

# Kiddush haShem in the Public Square

**C**hanukah is a very particularistic holiday. The *Book of Maccabees* chronicles the struggle of a single faction within a small nation to preserve its national identity in the wake of colonization and cultural imperialism. Without resorting to homilies about light, can Chanukah teach us anything about what Rabbi Berman has aptly termed “Torat Adam: the lofty sense of human dignity”? Is there any universalist message for Jew and Gentile in our holiday?

There is a lot at stake these days. Has there been a time when there were so many forbidden topics in polite conversation among neighbors, colleagues, friends and even relatives? The cacophony of shrill voices in the media, in the streets, and wherever



**Rabbi Ozer Glickman**

Rosh Yeshiva, RIETS

Senior Advisory Board Member, Oliver Wyman & Co

people gather has reached a deafening crescendo with no relief in sight. More than ever before, it appears that the fabric of civilized society is ripping apart. Can those who would mend the tear draw inspiration from this very parochial holiday?

The answer may perhaps be found in the one Torah mitzvah associated with the holiday: *Mitzvat kiddush ha-Shem* (the commandment to sanctify the name of God). It figures prominently in *II Book of Maccabees*, the earliest literary record of Jews opting for

martyrdom rather than violating a precept of the Torah. The source of the mitzvah is found in Parashat Emor:

וְלֹא תַחַלְלוּ אֶת שֵׁם קִדְשִׁי וְנִקְדַּשְׁתִּי בְּתוֹךְ בְּנֵי יִשְׂרָאֵל אֲנִי ה' מְקַדְּשְׁכֶם.

*And you shall not profane My Holy Name; but I will be sanctified among the children of Israel: I am the Lord Who sanctifies you.*

**Vayikra 22:32**

Its very position in Emor is noteworthy, coming as it does at the end of a parashah devoted to laws

## The Five Torot of Yeshiva University

TORAT EMET

TORAT CHAIM

**TORAT ADAM**

TORAT CHESED

TORAT TZION

of holiness directed principally to Kohanim. The focus on the purity of rituals in the Temple is turned to the entire people. Just as the priests are holy, so are all Jews. The Kohanim are not the only vehicle for sanctifying the world; the entire people of Israel must play a role as well.

A close reading of the above verse reveals an apparent redundancy. We are enjoined not to profane God's Name so that He will be sanctified among the people of Israel. Are not profanation and sanctification two sides of the same coin? Why repeat the commandment in both positive and negative language?

Chazal (*Sanhedrin* 74b) observe that there is another notable difference between the two clauses of the verse. The first, the command not to profane God's Holy Name, is addressed to a general audience without qualification. The second clause specifically mentions the Children of Israel. Private acts that desecrate God's Name are forbidden, but the obligation to perform a public act of *kiddush ha-Shem* must be witnessed by at least ten Jews. Otherwise, such acts are forbidden.

What act of sanctification would be supremely praiseworthy if done in the presence of ten Jews but prohibited otherwise? Chazal explain: if a Jew or Jewess is threatened with death unless he or she violates a Torah commandment, he or she should comply. Private martyrdom does not override the mitzvah to preserve one's life. If, however, the violation is one of three (murder, idolatry, or forbidden relations), the victim must suffer martyrdom rather than submit, even in private. The second clause, then, refers only to public acts of martyrdom and is not restricted

to violations of the three cardinal sins. In order to qualify, it must be performed in the presence of ten Jews. Public acts, then, are defined by the halakhah, at least regarding *kiddush ha-Shem*, in terms of the number of Jewish witnesses. It is only regarding the three cardinal sins listed above that a Jew must give his life rather than commit even in the presence of a multitude of non-Jews.

Simply stated, the ultimate act of sacrifice, martyrdom, is constrained by an overriding positive commandment, to preserve life. We cannot voluntarily go beyond the law and accept martyrdom when we are not so obligated, because this would violate another commandment. How about when the stakes are not as high, when the loss is personal or financial? Is there any obligation to seek out opportunities to sanctify God's Name in our everyday dealings with gentiles?

The Talmud is replete with examples of sages who exerted great effort or suffered significant financial loss not just to avoid reflecting badly on God and His Torah, but to elicit a gentile's praise. One such story is found in the Talmud Yerushalmi (*Bava Metzia* Chapter II, Halakhah 5). I first heard it 45 years ago in a lecture at Yeshivat Merkaz haRav by the late Ashkenazic Chief Rabbi of Israel Rav Shlomo Goren z"tl, at that time the Chief Rabbi of the Israel Defense Forces:

שמעון בן שטח הוה עסיק בהדא כיתנא אמרין ליה תלמידיו ר' ארפי מינג ואנן זבנין לך חדא חמר ולית את לעי סוגין. ואזולן זבנון ליה חדא חמר מחד סירקאי ותלי ביה חדא מרגלי. אתון לגביה אמרין ליה מן כדון לית את צריך לעי תובן. אמר לון למה אמרין ליה זבנינן לך חד חמר מחד סירקיי ותלי ביה חדא מרגלי. אמר לון וידע בה מרה אמרין ליה לא א"ל לון איזל חזר.

*Shimon ben Shetach was a dealer in flax.*

*His students said to him: Rabbi, give up this trade and we will acquire for you a donkey so you will not need to trouble yourself so. They went and bought him a donkey from an Arab merchant. The donkey had a pearl tied around its neck. They came to their Rav and told him, Now you will not need to toil so. He said to them, Why? They said to him, we acquired a donkey for you from an Arab merchant with a pearl around its neck. He said to them, does the owner know about this? They said, no. He said to them, go and return it.*

The Yerushalmi analyzes the story, placing it within its halakhic context:

... אפילו כמאן דמר גזילו של עכו"ם אסור כל עמא מודיי שאבידתו מותרת. מה אתון סברין שמעון בן שטח ברברין הוה. בעי הוה שמעון בן שטח משמע בריך אלהון דיהודאי מאגר כל הדין עלמא.

*...Even if we maintain one may not steal from pagans, everyone admits a lost object is permitted. The master responded: do you think Shimon ben Shetach would appropriate property in this way? Shimon ben Shetach simply wanted to hear the gentile say, Blessed is the God of Israel, more than any reward in the universe.*

I can remember to this day how quiet the Beit Midrash was when Rav Goren quoted that *sugya*. It was only years later, when I began to study the Yerushalmi seriously, that I read the continuation of the *sugya*. Characteristically, the Talmud wonders about the source for Shimon ben Shetach's approach. Was there a verse? A mishnah, perhaps? An oral tradition from Sinai?

ויידא אמרה דא רבי חנינה משתעי הדין עובדא רבנין סבייא זבנין חד כרי דחישין מאילין דאיסרטוס ואשכחון ביה חדא צררא דדינרי וחזרוניה להון אמרין בריך אלהון יהודאי.

*And from where did he learn this? From*

a story told by R. Chanina. Older sages had bought a pile of wheat from gentile soldiers in which they found a pile of gold dinars which they returned. The soldiers responded: Blessed be the God of the Jews.

The Yerushalmi continues recounting similar stories of Jews who elicited praise from gentiles for the God of Israel. So is the Name of God sanctified in our world.

Let's look more closely at the story of Shimon ben Shetach. There is one important detail that the Talmud makes certain to supply. The tanna specifically asks if the Arab merchant is aware that he has lost the pearl tied around the neck of the donkey he sold. The students answer that he isn't. Why does the Talmud include this detail? Simply because if the Arab merchant had been aware that the students had found his pearl and had not voluntarily returned it, then there could potentially have been a case of *chilul ha-Shem*, the flip side of the obligation to sanctify God's Name. The Talmud makes it clear that they would have had no obligation to return the lost property of a non-Jew. The Yerushalmi wants to be clear that there was no legal obligation for Shimon ben Shetach to do as he did. His full motivation was the Arab merchant's admiration for the God of Israel in whose name he acted.

Again, the tanna's action was not covered legally by either clause of the verse in Emor that occasioned our discussion. He was neither obligated to return the pearl as a positive act of *kiddush ha-Shem* nor prohibited from keeping it in order to prevent *chilul ha-Shem*. He acted for one reason only, so that a non-Jew would be moved to bless the God of Israel.

The chain of stories here and elsewhere in rabbinic literature (Rav

Goren presents more examples in his subsequent writings) demonstrate the concern of the rabbinic tradition for the universal attitude of the world toward the Jewish people. *Kiddush ha-Shem*, so intimately associated with the very nationalistic holiday of Chanukah, is an object lesson in Torat Adam, the universal dignity of humanity.

How wonderful that our newly invested President included Torat Adam in his global agenda for our Yeshiva University. It is a value about which the Torah studies faculty is passionate. Torat Adam informs the Torah studies requirements, especially in the Sy Syms School of Business, where students learn to participate in the global marketplace just as the rabbis of the Talmud did.

For a yeshiva in particular, there is an important lesson in pedagogy in the Yerushalmi we have discussed. The most effective means for teaching the practice of Torat Adam is through its exercise by the leaders and teachers we most respect. The Talmud very abruptly and tersely asked, from where did Shimon ben Shetach learn the moral imperative to evoke admiration and love of God? The answer was from the behavior of R. Chanina and then others who acted with the same passion for the love of the God of Israel.

The brilliance of Torah scholars illuminates the mind. The noble behavior of those we respect, not only scholars but community leaders, parents, and fellow Jews, inspires the heart. We have been fortunate to sit in the shadow of world-class *talmidei chachamim* in our yeshiva. Equally important is the inspiration we have drawn from the way they conduct themselves in and out of the *beit ha-midrash*.

Sometimes stories teach us far more than even the most novel and penetrating Torah insights. In the short time since the loss of Rav Aharon Lichtenstein zt"l, we, his bereaved students, have told and retold anecdotes about him. Rav Aharon not only wrote eloquently on the ethical imperatives in our texts that promote devotion to Torat Adam, he lived them. The stories are what animate us, even as we reread the essays and texts.

Rabbi Berman's address was a challenge to us all to promote our core values among our students, both while they are on campus and when they leave us to live their own Torah u'Madda lives. In the world outside the *beit ha-midrash*, there are more Jews learning Talmud than at any time in our history. Kosher dining choices are more numerous than ever more. Sabbath observance is no longer the novelty it once was. From these perspectives, the religious Jewish world might be adjudged a success.

But then there is Torat Adam and the call to elicit blessings of and admiration for the God of Israel and His Torah. There are too many Jews incarcerated for white collar crimes. That they do *Daf Yomi* does not mitigate the sting. When a Jewish central banker in a foreign country asks me not to wear a kippah when I speak on financial matters because "Orthodox Jews have a reputation for cutting ethical corners in business," I can only think of Shimon ben Shetach and his colleagues. We must embrace Torat Adam as a core principle of our program so that in the years ahead, Jew and non-Jew, religious and secular, will be moved to say with love and admiration, Blessed be the God of Israel.