished as a nation living in Eretz Yisrael, and therefore the two *brachot* always come in tandem. We could only be a model nation to the rest of the world, after we set up our own political state, in Eretz Yisrael.^{38,39} Accordingly, *Medinat Yisrael* allows *Am Yisrael* to manifest itself in its necessary form to achieve its purpose in the world.

TORAH: On several levels, the Torah itself is more whole in Eretz Yisrael. Most basically, there is an entire category of mitzvot, “*mitzvot ha’tluyot ba’aretz*” (mitzvot which our bound to the land [of Eretz Yisrael]) which are not relevant in *chutz la’artez*. Moreover, there is a Midrash that teaches us that all of the mitzvot are more complete and significant when preformed in Eretz Yisrael. “Even though I am exiling you from The Land to *chutz la’artez*, “adorn” yourselves with mitzvot so that when you return they should not be new to you.”⁴⁰ Developing this Midrash, the Ramban⁴¹ understands that the performance of mitzvot in *chutz la’artez* is considered “practice”, *b’dieved*. In the Ramban’s words:

The main-point of all mitzvot are for those settling in the Land of Hashem.

Ramban, Vayikra 18:25

עיקר כל המצוות ליושבים בארץ ה'.
רמב"ן, ויקרא יח:כה

However, this alone could be accomplished by fulfilling *mitzvot* in Eretz Yisrael even in the absence of an autonomous state. The contribution of establishing a state towards the Torah is twofold. Firstly, only with a Jewish state in Eretz Yisrael can we fulfill national mitzvot such as having a king, *Sanhedrin*, army, and building the Beit Hamikdash.⁴² More broadly, relating to the

³⁶ See Yishayahu 42:6; 60:3. David Ben Gurion frequently used this expression in discussing the purpose of the State of Israel.

³⁷ Shmot 19:5,6; and see *Sforno*.

³⁸ This idea appears in numerous places in *Nevi'im Achronim*. A prime such example is in Yishayahu 2:2-3. Historically we reached our peak as an “*Or l’goyim*” during the reign of Shlomo Hamelech. See Melachim Aleph 5:11-15; 10:1-10, 23-25. It’s not by chance that we find the *Nevi'im Achronim* linking the *nevuot* regarding the “*acharit hayamim*” to the *Navi’s* descriptions of the era of Shlomo. See Micha 4:1-4, who combines Yishayahu’s vision (2:1-4) with the description in Melachim Aleph 5:5.

³⁹ For an elaboration of this idea see Rav AY Kook, “*L’mahalach ha’Ideoyt b’Yisrael*” (Chapter 2) in his book *Orot*.

⁴⁰ *Sifrei Ekev* (7) based on the *posuk* in Yirmiyahu (31:20) “*hatzivi lach tziyunim*”, quoted in Rashi (Devarim 11:18).

⁴¹ The Ramban develops this idea in several places throughout his commentary on chumash. See his commentary to Beraishit 48:7, 26:5; Vayikra 25:18; and Devarim 11:18. See also *Kuzari* (2:20) who refers to Eretz Yisrael as “*Eretz ha’Torah*”.

⁴² Granted, many of these *mitzvot* are still not applicable until the time (we should merit speedily in our days) that the state is run according to halacha and Torah. The significance of the state, currently, is that we are now in the infant stages of what - through our *hishtadlut* (effort) and *siyaata deshmaya* (Divine assistance) - will develop into such a state. In other words, right now we are building the foundations, the structure, the building blocks, the

whole picture, only via a Jewish state in Eretz Yisrael can the Torah reach its full potential. Not merely because all of its details can be fulfilled, rather by virtue of it functioning in its true capacity as a “*Torat chayim*” (living Torah). The Torah is the blueprint for *Am Yisrael* to achieve Hashem’s master-plan for the world.⁴³ This “*Torat chayim*” is one which is not restricted to the “four *amot* of halacha”⁴⁴, but one which penetrates all spheres of life: the political system, the judicial system, the legislative system, the military, hospitals, postal service, business norms, cultural events, etc. This global manifestation of the Torah was not possible in the *galut*. Perhaps this is the true meaning of the *Gemara* “Since *Bnei Yisrael* was exiled from their place, there has been no greater *bitul Torah* (lapse of Torah study)” (*Chagiga* 5b) - not simply due to the impediment on Jewish learning that is generated by the trials and tribulations of the *galut*, but as the complete uprooting of the ideal of “*Torat chayim*”. Only now, with the founding of *Medinat Yisrael* do we have the possibility of establishing a political state based on Torah and *kedusha*. Only now can the Torah begin to reach its truest most complete destiny.

ERETZ YISRAEL: The land of Eretz Yisrael itself is inherently connected to both the Torah and to *Am Yisrael*. Regarding the Land’s connection to the Torah, we find the expression “*mishpat e-lokei ha’aretz*”, “the law of the G-d of the Land”.⁴⁵ The Torah itself is attributed to the Land, which manifests itself in several places where the Land, as it were, takes issue with, and is not willing to tolerate, those who do not follow the Torah.⁴⁶ Additionally, we find that from the very beginning, Hashem designated Eretz Yisrael for *Am Yisrael* and vice versa.⁴⁷ Eretz Yisrael, as a land, doesn’t reach its potential without *Am Yisrael* settled upon her. This can be proven in regards to the agricultural fertility of the Land. The Ramban comments on the *posuk* in the *tochacha* which states “I will leave the Land desolate [to the extent that] it will remain desolate for the nations who [attempt to] settle her.” (Vayikra 26:32) The Ramban claims that this is in fact “good news that during all of the exiles our land will never accept our enemies.” He then goes on to point out that historically this has proven to be true, as since we were exiled, the Land

earliest of stages of what *beirat Hashem* will develop into the state of the *Mashiach*. The position of Prime Minister will be replaced by the *Melech HaMashiach*, the Knesset will develop into the *Sanhedrin*, etc. With this, we differ with those who opine that Hashem will build the state of *Mashiach* from scratch, only after wiping the slate clean of all that exists today.

⁴³ As discussed above in the previous section “AM YISRAEL” page 24.

⁴⁴ See above, Rav Kook’s inference on the *Gemara* in *Brachot* 8a, page 24.

⁴⁵ *Melachim* Bet 17:26, 27. The *goyim* who are exiled into Eretz Yisrael by the king of Ashur are punished for not keeping the law of the land. They aren’t living any differently than they were living in their homelands, but here the “Land” won’t tolerate it.

⁴⁶ See the previous footnote. Additionally, regarding the Land not tolerating *Bnei Yisrael*’s sinning in the Land: see Vayikra 18:28, 20:22 in reference to *avoda zara*, Bamidbar 35:33-34 in reference to murder, and Vayikra 26:34-35 in reference to *shmita*. In many places when relating to “*schar v’onesh*” the Torah describes the punishment being dealt out by the Land itself, which may not be purely poetic. For example see *kriyat shema* (Devarim 11:17), and the *tochacha* (Vayikra 26:20). Along these lines, the Ramban (Beraishit 19:5) explains the reason that the people of *Sdom* were judged so harshly was due to the “level of Eretz Yisrael... which does not tolerate abominable people and spits them out”.

⁴⁷ For example see the first Rashi on *chumash* (Beraishit 1:1), *Yalkut Shimoni*, Chababkuk 3:563, *Bamidbar Raba* 23:7,11.

has laid desolate, despite all the attempts of the nations who lived there. The mirror image is found in the *Gemara* which says that the sign of the coming of the *geula* is the agricultural productivity in Eretz Yisrael:

And *Rebbi Abba* stated there is no more revealed signal of the “end” [*geula*] than the [fulfillment of the] *posuk* ‘and you mountains of Yisrael, your branches will give forth and bear your fruit for my nation, Yisrael’.^{48,49}

Sanhedrin 98a

ואמר רבי אבא אין לך קץ מגולה מזה
שנאמר ואתם הרי ישראל ענפכם תתנו
ופריכם תשאז לעמי ישראל וגו'
סנהדרין צח.

All of the above explains the seemingly peculiar *nevuah* which Yechezkel is commanded to prophesy to the Land itself: “So says Hashem to the mountains, to the hills, to the streams, to the valleys, to the desolate ruins... I will turn my attention to you and you will be worked and sown. I will multiply people upon you... the cities will be settled and the ruins rebuilt... and you will know that I am G-d.”⁵⁰ *Am Yisrael*’s return to Eretz Yisrael is not only a *geula* for the nation, but is also a *geula* for the Land.

This dual essence of both spiritual and physical salvation which we have seen above, is reflected in Rav Herzog’s formulation “*The fundamental turning point that has occurred by the declaration of our independence in Eretz Yisrael, with Hashem’s mercy upon us to **save us** and **redeem our nefesh**...*” - to “save us” i.e. physically, to “redeem our *nefesh*” i.e. spiritually. Rav Herzog continues and reemphasizes the spiritual aspect: “*and to remove this day on which this great miracle was done, from the minhagim of avelut of sefirat ha’omer, by giving order for tfillat hodaya (thanks) and drashot on the topic of the special occasion in shuls...*”.

L’hodot: Kiddush Shem Shamayim

Rav Herzog mentioned “*tfillat hodaya*” (prayer of thanks), just as the nature of Chanuka is “*l’hallel u’lihodot*”. We are all familiar with “*Hallel*”⁵¹; however what is the *avoda* of “*l’hodot*”?

The issue of “*hoda’ah*” touches upon our very essence, the inherent definition of being a Jew. We are “*Yehudim*”, derived from the language of “*l’hodot*”. On the most basic level “*l’hodot*” is to say thank you, to express our gratitude for something that was done for us. This alone is very

⁴⁸ See *Rashi* (s.v. *miguleh mzeh*) who writes “When Eretz Yisrael gives its fruits generously, then the “end” is nearing, and there is no clearer signal.” The *Gemara* in *Megilla* 17b uses the same *posuk* to explain the order of the “*Shmoneh Esreh*”, namely the juxtaposition of “*Birchat Hashanim*” in which we *daven* for rain and “*Birchat Kibutz Galuyot*” in which we *daven* for the gathering of the exiles.

⁴⁹ In fact when the return of Jews to Eretz Yisrael in the 1800’s was accompanied with success in agriculture, it was accepted almost unanimously across the board (including the *Gr”a*, many *Chassidic Admor”im*, the *Chafetz Chaim*, the *Netzi”v*, Rabbi Akiva Eger, the *Chatam Sofer*, and the *Or Sameach*) as the “*atchalta d’geula*”. For a thorough survey see Rav M. Kashar, *HaTkufa HaGedula*, particularly Chap. 9, pp. 181-251.

⁵⁰ Yechezkel 36:4,9-11. The *posuk* quoted in *Sanhedrin* 98a recorded above (Yechezkel 36:8) is also part of this *nevuah*.

⁵¹ The discussion regarding the obligation/permission/prohibition to recite *hallel* on Yom Ha’atzmaut, is beyond the scope of this work. One point worth mentioning is that the *machloket* doesn’t necessarily exclusively revolve around the *hashkafic* issue, but also is dependent on the *halachic* criteria for reciting *hallel*.

important; it is part of having well rounded good *midot*, true for *bein adam lchavero* (mitzvot between man and his fellow man) and certainly so for *bein adam lamakom* (mitzvot between man and G-d). However, true thanks is not mere lip service. Sincere thanks is based on admission⁵² and recognition, as to the source of the matter which one benefited from. Only after such admission, can one thank with a full heart. On Yom Ha'atzmaut, our *avodah* is "*l'hodot*", to recognize the *chessed* which Hashem has done, is doing, and *b'ezrat Hashem*, will continue to do for us, and thank Him for it.

On a more universal plane, the nature of Yom Ha'atzmaut as a day of "*hodaya*", reaches beyond *Am Yisrael* and is relevant to the entire world. Sometimes within a broader *machloket* (dispute), one side will admit to the other. For example, if there is a general *machloket* between the *Chachamim* and Rebbe Meir, in a particular *halacha* or circumstance, "*mode R' Meir l'Chachamim*" (Kritut 12b) - Rebbe Meir admits to the *Chachaim*. Often in our world which we live in, we find a big *machloket* between the world and Hakadosh Baruch Hu. The objective truth is that Hashem can be found in everything, yet our world hides Hashem. Hence, our world is called "*olam*" derived from "*l'ha'alim*" - to hide.

During the dark years of the Holocaust, Rav Soloveitchik zt"l was found grieving. On being prompted by his *talmidim* as to his thoughts he replied: It's not just the horrific murder of millions of innocent Jews, nor merely the *batei medrash* and entire communities going up in smoke. He went on to recount to them a repeating conversation which he had with random ministers and missionaries who happened across him. They would say "What do you say now? Who is right? You see, G-d has abandoned you, completely abandoned you. He has allowed the complete destruction of the Jewish people. Otherwise, why does He tolerate the Holocaust?"⁵³ In other words the Holocaust was seen as the indisputable proof that they were right all along, that (*chalila*) G-d left the Jewish people. Rav Soloveitchik exclaimed, "since the destruction of the *Beit Hamikdash* there has been no greater *chillul Hashem*!" ... Approximately half a decade later, *The Ribono Shel Olam* directed history to provide him with an answer to all those ministers. Regarding the founding of *Medinat Yisrael*, *midah kneged midah*, Rav Soloveitchik proclaimed "Since the days of the *Beit Hamikdash*, there has been no greater *Kiddush Hashem*!"

The *simcha* of Yom Ha'atzmaut is not only over the *geula* of *Am Yisrael*, the *geula* of *Eretz Yisrael*, and the *geula* of the Torah. The *simcha* of Yom Ha'atzmaut is also over the *geula* of Hashem's name in the world. This aspect is one that even the *goyim* of the world are coming to recognize. This aspect is one which increases with each and every Yom Ha'atzmaut that passes, with each time we express genuine *hodaya*.

Initially, this *hodaya* was easier; there was the excitement of the beginning, the "*chidush*", which was coupled with enormous spiritual expectations and anticipations. The challenge is that

⁵² In Hebrew להודות has two definitions to thank and to admit. The two are inherently connected as one must admit that the party he is thanking is the source of his benefit, before thanking him.

⁵³ This quote is found in R.J.J. Schacter (ed.), *The Lord is Righteous in All His Ways*, pp 158-60, in the midst of a very similar story.

afterwards, sixty-four years later, it is so easy to forget. This is natural, as each time Hashem's name is revealed in the world, the "*sitra achra*"⁵⁴ attempts to cover it up again, to distract us from the good, to show us the bad. People begin discussing all the deficiencies, "why this isn't right", and "why that isn't good enough".⁵⁵ We quickly forget how much good we have to be thankful for. Along comes Yom Ha'atzmaut, and we are reminded to take a step back with proper historical perspective, and thank Hashem for the gift of *Medinat Yisrael* which He gave us. Our mission is to recognize - "כי עין בעין יראו בשוב ה' ציון" – "An eye in an eye will see Hashem's return to *Tzion*." (Yishayahu 52:8) What is the intention of the double language "an eye in an eye"? Rav Tzvi Yehuda Kook zt"l teaches us that only one who knows how to align his little finite earthly eye, with Hashem's big eye (as it were) which directs history from above through His *hashgacha*, will be *zoche* to see Hashem's return to *Tzion*.⁵⁶ Hashem has returned; it is incumbent upon us to open our eyes to see. There are eras which are complete *geula* and eras which are complete *galut*. When matters are black and white, they are easily identified; yet when we are presented with shades of grey, it is challenging for us to define. We live in a "grey" era, a process of "*tchiyat ha'metim*" which is a process, "*kima kima*"⁵⁷, slowly but surely. Things are complex: on one hand we are living in the "*atchalta d'geula*" on the other hand it's a long windy road. It is true that there is much lacking, but we cannot forget and ignore the big picture; we are living the beginning of the *geula*.

Bezrat Hashem we should be *zoche* to see all the *chessed* that Hashem has showered upon us, and be *zoche* to "*l'hodot*" not only on the "*atchalta d'geula*", nor only on the middle of the *geula*, but on the *geula shleima* (complete redemption), the coming of *Mashiach tzidkeinu*, and the building of the Beit Hamikdash, *beit tifarteinu*, *b'miheiarah b'yameinu* AMEN!

⁵⁴ Kabbalistic term referring to the source of all evil in the world, *yetzer harah*, and the *malach hamavet*, lit. "the other side".

⁵⁵ We should not be in denial of the problems, rather we should discuss them. Yet, not discussions about what "they" are doing wrong, removing ourselves from historical responsibility, rather as part of the "we", what we could do to improve matters.

⁵⁶ Rav TY Kook brings support for his explanation from the *posuk* "Hashem spoke with Moshe *panim el panim* (face to face), Shmot 33:11. When two people are speaking with one another, sitting across from one another in alignment enables more productive communication. So too, the alignment of "eye in an eye" enables more productive and accurate vision and perspective.

⁵⁷ *Yerushalmi Brachot* 4b.

Peninei Halachah on Yom HaAtzma'ut⁵⁸

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Yeshivat Yesodei HaTorah

The Mitzvah of Settling the Land of Israel

When the State of Israel was established, on the fifth of Iyar, 5708, the Jewish people were privileged once again to be able to fulfill the mitzvah of *yishuv Eretz Yisrael* (settling the Land of Israel). Even before the declaration of statehood, every Jew who lived in the Land fulfilled this mitzvah. The Sages even said, "A person should always dwell in Eretz Yisrael, even in a city inhabited mostly by heathens, and he should not dwell outside the Land, even in a city inhabited mostly by Jews, for anyone who dwells in Eretz Yisrael is like one who has a God, and anyone who dwells outside the Land is like one who has no God" (*Ketuvot* 110b).

Nonetheless, the mitzvah is mainly incumbent upon *Klal Yisrael* (the Jewish Collective) to take control of the Land. The mitzvah to dwell in the Land, which applies to every individual Jew, is an offshoot of the general mitzvah that is incumbent upon *Klal Yisrael*.

This is the meaning of the verse, "*You shall possess the Land and dwell in it, for to you have I given the Land to possess it*" (*BeMidbar* 33:53). "*You shall possess*" denotes conquest and sovereignty, while "*You shall dwell*" implies settling the Land so that it not be desolate. Similarly, the Torah states, "*You shall possess it and you shall dwell therein*" (*Devarim* 11:31). Accordingly, the Ramban defines the mitzvah as follows: "We were commanded to take possession of the Land that God, may He be blessed, gave to our forefathers, Avraham, Yitzchak, and Ya'akov; and we must not leave it in the hands of any other nation or [let it remain] desolate" (Addendum to Rambam's *Sefer HaMitzvot*, Positive Commandment 4).

This mitzvah is incumbent upon the Jewish people in every generation. For a long time, however, we lacked the means by which to fulfill it. We were forced to neglect it, because we did not have an army or weapons with which to conquer and settle the Land. A few generations ago, God showed kindness to His nation and a spirit of nationalism began to stir, causing Jews to go forth and gather in the Land. They planted trees, developed the country's

⁵⁸ This article is translated from *Peninei Halachah, Zemanim*, by Rabbi Eliezer Melamed *shlita*. R. Melamed is the Rosh Yeshiva and communal rabbi of Har Berachah in the Shomron and is a prolific author on both halachic and hashkafic issues. To date, he has written thirteen volumes of *Peninei Halachah*, on a wide range of halachic topics, and three volumes of *Revivim*, on hashkafic issues. The complete translation of *Zemanim* (on the minor holidays) is due out towards the end of 2012.

economy, established an organized defense force, and struggled against the foreign power that controlled the Land, so that when the British Mandate expired, our representatives were able to declare the establishment of the State of Israel. On that day, the Jewish people began fulfilling the mitzvah of *yishuv HaAretz*. Granted, we are not yet in control of the entire Land, and we are partially dependent on the nations of the world, but we are actually fulfilling, once again, the mitzvah of *yishuv HaAretz*.

We find in halachah, as well, that Jewish sovereignty over the Land is significant, for the laws of mourning over Eretz Yisrael's destruction depend on sovereignty. Our Sages prescribe that one who sees the cities of Judea in ruins should say, *Your holy cities have become a wilderness* (*Yeshayah* 64:9) and tear his garments. The *poskim* explain that the definition of "in ruins" depends on who is in control. If Gentiles rule the Land, its cities are considered ruined, even if most of the inhabitants are Jewish, and one must tear his garment upon seeing them. But if the Jews are in control, the cities are not considered ruined, even if Gentiles constitute the majority, and no tearing is required (*Beit Yosef* and *Bach O.C.* 561; *M.A.* 1 and *M.B.* 2).

Besides all this, Chazal lavish praise upon the mitzvah of *yishuv HaAretz*, going so far as to say that it is equal to all the mitzvot [of the Torah] (*Sifrei, Re'eh* 53).⁵⁹

⁵⁹ The Ramban lays down the foundations of the mitzvah of settling the Land in his addendum to *Sefer HaMitzvot*, Positive Commandment 4, and our master and teacher, R. Tzvi Yehudah HaKohen Kook zt"l expands upon them in his work *LeNetivot Yisrael* (vol. 1, *LeTokef Kedushato shel Yom HaAtzmaut*, Beit El Publications, pp. 246-50, see also pp. 160-62; vol. 2, *Mizmor Yud Tet shel Medinat Yisrael*, pp. 357-68). A synopsis: The mitzvah of *yishuv HaAretz* applies in every generation, as the Ramban (loc. cit.) and Rivash (387) write. Therefore, the halachah that a husband and wife can force each other to make aliyah (*Ketuvot* 110b) is applicable at all times, as the *Shulchan Aruch* determines (*E.H.E.* 75:3-5). This is also the consensus of the *Rishonim* and *Acharonim*, as the *Pitchei Teshuvah* cites there (6). True, *Tosafot* in *Ketuvot* (110b) quote Rabbeinu Chayim's opinion that the mitzvah "does not apply today," but the greatest *Rishonim* and *Acharonim* disregard this opinion, claiming that an erring student authored it [Maharit, *Y.D.* 28; many of the greatest *Acharonim* agree; see also *Gilyon Maharsha, Ketuvot* 110b; *Responsa Chatam Sofer, Y.D.* 234]. The fact that the mitzvah is mainly fulfilled by way of Jewish sovereignty is elucidated in *Yeshe'ot Malko, Y.D.* 66, *Avnei Neizer, Y.D.* 455, and elsewhere.

Chazal comment on several other mitzvot that they are equal to all the rest (circumcision – *Nedarim* 32a; charity – *Bava Batra* 9a; *tzitzit* – *Shevuot* 29a; *tefillin* – *Menachot* 43b; *Shabbat* – *Yerushalmi Nedarim* 3:9; Torah study – *Peah* 1:1; acts of kindness – *ibid.*). Nonetheless, from a halachic standpoint, *yishuv HaAretz* takes precedence over them all, for it is the only one that overrides a rabbinic injunction relating to the Sabbath (a "*shevut*"). If someone needs to violate a *shevut* in order to perform a *brit milah* (circumcision) on Shabbat, we postpone the *brit* instead of violating the *shevut*. For the sake of *yishuv HaAretz*, however, the Rabbis allow one to purchase a home in Eretz Yisrael on the Sabbath, if necessary, even if this entails violating the *shevut* of *amirah le'nachri* (telling a non-Jew to do work for you on Shabbat), as the Talmud states in *Gittin* 8b and *Bava Kama* 80b (with *Tosafot*). And we are not talking about the redemption of the entire Land, just the purchase of one house, and it still overrides a *shevut*! Furthermore, in order to make a protective "fence" around the Sabbath, our Sages abrogate the biblical commandments of *shofar* and *lulav*, when Rosh HaShanah and the first day of Sukkot coincide with Shabbat. When it comes to *yishuv HaAretz*, however, the Sages revoke their words and permit the violation of a *shevut*, which is a serious offense, as it is supported by a scriptural text (and the *Smag* apparently considers it a biblical prohibition).

The Beginning of Redemption and Sanctifying God's Name

The establishment of the State removed the disgrace of exile from the Jewish people. Generation after generation, we wandered in exile, suffering dreadful humiliation, pillage, and bloodshed. We were an object of scorn and derision among the nations; we were regarded as sheep led to the slaughter, to be killed, destroyed, beaten, and humiliated. Strangers said to us, "There is no more hope or expectation for you." That situation was a terrible *chillul HaShem* (desecration of God's name), because *HaKadosh Baruch Hu*'s name is associated with us, and when we are degraded, His name is desecrated among the nations (see Yechezkel 36).

The prophets of Israel prophesied, in God's name, that the exile will eventually end: "*I will take you from among the nations and gather you from all the lands, and I will bring you to your own soil.*" (Yechezkel 36:24) "*They will build houses and inhabit them; they will plant vineyards and eat the fruit thereof.*" (Yeshayah 65:21) "*You will yet plant vineyards upon the mountains of Samaria; the planters will plant and eat of [the fruit].*" (Yirmiyah 31:4). "*The desolate Land will be tilled, instead of having been desolate in the eyes of all passersby. They will say, 'This Land [which was] desolate has become like the Garden of Eden and the cities [which were] ruined, desolate, and destroyed have been fortified and inhabited.'*" (Yechezkel 36:34-35) "*I will return the captivity of My people Israel, and they will rebuild the destroyed cities and inhabit [them]; they will plant vineyards and drink their wine; they will make gardens and eat their fruits. I will plant them upon their Land and they will never again be uprooted from their Land that I have given them, says the Lord, your God.*" (Amos 9:14-15)

However, after so many years passed without God's word coming to fruition, HaShem's name became increasingly desecrated in the world, and the enemies of Israel decided that there is no chance that the Jews will ever return to their Land. Even Chazal spoke exaggeratingly about the miracle of the ingathering of the exiles, to the point that they said, "The ingathering of the exiles is as great as the day upon which the heaven and earth were created" (*Pesachim* 88a). And behold, the miracle occurred! HaShem fulfilled His promise, causing an enormous and

We are commanded to sacrifice our lives for the mitzvah of *yishuv HaAretz*. After all, the Torah commands us to take possession of the Land, i.e. to conquer it; and soldiers endanger their lives in war. See *Minchat Chinuch* 425.

The reason why the Rambam does not include this mitzvah in his count of the 613 is that it is beyond the regular "value" of mitzvot; therefore, it is not included in their detailed enumeration. This coincides with [one of] the rules the Rambam lays down at the beginning of *Sefer HaMitzvot*: it is inappropriate to reckon commandments that encompass the entire Torah, as he writes in Mitzvah #153 that settling the Land of Israel is all-inclusive. Besides which, it is implausible to say that the mitzvah of *yishuv HaAretz* is only rabbinically ordained today and that is why the Rambam leaves it out of the count. After all, Chazal's statement that settling the Land is equal to all the mitzvot of the Torah was made after the destruction of the Second Temple. Now, it is unlikely that they would say such a thing about a rabbinic mitzvah. Moreover, it is improbable that the Rabbis would dismantle a family and allow one to violate a *shevut* merely for the sake of a rabbinic mitzvah (see Rabbi Zisberg's *Nachalat Ya'akov*, vol. 1, pp. 201-249).

awesome *kiddush HaShem* (sanctification of God's name), which gained even more strength during the Six Day War, when we liberated Jerusalem and the holy cities of Judea and Samaria.

This process – the ingathering of the exiles and the blooming of the wasteland – which gained tremendous momentum when the State was established, is the beginning of the redemption, as Rabbi Abba says (*Sanhedrin* 98a), “There is no clearer [sign of the] End [of Days] than this [verse]: “*But you, O mountains of Israel, will give forth your branches and yield your fruit to My people Israel, for they are soon to come* (Yechezkel 36:8).” Rashi comments, “When Eretz Yisrael gives forth its fruit in abundance, the End will be near, and there is no clearer [sign of the] End [of Days].”

True, many things still need fixing – unfortunately, we have not been privileged to repent fully, and many Jews have yet to immigrate to Eretz Yisrael – but our Sages have taught that redemption can come in one of two ways: if we achieve complete repentance, God will hasten the redemption, and if not, it will come “in its time,” through natural processes (*Sanhedrin* 98a). That is, when the predetermined time for redemption arrives – even if Israel fails to repent – natural processes, loaded with complications and severe hardships, will begin to unfold, causing the Jewish people to return to their Land and rebuild it. We will proceed from stage to stage in this manner, until the ultimate redemption materializes. These hardships, which stimulate the redemptive process, are called the birth pangs of Mashiach. The more we strengthen ourselves in the areas of *yishuv Eretz Yisrael* and penitence, the sweeter and more pleasant these birth pangs will become (based on the Gra in *Kol HaTor*). Concerning this type of redemption, Chazal say, “Such is the redemption of Israel: at first little by little, but as it progresses it grows greater and greater” (*Yerushalmi, Berachot* 1:1).

Explicit verses in the Torah and the Prophets indicate that the order of redemption is as follows: First, there will be a small degree of repentance and the Jewish people will gather in their Land, which will begin to yield its fruit. Afterwards, HaShem will bestow upon us a spirit from on high, until we return to Him completely.⁶⁰

Salvation of Israel

On Yom HaAtzma'ut (Israeli Independence Day), the Jewish people were delivered from bondage to freedom – from subjugation to the kingdoms of the world, with all that it entails, to political independence. This also brought about an actual salvation from death to life. Until then, we were unable to defend ourselves against our enemies who pursued us. From

⁶⁰ My teacher and master, R. Tzvi Yehudah HaKohen Kook, explains in detail – in an essay entitled “*HaMedinah KeHitkymut Chazon HaGeulah*,” *LeNetivot Yisrael*, vol. 1, pp. 261-72 – that this is the order of redemption: first there will be a small degree of repentance, with a return to the Land and a national revival; then, a complete return to God will ensue. Many sources confirm this... R. Elyashuv quotes in *Hakdamot VeSha'arim* (pp. 273-76) some of the greatest *Acharonim* who viewed the modern-day ingathering of exiles as the beginning of redemption. Our teacher and master, Rav Tzvi Yehudah HaKohen Kook adds, in vol. 2, p. 365, that one who fails to recognize these acts of kindness on HaShem's part lacks faith. And this lack of faith sometimes wraps itself in a garb of ultra-Orthodoxy and righteousness, but it is actually a denial of the Divine nature of the Written Law, the words of our Prophets, and the Oral Law...

that day on, thanks to God's kindness, we defend ourselves and win our battles. True, all the enemies who rise up to destroy us have yet to be destroyed, but after the establishment of the State we formed an army, thank God, and we have the strength to fight back and even win. And even though more than 20,000 holy souls have been killed in wars and terror attacks since the State came into being over sixty years ago, just a few years beforehand, during the horrific Holocaust, more than six million holy Jews were killed in the span of five years – more than three hundred times the amount. This is the difference between having the ability to fight back and not having that ability.

That day brought about a salvation for Diaspora Jews, as well. They now have a country that is always willing to absorb them, one that even works on their behalf in the international arena. Before the State was established, almost no one paid attention to the Jews' complaints against the murderous, anti-Semitic persecutions that raged in many countries. After Israel gained independence, however, even the most evil regimes were forced to take into consideration Israel's actions on behalf of the Jews living in their midst. Even Communist Russia had to relent and allow the Jews to leave from behind the Iron Curtain, something that was unfathomable before the State was born.

The establishment of the State also brought spiritual salvation to the Jews. The Jewish nation underwent a profound spiritual crisis in the modern era. The opportunity to integrate into the civil and national frameworks of the developed nations, which the Jews now enjoyed, generated a strong desire to assimilate. This is not the place to elaborate on the reasons for this crisis; our master, Rav Kook *zt"l* deals with the issue at length, discussing its various facets. Practically speaking, a dangerous process of assimilation and the abandonment of religion developed in all countries that embraced modernization. This process threatened the very existence of the Jewish communities in the Diaspora. Assimilation began approximately two hundred years ago in Western Europe, spreading gradually to Eastern Europe and the capitals of the more developed Arab countries. Most youth in the greater Jewish community of America marry out of the faith, and even those who marry Jews beget very few offspring. Under these circumstances, Diaspora Jewry is fading away. Only in the State of Israel is the Jewish population growing; and intermarriage is relatively rare. Moreover, the percentage of Jews connected to Torah and mitzvot in Israel is higher than that of any other Jewish community in the world. This spiritual salvation came about in the merit of the establishment of the State, which enabled the ingathering of the exiles and diminished the temptation of assimilation.

Thus, Yom HaAtzma'ut is invested with three sanctities: the mitzvah of settling the Land, the beginning of redemption which created a *Kiddush HaShem* in the eyes of the nations, and the various salvations that the holy Jewish people enjoyed.

The Three Oaths

The verse says, *"I made you swear, O daughters of Jerusalem, by the gazelles or by the hinds of the field, that you not awaken nor arouse the love until it desires."* (Shir HaShirim 2:7) The Sages explain that God administered three oaths: two to Israel and one to the Gentiles. He adjured

Israel not to ascend “as a wall” (some versions read, “against the wall”) and not to rebel against the nations, while adjuring the Gentiles not to overly subjugate the Jews (*Ketuvot* 111a). Afterwards, the Gemara adds three other oaths that HaShem administered to the Jews: “That they will not reveal the End [of Days], delay the End, or reveal the secret to the Gentiles.” Furthermore, “R. Elazar says: The Holy One, blessed be He, said to Israel, ‘If you fulfill the oath, fine; but if not, I will allow your flesh [to be devoured] like that of the gazelles and the hinds of the field.’”

One of the *Rishonim*, Rabbi Yitzchak De Leon, author of *Megillat Esther* [on the Rambam’s *Sefer HaMitzvot*], understands the oaths to mean that “we may not rebel against the nations and conquer the Land forcibly,” and this is the intention of “not to ascend as a wall.” Based on this, he concludes that there is no mitzvah to settle the Land until Mashiach arrives (Gloss on the Ramban’s Addendum to *Sefer HaMitzvot*, Positive Commandment 4).

However, the greatest *Rishonim* and *Acharonim* hold that the mitzvah of *yishuv HaAretz* is fixed and eternal, as the Ramban, *Shulchan Aruch* (*E.H.E.* 75:3-5), and *Pitchei Teshuvah* (*ibid.* 75:6) determine. Thus, one should not learn from this aggadic statement that the mitzvah of *yishuv HaAretz* no longer applies nowadays.

Many interpretations have been given for the three oaths. Several of them imply that we must not precipitate the End of Days and ascend to the Land forcibly, without first considering the matter realistically. For there is reason to fear that, because of the hardships of exile and the protracted anticipation for redemption, people will ascend to the Land impetuously, without any practical means by which to build the Land and stand up against the nations of the world. This will lead to destruction and crisis instead of the beginning of redemption. Therefore, God made us swear that we will not attempt to return before carefully calculating our actions. Rather, we should ascend and build the Land gradually, in coordination with the nations of the world, or by way of manifest miracles, if [we deserve] the “I [God] will hasten it (*Yeshayah* 60:22)” form of redemption.

Indeed, the modern return to Zion occurred gradually. The Jewish community in the Land established itself step by step, while the Zionist Organization simultaneously engaged in diplomatic efforts, until the nations recognized the Jewish people’s right to return to their Land and build there a national home. Accordingly, after the [League of] Nations agreed, in San Remo, to return the Land of Israel to the Jewish people, Rabbi Meir Simcha of Dvinsk *zt”l* wrote that “the fear of the oaths has faded away.”⁶¹

⁶¹ The [full] quote can be found in *HaTekufah HaGedolah*, p. 175. We will mention a few of the sources. Rashi explains [the Gemara’s statement] “They shall not go up as a wall” [to mean], “Together, with a strong hand.” The Avnei Neizer (*Y.D.* 453) writes that if the Jews ascend to the Land with the permission of the nations, it is not considered strong-handed. Rabbi Teichtal concurs in *Eim HaBanim Semeichah*, pp. 226-28 [English edition], adding that when the Jews in exile encounter great suffering, it is a heavenly sign that they must ascend to Eretz Yisrael (see the index there) ...

Even if someone wants to explain the oaths differently, the rule is that we do not derive halachah from aggadic statements. So writes the Avnei Neizer (*Y.D.* 454). Hence, the Rif, the Rosh, and all the other early

Establishing Yom HaAtzma'ut as a Lasting Holiday

There is a mitzvah to establish a holiday, to rejoice and praise God, on a day the Jews were delivered from distress. This is what prompted the Rabbis to establish Purim and Chanukah as everlasting holidays. Even though it is forbidden to add mitzvot onto the Torah, this mitzvah is an exception, for it is derived from a logical inference (a *kal va'chomer*): When we left Egypt and were delivered from slavery to freedom, God commanded us to celebrate *Pesach* and sing praise to Him every year; all the more so must we celebrate Purim, when we were saved from death to life (*Megillah* 14a). This is what the Rabbis relied on when establishing Chanukah, as well (Ritva, *ibid.*). The *Chatam Sofer* explains (*Y.D.* end of 233, *O.C.* 208) that since this mitzvah is derived from a *kal va'chomer*, it is considered a biblical commandment. However, the Torah does not prescribe exactly how to make a holiday; therefore, one who does anything to commemorate the salvation fulfills his biblical obligation. It was the Rabbis who determined that we read the *Megillah*, prepare a festive meal, send portions of food to others, and give charity to the poor on Purim, and light the candles on Chanukah.

Many Jewish communities throughout the ages kept this mitzvah, instituting days of joy in commemoration of miracles that happened to them. Many of them used the name Purim in reference to these days, like “Frankfurt Purim” and “Tiberias Purim.” Some communities had a custom to eat festive meals, send portions of food to one another, and give alms to the poor on these days. Maharam Alshakar (49) writes that the enactments made by these communities have binding force, obligating all of their descendants to keep them, even if they move to a new community. Other *Acharonim* concur (*Magen Avraham* and *Eliyah Rabbah* 686:5).⁶²

commentators on Tractate *Ketuvot* disregard the three oaths. On the contrary, they write that there is a mitzvah to ascend to the Land. The Rambam and *Shulchan Aruch*, as well, leave the oaths out of their works. The author of *P'nei Yehoshua* (on *Ketuvot* 111a) points out that the Gemara in *Yoma* (9b) implies the opposite – that the redemption did not come because the Jews did not ascend as a wall. And since these two aggadic sources contradict each other, we must understand them in some other way, not related to halachah. According to the author of *Sefer Hafla'ah* (*Ketuvot*, *ibid.*), the “wall” only relates to *aliyah* from Babylonia. The Gra writes in his commentary to Shir HaShirim that the oaths relate to the building of the Temple, warning us not to burst forth and build it without Divine authorization, given through a prophet. According to Rebbe Tzaddok (*Divrei Sofrim* 14), even the author of *Megillat Esther* would agree that there is a mitzvah to settle the Land nowadays. For a comprehensive treatment of this issue, see *Nachalat Ya'akov* by R. Ya'akov Zisberg, vol. 2, pp. 715-815.

⁶² The *Pri Chadash* (*O.C.* 496, *Kuntras HaMinhagim* 14) disagrees with Maharam Alshakar, writing that we should not establish [new] holidays after the destruction of the Temple, when the Rabbis canceled the already-existing holidays enumerated in *Megillat Ta'anit*. However, the *Chatam Sofer* (*O.C.* 191) proves that we should create new holidays; the fact that they canceled, after the destruction, the festive days mentioned in *Megillat Ta'anit* is no proof, for they canceled only the holidays that were connected to the Holy Temple. The *Chatam Sofer* adds and relates that he himself celebrates “Frankfurt Purim,” on the 20th of Adar, because he was born there, even though he had since moved elsewhere. It is also well-known that the Rambam established holidays for himself and his offspring in commemoration of salvations that he experienced – for example, surviving a storm at sea. A similar account is found in *Chayei Adam* (155:41). The author of *Yaskil Avdi* (vol. 7, *O.C.* 44:12) cites many examples of the institution of “Purim” days in various communities and consequently rules (vol. 8, omissions 4) that we may establish Yom HaAtzma'ut as a holiday. Two more sources on this issue from the *Rishonim* are: Ibn Ezra, *BeMidbar* 10:10; Rabbeinu Tam, cited in *Tosafot Ri* to *Berachot* (8a in the Rif pages).

The great *gaon*, R. Meshulam Roth (Rata), writes: “There is no doubt that we are commanded to rejoice, establish a holiday, and say Hallel on [the fifth of Iyar], the day which the government, the members of the Knesset (who were chosen by the majority of the people), and most of the greatest rabbis fixed as the day on which to celebrate, throughout the Land, the miracle of our salvation and freedom” (*Responsa Kol Mevasser* 1:21).⁶³

The Recitation of Hallel

It is a mitzvah to say Hallel on special occasions, in order to thank and praise HaShem for the miracles He performs on our behalf. First and foremost are the holidays that the Torah commands us to observe: Pesach, Shavu’ot, and Sukkot, on which we remember the miracles and acts of kindness that God did for us when He took us out of Egypt, gave us the Torah, and brought us through the desert to Eretz Yisrael.

Our Sages also instituted the recitation of Hallel on all eight days of Chanukah, as the *Beraita* states (*Megillat Ta’anit*, chap. 9): “Why did they see fit to [require us to recite the] complete Hallel on these days? To teach us that for every salvation *HaKadosh Baruch Hu* performs for Israel, they [the Jews] come before Him in song and praise. Accordingly, it says in the Book of Ezra (3:11), ‘They sang responsively with praise and thanksgiving to the Lord, for He is good...’”

Similarly, the Talmud (*Pesachim* 117a) states that after the miracle of the splitting of the Red Sea, “the prophets among them instituted that the Jews should recite Hallel for each and every season [i.e. festival] and each and every trouble that should ‘not’ come upon them; [meaning], when they are redeemed they should say it upon their redemption.” Rashi explains that the Sages of the Second Temple era relied on this to institute the recitation of Hallel on Chanukah.

⁶³ In his *Responsa Kol Mevasser* (vol. 1, 21:2-3), the brilliant R. Meshulam Roth (about whom our master R. Tzvi Yehudah HaKohen Kook said that he was the *gadol ha’dor* after the passing of the Rav *zt”l*) explains – based on the Ramban, the Ritva, and other *Rishonim* and *Acharonim* – that the foundation of the mitzvah to establish Yom HaAtzma’ut as a holiday is the *kal va’chomer* mentioned above. Therefore, establishing it was not in violation of “You shall not add [to the commandments]” (Devarim 13:1), for the prohibition against inventing a holiday refers only to holidays that do not commemorate a salvation. Based on the *kal va’chomer*, however, we are obligated to institute holidays that commemorate salvations. R. Roth adds that a prophet is forbidden to establish a new holiday based on prophecy. The need to come up with a special scriptural exposition regarding Purim (*Megillah* 7a) was only in order to canonize the Scroll of Esther.

Pay attention to R. Meshulam Roth’s reliable statement that Yom HaAtzma’ut was instituted by the majority of the greatest rabbis. (Granted, they argued about reciting Hallel with a blessing, but the majority of the greatest rabbis agreed on the basic obligation to give thanks and rejoice.) The *Chatam Sofer* writes (*O.C.* 191, s.v. *mihu*) that one might violate the prohibition of adding on to the commandments by establishing a holiday for all of Israel. This does not contradict our thesis, because he means that one may not establish a nationwide holiday to commemorate a miracle that happened to one community. We are, however, obligated to establish a holiday for all of Israel for a miracle that happened to the Jews as a whole...

Some ask, why did Yehoshua neglect to establish a holiday to celebrate the conquest of Eretz Yisrael? The answer is that the holiday of Pesach commemorates both the redemption from Egypt and Israel’s subsequent entry into the Land. This corresponds to the fifth expression of redemption [see Shemot 6:6-8]. Rebbe Tzaddok HaKohen of Lublin posits that the holiday of Tu B’Av (the fifteenth of Av) was established for this reason...

Thus, it is incumbent upon us to say Hallel over the miracle that HaShem did for us on Yom HaAtzma'ut. On that day we were saved from the greatest trouble of all, that of exile and subjugation to foreigners, which caused all of the terrible decrees and massacres that we suffered for nearly two thousand years.⁶⁴

We must be very careful not to deny God's benevolence. The Sages say, "Whoever acknowledges his miracle will be privileged to have another miracle done for him." On the other hand, if we fail to thank HaShem, we will delay the redemption, God forbid, as the Talmud relates regarding King Chizkiyahu. He was a very righteous man who spread a great deal of Torah throughout Israel, but difficult times eventually beset him. Sancheriv, King of Assyria, descended upon Jerusalem with a mighty army, intending to destroy it, and Chizkiyahu fell deathly ill. Nevertheless, he did not lose faith; instead, he cried out to God, Who performed a great miracle on his behalf, curing his illness and destroying Sancheriv's entire army in one night. At that moment, God wanted to declare Chizkiyahu as the Messiah and make the war against Sancheriv into the final war of Gog u'Magog, and bring redemption to the world. But Chizkiyahu did not say *shirah* (song) – i.e., Hallel – over his redemption. The heavenly Attribute of Justice said to God, "Master of the Universe, if You did not make David, King of Israel, the Messiah, even though he uttered so many songs and praises before You, will You make Chizkiyahu the Messiah, seeing that he failed to say *shirah* after You performed all of these miracles for him? Therefore, the matter was sealed," and there was great sorrow in all the worlds. The earth wanted to say *shirah* in his stead, and the "minister of the world" wanted to defend him, but their pleas were rejected; the opportunity was lost. The prophet said, "Woe to me! Woe to me! Until when?" (*Sanhedrin* 94a)

The same is true of us. For many generations we prayed, "Raise a banner to gather our exiles" and "Swiftly, lead us upright to our Land." Now that our prayers have been answered, shall we not thank HaShem?! Similarly, it says, "*Save us, O Lord our God, and gather us from among the nations, that we may thank Your holy name, [and] glory in Your praise.*" (*Tehillim* 106:47) Now that He has gathered us, shall we not thank His holy name and glorify His praise?!

Hallel With or Without a Blessing?

Some say that even though we should thank HaShem on Yom HaAtzma'ut, we should not say Hallel with a blessing. They mention five main reasons: 1) Based on several *Rishonim*, the Chida holds that Hallel is said with a blessing only when all of Israel experiences a miracle; and

⁶⁴ The *Yerushalmi* (*Pesachim* 10:6) also teaches that Hallel should be said on such occasions: "When the Holy One, blessed be He, performs miracles for you, you should say *shirah* (song)," meaning, you should recite Hallel. *Shemot Rabbah* (23:12) on the Song at the Sea concurs: "*And they said, saying* (*Shemot* 15:1) – we will say to our children, and our children [will say] to their children, that when You perform miracles for them, they should say before You a song like this one." The Talmud (*Megillah* 14a) asks why we do not say Hallel on Purim. Three answers are given: 1) Starting from the moment the Jews first entered the Land, we do not say Hallel on miracles that occur in *Chutz LaAretz*. 2) Rav Nachman says that the reading of *Megillat Esther* is in place of Hallel. 3) Rava answers that we recite Hallel only if the salvation includes freedom from foreign rule; and we remained subjugated to Achashveirosh after the Purim story. The miracle of Yom HaAtzma'ut occurred in Eretz Yisrael and freed us from the yoke of the nations. Therefore, according to all opinions, we must say Hallel...

when we declared independence only a minority of world Jewry lived in Eretz Yisrael. 2) We should give thanks only for a complete salvation; and our enemies still threaten us on all sides. 3) The low spiritual state of the country's leaders and many of its citizens diminishes our joy. 4) It is proper to show deference to the opinion that holds that Hallel should be said only when a revealed miracle occurs, like the oil-flask miracle; the establishment of the State was a natural miracle. 5) It is unclear whether the day of thanksgiving should be set for the day we declared independence (5 Iyar), the day the War of Independence ended, or the day the United Nations decided to establish a Jewish State, which was the sixteenth of Kislev (Nov. 29).

Because of all, or some, of these concerns, the Chief Rabbinate's Council originally prescribed that one recite the Hallel without a blessing during the morning prayers of Yom HaAtzma'ut. Over the course of the next twenty-six years, however, the State of Israel's situation improved dramatically. We were privileged to liberate Judea and Samaria in the Six-Day War, and we even came out of the Yom Kippur War with a great victory, despite the adverse conditions at the start. More than three million Jews already lived in the Land, five times the number that lived there at the State's inception (1948). Therefore, on the 25th of Nissan, 5734 (1974), the Chief Rabbinate's Council assembled once again – at the initiative of the Ashkenazi Chief Rabbi, R. Shlomo Goren *zt"l* – to discuss the issue of Hallel on Yom HaAtzma'ut. They decided, by majority vote, that a strong case can be made in favor of saying the full Hallel with a blessing on Yom HaAtzma'ut morning. On this basis, our master and teacher, R. Tzvi Yehudah HaKohen Kook *zt"l* instructed the Merkaz HaRav yeshiva to recite Hallel with a blessing, and all of his students act accordingly.

In response to the claim that Hallel may be said only on a miracle that affects all of Israel, the rabbis explained that the establishment of the State constituted a salvation for all of Israel (as explained above). In addition, the residents of the Land of Israel are considered the entirety of Israel (*Klal Yisrael*). The Day of Independence was specifically chosen as the day of thanksgiving because it was the foundation for the deliverance and salvation.⁶⁵

⁶⁵ According to the *gaon* Rabbi Meshulam Roth (*Responsa Kol Mevasser*, vol. 1, 21), it would have been appropriate to institute the saying of Hallel with a blessing on Yom HaAtzma'ut immediately after the State was established. He writes: "The leaders who chose this day in particular were correct, for that was when the main miracle occurred, when we went from bondage to freedom by declaring independence. Had we postponed this declaration for a different day, we would have missed the opportunity and we would not have attained the recognition and consent of the world's major powers, as is well known. This miracle also brought in its wake the second miracle: being saved from death to life, both in terms of our war against the Arabs in Eretz Yisrael and the salvation of the Diaspora Jews, who immigrated to the Land. This led to the third miracle: the ingathering of the exiles." Our master and teacher, R. Tzvi Yehudah HaKohen Kook explains further (*LeNetivot Yisrael*, vol. 1, pp. 248-49) that the courage displayed in declaring the State was miraculous in and of itself; see *Bava Metzia* 106a, with *Tosafot*.

However, R. Ovadyah Hadayah (*Yaskil Avdi*, vol. 6, O.C. 10) – although agreeing fully that [the establishment of the State] was the beginning of redemption – cites the Chida in *Chayim Sha'al* (2:11) as saying that Hallel should be said only over a miracle that happened to *Klal Yisrael*, adding that the salvation of 1948 was not complete. Furthermore, he asserts that no miracle happened on Yom HaAtzma'ut; on the contrary, the war

intensified. R. Hadayah is also unsure of the appropriate date on which to establish the holiday: perhaps the day of the cease fire is most fitting or maybe the 17th of Kislev (Nov. 29), when the United Nations confirmed the Jewish people's right to a state. To avoid disrupting the order of our prayers, which were arranged on the basis of deep *kavanot* (intentions), R. Hadayah concludes that one should recite Hallel without a blessing at the end of the *Shacharit* service. The *Rishon LeTzion* (Sefardic Chief Rabbi), R. Ovadyah Yosef (*Yabi'a Omer*, vol. 6, O.C. 41) agrees that we should omit the blessing, because the miracle did not happen to all of *Klal Yisrael* and because we still have a long way to go before reaching a state of rest and security, from both a political-military and spiritual standpoint. R. Yosef Mashash (*Otzar HaMichtavim* 3:1769) holds that one should recite the full Hallel (with a blessing). R. Shalom Mashash felt that one should recite the blessing, but when he heard R. Ovadyah Yosef's opinion he ruled that one who already has a custom to say the blessing should continue to do so, while one who does not have such a custom should refrain from reciting the blessing (*Shemesh U'Magen* 3:63, 66). Our master and teacher, R. Shaul Yisraeli holds that one should recite the Hallel without a blessing. The Chief Rabbi, R. Avraham Shapiro and the *Rishon LeTzion*, R. Mordechai Eliyahu concur, but R. Shapiro agrees that one who wants to recite the blessing, in accordance with his custom, is permitted to do so (cited in *Sefer HaRabbanut HaRashit*, vol. 2, pp. 901-903).

Those who hold that Hallel should be said with a blessing explain that the miracle actually did happen to *Klal Yisrael*, as R. Roth writes (above). Thus, even the Chida would agree. Furthermore, the residents of Eretz Yisrael are considered the entirety of Israel. This is how Rabbi Goren and Rabbi Gershuni explain the matter (their words are cited in a book entitled *Hilchot Yom HaAtzma'ut VeYom Yerushalayim*). In *Yabi'a Omer* (loc. cit. 3), R. Ovadyah Yosef writes that the Jews of Eretz Yisrael are considered *Klal Yisrael* only for specific issues. Rabbi Sharki rebuts this claim in his *Siddur Beit Meluchah* (Essay *Ba Oraich*, sec. 2). Regarding the claim that the salvation was incomplete, we can learn from Chanukah that this is irrelevant. After all, the Jews of the time observed the holiday after their first victory, even though they needed to fight many more, difficult battles over the next few decades, establishing a holiday after every subsequent victory. Moreover, when the wars finally ended, Hellenism had already spread throughout the Hasmonean Empire. It is implausible to say that the Rabbis instituted Chanukah only in commemoration of the oil-flask miracle, because the first day surely celebrates the military victory. Furthermore, the *kal va'chomer* upon which everything is based relates to the salvation, not the miracle. The fact that many holy soldiers have been killed does not preclude the saying of Hallel; after all, more fighters were killed in the Hasmonean wars, and they nevertheless established a holiday. In addition, we have at least as much political independence as the Hasmoneans did. R. Goren substantiates the mitzvah of reciting Hallel with a blessing in his work *Torat HaMo'adim*, as does R. Natan Tzvi Friedman in *Responsa Neitzter Mata'ai* (36). This is also the opinion of R. Chayim David HaLevi in *Dat U'Medinah*, p. 82.

Quoting testimony by Rabbi Yehudah Ushpizai, R. Shmuel Katz writes in his work *HaRabbanut HaRashit* (vol. 2, p. 841, n. 33) that Chief Rabbis Herzog and Uziel believed that it was appropriate to say Hallel with a blessing from the moment the State was established, but since they were told that the *Chazon Ish* and other rabbis strongly opposed this, they refrained from issuing such a ruling, so as not to increase strife. On page 890, note 6, [R. Katz] cites Rabbi Zevin as saying that this is cause for eternal weeping: that due to external intervention, by rabbis who are not members of the Chief Rabbinate's Council, the Chief Rabbis did not rule immediately when the State was born to say Hallel with a blessing. Similarly, R. Sha'ar Yashuv HaKohen relates that his father, the Nazir, held that one should say Hallel with a blessing, but since his opinion was not accepted, he did not recite the blessing, explaining: "I am missing the '*ve'tzivanu*' ('He has commanded us') of the Chief Rabbinate."

It is fitting to cite here part of a sermon that our master and teacher, R. Tzvi Yehudah HaKohen Kook, delivered on the nineteenth Independence Day, when the Rabbinate had not yet instructed the public to recite a blessing on Hallel (*LeNetivot Yisrael*, vol. 2, pp. 359-60): "An important man approached me and asked why our rabbis do not permit us to recite Hallel with a blessing on Yom HaAtzma'ut? I answered that the Rabbinate's decision is balanced and correct. The Chief Rabbinate's edicts are made for the entire population, and – unfortunately and disgracefully – many of our people do not acknowledge God's great deeds as revealed in the reestablishment of Jewish sovereignty [in the Land]. And since they lack this belief, they lack the joy [that goes

Shaving, Haircuts, Weddings, and Tachanun

After Yom HaAtzma'ut was established as a day of joy and thanksgiving, the question arose: do the customs of mourning that we observe during the *Sefirat HaOmer* period apply to Yom HaAtzma'ut? The halachic authorities have expressed their opinions in both directions. The accepted practice is not to keep those customs that subvert the joy. Therefore, it is permissible to dance and play music. However, one should not make a wedding on that day, because avoiding weddings is not considered an expression of mourning that clashes with the joy of Yom HaAtzma'ut.

Those who shave regularly should shave in advance of Yom HaAtzma'ut, just like one puts on special clothing before the holiday begins. Regarding haircuts, it seems that only one who looks disgraceful because of his long hair may take a haircut prior to Yom HaAtzma'ut. Someone who looks fine, however, is allowed to take a haircut only on Yom HaAtzma'ut itself, for then the joy of the day overrides this custom of mourning.⁶⁶

along with it] and we cannot obligate them to recite a blessing. This can be compared to the blessing a person says upon seeing a [long-lost] friend: if he is happy to see his friend, he recites the blessing, but if he feels no joy, he does not recite it. Rabbi Maimon, who was totally dedicated to the rebuilding of God's nation and territorial inheritance, was filled with the joy of faith [when the State was born]. He, therefore, instituted the recitation of Hallel with a blessing in his synagogue. The same is true of other, similar places, like the army and the religious *kibbutzim*. However, the all-inclusive Chief Rabbinate cannot issue a comprehensive ruling for the entire population, instructing them to recite a blessing, when [many people] are not ready for this. In our Central Yeshiva (*Merkaz HaRav*), we follow the Rabbinate's ruling, because we are not some *kloyz* (small house of study) of a specific group. We belong to the concept of *Klal Yisrael*, which is centered in Jerusalem, and since – painfully and shamefully – there are currently obstacles preventing the public as a whole from attaining perfect faith and joy ... it is appropriate that we, too, act in accordance with the Rabbinate's ruling for the general public."

After the Six Day War, R. Tzvi Yehudah bemoaned the fact that the Rabbinate did not immediately institute the saying of Hallel with a blessing on Yom HaAtzma'ut. When Rabbi Goren did so after the victory of the Yom Kippur War, R. Tzvi Yehudah was elated, and this became the custom of Yeshivat Merkaz HaRav. Even though all types of events have occurred since then – ups and downs – and the Chief Rabbinate is not what it used to be, nonetheless, the recitation of Hallel with a blessing was already accepted, and this is how R. Tzvi Yehudah's students conduct themselves.

⁶⁶ *Rishon Letzion* (Sefardic Chief Rabbi) R. Yitzchak Nissim writes (*Hilchot Yom HaAtzma'ut VeYom Yerushalayim*, pp. 334-40) that all customs of mourning are canceled on Yom HaAtzma'ut. He bases his ruling on those *poskim* who hold that one who has not yet fulfilled the mitzvah of procreation may get married during *Sefirah* (Radvaz, Pri Chadash). Similarly, some people take haircuts in honor of Shabbat and Rosh Chodesh (Radvaz, Ya'avetz). Furthermore, R. Chayim Palagi writes (*Mo'ed LeChol Chai* 6) that a miracle happened to some of the people of his city on the eighth of Iyar, and to others on the eleventh, and they take haircuts on these days. These are R. Nissim's proofs. There is even more room for leniency when it comes to shaving, because shaving is not festive in nature; it simply eliminates the mournful appearance. The author of *Responsa Yaskil Avdi* (6:10), on the other hand, does not permit haircuts or weddings on Yom HaAtzma'ut. Our master and teacher, R. Tzvi Yehudah HaKohen Kook used to rebuke those students who usually shave but look like mourners on Yom HaAtzma'ut, saying, "Their countenance testifies against them (cf. Yeshayah 3:9) that they are not happy and that they do not [truly] thank HaShem [for the miracle]." See R. Shmuel Katz's essay in *HaRabbanut HaRashit*, vol. 2, pp. 877-82.

The Chief Rabbinate, under the leadership of R. Unterman and R. Nissim, determined that even Ashkenazim who observe the customs of mourning during the latter part of *Sefirah* should not curtail their joy on the 28th of Iyar, Yom Yerushalayim. After all, many communities terminate all the restrictions after Lag BaOmer (the 33rd day of the Omer). All the more so, now that the 28th of Iyar has been instituted as a day of thanksgiving and joy over the miracle that *HaKadosh Baruch Hu* performed for His nation, Israel. Therefore, one may even make a wedding on Yom Yerushalayim.

We do not say *Tachanun* on Yom HaAtzma'ut, Yom Yerushalayim, or the Minchah service preceding these days.

The Inner Relationship Between the Holocaust and The Establishment of the State of Israel⁶⁷

Rabbi Avraham Lubarsky
Michlalah

"For ask now of the days past, which were before you, since the day that God created man upon the earth, and from the one end of heaven until the other, whether there has been any such thing as this great thing is, or has been heard like it?" (Devarim 4:32)

"We are denied knowledge of, and it is useless to try and probe to find out what was before creation, or what lies beyond the created material world ... But to obtain knowledge of nature and history which is open to our research within these limits is not only something permitted but something which is eminently desirable to the fullest possible extent, for only a mind armed with such a wide panoramic view on all matters can draw the right conclusions of the Jewish position in the world in the whole of its specialty." (Rav Hirsch's Commentary, ibid.)

Since the dawn of Jewish history, Judaism has stressed the importance of our attachment to the past. Tanach is replete with examples of both G-d and His messengers referring to history in order to forge relationships, inspire, or rebuke. G-d introduces Himself to Moshe Rabbeinu as the G-d of the Forefathers. The *Aseres Hadibbros* commence with a statement of history, "*Anochi Hashem Elokecha asher hotzeisicha mei'erezt Mitzrayim*", I am G-d who took you out of Egypt. Moshe Rabbeinu opens his final speech in *Sefer Devarim* with a historical summary, as does his

⁶⁷ A speech delivered as an introduction to the Michlalah Holocaust educational program, preparing the students for the annual trip to Poland.

student Yehoshua at the end of *Sefer Yehoshua*. The *Neviim* censure the Jewish people for their ingratitude of the Divine kindness bestowed upon them throughout history.

The last century witnessed two of the most significant events of Jewish history: the Holocaust and the founding of the State of Israel. The Holocaust snuffed out the lives of six million Jews and destroyed thousands of Jewish communities, by far the greatest massacre of our multi-millennial history. It has arguably been the greatest national tragedy since the destruction of the *Beis Hamikdash* and the national exile at the hands of the Romans.

In contrast, the founding of the State of Israel has brought millions of Jews from the four corners of the world back to the Land of Israel. Eretz Yisrael has evolved into a major center of Jewish physical and spiritual revival. After two thousand years of persecutions and exiles, Jews enjoy relative security in their own country with its own independent government, economy, and army. Once again Eretz Yisrael has become the heart of Torah learning and *avodas Hashem* (service of G-d) on the highest of levels. However one may interpret these two events, it is clear that they are two of the most significant episodes in the annals of Jewish history.

The two events by themselves certainly require serious examination to discover the historical-spiritual truths. However, the fact that that they took place within just a few years of each other seems even more intriguing. What is the significance of this juxtaposition? I will not attempt to deal with the metaphysical dynamics of the issue, following the injunction of Chazal "*ein lanu eisek b'nistaros*", (we should not be involved in esoteric matters). Nor is this the place to explore the political and social forces that link the two events. I would like to examine the concurrence of these two historical episodes in hopes of discovering a moral message.

In the Merit of the Righteous Women

The Talmud informs us that the Jewish people left Egypt in the merit of the righteous women of that generation. What was this remarkable merit that brought about the first and greatest of redemptions for *Klal Yisrael* (the Jewish people)?

"R. Avira taught: In the merit of the righteous women who lived in that generation were the Jews redeemed from Egypt. When they went to draw water, the Holy One, blessed be He, arranged that small fish should enter their pitchers, which they drew up half full of water and half full of fish. They then set two pots on the fire, one for hot water and the other for the fish, which they carried to their husbands in the field, and washed, anointed, fed, gave them to drink and had relations with them."

Sotah 11b

דרש רב עזירא בשכר נשים צדקניות
שהיו באותו הדור נגאלו ישראל
ממצרים בשעה שהולכות לשאוב מים
הקב"ה מזמן להם דגים קטנים בכדיהן
ושואבות מחצה מים ומחצה דגים ובאות
ושופות שתי קדירות אחת של חמין
ואחת של דגים ומוליכות אצל בעליהן
לשדה ומרחיצות אותן וסכות אותן
ומאכילות אותן ומשקות אותן ונזקקות
להן.

סוטה יא:

The Egyptians had succeeded in shattering the spirit of the Jewish men to such a degree that the men no longer possessed one of the most basic human instincts, the instinct to propagate. The daily grind of back-breaking labor, the massacre of their infants, and the hopelessness of subjugation to the greatest of world empires slowly eroded the men's hope for the future of the

Jewish people. The women transcended this hopelessness. With their unyielding belief in the possibility and the absolute necessity of the survival of the Jewish people, they cajoled the men into the continuation of the Chosen People. Their merit can be summed into words that would appear later in Chumash, Devarim 30:18, *uvacharta bachaim*, and you shall choose life. In the face of ostensible futility they chose to hope. They chose to live.

And Moshe Rabbeinu Sang

There is a record of a powerful episode concerning the Belzer Rebbi's first Shabbos in Eretz Yisrael, a week after he barely managed to escape Europe's inferno (see *Sefer Yagdil Torah* by Rav Moshe Menachem's Ludimir). As the *baal korei* read *Parshas Beshalach* that Shabbos, the people in the *shul* noticed that the Belzer Rebbi radiated immense joy during *krias haTorah*. A number of individuals confronted the Rebbi after the *tefilah* asking him how he could experience any happiness knowing the terrible suffering that had befallen the Jewish people. The Belzer Rebbi pointed out that according to the *Midrash Tanchuma* (*Parshas Beshalach* 1) only one fifth (or maybe far fewer) of the Jewish people left Egypt, while the rest perished in Egypt during the plague of darkness. After such horrendous tragedy, how could Moshe Rabbeinu find the strength to sing at the splitting of the Red Sea? The answer, suggested the Belzer Rebbi, lies in another statement of Chazal (*Sanhedrin* 91b) who explained that the song of "*Az yashir Moshe*" hints to eventual resurrection of the dead. In the face of unparalleled national tragedy, the greatest leader of the Jewish people sought and found comfort in a great promise, in great hope, and with the power of song led the nation forward. As Jews reeled from death he found life. *Uvacharta bachaim*.

The Appropriate Response to the *Churban*

The Talmud records the conversation between certain ascetics and R' Yehoshua concerning the appropriate response to the destruction of the Temple.

"Our Rabbis taught: When the Temple was destroyed for the second time, large numbers of Jews became ascetics, binding themselves neither to eat meat nor to drink wine. Rabbi Yehoshua got into conversation with them and said to them, "My sons, why do you not eat meat nor drink wine?" They replied, "Shall we eat meat which used to be brought as an offering on the altar, now that this altar is unused? Shall we drink wine which used to be poured as a libation on the altar, but now no longer?" He said to them, "If that is so, we should not eat bread either, because the meal offerings have ceased." They said, "We can manage with fruit." "We should not eat fruit either," [he said,] "because there is no longer an offering of the bikkurim." "Then we can manage with other fruits," [they responded]. [He retorted,] "We should not drink water, because there is no longer any ceremony of the pouring of water. They fell silent. He said to them, "My sons, come and listen to me. Not to mourn at all is impossible, because the decree has been made. To

ת"ר כשחרב הבית בשניה רבו פרושין בישראל שלא לאכול בשר ושלא לשתות יין נטפל להן ר' יהושע אמר להן בני, מפני מה אי אתם אוכלין בשר ואין אתם שותין יין אמרו לו נאכל בשר שממנו מקריבין על גבי מזבח ועכשיו בטל נשתה יין שמנסכין על גבי המזבח ועכשיו בטל אמר להם א"כ לחם לא נאכל שכבר בטלו מנחות אפשר בפירות פירות לא נאכל שכבר בטלו בכורים אפשר בפירות אחרים מים לא נשתה שכבר בטל ניסוך המים שתקו אמר להן בני בואו ואומר לכם שלא להתאבל כל עיקר אי אפשר שכבר נגזרה גזרה ולהתאבל יותר מדאי אי

mourn excessively is also impossible, because we do not impose on the community a decree which the majority of the Jewish people cannot endure.... The Sages therefore stated the following: A man may plaster his house, but he should leave a little unplastered... A man can prepare a full-course banquet, but he should leave out something... A woman can put on all her jewelry, but leave off a few [items]... "

Bava Basra 60b

אפשר שאין גוזרין גזירה על
הצבור אא"כ רוב צבור יכולין
לעמוד בה ... אלא כך אמרו
חכמים סד אדם את ביתו בסיד
ומשייר בו דבר מועט ... עושה
אדם כל צרכי סעודה ומשייר
דבר מועט ... עושה אשה כל
תכשיטה, ומשיירת דבר מועט.
בבא בתרא ס:

At first glance this conversation seems perplexing. R' Yehoshua argued that taken *ad absurdum*, their argument would result in a *gezeirah she'ein hatzibur yachol la'amod bah*, a decree that the community could not bear. But why should they take the argument that far? They could simply choose to abstain from meat, while partaking of the other staple foods. After all, did the Sages themselves not decree that in memory of the destruction of the Temple, a Jewish woman must limit the jewelry that she wears? Chazal also instructed us to leave part of the house unfinished. Why does R' Yehoshua not protest that based on Chazal's argument no Jewish woman should wear any jewelry nor any Jew build a house?

I believe that the answer to this question lies in the fact that the *takanos* instituted by Chazal to remember the *churban* (destruction of the Temple) are intrinsically different from the practices of those whom R' Yehoshua was rebuking. The goal of Chazal in establishing the laws of *aveilus* for the *Beis Hamikdash* was for these *takanos* to serve as reminders that a Jew's life can never feel complete without the return to *Tziyon*. *Assur lemalei s'chok piv b'olam hazeh* (One may not be filled with complete joy in this world, *Brochos* 31a). The *Beis Yosef* in *siman* 560 cites the Ramban who explains that "*Olam Haze*" refers to the time of the Exile. The prohibition, though, does not include all joy, only ecstatic joy of absolute elation, *lemalei s'chok piv*. Our Sages identified the life events in which a person potentially feels such euphoric joy: at the jubilation of a wedding, gratification of building a home, and while being serenaded with music during a meal. When a Jew glimpses the ruins of the Temple, he is obligated to tear *kriah* (rend his garment) on the left side of his garment – opposite the heart, a rending that Halachically may never be fully sewn. In the same vein, a Jew must live with a sense of a gaping fissure in his heart that will never heal until the *Shechinah* returns to its rightful place.

The co-conversationalists of R' Yehoshua attempted to achieve something altogether different. They argued that since the national-spiritual tragedy was so immense, regular physical life was no longer justified, thus leading to abstention from some of the most basic gratifications of life (see Maharal, *Netzach Yisrael perek* 23). R' Yehoshua argued that the Jewish people needed to continue living, and that meant engaging in the human pleasures of consumptions of meat and wine. On a national level the response to destruction can never involve a permanent abstention from physical life. In the face of destruction, the Jew lives on. *Uvacharta bachaim*.

The Choice of Life Post-Holocaust

In 1945, the living skeletons that were once known as the Jews of Europe were making their way to the Land of their Forefathers. These individuals had lost everything: their families, their

homes, and the world that they had known. But they refused to despair. They chose to live, to rebuild, and to rise above the mass graves, the stench of death, and the smoke of the crematoria.

A Jew has always believed that his life remains incomplete without the full development of the spiritual side. The Netziv (*Ha'amek Davar*, Bereishis 2:7) points out that an animal is referred to as a “*nefesh chayah*” at the moment of its inception, since at that point of existing as a biological organism it has already achieved its completion as a Divine creation. A human being, on the other hand, must fulfill his role as a spiritual being to earn that title. Nevertheless, without first choosing to live, to dream, to hope, and to trust – without these basic human foundations, the spiritual side of life can never be developed. I believe that this is the ultimate lesson that emerges from the Holocaust and the establishment of the State of Israel – the unique Jewish demonstration of resilience to continue. I believe that any discussion about Yom Hashoah and Yom Haatzmaut must include this fundamental theme.

On September 4, 2003, a special ceremony was held in Auschwitz by the Israeli Defense Forces, which included three Israeli fighter planes flying over the notorious death camp. As the planes majestically glided over Auschwitz, the future Maj.-Gen. Amir Eshel, a son of Holocaust survivors and the commander of the IAF formation, radioed in the following statement from his cockpit:

“We, pilots of the Israel Air Force, flying in the skies above the camp of horrors, arose from the ashes of the millions of victims and shoulder their silent cries, salute their courage, and promise to be the shield of the Jewish people and its nation Israel.”

Uvacharta bachaim

The Holy of Holies

Rabbi David Milston

Midreshet HaRova

On the eve of Yom HaZikaron⁶⁸ 2009, at an annual event held at Binyanei HaUma in Yerushalayim, Rabbi Yisrael Meir Lau⁶⁹ told a story about the late Rabbi Shlomo Zalman Auerbach⁷⁰:

Every day, someone would drive Rabbi Auerbach from his home in the Sha'arei Chesed area of Yerushalayim to his Yeshiva in Bayit Vegan. The Rabbi would occasionally ask the driver to pull up for a few moments outside Har Herzl, the burial site of Israel's fallen soldiers, where he would recite Tehillim.

Why did he do this?

A student once approached him and asked for a timeout from his studies so he could travel north to pray at the graves of the *tzaddikim* (righteous people). Rabbi Shlomo Zalman looked perplexed but didn't immediately answer. Sensing hesitation from his rabbi, the student elaborated, explaining he had some personal issues to think through and he felt praying by the graves of the righteous would help. Rabbi Auerbach replied that he fully understood what the student wanted to do and why he wanted to do it, but could not understand why he would travel four hours to pray by the graves of a few *tzaddikim* when there were thousands of them buried on Har Herzl, just five minutes from the yeshiva!

It is with such awe and humility that we speak of the holy individuals who have given their lives for the sake of their beliefs and their people. Our rabbis tell us there is a special place reserved in the Heavens for those who give up all they have for the sake of *Am Yisrael*.⁷¹

We remember those who have fallen in the unending battle for our homeland, eternally humbled by their bravery and ever grateful for their sacrifice. It is largely thanks to them that we can visit and live freely in Israel today. We obviously see the hand of the Almighty in the country's

⁶⁸ The official Remembrance Day for almost 23,000 Israeli soldiers and 4,000 terror victims (at the time of writing.)

⁶⁹ Former Ashkenazi Chief Rabbi of Israel and current Chief Rabbi of Tel-Aviv.

⁷⁰ 1910-1995. Rabbi Auerbach was the Rosh Yeshiva of Kol Torah in Jerusalem.

⁷¹ See *Pesachim* 50a. Rabbi Yosef the son of Rabbi Yehoshua Ben Levi fell into a trance and visited the afterworld. Upon his return, he reported a number of things to his father. One of the statements he heard there was, "No man can stand within the barriers of those martyred by the State." [i.e. They occupy such an exalted position in the next world that they are unapproachable.] Who are these [martyrs]? Shall we say Rabbi Akiva and his companions (who were executed or martyred by the Romans for their insistence on teaching Torah.)? Is that because they were martyrs of the State and nothing else? Rather [he meant] the martyrs of Lod (two brothers, Lulianus and Papus, who took responsibility for the Emperor's daughter's death so as to save the people as a whole.)" See *Ta'anit* 18b.

miraculous establishment and existence but He helps those who help themselves (see *Massechet Yoma 38b* ; see also Rashi, *Mishlei 16:9*)

So on this solemn day – 24 hours before the commencement of the annual national celebrations of our return to Zion – we bow our heads in honor of our fallen heroes.

Their sacrifice is the purest form of giving that exists.

Although during our brief stay in this world we often manage to accumulate wealth and possessions, at least in our sub-conscious we know that none of our material gains remain with us eternally, as King David so poignantly reminds us:

Do not fret when a man gains wealth, when the wealth of his house is increased, for when he dies he shall carry nothing away. His wealth shall not go down with him.

Tehllim 49:17-18

אל-תִּירָא, כִּי-יַעֲשֶׂה אִישׁ כִּי-יִרְכֶּה, כְּבוֹד
כִּי לֹא בְּמוֹתוֹ, יִקַּח הַכֹּל לֹא-יֵרֵד אַחֲרָיו
כְּבוֹדוֹ.
תהלים מט:יז-יח

We leave our possessions behind when we pass on to the next world, indeed even our bodies are not really ours for keeps. When we die, they return to the earth and our soul – our only lasting asset – is finally free to rise to the Heavens.

Genuine giving is giving what is truly ours to give. In Hebrew, the word for “charity” is “*tzedaka*,” a derivate of the word “*tzedek*” – justice. Charity is not really a kindness of the highest degree; in truth it is to be expected. After all, God gave us all we have so it is not really ours alone. To give charity is the just and correct thing to do; we are expected to share with others that which God has given to us.

Chesed is a different matter altogether. Loving kindness is doing above and beyond the expected, it is a pure act of giving – an act of love.

Our soul, the truest expression of who we are, comes down to earth to define and refine itself. *Mesirut nefesh* (self-sacrifice) is literally to be understood as voluntarily giving of ourselves, our inner selves, our actual being. *Mesirut nefesh* is a statement of pure giving for the sake of others and for the sake of God. We receive nothing in return, and our sacrifice is enormous.

So when a soldier – fighting for the survival of his people, in protection of his comrades or defending the Jewish right to live and believe – knowingly hands his soul back to the Creator, it is surely to be considered the truest form of giving, the purest sacrifice. When he puts his country before himself, he emulates the Almighty, the ultimate Giver. No one can equal such a level of giving. He declares himself to be a soul made in the image of God!

Perhaps this was what Rabbi Auerbach was referring to when he advised his student to pray by the graves of the soldiers buried on Mount Herzl. These men and women gave the only true thing they own – their lives, so we could continue to live in peace in our homeland. Surely the least we can do for these holy people is to dedicate one day a year to their memory!

After all, the day was not set aside for their families. They have to bear the loss every day of the year. Yom HaZikaron was established so that we, the entire nation, can express our perpetual gratitude for their everlasting sacrifice.

It is interesting to note our custom to recite the “*Yizkor*” prayer in memory of family members who have passed away on Pesach, Shavuot, Yom Kippur and Shemini Atzeret. Many communities also add memorial prayers for Israeli soldiers and Holocaust victims.

Why combine sadness and sorrow with our festive celebrations? One possible reason is that *Yizkor* allows us to express that eternal void in our lives. Although we have enjoyed our festivals, our celebration will never be the same without our loved ones. However, unlike *Yizkor*, Yom HaZikaron was not instituted as part of Yom Ha'Atzmaut but rather as a separate day preceding the Independence celebrations. Even though those who initially established the day may not have had this idea in mind, the differing order of events is more than relevant.

Yizkor helps us reflect on the people who are no longer with us, and is thus placed at the conclusion of our festive celebrations. Yom HaZikaron, however is there to remind us that were it not for the grace of Heaven and the sacrifice of our brothers and sisters, Yom Ha'Atzmaut wouldn't exist at all – hence this day of remembrance must precede the celebrations.

Anyone who has experienced the twilight zone between Yom HaZikaron and Yom Ha'atzmaut will have noted the mixed emotions as we move from “*evel*” (mourning) to “*yom tov*” (festivities). Yet these two seemingly opposite days are inextricably connected. You could not have one without the other for this is the destiny of the Jew—destruction and renewal; despair and hope. Because our soldiers fell in defense of the State of Israel, every Jew in the world benefits from their sacrifice. Consequently, no Jew in the world should fail to honor and remember them.

Moreover, when the Knesset officially added the memory of Israel's terror victims to this day, they issued a fundamental message about *Am Yisrael* in Eretz Yisrael.

Just as Israel could not exist without the heroic dedication of its soldiers, it cannot survive without the stubborn courage of every one of its citizens. Those who have been here for generations and those who have chosen to come home and realize the ultimate Jewish dream of redemption. Those who have left comfortable lives in the Diaspora and those who fled persecution and suffering in Arab lands. They are all God's soldiers.

If every Jew chose to wait in the Diaspora until it was ‘safe’ to return or until the financial situation improved, we would be sitting in Exile forever.

So it is eminently fitting that on a day of remembrance for our fallen soldiers we also pay our respects to the men, women and children who have been brutally deprived of life just because they wanted to be a part of the Jewish dream of *Shivat Tzion* (return to Zion).

To be a *Yehudi*, to be a Jew, is synonymous with awareness, appreciation and responsibility. The word “*Yehudi*” is connected to the word “*lehodot*” which means both to give thanks and to admit, to take responsibility. Therefore, before we celebrate our independence and thank God for our country, it is crucial to first take a day to remember, honor and thank those holy souls who took the ultimate responsibility to make it all possible.

May their memories be blessed.

Practicing Jew?

Rabbi Michael Siev

Yeshivat Lev Hatorah

I once walked into a shul in Yerushalayim and was greeted by a friendly older gentleman. He asked where I was from and upon hearing that I was from the United States, asked, “So you’re a practicing Jew?” I thought my appearance and the fact that I was in shul made it pretty clear that I was observant, and must have looked puzzled. He continued by explaining that since I lived in *chutz la-aretz*, all the mitzvot I had ever done were just practice for when I would eventually make *aliya*. I was shocked and insulted that someone would have the audacity to suggest that whatever I had done in *chutz la-aretz* did not really count, and I was extremely confident that the older gentleman was mistaken. After all, the Mishna⁷² states explicitly that non-agricultural mitzvot apply outside of Eretz Yisrael.

And yet, Rav Aharon Lichtenstein⁷³ reports that Rav Yitzchak Hutner, upon arriving in Eretz Yisrael, would put on *tefillin* even if he had put them on earlier that day while travelling. He would explain that he was putting on *tefillin* again because this time they were Eretz Yisrael *tefillin*. So what, in fact, is the relationship between Eretz Yisrael and *chutz la-aretz* regarding the performance of mitzvot? Is there a qualitative difference between mitzvot done in Eretz Yisrael and those done elsewhere?

The primary source in this regard is a *Sifri*, which states as follows:

Alternatively, “You will be swiftly banished ... And you shall place these words of Mine etc.”; even though I will exile you from the Land to outside the Land, be excellent in [your performance of] mitzvot so that when you return they will not be new to you. This is comparable to a king of flesh and blood who became angry at his wife and banished her to her father’s house. He said to her: “Adorn yourself with your adornments so that when you return they will not be new to you.” So said the Holy One, He is blessed, to Israel: “My sons, be excellent in [your performance of] mitzvot so that when you return they will not be new to you.”

Sifri, Devarim 43

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

ספרי, דברים פסקא מג

⁷² Kiddushin 1:9.

⁷³ *Varieties of Jewish Experience*, p. 297.

This *Sifri*, which clearly assumes that Eretz Yisrael is the primary location of mitzva performance, is cited by Rashi in his commentary to the *pesukim* that the *Sifri* expounds.⁷⁴ Rashi, however, adds examples to the *Sifri* and writes that Hashem said to the Jewish people: “Even after you are exiled, be excellent in mitzvot: [Continue to] wear *tefillin* and place *mezuzot* [on your doorposts] so that [these mitzvot] will not be new to you when you return.”

It is instructive to note that these are examples of mitzvot that are *chovot ha-guf* (actions upon the body) and therefore apply, fully, outside of Eretz Yisrael. In fact, that is the whole point of the *Sifri*: Perhaps one might have thought that one should be exempt from all mitzvot in *chutz la-aretz* because of the difficulties they may entail in a foreign context or because our relationship with Hashem has been severed, God forbid; the *Sifri* therefore derives, based upon the juxtaposition of two *pesukim*, that we must fulfill mitzvot in *chutz la-aretz* as well.⁷⁵ Yet at the same time, the *Sifri* makes it clear that performing mitzvot in *chutz la-aretz* is a preparation for doing mitzvot in Eretz Yisrael. Thus, even mitzvot that apply in *chutz la-aretz* are meant as preparations for our being able to perform them in the optimal setting, in Eretz Yisrael. How are we to understand this in light of the clear halachic policy that non-agricultural mitzvot are obligatory in *chutz la-aretz* just as in Eretz Yisrael?

The Ramban,⁷⁶ quoting Rashi, asserts that this Midrash represents a “deep secret” and alludes to his lengthy commentary elsewhere,⁷⁷ where he writes that “עיקר כל המצוות ליושבים בארץ ה'”, all mitzvot apply principally to those who dwell in the land of God.” But how exactly does this clarify our issue?

The Maharal⁷⁸ quotes the Ramban and writes that “I will reveal the secret.” He explains that certainly all mitzvot that are *chovot ha-guf*, actions that do not have to do with the land, apply in *chutz la-aretz* as well as in Eretz Yisrael. However, the reason they were commanded in *chutz la-aretz* is so that they will not be new to us when we return to Eretz Yisrael.

Rav Elchanan Wasserman⁷⁹ explains this idea in greater detail. He writes that each mitzva contains two elements: 1) The inherent, natural spiritual benefit to the person that the mitzva brings, which is the reason it was commanded to begin with. 2) The command of Hashem itself. The *Sifri* and Ramban are teaching that in *chutz la-aretz*, the command exists and one who fulfills *mitzvot* fulfills *tzivui Hashem*, the command of God. This is something of great importance that cannot be minimized and which itself is spiritually rewarding. But the natural spiritual benefit that mitzvot bring is unique to Eretz Yisrael and applies only there.

With this in mind, Rav Elchanan explains why the Ramban⁸⁰ says that the *Avot* only fulfilled mitzvot in Eretz Yisrael. They had not yet been commanded to fulfill the vast majority of the

⁷⁴ Devarim 11:18.

⁷⁵ *Shu"t Radvaz*, 6:2154.

⁷⁶ Devarim 11:18.

⁷⁷ Vayikra 18:25.

⁷⁸ *Gur Aryeh*, Devarim 11:18 note 24.

⁷⁹ *Kovetz Shiurim*, *Kiddushin* 141.

⁸⁰ Vayikra 18:25 and Bereishit 26:5.

mitzvot and did so only because of the inherent benefit that *mitzvot* bring. However, this natural benefit is unique to Eretz Yisrael. Therefore, in *chutz la-aretz* there was no reason to fulfill mitzvot at that time.

The Ramban himself explains⁸¹ that this also clarifies *Chazal's* statement⁸² that living in Eretz Yisrael is comparable to fulfilling all the *mitzvot*. This is not meant to assert that the mitzva of *yishuv Eretz Yisrael* is as valuable as all other mitzvot combined, but is rather an expression of the fact that it is only in Eretz Yisrael that one can fulfill any of the mitzvot in the optimal fashion.⁸³

Yom Ha'atzma'ut is certainly a time to thank Hashem for the modern miracle of the creation of the State of Israel and the important step it represents in the process of *ge'ula* (redemption). However, it is also a time to reflect upon the important role that Eretz Yisrael can play in every aspect of our religious lives and its status as the ideal place to fulfill mitzvot.

⁸¹ Vayikra 18:25.

⁸² *Sifri*, Devarim 80.

⁸³ See Netziv, *Ha'amek Davar*, Shemot 20:12, who writes that this applies equally to interpersonal mitzvot. See also *Ha'amek Davar*, Devarim 8:1 and 30:6 regarding the important role of Eretz Yisrael in achieving a close relationship with God. Additionally, see *Shu"t Maharsham* 3:188 who explains why we do not blow the shofar on Rosh Hashana that falls on Shabbat, nowadays, based on the *Sifri* that we have used as the basis of our discussion.

Is Yom Haatzmaut Worth a Hallel?⁸⁴

Rabbi Yitzchak Twersky

Michlelet Mevaseret Yerushalayim

It is one of the most significant and hotly debated issues today: How should we understand our stage in history? Is it the beginning of the redemption? To put it slightly differently, is there cause to say Hallel on Yom Haatzmaut or not?⁸⁵ The answer, as we will see, has important and far-reaching implications for our personal lives, as well as for our national self-understanding, that even go beyond questions pertaining to the Land and State of Israel.

Let us begin by defining the question precisely. In order to do so, we need to make a number of preliminary observations.

Despite the numerous points of disagreement within the Jewish community relating to the State of Israel, and the great diversity and range of points of view regarding the current situation in Israel, there are two points which one cannot reasonably dispute:

The first is that there have been incredible and unprecedented⁸⁶ miracles, salvations and achievements. Who can honestly deny that so many prophecies, dreams and prayers of millennium have finally been realized?⁸⁷

The second is that there is yet so far to go, so much that is still critically wrong. Jews disagree as to what the correct solutions are, and even as to how we ought to formulate the problems, but we all recognize that there is much that needs to be rectified. Similarly, we all realize that we face many existential threats (from within and without).

⁸⁴ This essay is a modified excerpt from the soon to be published, B"H, *Amittah Shel Torah* Part II: Insights into the cycle of the year.

⁸⁵ The discussion here is hashkafic rather than halachic. It focuses on whether there is reason to say Hallel, in principle- not on its technical feasibility. While the two issues are interrelated, they are, nonetheless, distinct. In terms of Halachah, see the definitive discussion of Hagaon Rav Meshulam Rothe, zt"l, Responsa *Kol Mevaser* (1:21). See also *Pesachim* (117a) and the *Sheiltot, Parshat Vayishlach* (§26). [It is very hard to fathom why the suggestion that there is a halachic problem based on *Shabbat* (118b) is taken seriously by anyone who has learned the *sugya* with the *Rishonim*, but that is beyond the scope of this article].

⁸⁶ To mention the most obvious example: Jews have immigrated en masse to Israel from all over the globe for the first time in all of history. This is a clear and unique fulfillment of Biblical prophecies and Jewish prayers of millennium.

⁸⁷ See e.g. Hagaon Rav Menachem Kasher zt"l's seminal discussion of our era through the prism of Torah in *Hatekufah Hagedolah*.

The question then is this: In a situation such as ours, where there is so much good and at the same time so much that is not, how are we to respond? Is progress as incomplete and fragile as we enjoy cause for *shevach v'hallel*? Can it be termed redemption? This is the issue that all serious Torah Jews of today must struggle with. How does the Torah teach us to respond to our situation?

Let us examine some pertinent sources, starting with the famous (although not usually properly understood) Yerushalmi in *Yoma* (chap. III) that compares the redemption to dawn:

A narrative: R. Chiyah the great and R. Shimon b. Chlaftah were walking in the valley of Arabel at the end of the night. They saw dawn breaking. R. Chiyah the great said to R. Shimon b. Chlaftah: "Great one! Such is the redemption of Israel. In the beginning it is a bit at a time, but as it goes on it becomes brighter and brighter." What is the basis for this? "Even as I sit in darkness, Hashem is a light for me." So too, originally, "and Mordechai was sitting in the palace gate". Then, "and Mordechai returned to the palace gate". Then, "and Haman took the garments and the horse". And then, "and Mordechai left the king's presence in royal trappings". And then, "and the Jews had light and joy".

דלמא רבי חייא רובא ורבי שמעון בן
חלפתא הוו מהלכין בהדא בקעת ארבל
בקריצתה ראו אילת השחר שבקע אורה
אמר רבי חייא רובה לרבי שמעון בן חלפת'
בר ר' כך היא גאולתן של ישראל בתחילה
קימצא קימצא כל שהיא הולכת היא
הולכת ומאיר מאי טעמא כי אשב בחושך
ה' אור לי כך בתחילה ומרדכי יושב בשער
המלך ואחר כך וישב מרדכי אל שער
המלך ואחר כך ויקח המן את הלבוש ואת
הסוס וגו' ואח' כך ומרדכי יצא מלפני
המלך בלבוש מלכות ואחר כך ליהודים
היתה אורה ושמחה:

This famous source is often understood as merely teaching us that the redemption will occur in stages. While this is true, it not the essential point. Let us examine the text, one dimension at a time.

First, the analogy: At the crack of dawn there is barely more light than during the night. A subtle difference separates the two sides of dawn, the night that precedes it and the day that follows. And yet, the Halachah rules that they are entirely different. The fact that immediately following dawn it is still mostly dark does not alter the fact that it is defined as day.

The critical point is not that the light of day appears slowly and in stages. It is the fact that the Torah defines it as day, though darkness is still the majority. This has major implications, Chazal teach us, for how we are to view the early stages of redemption.

This is echoed by the Yerushalmi's paradigm for redemption, namely the story of Purim. Most of the Yerushalmi's stages of redemption reflect a situation of extreme danger and crisis. When Mordechai was sitting in the gates of the palace, the threat of extermination was at its zenith. Nonetheless, it is called redemption! This is the precise parallel to the Yerushalmi's point about dawn.

The final aspect of the Yerushalmi dovetails perfectly with the other two. The proof text upon which the entire Yerushalmi rests tells us that although we may be sitting immersed in darkness, the light (redemption) that Hashem has given us is truly light. We are not permitted to ignore the light, despite the abundance of darkness.

The “*Dayeinu*” section of the Haggadah consists of a long list of statements declaring that were God to have done X and not Y, “it would have been enough”. It is clear that each X is insufficient (physically or spiritually), indeed meaningless, without the Y’s that follow. And yet, we state that “it would have been enough”!

How would being taken out of Egypt have been sufficient for us, had we perished at the bank of the Reed Sea? Would we have really benefited from the splitting of the sea had the Egyptians followed us across and massacred us on the other side? Each line of this famous song poses the same sort of difficulty.

The answer lies in the introduction:

How many wonderful steps do we need to be thankful to God for. | כמה מעלות טובות למקום עלינו

The redemption is a ladder, made up of small steps. Standing on any given rung, it is possible to think that there is no significance to one’s ascent up to that point. What good does it do to be on the third rung of a fifty step ladder? When we are taken out of Egypt, is there truly redemption yet? After all, what we’ve gained is worthless so long as the Egyptian army is following and the sea looms ahead.

This is not the Torah’s approach. It is this that the *Dayeinu* negates. There is no doubt that the third step is valuable only as a means of reaching the top, yet in so far as it allows one to stride in the right direction it must be appreciated. The importance of each phase of the Exodus is not diminished by the long road ahead that remains.

Despite the many critical steps ahead, each stage in the redemption is sufficient to obligate us in *shevach v’hodah*. We celebrate the earliest stages of the redemption from Egypt on Pesach, despite how much is yet lacking- physically and spiritually.

This is clear from the text of Hallel itself. In the midst of praise and thanksgiving, we cry out:

Please Hashem save us! Please Hashem make us successful! | אנא ה' הושיעה נא, אנא ה' הצליחה נא.

The implication is quite powerful. Even though we are yet in need of assistance, even rescue, we are nonetheless engaged in the singing of Hallel! Thus, the very text of Hallel reflects the perspective that we developed above. This is a crucial perspective on how we ought to view events in our lives- both individually and nationally!

Rav Saadia Gaon points out (in the introduction to his commentary on Daniel) that the period of the second Temple was not a negation of the first destruction. It was merely a mitigation of the exile- not its termination. The Abravanel⁸⁸ explains that the return to Israel in the days of Ezra and Nechemiah and the rebuilding of the Temple was an opportunity for the Jewish People to build on what was given to them, and thereby bring about a full redemption.⁸⁹

⁸⁸ See his commentary on Yirmiyahu (chapter 29), *passim*:

⁸⁹ This, he notes, is the meaning of the prophecy of Yirmiyahu (29:10-13):

(י) כי כה אמר ה' כי לפי מלאת לבבל שבעים שנה אפקד אתכם והקמתי עליכם את דברי הטוב להשיב אתכם אל המקום הזה:

Tragically, it was an opportunity that we squandered⁹⁰. The Talmud in *Sanhedrin* (94a) teaches an incredible lesson that is very relevant to our discussion:

The Holy One blessed be He, wished to make Chizkiyahu the Messiah, and Nebuchadnezzar Gog and Magog. The attribute of justice said before him, "Master of the universe! If you did not make David the Messiah, despite all of the praises and hymns that he said before you, are you going to make Chizkiyahu the Messiah, when you did all of these miracles for him, and he didn't sing your praises?! Therefore it [the letter mem] is closed... It was taught in the name of R. Papayus: It is a disgrace for Chizkiyahu and his group that they did not sing Hahsem's praises until the Earth opened up and did so on their behalf...

ביקש הקדוש ברוך הוא לעשות
חזקיהו משיח, וסנחריב גוג ומגוג.
אמרה מדת הדין לפני הקדוש ברוך
הוא: רבוננו של עולם! ומה דוד מלך
ישראל שאמר כמה שירות ותשבחות
לפניך - לא עשיתו משיח, חזקיה
שעשית לו כל הנסים הללו ולא אמר
שירה לפניך - תעשהו משיח? לכך
נסתתם... תנא משום רבי פפיס: גנאי
הוא לחזקיה וסייעתו שלא אמרו
שירה, עד שפתחה הארץ ואמרה
... שירה

These sources provide a major lesson for us: When we are given even a glimmer of redemption, it is up to us to develop the potential that is latent in that fledgling redemption. We do this by responding with Hallel and thereby showing that we value the redemption that God has given us. If we fail to do so, God forbid, we then lose that potential- as we did in the days of Chizkiyahu and the era of the second Temple.

(יא) כי אנכי ידעתי את המחשבת אשר אנכי חשב עליכם נאם ה' מחשבות שלום ולא לרעה לתת לכם אחרית ותקוה: (יב) וקראתם אתי והלכתם והתפללתם אלי ושמעתי אליכם: (יג) ובקשתם אתי ומצאתם כי תדרשני בכל לבבכם:

10 So says Hashem, after seventy years of Babylonia, I will remember you, and fulfill my promise to you, by bringing you back to this place. **11** For I know my intentions towards you, says Hashem, thoughts of peace, and not of evil, to give you a future and a hope. **12** And if you call to me, and go, and pray to me, I will listen to you. **13** And if you seek me, you will find me, when you search for me with all your heart.

⁹⁰ As noted by the *Kuzari* (II:24) and others.

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