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MAY 2019 • YOM HAATZMAUT 5779

TORAT ERETZ YISRAEL:

CELEBRATING RELIGIOUS ZIONIST PERSONALITIES AND THEIR TORAH THOUGHTS

Dedicated in memory of David Rottenstreich, דוד חיים ע"ה בן צבי עקיבא ע"ה, on the occasion of his 10th yahrtzeit by his friends and fellow talmidim at Yeshiva University

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IN MEMORY OF DAVID ROTTENSTREICH A"H

This year's Benjamin and Rose Berger *Torah To Go* is sponsored in loving memory of David Rottenstreich, Dovid Chaim a"h ben Tzvi Akiva a"h, whose 10th yahrtzeit will be commemorated on the 13th of Nissan.

David grew up in Hillcrest, NY, and attended YCQ, MTA, Yeshivat Shaalvim, Camp Morasha and Yeshiva University. He was a loving son, brother, and friend to all who knew him. While a student at Yeshiva University, he tragically passed away at the age of 20. Incredibly, his struggles during his illness, to which he eventually succumbed, galvanized so many to learn Torah and perform acts of chesed on his behalf, and then in his memory.

Ten years later, David (also known as "Rotty") is still sorely missed, and his sterling personality and tremendous middot continue to impact all those who knew him and knew of him. David's smile lit up a room. His lively and exuberant personality was infectious. Most inspiring was David's strong commitment to talmud Torah, tefillah and shemirat hamitzvot. I, personally, will be forever inspired by the weekly Friday morning phone calls I received from David during his year in Israel, made specifically to share an insight and dvar Torah on the parsha.

We see a true testament to David's passion and commitment to talmud Torah from the numerous projects that have been produced in his memory. Annual yahrtzeit shiurim inspire all who attend. A sefer Torah was dedicated by his family and friends to perpetuate his memory. *Tzemach Dovid*, a sefer written and composed by David's friends and rebbeim, conceptualize David's knack for transmitting a *"vort"* for every parsha and chag.

The second half of *Tzemach Dovid* is a compilation of David's own notes and ideas, which were first unveiled after his passing. In commemorating the Seder night, David wrote about the differences between the daily mitzvah of *zechirat yetziyat Mitzrayim* and the special mitzvah at the Seder of *sippur yetziyat Mitzrayim*:

Our obligation on every other night of the year is to remember the physical redemption from slavery to freedom, but on Pesach night we are obligated to remember the spiritual redemption. The whole night is about realizing and thanking Hashem for making us Ovdei Hashem and giving us the ability to do Mitzvot.

While this idea may be unique to the Seder night, David lived every day of his life by this lesson. He took pride in his ability to serve Hashem daily, taking full advantage of so many spiritual opportunities with a sense of simcha and fulfillment.

It is only appropriate that David's yahrtzeit be commemorated through a Torah publication whose inspiring words will be shared by so many, and which reflects David's passion. May the words of Torah published here serve as a merit for David's neshama, and continue to serve as a comfort for his wonderful family.

Torat Eretz Yisrael: Celebrating Religious Zionists Personalities and their Torah Thoughts

Essays from the members of the YU Torah Mitzion Kollel of Chicago and YU Torah Mitzion Beit Midrash Zichron Dov of Toronto

RAV AVRAHAM SHAPIRA ZT"L: TORAH AND ERETZ YISRAEL

BY RABBI REUVEN BRAND

Rosh Kollel, YU Torah Mitzion Kollel of Chicago

Rav Avraham Elkana Kahana Shapira zt"l, or simply Reb Avrum as he was known to his countless rabbinic and lay disciples, was a central figure in the 20th-century Torah community. Although diminutive in size he was a towering Torah giant, delivering shiurim in Yeshivat Mercaz Harav for over fifty years, serving as a posek and dayan for over thirty years, publishing innumerable articles and sefarim and leading Israel as Ashkenazi Chief Rabbi from 1983–1993.

I had the remarkable privilege of being in the radiant glow of Rav Shapira zt"l on many occasions, from davening and "duchening" with him in the Yeshiva in Jerusalem's Kiryat Moshe neighborhood to experiencing his shiurim on Achronim on Motzei Shabbat in his modest nearby

apartment. These moments gave an American teenager the chance to appreciate a tiny glimpse of legendary greatness.

Born in 1913, Rav Shapira was a brilliant "Yerushalmi" talmid chacham who studied under and corresponded with the gedolim of his generation, including Rav Yechezkel Sarna, Rav Isser Zalman Meltzer, the Brisker Rav, the Chazon Ish, Rav Yaakov Moshe Charlap and Rav Tzvi Pesach Frank. On a personal level, he was a warm, approachable person with an ebullient sense of humor. He was a beloved rebbe to generations of talmidim and mentor to the entire Religious Zionist community.

Although Rav Shapira served alongside Rav Mordechai Eliyahu zt"l as Israel's Ashkenazi Chief Rabbi for ten years and was extremely active in communal affairs, his primary life mission was his role as a rosh yeshiva. His chief concern was learning and teaching Torah. On Shavuot morning at the Kotel he would recite the bracha of Ahava Rabba slowly and with intense focus and tears, asking Hashem to open his heart in learning.[1]

Ameilut BaTorah — the rigorous effort invested in Torah learning — is the focus of one essay in his three-volume work, *Minchat Avraham*. He cited the Gemara (*Berachot* 6a) that even a solitary individual, who sits alone and is "*osek BaTorah*" — engaged with Torah — merits the company of Hashem's presence. It is the quality of being immersed in and struggling with Torah that adds spiritual elevation. This, Reb Avrum zt"l explained, is the rationale for the Bach's observation (*Orach Chaim* 47:1) that our practice is to recite the bracha "*La'asok Bdivrei Torah*," which focuses us on the goal of effort and toil in Torah learning.

Rav Shapira's emphasis on Torah learning was not limited to the confines of the Beit Midrash. In an interview while serving as Chief Rabbi, he noted that the main goal of the religious community in Israel should be to expand Torah education to all Jews in Israel.[2]

Rav Shapira emphasized that there is "no Torah like Torat Eretz Yisrael," and he combined his passion for Torah with a passion for Eretz Yisrael. He was a colleague and successor of Rav Zvi Yehuda Kook zt"l at Mercaz Harav and shared Rav Zvi Yehuda's religious insistence on settling all of Eretz Yisrael. On one occasion, a group of Mercaz Harav students were detained by police at a rally in support of new settlements in Yehuda and Shomron. Rav Shapira arrived at the prison soon after with a large Gemara and quipped, "*chaval* to waste time. Is it not possible in the State of Israel to give a shiur in a prison?"[3]

One of Rav Shapira's most notable rulings on Eretz Yisrael was regarding the removal of Jews from Gush Katif. In a public letter he declared that it is forbidden to transfer land in Eretz Yisrael to non-Jews based on the prohibition of *Lo techanem* and the mitzvah of *yishuv Eretz Yisrael.* He therefore ruled it is forbidden for anyone — civilians and soldiers — to participate in removing Jews from Gush Katif as it violates the Halacha. In a letter dated 2 Menachem Av 5765, he invoked the Rambam's statement:

אין צריך לומר אם גזר המלך לבטל המצוה אין שומעין לו.

It is obvious that if the king decreed to violate a mitzvah, we don't listen to him. **Hilchot Melachim 3:9**

This position sparked a controversy and a dissenting letter from Rav Aharon Lichtenstein zt"l.[4] Yet Rav

Rav Avraham Shapira zt"l
1914–2007

Shapira stood firm, maintaining this position, which emanated from a longstanding view that rabbanim should be involved in public policy decisions regarding the Land of Israel. In an interview shortly after the Six-Day War, he invoked the Mishna in Sanhedrin that a Jewish king may not wage a *milchemet reshut* — voluntary war — as an example of the role Torah sages should have in military decisions.[5]

Even after his passing in 2007, Rav Shapira's Torah leadership continued to inspire the growth of the Religious Zionist Torah community and the expanding Jewish settlement of Eretz Yisrael.

Endnotes

1. Related by Rabbi Yehoshua Magnes in a video tribute: https://youtu.be/ReleHMlBweE.

2 Interview with Shaul Shif, Hatzofeh, September 9, 1990.

3 Related by Moshe Krona.

4 The exchange of letters between Rav Lichtenstein zt"l and Rav Shapira zt"l's grandson Rabbi Avraham Silvetsky is published in *Nitzanei Aretz* 18.

5 *Hatzofeh*, November 10, 1967.

RAV EITAM HENKIN: AM YISRAEL IN ERETZ YISRAEL

RABBI MORDECHAI TORCZYNER
Rosh Beit Midrash, YU Torah MiTzion Beit Midrash Zichron Dov of Toronto

Rav Eitam Henkin was born in 1984 to Rabbi Yehudah Herzl Henkin and Rebbetzin Chana Henkin, both important Torah scholars and educators. He learned in Yeshivat Nir in Kiryat Arba, served as a sergeant in the IDF, and married Naama, a graphic designer. He received semichah in 2011, and began learning in Machon l'Rabbanei Yishuvim and teaching in Midreshet Nishmat. He also edited and wrote for a variety of Torah periodicals, even as he completed an M.A. in history and received a fellowship toward writing a doctorate on the Chafetz Chaim. During these years, he and Naama produced four children.

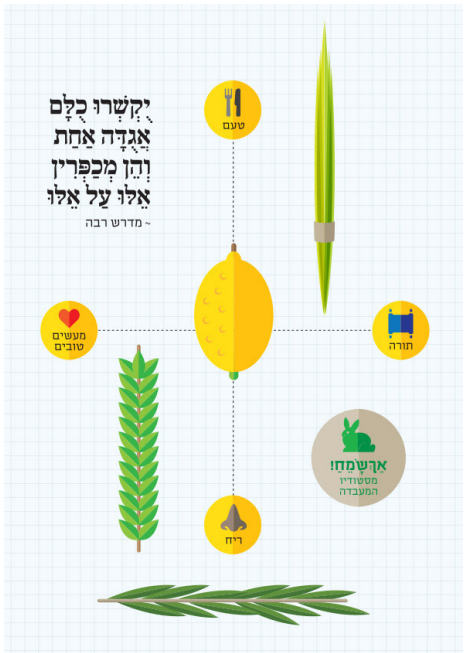
In 2009, Rav Henkin published an article, *Tu b'Av — haMecholot vehaChag* (*Alonei Mamrei* 122), about the significance of Tu b'Av — the fifteenth day of Av. In the Talmud, Rabban Shimon ben Gamliel (*Taanit* 30b-31a) introduces this day by saying, "There were no good days for Israel like the 15th of Av and Yom Kippur." The Talmud continues to outline positive historical and ritual events related to this day; for example, this is the day when the women of Binyamin were permitted to marry outside of their tribe, after the civil war in Givah. (Shoftim 20-21). In another example, this was the day when roadblocks preventing Jews of the northern kingdom of "Yisrael" from travelling to the Beit haMikdash in Jerusalem were removed. But while these certainly were reasons for rejoicing, it is difficult to see how these relatively minor events could have elevated the fifteenth of Av past our other holidays to the level of Yom Kippur, as a day of unparalleled joy. Rav Henkin, though, explained that the joy of both Yom Kippur and the fifteenth of Av is not really about ritual. It is about unity; these are two "good days for **the nation living in Israel**." On these days the Jewish people were more unified than any other, and as Rav Henkin wrote, "There is no joy greater than the unity of the nation."

Rav Henkin noted a similar idea expressed by the Ritva (Commentary to *Bava Batra* 121a). The Ritva noted that the Simchat Beit haShoevah celebration on Succot might be viewed as happier than Tu b'Av and Yom Kippur, given the Talmudic assertion, "One who did not see the joy of the Water Drawing [on Succot] never saw joy in his life!" (*Succah* 51a) However, Ritva explained that the joy of Simchat Beit haShoevah was among the leaders; Tu b'Av and Yom Kippur were days of celebration for the rank and file.

Rebbetzin Naama Henkin also promoted this message of Jewish unity in her graphic design work and in her writing. After Rav Eitam and Naama were murdered in a terrorist ambush on Succot 5776, people begin circulating a Succah decoration Naama had designed. It displayed the *arba minim*, each one associated with the trait that made it attractive, and the midrashic statement, "Let these be bound together in one bundle, and each will atone for the other" (*Vayikra Rabbah* 30:12).

Rav Eitam Henkin Hy"d
1984–2015

May the merit of the Henkins, Hy"d, bring about that which they most valued: the unification of the nation of Israel in the Land of Israel.



RAV AHARON LICHTENSTEIN: ZIONISM AND KNESSET YISRAEL

RABBI BARUCH WEINTRAUB
Sgan Rosh Beit Midrash Emeritus, YU Torah MiTzion Beit Midrash Zichron Dov of Toronto

Speaking for myself, I am far from totally identifying with the official Zionist ideology. I have the privilege of being regarded in America as a bit odd for being a Zionist, and in Eretz Yisrael as being a little odd (at least within our world) for being suspect as not sufficiently Zionist.
By His Light, Rav Aharon Lichtenstein

The view of Mori VeRabi, Rav Aharon Lichtenstein zt"l on Zionism was complex, nuanced and rich. As in every other aspect of life, he aspired to see things "steadily and whole," in the words of Matthew Arnold. His Zionism was based on solid halakhic foundations, inspired by a firm belief in human responsibility and sensitive to the sacral, metaphysical and historical uniqueness of the Holy Land. In the following lines, I would like to briefly introduce one of the key elements that stood as the basis of Rav Lichtenstein's Zionist thought — Knesset Yisrael, its role and the duty it entails.

In a few of his "technical" halakhic essays, Rav Lichtenstein developed a common theme; namely, that certain mitzvot, when performed in Eretz Yisrael, carry a special dimension that is lacking outside of the Land; other mitzvot are rendered completely inaccessible when not performed in the land.

Rav Lichtenstein proposed that underlying these halakhot was an assertion about "the collective standing of the Jewish population in Eretz Yisrael, about which the Gemara writes, 'These are the ones referred to as "kahal"' (*Horiyot* 3). In this light, he discussed "the nature and root of the precedence afforded to the poor of Eretz Yisrael, and the relationship between the mitzva of tzedaka itself to Eretz Yisrael." ("Tzedaka in Eretz Yisrael and in Chutz La-Aretz" available at https://www.etzion.org.il/en/tzedaka-eretz-yisrael-and-chutz-la-aretz); the obligation to appoint kings and ordained Rabbis in Eretz Yisrael alone ("Semicha in Eretz Yisrael and in Chutz La-Aretz"); the connection between Eretz Yisrael and the sanctification of months and years (*Kedushat Aviv*, p. 221); and the restriction of the eglah arufah (*broken-necked calf*) to the land's boundaries (ibid, p. 270).

Rav Lichtenstein explained that all these mitzvot not only relate to the individual Jew but are part of our national commitment to build a just society. Only in Eretz Yisrael does Knesset Yisrael appear as one unified body and not as a mere collection of individuals. Therefore, these mitzvot are greatly enhanced, and some are only possible, in Eretz Yisrael.

This strong sense of common national existence was not limited to theoretical analysis. Rather, Rav Lichtenstein put it at the forefront of his seminal paper — "*Zot Torat Hahesder*" (The ideology of Hesder). There he developed what was then a novel idea — that Israeli yeshiva students must integrate army service in the IDF into their yeshiva years not because the secular law requires them to do so, but because of their most deep moral and halakhic commitment. Rav Lichtenstein goes out of his way to explain that he does not see the military force per se as

Rav Aharon Lichtenstein zt"l
1933–2015

something to be idealized and desired; nay, he sees it as "alien to the ideal Jewish nation … a political reality imposed upon us by our enemies." The rationale of the drafting of yeshiva students, then, rests upon "the fact that military service is often the fullest manifestation of a far broader value: gemilut hasadim, the empathetic concern for others and action on their behalf." Here again, Rav Lichtenstein's Zionist approach is "impelled by both commitment to Torah and compassion for our people."

The choice of a person who, while residing in the United States grappled, together with his wife, with the option of aliyah … who never looked back in regret or reconsideration, possibly signifies the bonding power of derishat Zion … it is part of what links us, vertically and horizontally, with Knesset Yisrael.
Varieties of Jewish Experience, Rav Lichtenstein

RAV YAAKOV ARIEL: TORAH AS THE BACKBONE OF THE IDENTITY OF THE STATE OF ISRAEL

RABBI ELIHU ABBE
Sgan Rosh Beit Midrash, YU Torah MiTzion Beit Midrash Zichron Dov of Toronto

What should the legal system look like in a Jewish state? To what extent should Torah be infused into the identity of the State of Israel? Rav Yaakov Ariel discusses these questions in an article that appears in the first volume of *Techumin* (pp. 319-328), and that deals primarily with the prohibition of adjudicating a case in front of a secular court. While most of the article discusses the technical and halachic aspects of the prohibition, Rav Ariel devotes a considerable amount of space to emphasizing how essential it is that society function based on the principles of the Torah.

Rav Ariel writes (pg. 319):

It befits the State of Israel, as the State of the Jewish People, to be governed by Torah law. Just as we would never consider the possibility of a Jewish State without the Hebrew language as its official language, or without the Jewish Calendar with its Shabbasos and holidays … so too it is impossible to have a Jewish state without Torah law … Out of love of the State, the ambition of a good Jew must be to return Torah law to its honorable stature in the State of Israel

Why is a Torah judicial system so essential to the fabric of the Jewish state? To answer this question, Rav Ariel takes a step back and explains the Torah perspective regarding life as a member of society.

Life as a member of society has a G-dly destiny and a G-dly order. The human judge derives his value system and his judicial logic and authority from the Creator of the world, the One who fashioned man in His image for the sake of living a life of justice and truth. The significance of living properly as a member of society according to the laws of the Torah can be seen in numerous sources. Rabbi Akiva says, "And you shall love your friend as you love yourself — this is a great principle of Torah." And Hillel said to the convert, "Do not do to your friend what you would not want done to you, this is the entire Torah and the rest is its commentary, go and learn." And immediately after the Ten Commandments the Torah begins with the mitzvos of monetary law to emphasize that they were also given at Har Sinai … It is G-dly justice that determines, in great wisdom, what is an individual's rights or obligations.

Rav Ariel puts forward two practical suggestions. First, he argues, the law must grant rabbinic courts the same authority as it grants the secular courts. Second, "Anyone who values the honor of G-d, of the Torah, and of the Jewish People, must turn to a rabbinic court, whenever possible, to address any monetary matter that may arise."

Rav Yaakov Ariel
1937–Present

Rav Ariel concludes his article with the prophecy of Yeshayahu:

וְאָשִׁיבָה שֹׁפְטַיִךְ כְּבָרִאשֹׁנָה וְיֹעֲצַיִךְ כְּבַתְּחִלָּה
אַחֲרֵי כֵן יִקָּרֵא לָךְ עִיר הַצֶּדֶק קִרְיָה נֶאֱמָנָה.

I will restore your magistrates as of old, and your counselors as of yore. After that you shall be called "City of Righteousness, Faithful City."
Yeshayahu 1:26

NECHAMA LEIBOWITZ: NOTHING HOLY IN THE WORLD

RABBI AARON KRAFT
Rosh Chabura, YU Torah Mitzion Kollel of Chicago

Nechama Leibowitz, one of the greatest 20th-century teachers whose insights into the Tanach and distinct teaching methodology shaped thousands of students, would often say, "*Ein shum davar kadosh ba'olam,*" there is nothing holy in the world.[1] While her warmth and intellect was certainly accompanied by a dramatic flair, denying the existence of sanctity tests the boundaries of mainstream Jewish belief. What about Israel — is it not a sacred land? What about the Beit Hamikdash — was it not a sanctified space? How can we understand her statement especially in the context of Yom Ha'atzmaut, when we celebrate the development of the

State and our return to what we call The Holy Land?

Examining Nechama's (she insisted that she be called by her first name) writings on the mitzvah to settle Eretz Yisrael and on Moshe's decision to smash the luchot can perhaps shed light on the concept of kedusha and how it is manifest in the Land of Israel.

Nechama emphasizes that many nations inhabit a homeland. "What is the difference between Israel's relationship to its homeland and that of other nations to theirs?" she asks.[2] For the Jews, she explains, it is not just a matter of history; our relationship to our land involves "a moral obligation, the responsibility to observe a particular *way of life* in that land."[3]

She bases this on the Ramban's citation of our sages who taught that residing in Israel is equal in weight to the performance of all the mitzvot in the Torah.[4] Nechama illuminates this comment in a beautiful passage:

… the Torah cannot be observed in its entirety except in a society wholly governed by its precepts … Admittedly, there are personal religious obligations that can be observed anywhere, even by a Jewish Robinson Crusoe on his desert isle, but the Torah, as a whole, implies a complete social order, a judiciary, national, economic and political life.[5]

She describes the ideal of life in Israel as holistic, but necessitating human input and development. Our unique relationship to the Land is not a function of the Land per se, but our inhabiting it to fulfill our religious mission. Perhaps this, for Nechama, explains why the Land is indeed sacred.

Nechama believed in the principle established by the *Meshech Chochma*, who writes that nothing in the world is *inherently* kadosh. No holiness simply resides in an object — not the Holy Land, not Jerusalem, etc. — other than that invested in it by Israel's observance of the Torah in accordance with the will of the Creator.[6] This is how he explains Moshe's ability to smash the luchot — their sanctity was not inherent, but a function of the Jews abiding by the laws found therein. Therefore, when the Jews sinned with the Golden Calf, the sanctity of the luchot dissipated and they could be broken.

When Nechama said that nothing is kadosh, she meant, nothing is *naturally* holy. Of course kedusha exists in the world and reaches its peak in the Land of Israel. But that holiness was created through human effort. Israel is sacred because we are fulfilling our mandate to live in the land, develop the land and carry out our sacred mission there.

Nechama Leibowitz zt"l
1905–1997

Endnotes

1 Chayuta Deutch, *Sippur Chayeha shel Nechama Leibowitz*, pp. 243-246. (My thanks to Rabbi Michael Myers, close student of Nechama Leibowitz, for sharing this book and his general insights with me.)

2 Leibowitz, *Studies in Bamidbar* pg. 401.

3 Leibowitz, ibid. (emphasis added).

4 Ramban's strictures to Rambam's *Sefer Hamitzvot*.

5 Leibowitz, ibid. pg. 399-400.

6 Leibowitz, Studies in Shemot, pg. 612-614.

RAV MOSHE TZVI NERIYAH: THE LEGACY OF RABBI AKIVA

EZER DIENA
Avreich, YU Torah MiTzion Beit Midrash Zichron Dov of Toronto

The Talmud (*Yevamot* 62b) relates that Rabbi Akiva had 12,000 pairs of students, and all of them died between the holidays of Pesach and Shavuot because they did not act respectfully with one another.

Rav Moshe Tzvi Neriyah, a student of Rav Avraham Yitzchak Kook's, asks a well-known question: how could the students of Rabbi Akiva act in this fashion? Was it not Rabbi Akiva himself who noted that the Torah's commandment to "love thy neighbor as thyself" is a central tenet of the Torah? (Sifra to Vayikra 19:18, cited by Rashi ad loc.) Additionally, Rav Neriyah notes the comment of the Talmud (*Pesachim* 22b), that Rabbi

Rav Moshe Tzvi Neriyah zt"l
1913–1995

Akiva was the one who expounded the word "*et*" in the verse "*et Hashem Elokecha tira*" — you shall be in awe of the Lord your G-d — to include Torah scholars, emphasizing the special respect they deserve. Is it really possible that students who had been hearing such messages could act so disrespectfully to each other, so much so that they all deserved death!?

Rav Neriyah answers by citing sources in the Talmud, Ge'onim, and Rishonim[1] that indicate that the students of Rabbi Akiva were actually guerilla fighters as part of Shimon Bar Kochva's revolt against the Romans. Rav Neriyah also suggests that Talmudic self-censorship led to the omission of more direct mentions of these circumstances.

He further cites *Berachot* 46b-47a:

תנו רבנן אין מכבדין לא בדרכים ולא בגשרים ולא בידים מזוהמות.

The Rabbis taught: One should not show honor [to greater people by according them precedence] on paths, on bridges, or when their hands are dirty [and they need to be washed].

Rav Neriyah argues that surely the students of Rabbi Akiva behaved honorably with each other in their daily lives. But when it came to the "paths" and "bridges" that they were fighting on, there was no reason to give friends, or even elders, a preference — in fact, it was prohibited to do so. As partisans fighting in forests to defend Eretz Yisrael, there was a need to do the best possible job, no matter who was fighting next to you, and how much greater in Torah they may have been. The Torah itself deemed it necessary to temporarily place Rabbi Akiva's teachings aside so they could be successful in battle for this important goal. This is what the Talmud was trying to hint to us by telling us that they did not act respectfully with one another — they were in a circumstance where such behavior was impossible, fighting a war to defend their beloved homeland.

Known for his involvement in establishing Bnei Akiva, as well as in founding many high schools and Yeshivot Hesder that combined love of the Land of Israel with Torah education, Rav Neriyah truly carried the message of Rabbi Akiva and the passion of his students with him. Torah study, the love of Am Yisrael, and the love of Eretz Yisrael were all dear to Rabbi Akiva, his students, and Rav Neriyah. May we merit to continue their legacies for many years to come.

Endnotes

1 See, for example, Yerushalmi, *Ta'anit* 4:5, Bavli, *Sanhedrin* 93b, *Berachot* 48b, 60b, *Iggeret Rav Sherira Gaon* 1:1, Rambam, *Melachim* 11:3, *Ta'anit* 5:3.

RAV SHLOMO GOREN: ESTABLISHING THE JEWISH ARMY

RABBI ARI ZUCKER
Avrech, YU Torah Mitzion Kollel of Chicago

Shlomo HaMelech wrote the popular aphorism "*Ein chodosh tachat hashomesh* — there is nothing new under the sun" (Kohelet 1:9). Generations later, as the Jewish people returned to the same land, we had another Shlomo to show us the truth in that statement. As the Israel Defense Forces developed, there seemed to be no guidance for those committed to Torah and halacha. What do training exercises look like on Shabbat? How do traditional army tactics interact with Torah ethics? Rav Shlomo Goren, with his tremendous intellect, was known as an innovator,[1] but from his perspective, he merely applied the values and principles of our Torah to navigate this new section of Jewish life.

Originally Shlomo Goronczik from Zambrów, Poland, his family immigrated to British Palestine in 1925 and were among those who started Kfar Chassidim, a religious village outside of Haifa. At only 12 years old, Shlomo Goren was the youngest student to enter the Chevron Yeshiva, where his genius was clear for all to see. After receiving semicha at age 17, he published his first of many books, initially on the obscure Temple sacrifices. Rav Goren's works include halachic discussions on *Orach Chaim* and *Yoreh De'ah*, divrei Torah on the holidays, weekly parsha, philosophy,

Rav Shlomo Goren zt"l
1917–1994

and perhaps most notably, laws and responsa on military procedure and service and more.

Rav Goren insisted that Israel's

military be founded on Torah values. Due in part to his efforts, the IDF does not discriminate between soldiers, whether religious or secular, traditional or progressive, political or indifferent. All military divisions are open for all, and are not separated based on personal affiliations, but on commitment and ability.

In his responsa *Meishiv Milchama* Vol. 1 (p. 5), Rav Goren outlines the foundations for halachic decisions in the army. In the Talmud Yerushalmi, *Nedarim* 9:5 (and *Torat Kohanim* 2:4) Rabbi Akiva and Ben Azzai disagree on the *klal gadol ba'Torah* — the overarching rule of the Torah. According to Rabbi Akiva, it is "Love your fellow as yourself" (Vayikra 19:18), and according to Ben Azzai, it is "This is the narrative of the generations of mankind" (Bereishit 5:1). Rav Goren explains that their statements are not in opposition as much as pinpointing the differing levels of our world perspective. Do we concern ourselves with only those like us, the *rei'acha* (fellows) of Rabbi Akiva, or do we look at all of mankind with care and concern, like Ben Azzai's emphasis on *adam*? With this in mind, Rav Goren insists that a Jewish army must take all people into account, and place the utmost value on any single life, regardless if that life is Jewish, non-Jewish, Israeli or not. Perhaps this emphasis was most clearly seen in his stance that even non-Jewish IDF soldiers deserved a military burial.

Just as Rabbi Goren emphasized this value of an individual in the IDF, he also lived the axiom. In 1953, there were no paratroopers who felt strongly about keeping kosher. When Rav Goren visited a base and found that the kitchen was not in accordance with halacha, and thereby not in accordance with army code, he demanded an explanation. The base commander, Ariel Sharon, explained that not a *single* paratrooper kept kosher, so why go through the effort of maintaining a kosher kitchen? If even one soldier kept kosher, of course the kitchen would comply. So Rav Goren at age 36, twice the age of most soldiers, signed up to train as a paratrooper, jumping out of planes and all.

Endnotes

1 Arye Edrei, "Divine Spirit and Physical Power: Rabbi Shlomo Goren and the Military Ethic of the IDF," *Theoretical Inquiries in Law* (2006).

RAV AVRAHAM YITZCHAK KOOK: THE NATION AND THE INDIVIDUAL

RABBI MICHAEL FRIEDMAN
Avrech, YU Torah Mitzion Kollel of Chicago

When we examine different sections of Rav Avraham Yitzchak Kook's plethora of writings, we may sense an apparent contradiction. On the one hand, he is a thinker who seems to prefer the forest to the trees, writing in broad, often abstract terms about the spiritual and philosophical aspects of Jewish belief. This character is perhaps what Rav Kook is most well known for. On the other hand, many areas of his writings are intricately detailed, closely analyzing both Jewish law and Israeli life. Delving further into the thought of Rav Kook, we see that these two styles are in fact one in his eyes, two aspects that speak particularly to his views of the Land of Israel, a place where the Jewish people can be at home both as individuals and as a nation.

Rav Kook lived and led in the British Mandate of Palestine at a

Rav Avraham Yitzchak Kook zt"l
1865–1935

time when nationalism was taking hold across the world. While he never merited to see the formation of the State of Israel, he saw this as a revolutionary moment fundamentally related to the beginnings of the ultimate redemption. Similarly, he envisioned the Jewish people leaving their individual communities and regrouping as the Jewish nation, a self-governing body that could think, live and perform Torah, unhindered at last after millennia of exile.[1] This entity is a body much greater than the sum of its parts, and could only occur in the land of Israel, both from a pragmatic sense and, even more so, a metaphysical sense. The Jewish people, Rav Kook writes, cannot think, act or serve Hashem like a nation without a connection to our homeland.[2] He saw the establishment of such in the broadest terms, one that allows the spiritual treasure of Torah to once again be manifest.

While Rav Kook placed tremendous value in the Jewish nation and the "big ideas" of Torah, he clearly recognized the indispensability of each detail. This observation is not just in the sense of a mosaic, where every stone is necessary to make the entirety of the work of art; he saw every portion of Torah, every Jewish person, as expressing a component of the whole within its personal sphere.[3] Rav Kook describes how the minute details of halacha both manifest and reflect the most esoteric and lofty ideas in Torah as a whole. He illustrates the precision of every Jewish soul being born at the exact moment needed for his or her role in the world, as well as the world waiting for them to develop their spiritual stature.[4] Every fine point, every person is a world unto itself, yet is also infinitely important to the completion of the Jewish nation, Jewish state, and Jewish mind.

When we examine Rav Kook's leadership, this multifaceted approach becomes clear. His decisions were for the sake of the entire early Israeli society, and he stressed study of subjects such as *emunah* (faith) and the Jewish spiritual belief system — the forests of Torah thought. However, a glance at his letters indicates countless specific issues to which he gave his nuanced insight. This was all in addition to his personal scholarship, which ranged from deep philosophical treatises to poetry, and even a super-commentary to the Vilna Gaon's nuanced glosses to *Choshen Mishpat* (*Be'er Eliyahu*). He was a master of Judaism in every facet.

When we look at Israeli society today, we see the fulfillment of Rav Kook's dreams: a place where both the Jewish nation as a whole, and every individual within it, can be fully realized, can be fully at home.

Endnotes

1 *Orot HaTeshuva* 4; *Orot,* Eretz Yisrael 1.

2 *Orot,* Eretz Yisrael 4-6.

3 *Orot HaTorah* 4:4.

4 *Olat Ra'aya* on Yom Kippur "*Elokai ad shelo notzarti.*"

RAV TZVI YEHUDA KOOK: WAITING FOR REDEMPTION

RABBI DANIEL KANTER
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The State of Israel that HaRav Tzvi Yehuda Hakohen Kook zt"l lived in, much like the State of Israel today, was a complex, multifaceted tapestry of different Jewish ideologies and levels of religious observance (and non-observance). Especially after the Six-Day War, but even after the Israeli War of Independence, there were many who saw the coming of the Messiah as imminent. In their eyes, the massive ingathering of exiles from around the world, the reestablishment of a Jewish State, and the miraculous events of the aforementioned wars, all attested to this. Yet there were those who had difficulty reconciling the seeming incongruence between the impending Messiah and the disparate levels of religious observance that were evident in Israel at that time.

The confluence of these two concepts were a topic that Rav Tzvi Yehuda spoke about often and loudly. In a *sicha* given at the height of the Six-Day War, he described the then-current reality as not inhibiting the coming of the Messiah, but possibly even enhancing it.[1] The Gemara explains

Rav Tzvi Yehuda Kook zt"l
1891–1982

that the materials used for the building of the Beis Hamikdash would only become sanctified after they were put into place.[2] The reason given is that the Torah, and by extension the Beis Hamikdash, was given not to ministering angels, but to man. Since, unlike angels, there is a limit to man's endurance, the builders will inevitably lean on the bricks, or sit in their shade to rest from the sun. This innocuous action, if done on an already consecrated Beis Hamikdash, would result in a grievous offense to the glory of the Beis Hamikdash, as well as transgressing the prohibition of *me'ilah*, of receiving benefit from already consecrated items.[3]

Rav Tzvi Yehuda explained that our redemption develops in the same manner. The stones used in the building of the Beis Hamikdash were not sanctified until completion, yet everyone knew of their immense importance and significance. So too in regard to building the Land of Israel; there may not be a monolithic sort of religious observance. However, the ultimate "consecration," that of the final redemption, is intended to be accomplished by every segment of the Nation of Israel, regardless of ideology and level of religious observance. In ways that cannot be fully comprehended, every element of the nation of Israel is integral to the furthering of the ultimate redemption and the coming of the Messiah.

The concept that every element of the modern State of Israel was in some way connected to the furthering of the redemption was a primary ideological belief in the mind of Rav Tzvi Yehuda. It was a concept that he championed his entire life and is lived on in many of his students today.[4] Indeed, today the tapestry of Jewish life in Israel, as well as the Diaspora, is no less diverse and chaotic today than it was in 1967. Yet if we take the lessons of Rav Tzvi Yehuda and his students to heart and realize that there is a larger plan in play for the Nation of Israel as well as for the Land of Israel, then we may soon merit seeing the coming of the final redemption in our own lifetimes.

Endnotes

1 *Sichot HaRav Tzvi Yehuda*, 28th of Iyar, 5727 (June 7th, 1967).

2 Gemara *Me'ilah* 14a-14b.

3 Rambam, *Hilchos Meilah* 8:4.

4 Sampson, David. "Torat Eretz Yisroel: The teachings of HaRav Tzvi Yehuda HaCohen Kook." Page 347.

RAV SHAUL YISRAELI: THE IMPERATIVE TO LIVE IN ERETZ YISRAEL

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R. Shaul Yisraeli was one of the most prominent rabbis in the *Dati Leumi* community in Israel. He served as the rabbi of Moshav Kfar Haroeh, as a member of the Chief Rabbinate Council, as Rosh Yeshiva in Mercaz HaRav, and as president of the Eretz Chemdah Institute.

In his *Eretz Chemdah* (I:I:8), R. Yisraeli addresses the question of whether it is better to live in *Chutz la'Aretz* among people with higher religious standards or in Eretz Yisrael among people with lower religious standards. R. Yisraeli objects to the ruling of the *Avnei Nezer*, R. Avraham Borenstein (1838–1910), who wrote that when faced with this dilemma, the potential costs of living among people with lower religious standards outweigh the benefits of living in Eretz Yisrael.

R. Yisraeli agrees that living among people who are positive influences is extremely important and desirable. However, it is only the determining factor when considering options within Eretz Yisrael or within Chutz la'Aretz. Citing Rambam's ruling that "A person should always live in Eretz Yisrael, even in a city where most of the residents are idolaters, rather than live in Chutz la'Aretz in a city where most of the residents are Jewish" (*Hilchos Melachim* 5:12; based on *Kesubos* 110b), R. Yisraeli argues that if it is better to live in Eretz Yisrael among idolaters, it is *certainly* better to live there among Jews with lower religious standards! Furthermore, according to the opinion of Ramban, living in Eretz Yisrael is a mitzvah, and one may not exempt oneself

Rav Shaul Yisraeli zt"l
1909–1995

from fulfilling a mitzvah even if it is difficult.

R. Yisraeli considers the possibility that the ruling, "A person should always live in Eretz Yisrael, even in a city where most of the residents

are idolaters…" is only directed to those already living in Eretz Yisrael, and not to people living in Chutz la'Aretz. However, Rambam rules in *Hilchos Ishus* 13:19, that a husband can compel his wife to move to Eretz Yisrael, even from a city where most of the residents are Jews to one where most of the residents are idolaters.

R. Yisraeli notes that if a person is very concerned that he will not have the ability to function normally in Eretz Yisrael, and as a result, will be constantly anxious, he may be exempt from the mitzvah of living in Eretz Yisrael, since according to R. Shlomo ben Shimon Duran (1400–1467), dwelling in Eretz Yisrael should be a *yeshivah shel shalvah* (a serene dwelling).

How, asks R. Yisraeli, can one spouse compel the other to move to Eretz Yisrael in a case in which one of them is worried that they will not be able to withstand potential negative influences of neighbors with lower religious standards? Why should this not be considered a valid claim? R. Yisraeli answers that perhaps this ruling assumes that the merit of dwelling in Eretz Yisrael will help prevent one from being influenced by wicked people, and that it is, in fact, more [spiritually] dangerous to live in Chutz la'Aretz where the "air is impure."

RAV MOSHE AVIGDOR AMIEL: RESTORING THE CROWN

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In 1933 Rabbi Moshe Avigdor Amiel, a prominent student of Rabbis Chaim Ozer Grodzinski and Shimon Shkop who later went on to become Chief Rabbi of Tel Aviv, delivered an address to the world Mizrachi convention in Crackow. In his remarks, he outlined what he viewed as the defining characteristic of the Mizrachi worldview which distinguished it from other Orthodox groups. From its inception, Mizrachi had been involved with elements of Jewish life that had not traditionally been part of Orthodox activities. Chief among these was broad political involvement with the rebuilding of Jewish settlement in Israel and mass education toward this end. These activities had drawn criticism from other groups, which claimed that involvement in these areas ran contrary to the traditions received from earlier generations that did not include such things. In response to these claims, Rabbi Amiel distinguished between two forms of perpetuating traditions: "*hachzakah benoshnot,*" maintaining ancient customs, and "*hachzarat ha'atarah leyoshnah,*" the restoration of the crown. The former practice entails an exact replication of the practices of previous generations without consideration for contextual concerns. The latter "means to seek out the primal source, the reason of all reasons and cause of all causes of a chain of words and actions." In other words, to uncover the core values and directives of Judaism that are encoded in the tradition we receive, and to base our practice on that framework. This second approach, argues Rabbi Amiel, is central to the Mizrachi worldview.

A benefit of this approach is that it allows for combating the deleterious effects of outside influences, which may have crept into daily Jewish life without detection. "We must admit," says Rabbi Amiel, "even Torah Judaism has been influenced by the galut (exile)." As a result, we must consider carefully the fundamentals of our religion and reconstruct those elements that have been worn away by a grueling exile.

To this end, Rabbi Amiel suggests that we can divide the mitzvot into three categories. There are those between man and G-d, and those between man and man. These are readily recognized. But there are also "mitzvot that are incumbent upon us to fulfill for the sake of maintaining the Jewish nation." These include "*milhemet mitzvah* (biblically mandated war), appointing a king and a Sanhedrin, [and] settling the Land of Israel." Over the course of time, outside influences have diminished our sensitivity to the need to actively engage in this third category of mitzvot where possible. The Mizrachi worldview, argues Rabbi Amiel, seeks to reintegrate these three categories. The result is not a disregard for our *mesorah*, but an attempt to live

Rav Moshe Avigdor Amiel zt"l
1883–1946

that *mesorah* in the fullest possible way. "It does not innovate anything but rather restores the crown."

Rabbi Amiel's notion of "restoring the crown" fits neatly into the greater nexus of religious Zionist thought. An emphasis on national mitzvot leads naturally to a more open and involved relationship with the greater Jewish people. The goal of reviving parts of the mesorah that have been de-emphasized and degraded by galut is in line with the general religious Zionist idea of taking a proactive role in the ultimate redemption.

RAV YITZCHAK HERZOG: THE ETERNAL RELEVANCE OF TORAH

RABBI JONATHAN ZIRING
Sgan Rosh Beit Midrash Emeritus, YU Torah MiTzion Beit Midrash Zichron Dov of Toronto

During the nearly two millennia that the Jewish people did not hold sovereignty, those *halachot* that related to the creation or running of a polity, such as many economic and judicial laws, were not practically relevant. However, with the miraculous creation of the modern State of Israel, the Jewish people were faced with the challenge of building a society in its totality. For Religious-Zionist poskim, who believed that the return of Jewish sovereignty had religious value, it was critical to explain how a State could function from a religious perspective.

Some poskim, such as Rav Goren, were more comfortable relegating these responsibilities to the secular authorities by granting them the status of a *malchut,* a kingship, while others sought to find ways of integrating the spirit of the Jewish law into the state, though not the letter (as in *Mishpat Ivri*). However, Rav Yitzchak HaLevi Herzog, the first Ashkenazi Chief Rabbi of the State of Israel, had another approach. He believed that given the chance, halachah could develop an entire economic system, though he did not seek to impose a halachic criminal law. Theologically, he thought it was heretical to embrace a secular court system with its own standards of economic law, especially one which was merely a hodgepodge of British and Ottoman law. It was an implicit statement that the word of G-d was incapable of speaking to the modern world.

However, he understood that for thousands of years, these laws had not been developed in a way that they could function in the modern state. There were expectations that daughters should inherit, that non-religious Jews or non-Jews be accepted as witnesses in courts of law, things that from the vantage point of strict halachah are not the case. His solution was to propose *takkanot,* decrees that would bridge the gap between halachah and modern society. To that end, he gathered many Torah scholars to develop a system of such decrees to prove that it could be done, hoping, though not expecting, that they would be accepted as the law of the State of Israel. These proposals were collected and published in a three-volume book, *Techukah L'Yisrael al Pi Torah - A Constitution for Israel According to the Torah.*

Dr. Alex Kaye devoted his dissertation to Rav Herzog's novel approach. The basic philosophy that undergirded it became the majority position among religious-Zionist thinkers, since it was specifically they who had hoped that the State could represent the Torah as part of its fulfillment of the beginnings of the redemption. Rav Herzog summarized his idea succinctly:

The aspiration of all of religious Judaism in Israel and the Diaspora should be that the constitution include a basic clause that the law of the land is based on the foundations of the Torah. (trans. from Kaye)

Rav Yitzchak Herzog zt"l
1888–1959

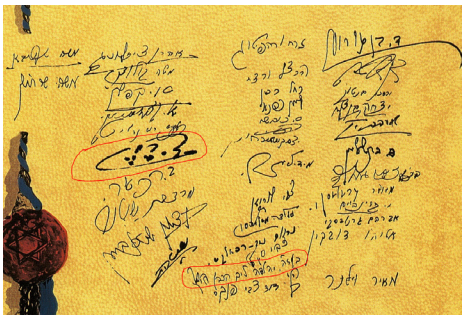
The *takkanot* were his way of trying to get Israelis who did not necessarily embrace the Torah to accept this vision, by finding a way to express halachah and democracy. His conviction that Torah could and should speak to the modern world should inspire us to think creatively about how Torah can be integrated into all areas of life, even those that have not been classically under the purview of halachah. (Modified from *Toronto Torah*)

RAV YEHUDA LEIB FISHMAN MAIMON: LEAVING HIS MARK

RABBI YEHUDA MEYERS
Avrech, YU Torah Mitzion Kollel of Chicago

Tel Aviv, British Mandate Palestine; Thursday, May 13, 1948, 6 pm: With less than twenty-four hours until the 4 pm, erev Shabbat scheduled declaration, a massive debate broke out among the committee of writers of the Megilat Ha'Atzma'ut, the Israeli Declaration of Independence. Aharon Zisling (a left pro-Soviet politician) argued against putting G-d's name into the constitution. However, Rabbi Yehuda Leib Fishman[1](1875-1962) contended that a document signed on behalf of world Jewry could not possibly omit G-d's name. After much contention and heated voices in both directions, they reached a compromise to use the ambiguous phrase "*mitoch bitachon b'Tzur Yisrael*" — [We sign this document,] trusting in *Tzur Yisrael*. The religious group members interpreted *Tzur Yisrael* as referring to G-d (as we do in numerous places),[2] while the secular affiliates understood it as referring to the "might of the people of Israel."

But Rabbi Fishman was not satisfied. He wanted an explicit mention of G-d in the paper, which he firmly believed would be of historic proportions in the annals of Jewish history. Realizing he would not be able to change the text of the declaration itself, he would have to find another way to sanctify the declaration with the name of G-d.



Rav Fishman's signature with the words בעז"ה before it.

Twenty-two hours and seventeen minutes later, at exactly 4:17 pm on erev Shabbos, Parshas Kedoshim, upon David Ben Gurion's finishing his recital of the declaration, [3] the opportunity arrived for everyone on the council to sign their name. One by one in alphabetical order, all the signatories came up. With the Hebrew letter פ being toward the end of the alphabet, Rabbi Fishman was one of the last ones to sign. However, when his turn finally arrived, he left an indelible mark on the document. He gracefully took the pen and added not only his name, but four letters before it as well. He wrote, "בעז"ה יהודה ליב הכהן פישמן" — adding the acronym for בעזרת השם, with the help of G-d, ensuring that for all of eternity the Megilat Ha'Atzma'ut contained within it an explicit and undeniable reference to G-d.

However, the story does not end there. Although the State was declared, there was not yet a tefillah written on behalf of its welfare. Rav Fishman, who after the state was formed became the Minister of Religious Affairs, commissioned Rav Yitzchak Herzog and Rav Ben-Zion Uziel, the chief rabbis at the time, to write such a tefillah. Rav Herzog (who was a close confidant of Rav Fishman and who took the lead role in the project) viewed the writing of the tefillah as an opportunity to provide an Orthodox Torah translation of the Megilat Ha'Atzma'ut.[4]

It is perhaps no coincidence that the opening phrase of the Tefillah

Rav Yehuda Leib Fishman Maimon zt"l
1875–1962

L'Shalom HaMedinah is "Avinu Shebashamyim, Tzur Yisrael," our Father in heaven, the Rock of Israel. Whether done intentionally or not, using those words makes it abundantly clear to every Jew for all of eternity, that when the Megilat Ha'Atzma'ut says we have confidence in our country, because of our trust in the Tzur Yisrael, it is not referring to the might of the Jewish people or our army. Rather, we place our trust in one being, and one being only, Avinu Shebashamayim, our Father in heaven.

Endnotes

1 Moshe Shapiro was also one of the people aligned with Rabbi Fishman.

2 For example: In the bracha right before Shmoneh Esrei of Shacharit we pray "*Tzur Yisrael kuma b'ezrat Yisrael*" — Rock of Israel, arise to help the Jewish people.

3 Immediately after Ben Gurion finished his recital, before anyone had the chance to sign the declaration, Rabbi Fishman stood up and in a voice choking with emotion recited the bracha of Shehechiyanu.

4 Interview with historian Dr. Yoel Rappel found on https://www.makorrishon.co.il/judaism/39237/

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