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APRIL 2019 • PESACH 5779

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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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Celebrating Religious Zionist
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Thoughts

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INTRODUCTION: EXPRESSIONS OF FREEDOM IN OUR OWN LIVES

Seder night invites many unique rituals designed to shape an intergenerational experience of reliving one of the formative moments of Jewish history. The central mitzvah of the night is our obligation to tell the story of *yetzias Mitzrayim*. We do so, not from the disposition of our daily obligation to recall the occurrence and significance of the event, but with a more ambitious goal of reliving the moment and internalizing its eternal impact upon our people.

Among the more awkward moments within the contemporary Seder experience, is the mitzvah of *haseibah*,

reclining. The act of leaning our body towards the left while eating and drinking, does not come naturally to most of us, yet, it is a halachic expectation that remains codified as an expression of our contemporary experience of “freedom.” Some rishonim are of the opinion that *haseibah* is an added dimension to the mitzvos of the Seder, and therefore neglecting its observance is a missed opportunity of giving full expression to our feelings of freedom on this sacred night. Other rishonim believe *haseibah* to be so substantial that it becomes part of

the mitzvos themselves. Neglecting *haseibah* would actually undermine the integrity of the *achilas matzah* itself, and one would be required to eat it again, with the proper posture of *haseibah*. [These two perspectives are developed by Rav Yitzchak Zev Soloveitchik, *Chidushei Maran Riz Halevi, Chametz Umatzah* 7:7.]

בכל דור ודור חייב אדם להראות את עצמו
כאילו הוא בעצמו יצא אתה משעבוד מצרים
... לפיכך כשסועד אדם בלילה הזה צריך
לאכול ולשתות והוא מיסב דרך חירות.

In every generation, a person must demonstrate as if he personally went out now from the slavery of Egypt ...

Therefore, when one eats on this night (Seder night), one must eat and drink in a reclined position, demonstrating freedom.

**Rambam, Hilchos Chametz
Umatzah 7:7**

How does *haseibah*, a demonstrative expression of freedom, evolve from a symbolic ritual of commemoration, to transforming the very nature of the mitzvos themselves?

Rav Yitzchak Hutner, in his work *Pachad Yitzchak*, Pesach no. 76, explains that our goal for Seder night is to not only relive the experiences of history, but to also express their impact and reality in our own contemporary lives. The mitzvos of matzah and maror are commemorative of what occurred in Mitzrayim itself. They assist in our broader ambition of the night, to remember and relive the experiences of history. However, the mitzvah of *haseibah* is the ultimate expression of the Rambam's vision of Seder night because it is a physical manifestation of the freedom that we experience right now. We lean, not just because the Jews of Mitzrayim were freed. We lean because somewhere within our own life, we can identify dimensions of redemption that G-d has brought us. We recline because we too are beneficiaries of the emancipation that

took place thousands of years ago, and its impact echoes throughout our own world, as we embrace the freedoms that we enjoy and use them to grow in our avodas Hashem. To

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negate this element of Seder night is to undermine the larger impact of the entire Seder experience. This element must impact the way in which we eat the matzah and drink the wine.

We live in a complex world. In certain regards, the Jewish community enjoys unprecedented affluence and wealth. Yet in the areas of antisemitism,

assimilation, spiritual apathy, and affordability, we encounter enormous challenges. We often experience the bitter taste of maror and avdus, while at the same time regularly encounter the joys of achievement that are found in the unprecedented gifts of freedom enjoyed by our generation. In this issue of *Torah To Go*, we strive to understand how to achieve a balance in this struggle. How do we internalize the core message of Pesach — freedom to serve Hashem — while also recognizing that the success and freedom of our world, presents many opportunities for leisure and enjoyment? What is our attitude towards leisure? Do we view it as indulgent or necessary? Do we experience it as a goal or a compromise? To what extent does the moment of *haseibah* at our Seder, reflect an appropriate disposition towards the life that G-d has blessed us with?

Please enjoy the array of insights and ideas related to this subject, Pesach, and Yom HaAtzmaut.

Wishing you and your family a chag kasher vesamei'ach,



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<https://www.yutorah.org/rabbi-yaakov-glasser>

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.



THE IMPORTANCE OF LEISURE: RABBINIC AND PSYCHOLOGICAL PERSPECTIVES

Editor's Introduction: Rabbi Jacob J. Schacter, PhD, and Rebbetzin Shana Yocheved Schacter, CSW, work together at Yeshiva University's programs for rabbis and rebbetzins, teaching and mentoring rabbis and rebbetzins, based on their respective expertise: Rabbi Schacter, an accomplished scholar and noted speaker with decades of experience as a pulpit rabbi, teaches a variety of rabbinic skills. Rebbetzin Schacter, an accomplished psychotherapist, combines her professional knowledge with her experience as a rebbetzin to teach pastoral care and how to balance congregational life and family relationships. We asked Rabbi and Rebbetzin Schacter to draw from their own expertise and share their perspectives on the importance of leisure.

Rabbi Schacter

Any analysis of the role of leisure for men in traditional Judaism must begin with the assumption that the very concept needs justification. After all, how could there even be a legitimate notion such as leisure? Should not the study of Torah occupy one's entire time? Do we not regularly recite "*ki*

hem hayenu ve-orekh yamenu u-vahem nehegeh yomam va-laylah (For they are our life and the length of our days; on them we will meditate day and night)" in Maariv, every single day of the year? Are we not familiar with the *pasuk* of "*ve-hagita bo yomam va-laylah* (You shall contemplate it day and night)" (Josh. 1:8) which, according to one opinion of the Gemara (*Menahot* 99b), seems to require that Torah be

studied literally day and night? Does not the Gemara (*Megillah* 3b) state that one may suspend Talmud Torah only for very important extenuating circumstances, to bury the dead and to accompany a bride to her wedding? Leisure activities are not included in that very short list.¹ Since when, then, is leisure a legitimate activity worthy of consideration and analysis at all?

It is clear that while such rigorous

single-minded devotion may be aspirational, it is not practical. First, there is almost no one whose life revolves exclusively around full-time Torah study to the exclusion of anything else. It is manifestly obvious that, practically speaking, the vast majority of men do engage in other sorts of activities. But this is not only a *bidi'evd* reality, it is also a *lekhathila* one as well. Rabbinic sources already reject a requirement to study Torah day and night to the exclusion of doing anything else.² Furthermore, total focus on Torah study, or any other purely intellectual endeavor, is unhealthy and a recipe for diminishing returns; it is simply counterproductive. In a talk delivered in his yeshiva in Radin in 1903, Rabbi Yisrael Meir Hakohen (the Hafez Hayyim) exhorted his students to care for their bodies, and not to learn too much, which, he feared, may weaken them and cause them to fall ill. “Therefore, it is necessary to rest and refresh and breathe clear air,” he told them. He recommended taking a walk in the evening or resting at home and, where possible, to go swimming “in order to strengthen the body.” He continued, “Too much diligence (*hatmadah*) is the design of the evil inclination (*azat ha-yezer*)” because it will lead one to cease Torah study entirely.³ Furthermore, the biblical command of “*Ve-nishmartem me’od le-nafshotekhem* (You shall greatly beware for your souls)” (Deut. 4:15) is recognized to be an obligation to care for one’s physical health and well-being and it is self-understood that such a focus demands time for rest and relaxation.⁴ In addition, for women whose obligation of Talmud Torah is more muted,⁵ the issue of leisure is certainly relevant and important.

And so the issue is not whether to engage in leisure at all but the kind of leisure activities in which to engage. Clearly the choice of venue is significant. In a responsum written in 1967, Rabbi Moshe Feinstein railed against those even otherwise observant Jews who spend their vacations and Jewish holidays in hotels that feature public Sabbath desecration, even where the *kashrut* may be beyond reproach.⁶ And in a 1980 responsum, Rabbi Feinstein underscored the importance of maintaining regular times for Torah study and proper standards of modesty (*zni’ut*) “even when one is seeking physical rest.”⁷

But what kinds of activities are appropriate? Most obvious is walking outdoors. The Rambam’s recipe for cultivating love and fear of God is well known:

והיאך היא הדרך לאהבתו ויראתו בשעה שיתבונן האדם במעשיו וברואי הנפלאים הגדולים ויראה מהן חכמתו שאין לה ערך ולא קץ מיד הוא אוהב ומשבח ומפאר ומתאוה תאוה גדולה לידע השם הגדול כמו שאמר דוד צמאה נפשי לאלהים לא-ל חי.

What is the path [to achieve] love and fear of Him? When a person contemplates His wondrous great deeds and creations and from them elicits His infinite wisdom that has no price and no end, he will immediately love, praise, and glorify [Him], and yearn with tremendous desire to know [God’s] great name, as David stated: “My soul thirsts for the Lord, for the living God” (Ps. 42:3).⁸

For the Rambam, contemplating God’s creations through engaging with the natural world, achieved most directly by physically encountering it in the great outdoors, has infinite value.

This point was made most sharply

by Rabbi Joseph B. Soloveitchik. A transcript of a talk he delivered includes the following:

A man wakes at dawn and sees the sun rising or goes out at sunset and sees the fiery clouds which drape the horizon in the twilight of a weekday at dusk . . . must see in the splendor of sunrise and sunset, in this wondrous cosmic regularity, a reflection of the glory of God . . .

In nature as a whole . . . the primeval will of the master of the Universe is reflected. A man goes outdoors on a fair summer’s day and sees the whole world blossoming; that man comes “to know” that there exists a Primary Being Who is the originator of all that is; in every budding flower, in every rose opening its petals, in each ray of light and in every drop of rain — “to know that there is a Primary being and that He is the Originator of all that is.”⁹

This awareness — and appreciation — cannot be achieved at home, even by looking out a window. It requires direct unmediated connection to nature, out of the house, leaving behind a closed Gemara.

Indeed, references abound to instances where Jews in a variety of times and communities engaged in precisely this activity. For example, the 15th-century R. Yisrael Isserlein included a reference in his very first responsum to an older practice in Krems, a city in Austria, of davening so early on Friday afternoons that the rabbi and all communal leaders would be able to go for a walk (“*halkhu le-tayel*”) after the Shabbat meal on the banks of the Danube River and return home, all while there was still daylight.¹⁰ In a later responsum he actually referred to taking a walk on Yom Tov (“*holekh be-Yom Tov le-tayel*”) as a “*dvar mizvah*” (a matter

that is considered a *mizvah*).¹¹ A century later, R. Mosheh Isserles (Rama) wrote that he engaged in the study of non-exclusively Torah disciplines “only on Shabbat, Yom Tov and Hol ha-Mo’ed when people go walking (*holkhim le-tayel*).”¹² In the 18th century, R. Yaakov Emden even permitted taking a walk on Shabbat to the bourse, or the city’s center of business activities, clearly reflecting that such an activity was common at the time.¹³ But not every time of day is appropriate for this activity. R. Yisrael Meir Hakohen was very disturbed by those who took a stroll during the time when a Torah discourse was taking place in the *bet midrash* and, to make matters worse, while engaging in frivolous talk.¹⁴ But, on principle and in general, this kind of leisure activity has much support in Jewish sources.¹⁵

What about other kinds of leisure activities? There are sources opposed to going to a track to watch horseracing, going to a theater, and even going to a stadium to watch a sporting event on the grounds that they are a *moshav lezim* where frivolous activities (“*lezanut*”) take place.¹⁶ Practically speaking, however, many of us are comfortable in the theater or at a sporting event and consider these to be acceptable forms of leisure.

Other activities enjoy a broader range of support:

- R. Hayyim Yosef Azulai (the Hida) reports that he remembers as a young man visiting the Tower of London and seeing strange exotic animals

tied up in chains. This testimony is cited in an article that addresses the appropriateness of visiting a zoo, referring also to evidence that Rabbi Yisrael Isserlein went on Shabbat to see a pair of lions that had been brought to his city.¹⁷

- Playing chess was a well-known accepted leisure activity, with stories often told about Hasidic Rebbes playing that game on Christmas Eve.¹⁸

- Visiting museums also enjoyed a measure of support. *The Jewish Chronicle* (London) published an article in 1935 in which Rabbi Kook is cited as saying, “When I lived in London, I used to visit the National Gallery, and my favorite pictures were those of Rembrandt.”¹⁹

- Playing ball was universally accepted as legitimate, and there is evidence that it was done by Jews throughout medieval times, although there was a sharp disagreement between R. Shlomo Luria (Maharshal) and R. Mosheh Isserles (Rama) as to whether or not it is permitted on Yom Tov.²⁰

- Engaging in physical exercise was widely accepted as legitimate. R. Hayyim Soloveitchik used to box with his students; R. Yosef Yozel Horowitz (later “the Alter of Novaredok”) and R. Aharon Walkin (later the author of *She’elot u-Teshuvot Zkan Aharon*) used to wrestle one another as young men in Riga; Rabbi Yaakov Kamenetsky was known to be the best swimmer in the Lomza Yeshiva; and R. Shlomo Goren (later the Ashkenazi Chief Rabbi of Israel) reported that he did fifty pushups a day.²¹

There is, thus, no doubt that leisure activities are central for the personal and spiritual growth of the human being and the Jew.²²

In one of his posthumously published works, Rabbi Joseph B. Soloveitchik wrote:

*The service of God is perpetual, without cessation . . . Halakhah, which requires a particular form of life consecrated to the one goal of fulfilling God’s will, penetrated with its glowing lamp into the hidden places of concrete human existence, physical and spiritual, omitting nothing, oblivious to nothing. . . Worship begins with physiological functions like nutrition and copulation, with the intimate feelings of the individual, with love of parents, and then moves through all of man’s public manifestations, his conduct in every nook and cranny of reality, culminating in connections to friends and companions, in business dealings, in professional work that serves society, in the manufacture of economic-industrial products, in social and national initiatives . . . Halakhah is concerned with each and every stage of life and leaves its distinctive marks on all of them.*²³

I would add leisure activities to this list. They too need to be determined by appropriate values and engaged in for appropriate purposes. Shlomo ha-Melekh taught us (Mishlei 3:6), “*Be-khol derakhekha da’ehu* (In all your ways you should know Him).” Hazal taught us (Mishnah Avot 2:12), “*Ve-khol ma’asekha yihiyu le-shem Shamayim* (And all your activities should be for the sake of Heaven).”



Find more shiurim and articles from Rabbi Dr. Schacter at <https://www.yutorah.org/rabbi-dr-jacob-j-schacter>

Endnotes

1 My thanks to my wife, Yocheved Schacter, for reminding me of this idea.

2 See Rambam, *Mishneh Torah, Hil. Yesodei ha-Torah* 4:13 (other intellectual disciplines); *Hil. Talmud Torah* 1:12 (business); *Shulhan Arukh, Yore De'ah* #246:1, 4.

3 See Nachum Amsel, "Sports and Judaism," *The Encyclopedia of Jewish Values* (Jerusalem and New York, 2015), 217 (Hebrew), #48.

4 See, for example, R. Moshe Sternbuch, *Sefer Ta'am va- Da'at*, vol. 3 (on Devarim) (1962), 41.

5 See Rambam, *Mishneh Torah, Hil. Talmud Torah* 1:13.

6 R. Moshe Feinstein, *Iggerot Mosheh, "Iggerot Hashkafah"* (Jerusalem, 2011), 365, #1.

7 *Ibid.*, p. 370, #4.

8 See Rambam, *Mishneh Torah, Hil. Yesodei ha-Torah* 2:2.

9 R. Joseph B. Soloveitchik, *On Repentance* (Northvale and London, 2000), 131-32.

10 R. Israel Isserlein, *Terumat ha-Deshen*, #1.

11 *Ibid.*, #77.

12 R. Moshe Isserles, *Shut ha-Rama* #7.

13 R. Yaakov Emden, *She'ilat Yavez*, vol. 1, #167.

14 R. Yisrael Meir Hakohen, *Mishnah Berurah, Hil. Shabbat* #290:7.

15 For additional examples, see R. Menahem Slay, "*Ha-Tiyul be-Sifrut ha-Shu"t*," *Ha-Ma'ayan* 16:3 (1976):17-35.

16 See R. Menashe Klein, *Mishneh Halakhot*, vol. 6, #270; R. Moshe Feinstein, *Iggerot Mosheh, Yoreh De'ah*, vol. 4, #11.

17 R. Zvi Aryeh Friedman, "*Ha'arot ve-He'arot*," *Ha-Ma'or* 69:2 (Kislev-Tevet 5776):100.

18 See "*Mishak ha-Shehmat be-Nitl' u-She'ar Yemot ha-Shanah*," *Hamachne Hachareidi* #1625 (January 2, 2014):36.

19 A. Melnikoff, "Rabbi Kook on Art," *The Jewish Chronicle* (September 13, 1935).

20 *Encyclopaedia Judaica*, vol. 19 (2007), pp. 128-29; Robert Henderson, "Moses Provençal on Tennis," *Jewish Quarterly Review*

26:1 (1935):1-6; Saul J. Berman, "Playing Ball on Shabbat and Yom Tov," *The Edah Journal* 1:1 (2000):1-13; response by Elie Berman, in "Edah Journal Responses," Nachum Amsel, "Sports and Judaism," pp. 324-32, 213-21 (Hebrew); Maharshal, *Yam Shel Shlomoh*, Bezah, Ch. 1, #34; Rama, *Orah Hayyim*, Hil. Yom Tov #518:1.

21 Nachum Amsel, "Sports and Judaism," p. 217, #49, 52; p. 220, #70.

22 For further references that discuss this idea, see Yitzchak Blau, "Modern Orthodox Arguments Against Television," *Tradition* 44:2 (2011):53-71; Shalom Carmy, Avi Woolf and Yitzhak Blau, "The One Thing Money Can't Buy," *Tradition* 45:1 (2012):1-11; Norman Lamm, "A Jewish Ethic of Leisure," in *Faith and Doubt: Studies in Traditional Jewish Thought* (New York, 1971), 186-211; Josef Pieper, *Leisure: The Basis of Culture* (South Bend, 1998); R. Aharon Reichman, "*She'elot ha-Nish'alot Biyme'i Ben ha-Zemanim*," *Hamachne Hachareidi* #1604 (July 18, 2013):24-25; #1605 (July 25, 2013):24-25; David Singer, "Is Club Med Kosher?: Reflections on Synthesis and Compartmentalization," *Tradition* 21:4 (1985):27-36; Shalom Carmy, "Rejoinder: Synthesis and the Unification of Human Existence," *Tradition* 21:4 (1985):37-51; David Stav, *Ben ha-Zemanim: Tarbut, Biluy u-Penai be-Halakhah u-be-Mahshavah* (Tel Aviv, 2012); Gil Student, "Is Leisure Kosher?," (August 18, 2014), www.ou.org/life/inspiration/leisure-kosher.

23 Rabbi Joseph B. Soloveitchik, *Worship of the Heart* (Jersey City, 2003), 164-65. Rambam's statement in his *Mishneh Torah, Hil. De'ot* 3:2-3, cited by Rabbi Soloveitchik, is very relevant to this point.

Rebbetzin Schacter

Brian is an investment banker who works long hours and seldom takes time to relax. He has moved up the career ladder steadily, though he does not enjoy his work. The atmosphere there is tense and high pressured, and he feels that he is on a trajectory that has taken on a life of its own. Brian's wife complains that she finds it impossible to live with him in this tightly wound state of his:

She rarely sees him enjoying himself and he is always preoccupied with the next work deadline, leaving her feeling as if she is walking on eggshells. He is aware that his strained existence has reached crisis proportions, but he has no idea how he got into this mess in the first place, nor how to now break this cycle of madness in order to pursue alternative options.

Ora is a physician in a solo practice. She loves her work, but never has enough time in the day to meet the demands of her position. Ora cannot remember the last time she went out to dinner, much less took a day off. The basic needs of her three children and the time demands of their after-school games absorb all her hours on weeknights and weekends. Lately, Ora has been having trouble sleeping and feels anxious often; she has been losing weight and knows that it is related to never feeling that she can meet the needs and expectations of her family and patients. She panics about work responsibilities when she is not there and about her family and other non-work matters when it is impossible for her to attend to those.

Leisure time should be spent away from work, domestic chores and school, free from the tasks of daily living. Furthermore, many of us are busy every hour of our day and cannot rest until every "t" is crossed and "i" is dotted. This intense lifestyle is counterproductive. As long as we are so busy that we do not allow for any white space in our lives, we cannot feel happiness or be introspective and assess our needs.

Brian and Ora are each headed for a personal and professional crash if they don't find time to reflect on what is going on in their lives, and recognize that small or large changes must be

made. They must each plan the space to try to understand how they got to their dangerous crossroads and take responsibility to make meaningful changes, one small step at a time.

Leisure time is the best way to offset stress and manage the feeling of being overwhelmed by life. Whether we are overextended as in the cases of Brian and Ora, or just involved with a balanced life of commitments to family, friends and work, leisure time is something precious to incorporate in our lives in regular intervals. Even just short periods of time help us relax: a moment to think, reflect and put coping strategies and de-stressors in place. Thinking about the blessings in our lives, experiencing the gratitude for all that is good is a very important way to begin each day. Exercise, even moderate exercise such as walking and talking with a friend and/or family member regularly, is a modest but stellar way of integrating leisure time in our daily routine, and helps avert the dangers of overdrive, burnout, anxiety and depression.

I think about leisure time as having two important stages. The first is to choose and pursue activities and people who relax us. This may involve hobbies we are good at or which we simply enjoy. Sometimes they are solo pursuits, others are done with friends, family or strangers. Physical activities (swimming, tennis, bicycling), socializing, art (creating or museum-going), music (playing an instrument or listening), eating, and other experiences that gratify our senses are all part of leisure time. Only when we are relaxed can we move on to the second stage: self-awareness.

Self-awareness is the key to success in professional and personal arenas. The *Harvard Business Review* (<https://hbr.org/2018/01/what-self-awareness-really-is-and-how-to-cultivate-it>),

among many professional and popular literary sources, cites self-awareness and self-care as the most important variables in determining success for leaders. When we are aware of our strengths and weaknesses, and we can see ourselves for who we are without being self-denigrating or overly self-confident, we can put necessary supports and interventions in place to be our best selves on the job and in our personal relationships.

Brian was concerned about asking for help at work, because he feared that his value would be diminished in the eyes of his superiors and peers. Because Brian was overwhelmed and did not feel cared for, he isolated himself and remained unaware that he needed more validation and support from his superiors and peers. It was the relentlessness of his work schedule that prevented him from self-reflecting and self-assessing, thus perpetuating unmet needs. Furthermore, this ongoing deprivation led him to abuse his position of power (status and money), and he went so far as to purposely or impulsively engage in boundary violations.

Brian began hacking into the accounts of his colleagues and stealing information in an effort to look brilliant and garner the praise and validation which eluded him. This behavior could have been avoided if Brian had the space to introspect, and connect his egregious behavior with his need to be acknowledged and admired by his superiors. Leisure time could have made this self-awareness a possibility and he could have satisfied this need in an acceptable way. Instead, Brian broke professional boundaries and now ran the risk of

being caught committing a serious crime.

Ora was insecure and anxious about her medical practice. She frantically worked and her lack of confidence remained unaddressed. Ora became prone to shouting matches with her husband and children as an outlet of frustration and tension that could have been prevented with the benefit of leisure time to explore her fears and access proper help.

Boundary violations can take the form of speaking or behaving disrespectfully to others. In recent years we have unfortunately learned of leaders who otherwise have made positive contributions to peoples' lives and communities, but who were unaware of their own needs and turned to vulnerable others to satisfy those needs in horrifying scenarios. Consequently, it is critical to create leisure time in order to relax, re-energize, self-assess and get the support and nurturing we need. Collaboration, sharing and learning from others are essential practices to becoming and sustaining the best you. Leisure can help us recalibrate, ensure that we avoid looking inappropriately toward others to lay blame, or worse, engage in abuse. Leisure time is essential in achieving optimum balance in our work and personal lives. Whether we are stressed and overextended, or just busy with life's customary commitments and activities, leisure plays an essential role in relaxing, refreshing and reflecting.

Leisure: A Conversation with Rebbetzin Schacter

1) What is an ideal vacation/leisure activity?

An ideal vacation is one in which

you can disconnect from the current stressors of your life and engage in some pleasurable activities. This may mean traveling to a different geographic location, but most important, by not staying connected (through technology) to the source of stress (work). Once you have achieved a level of relaxation and perspective, you should take the time to examine the particulars of the stresses of your life. The ideal vacation will be long enough to de-stress, and if the challenges of life can only begin to be addressed at that time, it will be necessary to strategize during vacation as to what the next steps toward self-awareness and self-care will be.

2) What considerations should be given to the choice of venue?

The venue should be far away enough or different enough to feel like you are on vacation. Know yourself and your needs and choose accordingly. What is good for your friends and others may not be a good choice for you. Just make sure you have access to the comforts you enjoy. Going on vacation with friends is fine if there is alone time with your partner or yourself in order to accomplish the relaxation and self-care that is necessary to restore your confidence and energy.

3) How does our conception of leisure differ from previous generations?

I vividly remember that in the 1960s the Roshei Yeshiva of YU went to summer communities in order to breathe fresh air, walk, swim and learn in a different venue in order to re-energize and start the new year with greater strength.

I am also aware that, depending on the culture, people did or did not allow

themselves the time and luxury of vacations. In particular, those from a Holocaust background frequently felt too guilty to indulge in many more luxuries than a hard-working life allowed.

We live in a much more affluent generation and therefore have greater options when it comes to the choice of the quality and locations of our vacations. Paradoxically, with less disposable income, vacations were simpler and may have allowed for more “rest and relaxation.” How many of us announce that we need a vacation after the vacation because it was so intense and exhausting! Our fear of missing out may drive us to vacation in the same intense way that we work. Currently there is more of a focus on the exotic in travel and activities during leisure time as opposed to the benefits of clearing the mind, enriching the soul and restoring ourselves. We must keep this mission in mind while planning leisure time in order for it to accomplish the important goals outlined above.

4) How do we gauge how much time we need on a daily, weekly or yearly basis?

Like most other questions of “need,” it can only be determined on a case-by-case basis. Each person must assess his or her own needs. Having said that, the paradox is that until you are feeling relaxed and cared for, you may incorrectly assess your needs of self-care. Daily exercises of gratitude can create the positive mindset needed to distance yourself from the abundant pressures and corrosive negative thoughts that command the day. A common refrain is “I don’t have a minute to spare,” while really, everyone has some capacity to make leisure time a reality. Another trap is

to say, “if I can’t get such-and-such amount of time it won’t be worth anything.” Even small breaks from routine are remarkably effective in stimulating thoughts of self-awareness and self-care.

I believe that checking in with yourself must be done regularly, and that if you are practiced in taking your emotional pulse, you will know when a break is needed. One day a week is a reasonable time off to refresh and restore even if that day includes family and a limited amount of work responsibility. This means that if Sunday is the day and you are busy going to events for your children or caring for parents, you build in some private time for yourself as well.

5) How do we strike the balance between personal leisure time with spouse, immediate family and extended family?

The need to take care of ourselves before others applies here. Only when we are cared for in a basic way can we successfully care for our spouses and family. Think of this as a derivative of the mantra we hear on every airplane flight: “In case of emergency, place the oxygen mask over your own mouth before you assist others.”

Honest and clear communication is essential so that the proper balance is in place for individuals, couples and their families. Each person’s needs is important and compromises can be made through honest, respectful communication. I conceive of the strategy to plan leisure time in a series of concentric circles: The innermost circle is the individual, then the couple, then the immediate family, and finally the extended family. This can be accomplished in different ways according to the needs of each individual and family.



AN OVERVIEW OF THE LAWS OF CHOL HAMOED

The days of Chol Hamoed are unique in their halachic status. Although the mitzvos specific to each Yom Tov such as sukkah on Sukkos and chametz on Pesach apply equally to Chol HaMoed and Yom Tov, when it comes to *melacha* (prohibited labor), Chol Hamoed differs significantly from Yom Tov proper. Certain *melachos* are prohibited on Chol Hamoed, yet under various circumstances these prohibitions are lifted. It is precisely because of this ambiguous prohibition that there emerged a fundamental dispute whether the laws that govern work on Chol Hamoed are from the Torah or are rabbinic in origin.

Rabbeinu Tam (cited in Tosafos, *Chagigah* 18a, s.v. *Cholo*) is of the opinion that according to the Torah, all *melacha* is permissible on Chol Hamoed. The Torah mandates that

Chol Hamoed is a time of rejoicing, when special korbanos are offered. To maintain the sanctity of this unique time, Chazal instituted limitations on certain kinds of *melacha* so we can celebrate Chol Hamoed properly. Rashbam (*Pesachim* 118a, s.v. *Kol Hamevazeh*) disagrees and holds that on a Torah level, certain types of *melacha* may not be performed on Chol Hamoed.

In a responsa, the *Mishkenos Yakov* (OC no. 38) suggests a compromise. In the days of the Beis Hamikdash, if one actually visited the Beis Hamikdash and offered korbanos, then *melacha* on Chol Hamoed would be prohibited on a Torah level. Today, in the absence of a Beis Hamikdash, the prohibition against performing *melacha* is rabbinic in nature.

Regardless of the nature of this prohibition, the laws of Chol Hamoed

are intricate. We will attempt to give an overview of the basic categories of halacha that govern *melacha* on Chol Hamoed.

Food Preparation

All food preparation is permissible on Chol Hamoed. Even certain activities that are not permissible on Yom Tov such as detaching a fruit from a tree or squeezing fruit are permissible on Chol Hamoed (*Shulchan Aruch*, OC 533:1). There is no need to prepare food before Yom Tov to avoid doing so on Chol Hamoed (*ibid*). However, we may not prepare food on Chol Hamoed to be eaten after Yom Tov (*ibid*).

Not only is it permissible to prepare food on Chol Hamoed in a manner that would otherwise be prohibited, we may also perform *melacha* that is necessary to enable food preparation

Chazal teach us that when we bid farewell to a friend, we should do so by discussing words of Torah. By doing so, the memory of our friend is forever joined to the eternal words of Torah that were shared. David Rottenstreich z"l was a beloved student who left us as he was immersed in the world of Torah. In the beis medrash and during shiur, his face radiated with "the words of Hashem that gladdened the heart." One of David's greatest joys was sharing Torah and spreading Torah. As we dedicate these divrei Torah in his memory, David continues to be forever connected to Torah as he was during his lifetime.

(*MB 537:15*). As such, we may repair a refrigerator or oven on Chol Hamoed. This leniency is limited to items that directly contribute to the enhancement of food. Fixing a car on Chol Hamoed to enable us to purchase food would not be included in this leniency.

Bodily Needs

Anything necessary to enhance bodily needs is permissible, similar to food preparation (*Beur Halacha 546:5, s.v. Kol*). Medical care is permissible, even if it is not life-threatening (*Shulchan Aruch, OC 532:2*). Annual checkups should be avoided since they can be scheduled for another time.

Haircuts and shaving should have been included in this category of bodily needs. Nevertheless, Chazal instituted a specific prohibition against cutting hair or shaving on Chol Hamoed. This was done to encourage everyone to be properly groomed before Yom Tov rather than relying on doing so on Chol Hamoed (*Moed Katan 14a*). There are differing opinions regarding one who shaves daily and shaved before Yom Tov, if he may shave on Chol Hamoed (see *Igros Moshe, OC 1:163* and *Nefesh Harav* pg. 189). There are also differing opinions concerning cutting nails on Chol Hamoed (see *Shulchan Aruch* and *Rama, OC 532:1*).

Needs of the Day

If there are other needs that are not food related or bodily needs, we may perform *melacha* provided that certain criteria are fulfilled. First, the action must be something that will enhance either Chol Hamoed or Yom Tov. Second, it must be done in a non-professional manner (*ma'aseh hedyyot*). It is for this reason that regular

writing for a Chol Hamoed or Yom Tov need is permissible (*Rama, OC 545:1*). However, calligraphy or other professional-style writing is prohibited, even to enhance Chol Hamoed or Yom Tov. Nevertheless, many have the practice of writing in an abnormal fashion, even when it serves a purpose for Chol Hamoed or Yom Tov (*Rama, OC 545:5* and *MB 34*).

Laundry for Chol Hamoed or Yom Tov should have been included in this leniency. However, Chazal were concerned that people would wait until Chol Hamoed to launder their clothing rather than doing so before Yom Tov, and therefore they prohibited it on Chol Hamoed (*Moed Katan 14a*).

There are further grounds for leniency when it comes to communal needs.

If something is necessary for the community on Chol Hamoed or Yom Tov, we may even perform *melacha* that requires a professional (*Shulchan Aruch, OC 544:1*). There is a dispute whether this leniency is limited to the physical needs of the community such as fixing the road or whether it applies to the community's spiritual needs as well. As such, we find that the Rama prohibits building (or repairing) a shul on Chol Hamoed (*OC 544:2*). A similar question arises regarding the fixing of a sefer Torah on Chol Hamoed. Having a sefer Torah clearly constitutes a communal need. However, the need is only spiritual in nature in order to fulfill the mitzvah of kerias Hatorah and the only way to fix a sefer Torah is by using a professional. The accepted opinion is that we may fix a sefer Torah if there is no other Torah available (*Shulchan Aruch, OC 545:2*).

Preventing a Loss

If *melacha* is necessary to prevent a financial loss, then it is permissible

on Chol Hamoed (*Shulchan Aruch, OC 539:4*). There is an important distinction between actual loss and loss of ability to profit (*ibid*). As an example, if we are concerned that by not going to work on Chol Hamoed we may lose our job, this is considered a *davar ha'aved* and we may work on Chol Hamoed. However, if we will not lose our job, but won't get paid for taking off, that would not be considered a *davar ha'aved* to justify working on Chol Hamoed.

When we assess that there is potential loss, it is not necessary to know with certainty that there will be a loss. Even if there is a realistic possibility that there will be a financial loss, we may perform *melacha* to prevent the potential loss (*Beur Halacha 537:1*).

Non-Melacha Activities

Certain activities that don't involve actual *melacha* are also prohibited on Chol Hamoed. In situations where *melacha* is prohibited on Chol Hamoed, we may not instruct a non-Jew to perform the *melacha* on our behalf (*Shulchan Aruch, OC 543:1*). Additionally, certain business activities are prohibited even if no *melacha* is performed (*Shulchan Aruch, OC 539:1*). Therefore, buying and selling should be limited to items that enhance Chol Hamoed or Yom Tov.

Chazal (*Yerushalmi, Moed Katan 2:3*) observe that the limitations that are placed on Chol Hamoed help us focus on the significance of these days. May our proper observance of these halachos enable us to experience the beauty and sanctity of Chol Hamoed and appreciate this wonderful gift that Hashem bestowed upon us.



RAMBAM'S GUIDE TO CHOL HA-MO'ED TRIPS

Chol ha-Mo'ed trips are ubiquitous and, assuming they are in keeping with proper *kavod ha-mo'ed*, generally seen positively. They enhance our *simchat ha-chag* and facilitate positive family bonding. Moreover, observing God's breathtaking creations is inspiring. Like all activities, we must consider their role within *avodat Hashem*. To do this, we must consider the value of leisure more broadly. In this article we focus on four relevant texts from Rambam that relate to both leisure and the value of visiting beautiful places.

Rambam's View on Wasting Time

When considering the value of leisure we must first consider a more basic question. Why not? Assuming I don't

violate the Torah when having a good time, what could be bad? The answer, of course, is that leisure comes with a huge cost. Not (necessarily) money — but time. Our days on this world are limited and we must utilize God's gift of life maximally. No one values time more than Rambam. Thus, before evaluating Rambam's view on the value of leisure it is worthwhile to examine Rambam's perspective on wasting time.

To appreciate the extent to which the Torah demands we value our time, consider the following remarkable statement. R. Akiva states (*Sanhedrin* 100b) that someone who reads outside books (*sefarim ha-chitzonim*) has no portion in the world to come. The Talmud suggests that this may include even works like Ben Sira,

which contain some ethical teachings. Rambam writes that the problem with such works is that they are pointless and a waste of time. He even includes in this category historical chronologies, which may be interesting, but lack substance and value:

וספרים החיצונים אמרו שהם ספרי מינים. וכן ספר בן סירא, והוא היה איש שחיבר ספרים יש בהם התלים מעניני הפרת פנים אין בהם טעם ולא תועלת, אלא אבוד הזמן בהבל. כגון אלה הספרים הנמצאים אצל הערב מסיפור דברי הימים, והנהגת המלכים, ויחוסי הערביים, וספרי הניגון, וכיוצא בהן מן הספרים שאין בהם חכמה ולא תועלת גופני, אלא אבוד הזמן בלבד.

Sefarim Chitzonim (lit. outside books) mentioned in the Mishnah refers to heretical books. It refers to Ben Sira as well, who was a man who composed books ... that have no value other than

wasting time with nothingness, like the Arabic books of chronicle, kingly etiquette, and genealogy, as well as books of music and the like that have no wisdom and no bodily value, only a waste of time.

Rambam, Introduction to Perek Chelek

Of course, Rambam does not believe that loss of *Olam Ha-Ba* is an appropriate punishment for wasting time. In a formal sense, wasting time is not an egregious sin. Rather, someone who does not value his or her time lacks the basic values necessary to experience *Olam Ha-Ba*.¹ If we appreciate that we are here to fulfil a higher calling, that there is more to life than pleasure, then we will seek to use our life productively. On the other hand, those who fritter away their days engaged in inane activities demonstrate that they lack an appreciation of why they are here. If they do not value their life here, they forfeit their chance at eternity.

Rambam's aversion to wasting time also can be gleaned from his explanation of why gamblers are disqualified as witnesses. He writes that gaming is a waste of time; a person should dedicate all of his resources to making the world a better place or himself a better person. Gambling does neither of these.² Also, consider his comments in the third chapter of *Hilchot Teshuva*, where he

writes that the purpose of shofar is to wake people up from wasting their time:

אלו השוכחים את האמת בהבלי הזמן, ושוגים כל שנתם בהבל וריק אשר לא יועיל ולא יציל. *Those who forget the truth [caught up] in wasting time, who spend their year in frivolity and vanity which does not help or provide salvation.*

Note that he does not focus on sin as much as failure to efficiently use our brief span on this world.

As we shall see, however, none of this necessarily implies that Rambam would oppose leisure trips. On the contrary, they may constitute a magnificent mitzvah. What the above sources do indicate is that we must justify the religious value of our trips. If they are constructive, then they become a mitzvah. As Rambam famously explains, we can serve God in all that we do. With proper intent, even mundane acts, such as eating, drinking, working, and exercising, constitute divine service of the highest order.³ In this vein, we consider how Chol ha-Mo'ed trips, far from being a waste of time, can potentially accomplish great things.

Love and Fear of God

Achieving a powerful emotional connection to a Being we cannot see, hear, or touch can prove challenging.

Rambam describes various ways in which a person falls in love with God. One of them involves being overwhelmed by the magnificent universe:

והיאך היא הדרך לאהבתו ויראתו, בשעה שיתבונן האדם במעשיו וברואיו הנפלאים הגדולים ויראה מהן חכמתו שאין לה ערך ולא קץ מיד הוא אוהב ומשבח ומפאר ומתאוה תאוה גדולה לידע השם הגדול כמו שאמר דוד צמאה נפשי לאלקים לא-ל חי, וכשמחשב בדברים האלו עצמן מיד הוא נרתע לאחוריו ויפחד ויודע שהוא בריה קטנה שפלה אפלה עומדת בדעת קלה מעוטה לפני תמים דעות, כמו שאמר דוד כי אראה שמיך מעשה אצבעותיך וגו' מה אנוש כי תזכרנו וגו', ולפי הדברים האלו אני מבאר כללים גדולים ממעשה רבון העולמים כדי שיהיו פתח למבין לאהוב את השם, כמו שאמרו חכמים בענין אהבה שמתוך כך אתה מכיר את מי שאמר והיה העולם.

What is the way to cultivate love and fear God? When one contemplates the great wonders of God's works and creations and sees that they are a product of a wisdom that has no bounds or limits, he immediately will love, laud, and glorify [God]. He will yearn with an immense passion to know God, like [King] David said, "My soul thirsts for God, for the living God" (Tehillim 42:3). And when one thinks about these matters, he immediately will feel a great fear and trepidation. He will know that he is a low and insignificant creation with hardly an iota of intelligence compared to that of God. Like [King] David

Visiting the Grand Canyon is not inherently valuable, but it can be a life-altering experience. When visiting extraordinary places we must allow ourselves to become overwhelmed so that, like David, the experience transforms us.



said, "When I observe Your heavens, the work of Your fingers ... what is man that You are heedful of him?" (Tehillim 8:4-5) Based on these ideas, I explain important concepts of the Creator's work as a guide to the discerning individual to love God. Concerning this love, the Sages said that from it one will come to know the Creator.

Rambam, Hilchot Yesodei ha-Torah 2:2

Rambam writes that contemplation of God's staggering creations ignites fear and love of God. It is noteworthy that Rambam emphasizes that this contemplation does not merely generate love of God but an intense desire to *know* God (מתאוה תאוה גדולה) (לידע השם הגדול).

Visiting the Grand Canyon is not inherently valuable, but it can be a life-altering experience. However, while trips to extraordinary places have the capacity to create this passionate bond to the Almighty, they will not necessarily do so. Practically, for most people, contemplating the beauty of a flower will cause us to "thirst for the living God" only if we do so mindfully. Thus, when visiting extraordinary places we must allow ourselves to become overwhelmed so that, like David, the experience transforms us.

Mental Stability

The value in visiting beautiful places is not limited to robustly experiencing the Divine. Like all healthy recreation, it can be beneficial for our mental health. Rambam expresses this in chapter 5 of *Shmoneh Perakim*:

אם התעוררה עליו מרה שחורה, יסירה בשמיעת שירים ומיני נגינות, ובטיול בגנות, ובבניינים נאים, ובישיבה עם צורות נאות, וכיוצא בזה ממה שירחיב הנפש, ויסיר דאגת המרה השחורה ממנה.

If melancholy awakens within a person, he should expel it by listening to songs and music, strolling in gardens and beautiful buildings, sitting near attractive forms, and other such activities that expand the spirit. Through this, anxiety and unhappiness will leave him.

Rambam sees these activities as reparative. They can be necessary for someone who is sick, or someone who needs a boost. Sometimes we need a break, and a Chol ha-Mo'ed trip hits the spot. Far from a license to waste time, Rambam indicates that we must know our limits and ensure that we are physically and emotionally healthy — for only someone fit can maximally serve God.

The Torah's Perspective on the Aesthetic

In the previous source, Rambam acknowledged the possible benefit of aesthetic encounters. However, as noted, its value is reparative. The text ascribes no inherent value, which makes us wonder if visiting an art museum qualifies as a good Chol ha-Mo'ed trip. To better appreciate the value of beauty (outside of the confines of the Temple), we must consider his explanation of the shift between the nature of man before and after the first sin. Rambam discusses the matter in *Moreh ha-Nevuchim* (1:2). Rambam begins by noting that someone once asked him a powerful question. When we read the text of the Torah, it sounds like God does not wish for us to have knowledge, since He prohibited eating from the Tree of Knowledge. Moreover, when we disobeyed, we were punished by acquiring knowledge, as the verse states, "Behold, the man has become like one of us, **knowing** good and evil." Why should we be punished

by being granted the ultimate gift (knowledge)?

To answer this question, Rambam first notes that initially, man was an intellectual being, which is why he alone was given a mitzva. Rambam then distinguishes between knowledge of *tov va-ra* (good and evil), which man acquired only after the sin, as the verse above indicates, and knowledge of *emet ve-sheker* (truth and falsehood), which man possessed initially. *Emet ve-sheker* reflect objective reality. They stem from the intellect. For example, we would say that it is true that the world is spherical; we would not say it is good (*tov*) that the world is spherical. On the other hand, a person would say that a dress looks good (*tov*), because *tov va-ra* reflect conventions. The shame of nakedness is the ultimate convention; there is nothing objectively problematic about being undressed. Accordingly, the shame associated with it did not exist in the pre-sin world:

ובשכל יבדיל האדם בין האמת והשקר, וזה היה נמצא בו על שלמותו ותמותו, אמנם המגונה והנאה במפורסמות לא במושכלות, כי לא יאמר: השמיים כדוריים - נאה, ולא: הארץ שטוחה - מגונה, אבל יאמר אמת ושקר. וכן בלשונו יאמר על הקושט ועל הבטל - אמת ושקר, ועל הנאה והמגונה - טוב ורע.

Through the intellect, one distinguishes between emet and sheker (truth and falsehood), and that was found in Adam in its perfection and integrity. Tov and ra (good and evil), on the other hand, belong to the [category of] things generally accepted as known (convention or mefursamot), not to [the category of] those cognized by the intellect (muskalot). For one does not say: it is good (tov) that the heaven is spherical, and it is bad that the earth is flat; rather, one says true and false regarding these assertions...

Rambam adds, “With regard to what is of necessity, there is no good and evil, but only *sheker* and *emet*.” From the perspective of the intellect, we eat in order to live. The food we choose will be that which is most effective in facilitating life. Qualities like taste and appearance are irrelevant.

Thus, the questioner was absolutely wrong. Once man sinned and considered matters from a non-intellectual perspective, seeing the tree as “a delight to the eyes,” he was punished by losing his intellectual cognitions. Subsequently, man would see the world through the lens of *tov va-ra*, a world of *mefursamot* (conventions or generally accepted notions). What exactly does Rambam mean by *mefursamot*?

Without going into too much detail, there are two general understandings of this term and the nature of the transformation. One possibility is that originally, man lacked awareness of moral virtues. According to this reading, Rambam idealizes the cerebral world in which man is exclusively involved in intellectual speculation. In such a world, moral virtues serve no purpose. Man was punished for his disobedience by being forced to engage in the practical. In this world, the need for moral

virtue became necessary. Henceforth, man was granted the moral sense to perceive the wrongness in nudity. Thus, according to this view, before sin, man had access only to things that could be proven mathematically or using formal logic.

A second possible understanding of Rambam emerges from his focus on *mefursamot*. In the context of this chapter, the word seems to refer to the aesthetic, or qualities like taste and appearance. Support for this understanding comes from the examples Rambam uses to describe *tov* and *ra*. These values have no virtue in the world of *emet* and *sheker*. Moral virtue may have been possible even if man had not consumed the fruit; however, conventions such as beauty and taste were irrelevant. According to this reading, it is easy to understand why the questioner was totally wrong. Man’s foray into the sensual was purely deleterious from an intellectual and spiritual perspective.

Support for this reading emerges from how Rambam understands God’s “opening up their eyes.” He writes that this refers to their newly acquired perspective: “Man changed the direction toward which he tended and took as his objective the **very thing a previous commandment**

had bidden him not to aim at.”

Rambam here is telling us that the commandment to not eat from the Tree of Knowledge was more than a command to refrain from consuming the forbidden fruit — it was a prohibition against looking at the world from the perspective of *tov* and *ra*. When Adam and Chava failed in that respect, this became their focus, even their obsession. Apprehending *emet* and *sheker* still was possible, and viewing reality from that perspective remained within their powers, but it no longer was natural; it became a struggle.

R. Yosef Dov Soloveitchik appears to concur with the second possibility, and he offers a fascinating insight on the nature of man’s transition:

Man is both an intellectual and ethical being. In distinguishing between the contrasting pairs of emet va-sheker and tov va-ra, Maimonides does not discriminate between theoretical truth and falsity and moral right and wrong, as many historians have erroneously assumed.⁴ Instead, he set up an opposition between the cognitive-ethical truth and falsity, on the one hand, and propriety and impropriety, what is pleasing or displeasing in an aesthetic sense, on the other hand... Maimonides translates the words tov va-ra, in the

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story of the original fall, as meaning the pleasant and unpleasant, the comfortable and uncomfortable, or the delightful and ugly.... What caused man's fall is his giving preference to the sensuous, delightful and pleasing over the true, at both intellectual and ethical levels.⁵

R. Soloveitchik adds that the sin was rooted in “overestimating the importance of the pleasing and beautiful”; moreover, the sin’s consequence “manifests itself in a false axiological assessment of man’s experiences ... giving priority to the aesthetic behavior.”⁶ Perhaps, according to R. Soloveitchik’s understanding, the aesthetic (the perspective of *tov va-ra*) has a place in the ideal world; it is not inherently evil. Hence, God created the Tree of Knowledge. However, the sin was rooted in incorrect apportionment of values and priorities.

This understanding has powerful implications on how we spend our Chol ha-Mo’ed. As we have seen, there may be value in visiting a museum, but we must ensure that beauty, pleasure, and taste do not become dominant forces in our persona.

How Rama Spent his Chol ha-Mo’ed

Thus far, we have considered four Maimonidean texts that shed light on how best to spend our Chol ha-Mo’ed. Of course, the discussion is nowhere close to comprehensive. This sampling of Rambam highlights the complexity, profundity, and relevance of his thought. We close, however, with a comment from the seventh chapter of *Shut Rama*, R. Moshe Isserles’s responsa.

The context of Rama’s comments is fascinating. He was responding

to R. Shlomo Luria, also known as Maharshal, another great sage, who criticized Rama’s reference to Aristotle. Rama responded by describing the importance of seeking to know God, to the extent of our ability. There are two primary avenues to do this — philosophy and Kabbala — and Rama argued that both are legitimate. Rama wrote, however, that he prefers philosophy, as it is less dangerous. Rama added, though, that he did not study philosophy from sources containing heresy, but rather from Rambam’s *Moreh ha-Nevuchim*. Moreover, he did not pursue these matters during times when others were studying Halacha; instead, he engaged in this quest when others were going on *tiyulim* (outings), such as on Chol ha-Mo’ed.

First, parenthetically, Rama acknowledges that *tiyulim* on Chol ha-Mo’ed are not new. Indeed, Rama, in his glosses to *Orach Chaim* 536:1, writes that one may not perform *melacha* on *chol ha-moed* to prepare a horse for riding if there is no real purpose for the trip (*chinam*). However, one may prepare the horse for riding if one is doing so for *tiyulim*. Second, and more important, Rama reminds us that Chol ha-Mo’ed is also a time well suited to consider important aspects of Torah that we ordinarily neglect. Thus, Chol ha-Mo’ed is the ideal time to improve our understanding of the Almighty. Remarkably, these two options are powerfully connected, as Rambam writes that contemplation of God’s staggering creations (the ideal Chol ha-Mo’ed trip) ignites an intense desire to *know* God, the very act Rama writes he did on Chol ha-Mo’ed through the study of philosophy. Thus, putting everything together, a productive Chol ha-Mo’ed should

include a healthy combination of inspirational and intellectual outings.

Endnotes

1 To a large degree, Rambam understands *Olam ha-Ba* as a natural consequence of the spiritual accomplishments of this world. We elaborate on Rambam’s view in chapter 20 of *Illuminating Jewish Thought: Explorations of Free Will, the Afterlife, and the Messianic Era*.

2 In his commentary to Mishna (*Sanhedrin* 3:3), Rambam does not associate gambling with theft:

ואמר המשחק בקוביה, והוא המשחק ב"נרד" ו"סטרנג" וכיוצא בהם בתנאי שישלם כסף מי שיעשה כך או לא יעשה כך בהתאם לשטת אותו המשחק, ונאסר זה מפני שהוא מתעסק בעסק שאין בו תועלת לישוב העולם, ויסוד הוא בתורתנו שאין ראוי לאדם להעסיק את עצמו בעולם הזה אלא באחד משני דברים או בחכמה להשלים בה את עצמו, או בעסק שיועיל לו בקיום העולם כגון אומנות או מסחר, וראוי למעט בזה ולהרבות בראשון כמו שאמרו הוי מעט עסק ועסוק בתורה.

3 Rambam emphasizes this idea in numerous places, among them Chapter 5 of *Shmoneh Perakim*. It should be acknowledged, however, that gamblers are only disqualified when “they have no trade but this” - which might imply that limited leisure is permissible, as long as one does not make it one’s vocation. We should also note that there were those who had a more positive attitude towards certain games, especially when they promote wisdom. Consider the following from R. Chaim Benveniste, *Kneset Hagedolah* (*Tur*, CM 370:4) concerning chess (*ishkaki*):

וכן ראיתי למורי הרב ז"ל ולכל גדולי הדור שלא היו מוחין במי שהיה שוחק בו, וגם שמעתי עליו שכשהיה רואה שנים משחקים שחוק דאישיקאקי היה מלמד להם דרך השחוק. גם על הרב מהר"י בסאן ז"ל שמעתי עליו שהוא עצמו היה שוחק שחוק האישיקאקי. וכן פשט המנהג.

4 The first option we cited earlier. See the English translation of the *Guide* by H. Friedländer, who accepts this interpretation.

5 Joseph B. Soloveitchik, *Worship of the Heart: Essays on Jewish Prayer*, p. 47.

6 Ibid.



THE SHULCHAN ARUCH'S GUIDE TO PLANNING VACATIONS

Rav Hershel Schachter often quotes the principle articulated in *Chovas Halevavos* (*Sha'ar Avodas Ha'elokim* 4) that in Jewish thought, no activity is discretionary. We might have intuited that in life certain actions are obligatory (*mitzvos*), other actions are prohibited (*aveiros*), and many things fall in the middle as optional (*reshus*), left to our personal choice. *Chovas Halevavos* teaches that that is not the case. Any choice that confronts us in life, including decisions about when and where to vacation — must be analyzed through the perspective of what Hashem wants of us.¹

Large sections of halachic literature address what to do in *b'dieved* (post facto) circumstances: what, if any, corrective action must we take if

we recite the wrong *bracha*, forget *Ya'aleh V'yavo* on Rosh Chodesh, or drop milk in a *fleishik* pot. However, another area of halachic prioritization involves assessing when a person may consciously and proactively create a situation in which he will have to rely on halachic leniencies. This becomes especially relevant when planning leisure trips and vacations to venues and locations without the religious infrastructure that we enjoy in our home communities. To what extent should the lack of a minyan or the need to rely on other leniencies influence our choice of where to vacation?

The purpose of this essay is not to provide absolute answers to any of these questions, since most of the particulars are subject to dispute

among contemporary authorities and a variety of factors may influence every individual decision. The objective is simply to sensitize the reader to the complexities of the issues.²

A. The Halachic Status of Vacations

The Gemara in *Shabbos* (19a) rules that a person may not set sail on a boat within three days of Shabbos.³ While there are many explanations for this restriction, *Ba'al HaMaor*, whose opinion is codified in *Shulchan Aruch* (*Orach Chaim* 248:4), understands that since boat travel will likely involve some form of *chilul Shabbos* — which in context would be permissible to prevent the boat

from capsizing and endangering the lives of the passengers — one may not put himself in a situation within a few days of Shabbos that will knowingly necessitate *chilul Shabbos* for lifesaving purposes.

However, the Gemara distinguishes between traveling for mitzvah purposes and traveling for *reshus*, discretionary purposes. If one is traveling for a mitzvah, one may set sail later in the week, despite the likelihood that doing so may necessitate *chilul Shabbos* for lifesaving purposes.

Interestingly, Mordechai (*Shabbos* 258), presents the position of Rabbenu Tam that expands the definition of mitzvah to include traveling for business or even to visit a friend, although not trips that are purely for leisure. According to Rabbenu Tam, any functional trip justifies putting ourselves in a potentially compromised halachic

situation. Rema (248:4) references this position as the basis for what he perceives as common practice to be lenient about setting sail during the latter part of the week.⁴

Even if Mordechai's expansive definition of mitzvah excludes a trip for leisure, there may be contexts in which a pleasure trip could be considered a mitzvah.⁵ In general we may not walk a distance in excess of 2,000 amos (3,000-4,000 feet) outside of the city limits on Shabbos or Yom Tov. If, however, we established an *eruv techumin* outside of the city limits prior to Shabbos or Yom Tov, we may walk 2,000 amos beyond the location of the *eruv techumin*. The Gemara (*Eruvin* 82a) rules that we may only create an *eruv techumin* for a mitzvah purpose. *Terumas HaDeshen* (77; quoted by Rema in *Orach Chaim* 415:1) writes that even walking to admire an orchard outside of the city limits is considered a mitzvah.

Presumably the rationale for this expansive definition of mitzvah is that taking a walk for pleasure enhances our enjoyment of Shabbos. It follows that halacha does recognize traveling for pleasure as having independent value, at least in some contexts, and that may factor into halachic decision making.

B. Traveling to a Place Without a Minyan

May we plan a vacation to a location where we will not have access to a minyan? *Shulchan Aruch* (*Orach Chaim* 90:9,16) rules that *yishtadel adam l'hispalet b'veis hakneses im hatzibbur* — we should always endeavor to daven with a minyan. If we are traveling, we must travel up to a distance of four *mil* (8,000 amos) on our way or one *mil* (2,000 amos) out of the way in order to find a minyan. If one is an *ones* (beholden to circumstances beyond his control)



and cannot make it to shul, he should daven at the same time that the congregation davens.

What is an *ones* in this context? *Mishneh Brurah* (90:29) writes that it could refer both to one who is physically unable to make it to a minyan and to one who will stand to lose money by going to shul (see *Terumas HaDeshen* 5). However, if one will merely miss the opportunity to turn a profit, that does not exempt him from davening with a minyan.

Our question of whether we may plan a vacation to a place without a minyan should presumably relate to how absolute the obligation to daven with a minyan is. Rav Moshe Feinstein (*Igros Moshe, Orach Chaim* 2:27) understands that the requirement to travel a certain distance, despite the presumed difficulty or inconvenience, in order to daven with a minyan, indicates the absolute nature of the obligation. The fact that the required distance is limited to four *mil* does not necessarily reflect a lower level of obligation, since positive commandments often entail limitations to the amount of effort necessary to expend for their performance.

Furthermore, argues Rav Moshe, the *Shulchan Aruch's* formulation that we “should endeavor” to daven with a minyan should not be construed as reflecting a lesser *chiyuv*.⁶

Rav Aryeh Pomeranchik (1908-1942, student of the Brisker Rav who made aliya in 1933) in *Emek Bracha* (*Birchos Kerias Shema* 1) assumes that there is no absolute obligation of *tefillah b'tzibur*. He cites as proof a Gemara in *Brachos* (7b) that once Rav Nachman did not gather together a minyan because there was too much effort involved. He further cites *Chavos Yair*

(115), who did not permit asking a non-Jew to perform a rabbinic *melacha* on Shabbos in order to facilitate davening with a minyan, even though in general it is permissible to ask a non-Jew to perform a rabbinic *melacha* to assist in performing a *mitzvah* (*shvus d'shvus b'makom mitzvah*).⁷

R. Shmuel Vosner (*Shevet HaLevi* 6:21:3) and R. Moshe Shturnbuch (*Teshuvos V'hanhagos* 2:63) assume that davening with a minyan constitutes an absolute obligation. They therefore rule that under most circumstances it is prohibited to vacation in a place without access to a minyan, as we may not knowingly put ourselves in a situation in which we will be unable to fulfill a positive commandment, even if it is only rabbinic in nature.⁸

Both of these authorities acknowledge that if there is a medical necessity, we may vacation in a place without a minyan. Rav Shturnbuch writes that there were *tzadikim* who spent time in places without a minyan in order to not be disturbed and thus strengthen their *avodas Hashem*, but that most people do not honestly have such calculations.⁹ Rav Zalman Nechemia Goldberg, however, acknowledges potential grounds for justifying traveling to a place without a minyan.¹⁰

C. Travelling on Succos to a Place Without a Succah

Poskim discuss whether and under what circumstances we may travel on Chol HaMoed Succos to a place where we will not have access to a succah. The Gemara (*Succah* 26a) teaches us that travelers who travel by day are exempt from succah in the daytime and travelers who travel

at night are exempt from succah at night. Rashi explains that the typical scenario the Gemara addresses is when we need to travel for business purposes. Furthermore, the Gemara says that people traveling for a *mitzvah* purpose are exempt from succah both during the day and at night. The Gemara presents travelling to visit one's rebbi as an example of a *mitzvah*.

Rav Moshe Feinstein (*Igros Moshe, Orach Chaim* 3:93) rules that the Gemara only allows traveling under these circumstances for financial need or for a *mitzvah*. However, travelling for enjoyment or pleasure does not constitute a *mitzvah* and therefore would not exempt one from the *mitzvah* of succah.¹¹

Sefer HaSuccah (Rabbi Eliahu Weissfish, Miluim to Chapter 18 p. 458 in the 1993 edition) presents a similar ruling in the name of Rav Shlomo Zalman Auerbach. Rav Shlomo Zalman quoted *Magen Avraham* (640:4), who writes (based on earlier sources) that one who took a strong laxative on Succos and is therefore too uncomfortable to sit in the succah must still sit in succah because he had the option of taking this laxative before Succos. Therefore, he is at fault for putting himself in a situation that would make sitting in the succah difficult. If one who is in pain may not create a situation in which he will not be able to sit in the succah, all the more so, one who travels for a nonessential purpose should not be exempt from succah.¹²

Rav Yosef Shalom Elyashiv (*Hearos on Maseches Succah* quoted in the sefer *Shilhi D'Kayta* by R. Shmuel Baruch Genuth, 2001, p. 92) disagreed with Rav Moshe's conclusion. The reason that we may

travel for business even if it means forgoing the mitzvah of succah is that succah must be observed as *teishvu k'ein taduru* — we dwell in the succah the same way we dwell in our houses the rest of the year. Just as one regularly leaves his house to go on a business trip so too may one travel for business on Succos. By the same token, if it is normal for people to go on vacations or travel for pleasure, they may do so even on Succos regardless of whether succah arrangements are possible.¹³

While there may be legitimate grounds for allowing discretionary travel on Chol HaMoed to a place without a succah, it is worth considering the following observation of Rav Aharon Lichtenstein, which is relevant to the earlier discussion about minyan, and many other applications as well:

One should be firmly and sharply opposed — both educationally and from the perspective of Jewish beliefs and values — to tiyulim (excursions) or activities organized in a way that involves not observing the mitzva of sukka. The existence of formal exemptions from positive mitzvot is not the exclusive nor the only decisive way of gauging whether to perform them. We do not speak of actual evasive trickery (ha'arama) — itself a significant problem in halakha and belief — and this is not the forum to relate to it. Even not relating fully to a mitzva is problematic, even when it involves ignoring and not evading. A Jew must be saturated with an ambition and longing for mitzvot and not, God forbid, view them as a burden he is inescapably stuck with that he tries to cast off at the first opportunity. This point is at the root of the trait of “zerizut” (acting with enthusiasm and

energy), rooted in the obligation not just to serve God, but to serve him with joy and exhilaration.¹⁴

D. Saving Vacation Days for Chol HaMoed

In planning when to take a vacation, we should consider the following question. We generally assume that if we stand to lose our job by not working on Chol Hamoed then we are permitted to do so, since working under those circumstances is considered a *davar ha'avud*, preventing loss of our source of income. However, if we are entitled to one or two weeks of vacation that we may take any time during the year, must we save these vacation days for Chol Hamoed at the expense of taking time off in the summer or another more convenient time?

Both R. Moshe Shturnbuch (*Moadim U'Zmanim* 4:301) and R. Moshe Stern (the Debrecener Rav, *Be'er Moshe* 7:65 and teshuvah #41 appended to *Chol HaMoed* (Artscroll) by Rabbi Dovid Zucker and Rabbi Moshe Francis of the Chicago Community Kollel) assume that if we use up our vacation days in advance of Chol HaMoed that would be considered *mechavein melachto laMoed*, intentionally delaying work until Chol HaMoed, which is prohibited (see *Shulchan Aruch, Orach Chaim* 537:16 and 538:1).¹⁵ The Debrecener does concede that if a person needs to take vacation time earlier for health reasons he would be permitted to do so, but cautions that a person should be honest with himself about what his legitimate needs are.

Rav Moshe Feinstein takes a more liberal stance on this question. A brief ruling in his name appended to

the aforementioned *Chol HaMoed* book (#18) says without explanation that taking a vacation in the summer with the knowledge that we will then need to work on Chol Hamoed is not considered *mechavein melachto lamoed*. The *Chol HaMoed* book (Chapter 9 footnote 63) quotes Rav Yaakov Kamenetsky as explaining that *mechavein melachto lamoed* applies when we deliberately delay work that we need to do until Chol Hamoed when we expect to have more free time (see Rambam *Yom Tov* 7:4). If we take a vacation in the summer because that is a convenient time for our family, even if as a result we will have to work on Chol HaMoed, that is not considered *mechavein melachto lamoed*.

Rav Moshe does still say that there is a *midas chassidus* to forgo a summer vacation in order to be able to stay home on Chol HaMoed. He also notes that if one has no particular need to take vacation days in the summer then he should save them up for Chol HaMoed.

Both *Shmiras Shabbos K'hilchasah* (Chapter 67 footnote 47) and Rav Yaakov Kamenetsky (quoted in *Chol HaMoed* Chapter 9 footnote 65 and *Biurim* 8) assume that everyone should agree that if we have accumulated vacation days come Pesach, we may not go to work on Chol HaMoed Pesach in order to save them up for the summer. That would definitely be considered *michavein melachto lamoed*. The whole debate is limited to taking vacation days in the summer at the expense of saving them up for Chol Hamoed Succos.

E. Supporting Jewish Owned Businesses and Travel to

Israel

There is a further consideration that should impact on our choice of venue for vacations. Rashi in Parshas Behar (25:14) quotes a Toras Kohanim that instructs:

מנין כשאתה מוכר מכר לישראל חברך
תלמוד לומר וכי תמכרו ממכר לעמיתך מכור
ומנין שאם באת לקנות קנה מישראל חברך
תלמוד לומר או קנה מיד עמיתך.

How do we know that when one sells, one should sell to a fellow Jew? The Torah teaches "When you sell property (it shall be) to your fellow [Jew]" How do we know that if you are buying that you should buy from your fellow Jew? The Torah states "or you purchase from the hand of your fellow."

Chazal teach us that when engaging in commerce we should preferably sell our merchandise to a fellow Jew and buy from a fellow Jew.

The parameters of this directive are not immediately clear. Does this halacha only apply if all else is equal? Must we give priority to giving business to a fellow Jew even at a loss? Is there a difference between a big loss and a small loss?

We do find a parallel halacha in the context of extending loans. The Gemara in *Bava Metzia* (71a) tells us that we should prioritize extending a loan to a fellow Jew, even if we have a choice between lending money to another Jew without interest and to a non-Jew with interest. The Chofetz Chaim (*Ahavas Chesed* 1:5:1-2) rules that this directive does not apply to someone who is in the loan business,

for whom earning interest on a loan to a non-Jew is a source of income.¹⁶ Similarly, Chofetz Chaim assumes that we should give priority to selling to or buying from a Jew if the profit margin will be equivalent or even slightly disadvantageous. However, we need not do so at a significant loss.¹⁷ Exactly where to draw the line may be case specific.¹⁸

Presumably this should be relevant to planning a vacation. If all things are equal, it would be better to give our business to a Jewish proprietor.¹⁹ When things are not equal, meaning there is a financial or other advantage to patronizing a different establishment, we should consider how much weight to assign to this halachic preference.

If we have a choice between vacationing in Israel or elsewhere, this factor may become even more prominent. In traveling to Israel we have the opportunity to support a Jewish economy, not just a solitary Jewish proprietor. Moreover, the Gemara (*Kesubos* 101a, codified in Rambam, *Melachim* 5:11) tells us that one who walks four cubits in Eretz Israel is guaranteed a share in the World to Come.²⁰ In deciding whether to travel to Israel or to Cancun, we should consider this added benefit.

Vacations can provide us with opportunities to reflect and recharge and to connect with family in a less pressured environment. Yet a vacation itself must contribute to an enhanced *avodas Hashem* and not become a vacation from *avodas*

Hashem. Our decisions about where and when to vacation can ensure that such trips will be spiritually enriching.

Endnotes

- 1 See *Rav Schachter on the Parsha*, Alan Weissman, editor, pp. 147-8.
- 2 There are a number of valuable works published in recent years that address halachos related to vacations and leisure. They include: Rabbi Betzalel Stern, *Ohalecha B'Amitecha* (Yerushlayaim 2005); Rabbi Shmuel Baruch Genuth, *Shilhi D'Kayta* (Bnai Berak 2000); *Kovetz Halachos L'Meonos HaKayitz*, Rabbi Yisroel Dovid Harfenes; *Menuchas Emes*, Rabbi Mordechai Gross (Bnai Berak 2005); *Vayehi Binsoa* (Bobov Beis Medrash, Antwerp 2005); Rabbi David Stav, *Bein HaZemanim* (Tel Aviv 2012).
- 3 According to *Magen Avraham* (248:2), the three days begin on Wednesday. See *Mishneh Berurah* (248:4), who writes that the Vilna Gaon quotes many *rishonim* who held that the three days begin on Thursday.
- 4 *Mishneh Berurah* (248:36) does recommend being stringent to only set sail for a real mitzvah purpose, as Rabbenu Tam's position was not universally accepted.
- 5 See Rabbi Menachem Salei, *HaTiyul B'safrut HaShu"t*, in *HaMaayan* 16, pp. 20-23 for source material on this topic. Thanks to Rabbi Joshua Flug for referring me to this article. See also Rabbi Netanel Wiederblank's article in this section.
- 6 See *Shulchan Aruch HaRav* 90:17.
- 7 The *Chavos Yair* was responding to whether it was permissible to hire a non-Jew to ferry one across a river in order to daven with a minyan. He cites Maharil (quoted in *Magen Avraham* 415:2) who did not permit establishing an *eruv techumin* in order to walk to a minyan on Shabbos. See Rav Yitzchak Zilberstein, *Melachim Umnayich*, p. 171, who points out that *Peri Megadim* (613 *Eshel Avraham* 8, quoted in *Mishneh Berurah*, *Shaar Hatziyun* 614:20) argues with the Maharil,



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and by extension the *Chavos Yair*. For further analysis of the nature of the obligation to daven with a minyan please see the forthcoming *Rav Schachter on Tefillah*, Alan Weissman, editor (anticipated publication date February 2020).

8 In a 1992 *teshuvah* (*Shevet HaLevi* 8:68), Rav Vosner responded to an ostensibly learned individual who was vacationing with his family for ten days in an area without a minyan. [From the context of the response that also addresses the halachic dateline it sounds like it was in Australia or New Zealand.] This person represented that he erred in calculating the days of the week and observed Shabbos on Sunday until a non-Jew informed him of his error. [Rav Vosner was unwilling to rely on the opinions that the local Sunday is indeed the halachic Shabbos in that part of the world.] Rav Vosner writes that if this family would have been careful not to travel to an area without a minyan this horrible mistake would never have happened.

9 Rav Vosner dismisses the argument that the obligation to daven with a minyan only applies when one has a minyan available, and there is nothing wrong with putting oneself in a situation where one will not have a minyan. *Yad Elyahu* (6) does suggest that one need not refrain from traveling just because he will miss a minyan, but his context appears to be limited to missing a single *tefillah* and not putting oneself in a situation where one will miss a minyan for an extended period of time.

10 *Halichos Shlomo* (Tefillah 5:4) in the name of Rav Shlomo Zalman Auerbach writes that *ain ra'uy* — it is not appropriate to travel to a place where there will not be a minyan unless he is doing so for business, a mitzvah, or health reasons. In a brief essay appended to that chapter of *Halichos Shlomo* (p. 71, 358), Rav Zalman Nechemia Goldberg, Rav Shlomo Zalman's son-in-law, wonders whether his father-in-law intended to say that doing so was absolutely prohibited, or just that it was commendable (*midas chassidus*) to avoid traveling to such a location. He points out that at first glance, we should argue that if, according to the *Baal HaMaor*, one may set sail more than three days before Shabbos even if one knows that doing so will result in *chilul Shabbos*, one should surely be allowed to travel to a place without a minyan, which is a lower grade violation. However, he then notes that perhaps the case of going on a boat is different than the issue at hand. *Yeshuos*

Yaakov (*Choshen Mishpat* 20) suggests that the only reason one may put himself in a situation of having to violate Shabbos is that *pikuach nefesh* is unequivocally permissible. However, putting oneself in a situation in which he will have to forgo the performance of a mitzvah is not considered *ones* — a situation of duress, but *ratzon* — knowingly avoiding a mitzvah. That is why a person cannot exempt himself from the mitzvah of sitting in a succah on Succos by merely not building a succah ahead of time, even though in point of fact once Succos arrives he will not have the means to perform the mitzvah. However, Rav Zalman Nechemia entertains that perhaps the halacha that a person need not travel more than four *mil* forward or one *mil* backwards in order to find a minyan is not because one is considered an *ones* if he finds himself at a larger distance, but because the obligation of davening with a minyan was never instituted in those circumstances. If so, one could justify putting himself in a situation where he will not have access to a minyan if there are counterbalancing considerations.

11 See, however, a brief *teshuvah* in *Igros Moshe* (*Even Haezer* 4:32:8) that acknowledges circumstances in which it may be acceptable to travel for pleasure to a place without a succah. If a person is visiting Eretz Yisroel for Yom Tov and will be returning home immediately after Succos and he wants to go sightseeing, he may do so on Chol HaMoed irrespective of not having access to a succah. This may apply not only to travel in Eretz Yisrael, which may involve a mitzvah (see Section E below), but even to travel in an exotic location when Chol HaMoed affords the only opportunity to go sightseeing.

12 Rav Ovadia Yosef (*Yechaveh Da'as* 3:47) also rules stringently, as does *Shmiras Shabbos K'Hilchasah* (66:59), although the latter does raise a question about Rav Moshe's analysis.

13 See *Emek Bracha* (*Succah* 20). See also Rav Moshe Shturnbuch (*Moadim U'Zmanim* 1:89) who presents a more nuanced approach to this question that does allow for possible leniency. Rav Mordechai Gross, *av beis din* of Chanichei Yeshivos in Bnei Brak (*Menuchas Emes*, 2005, 27:15) rules leniently on this matter, as does Rav Hershel Schachter.

14 From Rav Aharon Lichtenstein, "Travelling and the Mitzvah of Succah," translated by Rabbi Eliezer Kwass, available at <https://www.etzion.org.il/en/travelling-and-mitzva-sukka>. My thanks to Rabbi Netanel

Wiederblank for directing me to this source. The original Hebrew version of this article appears in Rav Lichtenstein's *Minchas Aviv* (2014), pp. 575-584.

15 Rav Schachter is of this opinion as well.

16 See *Igros Moshe* (*Yoreh Deah* 3:93) who is unsure of the exact parameters of this halacha in practice.

17 He cites as evidence for this *Shu"t Rema* (10), although the commentary *Toras Chesed* on the *Ahavos Chesed* (R. Dovid Gutfarb) notes that it is not readily apparent from the Rema that one need not still prioritize doing business with a Jew in the face of a significant loss of profit. He does note, however, *Tashbetz* (3:151), who discusses doing business with a Jew only in the context of a minimal possible loss of profit. See Rav Asher Weiss (*Shu"t Minchas Asher* 3:106:2). *Be'er Moshe* (2:120) also rules that one should give preference to a Jewish business even if it is slightly more expensive.

18 See, for example, *Minchas Yitzchok* (3:129), who, in a 1959 *teshuvah*, discusses patronizing a non-Jewish owned supermarket that is able to undercut the local Jewish owned grocery. It is noteworthy that the halacha of prioritizing business with a Jew is not codified in Rambam or *Shulchan Aruch*, as opposed to the prioritization of loans (which appears in *Choshen Mishpat* 97:1). Rav Asher Weiss (<https://bit.ly/2YplDgP>) suggests that this halacha may not be an absolute requirement, but merely a *midas chassidus*, a righteous act.

19 See *Chasam Sofer* (*Choshen Mishpat* 134), and Rav Moshe Shturnbuch (*Teshuvos V'Hanhagos* 1:445, 2:724) regarding the status of non-observant Jews vis-a-vis this halacha.

20 *Shilhi D'Kayta* (p. 88) quotes that Rav Yosef Chaim Sonnenfeld (1848-1932) would be sure to walk a new four cubits every day. The author notes that Rav Chaim Kanievsky wrote to him that he was unaware of a source for such a practice.



ECHAD MI YODEAH

*Prepared for publication by students of
Rav Goldwicht.*

At the end of the Haggadah we find something very interesting. The Baal Haggadah has a *piyut* that seeks to find out the significance of numbers: “Who knows one? ... Who knows two?” The Haggadah is full of numbers: four cups of wine, “whoever doesn’t say these three things,” the ten plagues, the four questions, and many other numbers. This *piyut* teaches us that each number has an essential quality to it. Let us explore these qualities.

Who Knows One?

The number one represents something that nothing else can combine with. This can only refer to Hashem. We say in Adon Olam:

והוא אחד ואין שני להמשיל לו להחבירה.
He is One and there is no second to compare Him to or to connect Him to.
The word *echad* is different from *rishon*. *Rishon* means that there is a *sheni*, a second, *echad* is singular and there is no second. Nothing can join with Hashem.

Who Knows Two?

Hashem created a world where there

is a Provider and a recipient. The two *luchot* (tablets) represent the Provider-recipient relationship. The first tablet represents *mitzvot bein adam LaMakom* (mitzvot between man and G-d) and the second represents *mitzvot bein adam lachaveiro* (interpersonal mitzvot). Who knows two? Two are the *luchot habrit*.

Who Knows Three?

The Provider-recipient relationship is also represented in the heavens and the earth (*Echad Elokeinu bashamayim uva'aretz*). *Shamayim* has the word *sham* (there) because it is distant. *Aretz* has the word *ratz* (run) because

everyone on earth is always running. How do we join the *shamayim* and the *aretz*? Who knows three? Three are the Avot. Our three forefathers were able to connect heavenly matters with worldly matters and they set the stage for us. They brought the foundation for ethical monotheism into this world.

Who Knows Four?

After we reach an understanding that there is a connection between the heavens and the earth, we need to turn that understanding into actual reality. Who knows four? Four are the Imahot. They gave birth to, nurtured and mentored our ancestors and are responsible for the growth of the Jewish people. Their contribution is so important, and this is why the number four appears so many times in the Haggadah: the four questions, four sons, four phases of redemption. This teaches us that one of the important aspects of Seder night is to actualize potential.

Who Knows Five?

Once the potential is actualized, we can come to a level of understanding. That can only be done with something tangible. What can fulfill that role? Who knows five? The five Books of the Torah. The five *Chumshei Torah* (Books of Moses) represent the written Torah. Like a painting on a wall, we can touch it and see it, but we can't fully grasp it. There are ideas that we can't completely understand.

Who Knows Six?

What can we grasp? Who knows six? The six orders of the Mishna. An object with six sides is three-dimensional, something we can hold on to. The Mishna, representing the Oral Law, is within our grasp.

Who Knows Seven?

Once we grasp the Oral Law, then we are satisfied. Who knows seven? Seven are the days of the week. Satisfaction is best represented by the number seven, as it represents Shabbat. The number seven, *sheva*, can be understood as *saveah*, to be satisfied.

Who Knows Eight?

When a person is satisfied, he then tries to connect to what is above and beyond. What represents that which is above and beyond? Who knows eight? The word for eight — *shemonah* — has the same root as *shuman* and *shemen* — fat and oil, representing the extras, the above and beyond. The *brit milah* is on the eighth day as it represents connecting to Hashem in an above and beyond way.

Who Knows Nine?

When we connect to Hashem in this way we can view ourselves as reborn. Who knows nine? Nine represents the nine months of pregnancy. Rashi (Bereishit 2:7) notes that the word ויִצַר, “and He created (man),” is written with two yuds because we are

born once in this world and we strive to be reborn in the next world.

Who Knows Ten?

When we are reborn, we reach a level of spiritual *ashirut* (wealth) represented by the Aseret HaDibrot (Ten Commandments), which encapsulate the entire corpus of Torah.

Who Knows Eleven?

When we are spiritually wealthy, the goal is to ensure that we can preserve our wealth. How can spiritual wealth be lost? When there is *machloket* — acrimony. Who knows eleven? The eleven stars represent the dispute between Yosef and his brothers.

Who Knows Twelve?

How do we avoid *machloket*? With the number twelve, representing the twelve tribes, who came together and made peace.

Who Knows Thirteen?

How did they do so? Through the number thirteen, the thirteen middot of Rachamim. The *gematria* of אהבה (love) is thirteen and so is the *gematria* of אחד (one). When we learn to love one another and unite without *machloket*, we can reconnect back to One, to be one with each other and with the Master of the world: אחד אלקינו בשמים ובארץ.



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THE POWER OF MOMENTS THROUGH NIRTZAH AND THE STEPS OF THE SEDER

One of my favorite parts of the Leil Seder is the Nirtzah experience. Whether it's the resounding L'Shana Haba'a preceded by Chasal Siddur Pesach (cue Abie Rotenberg's tune), or Chad Gadya replete with sound effects for each stanza, I have fond memories as a child staying up well past my bedtime, singing together around the table with family and friends. It was almost a rite of passage to see who from the family could remain awake until the end (not only kids, there were adults falling asleep on the couches too!). So why do we have this section of Nirtzah (or post-Nirtzah¹) at the end? What purpose does it serve, other than as an opportunity for a few more songs

and a chance to stretch out the Seder a few more minutes (because you know that's what everyone will be talking about in shul the next day — whose Seder went the latest)?

While we're at it, let's rewind to the beginning of the Seder for a second. Many families start off by singing the fifteen steps of the Seder: "Kadesh, U'rchatz, Karpas, Yachatz..." (cue the tune almost everyone learns in kindergarten). Why do we start the Seder that way? Granted, every Friday night we begin the meal with songs (Shalom Aleichem and Eishes Chayil), but Pesach night this is a song whose words seem to have little more meaning than opening a road map and listing the names of the cities you're

about to drive through! So why do we make such a big deal about it?

Truth be told, Nirtzah doesn't even appear in the earlier Haggadahs of the Geonim² and early Rishonim.³ Instead, their Haggadah ends with Hallel and *Nishmas*. It's only in the works of later Ashkenazi Rishonim (e.g. Maharam M'Rotenberg in *Tashbetz Katan*, Rabbi Israel Isserlain — the Terumas HaDeshen — whose practices are recorded in *Leket Yosher*) where we begin to find several Nirtzah piyyutim like *Ki Lo Naeh* and *Ometz Bigevurosecha*.⁴ This only strengthens our original question — what was so special about Nirtzah that these piyyutim were added at the end of the original Seder? Also, why do most

people have the custom to sing these *piyyutim* of Nirtzah? Finally, in the Arizal's siddur, there is a special *Lshem Yichud* to say before reciting Nirtzah, which is meant to help focus our thoughts on the mitzvah about to be performed. At this point, after having already basically finished the whole Seder and the mitzvos of Pesach night, what's the point of the *Lshem Yichud*?⁵

The Power of Moments: The "Peak-End Rule"

Several years ago, Dan and Chip Heath wrote a *New York Times* bestselling book, *The Power of Moments*, where they tried to understand what organically makes moments in our lives memorable, and how we can manually engineer situations to replicate the process and create memorable moments. They break it down into four

categories (see sidebar), the first of which is *Elevation*. One such example of elevating a moment is what is referred to as the "Peak-End Rule." The Heath brothers present the following example: Imagine a family that goes to Disney World for the day and is asked to rate every hour on a scale of 1 to 10. As they leave the hotel room with the kids, and the anticipation and excitement build, they rate it a 6. They ride Space Mountain, everyone has a blast; it's a 10. They wait in line in 100-degree weather for an hour; it's a 2. Finally, as they head out of the park, they buy the kids Mickey ears; it's a Kodak moment that will go in the Bat Mitzvah slideshow, an 8. On average, their day appears to have been a 6.5 rating. However, if we ask this family several weeks later how they would rate their Disney trip, they would most likely rate it a 9! Why? Because the

Peak-End Rule research proposes "that in recalling an experience, we ignore most of what happened and focus instead on a few particular moments... rating the experience based on two key moments: (1) the best or worst moment, known as the "peak"; and (2) the ending."⁶ They also note the importance of beginnings,⁷ with 40% of a person's college memories coming from events in the month of September (i.e. the beginning of the school year).⁸ In other words, transition times are most ripe for creating moments and lasting memories, be it in a job, life cycle events, or the beginning and end of the Seder.

Nirtzah in Jewish Thought

Most of the Seder steps clearly describe their intention: Kiddush — we make Kiddush, Magid —

The Power of Moments: 8 Ideas to Create Moments at Your Seder

In their *New York Times* bestselling book, *The Power of Moments*, Chip and Dan Heath share four methods for creating moments in our lives. (Shared with permission from the Heath Brothers, *The Power of Moments 1 Page Summary* (EPIC) Resource at <https://heathbrothers.com>)

ELEVATION: Moments of elevation are experiences that rise above the routine. They make us feel engaged, joyful, surprised, motivated. To create them, we can (1) boost the sensory appeal; (2) raise the stakes; and/or (3) break the script.

INSIGHT: Moments of insight deliver realizations and transformations. To produce moments of insight for others, we can cause them to "trip over the truth" by revealing (1) a clear insight; and (2) is discovered by the audience on their own.

PRIDE: Moments of pride commemorate people's achievements. We can use three strategies to deliver pride: (1) Recognize others; (2) Multiply meaningful milestones — reframe a long journey so that it features multiple "finish lines"; and (3) Practice courage by

"preloading" our responses in advance, so we're ready when the right moment comes.

CONNECTION: Moments of connection bond us together. Groups unite when they struggle together toward a meaningful goal. A responsive interaction can bring people together very quickly.

Applying these methods (listed parenthetically after each entry), here are 8 ideas for you to try at your Seder to create moments:

1. Kittel-Bearing Ceremony: The Baal HaSeder wearing a *kittel* is often a wasted opportunity to create a moment. Yes, one reason it's there is to get children to ask questions, but instead of coming in already wearing the *kittel*, appoint a child as "kittel bearer" and have them bring it in folded on a pillow, with the rest of the Seder members singing a tune (e.g. humming a tune from Sheva Brachos or the song of the Seder steps). (elevation)

2. Grandparent Pesach Facts Research: Come up with 4 questions (it is Seder night after all) for Seder

we tell a story, Hallel — we praise Hashem. But what about Nirtzah? Most mefarshim interpret it to mean “acceptance” or “atonement” (see Yeshayahu 40:2), yet it can also mean “we want.” Other than maybe wanting to go to sleep, what is it that we are supposed to want at this point of the Seder night?

In order to understand the purpose of Nirtzah, let’s examine several explanations surrounding this step of the Seder.

Rebbe Nachman MiBreslov teaches:

סיימנו את הסדר. אבל האם באמת סיימנו?
האם יכול האדם אי-פעם להתחיל לעשות דבר
כלשהו למען הבורא האינוסופי? או האם הוא
יכול רק לרצות כך לעשות? ה' מבקש את
הלב. אנחנו מבקשים את ה'. רוצים לעבוד
אותו, אך יודעים שאין במעשינו די.
*We have finished the Seder. But have
we finished? Can man ever begin to do*

*anything for the Infinite Creator? Or
can we only want to? God desires the
heart. We desire God. We want to serve
Him, but we know that our actions are
inadequate.*⁹

According to this, Nirtzah is not about appeasing Hashem (having gone through the *Seder k'hilchaso*), as it is more commonly translated; instead, it is about leaving this night wanting more, continuing to grow, and developing our relationship with Hashem. This is not the end, but the beginning, and we hope this moment stays with us and propels us higher as the year unfolds.^{10 11} In a similar vein, the Baal HaTanya, Rabbi Shneur Zalman of Liady, did not include the paragraph of *Chasal Siddur Pesach* (literally, “the end of the Seder”) in his Haggadah, because he felt the message and impact of the Seder doesn’t end, but continues on throughout the

year.¹²

Alternatively, Rabbi Abraham Isaac Kook¹³ notes that many of the Seder steps are written in imperative grammar form, *tzivui* (e.g. Kadesh, Urchatz, Yachatz, Bareich), yet Nirtzah is written in the passive form, *nifal*.¹⁴ Why? What can we learn from this?

By the end of the Seder we have hopefully gone through an internal transformation and have achieved great heights of *kedusha* and *cheirus*, to the extent that we can now even passively feel the holiness around us. We are completely enveloped by the moment, and singing the lofty *piyutim* praising Hashem helps amplify the experience and become more attuned to Hashem’s involvement in the world.¹⁵

One final thought on Nirtzah from

participants to ask their grandparents, parent or other family member in advance to then share at the Seder. Sample questions: Favorite Pesach food, favorite part of the Seder, favorite Seder song, a Pesach memory as child. (connection)

3. Seder Memory Round Robin: This is an alternative to #2 for those of us less organized or who have adults and multiple families joining the Seder. Have each member at the Seder share a Seder memory. Can be done before each step of the Seder, all at once during dinner, or interspersed in Maggid. (connection)

4. Pictures of Family on the Table: Seder night is a time of family gathering, but there are often family members logistically unable to attend or unfortunately no longer with us. Printing out or placing pictures of these members on the Seder table or sharing something about the person you were named after creates family connection and can be a trigger to share family stories. (connection)

5. Using Only Hebrew Names for Place Cards: One of the reasons listed for the Jews meriting redemption from Egypt was their steadfastness in keeping their Jewish names. Especially powerful elevation (think breaking the

script) for those who don’t regularly go by their Hebrew name. (pride, elevation)

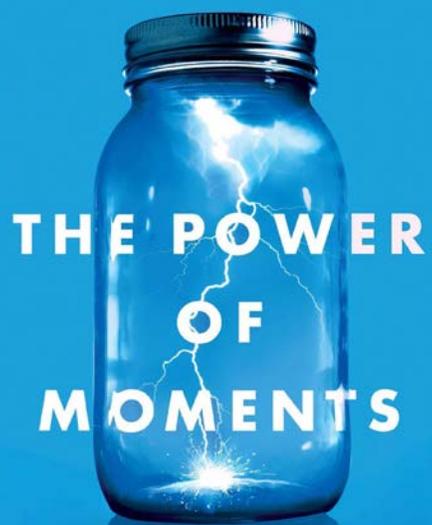
6. Seder Soapbox: Everyone likes to have their 15 minutes of fame (although Seder night we try to limit it to two minutes!). Have a shtender or other makeshift pulpit so they feel special when sharing a Dvar Torah at the Seder. (pride)

7. Practice Songs Ahead: The tunes of the Seder are just as much a part of a family’s mesora, and not all children know the different songs (especially younger children). On Shabbos HaGadol, sing some of your family’s tunes at the Shabbos table to familiarize them with your favorites. (pride)

8. Pesach Personalities: Give out names of different people mentioned in the Haggadah or Pesach story for Seder participants to research in advance and share an interesting fact, insight or Dvar Torah related to that person. (insight, pride)

These ideas were created with the goal of engaging children, however many are transferable for all ages and audiences. Thank you to Rabbi Dovid Bashevkin and my father Rabbi Stuart Lavenda for help with some of these ideas.

Why Certain Experiences Have Extraordinary Impact



CHIP HEATH & DAN HEATH
The bestselling authors of SWITCH and MADE TO STICK

By breaking the script, and changing the way people expect something to occur, it creates “strategic surprise” and elevates the moment making it memorable. Examples during the Seder are: the Mah Nishtana and the questions they represent, the lifting up of the wine and covering/uncovering of the matzah, the Yachatz breaking of the middle matzah and putting part of it away.

Rabbi Yosef Dov Soloveitchik. The Rav highlights the comparison between the word “*nirtzah*,” the last step of the Seder, and “*nirtzah*” as it appears in the Torah (Vayikra 1:4) regarding the sacrifices in the Temple: “*v’nirtzah lo l’chaper alav*” — that it will be pleasing to God. Similarly, in the daily Amidah, we have the prayer of Retzei, which comes from the same root as *nirtzah*. That bracha

of Shmoneh Esrei also speaks of our hope of returning to the Temple and our service to Hashem. In concluding this thought of Rabbi Soloveitchik’s, Rabbi Aaron Goldscheider writes:

*We mark the final step of Seder night by using this unique term, Nirtzah, which is meant to stir our soul with a feeling of longing for Zion and our hopeful vision of celebrating the festival of Passover in all of its splendor in Jerusalem, with a rebuilt Temple. How fitting it is that the Seder then follows and culminates with the soaring words L’Shana Haba’a b’Yerushalayim.*¹⁶

Rav Soloveitchik, too, connects the conclusion of the Seder and Nirtzah as a means of awakening latent emotions and elevating the Seder to leave us with a memorable experience to carry with us throughout the year, and really every day, recalled through the memory trigger of Retzei in the Shemoneh Esrei.

Back to the Beginning: Breaking the Script

Let’s go back now to the beginning of the Seder and the recital of the Seder steps (Kadesh, Urchatz, Karpas, etc.). Rabbi Alexander Ziskind writes in *Yesod Shoresh V’Avodah* that we should say aloud each of the steps of the Seder because they contain deep and lofty Kabbalistic meaning.¹⁷ Perhaps this is the source for the custom so many of us have to sing the steps of the Seder together at the beginning, to ensure that everyone metaphysically taps in to the mystical meaning the words represent, whether we realize it or not. However, returning to *The Power of Moments*, we could offer another explanation based on a different technique of elevating the moment — “Breaking the Script.”

The Heath brothers write¹⁸ that a script is “*our expectations of a stereotypical experience... [and] explains how our brains store and access knowledge.*”¹⁹ By breaking that script, and changing the way people expect something to occur, it creates “strategic surprise” and elevates the moment making it memorable.²⁰ This is essentially the reason behind many of our actions Seder night, to break the script! Here are just two examples from the Gemara and Rishonim:

למה עוקרין את השולחן אמרי דבי ר' ינאי
כדי שיכירו תינוקות וישאלו.

Why do we uproot the table? The House of Rabbi Yanai said in order that children will see and ask questions.

Pesachim 115b

ואמאי מטבלי תרי זימני כדי שיראו התינוקות
וישאלו.

And why do we dip two times? In order that the children will see and ask questions.

Rif, Pesachim 25a

Other examples of “breaking the script” during the Seder are: the Mah Nishtana and the questions they represent, the lifting up of the wine and covering/uncovering of the matzah, the Yachatz breaking of the middle matzah and putting part of it away, and so many more familiar actions. These are all programmed within the Seder night to get the children’s attention, using strategic surprise and elevating the Seder experience. Perhaps the same can be said of singing the Seder steps together at the beginning. It’s an unusual way to begin a meal, to sing a song before Kiddush, but as we mentioned above, there is precedent from Shabbos night. However, the song of the Seder steps, singing the steps of the journey we are about to embark on, is using strategic surprise

and breaks the script.²¹ Coupled with the fact it's the beginning, and is already ripe for elevation, singing the Seder steps helps set the tone for the whole Seder, creating a memorable night.²² The same holds true for the end of the Seder. Just when we thought the Seder was over — we ate the matzah, we recited Birkas HaMazon and Hallel, drank the four cups of wine and even sang L'Shana Haba'a B'Yerushalayim, a song that usually marks the end — the Seder is not over. We go “off script” and sing a few *piyyutim*, concluding with one about a goat that was eaten by a cat who was then bitten by a dog. This is the ultimate strategic surprise.

Leaving the Kotel, Leaving the Seder

*Rabbi Eliyahu Pardes was the Chief Rabbi of Jerusalem in 1967 during the Six Day War. He remembered roaming the alleyways and Kotel area as a youth and yearned to return. As soon as he heard those fateful words of Motta Gur, “Har Habayit Bayadeinu!,” he rushed out to return to the Kotel. When he arrived, he ran to the wall, first kissing the stones, and feeling the familiar, comforting touch on his hands, and finally choked out a heartfelt Shehechyanu blessing. After spending an hour in prayer, Rabbi Pardes slowly walked backward away from the wall, never turning his gaze away. He paused, eyes wandering over the bushes and cooing pigeons, as if they had never left the wall. He wanted to remain longer, just as he had years ago as a child, but his attendants urged him along. Rabbi Pardes broke away, running back to the Kotel to give it one more kiss, and then once again slowly made his way walking backwards, his eyes never leaving the Kotel.*²³

Nirtzah is our leaving the Kotel backwards. That one last turning around and looking at the Kotel on our way out, after once again going through the familiar Seder from years past, to elevate the moment as we end the sacred night. May this year's Pesach be one where we create moments and lasting memories, breaking the script to add to the family narrative, and elevating the end to leave the taste of Pesach fresh in our minds, and our hearts, throughout the year.²⁴

Endnotes

1 See Rav Moshe Yaakov Weingarten's *HaSeder He'Aruch* Vol. III pg. 359, for a discussion about what part of the Seder “Nirtzah” actually includes, if any part at all.

2 For example: Rav Amram Gaon, Rav Saadiah Gaon, Rav Natronai Gaon.

3 For example: Rashi, *Machzor Vitri*, Rambam.

4 Rav Yosef Zvi Rimon, *Haggadah Shel Pesach Shiras Miriam* (Hebrew), Yerushalayim 5771 p. 368. As an aside, in *Leket Yosher* Rav Israel Isserlain's practice seems to have been to recite these *piyyutim* before the fourth cup and then *Adir Hu* was recited together with what we call Nirtzah.

5 Rav Elimelech Biderman, *Haggadah Shel Pesach Be'er Miriam*, p. 263.

6 *The Power of Moments*, Dan and Chip Heath, 2017, p. 6-8

7 This is also essentially the concept of *hischadshus*, any time we get something new or start a new activity, there is an extra excitement and energy surrounding the beginning.

8 Ibid., p. 9, based on research by David B. Pillemer, *Momentous Events, Vivid Memories: How Unforgettable Moments Help Us Understand the Meaning of Our Lives*. Cambridge, MA: Harvard University Press, 2000. p.126.

9 Hebrew taken from *Haggadah Shel Pesach MiToraso Shel Rebbe Nachman MiBreslov*. English from *The Breslov Haggadah*.

10 See Sivan Rahav Meir, “*HaLaila SheBo Nolda HaCheirus*,” available at, <http://leeba.org.il/7083>, who alerted me to the comment of Rebbe Nachman's piece and explains his comment this way.

11 Perhaps this is also demonstrated by singing L'Shana Haba'a B'Yerushalayim at the beginning of Nirtzah, immediately looking ahead to carry the hope of this night with us as we look to the future.

12 Rav Ron Sarid, *Nesivos HaChasidus — Pesach*, Divrei Shir.

13 *Haggadah Shel Pesach*, Rav Avraham Yitzchak HaKohen Kook pg. 63.

14 Rav Rimon, p.369.

15 Rav Rimon, *ibid*.

16 Rav Aaron Goldscheider, *The Night that Unites Haggadah*. Urim Publications, 2014. p. 254.

17 *Yesod VeShores HaAvodah*, Chovas HaMoados 9:6.

18 Based on research by Roger Schank and Robert Abelson written up in their 1977 book *Scripts, Plans and Knowledge*.

19 *The Power of Moments*, Dan and Chip Heath, 2017, p. 70-71.

20 Ibid. 71-72.

21 After completing this article, I came across a similar idea in Rav Moshe Yehuda Katz's *Vayaged Moshe* no. 14, to say all the steps of the Seder in the beginning “to make sure that the children are aware of everything that will happen this night.”

22 This could also explain why we continue to note or sing the individual Seder steps throughout the night. Not only is it another beginning (of that individual step), but it provides peaks throughout the night which refer back to that initial burst of “creating moments” energy at the beginning of the Seder.

23 From <http://www.chabad.org.il/Magazines/Article.asp?ArticleID=2049&CategoryID=687>, based on a biography of Rabbi Pardes by Menachem Michelson.

24 Thank you to all family and friends who reviewed the article in advance.



ELIYAHU HA-NAVI AND THE SEDER NIGHT

For one moment,¹ following his dramatic defeat of the prophets of Baal, Eliyahu stands triumphantly on Har Carmel; he even appears to patch up his relationship with King Ahab as drenching rain relieves the long-standing drought.

And then, in a flash, Eliyahu is fleeing for his life from the wrath of Jezebel. He sits under a tree and, like Jonah, asks God to take his life. Finally, Eliyahu takes refuge in a cave. There the word of God finds him and asks, “*mah lekha poh Eliyahu?* What doest thou here, Eliyahu?” Why are you hiding in a cave in the desert? Why are you not in your proper place among God’s people?² Eliyahu responds:

וַיֹּאמֶר קִנְיָא קִנְיָתִי לָהּ אֱלֹקֵי צְבָאוֹת, כִּי-עָזְבוּ
בְרִיתְךָ בְּנֵי יִשְׂרָאֵל--אֶת-מִזְבְּחֹתֶיךָ הָרָסוּ, וְאֶת-
נְבִיאֶיךָ הָרְגוּ בְּחֶרֶב; וְאֹתָר אֲנִי לְבַדִּי, וַיִּבְקְשׁוּ
אֶת-נַפְשִׁי לְקַחְתָּהּ.

I have been vengeful on behalf of God because Bnai Yisrael have forsaken Your brit; they have destroyed Your altars, they have killed Your prophets by the sword; I am the only one remaining and

they are trying to kill me [as well].

1Kings 19:10

Eliyahu offers a recap of the prior events and then, after a mysterious series of revelations, he stands at the entrance to the cave with his face wrapped in his cloak. God repeats His question but Eliyahu can do no better than rehash his answer [which even the first time was clearly not the answer God was looking for]. In response, God announces Eliyahu’s formal retirement: his final assignment will be to locate and anoint his own successor (19:16).

The Children of Israel, claimed Eliyahu, had breached their covenant with God. Which covenant, precisely? Radak³ offers two alternative interpretations. First, he suggests that Eliyahu was referring to Brit Sinai, the agreement by the Jewish people on Har Sinai “to do and to listen” to the commandments.⁴

In his second interpretation, Radak, citing *Pirkei de-Rabbi Eliezer*,

suggests that it was the mitzvah of brit milah that the Jewish people had abandoned. The midrash explains that it was as a result of the people’s abandonment of brit milah that Eliyahu, empowered by God with control over rainfall, had decreed the drought in the first place (17:1).

In fact, as the midrash continues, God appears to have felt that Eliyahu had gone too far in decreeing the drought:⁵

אמר לו הקב"ה, לעולם אתה מקנא. קנאת בשטים על גלוי עריות, שנאמר פנחס בן אלעזר בן אהרן הכהן. וכאן אתה מקנא, חייך שאין ישראל עושין ברית מילה עד שאתה רואה בעיניך.

God said to him [Eliyahu]: You are always zealous. You were zealous in Shittim when there was immorality⁶... and here you are zealous as well. By your life, Bnai Yisrael will not observe a brit milah until you witness it with your own eyes.

Pirkei de-Rabbi Eliezer, Chapter 29

Eliyahu, having criticized the Jewish people for not observing this most basic mitzvah, will now certify that in fact

the Jews are complying by personally attending every brit milah ceremony.⁷

מכאן התקינו חכמים שיהיו עושין מושב כבוד למלאך הברית, (שנקרא אליהו ז"ל מלאך הברית), שנאמר ומלאך הברית אשר אתם חפצים הנה בא וגו'.

From this point on, the Sages decreed the preparation of a seat of honor for the Mal'ach HaBrit [the Messenger of the Brit] since Eliyahu, may his name be remembered for good, is known as the Malach Habrit as it says in Malachi 3, 1: "And the messenger of the covenant, whom ye delight in, behold, he cometh." Pirkei de-Rabbi Eliezer, Chapter 29

Toward the end of our annual Pesach Seder, each Jewish family around the world fills a cup of wine for Eliyahu as we prepare to invite him into our homes. Yet again, we might ask, "What doest thou here, Eliyahu?" Who invited Eliyahu to the Seder? What connection is there between his mission and the themes of the Seder night?

To be sure, we can point to a *tzad ha-shaveh*, a common thread, tying together brit milah and Korban Pesach. An uncircumcised male may not participate in the Korban Pesach.⁸ Yehoshua arranged for all uncircumcised males to have a brit milah⁹ and only then was the Korban Pesach offered.¹⁰ Also relevant is the verse in Sefer Yechezkel:¹¹

וְאָעֲבֹר עָלֶיךָ וְאֶרְאֶךָ, מִתְבוֹסֶסֶת בְּדַמֶּיךָ; וְאָמַר לְךָ בְּדַמֶּיךָ חַיִּי, וְאָמַר לְךָ בְּדַמֶּיךָ חַיִּי.

Then I passed you and saw you wallowing in your blood and I said to you, "In your blood you shall live." And I said to you, "In your blood you shall live."

The midrash¹² explains that when the time came for God to redeem Bnai Yisrael from Egypt,¹³ Bnai Yisrael had no mitzvot to their credit to make them worthy of being redeemed. By performing the mitzvot of Korban

Pesach and brit milah, the Jewish people earned the right to be redeemed.

One other connecting link: among all the positive commandments it is only for not performing brit milah and participating in a Korban Pesach that one is liable for divine punishment in the form of karet (being cut off, i.e., premature death).

There is also a thematic connection between the two mitzvot: Avraham enters into two covenants with God: the *Brit ben ha-Betarim*,¹⁴ in which Avraham was promised that his descendants will inherit Eretz Yisrael, and the brit milah.¹⁵ The former covenant included a warning that Avraham's descendants would go into exile and be enslaved before God would redeem them and bring them back to their land. As such, on a certain level, the Korban Pesach commemorates the *Brit ben ha-Betarim*. In the latter, God promises His protection for the Jews in their land so long as they fulfill their treaty obligation — brit milah, which perhaps serves as a visible (well, physical) symbol of the mitzvot in general.

Certain halakhot, customs and practices of the Seder have morphed over the centuries and across time zones. For many of us, particularly those following Ashkenazic custom, the post-seudah portion of the Seder brings together the pouring of the fourth cup of wine and the cup of wine of Eliyahu, the opening of the front door and the recitation of *Shefokh Chamatkha*. The connections between these actions is less than completely clear and has received a fair amount of attention from commentators and scholars.

The opening of the door is interpreted in at least two rather different contexts. We might have suspected

that the door would have been opened toward the beginning of the Seder when we say "*kol dikhfin*" (in "Ha Lachma Anya," inviting "all who are in need [to come and eat])," which is, ostensibly, an invitation for strangers or others in need to enter).¹⁶ Rav Huna, we are told, would regularly (not specifically on Pesach) open his door as he was beginning his dinner to invite those who were hungry.¹⁷ And, in fact, Rav Matityah Gaon¹⁸ reports [or assumes] that in earlier generations people left their doors open so that Jews would join the Seder.¹⁹ In his own day, the Gaon writes, this is not the custom, and food is provided in advance to the poor. Opening the door after the meal has been completed, as we do, does not seem very sporting.

The opening of the door has also been explained in a way that is unrelated to dinner guests. The *Or Zarua*²⁰ quotes Rav Nissim Gaon as writing, "that we do not lock the door of the house on the night[s] of Pesach, for this is our trust in the word of God and His promise, and as reward for this trust, we will be entitled to redemption."²¹ The promise here is that of Exodus 12:42 "*leil shimurim hu la-Shem*," it is night for the Lord. With God looking out for our safety on this night, locking the door is unnecessary.

The *Sefer ha-Manhig* by R. Avraham ben R. Natan Ha-Yarchi²² contains a much longer quote from Rav Nissim Gaon's work, *Megilat Setarim*:

And the custom in various places is that one does not lock the doors in which one sleeps on the night[s] of Pesach, for in Nissan we were redeemed and in Nissan we will be redeemed [in the future], as it is written, "It is a night of vigil for the land [that is] a night that is guarded since the Six Days of Creation," and if Eliyahu

was to arrive he will find the door open [i.e. unlocked] and he [the homeowner?] will be able to exit [his bed? his room?] quickly to greet [Eliyahu].²³

The doors referred to here include the bedroom doors, which are not locked in the event that if Eliyahu appears, household members will not need to waste time unlocking their bedroom doors to greet him.

A few centuries later, the Rema²⁴ describes a more familiar version of the custom: “the customary practice is to open the [front] door of the house prior to the recitation of *Shefokh Chamatkah*, in order that we recall that this night is a ‘*leil shimurim*,’ during which we have no fear and in the merit of this act of faith the Mashiach will come and God will pour forth His wrath upon the idolaters.

These medieval comments are based upon the Midrash²⁵ and Talmud,²⁶ which stressed that on the night of the Seder [in the present] Jews are protected from *mazikim*, demons, and are able to open their doors without fear. At the Exodus, God’s vigil was redemptive and we, too, hope for ultimate redemption on this night, with Eliyahu bearing news of the imminent arrival of the Mashiach.²⁷

What explanation is there for the custom of pouring the cup of wine for Eliyahu? Tal Goitein²⁸ traces the development by looking at illuminated haggadot, particularly the Erna Michael Haggadah (in the collection of the Israel Museum), produced in Bohemia or southern Germany toward the beginning of the fifteenth century. The manuscript contains an illustration²⁹ showing the man of the house holding Eliyahu’s cup in his right hand. The illustration appears directly before the text of “*Shefokh Chamatkah*,” and the cup

of Eliyahu is affiliated with the fourth cup. Interestingly, the Washington Haggadah (now in the collection of the Library of Congress)³⁰ shows the cup of Eliyahu being poured alongside the second cup, which is around the time “*kol dikhfin*” is recited.³¹

The earliest rabbinic mention of *Kos shel Eliyahu* is apparently by R. Zelikman of Bingen.³² R. Zelikman had seen or heard of a custom to pour a cup of wine for Eliyahu when the cups are being refilled after Kiddush (as in the illustration in the Washington Haggadah):

And I have seen that some people on the night of Pesach pour a special cup and place it at the table and say that it is the cup of Eliyahu the Prophet and I do not know the reason ... it seems to me that the reason might be that if Eliyahu comes on the night of Pesach, as we hope for him to do and await him on that night, he too will receive a cup of wine since even the poor of Israel must be provided [by the tzedakah monitors] with four cups [of wine].

It seems that during the fifteenth century there were competing customs about whether to pour a cup for Eliyahu and, if so, at what point in the Seder. The viewpoint of R. Yisroel Bruna, which was cited by the Rema, might have been crucial in establishing that the opening of the door be done not at “*kol dikhfin*” but at “*Shefokh Chamatkah*,” and the custom developed to pour Eliyahu’s cup just prior thereto.³³

The question of origin of the Cup of Eliyahu seems to tie in to the final piece of the puzzle, the elusive fifth cup. R. Chaim Benveniste,³⁴ the author of *Knesset Ha-Gedolah*, suggested that the Jews of Ashkenaz emptied their cups into a communal cup and that was the origin of the fifth

cup (and the Eliyahu cup?).

The Yerushalmi³⁵ presents no less than five reasons that we drink four cups of wine at the Seder. Of these reasons, the most familiar to us is R. Yochanan’s matching the four cups with “*arba leshonot shel geulah*,” the four phrases of redemption found in the verses (Ex. 6:6-7).

The Mishna³⁶ simply announces the rule, with no explanation, that everyone needs four cups of wine for the Seder, even if a person is impoverished and therefore requires support by the community.

What about someone who wishes to drink more than the required four cups? The Mishna notes:

בין הכוסות האלו--אם רצה לשתות, ישתה;
בין שלישי לרביעי, לא ישתה.

One can drink other cups between the first and the second, and the second and the third, but not between the third and the fourth.

Mishna, Pesachim 10:7

One may drink between cups one and two [during the recitation of Maggid] or between cups two and three [during the meal.] Between cups three and four, however, one is not permitted to drink. The Mishna offers no hint, though, about any requirement or obligation to drink more than four cups.

And yet, a version of the extant Talmudic manuscripts makes clear that there was a tannaitic view mandating five cups. The standard printed Talmud³⁷ contains the following baraita:

תנו רבנן: רביעי גומר עליו את ההלל ואומר
הלל הגדול דברי ר' טרפון. ויש אומרים ה'
רועי לא אחסה.

Our rabbis taught: [they pour for him] the fourth cup, over which he recites the

Hallel and says Hallel ha-Gadol. These are the words of R. Tarfon. And there are those that say, he recites “God is my Shepherd, I shall not want.”³⁸

The baraita, in that version, reflects agreement with, or only the smallest digression from the language of the Mishna.³⁹

מזגו לו כוס שלישי... רביעי גומר עליו את ההלל ואומר עליו ברכת השיה.

They poured for him the third cup... [they pour for him] the fourth cup, over which he recites Hallel and recites Birchat ha-Shir.

As Menachem Katz has shown, though,⁴⁰ the Munich manuscript [M S Munich 6], an Ashkenazic manuscript from the 12th or 13th century and a Yeminite manuscript [M S Columbia 294-295] have a key change:

חמישי גומר עליו ההלל הגדול דברי ר' טרפון ויש אומרים ה' רועי לא אחסה.

[They pour for him] the fifth cup over which he recites Hallel ha-Gadol according to R. Tarfon. There are those that say, [he recites] “God is my Shepherd, I shall not want.”

Thus, according to the Vilna Shas, and supported by several manuscripts as well, the baraita is discussing the fourth cup as the Mishna did, and adds that in addition to reciting Hallel⁴¹ over the fourth cup, one also recites Psalm 136 [or 135-136 or Psalm 28].

The alternative manuscript versions, though, have no “vav” in *v'omer* and the phrase reads “*chamishi*” [the fifth cup], which R. Tarfon insists on. Rashi, Rashbam and Tosafot on 118a all were aware of the manuscript reading but they reject it.

ה"ג ת"ר רביעי גומר עליו את ההלל ואומר עליו ההלל הגדול.

[There are versions that read otherwise,] but this is how we learn: the rabbis

taught [we pour for him the fourth cup of wine] over which he completes Hallel and recites Hallel ha-Gadol.

Rashbam

The Tosafot add: ולא גרסינן חמישי (“we do not read, ‘the fifth [cup].’”)

Rashi had enormous influence and it is no surprise that his reading of the baraita became normative. As Dr. Katz notes,⁴² though, the reading *chamishi* is found in many manuscripts and halakhic works prior to Rashi or outside the zone of his influence, including those of R. Hananel, the Rif, and the Rambam. To be sure, in the view of the Rishonim this fifth cup is not mandatory as the four are. In the Rambam’s formulation,⁴³

ויש לו למזוג כוס חמישי ולומר עליו ההלל הגדול והוא מהודו לה' כי טוב עד על נהרות בבל. וכוס זה אינו חובה כמו ארבע כוסות.

And one should pour the fifth cup [of wine] and recite over it Hallel ha-Gadol which is from “Hodu laHashem ki tov”⁴⁴ until “al naharot Bavel”⁴⁵. And this [fifth] cup is not obligatory like the other four cups [of wine].

The Ra’avad⁴⁶ also indicates that a fifth cup⁴⁷ corresponding to the phrase “*ve-heveiti*” (Ex. 6:7) is a *minhag*.⁴⁸

We wondered earlier what Eliyahu is doing at the Seder. The Sages noticed a series of parallels between the careers of Moshe and Eliyahu (e.g., *Pesikta Rabati* 4). Both were from shevet Levi (assuming Eliyahu was a Cohen); both were referred to as “*ish Elokim*”; Moshe escaped from the wrath of Pharaoh and Eliyahu from Izevel; both fasted for forty days; Moshe gathered the Jews at Har Sinai and Eliyahu at Har Carmel; and so on. We even find Eliyahu standing on Horev (Har Sinai). Moshe was God’s agent for the redemption from Egypt; Eliyahu is the harbinger of the

ultimate redemption. Neither is the focal point of the Seder, but both are present in our minds and hearts.

It seems fitting that Eliyahu, known for his zealousness, is now associated with “*Shefokh Chamatkah*.” It’s as if we have come full circle to when we first met Eliyahu in 1Kings 17 as he utters his vow that no rain will fall until he gives leave. But while the tone of the words of “*shefokh chamatkah*” evoke the zealot, the overall melody of Eliyahu at the Seder is quite different. The song we sing is one of praise and recognition, “*avadim hayenu le-Par’oh be-Mitzrayim*,” we were slaves to Pharaoh in Egypt, and now we are free. We acknowledge the role of God in our lives as we remember the two covenants He forged with us, how we keep fulfilling the covenant of brit milah with our children, how we celebrate the fulfillment of *Brit ben ha-Betarim* at the Seder. We demonstrate that we are educating our children in a way that continues to transmit the importance of our relationship with God. And as we pour the cup for Eliyahu, the fifth cup associated with the words “*ve-hevati*,” “And I will bring,” we begin reciting the Hallel ha-Gadol where we further acknowledge the many ways that God has protected us over the years. More importantly, we show that while zealous action is appropriate at times, it is the ongoing education of our children that will ultimately turn the “*leil shimurim*” into the harbinger of redemption. *Mah lekha poh Eliyahu?* “What doest thou here, Eliyahu?” Are you here to perform your other job? Have you come to announce the arrival of הגדול והנורא — the great and awesome day of God?

Endnotes

- 1 At the end of 1Kings 19.
- 2 See Malbim on 1Kings 19:9 who says God

is reminding Eliyahu that the place of a navi is with his nation, advocating on their behalf, not meditating in solitude in the desert.

3 R. David Kimchi, 12th-century French commentator, on 1Kings 19:10.

4 Reference to Shemot 24:7, *na'aseh v'nishmah*, we will do and we will listen.

5 Chazal view Eliyahu as going overboard, even though his zealousness was on behalf of God. Versions of the midrash are found in the following: *Pesikta Rabbati* 29, *Yalkut Shimoni*, *Yirmiyahu* 36, *Avot de-Rabbi Natan*, version 2, no. 47, *Mekhilta de-Rabbi Yishmael*, *Masekhta de-Pischa* no. 1.

6 Alluding to the slaying of Zimri and Kazbi by Pinchas, the son of Eleazar, the son of Aharon, for which Pinchas received a "*brit shalom*." The midrash asserts that Pinchas and Eliyahu were one and the same.

7 The *Chatam Sofer* (Responsa Vol 6, number 98), points to the sugya in *Eruvin* 43a-b, which concludes that there is no resolution to the question of whether the laws of *techumin* (limits on travelling on Shabbat and Yom Tov) apply to those travelling at least 10 handbreaths or more above the ground (*Yad, Hilchot Shabbat* 27:3) — the Gemara assumes that Eliyahu now gets around in a more expeditious manner than mere walking. Since the laws of *techumin* might apply, it seems clear that Eliyahu cannot attend Shabbat and Yom Tov brissim in more than one location since he is precluded from travelling beyond the *techum*! How then can we assume that Eliyahu attends every bris? Chatam Sofer suggests a distinction between Eliyahu's earthly body and his soul. Some recent commentators prefer the approach of R. Eleazar of Worms in his *Sodei Razia* that Eliyahu has a team of agents who appear at brissim when he is unable to travel.

8 Shemot 12:48.

9 Yehoshua 5:2-8.

10 Yehoshua 5:10-11.

11 Yechezkel 16:6.

12 *Mekhilta de-Rabbi Yishmael*, Parashat Bo, Parasha 5.

13 As per His promise to Avraham in *Brit ben ha-Betarim*.

14 Bereishit 15.

15 Bereishit 17.

16 The question of why the door is not opened

instead at "Ha lachma anya" is posed by many, including the *Chatam Sofer* [Derashot Volume 2, p. 274] and the *Beit HaLevi*, R. Y.D. Soloveitchik of Brisk in his Chumash commentary, Parashat Bo, s.v. 'Leil Shimurim.' The Beit HaLevi connects the opening of the door to the idea that the evening is a "*Leil Shimurim*," one in which the Jewish people are being protected. The protection is needed at this point as the fourth cup is being poured since the Talmud warns against "*zugot*," an even number of cups of wine [TB *Pesachim* 109b].

17 TB *Taanit* 20b.

18 Gaon of Pumpedita 860-869.

19 An extended quote found in *Sefer Abudraham* [Jerusalem, 1963, p. 221].

20 R. Yitzchak ben Moshe of Vienna, 13th century, in the Pesach section 234.

21 The plural nights might be a reference to the first night only, but year after year.

22 12th-century Lunel.

23 As Professor Abramson has pointed out [Rav Nissim Gaon *Five Books*, Jerusalem 1965], it is not unusual for rabbis in Europe to quote from the Hebrew portions of Rav Nissim's work. Something odd happened to the text here because *Megilat Setarim* does not contain most of the language that the *Manhig* quotes. The original text, incidentally, uses the term "closed" rather than "locked."

24 Rav Moshe Isserles on *Shulchan Aruch, Orach Chayim* 480.

25 *Shemot Rabbah* 18.

26 *Pesachim* 109b.

27 Malachi 3:23: Behold I am sending you Eliyahu the Prophet.

28 סל גויטיין, מזיגת כוס לאליהו הנביא: תיאור לא מוכר של המנהג מהמאה החמש עשרה בהגדות ארנה 83 מיכאל, עמוד 83. Goitein's article is part of publication of the Department of Folklore at the Hebrew University.

29 Which can be viewed online at <https://bit.ly/2FyQKih>.

30 1470 from Southern Germany.

31 i.e. the earlier portion of the Seder.

32 Died c. 1470. Rav Bingen was a student of the Maharil. R. Zelikman was called "Sar ha-Torah" by his contemporary, the author of the *Terumat Ha-Deshen*, and among his students was the Maharam Mintz.

33 1400-1430.

34 Turkey, 1603-1673. Many commentators have suggested the following connection between the fifth cup and the Eliyahu cup: since there is an uncertainty as to whether one should drink the fifth cup, the question is on hold until Eliyahu arrives. There is an old tradition that Eliyahu will resolve halakhic uncertainties.

35 TJ *Pesachim* 10:1.

36 Mishna, *Pesachim* 10, 1 ... אפילו עני שבישראל לא יפתחו לו מארבעה כוסות של יין, ואפילו מן התמחוי. The Mishna notes that the gabbais who distribute food to the poor should provide at least four cups לא יפתחו לו also implying that one may not drink more.

37 *Pesachim* 118a.

38 Tehillim 23:1

39 Mishna *Pesachim* 10:7.

40 See his online summary at thegemara.com/fivecupsofwineattheseder/.

41 See *Haggadah of the Sages* by Shmuel and Zev Safrai, p. 177 footnote 9. There they note that *ligmor* is equivalent to *likro*. The change in language from *ligmor* to *likro* is based on the premise that *likro* is to read part of Hallel and *ligmor* means to read all of Hallel. Rabbenu Tam in *Sefer HaYashar* 537, p. 319 believes that the two terms are synonymous. See also *Sefer Raviyah*, 3, p. 647.

42 See also R. Menachem Kasher, "*Kos Hamishi*" [New York 1950] who reviews the evidence from the manuscripts.

43 Rambam, Rabbi Moshe ben Maimon, *Mishneh Torah*, early 13th century, *Hilchot Chametz u'Matzah* 8:10.

44 Tehillim 136.

45 Tehillim 137.

46 *Temim Deim* no. 30.

47 Corresponding to the fifth phrase about redemption in Shemot 6:8 "and He will bring you."

48 The Ra'avad also notes that the rule against drinking any wine after the four cups is not a halakhic ruling, *lo me-ikar halakha*, but a minhag. David Henshke finds the evidence compelling that R. Tarfon did indeed argue for a fifth cup. He argues, though, that it was this recitation of Hallel Hagadol that necessitates the fifth cup.



LOOKING PAST THE EVERYDAY: UNDERSTANDING CHAD GADYA

Rabbi Chaim Yosef David Azulai, known as the “Chida” (*Chaim Sha’al* 1:28), records a fascinating story of a Sephardic Jew who openly mocked Ashkenazic Jews for singing Chad Gadya on the Seder night. How foolish, he declared, to end off the sublime night of the Seder with a song about a goat! [At the time, apparently, Sephardic Jews did not sing Chad Gadya, whose origins lie in the medieval German school of Rabbi Elazar of Worms, the Ba’al HaRokei’ach. Today the song has been widely adopted in the Sephardic world as well.] The local Rav was furious at the man’s statement and excommunicated him. The man protested that excommunication was an undeserved overreaction. The question was presented to the Chida. The Chida responded:

כל כי האי מילתא פשוטה לפנייה כי אנוש זה זד
יהיר לץ המתלוצץ על מה שנהגו רבבות אלפי

ישראל בערי פולין ואשכנז ואביזרייהו ואשר
לפנים בישראל גדולי עולם קדישי עליונין דזור
דור וחכמיו ... ולא עוד אלא יש לענשו קנס
לעניים לפי ערכו ולהודיעו גדול עונו וישוב אל
א’ וירחמהו ... וכבר נודע תוקף גדולת פיוטי
אשכנז המיוסדים על החכמה האמיתית.

It is obvious that this man is a sinful scoffer to mock the practice of tens of thousands of Jews in Poland and Germany for many generations ... He should be fined appropriately to give money to the poor so that he appreciates the extent of his sin and repents ... It is well-known that the Ashkenazic poems are based on Kabbalistic wisdom.

Clearly, the Chida was not ready to dismiss Chad Gadya as a meaningless song about a goat. What is less clear is the song’s actual significance. The Chida implies that it may be Kabbalistic. Others have suggested that the song is a metaphor — either for the successive exiles and ultimate

redemption of the Jewish people (Vilna Gaon), or the procedure for bringing the Pesach sacrifice (Chasam Sofer), or a description of the trials the soul faces when it descends into this world (Ya’avetz).

I believe we can appreciate the meaning of Chad Gadya — on the simplest of levels — by noting a significant shift that takes place toward the end of the main body of the Seder itself, before we begin reciting the poems which follow it.

The End of the Seder

The Mishna (*Pesachim* 117b) rules that after Hallel, we recite *Birkas HaShir* — the Blessing of Song — over the fourth cup of wine. The Gemara records a debate as to whether *Birkas HaShir* refers to the paragraph “*Yehalelucha*,” customarily recited at the end of

Hallel, or to “*Nishmas Kol Chai*,” which typically is the concluding bracha of *Pesukei D’Zimra* on Shabbos and Yom Tov. The Gemara also adds that we recite *Hallel HaGadol* at the end of the Seder. There are different opinions as to what that means — perhaps Tehillim 136, perhaps Tehillim 23, perhaps all the chapters of Tehillim that begin “*Shir HaMa’alos*” through Tehillim 136. Our accepted practice is to recite Tehillim 136 as *Hallel HaGadol*, as well as both *Yehalelucha* and *Nishmas*; the exact order of when to say these paragraphs and how to conclude them varies based on custom. [See *Tur* and *Shulchan Aruch, Orach Chaim* 480 and the commentaries there.]

Why are these paragraphs added at the end of the Seder? It is easier to understand the addition of *Yehalelucha*, since that paragraph typically is recited at the conclusion of Hallel, but why add *Hallel HaGadol* and *Nishmas*?

The Gemara (*Pesachim* 118a) explains that the reason *Hallel HaGadol* (“the great Hallel”) is so called is because it describes how G-d distributes sustenance to every creature. As the Rashbam comments, this is indeed a great thing! Apparently, the theme of *Hallel HaGadol* is the notion that G-d provides for our needs on a daily basis. Indeed, that chapter can be understood as conveying that, while G-d is mighty and has historically performed many acts of kindness for the Jewish people, the ultimate expression of G-d’s kindness is His daily sustaining of all flesh.

A similar theme is associated with the bracha of *Nishmas*. The Gemara (*Ta’anis* 6b) identifies *Nishmas* as the blessing recited when rain falls after a period of drought. While the

Talmud (*ibid.*) speaks of rainfall as being even greater than the miracle of the resurrection of the dead, rainfall is a natural phenomenon, not a supernatural one. Linking *Nishmas* to such a phenomenon implies that *Nishmas* itself is a blessing of acknowledgement of G-d’s role in the miracles of nature, not those that transcend nature.

The text of *Nishmas* itself supports this idea. While there is a brief reference to the Exodus from Egypt, the vast majority of *Nishmas* thanks G-d for providing for us in times of hunger and drought, saving us from pestilence and the sword, and enabling the poor man to be delivered from oppression. None of these events are necessarily supernatural. The theme of *Nishmas*, like that of *Hallel HaGadol*, seems to be focused on G-d’s role in facilitating miracles covertly through the natural events of everyday life.

In light of the above, it seems that the last portion of the Seder enables us to progress from recognizing the Hand of G-d in the miraculous events of the Exodus — a notion that has been the focus throughout the Seder night — to seeing G-d’s Hand in the miracles of everyday life. We are meant to walk away from the Seder with our eyes opened to the presence of G-d in the world around us. An evening that begins with the commemoration of a specific historical event ends with a heightened sense of religious awareness that should impact on our every waking moment.

Although he is not addressing the structure of the Seder *per se*, a very similar point is made by Ramban (*Shemos* 13:16), in discussing the central role the remembering the Exodus plays in so many of our mitzvos:

ומן הנסים הגדולים המפורסמים אדם מודה
בנסים הנסתרים, שהם יסוד התורה כלה.

שאין לאדם חלק בתורת משה רבינו, עד
שנאמין בכל דברינו ומקרינו שכלם נסים, אין
בהם טבע ומנהגו של עולם.

By acknowledging the famous, open miracles, one comes to acknowledge the hidden miracles, [the recognition of] which is the foundation of the entire Torah. For one does not have a portion in the Torah of Moshe Rabbenu until he believes that everything that befalls us is ultimately a miracle, not merely “nature” or “the normal course of events.”

Reflecting the Themes of the Seder’s Conclusion

In light of this understanding of the spiritual journey we are meant to follow on the night of the Seder — opening our eyes to be able to see G-d in the world, beyond the facade described as the “normal course of events” — we can better appreciate the truly sublime message of Chad Gadya.

The goat, cat, and dog of Chad Gadya are exactly what they appear to be: A goat, cat, and dog, representing nothing more than the common and mundane experiences of this world. Goats are eaten by cats, oxen are slaughtered by butchers, and nothing about any of this seems extraordinary. It is only at the very end of Chad Gadya that G-d Himself suddenly appears on the scene. The message is that G-d is really behind all the seemingly mundane events in Chad Gadya. We need to merely scratch the surface of the world of goats, cats, and dogs to discover G-d Himself.

It is no wonder, then, that the Chida insisted that this poem be treated with respect. Chad Gadya reflects the very idea that Chazal sought to convey through *Hallel HaGadol* and *Nishmas*. In a sense, it captures the goal of the Seder itself.

**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 began 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



Rav Yaakov Ariel
1937 – Present

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 Ariel concludes his article with the prophecy of Yeshayahu:

וְאֶשְׁיְבָהּ שֹׁפְטֵיךָ כְּבָרְאֲשֵׁנָה וְיַעֲצִיבְךָ כְּבִתְחֻלָּה
אֶחָרֵי כֵן יִקְרָא לְךָ עִיר הַצְּדִק קְרִיָה נְאֻמָּנָה.

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



Nechama Leibowitz zt"l
1905–1997

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.

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.

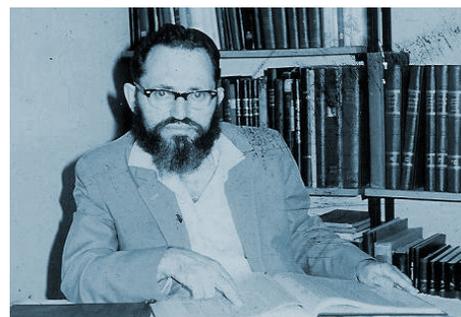
RAV MOSHE TZVI NERiyAH: THE LEGACY OF RABBI AKIVA EZER DIENA

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 Neriya, 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 Neriya notes the comment of the Talmud (*Pesachim* 22b), that Rabbi



Rav Moshe Tzvi Neriya 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 Rishonim¹ 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

RABBI ALEX HECHT

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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 RABBI ADAM FRIEDMANN

Publications Contributor and Former Avreich, YU Torah MiTzion Beit Midrash Zichron Dov of Toronto

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 Mizrahi convention in Crackow. In his remarks, he outlined what he viewed as the defining characteristic of the Mizrahi worldview which distinguished it from other Orthodox groups. From its inception, Mizrahi 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 benoshmot*,” 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 Mizrahi 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



Rav Moshe Avigdor Amiel zt”l
1883–1946

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 Mizrahi worldview, argues Rabbi Amiel, seeks to reintegrate these three categories. The result is not a disregard for our *mesorah*, but an attempt to live

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

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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



Rav Yitzchak Herzog zt"l
1888–1959

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)

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*)

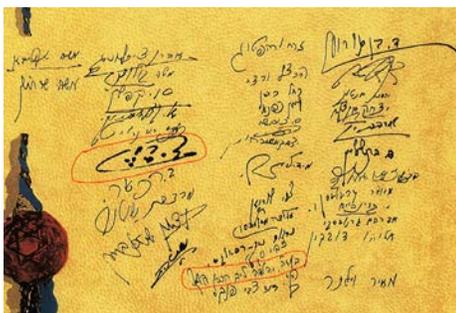
RAV YEHUDA LEIB FISHMAN MAIMON: LEAVING HIS MARK

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 Fishman¹ (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



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

have to find another way to sanctify the declaration with the name of G-d.

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, "בְּעִזְרַת ה' יהודה ליב" — adding the acronym for פ, 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 Shehechyanu.

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

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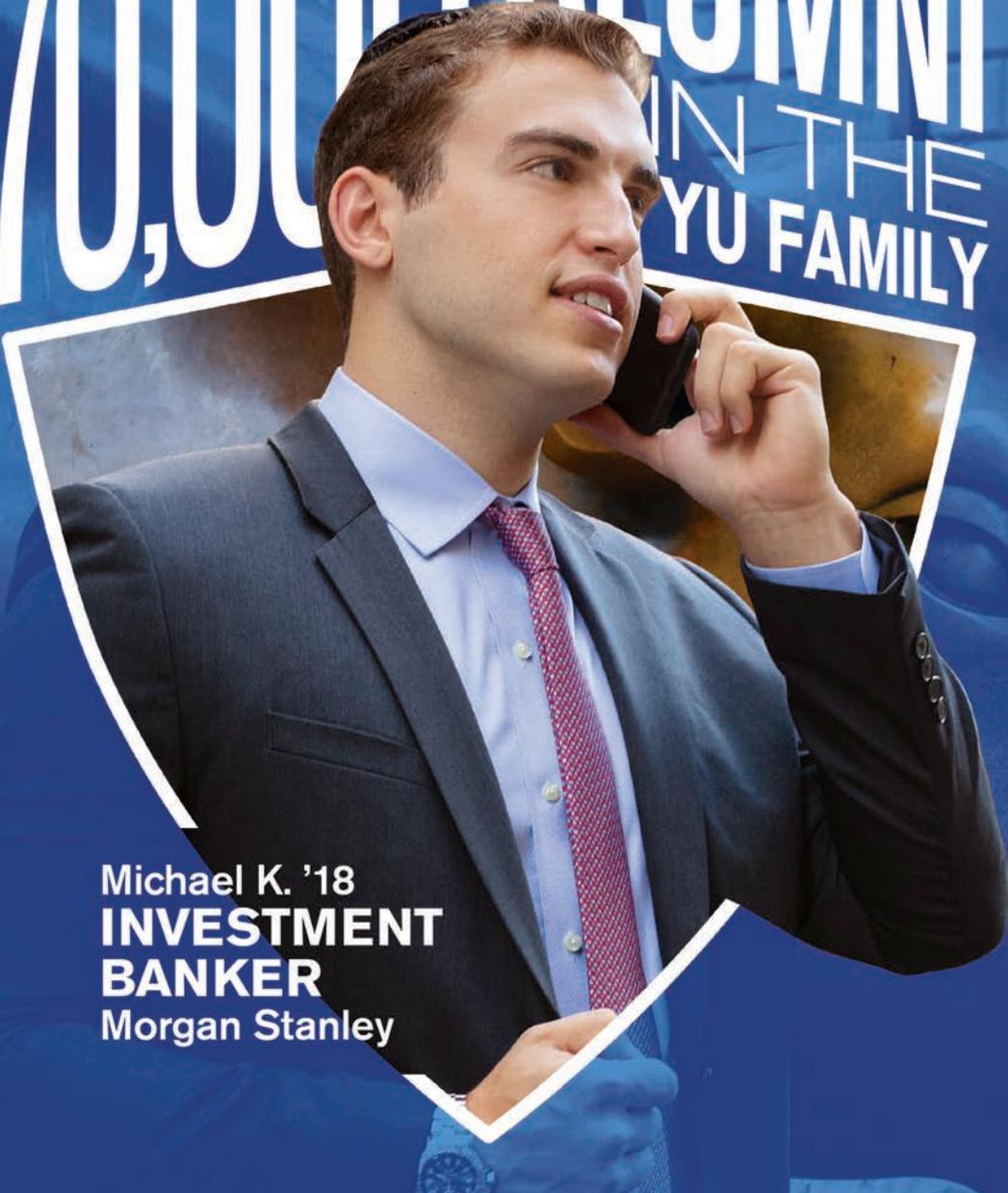
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