

**Kol**

**קול**

**Mevaseret**

**מבשרת**

A Compilation of  
Insights and Analyses  
of Torah Topics

by the students of  
**MICHLELET MEVASERET YERUSHALAYIM**

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## LETTER FROM THE EDITORS

There are many ways to begin a story, each a unique phrase that sets the tone for the remainder of the work. All writing contains a small piece of the essence of the author, buried between the lines, just enough to catch the briefest of glimpses if the reader is attentive enough to allow her mind to delve into the pages. Writing has the power to convey personal thoughts and sentiments that can impact a broad audience, just one among many tools of self-expression.

Every year, MMY facilitates an environment where each student has the ability to actualize latent potential on an individual level. She personalizes her schedule down to the last class, controls her time outside of the designated curriculum, and participates in the many outlets MMY offers. And this past year was no exception. For some, the most effective way to concretize a year dedicated to Torah learning is to demonstrate freshly-refined skills by writing a comprehensive article focusing on a particular subject of one's own selection. *Kol Mevaseret* is a forum for the expression of the analytical, rhetorical, and textual abilities painstakingly honed over long hours in a busy *beit midrash* – the culmination of a productive year.

However, not all students studying in *Eretz Yisrael* for the year had these opportunities. One student in particular began this year along with every other student, but he will never return home with a host of accomplishments to proudly present. He never had the opportunity to reach his emotional or spiritual goals, having been stripped time and opportunity. Ezra Schwartz, our peer, started the year with the intention of following all the way through. Yet, his story abruptly came to a close. Not a single MMYer will forget the moment of fear that accosted her when information about the attack was scarce, before a name was released. In those brief moments, anyone fitting the description of a yeshiva student could have been the victim – a friend,

a classmate – universal emotions uniting everyone. Because Ezra was not able to finish the year himself, it is up to those of us who shared in his journey to continue writing our personal stories on his behalf, intertwining his legacy with our own in order to perpetuate his memory. We would like to dedicate *Kol Mevaseret 5776*, especially the plethora of *Tanach* articles, to Ezra Schwartz, who affected the plot of each girl's life, whether she knew him personally or not.

The beauty lies in the interaction between individual stories that comprise the whole of the novel, slowly being written as time continues its journey. While this year in Israel was certainly spent productively, a new chapter will begin with fresh pages, anticipating the words that will eventually fill its length; another opportunity to accomplish any unfinished goals. We hope that everyone's story continues to unfold, resulting in something resembling a happy ending, and that the words of Torah will continue to fill the pages.

Sincerely,

The Kol Mevaseret 5776 Editors



# INTRODUCTION

Education is, of course, one of the central requirements parents must provide for their children. The commands to teach one's child Torah, both on a practical-*mitzvah* performance level as well as on a historical-experiential level, are repeated multiple times in *Chumash*: וּשְׁנַנְתָּם לְבָנֶיךָ, וְלִמַּדְתָּם אוֹתָם אֶת בְּנֵיכֶם, וְהוֹדַעְתָּ לְבָנֶיךָ וּלְבִנֵּי בִנְיָךְ. Teaching one's child Torah is one of the essential responsibilities listed in the *mishnah* in *Kiddushin* that a parent (more specifically, a father) must either fulfill himself or arrange via someone else. However, Pesach night in particular is seemingly singled out as a specific time for education: וְהִגַּדְתָּ לְבָנֶיךָ בַּיּוֹם הַהוּא. In addition to the general *mitzva* of *Sippur Yetziat Mitzrayim*, the unique focus on educating our children is evident from many aspects of the *seder* night (the four questions, the tactics to keep children awake, changes in the routine to spark their interest, etc.).

Why is this so? What is unique about the Pesach experience that requires this special focus on *Talmud Torah*? Why does the Torah continuously emphasize the need to retell the story of the Exodus to the next generation?

The Lubavitcher Rebbe explains that the child's asking questions stimulates G-d's love for us, like the love of parents for their young child, as is written in *Hoshea* (11:1) כִּי נֶעַר יִשְׂרָאֵל וְאֶהְיֶה לּוֹ. וּמִמְצָרִים קִרְאֵתִי לְבָנִי. The *Yalkut Shimoni* (527) on this verse references *Sefer Yechezkel* (*perek* 16) where the imagery presented is of the newborn baby, still covered in blood from birth. But then, as we quote in the Haggadah, Hashem passes by and sees us all dirty and wallowing in blood. Even though we are still "naked from merit." He comes and takes us under His wing, and rinses us off, like parents do for their newborn. The *Yalkut Shimoni* says:

*Moshe says to Yehoshua: "This nation that I am entrusting to you, they are still young goats, they are still children. Do not be irritated with them for what they do, for their Master*

*too was not irritated with them for what they did" ... When Israel rebelled against G-d at the Red Sea, the angels said to G-d: "They are rebelling" and G-d said to the angels: "They are children. And one does not get irritated with children. Just as a child emerges soiled from the womb and is then washed, so too Israel."*

Pesach night is really a commemoration of Hashem's unconditional love for us. We were redeemed even though we really had no merits and were on the 49<sup>th</sup> level of *tumah*, impurity. By commemorating that unconditional love of the past, we pray we can invoke His mercy once again in the present, to bring about the future *geula* – even if we are not deserving.

This idea also explains the extra focus at the *seder* with the youngest child in particular, evident in the custom that specifically the youngest child asks the four questions. A very young child (as in the imagery of the newborn in *Yechezkel*) does not yet have his own accomplishments. A parent's love for a young child is therefore even more unconditional than for one's older children, which often reflects the *nachas* that the parents receive from their child's accomplishments. Loving a young child is pure, genuine love for the sake of love.

Our students come into their seminary year(s) in Israel with 18 years of Torah achievements and growth. They certainly do not come in starting at zero. But in comparison to where each of them was just a few short months ago, the extent of accomplishment is incredible. This journal reflects those accomplishments and growth and we are honored to share these achievements with the wider public. This year's *Kol Mevasseret* is unique in that an entire class in our curriculum was devoted towards working on many of the articles contained herein. We are so very proud of our students and we, their Rebbeim and teachers, continue to receive tremendous *nachas* from them.

However, one also needs to look forward. Just imagine how much further our students need to develop and how much each of them will be able to accomplish next year and the year

after if they continue to put in serious efforts towards gaining even more Torah knowledge and even more growth in *avodat Hashem*. On that level, where they are now relative to where they can be, the accomplishments thus far are a mere drop in the bucket. Nevertheless, our love for our students is unconditional and innate in our relationship with them.

We pray that by sharing these articles and by having people learn from them – the relative “first fruits” of our students’ labors – we can be reminded of that unconditional love, thereby reawakening Hashem’s unconditional love for us all and hastening the *geula* for which we so desperately long.

באהבת התורה ובציפיה לישועה

Rabbi David Katz



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תנ"ך

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## The *Ketonet*

Over the course of the *Chumash*, the word *ketonet*, or coat, appears three separate times: with Adam, with Yosef, and with the *kohanim*. Each time, the word appears in a unique context. Since it appears so infrequently in the text, one can ask if there is a greater significance in the use of the word *ketonet*.

To understand the nature of the *ketonet*, one must examine where the word is first used: in the narrative of Adam HaRishon. Adam and Chava are told not to eat from the Tree of Knowledge, but they are seduced by the snake and defy the word of G-d.<sup>1</sup> As a result, G-d chooses to banish them from *Gan Eden*. Adam and Chava realize that they are unclothed, and G-d, therefore, provides them with *kotnot ohr*, coats of skin.<sup>2</sup>

The next mention of the *ketonet* is in the story of Yosef. Yaa-kov gives Yosef a *ketonet pasim*, a striped coat, to express his great love for his second youngest son.<sup>3</sup> Yosef's brothers become jealous, and in the process of throwing him into a pit, they pull the *ketonet* off his body and dip it in blood. The brothers use the bloodied coat to trick their father into believing that his beloved son has been killed by a wild beast.<sup>4</sup>

The last mention of the word *ketonet* is in the discussion of the clothing the *kohanim* would wear. The *kohen hedyot*, the standard *kohen*, has four special garments: the *ketonet*, sash, head dress, and pants.<sup>5</sup> These *kohanim* work in the *chatzer*, the courtyard, of the *Beit Hamikdash* and their primary purpose is to offer

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<sup>1</sup> בראשית פרק ג פסוקים א-ז

<sup>2</sup> שם פרק ג פסוקים כא-כג

<sup>3</sup> שם פרק לז פסוק ג

<sup>4</sup> שם פרק לז פסוקים כג-לב

<sup>5</sup> שמות פרק כח פסוקים מ-מב

sacrifices to G-d which will atone for the people. The *kohen gadol*, Aharon, has an additional four garments,<sup>6</sup> including an outer jacket called the *me'il* that is colored with *t'chaylet*, a ritual blue dye.<sup>7</sup>

While each usage of the term *ketonet* is distinct, there is a common thread that runs through all three narratives. The coat is a symbol of continuity and of the *bechora* being transmitted from generation to generation. The midrash explains that the *ketonet* is worn exclusively by the *bechor*, starting with Adam. The *ketonet* of Adam is kept sacred as it is passed down through the ages to Yaakov.<sup>8</sup> Yaakov's giving the coat to Yosef is a sign that Yaakov has chosen him to be his "firstborn."

The *kohanim's ketonet* perfectly fits this theme since they replace the first born children of Israel.<sup>9</sup> Before *Chet Ha'egel*, the firstborn males within all of the tribes were supposed to work in the *Mishkan*. When they participated in the sin, they lost the privilege and it was given to the *kohanim*.<sup>10</sup>

However, there is another theme that links the wearing of this coat. In order to appreciate this concept, it is critical to recall the reason that the *ketonet* is originally given to Adam. It is a gift from Hashem after Adam sins. G-d gives the coat to Adam to show that hope is not lost; G-d still cares and wants a relationship with him. The role of the standard *kohanim* is to help the nation repent for its sins. In this manner, they are similar to Adam since they, too, repair a broken relationship with Hashem.<sup>11</sup>

Strikingly, they can be contrasted with the *kohen gadol* who, in many ways, represents Adam before the sin. The *Zohar* explains that the *t'chaylet* of the *me'il* worn by the *kohen gadol* resembles the sea. The sea is, in turn, similar to the sky, which parallels the *kisei*

<sup>6</sup> שם ו-לט

<sup>7</sup> שם פרק כח פסוק לא

<sup>8</sup> במדבר רבה ד

<sup>9</sup> במדבר פרק ג פסוק יא

<sup>10</sup> רש"י במדבר פרק ג פסוק יא ד"ה מתוך בני ישראל

<sup>11</sup> הרב יצחק טברסקי



*hakavod*.<sup>12</sup> Since the throne of G-d is considered His presence, and man is made *b'tzelem Elokim*, pure man is directly connected to G-d. This is the status of Adam prior to his sin. When the *kohen gadol* works inside the *mikdash*, in G-d's presence, he is akin to Adam in *Gan Eden*.<sup>13</sup>

When Yosef originally receives the coat, it reflects the continuation of the *bechora*. In time, however, the second component is revealed as well. The Midrash states that Yosef was a *nazir*, as indicated by the use of the word in the *bracha* given to him by Yaakov.<sup>13</sup> *Nezirut* and *kehuna* are closely linked, and the juxtaposition of the *parsha* of *Birkat Kohanim* after that of the *nazir* teaches that one who is a *nazir* merits all the blessings of *Birkat Kehuna*.<sup>14</sup> The *Lekach Tov* goes so far as to say that the holiness of a *nazir* and that of the *kohen gadol* are actually interchangeable.<sup>15</sup>

Yosef, by virtue of being a *nazir*, has the respected status of a *kohen* and takes the place of his oldest brother, Reuven. However, Yosef has no opportunity to act in his '*kohen* role' until after his brothers remove his coat and sell him into slavery. Only then is the latter role of the *ketonet* able to emerge. Yosef eventually rises to become the second in command to Pharaoh, and it is from this position that he tests his brothers in order to see whether they have changed their ways. He acts in the manner of a *kohen* and ultimately allows them to repent for their actions.

The close examination of the three instances of the usage of the word *ketonet* reveals a deeper meaning of a seemingly simple term. The coat of Adam, Yosef, and the standard *kohen* either reflects the role that each played as the *bechor* or powerfully illustrates the unique concept of repentance that ultimately applies universally.

<sup>12</sup> זוהר ח"ב רלא.

<sup>13</sup> בראשית רבה פרק צ"ה

<sup>14</sup> במדבר רבה פרק יא א

<sup>15</sup> לקח טוב על התורה במדבר פרק ו פסוקים כא-כג ד"ה כן יעשה על תורת נזיר...דבר אל אהרן



## Ehud ben Geira:

### A King Amongst the Shoftim

*Sefer Shoftim* famously tells the story of *Bnei Yisrael*'s constant cycle of sin, oppression, prayer, and salvation through a *shofet*. Many of the commonly known *shoftim* whose stories are described in the text each served 40-year terms (such as Otniel ben Kenaz, Deborah and Gideon). After each *shofet*'s passing, *Bnei Yisrael* begin yet another 40-year revolution through this sequence. It is clear from the tone of *Sefer Shoftim* that this never-ending cycle is far from beneficial for *Bnei Yisrael*. The nation needed and yearned for continuity and stability.

Only one *shofet* exceeds the usual 40-year term – Ehud ben Geira. He serves as a *shofet* for 80 years, bringing *Bnei Yisrael* the sense of constancy they so desperately desire. Ehud's rise to power begins when he is sent by the people to bring a gift to Eglon, the king of *Moav*, who ruled over *Bnei Yisrael* at the time. At the palace, Ehud then attacks the king upon approaching him in his private chambers.

Interestingly, the plot of this story contains similarities to that of Esther and Achashverosh. For example; both Ehud and Esther are from *Shevet Binyamin*; *Bnei Yisrael*, at the time, lived under foreign rule; both Ehud and Esther approach the king in his chambers; both Ehud and Esther are sent to the king by the people and Mordechai, respectively; both Ehud and Esther bring the king some sort of offering; (Ehud brings the nation's gift and Esther offers an invitation to her party;) both Ehud and Esther bring about Jewish salvation through approaching the king.

In addition to plot similarities, the two stories share textual parallels as well. For example, when Ehud enters the king's

chambers, the text states, <sup>1</sup>וַיִּקְרַב אֶת הַמֶּנַחֵה לַעֲגִלוֹן, which bears resemblance to <sup>2</sup>וַתִּקְרַב אֶסְתֵּר, the depiction of Esther approaching the king. Ehud's words are described as <sup>3</sup>דְּבַר סֵתֶר, and Esther's words as <sup>4</sup>דְּבַר אֶסְתֵּר.

Another similarity is that once Ehud informs Eglon that he has something to tell him, the text states, <sup>5</sup>וַיִּקֶּם מֵעַל הַכֶּסֶּא, in the same way that Achashverosh rose in anger, <sup>6</sup>וַהֲמִלֵּךְ קָם בַּחֲמָתוֹ. The two stories also share language when describing the downfall of the threatening leader once attacked. The text regarding Ehud states, <sup>7</sup>וַהֲנֵה אֲדוֹנֵיהֶם נוֹפֵל, regarding Esther the text states, <sup>8</sup>וַהֲמֵן נוֹפֵל עַל הַמֶּטֶה.

The multiple plot and textual parallels between the two stories demonstrate that they are undoubtedly linked. Esther's narrative shows how she comes forward to fully accept her leadership position and take control of her destiny. During her approach and appeal to the king, Esther rises up and begins, for the first time, to act as a queen. Likewise, Ehud's encounter with the king brought about his rise as a leader of *Bnei Yisrael*. Therefore, one can draw the conclusion that Esther's *malchut*, or queenship, is tied to Ehud's leadership as a *shofet*, and that Ehud himself is somehow innately connected to the trait of *malchut*. Thus, one can argue that Ehud's exceedance of the usual 40-year term of a *shofet* is because he possesses a leadership quality that the other *shoftim* do not. This characteristic is what provides him

<sup>1</sup> שופטים ג:יז

<sup>2</sup> אסתר ה:ב

<sup>3</sup> שופטים ג:יט

<sup>4</sup> אסתר ה:ה

<sup>5</sup> שופטים ג:כ

<sup>6</sup> אסתר ז:ז

<sup>7</sup> שופטים ג:כח

<sup>8</sup> אסתר ז:ח

with the ability to bring the continuity that *Bnei Yisrael* seek and to become their quasi-king. After all, Ehud hails from the tribe of Binyamin, the tribe through which true kingship begins, as seen later with Shaul.

Not only is Ehud connected to *malchut* through his story's parallels to *Megillat Esther*, but he also displays multiple attributes of Jewish kings. The king is meant to be both a religious and a political leader in Judaism – leading the nation into battle while simultaneously serving G-d. Ehud embodies this ideal duality. The double-edged knife used by Ehud is interpreted by some to represent Ehud's dual personality of both physicality and spirituality.<sup>9</sup>

Ehud's spirituality is depicted through both his actions and his speech. For example, Ehud refers to his mission as a **דבר אלקים**, an act of G-d.<sup>10</sup> Additionally, upon completion of his mission, Ehud credits G-d for his victory.<sup>11</sup> Another portrayal of Ehud's spirituality is through his Torah. The *Midrash Tanchuma* explains that the knife, or **חרב**, that Ehud holds at his side is representative of Torah, which itself is referred to as **חרב פפיות**.<sup>12</sup> According to the Torah, a Jewish king must have a *sefer Torah* with him at all times, as Ehud keeps his knife.<sup>13</sup> Moreover, like a king is required to write two *sifrei Torah*,<sup>14</sup> the knife of Ehud consists of two sharp edges.<sup>15</sup>

<sup>9</sup> עוז וענווה, עמ' 211

<sup>10</sup> שופטים ג:כ

<sup>11</sup> שם ג:כח

<sup>12</sup> מדרש תנחומא ויהי י"ד

<sup>13</sup> דברים יז:יט

<sup>14</sup> שם יז:יח

<sup>15</sup> שופטים ג:טז

Ehud also possesses the necessary political attributes of a Jewish king. His strategic genius is portrayed multiple times throughout the story of his victory. Ehud capitalizes on a golden opportunity by turning his nation's gift into a revolt. He also uses specific words to trick Eglon into sending everyone out of the room, as well as to set Eglon up in the perfect physical position to be executed. In preparing for his encounter with the king, Ehud specifically chooses a small knife in order to ensure that he does not raise suspicion. After completing his mission, he continues to take charge, leading *Bnei Yisrael* in conquering the area of the *Yarden*.

In addition to his military prowess, a king must also possess the ability to connect to his people in order to be successful. Ehud's name means beloved, perhaps in order to illustrate how the people view him. His name also comes from the root of **נ.ה.א**, meaning sympathy, which hints to the fact that Ehud understands his constituents and sympathizes with them.

Why then, despite Ehud's meeting of all of the physical, spiritual, and personality criteria, did he not become king?

Although on the surface, Ehud seems to be the perfect fit for a king, in truth, his leadership over *Bnei Yisrael* contains flaws. The Abarbanel critiques Ehud, explaining that he only brings partial salvation upon *Bnei Yisrael*, as they continue to do bad in the eyes of G-d during Ehud's lifetime.<sup>16</sup> The Malbim clarifies and explains that Ehud simply rescues the people from slavery, but he does not return them to the way of G-d.<sup>17</sup> Therefore, although Ehud himself may be the embodiment of the balance between physicality and spirituality, it is clear that he fails to convey this characteristic over to the people. According to some, throughout Judaism, the right hand represents leadership through miracles and spirituality and the left hand represents

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<sup>16</sup> שם נ:ד

<sup>17</sup> שם ג:ל

leadership by nature and physicality.<sup>18</sup> The only description of Ehud in the text is that he is *איש אטר יד ימינו*, a man with a withered right hand. Ehud is handicapped in his right hand, his spiritual leadership.<sup>19</sup>

While carrying out his mission, Ehud holds his *חרב* at his side, but later, as he flees after the defeat of Eglon, he leaves it behind.<sup>20</sup> Perhaps this is to show that, on a personal level, Ehud keeps his Torah and spirituality with him at all times, but once he becomes the leader of *Bnei Yisrael*, this is no longer the case.

A Jewish king must be the epitome of intertwining both physicality and spirituality while simultaneously serving as an example to the people. As a person, Ehud successfully achieves such a balance, but as a leader, he fails to tap into his spiritual side and give it over to his people. His potential to become king allows him to exceed the typical 40 year term and the land remains quiet for 80 years after Ehud, as warranted by his political success. But due to his failure to bring forth a complete religious salvation, Ehud is unfit to be anointed as the first Jewish king.

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<sup>18</sup> ספר שפתי חנה

<sup>19</sup> שופטים ג:טו

<sup>20</sup> שם ג:כב





## Redefining Personalities

In *Tanach*, the color red, *adom*, is seen as a color of paradox. On the one hand, red is a positive color, representing purity and rebirth. On the other hand, red is a negative color, associated with murder and death.

Red as a representation of purity is embodied by the *parah adumah*. The Torah explains that it must be completely red, free of blemishes, and unburdened by work. If there are even two black hairs in its coat, then the cow is unfit to be used.<sup>1</sup> The *Ohr Hachaim* adds that, in addition to the hair being red, the horns and hooves must be red as well.<sup>2</sup> The *pesukim* then describe the specific actions that must be taken to complete the purification process.

Rav Hirsch mentions that if the animal has done any kind of work whatsoever, the animal is unfit to be a *parah adumah*.<sup>3</sup> The procedure of using a *parah adumah* for purity has two parts: the preparation and the application. The *kohen* determines whether or not to treat and prepare the red cow in order for it to gain the status of a *parah adumah*. If the red cow is viable, then it is killed and burned so that the ashes can be used to ritually purify people.

Be that as it may, how can this one color represent two opposite extremes? This question can be better understood through an analysis of the two people that are referred to as אדמוני, Esav and David.

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<sup>1</sup> רש"י במדבר יט:ב

<sup>2</sup> עי' מס' פרה פ"ב משנה ב

<sup>3</sup> רב הירש יט:

The word ‘*admoni*’ is first used with respect to Esav. ויצא הראשון אדמוני כלו כאדרת שער ויקרא שמו עשו.<sup>4</sup> He emerges from his mother’s womb before his brother Yaakov and is immediately described as *admoni*, red. According to Rashi, this description is a symbol of Esav’s personality. The root of *admoni* is *dam*, blood, which is a sign that Esav will come to shed blood.

When the boys grow up, Yaakov becomes a man of the tent and Torah study, whereas Esav becomes a man of the field and idol worship.<sup>5</sup> Both the *Midrash Rabbah* and Rashi explain that, at age of thirteen, Yaakov and Esav are given the ability to choose between right and wrong. Esav chooses to go after idol worship and becomes a cunning hunter. He acts deceitfully toward his father, Yitzchak, and asks halachic questions about *kashrut*, dietary laws, so that Yitzchak will think that he is a righteous person.

One day, Esav comes back from the field exhausted and asks for some of the crimson colored beans that Yaakov is cooking. He refers to the food as האדם האדם הזה – this red red (thing). Yaakov gives Esav the food on the condition that Esav will give him the birthright of the oldest son. Yaakov, who originally cooked the red lentils for Yitzchak, wants to help his grieving father, mourning Avraham who passed away that morning. Esav, however, does not know what or why Yaakov is cooking. He is just interested in satiating his hunger.<sup>6</sup> As a result, Esav is called by the name *Edom*.

Rashi writes that the reason Avraham dies at that time is so that he would not see his grandson Esav turn wicked.<sup>7</sup>

<sup>4</sup> בראשית כה:כה

<sup>5</sup> רש"י שם כה:כו

<sup>6</sup> רמב"ן שם כה:ל

<sup>7</sup> בראשית כה:ל

*Bereishit Rabbah* mentions that Avraham dies five years early, at the age of 175, unlike Yitzchak who dies at 180.<sup>8</sup> Hashem promises Avraham that he will die in peace, so his life was cut short so as not to see Esav sin.

Esav's wickedness is evident through his careless actions. He comes back from working in the field, goes quickly to get something to eat, and then returns back to work without even asking Yaakov why he is making 'האדם האדם.' Esav is in a rush. He does not put much thought into the transaction, calling the food essentially 'red stuff,' and is simply focused on fulfilling his physical needs.<sup>9</sup> The Rashbam mentions that since Esav is called *admoni*, he has a desire to eat red things. Out of hunger, Esav sells the birthright. Out of shame, he is renamed Edom.

On the other hand, *Talelei Orot* argues that since Esav specifies crimson-colored red beans, he is more interested in the actual food than just satisfying his hunger.<sup>10</sup> If Esav is just asking for food out of hunger, his descriptive focus would not be on the color of the food. The food is a sign of the effectiveness of the sale of the birthright. Therefore, the color red - the color of the food - becomes Esav's name, because it represents the success of the transaction.

Rav Hirsch suggests that Yaakov actually gives Esav the food beforehand, not wanting to take advantage of Esav's hunger. In fact, Yaakov does not gain any material advantages from the sale. Essentially, Yaakov gives up materialism for spirituality. On the day that Avraham dies, Esav, the oldest, should feel an obligation to be connected to his family. Instead, he takes to the field to hunt. Since Esav is failing to properly fill

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<sup>8</sup> בראשית רבה סג:יב

<sup>9</sup> רשב"ם שם

<sup>10</sup> טללי אורות כהל

the role of the *bechor*, the eldest, Yaakov feels an obligation to take on the spiritual burden that the birthright entails. Therefore, Yaakov asks for the *bechora* in exchange for the red beans that he has already given to Esav.

Interestingly, the tension between Yaakov and Esav began in Rivka's womb. When the twins are first mentioned, the pasuk reads ויהנה תומים. In contrast to Tamar's twins, described as תאומים, the letter א is missing in the case of Rivka's pregnancy. This is because both of Tamar's sons are righteous, while here one is righteous and the other is wicked.<sup>11</sup> Esav and Yaakov begin struggling against each other in the womb. The word ויתרצצו, the term used to connote the struggle, comes from the shoresh רץ, meaning running. When Rivka passes the doors of the *beit midrash*, Yaakov 'runs' and struggles to come out; when she passes doors of the house of idol worship, Esav 'runs' and struggles to come out.<sup>12</sup> These two fetuses are the forefathers of two great nations that will inevitably come to hate and fight each other. The fight in the womb foreshadows what ultimately becomes the battle between the two nations that come from them.<sup>13</sup> As Yitzchak expresses in his *bracha* to his sons, the two nations will not be equal in greatness; when one rises, the other shall fall.<sup>14</sup>

Esav clearly engenders the negative connotation of the color red as a representation of blood and death. He allows the aspects of his distinct '*admoni*' character to affect him. But,

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<sup>11</sup> רש"י שם כה:כד

<sup>12</sup> שם כה:כב

<sup>13</sup> רמב"ן שם כה:כג

<sup>14</sup> רש"י שם כה:כג

this is not the case with David Hamelech. It says in Shmuel I:<sup>15</sup> וישלח ויביאהו והוא אדמוני עם יפה עינים וטוב ראי ויאמר ה' קום משחהו כי זה הוא.

Just like Esav, David is also called *admoni*. When Shmuel first sees David, he notices his red complexion and is quick to associate him with Esav, a cold-hearted murderer. However, David is additionally described as יפה עינים. This is a hint that just as the Sanhedrin are called עינים, the eyes of the people, David always acts in the ways of the Sanhedrin. Just like Esav, David spills blood. However, everything David does is in accordance with the laws of the Sanhedrin.<sup>16</sup>

Even though Esav and David share a characteristic, they use it for opposite goals. In addition to David's handsomeness, he also has good *middot*, character traits.<sup>17</sup> He does not let his *yetzer hara*, evil inclination, rule over him.<sup>18</sup> Hashem is always with him.<sup>19</sup> When David fights Golyat, Golyat sees David and mocks him because of his youth, ruddiness and handsomeness. David responds with the fact that Golyat will fight using weapons, while he will fight with the help of G-d. Even when David is fighting and killing, he still acknowledges G-d in everything he does. David follows Hashem and does not depart wickedly from Him.<sup>20</sup> In the rare case that David does sin, it is never intentional.<sup>21</sup> In addition to acknowledging Hashem and following His ways, David also writes down his praises for G-d in *Tehillim*.

<sup>15</sup> שמואל א טז:יב

<sup>16</sup> בעל הטורים כה:כה ומדרש רבה סג:ה

<sup>17</sup> רד"ק טז:יה

<sup>18</sup> ב"ב יז

<sup>19</sup> רלב"ג לז:יה

<sup>20</sup> תהלים יח:כב

<sup>21</sup> רד"ק שם

After David kills Golyat, Shaul becomes jealous of David and plots against him. Shaul wants to kill David, but Michal, David's wife, saves him by lowering him through a window, enabling him to flee. Similarly, in *Sefer Yehoshua*, Rachav saves the spies in Yericho by lowering them through her window using a rope. In reward, she asks that she and her family be saved from the oncoming attack. The spies tell her to tie a cord of scarlet thread on the window so that they would know which house is her's. Rashi quoting the Gemara in *Zevachim*, states that Rachav used the rope, window, and scarlet cord, to bring in adulterers and now, she is using the same three items to save the spies.<sup>22</sup>

As stated previously, both Esav and David share the quality of being *admoni*, but they are extremely different people. As the *meforshim* mention, *admoni* is a characteristic that connotes both blood and death. Esav and David are both involved in this. However, they approach their killing from two opposite extremes. Esav's use of killing for evil, solely to fulfill a physical drive which leads to *Amalek* as his descendants. In contrast, David only killed in accordance with the law and therefore merits that *mashiach* will be his descendant. The appearance of the color red appearing in all four instances (Rachav, *parah adumah*, Esav and David) teaches that one can take anything, a characteristic as seen with Esav and David, or an object as seen with the *parah adumah* and Rachav, and choose to use it for good or for bad.

As alluded to in the story of Yaakov and Esav, when one nation rules, the other nation will fall. This same principle applies to Esav, David, and their descendants. *Amalek* and *mashiach* can never rule together; one will always triumph over the other. The goal of David's descendants is to keep *Amalek*

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<sup>22</sup> רשי ב:טז

down and allow David, *mashiach*, and Hashem to prevail. This is done by keeping Torah and *mitzvot*, using the tools provided by G-d for the good. For this, David serves as a role model of one person who takes a potentially negative drive and uses it for the positive, thereby making all the difference.





## The Wives of the King

When discussing and analyzing characters in *Tanach*, the focus is often on the great men who have heavily impacted *Bnei Yisrael*, yet their wives often fade into the background. David Hamelech, arguably the greatest king of *Bnei Yisrael*, has numerous wives. Who are these women? Surely such a great king would not just be married to any woman. Each of them must have been unique. It is probable that each woman's character affected David in some manner. Alternatively, perhaps each wife was meritorious due to her own actions and life occurrences. Through examining his wives, perhaps we can gain more of an insight into David Hamelech's personality.

Michal bat Shaul is the first woman David marries. Like her father, Michal is a woman who characterizes both strength and confidence. Upon seeing David dancing before the *aron*, she becomes angry with him, unabashedly rebuking him for not acting in a kingly manner.<sup>1</sup> However, David does not accept her reprimand, and she is punished for her unwanted criticism. Because Michal assumes she knows the proper way to express thanks to Hashem, she deems David's actions inappropriate. Michal's rebuke is out of line.

Yet, through offering her opinion she demonstrates a sense of self-righteousness. In this specific context she is referred to in the *pesukim* as Michal bat Shaul, a significant detail because self-righteousness is her father's biggest flaw. When Hashem commands Shaul to destroy *Amalek*, Shaul does not execute the order.<sup>2</sup> He acts according to his own thought process, doing what he feels is correct and not what Hashem determines to be correct.<sup>3</sup> Shaul's inability to own up to his mistake, and his insistence that he was justified are a consequence of self-righteousness. The Gemara comments regarding

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<sup>1</sup> שמואל ב' ו:כ-כג

<sup>2</sup> שמואל א' פרק ט"ו

<sup>3</sup> מצודת דוד שם פסוק כ

Shaul's decision to spare *Amalek*'s cattle in order to bring *korbanot*, sacrifices: *אל תהי צדיק הרבה* – (Don't be such a righteous one), suggesting that he should stop trying so hard to be a *tzaddik* and instead, actually fulfill the command Hashem asked of him.<sup>4</sup> Shaul, in essence, is reinterpreting which actions are necessary. He feels entitled to understand the world through his lense, disregarding G-d's plan.

The inability to be balanced can also stem from self-righteousness. A person of great strength and power is likely to find difficulty relating to those considered, 'beneath' him. If one is so self-righteous as to only see the rationality in his or her own opinions, it is likely he will be overly confident, despite his inevitable flaws. This was Michal's mistake. Her father's primary characteristic is ingrained within herself. She believes her outlook to be the singular perspective, incapable of synthesizing David's ability to lower himself, to not be constantly elite and aloof. Her preachy, holier-than-thou, attitude exhibited in reaction to David's dancing might reflect the manifestation of flaws inherited from her father.

Michal's positive attributes that reflect the ways of Shaul, are not to be glossed over. She is confident and loyal – two traits that perhaps are the foils to self-righteousness. Both are characteristics that indicate a certain strength of self. For Michal, confidence and loyalty allow her to remain committed to David even during times when he was at war or with another woman. She remained loyal to him even when she herself was with Palti Ben Layish, sleeping with a sword between the beds and thus preventing any potentially unfaithful scenarios.<sup>5</sup> David acquires aspects of these traits, influenced by his first wife, expressing them through his sincerity. Though he does indeed go against Hashem's word, David never does so with intentional disobedience. He is misguided, yet remains loyal to Hashem, not looking to break ties, rather, doing what he thinks is true *avodat Hashem*.

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<sup>4</sup> יומא כב

<sup>5</sup> סנהדרין כ

One could suggest, that perhaps Michal played the integral role of being a mirror of *malchut beit Shaul* for David. She had a larger role than merely being the loving and caring wife of David. Michal's purpose was to represent Shaul's mindset to David. Both rulers are very different, not only in character, but in the manner through which they rule over *Bnei Yisrael*. Michal serves as a constant reminder of what Shaul would have done, ultimately influencing David's ability to make decisions about himself and about the entire kingdom at large.

Eglah is also identified as a wife of David.<sup>6</sup> Rashi<sup>7</sup> and the Radak<sup>8</sup> are of the opinion that Eglah and Michal were the same person and that she is called Eglah as a term of endearment, as seen in the *pasuk*, “לולי חרשתם בעגלותי.”<sup>9</sup> There is, though, a problem with this identification. As a punishment for her actions, Michal was barren,<sup>10</sup> yet Eglah is the mother of Yitra'am.<sup>11</sup> The Gemara explains that the statement that Michal did not have children until the day she died, implies that on the day of her death itself, she had a child.<sup>12</sup> Rashi understands that Michal was able to have children before she sinned.<sup>13</sup>

The second wife David marries is Avigayil. David is warned not to have too many wives during his kingship even if they are all like Avigayil.<sup>14</sup> Because the Torah goes out of its way to say this about Avigayil, there is a clear indication that there must be something extra special about her. Avigayil was originally married to a man named Naval. Naval's essence is equal to Lavan's essence;

<sup>6</sup> שמואל ב ג:ה

<sup>7</sup> רש"י שם

<sup>8</sup> רד"ק שם

<sup>9</sup> שופטים יד:יח

<sup>10</sup> שמואל א ו:כב

<sup>11</sup> שמואל ב ג:ה

<sup>12</sup> סנהדרין כא

<sup>13</sup> רש"י שמואל ב ג:ה

<sup>14</sup> ב"מ קטו

their names share the same letters, and they themselves share the same evilness. Naval believed in his heart that there was no G-d,<sup>15</sup> busying himself with adultery and idol worship.<sup>16</sup> Yet, despite being married to such a depraved individual, Avigayil is referred to as a *טוב בעלת שכל*.<sup>17</sup> Perhaps Naval's presence is meant to serve as a contrast to Avigayil, emphasizing her greatness. She is able to maintain her sense of self and morality. Furthermore, perhaps living with him is what allowed her to cultivate these traits. Over the course of the *perek* discussing her interaction with Naval, Avigayil is brave and confident, defying her husband to help David. Not only does she offer her assistance, she does so in a very charming and confident manner. To maintain one's positive attributes despite horrible circumstances requires intense self-confidence and a degree of *chutzpah*. Avigayil is praised for bravely maintaining her positive attributes and for her refusal to conform to her surroundings.

Similar behavior is seen in Rivka, a woman who lived in the same house as her brother Lavan. Rivka displays confidence in her ways by remaining strong in her moral ideas while living with Lavan, making a final decision to leave home and marry Yitzchak. Another example of her self assurance is when she helped Yaakov obtain Yitzchak's *brachot* because she believed she was correct. However, Rivka's relationship as a sibling differs from Avigayil's relationship as a spouse. One can uproot oneself from sibling influence far more easily than from a spouse's. If Rivka clearly demonstrates these attributes so strongly despite sibling influence, imagine how much stronger these traits manifest in a woman like Avigayil who is married to such a depraved character.

After the encounter between Avigayil and David, David blesses her and she returns to Naval. Shortly thereafter, Naval dies and David and Avigayil marry and have a child, Kilav. Over the course of history, only a few people entered *Gan Eden* in

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<sup>15</sup> תהלים יד:א

<sup>16</sup> מדרש שוה"ט ט נג:א

<sup>17</sup> מצודת דוד שמואל א כה:ג

their lifetimes. Kilav is recorded as one of these few individuals.<sup>18</sup> In order to merit a son worthy of this experience, there must have been something deeply significant about Avigayil and David's relationship.

Avigayil epitomizes an almost unrealistic ideal. She's strong, brave, intelligent, charming, and confident. Her confidence however, differs from that of Michal's by virtue of the fact that Avigayil's was more balanced and did not cause her to be self-righteous. Avigayil demonstrated the qualities of a successful leader. She showed how to balance charm with wisdom, how to be brave and certain in the face of challenges, and how to approach difficult dilemmas – with dignity and intellect.

When David marries Avigayil, he also takes another wife, Achinoam.<sup>19</sup> That almost nothing is mentioned about Achinoam in the *pesukim* and the *mefarshim*, is cause for wonder. Whenever Achinoam and Avigayil are mentioned, Achinoam's name is mentioned first, indicating she was David's wife prior to his marriage with Avigayil,<sup>20</sup> and the *bechor*, in actuality, comes from Achi-noam.<sup>21</sup> Although the *pasuk* provides the name of her hometown, Yizrael, any attempt to glean information about Achinoam from her place of origin is fruitless.<sup>22</sup> Similarly, almost nothing is written about two of David's remaining wives, Chagit and Avital. Chagit is described as the mother of Adonya and Avital as the mother of Shefatya.<sup>23</sup> Nothing else is mentioned.

Ma'acha, another one of David's wives, is described by the Radak and the *Metzudat David* as an *אשת יפת תואר*.<sup>24</sup> Rav Yehuda Adrei suggests that she was likely taken during an insignificant war

<sup>18</sup> גרינהוט, ג פרקי רבינו הקדוש

<sup>19</sup> שמואל א כה:מג

<sup>20</sup> שם כז:ג, ל:ה

<sup>21</sup> שמואל ב ג:ב

<sup>22</sup> שמואל א כה:מג

<sup>23</sup> שמואל ב ג:ד

<sup>24</sup> שמואל ב ג:ג מצודת דוד, רדק

that the Navi does not delineate.<sup>25</sup> The Gemara explains that the concepts of *יפת תואר* and *בן סורר ומורה* are placed next to each other in order to show that someone who marries an *יפת תואר* risks having a *בן סורר ומורה*.<sup>26</sup> Ma'acha is the mother of Avshalom, the child who rebels against David. Radak explains that an *יפת תואר* is a woman who is forcibly taken in battle and converted. She does not possess any longing to raise a *ben Torah*. Why would such a woman possess any passion to raise her child with Jewish values and prevent him from becoming a *בן סורר ומורה*?<sup>27</sup>

Perhaps Ma'acha was a great woman, but in the grand scheme of reality, her purpose was merely to help highlight a specific aspect of David's personality. While she doesn't appear to have been a poor influence over David, Ma'acha does seem to bring out his weaknesses. In the Gemara mentioned earlier, David is rebuked for not having understood the consequences of his actions. David acted impulsively by taking Ma'acha, focused only on the present. David does not pause to contemplate the consequences, ultimately hurting himself.

Batsheva, the final woman David marries, is said to have been destined for David since the days of creation. However, David erred in rushing destiny and marrying her too soon. The story of David and Batsheva is rather complex, a story that leaves room to wonder about the status of their relationship, and how such a seemingly negative turn of events could indeed have positive results. The Gemara recounts an encounter between David and Hashem. David inquires as to why he cannot be considered like the rest of the *avot*, and Hashem responds that because he has not passed any difficult tests, David does not merit this lofty status. Upon hearing this, David asks to be tested. Despite being told the specific category in which Hashem will test him, David fails none-

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<sup>25</sup> נשים בתנך, ובאספקלריית חז"ל

<sup>26</sup> סנהדרין קז.

<sup>27</sup> שמואל ב ג:ג

theless. Teaching the dangers of asking for difficulties, the Gemara points out that this scenario is indicative of David's impulsiveness.

There is a degree of difficulty when attempting to analyze Batsheva's role. *Mashiach* is one of her descendants and she is destined for David from creation - two factors that demonstrate her own uniqueness. Her relationship with David highlights his flaws, but also helps to bring forth his incredible ability to acknowledge his own failings. She is David's test that he wrongly requests and subsequently fails, but David is able to do the necessary *teshuva* for which he is praised. Like Ma'acha, Batsheva reveals his weakness - an impulsiveness to make quick, irrational decisions. But unlike Ma'acha, the circumstances surrounding Batsheva help to demonstrate David's strengths. David's *teshuva* following the incident with Batsheva conveys important concepts regarding the nature of sin and atonement.

David's *teshuva* for his sin with Batsheva encompasses the ideal example that his wives were meant to serve. Each wife, in her own way, impacts David's personality. Shaul is criticized for his inability to do immediate *teshuva*. His failure to acknowledge the fact that he should have killed all of *Amalek*, as required by Hashem, ushers his downfall. Michal's position as a reminder of the ways of *Malchut Beit Shaul* prevented David from making this same error, illustrating the importance of immediate *teshuva* in all circumstances. Avigayil's balanced confidence and wisdom assisted David to overcome his pride, recognizing his flaws in order to correct them.

Though some of David's wives were less relevant and are not discussed at length, the ones that are mentioned help to understand David's dynamic personality. Whether the role they play serves as a reminder of a negative trait, elicits positive change, or simply influences various aspects of David's personality, each serves an integral purpose. They indeed contribute to a fuller understanding of David Hamelech's attributes and actions.





## ***Hachnasat Orchim:***

### **Contrasting Avraham Avinu and Lot**

*Sefer Bereishit* is also known as *Sefer Hayashar*, the Book of the Upright or Righteous Ones.<sup>1</sup> This is because all of the *avot* are considered to be *yesharim*, upright, and serve as role models for living a proper and meaningful life. Each of the *avot* represents one of the three pillars on which the world stands; learning Torah, serving Hashem, and doing acts of *chessed*.<sup>2</sup> The first of the forefathers, Avraham, exemplifies the third trait, that of *gemilut chassadim*, bestowing kindness on others.

The aspect of *chessed* most famously associated with Avraham Avinu is *hachnasat orchim*, gracious hospitality. Although Lot, Avraham's nephew, also displays this trait, he is not nearly as lauded as his uncle for his good deeds. This distinction is seemingly unwarranted, especially when considering that Lot, and not Avraham, risks his life to perform the *mitzvah* of *hachnasat orchim*. If the deed itself was the only factor taken into account when calculating a person's merit, perhaps the inequality would be unjustified. In Judaism, however, the act is not the lone point of consideration – motive also plays a crucial role in determining a person's merits.

Although Lot grows up with Avraham's influence, Lot's kindness does not stem from the same root as Avraham's. While Avraham truly cares about people and genuinely wants to help them, Lot's acts of kindness are rote behaviors that do not have any deeper meaning, lacking a caring for the individuals. In fact, Lot is described as being both greedy and self-centered. So much so, that when given the freedom to choose where to live, he

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<sup>1</sup> עבודה זרה כה

<sup>2</sup> פרקי אבות, פרק א, משנה ב

decides to settle in Sodom, the ultimate place of indulgence and selfishness. Still mimicking a *mitzvah* he learns from the time he spends with his uncle, Lot did remain hospitable while living in Sodom. His form of hospitality, however, is completely devoid of the intention to help others.<sup>3</sup>

Despite the fact that Avraham and Lot physically travel parallel paths, their spiritual journeys, as chartered by their choices, are highly dissimilar. Together they migrate from Ur Kasdim to Charan to the Land of Canaan to Egypt, and then back to Canaan. But after a disagreement about the grazing of their sheep, they separate, each going his own way. At this junction, their spiritual journeys diverge as well. Avraham continues to wholeheartedly believe in Hashem. Conversely, Lot loses his faith and distances himself from Hashem, going to live in the irreverent and irreligious place of Sodom.<sup>4</sup>

The similarities and differences between Avraham's and Lot's individual approaches to *hachnasat orchim* can be illustrated by comparing the eighteenth and nineteenth *perakim* in *Bereishit*, where each man, respectively, receives his guests.

Avraham:

וירא אליו ה' באלני ממרא והוא יושב פתח האוהל כחם היום.

Hashem appeared to him in the plains of Mamre while he was sitting at the entrance of the tent in the heat of the day.<sup>5</sup>

Lot:

ויבאו שני המלאכים סדמה בערב ולוט ישב בשער סדם.

The two angels came to Sodom in the evening and Lot was sitting at the gate of Sodom.<sup>6</sup>

<sup>3</sup> ראה Reich, Rabbi Naftali "Behind the Open Door".

<sup>4</sup> רש"י בראשית יג:יא (בראשית רבה מא:ז).

<sup>5</sup> בראשית יח:א.

<sup>6</sup> בראשית יט:א.

On the third day after his *brit milah*, a painful surgical procedure, Avraham is found in Elonai Mamre sitting in front of his tent waiting to invite guests into his tent, despite the fact that it is an exceptionally hot day.<sup>7</sup> Rather than lie in bed to recover as would be expected, Avraham sits outside, patiently waiting to offer his hospitality to any and every passerby.<sup>8</sup> In contrast, Lot lived in Sodom and purposefully sat at the gate of the city where it is usually more crowded and therefore harder to notice strangers passing through.

Additionally, Lot did not search for guests during the day, but only at night since the people of Sodom would punish him if they found out that he was being hospitable. In spite of this danger, Lot still made the effort to sit by the gate of Sodom in the evenings so that he could look for night travelers that he could secretly help.<sup>9</sup> From Avraham's method of keeping an open home and from Lot's performance of *hachnasat orchim* even putting himself at risk, one learns the responsibility to actively pursue those in need of hospitality.

Avraham:

וישא עיניו וירא והנה שלשה אנשים נצבים עליו וירא וירץ לקראתם מפתח  
האהל וישתחו ארצה.

He lifted his eyes and saw: And behold! Three men were standing before him. He perceived, so he ran toward them from the entrance of the tent, and bowed to the ground.<sup>10</sup>

Lot:

וישא עיניו וירא והנה שלשה אנשים נצבים עליו וירא וירץ לקראתם מפתח  
האהל וישתחו ארצה.

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<sup>7</sup> רש"י בראשית יח:א

<sup>8</sup> שפתי חכמים שם

<sup>9</sup> מדרש הגדול שם יט:א

<sup>10</sup> בראשית יח:ב

Now Lot saw and stood up to meet them and he bowed,  
face to the ground.<sup>11</sup>

Avraham lives in an isolated region so he is not expecting strangers to be constantly passing by. Therefore, the *pasuk* says he “looked up and saw” the three men. Avraham believes that the angels are regular men standing before him. He immediately rises to greet them and bring them into his house even though he is in tremendous pain.<sup>12</sup> Lot, however, is sitting by the gate constantly looking at the people entering the city, sorting through the crowds that wandered about. Hence, it states that Lot saw the *malachim* among the heavily populated city. By living in the house of Avraham, Lot learned how to identify travelers in need of care.<sup>13</sup>

The word וִירָא is repeated twice, indicating that Avraham sees the guests and understands their needs. Avraham observes that they are standing in one spot and understands that they do not want to trouble him. Even though they know that Avraham will approach them, they stay in their place out of respect for him to show that they did not want to be a bother. Consequently, Avraham runs toward them from the entrance of the tent in order to greet them and invite them into his home.<sup>14</sup> Moreover, וִירָא is written twice because Avraham first sees that the presence of *Shechinat Hashem* is among the *malachim*, but he waits to bring them into his house until he sees that they interact respectfully with each other.<sup>15</sup> This teaches that interpersonal behavior is more important than the interaction with Hashem. From here, one can derive the additional lesson of *kavod habriyot*; respecting others may result in receiving the same deference in return.

<sup>11</sup> בראשית יט:א

<sup>12</sup> רמב"ן שם יח:ב

<sup>13</sup> רש"י שם יט:א

<sup>14</sup> רש"י שם יח:ב

<sup>15</sup> שיחות מוסר שם

Similarly, the angels do not approach Lot. They do not want to endanger his life by giving the appearance that they are looking for a place to spend the night and, in essence, disobeying the policy of the city of Sodom. Lot is the *shofet*, judge, of Sodom, enforcing the implementation of the laws upon the people in the city. Therefore, Lot is able to grant an exemption for these guests and give them a place to lodge for the night. The *malachim* do not want to come too close because they are scared that it will look like they are asking for a place to spend the night. However, when Lot sees these presumed people standing afar, he takes the initiative to bring them into his home.<sup>16</sup>

An additional contrast shows Avraham running to greet his guests while Lot merely gets up to greet them. Avraham runs because it is midday and he is able to see the people in the distance. He wants to catch them before they turn away and continue on their journey. Lot, on the other hand, is by the city gate in the evening, unable to see the guests until they are close to him. Once he sees them, he rises to greet them.<sup>17</sup> When Avraham greets the guests, he “bows to the ground,” but when Lot greets them, he “bows, face to the ground.” Avraham does not fully bow with his face touching the ground because this is reserved for service of Hashem. On the other hand, Lot disregards this principle and bows completely, as was common practice set aside for worshipping idols.<sup>18</sup>

Avraham:

ויאמר ה' אם נא מצאתי חן בעיניך אל נא תעבר מעל עבדיך: יקח נא מעט מים ורחצו רגליכם והשענו תחת העץ: ואקחה פת לחם וסעדו לבכם אחר תעברו כי על כן עברתם על עבדכם ויאמרו כן תעשה אשר דברת.

And he said, 'My Lord, if I find favor in Your eyes, please do not pass on from beside your servant. Please let a little water be taken and wash your feet, and recline under

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<sup>16</sup> מלבי"ם שם יט:א

<sup>17</sup> רבינו בחיי שם

<sup>18</sup> עי' רש"י הוריות ד. ד"ה השתחואה

the tree. And I will take a morsel of bread, and sustain your hearts; afterwards you shall pass on, because you have passed by your servant.' And they said, 'So shall you do, as you have spoken.'<sup>19</sup>

Lot:

וַיֹּאמֶר הִנֵּה נָא אֲדֹנֵי סוּרׁוּ נָא אֶל בֵּית עַבְדְּכֶם וְלִינוּ וְרַחֲצוּ רַגְלֵיכֶם  
וְהִשְׁכַּמְתֶּם וְהִלַּכְתֶּם לְדֶרֶכְכֶם.

And he said, 'Behold now my lords, please turn to your servant's house and stay overnight and wash your feet, and you shall arise early and go on your way.' And they said, "No, but we will stay overnight in the street." And he urged them strongly, and they turned in to him, and came into his house.<sup>20</sup>

Avraham asks Hashem's permission to wait for him while he tends to his guests, effectively pausing his conversation with G-d in order to accommodate them. From here it is taught regarding *hachnasat orchim*, שְׂכִינָה פָּנֵי שְׂכִינָה, *hachnasat orchim* is greater than greeting the *Shechina*.<sup>21</sup> When Avraham invites the guests into his home, he first offers to wash their feet and then provides them with a place to rest. Conversely, Lot first offers his guests a place to sleep, and upon awakening, offers to wash their feet. There are two different explanations for the difference in the order of washing the guests' feet and giving them a place to rest: The first way the discrepancy can be understood is that Avraham has his guests wash their feet initially since he thinks they might be idol worshippers. He does not want to bring the impurity of idolaters, who worship the dust on their feet, into his home. Lot, however, is not particularly cautious about this.<sup>22</sup> The second interpretation is that Lot has his visitors wash their feet after they spent the night so that in the morning, it

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<sup>19</sup> בראשית יח:ג-ה

<sup>20</sup> בראשית יט:ב-ג

<sup>21</sup> ברכות קכז:א

<sup>22</sup> רש"י שם יח:ד

would appear as if they were only just arriving. In the event that the people of Sodom discovered clean guests in Lot's home, Lot would be in danger of being accused of hosting them for several nights.<sup>23</sup>

Avraham:

וימהר אברהם האהלה אל שרה ויאמר מהרי שלש סאים קמח סלת לוש  
ועשי עגות ואל הבקר רץ אברהם ויקח בן בקר רך וטוב ויתן אל הנער  
וימהר לעשות אתו: ויקח חמאה וחלב ובן הבקר אשר עשה ויתן לפניהם  
והוא עומד עליהם תחת העץ ויאכלו.

So Avraham hastened to the tent to Sara and said 'Hurry, make three seah of meal, fine flour, and knead and make cakes.' Then Avraham ran to the herd, took a calf, tender and good, and gave it to the youth who hurried to prepare it. He took cream and milk and the calf which he had prepared, and placed these before them; he stood over them beneath the tree and they ate.<sup>24</sup>

Lot:

ויעש להם משהת ומצות אפה ויאכלו.

And he made a feast for them and made them *matzot* and they ate.<sup>25</sup>

Both Avraham and Lot offer their visitors more than they originally say they will provide. While Avraham offers bread to his guests, he ultimately runs to the herd to prepare a calf for them. Avraham says a little and does a lot – he says he will give them bread and he returns with an entire meal.<sup>26</sup> Avraham does not just serve his guests meat, he gives each of his guests their own bull tongue covered in mustard.<sup>27</sup> This is a delicacy that is served only to the king and important people. Avraham wants to honor

<sup>23</sup> רש"י שם יט:ב; בראשית רבה נ:ד

<sup>24</sup> בראשית יח:ו-ח

<sup>25</sup> בראשית יט:ג

<sup>26</sup> רשב"ם שם יח:ז

<sup>27</sup> רש"י שם

his guests and give them the best of what he has.<sup>28</sup> This hospitality exemplifies that one is supposed to treat guests *b'derech hakavod*, in a way of respect. Likewise, Lot offers his guests very little but provides them with more. Lot originally tells his visitors to sleep at his house for the night and to wash their feet. However, later on, he makes them a large feast and bakes them *matzot* to eat. The lesson of **ועשה הרבה - אמור מעט** - say a little and do a lot – is demonstrated by both Avraham and Lot.

Not only do Avraham and Lot go above and beyond, but they also work with *zerizut*. Avraham runs to the herd himself so that he will not cause his guests to delay their journey any longer. Moreover, once Avraham finishes preparing a dish, he immediately serves it to his company. He does not want to make them wait until all the food is ready.<sup>29</sup> Since it is nighttime, Lot does not have adequate time to slaughter an animal for his guests. Instead, Lot serves drinks and makes *matzot*, which can be quickly and easily processed so that he is able to serve his guests without delay. When a guest arrives unexpectedly, it is good manners to prepare food even upon short notice. A guest who comes at night is usually tired and does not want to wait for an elaborate meal to be made.<sup>30</sup> From Lot, one learns how to treat guests that arrive unexpectedly at night.

When it comes to the *mitzvah* of *hachnasat orchim*, Avraham receives help from his entire family. Sarah helps to make the bread and cakes, and the *na'ar*, who some say is Yishmael, assists in the preparation of the meats for the guests.<sup>31</sup> However, Lot prepares the meal and bakes the *matzot* by himself. While hospitality is evident throughout Avraham's entire household, neither Lot's wife nor children help him perform this *mitzvah*. Lot fails to

<sup>28</sup> גור אריה שם

<sup>29</sup> רש"י שם יח:ה

<sup>30</sup> רד"ק שם יט:ג

<sup>31</sup> רש"י שם יח:ז



transmit this *mitzvah* to his family. Not only does Lot face the opposition of Sodom, but his own family does not help him act hospitably.<sup>32</sup> Lot works independently, following what he learns from Avraham, even though it goes against his community and family.

Avraham is the essence of kindness and therefore his trait of *chessed* is passed down to his descendants. On the other hand, the kindness that Lot displays is superficial and his true essence of greed and selfishness manifests in his descendants, Amon and Moav. The children of Lot, emulate his inner qualities instead of his outward actions, while the children of Avraham follow in their father's footsteps since his essence and actions are in harmony. The valuable lesson to make one's thoughts, words, and actions consistent in order to that pass positive traits down to the next generation is crucial. What one **does** and what one **is**, must be one and the same.<sup>33</sup>

Despite their different approaches to *hachnasat orchim*, Avraham *Avinu* and Lot both exemplify the process of seeking out and caring for those in need of hospitality. Whether through rote behavior or from conviction and concern for others, the responsibility of *bein adam l'chaveiro*, is clear, especially in regard to *gemilut chassadim*. כל המוחזיק במצות אכסניא יורש גן עדן – Whoever grabs hold of the *mitzvah* of *hachnasat orchim* will merit a portion in *Gan Eden*.<sup>34</sup> These role models inspire people to be diligent and swift in taking care of guests' needs and providing more than necessary when tending to them as an expression of a deep commitment to *kavod habriyot* and ואהבת לרעך כמוך, loving your friend like yourself.

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<sup>32</sup> רב הירש שם יט:ג

<sup>33</sup> ראה "Reich, Rabbi Naftali "Behind the Open Door"

<sup>34</sup> רבינו בחיי בראשית כא:לג



## The *Brachot* of Yaakov

When Yaakov realizes that his end is near, he calls his sons to his bedside. He speaks to them and blesses them, each according to his own specific character. Each blessing is given with a prophecy about the future of each *shevet*. While Yaakov gives blessings to all of his sons, only five of the blessings compare them to animals. There are many different explanations for these comparisons, and we see them play out in different places in the Torah.

The first *shevet* that is compared to an animal is *Shevet Yehuda*. It is written<sup>1</sup>:

גור אריה יהודה מטרף בני עליה כרע רבץ כאריה וכלביא מי יקימנו.

A lion cub is Yehuda; from the prey, my son, you elevated yourself. He crouches, lies down like a lion, and like an awesome lion, who dares rouse him?

Rashi explains that King David, a descendant of the *shevet* of Yehuda, is initially a like lion cub who is powerless under Shaul's rule. Later, David becomes a lion by taking charge of the situation and becoming king. Rashi also comments on the words *בני עליה*, translated as, "my son, you elevated yourself." He explains that this is referring to a low point in Yehuda's life when he turns away from his brothers and marries an Adullamite woman.

Yehuda has three sons with her, and marries off the first son to a woman named Tamar, but, unfortunately, the son dies. Yehuda then does the right thing and has Tamar marry his second son, performing Yibum. He, too, ends up dying. Yehuda, not wanting his third son to die as well, tells Tamar that she needs to wait until his last son, Shelah is old enough to get married. A few years pass and Tamar realizes that Yehuda has no intention of giving his last son to her. She goes and seduces Yehuda while pretending she is a

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<sup>1</sup> בראשית מט:ט

prostitute. Yehuda gives her three things as collateral: his signet ring, his cloak, and his staff. Yehuda sleeps with Tamar, and she becomes pregnant. When Yehuda hears that Tamar has become pregnant from a “stranger,” he decides that she must be killed.

Tamar sends the three collateral items with a messenger, telling the messenger to tell Yehuda that she is pregnant from the one to whom these items are from. Upon receiving these items, Yehuda realizes what happened, and understands that he has a choice. He can either go ahead with the original plan to have Tamar killed, in which case nobody one would ever know that the child is his, or he can acknowledge the truth and deal with the embarrassment. He chooses the latter, thereby elevating himself above the behavior that he had been exhibiting up until now. This is why Yehuda’s *bracha* use the words בני עליית.<sup>2</sup>

The Radak also explains that Yehuda is like a cub that turns into a lion. Even when small, lions compete with the other animals. So too, even though Yehuda is considered to be a cub until David, he can often be found at the “top” of the *shevatim*. This is seen many times throughout *Tanach*. For example, it says in *Bamidbar*,<sup>3</sup>

ויהי המקריב ביום הראשון את קרבנו נחשון בן עמינדב למטה יהודה.

Yehuda was the first from all the *shevatim* to bring a korban.

Yehuda is also discussed in *Shoftim*:<sup>4</sup>

וילחמו בני יהודה בירושלים וילכדו אותה ויכוה לפי חרב ואת העיר שלחו באש.

The children of Yehuda waged war against Jerusalem. They conquered it and struck it down by the edge of the sword, and they set the city on fire.

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<sup>2</sup> בראשית לח

<sup>3</sup> במדבר ז:יב

<sup>4</sup> שופטים א:ח

Through this *pasuk*, one can see that Yehuda, even when he is just a cub, is the first to do things and is actually able to conquer. This depiction of Yehuda can be seen again in *Shoftim*, *perek gimmel*, when Otniel ben Knaz of the tribe of Yehuda becomes *Bnei Yisrael's* first *shofet*.

Another son who is compared to an animal is Yissachar. His blessing is:<sup>5</sup>

יששכר חמר גרם רבץ בין המשפתיים.

Yissachar is a strong boned donkey; he rests between the boundaries.

The *Me'am Loez* explains that Yissachar is like a donkey. A donkey will travel during the day and through the night without resting, without ever returning to the house. The donkey is at the ready, staying on the outskirts of the city, ready to go. A donkey's job is never finished. So too with Yissachar – he goes out and learns Torah both during the day and all through the night. He doesn't go to sleep regularly. Rather, he sleeps in his clothes so that he is always prepared to wake up and engage in more Torah learning.

Rashi explains that he is called a donkey because, just as a donkey carries big heavy things, Yissachar carries the burden of the Torah. However, Rashbam explains that he is like a donkey because he works the field. *Midrash Rabbah* brings an interesting idea: יששכר חמר גרם, חמר גרם אותו.<sup>6</sup> It is not that Yissachar is strong-boned, it is that a donkey played a role in birth of Yissachar, in that it caused Leah to find Yaakov. Reuven brought the *dudaim*, fertility flowers, for his mother, Leah. When Rachel wanted them and Leah refused, Rachel offered, "If you give them to me, you can have Yaakov for the night" (even though it was Rachel's turn). Leah gave her the *dudaim*, and then went out to greet Yaakov in the field. The *Midrash* asks, how did Leah know that Yaakov was coming? She heard the donkey braying, and that night she conceived Yissachar.

<sup>5</sup> בראשית מט:יד

<sup>6</sup> מדרש רבה צט:ט-י

The next *shevet* to be compared to an animal is *Shevet Dan*. It is written:<sup>7</sup>

יהי דן נחש עלי דרך שפיפון עלי ארץ הנשך עקבי סוס ויפל רכבו אחור.

Dan will be a serpent on a highway, a viper by the path, that bites a horse's heel so that its rider falls backwards.

The *Me'am Loez* explains that future nations will be scared of Dan, and that the *Plishtim* will fall because of Dan. Dan will be like a viper, a small snake that hides, but whose bite is deadly. This refers to a time when Dan has the power that even the strongest *Plishtim* will die at his hand.

Rashi explains the use of the word שפיפון, a viper. The root of this word is נושף which means hissing, because it hisses before it bites. Rashi also explains that when a snake bites the horse's heel, its rider falls. This imagery alludes to Shimshon, who is from *Shevet Dan*, as it says:<sup>8</sup> וילפת שמשון את שני עמודי התוך אשר הבית נכון אליהם.

Shimshon grasps the two pillars upon which the building rests and pulls them down, indirectly killing the people on the roof and in the temple, just as a snake does not directly attack the rider.

Ramban adds that Shimshon is like a snake because he does not fight his enemies with war the way the rest of the shoftim and kings do; rather he goes out by himself, just as a viper does. The Radak explains that most animals travel in groups and stick together with others, but the snake likes to be alone. Similarly, Shimshon likes to travel alone, as it says, ויך אתם שוק על ירך. Shimshon, by himself, strikes them, calf upon thigh, a great blow.<sup>9</sup>

Another *shevet* with an animal in its blessing is *Shevet Naftali*. Yaakov says in his *bracha*:<sup>10</sup>

<sup>7</sup> בראשית מט:יז

<sup>8</sup> שופטים טז:כט

<sup>9</sup> שופטים טז:ח

<sup>10</sup> בראשית מט:כא

נפתלי אילה שלחה הנתן אמרי שפר.

Naftali is a running deer, he is let loose and delivers beautiful sayings.

This *pasuk* refers to many things in the future. Rashi explains that this refers is Naftali's territory, the Valley of Ginnosar, which ripens its fruits quickly, just as a deer runs quickly. It also refers to the war the Jewish people wage against Sisra. Members of *Shevet Naftali* have a major presence in that army because they are fast soldiers. As it says:<sup>11</sup>

צוה ה' אלקי ישראל לך ומשכת בהר ולקחת עמך עשרת אלפים איש מבני נפתלי.

Hashem commanded, go and convince the people to go toward Mount Tavor and take with you ten thousand of the tribe of Naftali.

Returning to the *bracha*: הנתן אמרי שפר, one who delivers beautiful sayings. Rashi explains that this is referring to Devorah and Barak. Devorah, a prophetess, and Barak, her husband<sup>12</sup>, both come from the tribe of Naftali, and they praise G-d with *Shirat Devorah*. This phrase also refers to Yaakov's death. On the day that Yaakov is to be buried in *Ma'arat Hamachpelah*, Esav blocks the path because he believes that he is the one who is supposed to receive the last burial plot. He demands proof that it is Yaakov's spot, but the proof had been left back in Egypt. The tribes send their fastest brother, Naftali, to go and get the proof. The Radak explains that the reason the feminine term *ayala* is used, and not *ayal*, is to hint that a great female, Devorah, is to emerge from Naftali.

Additionally, Rav Hirsch comments that one who uses a deer as a messenger gets the fastest delivery. Accordingly, if one entrusts Naftali, the mission will be speedily carried out. Although Naftali does not act on his own accord, when others decide things for the benefit of the community, he adapts quickly and carries out those decisions.

<sup>11</sup> שופטים ד:ו

<sup>12</sup> שופטים ד:ד ורד"ק שם

Finally, with respect to *Shevet Binyamin*, it is written:<sup>13</sup>

בנימין זאב יטרף בבקר יאכל עד ולערב יחלק שלל.

Binyamin is a predatory wolf; in the morning he will devour prey, and in the evening he will distribute spoils.

Rashi explains that the phrase calling Binyamin a predatory wolf is alluding to the aftermath of the *Pilegesh B'Giva* story.<sup>14</sup> The men of Binyamin wait in the vineyard where the women of Shilo are meant to go out and dance. Each of the men then go and grab a wife for himself. This occurs after the *Pilegesh B'Giva* story, when none of the Jews would allow their daughters to marry men from Binyamin. The Jews soon realize, however, that the only way to continue the tribe is to have them marry the women of Shilo. Just as a wolf grabs his prey, they grab wives.

This *pasuk* also alludes to King Shaul, who is from the tribe of Binyamin. Shaul wages war against all of the enemies that surround him: *Moav*, *Ammon*, *Edom*, *Zobah*, and the *Plishtim*. Wherever he turns, he inspires terror.<sup>15</sup>

Rashi also explains that the words שלל ויחלק refers to Mordechai and Esther, who are from the tribe of Binyamin:<sup>16</sup>

הנה בית המן נתתי לאסתר ואתו תלו על העץ על אשר שלח ידו ביהודים.

Behold I have given Haman's estate to Esther, and they hung him on the gallows because he sent his hand against the Jews.<sup>17</sup>

First, Esther wins against Haman, the enemy, and then she is given the spoils. Rashbam mentions that *Shevet Binyamin* is the only full tribe within the Kingdom of Yehuda when the Jews split into two separate nations.

<sup>13</sup> בראשית מט:כו

<sup>14</sup> שופטים כא:כא

<sup>15</sup> שמואל א' יד:מז

<sup>16</sup> בראשית מט:כו

<sup>17</sup> אסתר ח:ז



The *Me'am Loez* explains that the *Shechinah* is always with the tribe of Binyamin. The *Beit Hamikdash* is in their portion of the land. Additionally, Binyamin, the wolf, defeats the the kingdom of *Madai*, the kingdom likened to a wolf.

In conclusion, one can see that Yaakov is inspired by *ruach hakodesh* when he bestows each blessing. Each of these blessings alludes to things that will happen in the future, and each tribe is given an exact description of what they will become. The animals to which they are compared mean something different to each tribe. While some are hints to the future generations, others describe character traits of the tribes themselves, and some are alluding to specific people that will emerge from that tribe. All in all, it is clear that the hand of G-d is present in the blessings that are given and in the way they play out.



## The Prophecy of the *Imahot*

The Gemara explicitly states that there are seven prophetesses in *Tanach*: Sarah, Miriam, Deborah, Chana, Avigayil, Chuldah and Esther.<sup>1</sup> The Gemara then further expounds upon each *neviah* and the proof of her prophecy. Seven, however, is a very small number, especially in contrast to the forty-eight *nevi'im*, male prophets, mentioned in the Gemara.

Additionally, the roles of the *nevi'im* are very different from the roles of the *neviot*. The only *nevuot*, prophecies, that are written down are the ones that are relevant for future generations, and yet, there are *nevi'im* who have entire *sefarim* that are dedicated solely to recounting their *nevuot*.

In contrast, it is nearly impossible to find concrete information regarding the *Sheva Neviot* and their prophecies. Because only prophecies that are necessary for future generations are recorded, it is more difficult to ascertain whether there are more *neviot* that we don't know about. Nevertheless, there are sources that would suggest otherwise.

In *Parashat Toldot*, after Esav decides to kill Yaakov for stealing his blessing, Rivka warns Yaakov, telling him to flee. The *pasuk* says that she is told that Esav intends to murder his brother, but the terminology is vague, saying “*vayaged l'Rivka*” without informing the reader who disclosed the information to her.<sup>2</sup> Rashi explains that she received this information through *ruach hakodesh*, divine inspiration.<sup>3</sup> Divine inspiration comes in various forms, including dreams, fleeting thoughts, and prophecy.

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<sup>1</sup> מגילה יד

<sup>2</sup> בראשית כז:מב

<sup>3</sup> רש"י שם ד"ה ויגד לרבקה

In this instance, the midrash explains that Rivka is warned of Esav's intentions through prophecy.<sup>4</sup>

A second, lesser known prophetess is Rachel. She names her son Yosef, saying, יוסף ה' לי בן אחר.<sup>5</sup> The *Talmud Yerushalmi* writes that Rachel, through prophecy, knew that she would only birth one more son after Yosef which can be proven by the fact that she said "*ben acher*" instead of "*banim acherim*," singular instead of plural.<sup>6</sup>

The proof that Leah is a *neviah* is in the name she gives her daughter: Dina. Dina is born after Leah's son Zevulun.<sup>7</sup> When Leah discovers that she is pregnant again, she prays for G-d to give her a daughter. A person is not supposed to pray for something that has already been determined, yet, in her case, her prayer worked: G-d changed her *din*, judgement. This is why she names her daughter Dina.

Leah has a very specific reason that allows her to merit having her prayer answered, even though, under other circumstances, her prayer would be considered a prayer in vain. Her motive for praying is an attempt to protect Rachel's dignity. Leah knows that Yaakov is only going to have twelve sons. Between their two maidservants, Yaakov has four; Leah herself has six; and Rachel only has one. When Leah becomes pregnant, she knows that if she gives birth to a son, Rachel will not even be equal to the maidservants, who each have two sons. The fact that Leah knows that Yaakov will only have twelve sons is proof that she has *nevuah*.<sup>8</sup>

<sup>4</sup> בראשית רבה תולדות פרשה סז:ט

<sup>5</sup> בראשית ל:כד

<sup>6</sup> תלמוד ירושלמי ברכות פרק תשיעי הלכה ג

<sup>7</sup> בראשית ל:כ-כא

<sup>8</sup> ברכות ס.

In addition to these individual proofs for each of the *imahot* being *neviot*, there are further proofs for the prophecy they received as a unit. The *Midrash Rabbah* attests on multiple occasions to the fact that all of the *imahot* were *neviot*, saying, ...היתה מן האמהות, followed by a name, and then, אמהות נביאות היו ו... One example is from after it discusses Rivka individually as a *neviah* and another example is after discussing the idea of Rachel being a *neviah*.<sup>9</sup>

Despite this evidence, there is still the unresolved difficulty as to why Rivka, Rachel, and Leah are not joined with Sarah and the rest of the *Sheva Naviot*. Why does Sarah merit to be mentioned as a *neviah* in the Gemara when the other *imahot* do not?

Sarah, unlike the other *imahot*, has her prophetic abilities hinted to within her name. Her original name, Yiskah,<sup>10</sup> means “to gaze” which is understood by some to be a hint to her abilities as a seer, or prophetess.<sup>11</sup> Furthermore, an instance of her having received prophecy is explicitly mentioned when Avraham hesitates after Sarah tells him to send Hagar and Yishmael away. Hashem commands him, כל אשר תאמר אליך שרה שמע בקלה, “Listen to all that Sarah will tell you.”<sup>12</sup> Not only is this proof that Sarah is a *neviah*, but this also demonstrates that her *nevuah* is higher than Avraham’s for she is able to see the future when even he can not.<sup>13</sup>

This may be the reason that the other *imahot* are not included when the Gemara discusses the *neviot*. Because Sarah is

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<sup>9</sup> בראשית רבה עב:ו

<sup>10</sup> בראשית יא:כט

<sup>11</sup> רש"י שם ד"ה יסכה

<sup>12</sup> בראשית כא:יב

<sup>13</sup> רש"י שם ד"ה שמע בקלה

not only a *neviah*, but her level of *nevuah* is exceptionally great, there is no question that she should be considered a *neviah*. The remaining three *imahot*, however, may only have the merit of receiving *nevuah* because they are married to the *avot*. Sarah and the other six *neviot* certainly receive their *nevuot* through their own merits.<sup>14</sup>

Even if the other *imahot* were *neviot* through their own merits, their level of *nevuah* may not have been as lofty as the prophecy of Sarah and the other *neviot*. There are two types of *nevi'im*: one who speaks with G-d and tells the nation what G-d has commanded him to tell them, and one who has *Ruach Hakodesh* and can reveal the future through his or her words. The more famously accredited *neviot* all fall into the first category. Perhaps, then, the *imahot* fall into the second category.<sup>15</sup> Even if one were to suggest that the *imahot* fall into the first category, there is a further distinction between the seven prophetesses and the *imahot*; the *sheva neviot* prophesize about others while the *imahot* only receive prophecies that are personal. So, even if the *imahot* are in the first category of *nevuah*, the prophecy they receive is still considered secondary to the prophecies of the seven *neviot*.<sup>16</sup>

While there is less discussion of the topic, a deeper analysis of the sources would suggest that all of the *imahot* were prophetesses; while the Gemara does not include them in the list of *neviot*, their stories and other sources suggests otherwise, but the omission in the Gemara does not rule out their *neviah* status. Instead of a question of whether the *imahot* were *neviot* or not, the sages grapple with the question of why they were not included as

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<sup>14</sup> שפת אמת

<sup>15</sup> ספר מרפסין איגרא בראשית פר' ויצא עמ' רז-רח

<sup>16</sup> מהרש"ל

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part of the *sheva neviot*. Ultimately, the sources all agree that they had divine inspiration. The remaining question is why the *imahot* are not mentioned explicitly as *neviot*.





## The Secret to Long Life

Only two *mitzvot* in the Torah are listed as having the reward of long life: *shiluach haken* and *kibud av v'em*. What is it about these two *mitzvot* that makes them worthy of such a tremendous reward, let alone have their reward explicitly mentioned in the Torah? In what way are these two *mitzvot* connected? What does the reward of long life actually mean?

The *mitzvah* of *kibud av v'em*, honoring one's father and mother, is first introduced in *Parashat Yitro* where the *pasuk* says, כבוד את אביך ואת אמך למען יארכון ימך, Rashi explains that if one honors his parents, his days will be lengthened; if he does not, his days will be shortened.<sup>1</sup> According to Rashi, the *mitzvah* of honoring one's parents is not only a positive command; rather, it also implicitly contains the prohibition against dishonoring one's parents. But the question still stands: what is it about this *mitzvah* that gives it such importance, and, further, what does יארכון really mean?

The *Ba'al HaTurim* writes that the missing letter ם in יארכון teaches that Hashem will lengthen one's days not, as one may assume, in this world, but instead in *Olam Haba*. The Ibn Ezra, however, says that when the Torah writes the phrase "long life," it is referring to *Bnei Yisrael* as a whole, that they will have many days in *Eretz Yisrael* and will not be exiled from the land.

Rav Hirsch doesn't see these two approaches as mutually exclusive. He believes that a person who fulfills the *mitzvah* of *kibud av v'em* will receive reward both in this world and the

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<sup>1</sup> שמות כ"ב

next. Rav Hirsch explains that the continuity of Torah and Judaism is dependant on *mesorah*, the traditions of Judaism transmitted from parents to children. Under nearly all circumstances (the exception being if a parent was to ask a child to transgress one of G-d's commands), one is expected to fulfill any and all of his parents' requests.<sup>2</sup> This illustrates the immense value that G-d places on the parents' role in the upkeep of Judaism through tradition.

*Kibud av v'em* is the last of the commandments in the *Aseret Hadibrot* that involves Hashem's honor.<sup>3</sup> Hashem's honor is demonstrated by the use of the phrase ה' אלוֹקֵינוּ. This phrase can be found in every one of the first five commandments. In contrast, there is not even a single appearance of the words ה' אלוֹקֵינוּ in the last five of the *Aseret Hadibrot*. The fact that the *mitzvah* of *kibud av v'em* does contain this phrase proves that despite that this *mitzvah* appearing to be a *mitzvah bein adam l'chaveiro*, an interpersonal *mitzvah*, it actually contains an element characteristic of a *mitzvah bein adam l'makom*, between man and G-d. This *mitzvah*, therefore, is dual faceted; one must honor not only his physical parents but also his spiritual parent, Hashem. Simply put, there are three partners in the creation of a person: father, mother, and G-d. If a person honors his father and mother, who gave him a temporary physical body, is it not obvious that he should honor G-d, the one who gave him an eternal soul?

The Gemara says, "When a man honors his father and his mother, [Hashem says], 'I ascribe merit to them as if I had dwelt among them and they had honored Me'."<sup>4</sup> G-d established a dwelling place for Himself through a father and mother to

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<sup>2</sup> שם

<sup>3</sup> כלי יקר שם

<sup>4</sup> קידושין לב

show that when a person honors his parents, he is ultimately honoring Hashem and is therefore rewarded with a long life. Attachment to Hashem, the source of life, gives a person long life.

Similarly, the Ramban states that Hashem is the ‘prime Creator,’ in that He creates everything and enables humans to be created, while parents are ‘secondary creators’ who can only create because they have been given the ability from Hashem.<sup>5</sup> While the first four commandments refer to the prime Creator, the fifth talks about secondary creators. Just as one must serve Hashem with love and honor, one must also extend these forms of respect to his parents. Through this, his days will be lengthened in this world and in the next world, as well as his “communal” days in the land of Israel.

In *Parashat Ki Teztei*, the *mitzvah* of *shiluach haken*, the only other *mitzvah* which is explicitly stated to merit a long life, is detailed. Rashi explains that this is not a *mitzvah* that one must seek out, rather it is a *mitzvah* that one should only do if it is something that he “happens upon.”<sup>6</sup> Rashi also says that this is an easy *mitzvah* to perform since it doesn't cost a person anything and is beneficial for him in the long run.<sup>7</sup>

Sforno adds that this *mitzvah* involves *gemilut chasadim*, kindness; one who does the *mitzvah*, by not killing the mother, enables her have more chicks and continue the longevity of the species.<sup>8</sup> It is because of this, according to Sforno, that he will too be granted longevity. This benefit, however, is negligible compared to the reward he will receive in *Olam Haba*.

<sup>5</sup> רמב"ן שמות כ"ב

<sup>6</sup> דברים כ"ו

<sup>7</sup> שם כ"ז

<sup>8</sup> שם

It is also relevant that this *mitzvah* of *shiluach haken* is mentioned next to the topic of building a house.<sup>9</sup> Chazal say that if a person keeps the *mitzvah* of *shiluach haken*, he will be *zocheh* to build a new house.<sup>10</sup> Since *shiluach haken* brings a person to believe that Hashem ‘built’ and created the world as new, his reward (*midah k’neged midah* - measure for measure) includes the merit to build himself a new house. Furthermore, the *pasuk* says, וצדיק באמונתו יחיה, that because of this faith in the origin of life, a person merits long life.

The *pasuk*, אורח חיים פן תפלט, refers to *shiluach haken*.<sup>11</sup> *Devarim Rabbah* explains this to mean that one should not weigh or judge the value of *mitzvot* and choose to do difficult *mitzvot* over easier ones for the harder ones should logically get greater reward.<sup>12</sup> Hashem does not tell us the reward for each *mitzvah* for this purpose. Even in this instance where He does state the reward, He shows that both the ‘hardest’ *mitzvah* (*kibud av v'em*) and the ‘easiest’ *mitzvah* (*shiluach haken*), have the same reward. From here it is clear that one can never truly know the value of each *mitzvah* because he is not on the level of Hashem and therefore cannot understand Him and the way He runs the world.

But the question remains – why were *shiluach haken* and *kibud av v'em* specifically the *mitzvot* that were chosen to have the same reward?

According to Rashi<sup>13</sup>, the words למען ייטב לך teach that one should calculate the loss of a *mitzvah* corresponding to the

<sup>9</sup> כלי יקר שם

<sup>10</sup> מדרש תנחומה-כי תצא א

<sup>11</sup> משלי ה:ו

<sup>12</sup> דברים רבה ו:ב

<sup>13</sup> דברים כב:ז

reward. One should be just as careful in doing “easy” *mitzvot* as more stringent ones as we see with *shiluach haken*, a seemingly easier *mitzvah*, which has the same reward of long life as *kibud av v'em*, an obviously harder *mitzvah*.

According to the *Kli Yakar*, when one's children see the *mitzvah* of *shiluach haken*, they will gain respect for creatures which give birth, especially the one that gave birth to them, resulting in *kibud av v'em*.<sup>14</sup> The reward for these two *mitzvot* is long life, because both of these *mitzvot* strengthen one's faith in G-d's role as the creator of the world. By focusing on respecting one's lineage and each generation which led to his birth, he will realize that there must have been an origin. This will ultimately lead him to understand that Hashem created everything and therefore must honor Him. In turn, He will “portion out” this honor to all those who came after Him and will, therefore, come to lengthen his own life and legacy.

R' Hirsch states that if one sees a mother bird engaged in her motherly duties he must send her away.<sup>15</sup> One does, however, have the option of keeping the chicks. This must be done with the understanding that the present and future depend on the deep respect for motherhood. This can also be seen in the *mitzvah* of *kibud av v'em* where one is commanded to give the utmost honor to those who gave him life.<sup>16</sup>

*Shiluach haken* is placed close to *כי תבנה בית חדש* to say that if one builds a new house, he should make a railing around the roof so that his days will be lengthened and so that won't fall (and die). This is related to honoring one's parents because, by building a railing for one's house, he is lengthening his days and it will be *טב לך*. The phrases of *למען ייטב לך* and *כי יפול הנפל ממנו*, additionally hint to the *mitzvah* of sending away

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<sup>14</sup> שם

<sup>15</sup> שם

<sup>16</sup> בעל הטורים שם

the mother bird. The Gemara tells a story of a man who sends his son up a tree to do *shiluach haken*, but in the process of doing these two *mitzvot* (*kibud av v'em* and *shiluach haken*), both of which promise long life, the boy falls out of the tree and dies.<sup>17</sup> R' Yaakov learns from this that when the pasuk says "for these *mitzvot* your days will be lengthened," it must mean in *Olam Haba* and not in *Olam Haze*.

In both of these cases, while the actual *pesukim* promise long life the commentators provide vastly different explanations as to what this means. Both of these *mitzvot* and the true meaning of their rewards are shown in specific cases. Esav, who is not viewed as the greatest character in Torah, is renowned for one specific attribute: his great *Kibud Av*. We see that although he sinned in two out of the three big *aveirot* (both murder and adultery) on the day that his grandfather, Avraham, passed away, he still receives acknowledgment and reward for this *middah*, characteristic.<sup>18</sup> We are told that there was never a person in the world who respected their father as much as Esav did, and for that he was given rulership over the nation of Rome (*Edom*).<sup>19</sup>

As well, it is explained that at the time of the destruction of the Second Temple, sixty thousand Roman soldiers came to destroy the *Beit Hamikdash*, but 'good messengers' of Hashem stood to protect it. However, when they saw that Hashem was 'quiet' and wasn't doing anything to stop the Romans, they backed off. On this occurrence it is commentated that "until now their reward for honoring their fathers had been building up for them."<sup>20</sup> This enabling of the Romans to destroy the *Beit Hamikdash* was due to their merit for honoring their fathers.

<sup>17</sup> קידושין לט

<sup>18</sup> בראשית רבה סג יב

<sup>19</sup> זוהר ח"א קמו

<sup>20</sup> שם א טז

While, on the surface, both of these *mitzvot* seem to have very different levels of importance and purpose, in fact they teach the same lessons, proven by the fact that their reward is equal. Through doing the *mitzvot* of *shiluach haken* and *kibud av v'em*, one gains a greater appreciation for those who gave him life and put him on this earth. Although, on a basic level, this might seem to only be referring to one's physical parents, ultimately these two *mitzvot* help us to recognize our spiritual parent, Hashem, and bring us to have a greater love, respect, and appreciation for Him.





## Failures of the Firstborn

Studies show that first-borns occupy the most advantageous position in the birth order. A Norwegian study of 241,310 18 and 19-year-olds demonstrated that older siblings score higher on intelligence tests than younger siblings. Many other studies have also consistently shown first-borns to be rated by themselves, their parents, and even their other siblings as more intelligent, diligent, hard-working and self-disciplined than their younger siblings, in addition to being the “achievers” of the family. One possible explanation for this may be the “tutoring effect,” which occurs when the older sibling teaches the younger sibling what they learn in school, thereby learning to organize and express their thoughts, ultimately benefitting the older sibling, the tutor, more than the younger sibling, the learner.<sup>1</sup>

Parental favoritism also contributes to the first-born advantage. As long as the first-born is an only child, he or she gets exclusive attention from the parents, is likely to get vaccinated more reliably, and is taken to more follow-up doctor’s appointments. She is also given more educational resources and as a result, is likely to be healthier and smarter than those siblings who come after him/her. Another reason parents may favor the first-born, even after a second child is introduced into the family, is because the elder is, to borrow a word from the lexicon of economics, a “sunk cost.” A sunk cost is a cost that has already been spent and cannot be recovered. Parents have already invested so much time, energy and money into their first child, and therefore, do not want to disinvest at this point.

A second-born can only attain 50% of the attention a first-born gets in any given area. For example, if the first-born is a

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Sulloway, Frank J. “Birth Order and Intelligence.” *Science* 316.5832 (2007): ראה<sup>1</sup>  
.1711-712. JSTOR

football player, no matter how good at football the second-born becomes, he will only receive approximately half the attention and accolades that his older brother gets, and it would be more advantageous for the second-born to cultivate his talents in a different area. It is no wonder that first-borns, on average, have an IQ 3 points higher than second-born children and are more likely to become CEO's, senators, and attain other high-power positions. In fact, 21 of the 23 first NASA astronauts were first-borns.<sup>2</sup>

Halacha, too, gives the first-born, the *bechor*, certain rights and privileges. A father's *bechor* is entitled to a double portion of the inheritance, even if that child does nothing to prove that he is worthy of it. Even if a man has multiple wives and wants to give the double inheritance to the eldest child of his favorite wife, it is a Torah commandment that if his *bechor* is from a different wife, he may not choose to give the inheritance to any other wife's *bechor*.<sup>3</sup>

It seems, however, that throughout the course of the *Chumash*, the *bechor* fails, or at least falls short, of his potential. The very first *bechor*, Kayin, is also the very first failure. He kills his brother Hevel, and as a result, is sentenced to spend his life as a wanderer. Sure enough, his lineage only lasts seven generations before being cut off. Reuven, too, despite having been predestined to inherit both the kingship and the priesthood, ultimately loses both privileges. Korach, a Levi and cousin of Moshe and Aharon, engineers a rebellion and is swallowed by the ground along with all of his followers and possessions. There are many other examples in *Chumash*, such as Esav, Yishmael and the *bechorim* as a whole, who lose their potential to be the *kohanim* in the *Beit Hamikdash* (when they sin with the *Egel Hazahav*) to the *Levi'im*, the only group who did not sin. (Yishmael and Esav will be excluded from this article. While Reuven, Kayin and Korach's failures can be pinpointed and are limited to a few single incidents, Yishmael and Esav

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Rettner, Rachael. "Birth Order Affects Child's Intelligence and Personality." <sup>2</sup> ראה  
 .LiveScience. TechMedia Network, 12 Aug. 2010

<sup>3</sup> דברים כא:טז

lived lifestyles of failed potential and are not on the same plane as the other *bechorim*; therefore they cannot be compared in the same way.) The heavy scientific evidence of the likelihood for first-born children to succeed, juxtaposed with the historical evidence of the numerous failures of the *bechor* begs the question, what led these *bechorim* to fail?

There is no such thing as an inherently positive or negative trait. The Gemara states:

האי מאן דבמאדים יהי גבר אשיד דמא. אמר רבי אשי: אי אומנא, אי גנבא, אי טבתא, אי מוהללא.

He who is born under Mars will be a shedder of blood. R' Ashi observed: Either a surgeon, a thief, a slaughterer or a circumciser.<sup>4</sup>

Every trait is neutral and can manifest in either a positive or negative way. Reuven, Kayin and Korach all had the qualities classically imbued in a *bechor*, as illustrated above, and the potential for these qualities to come to fruition in a positive manner. However, their inability to overcome their egos led to the negative nurturing and expression of these qualities.

Kayin, the son of Adam and Chava, was the first ever *bechor*, as well as the first *bechor* to fail. Kayin and Hevel both bring sacrifices to G-d, and upon the acceptance of Hevel's sacrifice and Kayin's rejection, Kayin does not try to improve so that his sacrifice should be accepted. Rather, he kills his brother.<sup>5</sup> Kayin was supposed to be the model son, the first successor of the human race, and yet, as a result of his sin, his lineage is cut off after seven generations of great moral decline, culminating in his own death at the hand of his grandson, Lemech.<sup>6</sup> What led to Kayin's downfall?

Kayin's ego was too strong, which manifested itself in jealousy and a need to eliminate any competition that he felt posed a

<sup>4</sup>. גמרא שבת קנו

<sup>5</sup> בראשית ד:ז

<sup>6</sup> רש"י, בראשית ד:כג

threat. An air of arrogance surrounded Kayin, even at his birth. Chava made the statement 'קניתי איש את ה' "I have acquired a man with G-d," after Kayin's birth.<sup>7</sup> The great ego she had at this time was imbued into her son. The word '*kaniti*,' I acquired, suggests that Chava felt that she had ownership over this son, the way one acquires a new garment. She considered herself to have been an equal, if not greater, partner with G-d in the creation of man. The word '*ish*' shows that Chava saw Kayin's successful development into a full grown man to be a given, as opposed to a great responsibility and task that can only be accomplished successfully with the help of G-d.

Chava learns this lesson after the murder of Hevel, as seen by the language she uses at the birth of her third son, Shet, calling him a *zera*, a seed, as opposed to an *ish*, a man. Rashi translates the word '*et*' as '*im*,' with, which can have two meanings in English. The word 'with' can either connote equality, i.e. I ate dinner with my friend, or it can connote an object used to assist with an action, i.e. I ate dinner with a fork. In Hebrew, *im* is employed in the former usage, whereas *et* is employed in the latter situation, reinforcing the idea that Chava felt that she was the real creator of her son, Kayin, while G-d was simply a tool to assist the creation. This egotism was infused into Kayin at his birth.<sup>8</sup>

Kayin is the first of the brothers to bring a sacrifice, expressing one of the classic qualities of a *bechor*, that of the initiator. His ego is evident in that he expects his *korban* to be a success, to be accepted by G-d with open arms, even though his sacrifice was from the worst of his crop.<sup>9</sup> Hevel only brought a sacrifice in order to copy his older brother, which we see from the words גם הוא, "also him," because he was jealous of Kayin for coming up with the

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<sup>7</sup> בראשית ד:א

<sup>8</sup> רש"י הירש

<sup>9</sup> בראשית רבה כב:ה

idea.<sup>10</sup> Hevel, being the younger brother who always has to prove himself, brings from the choicest of his flock; in fact, he brought from the *bechor* of his flock, recognizing the inherent specialness of the *bechor*. This, in turn, sparked Kayin's jealousy when Hevel's sacrifice was accepted, because it was, originally, Kayin's idea, and Hevel was just following suit.<sup>11</sup> Kayin is now faced with a test of how to react to what may very well be the first time he was ever rejected as it is clear that he was favored by his mother, who named his brother Hevel, nothingness. G-d says to Kayin:

הלווא אם תיטיב שאת ואם לא תיטיב לפתח חטאת רבץ ואלריך תשוקתו  
ואתה תמשל בו.

Is it not so that if you improve, you will be forgiven?  
If you do not improve, however, at the entrance, sin is  
lying, and to you is its longing, but you can overcome it.<sup>12</sup>

G-d is offering him another chance and warning him that he is going to sin if he does not take the opportunity. He even tells him that Kayin has the potential and strength inside of him to overcome his evil inclination. But Kayin cannot accept this rebuke. The fact that it was his own fault that his sacrifice was not accepted is not something he can tolerate. Therefore, he allows his jealousy and anger to overcome him and kills his brother. Even after the act, he does not admit his sins. G-d asks him, *אי הבל אחיך*, "Where is Hevel, your brother?"<sup>13</sup> in a soft tone in order to not antagonize Kayin and to engage him in conversation. Kayin answers in a tone of astonishment, *השמר אחי אנכי*,<sup>14</sup> "Am I my brother's keeper?"<sup>15</sup>

<sup>10</sup> בראשית ד:ד

<sup>11</sup> כלי יקר

<sup>12</sup> בראשית ד:ז

<sup>13</sup> בראשית ד:ט

<sup>14</sup> רש"י שם

<sup>15</sup> שם

as if he could deceive G-d.<sup>16</sup> Kayin displayed so much potential, as demonstrated by his taking initiative in bringing the initial sacrifices and by the great expectations of his mother, yet this potential was wasted with Kayin's surrender to his ego and his inability to accept responsibility.

Korach and his followers are remembered in history as the paradigm of a *machloket she'lo l'shem shamaim*, an argument not for the sake of Heaven.<sup>17</sup> How could this have happened? Korach had so much potential for greatness. He was from *Shevet Levi*, a holy tribe, who until this point had been practically clean of sin. They did not participate in the sin of the *Egel Hazahav*, and they were thus endowed with many privileges. Korach was said to be the greatest of all the *Levi'im*,<sup>18</sup> and a tremendous scholar.<sup>19</sup> He was a first cousin of Moshe *Rabbeinu* and Aharon *Hacohen*. Korach was also blessed to be one of the wealthiest people in the nation;<sup>20</sup> In history, only Haman paralleled Korach in wealth, its vastness seen in Haman's offer of ten thousand silver talents to King Achashverosh in exchange for permission to kill the Jews.<sup>21</sup> With so much wisdom, wealth, and honor, Korach could have made himself great, but he meets his end by being swallowed into the ground along with his many followers.<sup>22</sup>

Unfortunately, Korach, too, was overcome by his ego and jealousy. Korach understood the deference given to birth order in the Jewish tradition, and expected that after Moshe and Aharon, the sons of their grandfather's oldest son, Amram, were given

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<sup>16</sup> בראשית רבה כב:ט

<sup>17</sup> משנה אבות ה:ז

<sup>18</sup> זהר

<sup>19</sup> במדבר רבה יח:ג

<sup>20</sup> שמות רבה לג:ב

<sup>21</sup> אסתר ג:ט

<sup>22</sup> במדבר טז:לא-לג

positions, he, the *bechor* of his grandfather's second-born, Yitzhar, would be next in line to gain a position of power. He is therefore outraged when his cousin, Elitzafo ben Uziel, the grandson of his grandfather's fourth-born son, is given the position of prince.<sup>23</sup> Korach was blinded by his ego, by his feelings of being unjustly treated, and by his jealousy.

Ramban states that the language of לקח, 'take',<sup>24</sup> used in the beginning of the story when Korach begins to build his *kahal*, is a language of mischievous arousal, suggesting his intentions were spoiled from the beginning, even if Korach himself could not see this.<sup>25</sup>

Furthermore, he specifically employed the infamous Datan and Aviram because he knew that they, too, felt stripped of their ancestral rights of the *bechor* and sought to avenge their grandfather, Reuven.<sup>26</sup> In fact, most of Korach's congregation was from the tribe of Reuven, the tribe camping next to Korach. It was an uprising of *bechorim*, all of whom felt slighted because of the loss of the privileges originally given to them when G-d said בְּכֹר לִי כָל בָּכוֹר, "Sanctify for me every first born."<sup>27</sup>

Korach, like many first-borns, was a charismatic leader, a skill which he could have used to lead the nation in good way. Instead, he used this trait to rile up the nation and create resentment that had not previously existed, all because of his own personal vendetta. Even when it was clear that Korach was on a suicide mission, when Moshe posed the test of the incense pans, a test that could only be survived by the divinely chosen, Korach

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<sup>23</sup> במדבר רבה יח:א

<sup>24</sup> במדבר טז:א

<sup>25</sup> רמב"ן, שם

<sup>26</sup> אבן עזרה, שם

<sup>27</sup> שמות יג:ב

persisted, sure that he would survive.<sup>28</sup> He had received a prophecy that he would have a great lineage (including Shmuel *Hanavi*) therefore he was sure that he was the chosen one who would survive. However, it was his sons who would be saved, because they did *teshuva*.

Korach was too blinded by his ego to see this, and was ultimately swallowed into the ground and seen as the catalyst of a great sin in Jewish history.<sup>29</sup> It is not only in wealth that Korach can be compared to Haman, but also in ego, and in the fact that both could not be satisfied with the great amount which they already possessed, resulting in both being wiped from the earth in a very public way.

Finally, we come to Reuven, who is arguably the most complex of the *bechor* failures, because he did not quite fail per se. On the one hand, Reuven makes many mistakes. Firstly, the *pasuk* tells us, ויילך ראובן וישכב את בלדה פילגש אביו, “And Reuven went, and he slept with Bilhah the concubine of his father.”<sup>30</sup> Rashi says that this *pasuk* is not meant to be taken literally. In fact, Reuven only moved the bed of his father from Bilhah’s tent to Leah’s tent. Reuven knew how much pain it caused his mother when Yaakov had kept his bed in Rachel’s tent; how much more so would it cause Leah pain to see Yaakov’s bed in Rachel’s maid’s tent instead of hers. Reuven arrogantly felt that his mother was the main wife, and that Yaakov belonged in her tent. The *pasuk* uses the phrase, “and he slept with her,” to say that moving the bed was just as bad as if he had slept with her.<sup>31</sup>

It was because of this incident that Reuven lost the monetary rights of the *bechor* (though he kept the genealogical status).<sup>32</sup>

<sup>28</sup> במדבר טז:ז

<sup>29</sup> במדבר רבה יח:ח

<sup>30</sup> בראשית לה:כב

<sup>31</sup> רש"י, שם

<sup>32</sup> בראשית רבה פב:יא



On the other hand, the juxtaposition of this *pasuk* with the next *pasuk*, which lists Yaakov's sons, shows that since Reuven is still included in the count, Yaakov believed that he would repent and that his future progeny would uphold the Torah.<sup>33</sup>

Furthermore, when the brothers want to sell Yosef, Reuven steps in and tries to save him. The *pasuk* says:

וַיֹּאמֶר אֱלֹהִם רְאוּבֵן אֶל תִּשְׁפְּכוּ דָם הַשְׁלִיכוּ אוֹתוֹ אֶל הַבּוֹר הַזֶּה אֲשֶׁר בְּמִדְבָּר  
וְיָד אֶל תִּשְׁלְחוּ בּוֹ לִמְעַן הַצִּיל אוֹתוֹ מִיָּדָם לְהַשְׁבִּיבוֹ אֶל אָבִיו.

And Reuven heard and saved him from their hands and said 'Do not kill him.' And Reuven said to them 'Don't spill blood; send him into this pit in the desert' so that he could save him from them and return him to their father.<sup>34</sup>

Reuven seems to have good intentions here and really wants to save Yosef and bring him back to Yaakov.<sup>35</sup> Other commentators feel that his actions were laced with ulterior motives, that Reuven only tried to save Yosef because he was the oldest and knew that the blame would fall on him,<sup>36</sup> or that he was doing it to do *teshuva* for the sin of moving his father's bed.<sup>37</sup> Since his true goal was to regain the approval of his father, once he stopped the brothers from killing Yosef, he left the pit and went either to help his father,<sup>38</sup> or to fast in repentance for his sin of moving the bed.<sup>39</sup> Had Reuven truly cared about Yosef, he would not have left the pit, allowing the brothers to sell him; rather, he would have kept a close watch over Yosef to ensure his safety. A further proof that Reuven

<sup>33</sup> ספורנו, בראשית לה:כב

<sup>34</sup> בראשית לו:כב

<sup>35</sup> רד"ק, שם

<sup>36</sup> רש"י, שם

<sup>37</sup> ספורנו, בראשית לו:כא

<sup>38</sup> בראשית רבה פד:טז

<sup>39</sup> בראשית רבה פד:יט

was more interested in what his father thought of him than in saving his brother, is that when he returns to the pit and sees that Yosef is gone, he says, *הילד איננו ואני אנא אני בא*, “The boy isn’t there! And as for me, where am I to go?”<sup>40</sup> He is asking, in essence, “Where will I run from the pain of my father?”<sup>41</sup> It would seem from here that Reuven has a vested interest only in his own personal status and holding with his father.

Later, when the brothers go down to Egypt to buy food, and Yosef (though they do not yet know it is him) gives them a difficult time, they express their guilt for what they had done to Yosef. Reuven, however, while everyone else is taking responsibility, says:

*הלוא אמרתי אליכם לאמר אל תחטאו בילד ולא שמעתם וגם דמו הנה  
נדרש.*

Didn't I tell you not to sin against the boy? But you wouldn't listen! Now we must give an accounting for his blood.<sup>42</sup>

Reuven is again shirking responsibility, trying to remove blame from himself. The tribe of Reuven, too, shirks their responsibilities when they choose to live on the other side of the Jordan River, when they should have settled around the area of the future *Beit Hamikdash*, so that they may protect it, like a true *bechor*. It is also ultimately the tribe of Reuven that joins with Korach in his rebellion.

Yosef demands that the brothers bring Binyamin to him in order to get food, but Yaakov is reluctant to let him go for fear of his losing another son. In order to convince him to allow Binyamin to go, Reuven says to Yaakov:

*את שני בני תמית אם לא אביאנו אליך תנה אתו על ידי ואני אשיבנו  
אליך.*

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<sup>40</sup> בראשית לז:ל

<sup>41</sup> רש"י, שם

<sup>42</sup> בראשית מב:כב

My two sons I will kill if I do not bring him back to you.  
Give him to me and I will return him to you.<sup>43</sup>

Reuven is attempting to step up, to be the responsible eldest, but is going about it in a completely warped way. He is so desperate to save the day by getting Binyamin so that he can bring back food, that he is willing to sacrifice his own two sons! In Yaakov's eyes, this is a foolish bargain; if Reuven is willing to kill his own sons, why should he believe that he would not kill Binyamin?<sup>44</sup>

When Yaakov gives his sons blessings at the end of his life, he says to Reuven:

ראובן בכרי אתה כחי וראשית אוני יתר שאת ויתר עז. פחו כמים אל  
תותר כי עלית משכבי אביך או חללת יצועי עליה.

Reuven, you are my firstborn, my might, the first sign of my strength, excelling in honor and power. Turbulent as the waters, you will no longer excel, for you went up onto your father's bed and defiled it.<sup>45</sup>

Yaakov begins with a compliment, but ends with a curse. So too, Reuven had begun his life with so much potential, but did not live up to it and let it go to waste. Yaakov does not quite decide here what Reuven's fate will be though; rather, he leaves it up to Moshe to decide. Moshe, too, at the end of his life gives blessings to the tribes. When it is the tribe of Reuven's turn, he says:

יחי ראובן ואל ימת ויהי מתיו מספר.

Let Reuven live and not die, and let his men be counted.<sup>46</sup>

Moshe had decided (according to Hashem's word) that the tribe of Reuven would not be cut off for their ancestor's sin, and they will live in this world and not die in the next world; his men will be counted among *Am Yisrael*, and will not be cut off.

<sup>43</sup> בראשית מב:לז

<sup>44</sup> רד"ק, שם

<sup>45</sup> בראשית מט:ג-ד

<sup>46</sup> דברים לג:ו

Reuven seems to be quite a complex character. At his birth, even his name suggests the great amount of potential he had. The name Reuven can be divided into the two words ראו בין, meaning “see what’s between.”<sup>47</sup> Leah is pointing out the contrast between the *bechor* of her father-in-law, Esav, who was evil and sold his rights as the *bechor*, and her own *bechor*, who brought Yaakov, her husband, closer to her, as Leah says כי עתה יאהבני אישי, “Because now my husband will love me.”<sup>48</sup> Reuven had the great potential to be a unifier of peoples. From the story of the *dudaim*, fertility flowers, we see that at a young age, Reuven had wisdom beyond his years and knew exactly what type of flower had the power to bring love to his parents and help his mother conceive.<sup>49</sup> Unity was, in fact, exactly his intention when he moved his father’s bed. However, because it was a mistaken expression of this unifying quality, he ultimately forfeits this potential. Although both Reuven and Esav each lose his *bechor* rights, Reuven accepts his loss and does not hate his brother for it. It is therefore more fitting, perhaps, not to say that Reuven failed, but that he simply did not live up to the great potential he once displayed.

Where did these three *bechorim*, all with the resources and potential to be great, go wrong? The potential advantages inherent in each of these *bechorim*, such as intelligence, leadership qualities, extra attention as an only child at first, and the halachic advantages of the *bechor*, manifested themselves in negative ways instead of positive ways. This is a result of a level of ego that all three possessed. We see this ego in Kayin, when his sacrifice is rejected, Korach, when he does not get the position he wants, and Reuven, when his mother becomes inferior in his father’s eyes. While these challenges were meant to promote growth in each of these characters, their egos get in the way and lead them to sin. Instead of rising

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<sup>47</sup> גמרא ברכות ז:

<sup>48</sup> בראשית כט:לב

<sup>49</sup> ספורנו, בראשית ל:יד

to the responsibility and the challenge of being a *bechor*, they have feelings of entitlement, and feel undervalued when they do not get what they want. They have a “what about me” mentality, only wanting more, putting their own desires before that of G-d, instead of appreciating what they already have. Furthermore, instead of using their leadership qualities to bring people together, they ending up causing people to go astray. So many qualities with potential to be developed in great ways ended up going to waste due to an uncontrollable ego.

Kayin, Korach, and Reuven were all born with potential to lead others. But as a result of their allowing their egos to overcome them, they go about their missions all wrong, twisting them in a negative way. The *bechor* in Judaism is more than just a biological position. It is a social appointment, a privilege that comes with much responsibility. The stakes of fulfilling those responsibilities are high, and one who shows that he cannot fulfill them will be replaced, as we see in the cases of Kayin, Korach, and Reuven. Hopefully, one can learn from their mistakes, that it is important to recognize the qualities inherent within each and every individual, strengths and weaknesses, and cultivate them in positive ways so that everyone may fulfill her G-d-given potential.



## Shavuot:

### זמן מתן תורתנו vs. חג הקציר

One of the most pronounced thoughts that comes to mind in association with Shavuot is *Matan Torah*. Shavuot is full of *minhagim*, which are meant to commemorate the giving and receiving of the Torah after *Bnei Yisrael* left Egypt. For example, we eat *ma'achlei chalav*, dairy foods, which symbolize the Torah, as learned from the *pasuk*, דבש וחלב תחת לשונך.<sup>1</sup> Another reason for this custom, is that *Bnei Yisrael* could not eat meat immediately after *Matan Torah* because the newly given laws of *kashrut* were very complex and required a lot of additional preparation.<sup>2</sup> Therefore, they ate only dairy foods, and to remember this, we eat dairy. In addition to eating dairy, there is also the custom to stay awake all night learning Torah. Lastly, in the *tefillot* of the day, we call Shavuot, זמן מתן תורתנו, the time of the giving of our Torah, and read the *Aseret Hadibrot* during the Torah portion for the day. All of these *minhagim* indicate the central theme of Shavuot, which is clearly *Matan Torah*.

However, when examining the *pesukim* in which Shavuot is commanded, the fact that Shavuot is a holiday to commemorate *Matan Torah* is non-existent! As opposed to the other two of the *shalosh regalim*, there is no historical event tied to Shavuot in writing. In regard to the holiday of Sukkot, the Torah says:

בסכת תשבו שבעת ימים כל האזרח בישראל ישבו בסכת. למען ידעו דרתיכם כי בסכות הושבתי את בני ישראל, בהוציא אותם מארץ מצרים אני ה' אלקיכם.

You shall dwell in booths seven days; all that are home-born in Israel shall dwell in booths; that your generations

<sup>1</sup> שיר השירים ד:יא

<sup>2</sup> משנה ברורה סימן תצד ס"ק יב

may know that I made the children of Israel to dwell in booths, when I brought them out of the land of Egypt: I am the Lord your G-d.<sup>3</sup>

Similarly, when talking about Pesach, the Torah writes:

את חג המצות תשמר שבועת ימים תאכל מצות אשר צויתך למועד חדש האביב כי בחדש האביב יצאת ממצרים.

The feast of unleavened bread shalt thou keep. Seven days thou shall eat unleavened bread, as I commanded thee, at the time appointed in the month *Aviv*, for in the month *Aviv* thou came out from Egypt.<sup>4</sup>

Each of these holidays is specifically tied to a historical event that is referenced in the text of the Torah itself. Shavuot, however, is never connected to a historical event. It is especially ironic, considering the fact that the defining moment for *Bnei Yisrael* as a nation occurred on Shavuot.

The *Kli Yakar* suggests that this is because Hashem did not want to limit *Matan Torah* to one specific day; every day one must feel as though he or she is receiving the Torah anew.<sup>5</sup> One must find *chiddushim* within Torah each day and act as excited about Torah as if it has just been given. This concept relates to the words we say in *Kriyat Shema* daily: והיה אם שמע תשמעו אל מצותי אשר: אנכי מצוה אתכם היום. Rashi comments, that the word '*hayom*' comes to add that the *mitzvot* should feel as though they are presented anew each day.<sup>6</sup> Had a specific date to celebrate the granting of the Torah been stated, it would curtail people's ability to experience the constant newness of the Torah.

Offering a different explanation, the Abarbanel understands that *Matan Torah* is not linked to its own holiday in the *pshat* because the Torah is testimony enough for itself; it does

<sup>3</sup> ויקרא כג:מב-מג

<sup>4</sup> שמות לד:יח

<sup>5</sup> כלי יקר ויקרא כג:טז ד"ה והקרבתם מנחה חדשה לה'

<sup>6</sup> רש"י דברים יא:יג ד"ה אתכם היום



not need a holiday to commemorate its existence and presentation to the nation.<sup>7</sup> Instead, Shavuot, also known as *Chag Hakatzir*, Holiday of the Harvest, in the Torah, is a holiday to rejoice in the harvesting of the year's produce and in agricultural success in *Eretz Yisrael*. Shavuot celebrates the end of the agricultural cycle, the time during which *Bnei Yisrael* reap the benefits of the hard work and labor invested in the process of planting and harvesting the grains. Similarly, although Sukkot is a holiday commemorating *Bnei Yisrael*'s journey of departing from Egypt, it is also called *Chag Ha'asif*, Holiday of the Gathering, for it also acknowledges an additional aspect of the agricultural cycle – gathering the produce into the homes.

Even though *Matan Torah* and the harvesting of produce seem to have nothing in common, Rav Eliezer Melamed, in *Peninei Halacha*, connects the two events.<sup>8</sup> Just as farmers literally harvest the fruits of their labor during *Chag Hakatzir*, so too, at *Matan Torah*, all of *Bnei Yisrael* 'harvest' the fruits of the labor of the *avot*, meriting to receive the Torah. The *avot* began their journey by discovering *Hashem* and remaining committed to Him; the enslavement of their descendants in Egypt continued the journey, ending climactically at *Har Sinai* when they accepted the Torah and became a nation. Going through the bitter enslavement of Egypt ripened the nation to receive the Torah and truly appreciate the freedom of being *ovdei Hashem*. The process is completed when *Bnei Yisrael* receive the Torah and are then able to fully worship Hashem. It is now up to us to continue the journey that *Bnei Yisrael* began at *Har Sinai* when they accepted the Torah, by continuing to live our lives according to the Torah and developing it without straying from the ways of our forefathers.

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<sup>7</sup> אברבנאל ויקרא כג

<sup>8</sup> פניני הלכה מועדים יג:ד



## The Mystery of the Inverted 'ו'

While reading through *Parashat B'halotcha*, one stumbles upon the strange backward 'ו' separating the last two *pesukim* from the rest of the *perek*. After listing the order of the *shevatim* in their travels, Moshe pleads with his father-in-law, Yitro, to join them. After Yitro declines the invitation, *Bnei Yisrael* travel from *Har Hashem* for three days. The *Aron* travels before them to seek rest for them; the cloud of Hashem is with them in their travels from the camp. Then, the *perek* ends with these *pesukim* that are bracketed off by the inverted 'ו':

וַיְהִי בְנֹסֶע הָאָרֶץ וַיֹּאמֶר מֹשֶׁה קֹמָה ה' וַיִּפְצוּ אוֹיְבֶיךָ וַיִּנָּסוּ מִשְׁנֹאֵךְ מִפְּנֶיךָ.  
וּבִנְחָה יֹאמֶר שׁוּבָה ה' רַבְבוֹת אֱלֹפֵי יִשְׂרָאֵל.

And it came to pass, when the *Aron* set forward, that Moshe said: 'Rise up, *Hashem* and let Your enemies be scattered; and let them that hate You flee from You.' And when it rested, he said: 'Return unto the ten thousands of the families of *Yisrael*.'<sup>1</sup>

These well-known *pesukim*, said when the *Sefer Torah* is removed from the *Aron* for the Torah reading and returned, both during the week and on Shabbat, appear quite out of place in their surrounding context. The *pesukim* that follow describe the events of the *Mitonanim*, the complainers, and Hashem's anger at them. The next incident that arises is that of the *Eiruv Rav* and their desire for meat. What is the meaning of the sequence of events recorded in the Torah? Why are these *pesukim* placed at this point? Why are there special markers indicating a separation from the rest of the *perek*?

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<sup>1</sup> במדבר י:לה

The Gemara discusses this issue:

ויהי בנסוע הארון ויאמר משה פרשה זו עשה לה הקב"ה סימניות מלמעלה ולמטה לומר שאין זה מקומה ... דתניא רשב"ג אומר עתידה פרשה זו שתיעקר מכאן ותכתב במקומה ולמה כתבה כאן כדי להפסיק בין פורענות ראשונה לפורענות שנייה פורענות שנייה מאי היא (במדבר י"א) ויהי העם כמתאוננים פורענות ראשונה (במדבר י' לג) ויסעו מהר ה' וא"ר חמא בר' חנינא שסרו מאחרי ה' והיכן מקומה אמר רב אשי בדגלים.

Hashem made signs above and below the portion of *vayehi binsoa Aron*, to show that this is not its proper place...It is taught in a *Beraita* by Rav Shimon ben Gamliel: 'In the future this portion will be uprooted from here and it will be written in its proper place. Why is this written here? It is in order to put a pause between the first calamity and the second. What is the second one? 'And the nation were like complainers' (*Bamidbar* 11:1). The first calamity is 'And they traveled from *Har Hashem* (*Bamidbar* 10:32). Says Rav Chama in the name of Rav Chanina: 'It means that they turned away from Hashem. What is the proper place for *vayehi binsoa haAron*, then? Says Rav Ashi: 'In the *pesukim* where it mentions the flags (of the *shevatim*).<sup>2</sup>

It appears that, according to this Gemara, these two *pesukim* are really not meant to be where they are written. These *pesukim* have been placed here, simply in order to act as a separation between the calamity of traveling away from Hashem and the incident of the *Mitonanim*. *Rashi* comments on the gemara's phrase, 'עתידה פרשה זו וכו'', that in the future, all of our calamities will be nullified, and we will not worry about them and our *yetzer hara*, evil inclination, will be nullified as well. It was because of our *yetzer hara* that we sinned in these scenarios and in the future when our *yetzer hara* will no longer affect us, these *pesukim* will be moved back to their proper place with the topic of the flags.

It is easy to understand that the episode of the *Mitonanim* is considered a sin, but what does it mean that traveling from

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<sup>2</sup>שבת קטז.

*Har Hashem* was a sin? Before answering this question directly, Rashi explains the words *ויהי בנסוע הארון* in his commentary on these *pesukim*:<sup>3</sup>

עשה לו סמניות מלפניו ומלאחריו, לומר שאין זה מקומו. ולמה נכתב כאן,  
כדי להפסיק בין פורענות לפורענות וכו' כדאיתא בכל כתי הקדש  
(שבת קטז א).

Rashi here quotes the aforementioned Gemara. However, he does not include the part of the Gemara that articulates what the *puraniyot*, punishments, specifically are. In the Gemara, Rashi comments on Rav Chama and Rav Chanina's explanation that traveling from *Har Hashem* meant that *Bnei Yisrael* turned away from Hashem:

מאחרי ה' – בתוך ג' ימים למסעם התאו האספסוף תאוה להתרעם על  
הבשר כדי למרוד בהקב"ה.

Rashi bases his interpretation of the sin of turning away from Hashem as the most other logical scenario given by the *pesukim*. He says that during the three days of their traveling, the *Eiruv Rav* had a desire to complain about the meat in order to rebel against Hashem.

However, his explanation does not flow smoothly with the order of the *pesukim* and he is forced to make an assumption. This seems consistent with *Rashi's* belief in the principle of אין מוקדם ומאוחר בתורה, there isn't always a chronological order to the Torah. However the Ramban disagrees, as he is a staunch defender of כל התורה כסדר, the Torah is primarily in chronological order unless the Torah specifically indicates otherwise, and this is no exception.

The Ramban begins by quoting *Rashi* and notices that he does not mention what the *puraniyot* were in his explanation here

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<sup>3</sup>רש"י במדבר י:לה

because it seems that there is no mention of *puraniyot* before *vayehi binsoa ha'aron*.<sup>4</sup> He mentions the Gemara and specifically focuses on Rashi's explanation of Rav Chanina's statement that they turned away from *Hashem*, that it is really talking about the *Eiruv Rav*'s desire for meat that supposedly happened during the three days of travel.

The Ramban finds this perplexing. Perhaps Rashi believes the events were not in order, and there is a hint that when they traveled from *Har Hashem*, the *Eiruv Rav* already want to complain.

The Ramban, though, rejects this explanation. Instead, he quotes the Midrash that when *Bnei Yisrael* travel from *Har Sinai*, they do so with joy, like the way a small child runs away from school, since they do not want to receive more *mitzvot*.<sup>5</sup> Their desire to transport themselves away from *Har Hashem* and this is the first calamity.

The purpose of the separation is to see to it that there would not be three calamities in a row connected to each other – a *chazakah* in calamities – a permanence that is established when an event is repeated three times. Traveling from *Har Hashem* is considered a sin and a tragedy even though they do not receive any punishment. Perhaps were it not for their sin, they would have entered the land immediately.

The Ramban's explanation for *vayehi binsoa ha'aron* has a brilliant simplicity and is consistent with his overall approach on Chumash.

He keeps in line with the Gemara's opinion that the first calamity is running from *Har Hashem* without trying to fit in any other assumptions. He quotes a *midrash* that is consis-

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<sup>4</sup>רמב"ן במדבר י:ל"ה

<sup>5</sup>ילקוט שמעוני- ח"א רמז תשכ"ט

tent with this idea and maintains his principle of כל התורה בסדר by explaining that the *Eiruv Rav*'s desire for meat is a separate calamity that happens afterward. The Torah wants to put a break between what would be three calamities in a row.





## ברוך שככה לו בעולמו

One of the themes found throughout *Tanach* is the concept of beauty, specifically regarding people. יפה מראה and יפה תאר are terms commonly used to characterize beautiful people, and these descriptors are not gender specific. Interestingly, the individuals illustrated as beautiful are among the most spiritual and least physically-oriented. If everyone considers them to be objectively beautiful, then their beauty must be deeper than appearance, given that physical beauty is subjective. Beauty, as witnessed by many and understood by few, begs further analysis.

The first beautiful person introduced in *Tanach* is Sarah *Imeinu*, referred to as an אשה יפת מראה.<sup>1</sup> She is also described as possessing the youthful looks of a seven year old.<sup>2</sup> She is nicknamed יסכה because, הכל סוכין ביפה, everyone spoke about her beauty.<sup>3</sup> Sarah undoubtedly had physical beauty, as demonstrated by the need for Avraham put her in a box to hide her from Pharaoh and the Egyptians so that they would not see her apparent beauty and take advantage of her.<sup>4</sup> However, she is not merely praiseworthy for her looks; her external self reflects her internal self. The manner in which she carries herself and leads her followers made her attractive to the point that people speak about her with awe and admiration.

The Gemara states that there are four beautiful women in the world: Avigayil, Rachav, Sarah, and Esther.<sup>5</sup> What these

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<sup>1</sup> בראשית יב:יא

<sup>2</sup> בראשית רבה נח א

<sup>3</sup> מגילה יד

<sup>4</sup> בראשית רבה מ:ה

<sup>5</sup> מגילה טו

women have in common is that they utilize their physical beauty to positively influence people, reflecting the true beauty within each of them.

In *Sefer Yehoshua*, Rachav is introduced as a *zona*, prostitute.<sup>6</sup> Although she is initially described as a harlot, she uses her beauty to help save the two spies, Kalev and Pinchas, who seek shelter in her home. Perhaps her beauty is what attracts them to her house in the first place. As a prostitute, with men constantly coming in and out of her home, she's privy to a large amount of confidential information. When the king of Yericho inquires as to whether she has seen the two spies who sought shelter in her house, she informs him they have already left, and the king believes her.

Although the *pesukim* do not explicitly mention her beauty, Chazal recognize her as one of the four most beautiful women. Despite starting off as a prostitute, Rachav repents and is ultimately grouped with three other incredible role models. In addition to marrying Yehoshua, she merits a long line of important descendants, including eight *nevi'im*, who were also *kohanim*.<sup>7</sup> Only a woman with genuine internal beauty could reach such a level.

The third of the four most beautiful women is Avigayil. In the introductory *pesukim*, she is described as **יפת** and **טובת שכל** – brilliant and beautiful.<sup>8</sup> Avigayil is stuck in a terrible marriage to Naval, but eventually is able to extricate herself. Her beauty is supplemented by her wisdom; when David's servants approach her after they are turned away by her husband, she secretly gives them food and drink without consulting him first.<sup>9</sup>

<sup>6</sup> יהושע ב:א

<sup>7</sup> מגילה יד

<sup>8</sup> שמואל א כה:ג

<sup>9</sup> שמואל א כה:יח

Avigayil's beauty is such that men are aroused just by thinking about her.<sup>10</sup> David Hamelech is drawn to her and eventually marries her.<sup>11</sup> A fair assumption is that he did not just marry her for her looks; David was impressed by her acts of *chessed* and understood the incredible beauty that lies beneath the surface.

Esther Hamalka is the fourth beautiful woman mentioned in the Gemara. The *pasuk* similarly describes her as יפת יפת מראה and תאר, the most common phrases used to portray biblical beauty.<sup>12</sup> Specifying that Esther is not exceptionally gorgeous, the Gemara explicitly states that there is nothing that set her apart looks-wise. On the contrary, she has green skin, possibly understood as pale skin, and is of average height.<sup>13</sup> Yet, there is something about her that attracts Achashverosh, and she finds favor in everyone's eyes.<sup>14</sup> Even though it is possible that she has lovely features, that is not what makes her noticeable in the crowd of women. Her body is a conduit which allowed her essence to shine through; she is internally beautiful and carries herself in such a way that emanates beauty and calls for respect.

Aside from the four women mentioned in the Gemara, there are other women in the Torah, described as beautiful. Tamar, for example, is נאה ביותר.<sup>15</sup> On the surface, she seems to use her beauty negatively by posing as a prostitute and enticing Yehuda. However, her intentions are entirely pure. Two of Yehuda's sons die after she marries them, and, fearing that this

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<sup>10</sup> מגילה טו

<sup>11</sup> שמואל א כה:מב

<sup>12</sup> אסתר ב:ז

<sup>13</sup> מגילה יג

<sup>14</sup> אסתר ב:טו

<sup>15</sup> מדרש הגדול בראשית לח:ז

will happen to the third, Yehuda does not allow Tamar to marry his third son. Consequently, Tamar decides that intimacy with Yehuda is the only way to carry on his family name. At the risk of her own humiliation, Tamar dresses as a harlot to implement her plan.

Rashi posits that there is a similarity between this story and the story of Potiphar's wife, who tries to seduce Yosef. He explains that both of these women have pure intentions.<sup>16</sup> Potiphar's wife sees in the stars that a line of descendants born from her and Yosef, not realizing that these children would instead come from her daughter, who would ultimately marry Yosef. Perhaps this juxtaposition also highlights the similarities between Tamar and Yosef: they both possess exquisite beauty and do not get caught up in the physicality of it, thus enhancing their beauty.

Yosef Hatzadik, a יפה תאר ויפה מראה, inherits his mother, Rachel's, beauty.<sup>17</sup> The *Zohar* states that anyone who sees him immediately falls in love with him.<sup>18</sup> But Yosef's appearance is not the cause of his brothers hatred; rather, his father's obvious favoritism and Yosef's apparent youthful arrogance arouses the brothers' contempt. Once in Egypt, Yosef finds favor in the people's eyes and becomes a beloved second-in-command to the king, his ideas and insights well-received. There is only one instance in which Yosef does not use his beauty positively. While his father is mourning his supposed death, Yosef is busy curling his hair.<sup>19</sup> Rashi explains that while the act of curling one's hair is not inherently bad, Yosef's timing angers Hashem, incurring

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<sup>16</sup> רש"י בראשית לט:א

<sup>17</sup> בראשית לט:ו

<sup>18</sup> זהר ח"ב עד

<sup>19</sup> בראשית לט:ו

punishment. Overall, Yosef does not generally get caught up in his physical beauty. On the contrary, he pushes away Potiphar's wife when she tries to seduce him. Yosef has profound external beauty that he makes sure to maintain by curling his hair, while retaining the inner beauty that makes him an admirable person. The language used to describe Yosef's beauty directly parallels the way the *pasuk* describes Esther's beauty: יפת תאר ויפת מראה. Esther and Yosef are similar in that they both use their beauty to lead and save the Jewish people and positively impact those around them.

Another paradigm of a beautiful ruler is David Hamelech. The *pasuk* describes him as an עינים וטוב רואי.<sup>20</sup> On the simplest level, he has beautiful eyes. Alternatively this may mean that he has an eye for the people; he understands each person's needs and seeks to help them. This is an important trait for a true leader, as this is the way to gain the trust of the masses. Perhaps his beautiful eyes also enable him to see past Avigayil's external beauty and experience the true beauty that lies within her. The *pesukim* do not dwell on David's looks, so it is possible that he is not as handsome as is mentioned earlier. However, he shares the same internal beauty and uses it to become an effective king and leader.

Shaul Hamelech, on the other hand, seems to be the opposite of David to a certain extent. When he is first introduced, the *pasuk* reads, טוב ממנו משכמו ומעלה גבה מכל העם.<sup>21</sup> He is so beautiful that all the women speak about him and love to gaze at his beauty.<sup>22</sup> The *pasuk* focuses on his external appearance, as opposed to the focal point of David's physical descrip-

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<sup>20</sup> שמואל א טו:יב

<sup>21</sup> שמואל א ט:ב

<sup>22</sup> ברכות מט

tion. Based on the words, "אין איש מבני טוב ממנו", one might think that no one is better than Shaul in any respect. Therefore, the *pasuk* seemingly goes out of its way to qualify this statement by adding in "משכמו...", implying that his greatness is limited by his external beauty. The Malbim states that when Shaul is first chosen as the king, his *middot* paralleled his exquisite looks. However, in his second year of *malchut*, Shaul begins to exhibit haughtiness, which can likely be attributed to his physical beauty.<sup>23</sup> Shaul disobeys Hashem's commands, and only after much negotiation, finally admits that he sinned.

Shaul has two sides: an Esther side, which manifests itself throughout his first year of kingship, and a haughty side, which manifests itself throughout his second year. Haman is only alive because Shaul fails to listen to Hashem in sparing Agag, Haman's ancestor. In Shaul's second year, his fatal flaw is his excessive confidence, marking the downward trajectory of mistakes and failures. He feeds into the peer pressure from the people, and he leads based on what others want, even if the actions are not necessarily in accordance with Hashem's will. Esther, like Shaul, possesses tremendous beauty, correcting Shaul's failures, quashing haughtiness with humility. Her humility brings out her true internal beauty that makes her a great leader and role model, the actualization of Shaul's potential.

Avshalom, David's son, is described with the same tone used regarding Shaul. His description of beauty is not akin to "יפה מראה" or "יפה תאר", it is purely physical. The *pasuk* reads, "וכאבשלום לא היה איש יפה בכל ישראל להלל מאד מכף רגלו ועד קדקדו לא היה בו מום".<sup>24</sup> The *Gemara Sotah* states that there are five people created in the image of Hashem, and each one's downfall is brought about by

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<sup>23</sup> שמואל א ט:ב

<sup>24</sup> שמואל ב יד:כה

this aspect of heavenly beauty.<sup>25</sup> Avshalom, as one of these five, is a prime example. He is haughty with his hair, and therefore he is ultimately hung by his hair.<sup>26</sup> Avshalom rebels against his father, David, and subsequently, runs away. Eventually, his hair is caught in a tree, trapping him. Shortly after, Yoav's soldiers kill him there.<sup>27</sup> Avshalom does not utilize his beauty to positively impact those around him. His beauty is limited by the physicality about which he consistently remains haughty, manifesting itself in his attitude of entitlement. The hair that he takes so much pride in eventually brings about his tragic downfall.

Throughout *Tanach*, there are different examples of kings, some who are more successful and some who do not fulfill their potential, as depicted in the differences between David and Shaul. The Navi tells us: מֶלֶךְ בִּפְנֵי תַחֲזִינָה עֵינֶיךָ. Your eyes should gaze at the king's beauty.<sup>28</sup> The exact meaning of this statement is ambiguous, since external beauty is subjective, making it difficult for everyone to agree on a king that they decide is beautiful to gaze upon. However, this description is later qualified in the Gemara where it says that a king must get a haircut every day, quoting the *pasuk* from Yeshaya mentioned above.<sup>29</sup> Additionally, a *kohen gadol* must get a haircut once a week. These specifications ensure that both of these leaders possess an internal beauty by virtue of the fact that they serve Hashem and radiate their beauty outwards. Similarly, Yosef curls his hair when he is second to the king in Egypt, as mentioned earlier.

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<sup>25</sup> סוטה י.

<sup>26</sup> סוטה י:

<sup>27</sup> שמואל ב יח:ט

<sup>28</sup> ישעיה לג:ז

<sup>29</sup> סנהדרין כב:





integrity, congruence, and elegance. The characters in *Tanach* who are described as beautiful certainly possess most, if not all, of these admirable qualities.



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# מחשבה ומעשה

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## An Elitist Nation:

### Seven vs. 613

The *Sheva Mitzvot Bnei Noach*, otherwise known as the Seven Noachide Laws, are commandments G-d gave to the non-Jews. According to the *Gemara Sanhedrin*, G-d gave these laws to Adam *HaRishon* and proceeds to find their biblical origins.<sup>1</sup> Rambam discusses that six of the seven laws were given to Adam and were passed down through the generations. They are called The Noachide Laws because during the generation of Noach, the law of “*ever min ha'chai*,” the prohibition of eating limbs from live animals, was added, completing the list of obligations.

The different levels of responsibility between the Jews and non-Jews creates a large distinction between them. In *Aleinu*, we say that we are yearning for the time that all mankind will recognize G-d's existence. It is written, “Therefore we put our hope in You... to perfect the universe through the sovereignty of the Almighty... and all of humanity will call upon Your Name.” Service of G-d exists within the foundation of human beings – Jews and non-Jews alike. However, the Jews have a special role in facilitating this perfection of mankind. This difference of roles is a result of the universalistic and pluralistic properties of the Jewish faith. The Sinaitic Covenant, directed towards the Jewish nation, and The Noachide Code, which instills morality within the non-Jewish peoples.<sup>2</sup>

When King Shlomo built the *Beit Hamikdash*, he specifically asked G-d to make it a universal center for spirituality and

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<sup>1</sup> סנהדרין נז:

<sup>2</sup> ראה *Rav Bleich, Tikkun Olam: Jewish Obligations to Non-Jewish Society*

to listen to the prayers of non-Jews.<sup>3</sup> The Ralbag says that it functions as a place to which non-Jews can come and pray whenever they desire.<sup>4</sup> On the holiday of Sukkot, Jews would sacrifice seventy *korbanot* which corresponded to all the nations. Yishayahu even referred to the *Beit Hamikdash* as the “House for all Nations.”<sup>5</sup>

The Midrash comments that if the Romans fully understood the extent to which they were benefitting from the *Beit Hamikdash*, they would have appointed officials to protect it.<sup>6</sup> The Gemara in *Sukkah* writes that it is unfortunate that the non-Jews lost this great treasure, and even more unfortunate that they did not truly realize its significance.<sup>7</sup> This implies that all nations have the ability to serve and connect to G-d.

Yet, the Jews are singled out as the “chosen” nation; they are put on a pedestal by G-d. Why is a Jew better than any other human being? Why do we need to be an elite group, the *Am Segula*? Even if each of the seven categories includes other aspects of that law, as Rabbi Dr. Aaron Lichtenstein<sup>8</sup> describes when he expands the seven laws to sixty-six,<sup>9</sup> why aren’t the other nations commanded to observe all six-hundred thirteen commandments?

Rav Hirsch explains that Jews are fundamentally different.<sup>10</sup> Just as mankind is given reason and intelligence, which separates them from the animal species, so too, Jews are created

<sup>3</sup> מלכים א, ח:מא-מג

<sup>4</sup> מלכים א ח:מא

<sup>5</sup> ישעיהו נז:ז

<sup>6</sup> במדבר רבה פרק א חלק ג

<sup>7</sup> סוכה נה:

<sup>8</sup> הערה: .Not to be confused with Rav Aharon Lichtenstein of Yeshivat Har Etzion

<sup>9</sup> ראה .Aaron Lichtenstein, *The Seven Laws of Noah*

<sup>10</sup> ראה .Rav Hirsch, *The Nineteen Letters, Tenth Letter*

with metaphysical qualities which separate them from the rest of humanity, thereby enabling them to fulfill their purpose.

The Jewish nation seems to be chosen for proprietary reasons; chosen in order to be subservient to G-d and perform His command. Even the word “chosen” connotes a degree of elitism, that it was G-d’s unilateral choice to designate us as His nation, rather than everyone else. On the other hand, “choice” implies that there was a possibility to have an alternative outcome. Although these other options were not optimal, they were feasible.

This approach can be seen in the *Sifrei*. Commenting on Moshe’s recount of *Ma’amad Har Sinai*, the *Sifrei* notes that there had not been any previous mention of G-d’s divinity at *Seir* or *Parah*, but now there was. Therefore, an allusion is brought in order to make sense of this discrepancy in the text. G-d is described as not only revealing himself to the Jews, but also to all the nations of the world. He first went to the descendants of *Edom*, the progenitor of Esav, and asked if they would accept upon themselves the Torah. They asked what was included within it, to which G-d responded “*lo tirtzach*,” the prohibition to kill. They rejected this covenant, since the whole essence of Esav is comprised of murder, referencing his distinct, skillful hands<sup>11</sup> and Yitzchak’s *bracha* to him.<sup>12</sup>

Next, G-d went to *Amon* and *Moav* and did the same, this time informing them that the Torah entails refraining from adultery. They responded that illicit relationships were at the foundation of their nation, referencing the establishment of their nation with B’not Lot, thereby, rejecting the covenant as well.<sup>13</sup> G-d, subsequently, went to the descendants of Yishmael, asked if they would accept the Torah, informing that them that it included the prohibi-

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<sup>11</sup> בראשית כז:כב

<sup>12</sup> שם כח:ז

<sup>13</sup> שם י:לו

tion to steal. They rejected the offer because the essence of their religion is stealing, as is written, “He shall be a wild man.”<sup>14</sup> G-d went to every nation and none of them could keep the *Sheva Mitzvot Bnei Noach*, let alone all six-hundred thirteen. Therefore, G-d “removed” these commandments and placed them onto the Jews.<sup>15</sup>

According to this *midrash*, choosing *Bnei Yisroel* was not actually a choice. G-d went to every nation, pleading for them to accept His Torah and was repeatedly rejected; only the Jews accepted His commandments. In this light, it would seem incorrect to discuss the Jews as the “chosen” nation, since they were actually the ones that chose Him.

However, this *aggadic* text is hard to take literally, especially because a close analysis of prophetic relationships make it difficult to believe that G-d spoke directly to all the nations.<sup>16</sup> Rather, it can be understood as a constructive thought process. *Edom* could not possibly receive this moral code, since they were incapable of refraining from murder. Additionally, *Amon* and *Moav* were not viable because of their proclivity for sexual relationships. Similarly, *Yishmael* is unable to support itself without using others in immoral ways. *Bnei Yisroel* was the only nation capable of upholding the six-hundred thirteen commandments, and, therefore, G-d “chose” them. Since G-d knew the nature of His creations, He knew, from the beginning, that only the Jews were destined to receive the Torah.

Both the *Gemara Bava Kama*<sup>17</sup> and the *Gemara Avoda Zara*<sup>18</sup> pick up on this use of language in the *midrash* and discuss

<sup>14</sup> שם טז:יב

<sup>15</sup> דברים לג:ב

<sup>16</sup> ראה *Rav Bleich, Tikkun Olam: Jewish Obligations to Non-Jewish Society*

<sup>17</sup> בבא קמא לח.

<sup>18</sup> עבודה זרה ב:



the extent to which G-d “released” these commandments from the non-Jews. The Gemara concludes that G-d’s “releasing” means that the non-Jews do not receive rewards that are associated with that *mitzvah*. Nevertheless, Rambam believes that any non-Jew who takes these seven commandments upon himself because of their Divine origin, is considered to be one of the *chasidei umot ha’olam*, righteous of the world, and has a spot in *Olam Haba*.<sup>19</sup>

An alternate approach to the Jews’ chosenness is presented by the Rambam. He explains that this question regarding the reason G-d revealed Himself to one particular nation is unanswerable to humans. Man is only able to say that “[G-d] willed it so; or His wisdom decided so.”<sup>20</sup> Either, this choice was G-d’s will, or the product of His wisdom, however, human intelligence can never truly discern which is the truth. Rambam is clearly content with accepting the fact that this election of the chosen nation was a decision of the Divine will, as only one nation is required to transmit this message to mankind. Perhaps, this mitigates the difficult issue of the Jews’ appointment, as opposed to the other nations. On the other hand, though, if G-d deliberately chose the Jews, then it is pointless to even ask “Why the Jews?” since we will never be able to reach a satisfying answer.

G-d needed to single out a specific nation in order to keep His message alive by spreading it to all of humanity. Chazal teach:<sup>21</sup>

Beloved is man for he was created in the image [of G-d].  
It is indicative of greater love that it was made known to  
him that he was created in the image [of G-d], as is said  
‘For in the image of G-d did he make man.’<sup>22</sup>

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<sup>19</sup> רמב"ם, הלכות מלכים, ח:יא

<sup>20</sup> רמב"ם, מורה נבוכים, ב:כה

<sup>21</sup> אבות ג:יד

<sup>22</sup> בראשית ט:ו

The *Tosfot Yom Tov* explains that non-Jews are beloved because they have the capacity to follow G-d's will. Therefore, it is the Jewish Nation's responsibility to be a source of inspiration for the other nations of the world, to convince them to desire G-d. Their purpose is the fulfillment of the Divine mission, and, therefore, we have an obligation to make sure G-d is served by all His creatures.

Although G-d's designation of a nation to spread His will to mankind is crucial, this does not deny non-Jews a role in the service of G-d. Every human is created "*b'tzelem Elokim*," in G-d's image.<sup>23</sup> Therefore, they, too, were given the God-like qualities that allow humans to perform G-d's will. Rashi<sup>24</sup> elaborates on this connection. He says that since we were all created in G-d's image, it is our responsibility to follow His guidelines. All of humanity participates in the "image of G-d". Despite the fact that Jews were chosen to accept the burden of all six-hundred thirteen commandments, along with the responsibility to be a light to the world, the capability of the other nations to serve G-d is not diminished.

Rav Hirsch highlights the distinction between Jews and non-Jews, in addition to the inherent connection between each human being. In a speech<sup>25</sup> in 1859, he was recorded saying:

The Jewish mind understands that the law of Judaism was intended only for the sons and daughters of Avraham as the G-d-ordained norm for the nation that has been chosen as a nation of priests, as consecrated torchbearers of the truth that is destined to redeem all of mankind. But the Jewish mind also understands that truth as such, that justice, that enlightenment and that

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שם<sup>23</sup>

אבות, גיד<sup>24</sup>

<http://www.jewishpress.com/blogs/a-banner-raised-high/like-it-or-not-the-seven-noachide-laws-are-still-pending/2013/10/13> ראה<sup>25</sup>

moral civilization are intended to be the heritage of all to whom G-d has given breath on earth.

Does a non-Jew need *kavanah*, intention, in order to fulfill the *Sheva Mitzvot Bnei Noach*? For example, can the establishment of a secular court fulfill the *mitzvah* of *dinim*, setting up a court system, if it was not for the purpose of the *Sheva Mitzvot*?

While it is interesting to note that historians are led to believe that Hammurabi, Hittite, and Assyrian legal codes may have been based off of these laws, it seems as though there must be some degree of *kavanah* in order to have one's actions fulfill these seven laws. The Rambam writes that a non-Jew can only be considered one of the *chasidei ha'olam* if he has fulfilled these commandments with a conscious recognition that they were given to him by G-d.<sup>26</sup> Rabbi Yaakov Emden agrees that non-Jews only fulfill these laws if they each individually accept the command and understand that they were revealed by G-d.<sup>27</sup> Therefore, the modern societies that are called "civilized" because they have established a moral code of conduct, are not fulfilling the command of *dinim* unless they consciously kept that purpose in mind.

As the Chosen Nation, we are required to spread G-d's message to all of mankind. However, how far does this responsibility go? Is one required to actively teach non-Jews the Seven Noahide Laws and make sure they fulfill them, or merely lead by example, hoping that they will come to their own realization?

While Jews are held accountable for their fellow Jew's misconduct, under the concept of "*areivut*," this does not include non-Jews. Jewish responsibility towards non-Jews is merely to engender an acceptance of the *Sheva Mitzvot Bnei Noach*.<sup>28</sup>

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<sup>26</sup> רמב"ם, הלכות מלכים, ח"א:

<sup>27</sup> ראה Katell Berthelot, Matthias Morgenstern, *The Quest for a Common Humanity: Human Dignity and Otherness in the Religious Traditions of the Mediterranean*, p. 8

<sup>28</sup> ראה Rav Bleich, *Tikkun Olam: Jewish Obligations to Non-Jewish Society*

The *Sefer Chasidim* explains this sentiment. If one sees a non-Jew transgressing one of the seven and is able to stop them, he or she should. After all, Yona was sent to Ninveh in order to help them improve their actions.<sup>29</sup> However, preventing them from violating their Seven Commandments seems as though it would just be an act of piety, since there is no obligation to do so. Rabbeinu Yerucham does not even acknowledge this responsibility to stop a non-Jew from transgressing his obligations.<sup>30</sup>

Although there is not an outright obligation to teach the non-Jews, nonetheless, it is important to educate them. Ignorance is not an excuse, as evidenced by the Gemara in *Makkot*.<sup>31</sup> The Gemara explains that a non-Jew is held accountable for not upholding these laws, since he didn't take advantage of the opportunity to study.

Such a possibility, however, is only feasible if there are teachers willing to teach. The *Chatam Sofer* posits that if a non-Jew asks a question, there might be an obligation to answer, just as a father or elder has a responsibility to respond to a question of a youth.<sup>32</sup>

Rav Nissim Gaon also asks this question. How is it fair to punish people that are not fully accountable for their actions? Had they been warned, perhaps they would have heeded G-d's command! He suggests that these laws are logical and reasonable, and, therefore, have been delegated to humans since the time of Adam.<sup>33</sup>

<sup>29</sup> ספר חסידים, חלק 1124

<sup>30</sup> נתיב יד, הלכה ז

<sup>31</sup> מכות ט:

<sup>32</sup> חתם סופר, חושן משפט, קסד

<sup>33</sup> רב ניסים גאון, הקדמה לגמרא

On the other hand, perhaps the Jewish role in the world is to merely be an example to the non-Jews. Rav Jacob Ettlinger says that the goal is to have the “illuminating light” of Torah cover the whole world bit by bit. Although the Jews are meant to be this “light unto the nations,” leading by example, there is no indication that they have an active role in ensuring that this goal is achieved.<sup>34</sup> The *Netziv* discusses the importance of translating the Torah into all seventy languages.<sup>35</sup> Rav Ettlinger makes an important distinction. He writes that Torah is meant to be accessible to everyone, therefore, it is translated into seventy languages. However, it is not required to be taught.<sup>36</sup> Similarly, Rav Hirsch believes that non-Jews have the ability to achieve the sole purpose of creation, and, ultimately, all of mankind will fulfill the Divine plan. Until that happens, however, the Jews merely serve as an example to the world.<sup>37</sup>

Rambam explains the importance of non-Jews adhering to their seven laws. He writes that Moshe was told to convince the other nations to accept this code.<sup>38</sup> Similarly, he rules that the Jews cannot make a peace treaty with non-Jews in Israel until they are “subject to our jurisdiction,” “*tachat yadeinu*,” and accept these seven commandments, which include the removal of idolatry.<sup>39</sup> Subsequently, Rambam writes that the *Beit Din* must establish a judiciary branch in order to enforce these laws.<sup>40</sup>

<sup>34</sup> ראה .Rav Yaakov Ettinger, *Minchat Ani, Parshat Bamidbar*

<sup>35</sup> נצי"ב, קדמת העמק

<sup>36</sup> ראה .Rav Yaakov Ettinger, *Minchat Ani, Parshat Bamidbar*

<sup>37</sup> ראה 613 .Rav Hirsch, *Horeb: A Philosophy of Jewish Laws and Observances*, no.

<sup>38</sup> רמב"ם, הלכות מלכים, ח:י

<sup>39</sup> רמב"ם, הלכות מלכים, ח:ט

<sup>40</sup> רמב"ם, הלכות מלכים, י:יא

This Rambam is difficult to understand. At first glance, it seems as though the Jews have a direct responsibility to educate the non-Jews and ensure that they practice these laws. However, the *Maharatz Chayut* has a different reading of this text. He believes that the Rambam was actually discussing the importance of a judiciary in enforcing these seven commands. An individual has no such responsibility.<sup>41</sup> Perhaps according to the *Maharatz Chayut*, Moshe was meant to convince non-Jews to practice, but that would be the highest degree of individual responsibility to which the *Maharatz Chayut* would concede. Many *Rishonim*, including the Ravad and Ramban, agree with this reading of the Rambam, believing that there is no individual responsibility in this matter.

Rav Soloveitchik reflects on the Lubavitcher Rebbe's feelings towards ensuring the fact that non-Jews abide by The Noachide Laws. He writes, "Our task was and still is to teach the Torah to mankind, to influence the non-Jewish world, to redeem it from an orgiastic way of living, from cruelty and insensitivity, to arouse in mankind a sense of justice and fairness. In a word, we are to teach the world the seven *mitzvot* that are binding on every human being."<sup>42</sup>

This topic is obviously not clear cut and is difficult to discern in contemporary western civilization, which is more liberal than halacha, especially in a time where Judaism and secularism interact on a daily basis. As new issues arise in society, the questions only grow stronger. Maybe we should be lobbying and writing political statements in efforts to have the secular law mesh with that of the Noachides. Is it our responsibility to fight against laws concerning homosexual relationships and abortion, for example? Perhaps our role right now is to set an example to the

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<sup>41</sup> מהר"ץ חיות, שו"ת ב

<sup>42</sup> ראה 182, *Abraham's Journey: Reflections on the Life of the Founding Patriarch*, p. 182

other nations, demonstrating our morality and close community. This dichotomy does not have a simple solution, and, as we try to improve our moral environment, these are the questions with which each individual is going to have to grapple.





## מה טובו אהלך יעקב

Throughout *Parshat Balak*, Bilam makes several attempts at cursing the Jewish nation. Each time Hashem intercedes, and Bilam ends up blessing Bnei Yisrael four times.

On his third attempt at cursing Bnei Yisrael, Bilam ascends to the top of Mount Pe'or, a vantage point overlooking the entire camp. When he sees the camp, the *pasuk* says, "Bilam saw that it pleased the Lord to bless Israel; so he did not go in search of omens as he had done time and time again."<sup>1</sup> This is the first time Bilam sees the entire camp and something about the perspective causes him to stop trying to curse Bnei Yisrael.

At this point, he utters his most famous phrase, "How goodly are your tents, O Jacob, your dwelling places, O Israel!"<sup>2</sup> This phrase is incorporated into our *tefillot* and appears at the beginning of Shacharit as the *tefillah* one should say when entering the *beit kneset*.

In Rav Amram Gaon's *siddur*, it says: "when you enter the *beit kneset* say, מה טובו אהלך יעקב משכנותך ישראל. ואני ברב חסדך אבא ביתך, אשתחוה אל היכל קדשך ביראתך. Rav Amram Gaon's *siddur* is the oldest known *siddur*, so clearly reciting מה טובו upon entering a *beit kneset* is an old practice. However the *Mishnah Berurah*<sup>3</sup> says that before entering the *beit kneset*, when one is still in the courtyard, one should say ברגש נהלך באלקים.<sup>4</sup> He then adds that one should say, ואני ברב חסדך אבא ביתך אשתחוה אל היכל קדשך ביראתך, as well.<sup>5</sup> The phrase מה טובו is not mentioned.

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<sup>1</sup> במדבר כד:א

<sup>2</sup> במדבר כד:ה

<sup>3</sup> משנה ברורה הקדמה לסי' מ"ו

<sup>4</sup> תהילים נה:טו

<sup>5</sup> תהילים ה:ח

Perhaps the *Shulchan Aruch* and the *Mishnah Berurah* omitted *מה טובו* because the Maharshal comments that since Bilam spoke the words intended as a curse, it is utterly forbidden to say *מה טובו* during *tefillah*.<sup>6</sup> Why, then, is it common practice to recite *מה טובו* on a daily basis? Rabbi Norman Lamm proposes that *מה טובו* reflects an aspect of the personality of a Jew and his religious character. As a Jew, one tries to find the good in all evil. Bilam's true objective was to say "May you not have any *batei kneset* and *batei midrash*." This was taken and re-molded into the blessing of *מה טובו* which is said when one enters those *batei kneset*.<sup>7</sup>

Rav Baruch HaLevi Epstein in *Torah Temimah* quotes the *Gemara Sanhedrin* 105b which states, "Rav Abba bar Kahana says 'All of them [the *brachot* of Bilam] reverted to a curse, except the *bracha* of *batei kneset* and *batei midrash* [מה טובו], for it is written, 'But Hashem turned the curse into a blessing for you, because Hashem loves you.'"<sup>8</sup> All of the *brachot* that Bilam ultimately said were never really actualized, apart from the *bracha* of *מה טובו* which came true because it refers to Bnei Yisrael's *batei kneset* and *batei midrash*.<sup>9</sup>

Why did this *bracha* come true as opposed to any other? In *Tehillim*, it says, *אהבתי כי ישמע ה' את קולי תחנוני*, Hashem loves the sound of our *tefillot*.<sup>9</sup> Additionally, the *Gemara* in *Pesachim* asks, "When is the nation of Israel most beloved in Hashem's eyes? When we say our *tefillot*."<sup>10</sup> Moreover, the *Gemara Brachot* maintains that one's *tefillot* are heard best when in the *beit kneset*, because Hashem's *Shechinah*, presence, dwells there.<sup>11</sup> Hashem

<sup>6</sup> מהרש"ל תשובה סד

<sup>7</sup> ראה *Lamm, Rabbi Norman. Derashot Ledorot: A Commentary for the Ages*

<sup>8</sup> תורה תמימה במדבר פרק כד פסוק ה

<sup>9</sup> תהילים קטז:א

<sup>10</sup> פסחים דף קיה

<sup>11</sup> ברכות דף ו

loves the *tefillot* of Bnei Yisrael so much that He brought this *bracha* of מה טובו into fruition, establishing it as everlasting.

Another reason one says מה טובו before entering the *beit kneset* is because of its reference to *mishkinotecha*. The *Gemara Megillah* explains that nowadays, in exile, Hashem dwells in our *batei kneset*, which are like mini *batei Mikdash*.<sup>12</sup>

Rav Kook<sup>13</sup> explains the significance of the two forms of shelter that Bilam references: the *Ohel*, tent, and the *Mishkan*. He explains that both of these are temporary forms of shelter, but they differ from each other in one major way: the tent is inherently connected to the state of travelling, whereas the *Mishkan* is associated with the rest in between each journey. Rav Kook links this to the soul and spiritual growth. The tent corresponds to the aspiration for constant growth. On the other hand, the *Mishkan* represents the state of calm and the rest taken in order to ensure the overall journey is successful. One requires both the growth and the rest to enable himself to advance and grow, and he must bear that in mind before beginning to pray.

Lastly, the Maharsha explains the *Gemara Sanhedrin* 105b, saying that a tent is where a person goes to distance himself from the day to day business of the world, a practice most famously employed by Yaakov, who was *yoshev ohalim*, a person who dwelt in tents. *Tefillah* is an opportunity for a person to go to the proverbial tent of G-d and focus on what he wants to request of Hashem without the distractions of his daily life - to go to a place where everyone can pray together, where Hashem's *Shechinah* dwells, and a place where we can truly express ourselves before Him. This is the ultimate message of מה טובו and the reason why one says it just before entering His *ohel* – the *beit kneset*.

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<sup>12</sup> מגילה דף כט

<sup>13</sup> עולת ראיה חלק א עמ' מב-מג



## ***The Trolley Problem***

The Trolley Problem is a thought experiment originally proposed by Philippa Foot in 1967 and is explained as follows.

There is a runaway trolley barreling down the railway tracks. Ahead, on the tracks, there are five people tied up and unable to move. The trolley is headed straight for them. You are standing some distance off in the train yard, next to a lever. If you pull this lever, the trolley will switch to a different set of tracks. However, you notice that there is one person on the side track. You have two options: (1) Do nothing, and the trolley kills the five people on the main track. (2) Pull the lever, diverting the trolley onto the side track where it will kill one person. Which is the correct choice?

This problem has primarily been studied through the lens of philosophy. This paper, however, shall attempt to discuss this problem from a United States legal perspective as well as from a halachic standpoint.

From a United States legal view, not pulling the lever is the “safer” option. Not taking an action that one has no duty to fulfill is not punishable according to judicial law. This concept exempts an innocent bystander<sup>1</sup> (as is assumed by the Trolley Problem) from charges of *Duty to Rescue* or negligence.

One who pulls the lever, however, may also be protected by the law. Although he likely would face charges of manslaughter, the concept in Criminal Law called *Necessity* may be used as a justification<sup>2</sup>. The defense of *Necessity* argues that the accused’s

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<sup>1</sup> This, however, would not exempt an employer of the railroad company if employees were on the track. An employer, under Common Law has an obligation to rescue his employees due to their “special relationship.”

<sup>2</sup>Justification in jurisprudence is an exception to the prohibition of committing certain offenses. Justification can be a defense in a prosecution for a criminal

conduct was needed in order to prevent greater damage or harm. These actions, therefore, should not be held as criminal. This defense requires certain elements including: (1) the defendant does not create the danger that impels him to commit the crime, (2) the defendant ceases the criminal activity as soon as possible, (3) there is no reasonable alternative, and (4) the harm prevented is greater than the harm caused.

Although, in the Trolley Problem, one who pulls the lever certainly fulfills the first two criteria, this may not necessarily be the case for the third and fourth criteria. Firstly, there is arguably a reasonable alternative – not pulling the lever. Whether or not this is true depends on the resolution of the second difficulty – the definition of harm<sup>3</sup>, particularly in relation to human life.

In an attempt to shed light on the matter, certain states have a doctrine of *Competing Harm* as part of that state's Criminal Code. The state government in Maine, for example, holds that conduct that the person believes to be necessary to avoid imminent physical harm to that person or another is justifiable if the desirability and urgency of avoiding such harm outweigh, according to ordinary standards of reasonableness, the harm sought to be prevented by the statute defining the crime charged. The desirability and urgency of such conduct may not rest upon considerations pertaining to the morality and advisability of such statute.

This doctrine, in theory, could be used as a defense for pulling the lever. The person who pulls the lever seeks to save lives, which has the same goal, at least in part, as the prohibition against manslaughter. This policy, however, still relies on "ordinary standards of reasonableness," standards which have yet to

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offense. When an act is justified, a person is not criminally liable even though their act would otherwise constitute an offense.

<sup>3</sup>If there was no greater harm prevented then there *was* reasonable alternative. Simply, either both criteria are fulfilled or they are not, for in this case there cannot be one without the other.

be measured by a court of law in a discussion regarding the value of human life.

Because of this, there does not appear to be a clear consensus concerning whether or not there is no reasonable alternative or greater harm prevented by flipping the switch in the Trolley Problem. Therefore, as is with many unclear aspects of United States law, the ruling will, within limits, depend on the judge. One judge (especially one whose views are utilitarian) may hold that the lives of many are worth more, whereas another may hold that there is a concept of incomparability regarding human lives. One who holds that the value of life cannot be quantitatively compared ends up in a legal quasi-stalemate; the judge cannot convict him for he may not be guilty nor may he exonerate him for he may not be innocent. The burden of proof for a case of manslaughter is “proof beyond a reasonable doubt.” This cannot be achieved in such a situation. The person who flipped the switch, therefore, must be found innocent under the principle of presumption of innocence (also known as “innocent until proven guilty”). This is the same conclusion that a utilitarian judge may reach, albeit more from the side of morality (or lack thereof, depending on the perspective) than from legal entanglements.

Unlike the legal perspective, the halachic perspective primarily focuses on the responsibility of a person to *not* flip the lever. This is first seen in the *Gemara Pesachim* 25b:

כי הווא דאתא לקמיה דרבא א"ל מרי דורא אמר לי זיל קטליה לפלני  
ואי לא קטלינא לך א"ל ליקטלוך ולא תיקטול מאי חזית דדמא דידך סומק  
טפי דילמא דמא דהווא גברא סומק טפי.

This means that one who is ordered to “kill or be killed” must give up his life because מאי חזית – he is not able to determine that his life is worthier than the man he is being told to kill. Tosfot, adds that the logic of מאי חזית only applies if the perpetrator demands an action from the person. If the death of the other person would only occur passively the threatened person does not have to give up his life. In fact, Tosfot holds that one must always

be passive (שם ואל תעשה) in any case regardless of whether inaction will cause one to kill or be killed.

This law, according to almost all *poskim*, can be applied to a case, such as the one presented by the Trolley Problem, where, although the person's life is not in danger, one has the power to choose who lives and who dies. One would not, based on this Gemara, be allowed to take action and kill the one man. He is required, according to Tosfot, to be passive and "allow" the five people to be killed.

The Chazon Ish, however, writes that the Gemara cannot be applied in this scenario, for there is a fundamental difference between the case given in the Gemara and the Trolley Problem (or, as described in the Gemara, the deflection of an arrow).<sup>4</sup> In the situation of the Gemara, nobody is in imminent danger of death (the propositioned person's death is merely a consequence of refusing to kill someone else, a person who also is not in imminent danger before any decision is made), so killing another man would be murder. In the situation of the trolley, the five people *are* in imminent danger of death – the trolley will hit those people if there is no outside interference. Therefore, interfering with the path of the trolley is not an act of killing, but rather an act of saving. According to the Chazon Ish (C"M, San. 25), when an act is one of salvation, a person should seek to save as many lives as possible, even at the cost of other lives.

The Lubavitcher Rebbe strongly disagrees with the Chazon Ish, writing that the Torah does not value multiple lives over a single life.<sup>5</sup> He explains that "giving a person up" is forbidden in any case, regardless of whether or not that "giving" is merely a consequence of another act, such as saving others. Accordingly,

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<sup>4</sup>If an arrow is on its way to kill many people, is it permitted to deflect the arrow, so that the many will be saved, even when this will cause the death of an individual who would otherwise be safe?

<sup>5</sup> A city is not allowed to give up one person for the city to be spared (a case dealt with by the רמב"ם that is very similar to that of the גמרא).



one would not be allowed to pull the lever in the Trolley Problem, because that act causes a person to die. His reasoning for this is similar to that of *נאצי חזית*. Since a Jew's soul is an expression of Hashem (an infinite being), multiple souls are no more an expression of Him than one soul. Infinite plus infinite is still infinite<sup>6</sup>.

One who does pull the lever on the trolley track, however, can claim that he is acting according to the Chazon Ish. Additionally, in a case where there are witnesses who warned him not to flip the lever, the person should be very thankful that, in Jewish Jurisprudence, there is no capital punishment for unpremeditated murder. Furthermore, he should feel relieved that the United States Court of Law (probably the Supreme Court due to the complex and convoluted nature of this case) will likely find him innocent.

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<sup>6</sup> This raises the question of what the Rebbe would hold if the five people were Jewish and the one person was not.



# When Life Throws You a Curveball: Responding to Hardship

Anger at G-d is a normal, legitimate, and human feeling to experience. However, the path one chooses to cope with the anger makes all the difference. One can let the anger consume him and never properly deal with it in a healthy way. Or, one can feel the anger, acknowledge that it is normal, and then try to overcome the emotion, to move beyond it. The stories of the *mekalel* and Iyov clearly depict this idea and illustrate the ramifications of each approach.

In the *pesukim* discussing the *mekalel*, he is introduced as the son of a Jewish mother, Shlomit bat Divri, and an Egyptian father. The Torah continues, telling of the *mekalel*'s fight with another Jew, subsequent cursing of G-d, and appearance before Moshe. When the *pasuk* says, ויצא בן אשה ישראלית, the son of an Israelite woman went out, Rashi explains these words to mean that the *mekalel* is coming from Moshe's court, having lost his case.<sup>1</sup> The *mekalel* had pitched his tent in the camp of Dan, his mother's tribe, but was evicted because his father was not from that tribe. As a result of his poor upbringing and his expulsion from the tribe, the *mekalel* feels isolated and purposeless; he looks negatively upon religion and ultimately directs his anger towards G-d, curses Him, and receives the punishment of stoning.<sup>2</sup>

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<sup>1</sup> ויקרא כד:י

<sup>2</sup> ויקרא כד:י-כג

There is still a lingering question: How can the *mekalel* be punished if he is just a product of his unfortunate circumstances and inadequate upbringing? In that sense, he was doomed before birth and cannot be expected to grow up as if his parentage was not an issue. A person, however, is responsible for his actions.

Despite his past, the *mekalel* had the ability to rise above, to achieve greatness and individuality, but he did not choose this path. In the end, his anger bested him regardless of his potential.

Iyov has a similar experience, yet, he reacts quite differently. He is able to overcome and conquer his loneliness and resulting negativity towards G-d. Iyov suffers extraordinarily and does not know what has caused him to deserve this fate. Confronting G-d, Iyov wonders if Hashem confused Iyov with *oyev*, enemy, punishing Iyov by mistake.

In response, Hashem answers him with an analogy: each hair has a separate follicle, and it would be disastrous for a person to have two hairs in one follicle. And since G-d does not mix up hairs from their proper follicles, how would He mix up Iyov and *oyev*?<sup>3</sup>

Iyov's process of grief and transcendence is three-tiered: he first suffers tremendously, then struggles with the idea of why bad things happen to good people, and ultimately grapples with the feeling that life is meaningless and purposeless. From Iyov's perspective, it seems as if G-d deals with him arbitrarily.

Throughout his growth process, Iyov draws the conclusion that right and wrong do not matter to G-d. There is no justice, nor is there a correlation between his actions and G-d's

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<sup>3</sup> בבא בתרא טז.

reactions. Iyov feels isolated and empty, so he curses G-d in his heart, as the *pasuk* says, *בכל זאת לא חטא איוב בשפתיי*.<sup>4</sup> His cursing was internal, in his heart, never verbal. Then G-d appears to Iyov and they discuss the events that transpired. Iyov poses his questions and doubts to G-d. Hashem subsequently rebukes Iyov and reminds him that he was not present at the time of creation, nor is he all-knowing.

In essence, Iyov is not G-d, so asking all these questions becomes counterproductive at a certain point. Iyov will never be able to fully understand G-d's ways.<sup>5</sup> Ultimately, Iyov admits his error, responding, *נחמתי*, I am comforted, recognizing his purpose in this world so he can more readily accept that he will never understand G-d's actions.<sup>6</sup>

Through this whole process, Iyov builds himself up, becoming a stronger and better version of himself. He is aware of his responsibility for his actions, and he somehow maintains his faith throughout all his suffering, ultimately returning to G-d.<sup>7</sup>

The *Alei Shor* states that living in the past and focusing all your actions on prior occurrences is completely detrimental to a person's growth.<sup>8</sup> A person who does this remains stuck in the events that have transpired, unable to move forward. Many times, one is asking, *למה*, why, rather than, *למה*, for what. Instead of living in the past, one must use the negative experience to strengthen himself and to propel himself forward.

<sup>4</sup> איוב ב:י

<sup>5</sup> איוב לו-לח

<sup>6</sup> איוב מב:ו

<sup>7</sup> ספר איוב

<sup>8</sup> שער שני, פרק עשירי

The *mekalel* wallows in his history, allowing his pent up anger to drive him to curse G-d. He is not interested in moving forward. Iyov, on the other hand, deals with what Hashem gives him, questions G-d, and chooses to grow from his intense troubles.

In that way, he develops a deeper and greater relationship with G-d. Iyov uses his history to guide his future in a positive sense, whereas the *mekalel* falters and falls. This contrast is a demonstration that the future is not solely contingent on the past. Acknowledging prior occurrences and using them as a springboard for, and not a weight against, growth is the key to overcoming obstacles in favor of self-improvement and a better relationship with G-d.

A person may experience many stumbling blocks and hardships in life, and this may lead to justified anger towards G-d. The stories of the *mekalel* and Iyov serve as foils for each other, illustrating the repercussions of their choices in coping with challenges. One can allow these adverse events to incite negativity by dwelling on the past alone, or, in contrast, one can choose paths of self-improvement and become closer to Hashem, realizing that He is the ultimate Father and only desires the best for His children.

More than anything, the need to realize that human beings will never understand G-d or His motives is imperative; it is not within man's capacity to comprehend. This is a difficult process that takes time but is far from impossible if one dedicates his energies to resolving this inner conflict. Everyone possesses the internal strength to overcome such anger and desolation, as Iyov did.

This integral lesson is the purpose for the inclusion of *Sefer Iyov* in the compilation of *Tanach*. The burden and call to action is incumbent on each individual to use the past to

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propel the world towards a better future – one of acceptance and transcendence.





## הרימי בכח קולך

### Microphones in Halacha

Can you imagine your shul allowing the use of a microphone for *megillah* reading? The question of the validity of the fulfillment of one's obligation of *megillah* reading and its *brachot* through a microphone revolves around the resolution of a number of potentially problematic factors, mainly part of a broader discussion of microphone usage for *brachot* in general. This article provides an understanding of the halachic parameters of *brachot* and, by extension the *megillah*, as well as an overview of the technology behind microphones. Through use of scientific information and a compilation of Talmudic sources, which do not directly address the microphone but do provide a halachic framework, we can explore the topic and analyze its discussion by contemporary *poskim*.

The first step in approaching the question is in exploring whether one is permitted to respond *Amein* to a *bracha* heard through a microphone. While permissibility to respond *Amein* would not necessarily extend to one's ability to fulfill his obligation of a *bracha*, we can conclude that if responding *Amein* to a *bracha* heard through a microphone were to be prohibited, the implication would be that one's obligation in *brachot* cannot be fulfilled in a such a manner. The Gemara<sup>1</sup> states that one is not allowed to say an *אמן יתומה*, an "orphaned *Amein*". Both Rashi and Tosfot agree that an *אמן יתומה* is an *Amein* said to a *bracha* that was not heard. They disagree on how to reconcile this with a case elsewhere in

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<sup>1</sup> ברכות מז

the Gemara<sup>2</sup> which describes an Alexandrian shul. This shul was so large that it was necessary to wave scarves to inform everyone that a *bracha* had been completed and they need to answer *Amein*. Tosfot explains that the second gemara is referring to a case of responses of *Amein* to blessings which the listener was not required to recite or hear. Rashi, on the other hand, explains that *אמן יתומה* is improper only if the person responding did not even know which *bracha* was just recited.

To understand the halachic nature of sounds heard via a microphone, we need to delve into the technicalities of the inner workings of the microphone. A microphone works by converting sound waves, vibrating molecules, into an electric signal and then back to sound waves with an amplified volume. Thus, the emitted sound waves that actually reach the ear are not the original waves that were created by the speaker's voice, but rather an amplified replica.

[It is important to note that there are some types of microphones that emit the original sound waves in combination with the re-generated amplified waves. More thorough research on the various types of microphones would be needed to comment further.]

Since the sound that reaches the listener is not the original, it seems reasonable to claim that this is equivalent to having not heard the sound at all. If we consider the sound of a microphone, in the sound of a blessing recited over a microphone as a new different sound, the conclusion to follow would be that one cannot fulfill an obligation of *brachot* heard via a microphone.

Another case brought in the Gemara<sup>3</sup> may also shed light on this topic. The Gemara quotes a Mishnah that says that one cannot listen to a shofar which is blown in a pit. The Gemara

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<sup>2</sup> סוכה נא:

<sup>3</sup> ראש השנה כז

clarifies that there is a distinction between someone standing outside, at the top of the pit or within the pit, the former being problematic. Inside the pit the actual sound of the shofar is heard, while outside what is heard is its echo. The Shulchan Aruch<sup>4</sup> codifies this Gemara, stating that a person cannot fulfill his obligation of hearing *shofar* from on top of a pit.

There are two questions that arise when we consider applying this Gemara to the microphone question. First, how does the obligation of hearing *shofar* relate to the importance of שמיעה, hearing, in the principle of שומע כעונה, hearing is similar to responding? And can the technical operation of a microphone be considered comparable to an echo from a pit?

To resolve the first question, we need to explore the root of the *mitzvah* of hearing *shofar* as compared to the principle of שומע כעונה. In the case of *shofar*, presumably the *mitzvah* is to actively, firsthand hear the sound from a kosher *shofar*, following the requirements of each type of sound. Since the source and quality of the sound is an integral part of the *mitzvah*, hearing an indirect sound of *shofar* through an echo or microphone, for example, might not suffice to fulfill the *mitzvah*. By contrast, the purpose of שומע כעונה is to accept the sound of someone else's blessing as if the listener said the blessing himself. In this case, the goal is to hear the words of the blessing.

Rabbi Yitzchak Avraham Twersky,<sup>5</sup> discusses this question of the root of the *mitzvah* of *shofar*. He quotes the Rambam<sup>6</sup> who categorizes the essential obligation as שופר בראש השנה, to hear the sound of the shofar on Rosh Hashanah. According to Rabbi Twersky, Rambam disagrees with the Yirei'im and Rabbeinu

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<sup>4</sup> תקפז:א

<sup>5</sup> מצות תקיעת או שמיעת קול שופר קונטרס הערות

<sup>6</sup> הל' שופר פ' א ה' א

Tam who say that one only need fulfill whatever is required to fulfill שומע כעונה, as the objective of the *mitzvah* is to pray with the *shofar*. Therefore based on Rambam, one cannot apply the halachot of shofar to those of *megillah* and *brachot*, as he holds that the sound of shofar uniquely has innate importance and must be heard directly. This is not the case with regards to the obligation of *brachot* and *megillah*, where hearing a specific type of sound from the *ba'al koreh*, leader of the reading, would be less important than hearing the actual words. [Rav Ovadia Yosef seems to suggest something similar.]

Further study of the principle of שומע כעונה demonstrates another layer of the complexity of this topic. There is a well known dispute, between Rashi and Tosfot about how שומע כעונה works. In Gemara Sukkah<sup>7</sup>, Tosfot references a disagreement on the principle of שומע כעונה with regards to responding to the *chazzan* while in the midst of one's personal *Shemoneh Esrei*. One opinion, quoted from Rashi, is that the response is not a *hefsek*, a break, but the halachic reality of fulfilling another obligation. Tosfot also brings his own differing opinion: by answering, one is attaching himself to the *chazan* and creating a *hefsek* by definition.

The next question to assess in applying the Gemara Rosh Hashanah to the case of microphones is the physical way microphones work in comparison to the way of sound issuing from a pit. This juxtaposition requires analysis of the physics of a microphone in contrast to the physics of sound traveling through a pit.

As explained above, when one speaks into a microphone the sound is converted into an electrical signal which is then amplified and converted back to a sound wave. Depending on the specific technology of the microphone, the resulting sound may either be filtered based on the frequency of the signal, time

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<sup>7</sup> סוכה לח: ד"ה שמע ולא ענה יצא

delayed, originate from a different source, or emerge as a mixture of the original sound wave and the newly generated amplified wave.

Alternatively, when sound enters a pit the waves reflect from the bottom and issue from the pit, delayed. Depending on the shape and material of the pit, the sound may be filtered and the listener may hear simultaneous sounds emanating from both the original source and the pit. While the process the waves go through is different, it seems reasonable to conclude from the listener's perspective that the resulting sounds of both cases are physically similar enough to be considered comparable, as in both the resulting sound is a combination of the original waves and their replicas.

Rav Moshe Feinstein<sup>8</sup> addresses the issue of the legitimacy of fulfilling hearing the *megillah* through a microphone and brachot through a telephone. [It makes sense to consider phones and microphones in the same category because in both cases the sound that is ultimately heard is a regenerated sound wave based on the original sound.] Rav Moshe is uncertain whether sound heard through a microphone is considered to be the voice itself. He also writes that if the only way for someone in the hospital to hear *havdalah* is over the phone, one should be certain to hear it over the phone. While not conclusive, he does lean towards the possibility that the individual would fulfill her obligation. One should certainly respond *Amein* out of *safek*, uncertainty.

Rav Shlomo Zalman Auerbach disagrees, holding that one cannot even respond *Amein* to such a *bracha*,<sup>9</sup> when the sound is heard from far away over phone. Needless to say, Rav Shlomo Zalman holds that one cannot fulfill any obligation through use of a microphone or phone.

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<sup>8</sup> אגרות משה ב:קח, ד:צא:ד

<sup>9</sup> הליכות שלמה: תפילה כב: טז-יז

Rav Ovadia Yosef writes that one may answer *Amein* to a *bracha* heard over the telephone or microphone despite the fact that he would be unable to fulfill the obligation of any blessing in this way.<sup>10</sup> In *Yechaveh Da'at*,<sup>11</sup> Rav Ovadia goes through a more extensive discussion on this topic, specifically addressing the *shaliach tzibbur*, leader of services, using a microphone to read *megillah* in shul. He first draws a distinction between people who can hear the voice and those who can only hear the sounds emitted by the microphone. He writes that if one can hear the actual voice, even if he also hears the microphone, his obligation is fulfilled. He then quotes the *Minchat Elazar* who rules similarly. Along similar lines, Rav Ovadia defines the distinction between shofar and *megillah*, as a shofar's sound reverberating from a pit might consist of a mixture of pure sound and echo, which is unacceptable.

My assumption regarding Rav Ovadia's concern about the "mixed up" sounds is that because of the combined nature of the sound, the result may not resemble the required sound patterns of *tekia*, *teruah*, or *shevarim*. Regarding *megillah*, Rav Ovadia holds that this would not invalidate the reading. However, he references multiple sources that consider it problematic because it is not the usual practice to hear *megillah* in this way. Rav Ovadia adds that since the sound of a microphone is a replica, the listener is not hearing the sound from a בר-חייבא, someone that has a formal obligation, and therefore he cannot fulfill his obligation in this way. In conclusion, Rav Ovadia Yosef rules that a *shaliach tzibbur* cannot use a microphone on behalf of the rest of the congregation.

It seems that according to the vast majority of *poskim*, one cannot fulfill his obligation within the cases of *bracha* or *megillah* from a microphone. Since the original sound is not properly heard

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<sup>10</sup> ילקוט יוסף חלק ג רטו:ד

<sup>11</sup> חלק ג: נד

through a microphone, one cannot rely on שומע כעונה to fulfill his obligation, and one cannot fulfill a sound-centered obligation from a sound whose source is not in and of itself בר-היובא.

[A possible practical application could be someone who had some sort of vocal cord transplant . According to opinion that says it has to be actual sound, it would appear that this would be unacceptable. If the importance is hearing it from the בר-היובא it should be fine. Further research would need to be done on this matter.]





## Music to My Ears

Music plays an integral role in Judaism and service of G-d. Recorded in one of the discussions between the King of Kuzar and Rabbi Yehuda Halevi in *The Kuzari*, Rabbi Yehuda Halevi explains that Judaism values all types of knowledge.<sup>1</sup> One specific type of knowledge that he mentions is music, proving its value through the *Levi'im*, whose G-d-given job is to sing at special times in the *Beit Hamikdash*.

Another instance where one can see the lofty esteem in which music is held is in *Parashat Vayigash*. The Midrash states that when the *shevatim* want to inform Yaakov that his son, Yosef, is alive, they become concerned that because Yaakov is old, the shock of this good news will kill him. To alleviate their unease, they decide to have Serach, the daughter of Asher, play the harp for Yaakov and sing in order to convey the information that Yosef is still alive. She repeats her song over and over until Yaakov understands the message in her music.<sup>2</sup> According to the *Targum Yonatan*, in reward for telling Yaakov that Yosef is alive, Serach merits going to *Gan Eden* while still living.<sup>3</sup> This shows the power of music and the reward given to those who use it for good.

This is also seen with David Hamelech, also known for his musical expertise. When Shaul, the first king of Israel, is afflicted with a *ruach ra'ah*, a bad spirit, his officers advise that he should find someone to play the harp for him.<sup>4</sup> The Malbim writes that this advice was given because the power of music to transform

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<sup>1</sup> כוזרי ב:סג

<sup>2</sup> ספר הישר

<sup>3</sup> תרגום יונתן בראשית מא:יז

<sup>4</sup> שמואל א טז:יד-יז

someone from sadness to happiness is well-known. The individual that Shaul selects is none other than David ben Yishai, who later becomes David Hamelech, who famously wrote *Sefer Tehillim*, a composition of songs to G-d.

Additionally, the positive impact of music on a person can be seen through various descriptions of *nevuah*. In *Melachim Bet*, Yehoshaphat, the king of Yehudah, consults Elisha the prophet, in an attempt to foretell the future.<sup>5</sup> In response, Elisha demands, "Get me an instrument, and when I play the instrument I will have the hand of Hashem rest upon me," for music makes him happy. Happiness, according to the Gemara, is a requirement of a prophet striving to receive *nevuah*.<sup>6</sup>

The connection between music and prophecy is also seen in *Sefer Shmuel*, when Shmuel anoints Shaul as the first king of *Bnei Yisrael* and tells him that when he sees people playing instruments and prophesying, he too will begin to receive *nevuah*.<sup>7</sup> *Metzudat David* comments and explains that the prophets need music in order to achieve the state of happiness necessary to get *nevuah*. The Rambam writes that the prophets had musical instruments with them in order to be in a state of happiness, hoping to achieve *nevuah*.<sup>8</sup> Music has the ability to take someone to such a state of happiness that he can connect to G-d on a metaphysical level.

When David Hamelech is assigning jobs in the *Beit Hamikdash*, he gives out the specific position of playing musical instruments.<sup>9</sup> The job is crucial, necessitating that the correct individuals be appointed to ensure proper execution. In *Parashat*

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<sup>5</sup> מלכים ב ג:טו

<sup>6</sup> שבת ל

<sup>7</sup> שמואל א י"ה

<sup>8</sup> יסודי התורה ז:

<sup>9</sup> דברי הימים א' כה:א

*Nasso*, the Torah says that the *Levi'im* performed “*avodat avodah*.”<sup>10</sup> Rashi explains that this refers to playing musical instruments. The *Siftei Chachamim* further elaborates, explaining that while bringing a *korban*, offering, the *kohanim* would have the *Levi'im* sing. Additionally, when listing the *klalot*, curses, in *Parashat Ki Tavo* that will be dealt to *Bnei Yisrael* as a result of their actions, the Torah mentions their lack of serving Hashem with happiness and a full heart.<sup>11</sup> According to the *Gemara* (*Arachin* 11a) “serving G-d with happiness,” refers to song. Additionally, the Mishnah (*Sukkah* 5:4) describes the various types of instruments that the *Levi'im* possessed, obviously necessary to achieve lofty states of happiness. These citations prove that Hashem values music and, as a result, music clearly occupies a special place in this world.

Finally, in the beginning of the Torah, the lineage of the first few generations of the world, and in some cases their professions, are listed. In *Bereishit* (4:21), the *pasuk* describes Yuval as the father of all music. Other professions referenced in the surrounding *pesukim*, for instance, farming and forming weapons, provide important context for the mention of music. The fact that music is listed in conjunction with farming and weaponry, two integral aspects of society, demonstrates its equal importance. Furthermore, Ibn Ezra comments that the ability to create music requires great *chachma*, intelligence.

Through the stories of Serach bat Asher, David, and Shaul, the impact of music on *nevuah*, its role in serving G-d and the world, music is evidently not something that should be taken lightly. It contains great powers, sent into this world by Hashem. Music has the ability to impact on an individual, national, and worldly level.

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<sup>10</sup> במדבר ד:מז

<sup>11</sup> דברים כח:מז

There is a concept in Judaism known as *zecher l'churban*, actions done or refrained from being performed as a remembrance of the destruction of the *Beit Hamikdash*. In *Yeshaya*, one prohibited action cited is *shir*, song.<sup>12</sup> According to the *Gemara Sota* (48a), at the time of the abolishment of the Sanhedrin, all singing in the houses of wine was prohibited. The *Talmud Yerushalmi* (*Sota* 9:12) explains that when there was a Sanhedrin, there was never an element of disgust in *shir*, but once there was no longer a Sanhedrin, a trace of disgust has infiltrated into *shir*, and as such, it was completely canceled. Tosfot explains that this specific statement is referring to *shir* elicited through wine, and concludes that one should be *machmir*, stringent, in this regard. However, *shir* is permitted for *mitzvot*, for example, a wedding.<sup>13</sup>

Rambam (*Hilchot Ta'anit* 5:14) states that there is a standing decree that playing any sort of musical instrument or partaking in music of any kind is expressly prohibited because of the *churban*. This restriction is extended to include even a capella music. The *Shulchan Aruch* (560:3) concurs. The Rama comments that this applies only to those people who regularly listen to music, like kings, or to those people who host drinking parties. The *Mishnah Berurah* takes a more stringent approach and concludes that there is no music allowed, even when there is no wine involved.<sup>14</sup> All of these sources seem to imply that music is prohibited because it elicits happiness.

More modern day *poskim* present different perspectives on this topic. Rav Moshe Feinstein (*Iggrot Moshe* O.C. 1:166) states that one should be strict and not listen to any music whatsoever. The *Tzitz Eliezer*<sup>15</sup> responds to the question regarding whether an

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<sup>12</sup> ישעיה כד:ט

<sup>13</sup> תוס' גטין ז. ד"ה זמרא

<sup>14</sup> ס"ק י"ג

<sup>15</sup> טו:לג

individual is permitted to take music lessons. He concludes that since the *issur*, prohibition, is specific to playing instruments to be happy, learning a skill is not subject to the same regulations. The second concern covered is whether recorded music has a different halachic status than regular live music. His response is that, in general, there is no difference, although he permits recorded a cappella music to be played at weddings in *Yerushalayim*.

As one examines music through a halachic perspective, one must acknowledge its significance once again; if music did not matter, there would be no halachot about it. As it says in *B'simcha Uv'tuv Levav*, music is the heart of a person, so don't take it lightly.



## Genocide: A Torah Perspective

At times, one may come across certain commandments in the Torah to which one has a hard time relating. There are details of mitzvot that do not seem applicable to our daily lives (e.g. *korbanot* or the construction of the *Mishkan*). There are also mitzvot that challenge our sense of morality. How does relate to the laws of owning slaves when raised in a society where slavery is no longer acceptable? Another example is the commandment to destroy the nation of *Amalek*. This mitzvah presents a challenging moral conflict -- how does one go against his natural moral compass to fulfill the commandment of G-d to carry out genocide?

The two places where we receive the commandment regarding *Amalek* are in *Shemot* and *Devarim*. In *Shemot*, we see *Amalek* attacking *Bnei Yisrael* in Rephidim. After *Bnei Yisrael* win the battle, Hashem tells Moshe about the destruction of *Amalek*, but the wording is unclear. The Torah writes:<sup>1</sup>

וַיֹּאמֶר ה' אֶל מֹשֶׁה כְּתֹב זֶאת זִכְרוֹן בְּסֵפֶר וְשִׁים בְּאוֹזְנֵי יְהוֹשֻׁעַ כִּי מָחָה אֶמְחָה  
אֶת זֵכֶר עֲמָלֵק מִתַּחַת הַשָּׁמַיִם ... וַיֹּאמֶר כִּי יָד עַל כָּס יֶהּ מִלְחָמָה לֵה'  
בְּעֲמָלֵק מִדֶּר.

The language of these *pesukim* seems to imply that Hashem is telling Moshe that He will be the One to “blot out the remembrance of *Amalek* from under heaven.” This interpretation would solve the moral dilemma of the obliteration of *Amalek*, because it removes the responsibility from *Bnei Yisrael*. It is not their job, but rather it is a job for Hashem that He promised to accomplish. However, when the commandment is repeated in

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<sup>1</sup> שמות יז:יד-טז

*Devarim*, it is clearly presented as a commandment that *Bnei Yisrael* must fulfill themselves. The Torah writes:<sup>2</sup>

זכור את אשר עשה לך עמלק בדרך בצאתכם ממצרים ... והיה בהנחיה ה'  
אלקידך לך מכל איבדך מסביב בארץ אשר ה' אלקידך נתן לך נחלה לרשתה  
תמחה את זכר עמלק מתחת השמים לא תשכח.

According to these *pesukim* in *Devarim*, *Bnei Yisrael* have a *mitzvah* to remember what *Amalek* did. *Bnei Yisrael* must destroy the memory of *Amalek* but we cannot forget this. What does this paradox mean? How is one supposed to understand this *mitzvah* and fulfill it properly?

In *Sefer Shmuel*, Shmuel *Hanavi* tells Shaul that Hashem is commanding him to destroy *Amalek*:<sup>3</sup>

עתה לך והכיתה את עמלק והחרמתם את כל אשר לו ולא תמחל עליו  
המטה מאיש עד אשה מעלל ועד יונק משור ועד שה מגמל ועד חמור.

Hashem wants Shaul to destroy every single being that is part of *Amalek* – men, women children, and animals. Shaul gathers an army and attacks *Amalek*, but he does not do exactly as Hashem commands. He spares Agag, the king of *Amalek*, and saves the best of the animals. Shmuel comes to Shaul and tells him that he was wrong to do this, and as a result, he loses the *malchut*, kingship, because he did not fulfill Hashem's command properly. This story is the primary proof for the argument that the *mitzvah* of *michiyat Amalek* really does mean that we must kill every single part of the nation. However, there are other ways to approach the *mitzvah*.

The context of when the *mitzvah* actually applies and to whom it applies must be understood before it can be fulfilled. The *Sefer Hachinuch* believes that it is a *mitzvah* that each individual is obligated to fulfill on his own. If a person passes someone on the street and knows that this person is a descendent of *Amalek* and

<sup>2</sup> דברים כה:יז-יט

<sup>3</sup> שמואל א' ט:ג



does not take the opportunity to kill that person, then it is a case of *bitul mitzvah* (failure to fulfill a commandment).<sup>4</sup>

Other commentators, however, understand the *mitzvah* as a national obligation, not one that is incumbent on the individual.<sup>5</sup> Some suggest that the *mitzvah* only applies in the context of engaging in an all out war, and not to kill random civilians on the street.<sup>6</sup> In *Sanhedrin* (20b), Rabi Yossi teaches that when *Bnei Yisrael* enters *Eretz Yisrael*, they must do three *mitzvot*: establish a king for themselves, slay all descendents of *Amalek*, and build the *Beit Hamikdash*. All of these things must be done in that order. This Gemara seems to present the *mitzvah* as a national obligation, especially because a king, a uniting factor, is a prerequisite for the fulfillment of the *mitzvah*.

The Rambam agrees that the command only applies within the context of war, and he even applies a moral, Torah, principle to the idea. He explains that *Bnei Yisrael* must first extend an offer of peace to *Amalek* prior to waging war with them.<sup>7</sup> The Rambam is trying to avoid the apparent immorality of the command by applying the rules of warfare employed regarding the seven nations of *Cana'an* to the case of *Amalek*. The different understandings of the context of the *chiyuv*, obligation, is crucial to truly understanding how to apply the *mitzvah*.

Furthermore, the innate moral reaction to such a commandment can be alleviated by understanding the commandment within a certain context, with specific reasons. It is hard to accept the concept of destroying *Amalek* because most are not comfortable with seemingly random killings in order to punish people for their

<sup>4</sup> ספר החינוך מצות תרד

<sup>5</sup> עי' סה"מ לרמב"ם סוף מ"ע

<sup>6</sup> ראה "Amalek and Morality", Torah Musings

<sup>7</sup> הלי' מלכים ו:ד

ancestors' actions. One reason that is often presented in defense of the command relates to *Amalek*'s ongoing terrible ideology.

The Ramban explains that when nations like the *Moavim*, the *Plishtim*, and *Cana'anim* heard about all of the miracles that Hashem performed in Egypt, they were all scared of Hashem, aware of His tremendous power. *Amalek*, however, did not have any *yirat shamayim*, fear of G-d, and traveled from far away just to attack *Bnei Yisrael* and to subsequently seem more powerful than Hashem.<sup>8</sup> Because of their attack, other nations stopped fearing Hashem. The children of *Amalek* continue to possess the same attitude towards Hashem as their ancestors demonstrated. The entire idea of *Amalek* must be eradicated.

The Abarbanel states that even though it is against normative Jewish values to destroy an entire nation, an exception is made for *Amalek* because they were so horrible. Their wickedness is such that *Bnei Yisrael* must take it upon themselves to destroy all remaining traces of that evil.<sup>9</sup>

From a homiletical point of view, there are those who understand that there is a command to destroy the ideology and influence of *Amalek*. It is a fight against the sins, not the sinners.<sup>10</sup> *Amalek* represents violence, and there is a duty to destroy the desire for people to look up to *Amalek* as a role model nation.<sup>11</sup> Alternatively, there is the traditional chassidic approach to the dilemma, which presents the command as a charge to fight the *yetzer hara*.<sup>12</sup>

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<sup>8</sup> רמב"ן שמות יז:טז

<sup>9</sup> אברבנאל סוף פרשת בשלח

<sup>10</sup> דרשות אל עמי ג: קלב-קמג

<sup>11</sup> רב הירש דברים כה:יט

<sup>12</sup> ראה Avi Sagi, "The Punishment of Amalek in Jewish Tradition: Coping with the Moral Problem", notes 40-43

No matter which way the commandment is understood, this is still a Torah commandment, and *Bnei Yisrael* are obligated to follow all Torah commandments even if the people do not understand the command. Rav Mayer Twersky writes about the confusion that comes from this commandment. One must accept Hashem in totality so that one can accept the *mitzvah* and successfully destroy *Amalek*. Once one is able to fully accept Hashem, it will be easier to do all that He asks.<sup>13</sup>

Rav Aharon Lichtenstein writes that when one approaches this *mitzvah*, one must focus less on morality and more on *yirat shamayim*. *Bnei Yisrael* must have faith that there is a moral backing to the *mitzvah* because Hashem commanded its performance; one must listen to Him for that reason and that reason alone. Rav Lichtenstein says that one can never override what the Torah says. Rather, one must work as hard as possible to understand Torah and halacha, and not to judge it.<sup>14</sup> People have to understand what the Torah actually says before they can apply humanity's 'external' morality to it. Torah is total objective morality, therefore true morality can never conflict with the Torah.

The ethical issue still remains innate within human beings when studying this commandment. Irregardless of the amount of the opinions analyzed, the discomfort still exists, refusing to be ignored. All one can do is try to understand the *mitzvah* to the extent there is an explanation, and continue struggling with the issue. Then – once one has studied the sources – one must step back, and know that mankind can never judge or truly understand the morality of Hashem. One must embrace the tension, and always remember that as hard as it is to reconcile, the Torah's morality is something above our own moral standards. It is the ultimate truth.

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<sup>13</sup> ראה "Surrender and Victory-the *Mitzvah* of *Mechiyas Amalek*"

<sup>14</sup> ראה Halakha Va-Halakhim, translation by Rabbi Nathaniel Helfgot



## Observance vs. Obsession:

### Reconciling OCD with Judaism

How should Judaism, with its ritualistic procedures and its emphasis on purity of thought regard obsession? Is unnatural fixation encouraged by Judaism? At first glance it certainly seems to be. If not, where is an Orthodox Jew expected to draw the line between religious zeal and unhealthy obsession?

For the conversation to be relevant, the Torah's stance on mental and emotional wellbeing as a priority must be established. Halacha classifies a person mentally incapable of keeping standard Jewish law as a *shoteh*, an individual deemed unaccountable for his actions.<sup>1</sup> Of similar severity, in a case of *pikuach nefesh*, a person is required to violate even the mandate of Shabbat to save a life.<sup>2</sup> Presumably authentic *pikuach nefesh* regarding mental health difficulties would be placed in the same category. But even after admitting that mental health cannot be overlooked when it borders on a threat to life, what is to be said about more moderate mental health needs? As a general rule, how much does Torah incorporate psychology?

The Rambam in his description of optimal character development, states that a person who falls in the category of *cholei nefesh*, metaphysically unwell, should seek out treatment from "experts who are physicians of the soul [who] will treat the illnesses with the knowledge that they have learned."<sup>3</sup>

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<sup>1</sup> חגיגה ג:

<sup>2</sup> ויקרא יח:ה, יומא פג-פה

<sup>3</sup> רמב"ם הלכות דעות ב:א

Rav Lichtenstein takes the idea a step further, in a discussion regarding the weight that social concerns hold in halacha, that consideration for the human psychosocial makeup is written into the very content and context of the Torah itself.<sup>4</sup> Although Rav Lichtenstein begins with seemingly straightforward Biblical and halachic statements which describe the nature of Torah as being “*l’tov lach*,”<sup>5</sup> for your good – a result of G-d’s desire to give merit to Israel<sup>6</sup> – he admits that “such prooftexts are inconclusive, as they leave open the critical issue of the definition of key terms. To which sphere does ‘for thy good’ refer, the mundane arena of psychosocial benefit or the posthumous *olam shekulo tov* [A world where all is good]?” He subsequently describes the halachically significant discrepancy between the two elements that comprise *hora’ah*, the system of halachic ruling: *psak*, loosely defined as the cold, codified, text-based law, and *pesika*, its application in human terms.

Rav Lichtenstein expounds on the complex relationship balanced within the world of halacha between the Torah’s mandates and the Torah’s acknowledgement of the human condition; its simultaneous objective posture and the subjective, human face it wears by definition; its recognition of the need for life to thrive within, and throughout unwavering devotion to the subjection to G-d’s will. Beyond being a prerequisite to halacha, the psychological condition is a dimension within it.

And so, again, I ask the question: does the Torah encourage obsession? Surely it cannot, but how else can halacha’s support of psychological well-being jive with its emphasis on rituals, meticulousness, purity, cleanliness, discipline, and high standards? The claim that Torah does not approve of obsession is practically

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<sup>4</sup> “The Human and Social Factor in Halakha.” *Tradition* 36 (2002): 89-114 ראה

<sup>5</sup> דברים י:יג

<sup>6</sup> מכות כג:

preposterous. Within such a demanding framework of conduct, fixation becomes almost inevitable. To examine this practical and philosophical difficulty one must first focus on obsession and its interplay with Judaism in its most extreme form, from there extrapolating conclusions to a broader scale.

Obsessive-compulsive disorder is defined as a psychiatric disorder characterized by obsessive thoughts and compulsive actions, such as cleaning, checking, counting or hoarding. OCD occurs in a spectrum from mild to severe, but if severe and left untreated, can destroy a person's capacity to function at work, at school, or even in the home. A case of OCD might manifest as a fear of dirt and germs so acute that a person feels the need to wash and check himself repeatedly, a fanatic anxiety towards contracting AIDs to the point that one refuses to touch even a book about AIDs or utter any word that resembles the condition, or a set of rituals created and performed with a fear that their absence will result in death or catastrophe. The disorder affects thought, as well as action, generally in that order: obsession leads to compulsion. For example, a man suffering from the disorder may be plagued by thoughts, when he is around his children, that he is a murderer, resulting in an irrational phobia of sharp objects in the proximity of his family.

Not surprisingly, religious obsession has earned its own category within obsessive-compulsive disorder. [Healthyplace.com](http://Healthyplace.com) explains that scrupulosity "refers to a form of obsessive compulsive disorder (OCD) that involves religious obsessions ... Scrupulous individuals have an overwhelming concern that certain things they do or say violate religious or moral doctrine." Does the fact that such a category exists not indicate that religion of a rigorous, demanding nature is detrimental to one's mental health?

In a talk about OCD and halacha, Rabbi Dr. Tani Schwartz, a clinical psychologist, gives an explanation of his own observations that can perhaps help us begin to reconcile the indictments,

specifically in determining the line for scrupulosity.<sup>7</sup> Rabbi Dr. Schwartz brings three examples of realistic cases of patients with scrupulosity:

(1) A young man takes two hours to say the prayer of *Kriyat Shema*, repeating it as many times as is necessary until his mind allows him to feel that he had proper intentions.

(2) A bride prepares for her wedding and must incessantly remind herself that she has perfect faith, because the Hebrew term for the wedding ceremony, *kiddushin*, correlates to the word for holiness, *kiddushah*, and she has a recurring thought that perhaps she is unholy.

(3) A man takes the entire time in shul adjusting his *tefillin* and *tallit* to ensure its perfect placement.

Each situation revolves around religion and involves a component of fear, which begs a central question: From both mental health and halachic standpoints, is something religious in nature driven by fear, a question of religiosity? To clarify this point, Rabbi Dr. Schwartz lists his determining qualifications in assessing the nature of a patient's behaviors:

- (1) Does the practice go further than the halacha?
- (2) Is the person spending excessive energy on minutia, hyperfocusing on a mere detail over the larger context of a *mitzvah*?
- (3) Is there an emphasis on uncompromising perfection?
- (4) Does the person understand that Judaism in its purest sense should not interfere with mental stability?

Together these diagnostics primarily consist of two determining factors, whether the patient's practices exceed the confines of religious law, and whether the actions are performed to the extent which evokes more fear and anxiety than anything else?

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Schwartz, Rabbi Dr. Tani, Rav Mordechai Willig. "The Line Between Piety <sup>7</sup> וְרָאָה  
and OCD." 13 Dec. 2010. Lecture



Alternatively stated, is the preoccupation rooted in religion or anxiety? Rabbi Dr. Schwartz adds that from the perspective of Jewish philosophy, even if a person is theoretically perfect in his Judaism in the required mindset of awe and trepidation known as *yirah*, he would have only fulfilled 50% of the demanded outlook. Judaism demands both *yirah*, fear of G-d, and *ahava*, love of G-d, the latter defined as service rooted in a joyful, calm attitude of love for one's Creator.

In response to the accusation which claims Judaism's role in causing OCD, Rabbi Dr. Schwartz points out that this is scientifically flawed; OCD is a condition, currently thought to be caused by a variety of conditioned, genetic, and environmental factors. Recent theories draw a strong correlation between anxiety and OCD, as the compulsions driven by obsession attempt to squelch the root of anxiety, which thrives in areas of importance to a person. With this in mind, it is no wonder that the inherent parameters of religious observance is a breeding ground for anxiety and its effects - hence the OCD-religion correlation. All things considered, however, if the obsessions and compulsions of the patient suffering with scrupulosity would not revolve around religion, they would almost certainly seek out another area of his psyche.

Rabbi Mordechai Torczyner notes in a separate lecture on the topic that Judaism can certainly prove to contribute to the challenges of the disorder and its treatment.<sup>8</sup> Jewish thought becomes specifically problematic in the realm of thought-action fusion, the inherent link Judaism fosters between one's actions and intents. This area is one from which a psychologist tries to lure the patient's mind by explaining that meticulous control over one's thoughts is neither realistic, nor necessary. The key, says Rabbi Torczyner, admittedly not a psychologist, becomes understanding

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Torczyner, Rabbi Mordechai. "Judaism and Obsessive-Compulsive Disorder." ראה <sup>8</sup>

.YU Torah MiTzion Beit Midrash Zichron Dov, Toronto. 24 March 2014. Lecture

the difference between thoughts and actions that have religious weight and those which do not. Rabbi Torczyner affirms with certainty, backed by a verse in *Mishlei*, that neither obsession, meticulousness, nor fixation is endorsed by Torah. *Deracheha darchei noam*, its ways are ways of pleasantry.<sup>9</sup> Jewish philosophy is not meant to be paralyzing, but rather, forgiving and empowering. But to truly assess Judaism's stance on obsession, the task remains to glean this firsthand, to examine instances within halacha of potentially obsessive acts and the Torah's response.

The Gemara in *Berachot* relays a discussion surrounding a case in which a person wishes to recite *Kriyat Shema* while he is unclothed and immersed in water. Despite the concern that certain parts of his body will see *erva*, nakedness, Rava holds that it is permitted: לא נתנה תורה למלאכי השרת, the Torah was not given to angels.<sup>10</sup> The Torah was consciously given to imperfect beings rather than perfect ones, elucidating an element of the purpose of the Torah and the goal for its followers - one of constant pursuit and challenge, but not perfection, as that is impossible for all but angels.

This concept is also visible within more recently codified halacha. An obvious example of OCD-esque behavior encouraged by Jewish law is pre-Pesach cleaning. What many neglect to factor into their thought processes is that the very guidelines that direct the madness also restrict it. The Mishnah writes that one need not be concerned in his pre-Pesach cleaning to the point of worrying that a rodent crept into one's house with chametz, because, to use the Mishnah's own language: אין לדבר טוף, the matter would simply have no end.<sup>11</sup> Fears that exceed the concerns of halacha are not valid. Torah does not ask people to control the uncontrollable, or a person

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<sup>9</sup> משלי ג:ין

<sup>10</sup> ברכות כה:

<sup>11</sup> פסחים ט.

will lose all sanity. The exact language is employed by the Ramban in his last paragraph in *Hilchot Niddah*, another easily exacerbated area of demanded cleansing, where he explains that a woman should not be overly concerned in her *tevilah*, immersion, and potential issues of *chatzitzah*, barrier, because past a certain point, אין לדבר סוף. We do not dwell in doubts that have no end.<sup>12</sup>

The *Shulchan Aruch* writes that if a person pains himself out of embarrassment or guilt to give more than his required sum of charity, people are forbidden to ask him for charity. It goes on to say that one who does pressure a person in such a manner will receive Divine punishment.<sup>13</sup> Rabbi Torczyner reads this as teaching that one is not permitted to put someone in an unnecessarily constricting position; people are meant to function religiously in a healthy way.

A major allegation against Jewish thought regarding its potential push towards obsession is its emphasis on proper thought. In an article entitled "Thought-Action Fusion and OCD," Dr. Owen Kelly explains thought-action fusion, the tendency to see one's thoughts as equivalent to action, as a root distortion involved in an OCD sufferer's thinking.<sup>14</sup> The person experiences a thought which he perceives to be dangerous to the point that he feels the need to suppress it through obsessions and compulsions, causing the thoughts to recur, swollen out of proportion. And in truth, that Judaism condemns such thought patterns is not clear. Are there not heavy demands placed on intention and purity of thought, rendering it the crux of action?

Rabbi Torczyner responds by highlighting a nuance that holds major implications, explaining that while Judaism philosophically links thought and action, it does not fuse the two. The

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<sup>12</sup> חידושי הרמב"ן סוף נדה

<sup>13</sup> שו"ע יורה דעה רמח"ז

<sup>14</sup> ראה Kelly, Owen, PhD. "Thought-action Fusion and OCD." *About Health*. Web

Gemara states: *מחשבה רעה אין הקב"ה מצרפה למעשה*, G-d does not count a bad thought as action.<sup>15</sup> With thought-action fusion in mind, Rabbi Torczyner highlights this critical distinction: Thoughts are important, yet thoughts are not action. And regarding whether thought or action takes precedence, there are certainly instances where halacha holds that an action predicated on imperfect thought is preferable to no action at all. Similarly, an action performed so often that it becomes rote and its purpose lost, is still preferable to no action. The Torah itself seems to suggest that a proficient psychologist would be more productive helping the patient to understand thoughts' realistic ramifications instead of training his mind away from them entirely.

Another area within halacha which may be relevant to this discussion, is the promotion of *chumra*. To this, Rabbi Torczyner explains that when the Torah introduces the concept of stringency, appropriate parameters are indeed specified. The individual's ability to impose stringency is limited since the Torah does not introduce, nor allow, the introduction of, inappropriate *chumrot*. This is evident in the halachic concept of *yuhara*, the frowned-upon manner of expressing stringency in an external or self-righteous way.<sup>16</sup> Furthermore, the Shach, while enumerating the rights of the Rabbinic authorities, states that just as they may not permit the prohibited, the Rabbis may not prohibit the permitted, as doing so will inevitably lead leniency.<sup>17</sup>

For example, informing someone that kosher food is not kosher when, in fact, the opposite is true, could lead to the violation of the halachic issue of *bal tashchit*, not wasting. Additionally, a Rav who discourages someone from seeing a doctor on

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<sup>15</sup> קידושין מ.

<sup>16</sup> עי' ברכות יא

<sup>17</sup> פלפול בהנהגת הוראות באיסור והיתר רמב"ט

Shabbat because of stringency could potentially be guilty of murder. This attitude of caution regarding stringency is reflected in the precept *ספק ברכות להקל*; in a circumstance of doubt as to whether or not a proper blessing was said, the blessing should not be repeated.<sup>18</sup> Another instance of un-halachic stringency is a case where women were overly stringent in preparing the *matzah* for baking, which led to leniency in their obligation of separating dough: *חומרא דאתא לידי קולא*.<sup>19</sup> Emphasizes Rabbi Torczyner: we do not introduce extra stringencies inappropriately.

Why does the concept of stringency even exist? The claim that stringency is blatantly, inherently problematic is flawed. There are important foundations beneath the institution of high standards; they promote passionate, mindful service, build a mentality that overcomes laziness, and encourage people to strive to actualize their potential. The dangers of standards do not delegitimize their need. Rabbi Torczyner continues to state that Judaism is supposed to have a clear differentiations between law and stringency, though unfortunately the distinction has become clouded. However, it is worth noting that the sages themselves were consistently careful to distinguish between the two. Even when halachic texts write *טוב להחמיר*, that it is good to be stringent, as they frequently do, a contrast is drawn between the law and its extension. And so, revisiting the verse from Mishlei, *deracheha darchei noam*, Rav Willig explains that the Torah's ways are objectively those of pleasantry, perhaps implying that extraneous *chumrot* are not the ways of the Torah.

The *Alei Shor* adds another dimension to the conversation, suggesting that the conceptual difficulties we have in reconciling ideas such as obsession with *frumkeit*, religiosity, may stem from a

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<sup>18</sup> עי' שבת כג.

<sup>19</sup> פסחים מח:

flaw in our definition of *frumkeit* itself.<sup>20</sup> Rav Shlomo Wolbe (in a piece entitled פרומקייט) hypothesizes that perhaps religiosity is not synonymous with religion, but rather, is defined by an instinctual and illusory appetite for a feeling of religious connection. Such a drive, though positive, is inevitably distorted, compelling a person to engage in commandments that feel loftier in significance, rather than recognizing those that are of objective importance.

For instance, people are quick to step on others' toes in the pursuit of receiving the coveted honor of an *aliyah* during Torah reading in shul, overriding Torah-sourced commandments in favor of a lower level custom. People create leniencies and loopholes to server personal desires, in essence constructing their own versions of religion. Thus, in the context of fixation in religion, much of the objects of obsession likely do not remotely constitute halacha. Rav Wolbe concludes, therefore, that the crux of a person's service of G-d lies in both knowledge and in action - learning to be objective and honest in aligning one's self with normative reality, rather than dwelling in exaggerations or distortions.

Another area that may prove to be problematic whilst reconciling OCD and halacha is medical treatment. One mode of therapy to treat OCD, in addition to medication, is Exposure and Response Prevention (ERP), which is predicated on the idea that a therapeutic effect is achieved as subjects confront their fears and discontinue their escape response. The behavioral process is called Pavlovian extinction or respondent extinction. It is not unrealistic to foresee a potential clash between sin-encouraging ERP treatment for a case of religion-based obsession and *halacha*.

Rabbi Torczyner describes a situation in which a woman is so neurotic regarding potentially contaminating her meat silverware with dairy, a halachic prohibition, that after touching dairy she washes her hands repeatedly and excessively before allowing herself

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<sup>20</sup> עלי שור (חלק שני) פרק רביעי, "פרומקייט"

to touch the silverware designated for meat. One might assume that a therapist without halachic sensitivities should instruct her to touch butter to her meat silverware, according to the prescription of ERP. Yet, Rabbi Torczyner points out, exposure and response prevention therapy may not necessarily involve exposure to sin itself.

In the previous example of the person who refuses to touch a book relating to AIDs for fear of contracting AIDs, the solution would clearly not be to give the patient AIDs. Rather, as an article from the *Journal of Clinical Psychology* enumerates, “exposures do not usually require individuals actually to experience the ultimate negative consequences, but rather to tolerate risk.”<sup>21</sup> In other words, the sin itself is not the issue, but rather the irrational fear and anxiety surrounding the sin. So, returning to the case of a woman who compulsively washes between touching dairy and meat silverware, an effective ERP could instruct her to carry a tray of butter, allow her to wipe her hands once, and then tell her to touch the silverware. Such a treatment incorporates halachic precautions in a manner which still allows the woman to undergo therapeutic exposure to an anxiety trigger for the sake of ERP therapy. There are feasible solutions that address the problems while maintaining caution in not overstepping Jewish law.

Additionally, a patient instructed to enter a non-kosher McDonald’s restaurant without eating anything is not being asked to sin but rather to allow himself to be in a position where he might sin, fulfilling ERP. Anxiety thrives in doubt; the idea behind all OCD and anxiety disorder treatment methods is to train the patient to tolerate the discomfort of doubt. Within ERP specifically, the objective is to force the patient into a position where he will experience the anxiety to its full pressure and feel it recede. In fact,

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Huppert, Jonathan D., Jedidiah Siev, and Elyssa S. Kushner. ““When כאן <sup>21</sup> Religion and Obsessive-Compulsive Disorder Collide: Treating Scrupulosity in .Ultra-Orthodox Jews”.” *Journal of Clinical Psychology* 63.10 (2007): 933. Web

perhaps causing the patient to sin would specifically not solve the problem, as the individual would not be in a position of doubt, but of predetermined decision.

As an interesting postscript, the authors of the article in the *Journal of Clinical Psychology* advise seeking guidance from the Rabbis and Jewish community in order to “gain a better understanding of where the careful wording of the law may seem excessive to an uninformed clinician who does not ascertain information about community and halachic standards for rituals” by “translating modern psychological concepts into religious language to meet the patient’s values,” and “recruiting rather than combatting patient religiosity in service of treatment,” thereby “supporting the patient in reclaiming religion as an aspect of their life that brings meaning and comfort, rather than distress.”

A final question remains: when broadening the discussion to the wider concept of obsession within Torah values and its relevance on a universal scale, where is the line for the general public of today between zeal and obsession? In examining this issue of obsession in the most extreme form, we can come to a resolution applicable to the rest of the spectrum. Torah encourages passion and zeal and dedication; it encourages stringency within reason and when appropriate; it even encourages self-control and acute awareness to seemingly insignificant detail. However, when the acts or behaviors cannot be explained within the limitations of application in religious law, or when they drive a person to a place of discomfort and anxiety rather than of satisfaction and motivation to persevere, the Torah is not encouraging.

So where is the line? It lies somewhere between devotion and neuroticism, between attention to detail and uncompromising fixation on one, between reverence and straight-up fear, between self discipline and merciless, unyielding expectations, between drowning in an overwhelming dread in approaching such topics in one’s mind and tolerating the uncomfortable – the complex,



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nuanced journey of questioning and searching and failing and rising in the pursuit of developing a beautiful, healthful relationship with one's self and one's Creator.



## To Return or Not to Return?

Unfortunately, most Jews have not embrace the *mitzvah* of *yishuv Eretz Yisrael*. “When *mashiach* comes I’ll go to Israel,” is an often heard phrase. The majority of Jewry still live outside of *Eretz Yisrael*. It is important for each individual to properly assess *yishuv ha'aretz* as an option and make an active decision about the place he or she will choose to live. The Land of Israel is filled with historical, cultural, national, spiritual, and halachic significance – each of these elements valuable in its own right.

In numerous places, the Gemara makes strong statements about *Eretz Yisrael*. For example: In Ketubot (111a), R’ Elazar says that living in *Eretz Yisrael* is living without sin; R’ Anan says that being buried in *Eretz Yisrael* is a huge *kaparah*, atonement; R’ Yirmiyah bar Abba says that walking four *amot* in *Eretz Yisrael* assures one a portion in *Olam Haba*, the world to come.

There are also halachically significant instances of the significance of living in *Eretz Yisrael*.

In Bava Batra (91a), we find that Chazal prohibit leaving *Eretz Yisrael* unless there is a significant increase in the cost of wheat, and one cannot personally afford to buy the food.

In Ketubot (110b) there is a discussion about coercing one’s spouse to move to *Eretz Yisrael*. The halacha sides with the spouse who wants to live in *Eretz Yisrael* (either forcing the wife to lose her *ketubah* rights or forcing the husband to pay his wife her *ketubah* rights). If moving to *Eretz Yisrael* constitutes halachic grounds for divorce, there is obviously great halachic significance to living in the Land.

A frequently quoted Tosfot on this passage comments that this *mitzvah* is not relevant for current times because it is dangerous to travel. It then quotes Rabbeinu Chaim, who says that there is no *mitzvah* to live in *Eretz Yisrael* today (in a time of *galut*) because it is too difficult to properly fulfill all of the *mitzvot ha'teluyot ba'aretz*, thus bringing unnecessary punishments upon the inhabitants. Tosfot's first rationale should not apply to today's society, as travel options are quite safe and doable. The second reason quoted from Rabbeinu Chaim is puzzling: Why should difficulty in performing *mitzvot* exempt us from the obligation to complete them? In addition, Jews are actually able to perform many of the *mitzvot ha'teluyot ba'aretz* today, so this excuse cannot easily be invoked. The Maharit completely discounts this Tosfot's credibility, attributing his words to a scribal error.<sup>1</sup>

The gemara states (Ketubot 110b) that a person should always live in *Eretz Yisrael*, even a city whose constituents are mostly idolatrous rather than residing outside of *Eretz Yisrael* in a predominantly Jewish city, as living outside of *Eretz Yisrael* is akin to serving *avodah zara* itself. This Gemara lends support to the view that this *mitzvah* applies even during times of *galut* a period in which many cities in *Eretz Yisrael* are home to idol worshippers.

However, there is a problematic Gemara which seems to imply, at the very least, that it is actually forbidden for the masses to return to *Eretz Yisrael* prior to the coming of *mashiach*. In Ketubot (111a) the Gemara records an anecdote in which R' Zeira is avoiding R' Yehudah, who felt that moving to *Eretz Yisrael* during *Galut Bavel* was transgressing a positive commandment, whereas R' Zeira believed that it was permissible for individuals to move there at any time, and was planning on doing so himself. R' Yehuda bases himself on the following *pasuk*:  
בבלה יבאו ושמה יהיו עד יום פקדי אתם נאם ה' והעליתם והשבתים אל המקום הזה.

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<sup>1</sup> תשובות מהרי"ט ב:כח

R' Zeira interpretes the *pasuk* within its context as referring to the *keilim*, utensils, of the *Beit Hamikdash*, not the people. R' Yehudah counters with another source from *Shir Hashirim*: *השבעתי אתכם בנות ירושלים ... אם תעירו ואם תעוררו את האהבה עד שתחפץ*,<sup>2</sup> He explains the *pasuk* that the Jewish people are sworn not to awaken Hashem's love by returning to *Eretz Yisrael* before the redemption. R' Zeira maintains that this applies to the Jewish people as a whole coming *בחומה*, by force or en mass.

R' Yehudah argues that individuals are included in this statement as well because the same phrase is repeated in a later *pasuk* in *Shir Hashirim*.<sup>3</sup>

R' Zeira explains that there is actually a third *pasuk* in *Shir Hashirim* that is very similar to these two, and collectively, these three *pesukim* correspond to the three famous oaths regarding the Jews in *galut*.<sup>4</sup> G-d swore that the Jews would not go into *Eretz Yisrael* *בחומה*, or rebel against the nations of the world, and in turn, the nations of the world would not subjugate the Jews any more than necessary. None of these statements prohibit individuals from immigrating to *Eretz Yisrael* according to R' Zeira.

Even if one accepts R' Zeira's opinion that individuals can move to *Eretz Yisrael* during the period of *galut*, how can one justify the formation of a state of Israel?

There are many approaches to understanding this troubling Gemara, and it is important to assess each critically as well. The United Nations did give permission to form a Jewish State in 1947, so perhaps it should not be considered *בחומה עליה*.<sup>5</sup>

<sup>2</sup> שיר השירים ב:ז

<sup>3</sup> שם ג:ה

<sup>4</sup> שם ח:ד

<sup>5</sup> עיין מאמרו של הרב שלמה אבינר, "שלא יעלו בחומה"

Another argument is that Jews arrived in many small *aliyot* groups instead of the majority of Jews arriving all at once, so perhaps this is still considered individual immigration. One might also suggest that halacha is not rendered based on an *aggadata*, and this anecdote is not brought with the intended as *psak*. Although it may convey a valuable message, it doesn't appear in the works of the Rambam, *Tur*, or *Shulchan Aruch*.

A question still remains: Why is *yishuv Eretz Yisrael* not counted by the Rambam in his *Sefer Hamitzvot*? There are many possible explanations. The Ramban, in his commentary to the *Sefer Hamitzvot*, asserts that *yishuv ha'aretz* is a positive commandment that is always applicable and containing two elements: the general commandment to conquer the land and the individual commandment to inhabit the land to prevent it from becoming desolate or inhabited by other nations.<sup>6</sup> The source for this, according to the Ramban, is: והורשתם את הארץ וישבתם בה: כי לכם נתתי את הארץ לרשת אתה.<sup>7</sup>

Proof that this *pasuk* implies a *mitzvah*, not just encouragement or a promise can be found in later *pesukim*. *Bnei Yisrael* are told, עלי רש כאשר דבר ה' – Go up and take possession like Hashem has spoken.<sup>8</sup> When they are being sent from Kadesh-Barnea they are told, עלו ורשו את הארץ – “Go up and possess the land.”<sup>9</sup> When they do not want to go, Hashem becomes angry, as they embittered His words: ותמרו את פי ה'.<sup>10</sup>

Other supportive texts cited by the Ramban include the *Sifri*, which says David did not act properly when expanding the

<sup>6</sup> מצוות עשה לדעת הרמב"ן, מצוה ד

<sup>7</sup> במדבר לג:נג

<sup>8</sup> דברים א:כא

<sup>9</sup> דברים ט:כג

<sup>10</sup> שם

borders of *Eretz Yisrael* without first conquering the Land within the given boundaries, demonstrating that the commandment to conquer *Eretz Yisrael* does not only apply during the time of Yehoshua. A second *Sifri* records the story of Rabbis who were leaving *Eretz Yisrael* after destruction of second *Beit Hamikdash*. Upon reflecting about the centrality of *Eretz Yisrael*, they cried and exclaimed, “*Eretz Yisrael* is worth all of the other *mitzvot* put together!” promptly returning to the Land. The Ramban additionally brings the statements of the Gemara that praise living in *Eretz Yisrael* without the specification of a time period, thus assuming they are applicable during *galut* as well.

The *Megillat Esther*, however, takes the opposite approach, asserting that *yishuv ha'aretz* is not only inapplicable during *galut*, but is actually prohibited, citing the Gemara in *Ketubot* discussing the three oaths.<sup>11</sup> According to the *Megillat Esther*, the reason this *mitzvah* is not cited by the Rambam is because it is not applicable *li'dorot* - for generations – a category the Rambam excludes from his *Sefer Hamitzvot*.<sup>12</sup> He explains that *yishuv ha'aretz* is a *mitzvah* limited to Yehoshua and David because they did not live in a time of *galut*.

Similarly, quoting the Tosfot from *Ketubot*, he interprets all the statements in the Gemara about *yishuv ha'aretz* as not being applicable to a time of *galut*.<sup>13</sup> The *Megillat Esther* understands the *Sifri* quoted in the Ramban to be describing a scene of mourning – the Rabbis distraught because the *mitzvah* cannot be fulfilled in *galut*.

In many other places, the Rambam himself speaks of the importance of *yishuv ha'aretz* applicable at all times. For example,

<sup>11</sup> מגילת אסתר מצות עשה לדעת הרמבן, מצוה ד'

<sup>12</sup> שרש שלישי בהקדמה לספר המצוות

<sup>13</sup> קי: תוספות כתובות

in his *Hilchot Melachim* he codifies the previously mentioned *Gemara Ketubot* as halacha, that a person should always live in *Eretz Yisrael*, even in a city of idolaters.<sup>14</sup> In *Hilchot Avadim*, the Rambam says that until today, a servant can force his master to move to *Eretz Yisrael*.<sup>15</sup> In reference to *Kiddush Hachodesh*, the Rambam writes, “God forbid that there should not be any Jews left in *Eretz Yisrael*, for Hashem has promised not to destroy us completely,” equating a lack of Jewish presence in *Eretz Yisrael* to the destruction of the entire nation.<sup>16</sup>

The Rambam also rules in *Hilchot Melachim* that it is forbidden for someone to leave *Eretz Yisrael* 'le'olam'. *Le'olam* can be interpreted to mean one may not leave with the intention of leaving permanently, or alternatively, that one is *always* forbidden to leave *Eretz Yisrael*. He gives three exemptions to this statement: the need to teach Torah, marry a woman, or save someone from non-jews.<sup>17</sup> Even in these cases, one does not have a permanent exemption from living in *Eretz Yisrael*, rather, he must eventually return.

According to all of these sources, it appears highly unlikely that the Rambam is of the opinion that this *mitzvah* is inapplicable during *galut*. However, in his *Iggeret Teiman*, the Rambam warns the Yemenites about fake messiahs, quoting the *Gemara in Ketubot* about the three oaths.<sup>18</sup> With this text in mind, the Rambam's position becomes more complex in typical Rambam style. It is important to note that this letter was not written as halacha, thus his words are not binding; however, the letter does

<sup>14</sup> הלכות מלכים, פרק ה, הלכה יב

<sup>15</sup> הלכות עבדים, פרק ח הלכה ט

<sup>16</sup> ספר המצוות, עשה קנג

<sup>17</sup> הלכות מלכים, פרק ה, הלכה ט

<sup>18</sup> אגרת תימן פ"ד, הוצאת קאפה עמ' נה



impact the understanding of his position. One can argue that Rambam felt it was improper for the masses of Jews to go to *Eretz Yisrael* until *mashiach* (the issue of *בחימה*), and that his statements about *Eretz Yisrael* throughout *Mishnah Torah* are referring to individuals only. Or perhaps, conversely, he meant that the *mitzvah* is incumbent even upon large groups, yet should be avoided out of fear of fake messiahs, unless the beginnings of *geula* are evident. Rambam's words do not explicate his true position, and thus, any suggestions must remain merely as hypotheses.

The *Shulchan Aruch* maintains that a person can force his or her spouse to move to *Eretz Yisrael* or demand a divorce without being held accountable, but does not discuss *yishuv Eretz Yisrael* as a *mitzvah* by itself.<sup>19</sup>

The *Shulchan Aruch* suggests an additional exemption if the situation is potentially dangerous. The *Pitchei Teshuva* understands the *Shulchan Aruch* as ruling that *yishuv ha'aretz* is applicable at all times, agreeing with the position of the Ramban as most halachic authorities do.<sup>20</sup> The *Pitchei Teshuva* also references the Maharit which discounts the Tosfot in *Ketubot* as a scribal error.<sup>21</sup> The Maharit supports his statement with a *teshuva* by Rabbeinu Chaim, which gives an exemption for *yishuv ha'aretz* because of the concept of *sakanat derachim* – danger while travelling – as opposed to the rationale that performing the *mitzvot ha'teluyot ba'aretz* are too difficult, unlike the Tosfot's quote from Rabbeinu Chaim. The Mordechai also quotes Rabbeinu Chaim giving only the reason of *sakanat derachim*, as is consistent with the *teshuva*.<sup>22</sup>

<sup>19</sup> אה"ע הל' כתובות סי' ע"ה סע' ג

<sup>20</sup> פתחי תשובה שם

<sup>21</sup> תשובות מהריט ב:כח

<sup>22</sup> מרדכי כתובות יב:שיג

The *Avnei Neizer* refutes the *Megillat Esther*, as other mefarshim do, with two major points: an explanation of the end of the *Sifri* only partially quoted by the *Megillat Esther* that records that the Rabbis actually do return to *Eretz Yisrael* after their mourning, and the Maharit who dispels the Tosfot in *Ketubot* as a scribal error.<sup>23</sup>

The *Avnei Neizer* also points out that the *Megillat Esther* must have been unaware of the Rambam's statement in *Hilchot Avadim* that, even today, a servant can force his master to move to *Eretz Yisrael*. He additionally explains a major flaw in the *Megillat Esther's* reason for the Rambam excluding *yishuv ha'arets* in his counting of the *mitzvot*. If the reason it is its inapplicability during *galut*, as the *Megillat Esther* asserts, the *mitzvot* of *korbanot* would not have been counted either. Since they are included, the *Avnei Neizer* surmises that a *mitzvah* that will return in the time of *mashiach* is considered to be *l'dorot*, subsequently included as one of the Rambam's 613 *mitzvot*.

According to the *Anvei Nezer*, the reason Rambam did not list *yishuv ha'arets* separately is simply because when a *mitzvah* is dependent on another *mitzvah*, only the independent *mitzvah* is recorded; the dependent *mitzvah* is inherently included. It follows then that since the purpose of building the *Beit Hamikdash* is for the housing of the *Aron*, the *Aron* is dependent on the *Beit Hamikdash* for its location. Therefore, the *Avnei Nezer* explains, that the Rambam only lists building the *Beit Hamikdash* as one of his 613 *mitzvot*, excluding the construction of the *Aron*.

Similarly, the Rambam does not list *yishuv ha'arets* as a separate *mitzvah* because it is dependent on *kivush ha'arets*, conquering the seven nations which reside in *Eretz Yisrael*,

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<sup>23</sup> שו"ת אבני נזר יו"ד סי' תנ"ד

already incorporated within the aforementioned command, *hechereim tachrimem*.<sup>24</sup>

Rav Teichtal in *Eim Habanim S'maicha* refutes the *Megillat Esther*. He points out that the *Megillat Esther* previously agreed with the Ramban that the word 'yerusha,' connotes something everlasting. The Rambam writes that the word inheritance, applies to all generations, extrapolated from a *pasuk* in *Devarim*.<sup>25</sup> How can the *Megillat Esther* contradict himself, believing that *yishuv ha'aretz* does not apply during *galut*? Based on many of his writings, it is clear that the Rambam values *yishuv ha'aretz* at all times as essential. Rav Teichtal quotes Rav Blumberg who further explains that the reason the Rambam includes *yishuv ha'aretz* as one of the 613 is because it encompasses the whole Torah, thus rendering it excluded from a separate listing.<sup>26</sup>

One who takes the position that *yishuv ha'aretz* applies at all times, must then ascertain whether this *mitzvah* is a *chiyuv*, a requirement, or a *kiyum*, an optional *mitzvah*. Rav Moshe Feinstein *paskens* that *mitzvat yishuv Eretz Yisrael* is indeed a positive commandment.<sup>27</sup> However, he rules that during *galut* it is a *mitzvah kiyumit*, optional, rather than a *chiyuvit*, obligatory, based on the fact that the halachic authorities do not say it is prohibited to live in *Chutz La'aretz* and do not force everyone to move to *Eretz Yisrael*.

[The Gemara in *Ketubot* 110b says that if one spouse wants to go, he or she may force spouse to go to *Eretz Yisrael*; however, it does not say to force everyone to go to *Eretz Yisrael*. It

<sup>24</sup> ספר המצוות, עשה קפז

<sup>25</sup> דברים לג:ד

<sup>26</sup> שרש רביעי בהקדמה לספר המצוות

<sup>27</sup> אגרות משה אה"ע חלק א סי' קב בסוף התשובה

specifically is speaking about a case where one spouse desires to go.]

The Rambam writes leaving *Eretz Yisrael* is prohibited, but not that living in *Chutz La'aretz* is prohibited.<sup>28</sup> There are others who disagree with him; Rav Eliezer Waldenberg in his *Tzitz Eliezer* notably rules that *yishuv ha'aretz* is a *mitzvah chiyuvit*, incumbent on each individual at all times, and that the founding of the State of Israel reinstated the *mitzvah klallit* on all of *Bnei Yisrael* to conquer the land.<sup>29</sup>

Rav Yitzchak Brand suggests a third approach to the nature of this *mitzvah*: the essence of the *mitzvah* to dwell in the land of Israel requires that it not be mandatory by law.<sup>30</sup> *Eretz Yisrael* is supposed to be the foundation of the covenant between G-d and Avraham, His promise to the Jews as a symbol of His everlasting love. The *Ohr Hachaim* writes that dwelling in *Eretz Yisrael* is a *mitzvah* that encompasses the entire Torah; our entire value system is rooted in the land itself.<sup>31</sup>

Rav Brand compares *Eretz Yisrael* to a marriage: if either spouse is forced into the marriage, the marriage is clearly not meant to be. Along the same lines, if the only reason we are coming to *Eretz Yisrael* is a technical, halachic requirement, then G-d does not want the Jewish people to reside in His land. Thus, the fact that this *mitzvah* is not a *chiyuv* does not demote its value; rather, it actually attributes higher significance to the *mitzvah*.

This can explain the implications of the sin of the *Meraglim*, who criticized and rejected the Land that G-d offered them,

<sup>28</sup> רמבם הלכות מלכים פרק ה, הלכה ט

<sup>29</sup> שו"ת ציץ אליעזר חלק ד' סי' מח

<sup>30</sup> ראה <http://www.rabbibrand.022.co.il/BRPortal/br/P102>

<sup>31</sup> אור החיים דברים ל:כ

consequently delaying entry for an additional forty years.<sup>32</sup> The Jewish people need to come to Israel out of love, not out of fear. G-d does not want us in the land if we do not appreciate Israel for what it signifies, a mutual manifestation of our covenant with G-d, as that is the essence of the land and the *mitzvah* to dwell in it.

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<sup>32</sup> רש"י במדבר יג:כה



# **Between the Lines or Beyond the Borders**

## **A Brief Discussion about Innate Morality**

There are endless approaches regarding the debate between inherent and imparted morality that arrange themselves on a wide spectrum of whether morality is a conglomeration of objective conclusions or subjective assumptions. Countless philosophers and scientists have examined many angles regarding this topic throughout the ages; all have posited various rationales for the existence or non-existence of innate morality. For example, the Transcendentalist movement, promulgated by Emerson and Thoreau, understands humanity to be inherently good, possessing an instinctual awareness of right and wrong, endowed by G-d Himself.

Indicative of the attitude of The Founding Fathers of the United States of America, the following phrase in The Declaration of Independence reflects the principles upon which American society is based:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

This philosophy invokes a higher power that bestows these traits, namely G-d. Other outlooks still maintain that morality is innate, but do not necessarily ascribe to this specific tenet of the belief, that attributes the source of morality to the Divine.

The slightly varied view is that an individual's morality, although inherent, is present due to factors external to G-d. It postulates that although objective moral standards cannot be derived through intellectual reasoning, they are instead the

result of instinctual moral sentiments that cannot be easily defined or isolated, a moral sense. A byproduct of sympathy, morals are a manifestation of one's empathy for others: subconsciously placing oneself in a hypothetical situation and simulating one's personal response. This ability is innate, found in human nature.

However, the absence of a Divine element seems to abandon morality to an arbitrary threshold. Supporters maintain that natural morality is universal, with objective ethical standards to which society is subjected. A singular individual lacking in morality would be considered an anomaly resulting from a malfunction in his or her moral sense. This argument does not completely resolve the issue of a universal truth, which is still subject to the criticism of moral subjectivity.<sup>1</sup>

According to the philosophy of Naturalism, there is no objective moral standard. In actuality, morality is determined by society and human nature alone, which is utterly subjective and varies based on culture. Morality exists only as a function of a healthy society, necessary for maximizing communal productivity.<sup>2</sup> Moral Nihilists adhere to a similar approach that views moral guidelines as a set of accepted regulations or recommendations that allow people to function in a societal setting, a social contract of sorts but with no label of 'ultimate truth' to obligate or bind the individual.

Moral Absolutists preach that actions themselves are inherently good or bad, while consequentialists argue that the morality of an act is dependent on the intentions and the consequences of the perpetrator as opposed to the act in isolation.<sup>3</sup> On the complete opposite end of the spectrum, anti-

<sup>1</sup> Thordarson, Sveinbjorn. "Hume's Moral Sense Theory and the Spectre of Relativism." ראה

<sup>2</sup> Clark, Tom. "Contrasts between Naturalism and Anti-Naturalism" ראה

<sup>3</sup> "Moral Absolutism." *The Basics of Philosophy* ראה



Transcendentalists, such as Nathaniel Hawthorne and Herman Melville, ascribe to the belief that mankind is inherently evil.

Each of these philosophies suggest a different approach to resolve the concept of innate morality versus that endowed by G-d. Judaism grapples with a similar tension within the context of the religion, which obviously incorporates the existence of the Ultimate Authority who created mankind '*b'tzelem Elokim*' – in G-d's image.<sup>4</sup>

Commentators discuss whether the individual, humanity, or society possesses an innate morality or, conversely, whether the Torah limits ethics to those delineated within its contents, which may imply that morality is not innate. This debate serves as a backdrop for the discussion regarding whether the Torah encompasses everything not explicitly stated, which one might think is beyond its bounds. Like any worthy Jewish query, there are multiple approaches to resolving the issue.

First, one must address *halacha's* role in dictating ethics. The argument that the general principles encompass all the minute specifics, despite the fact that the extent to which one is required to act is not explicitly stated, implies that the Torah is the entirety of morality. On the contrary, one could argue the precise opposite: the Torah's inclusion of such vague dictums indicates an acknowledgment of the scope of morality beyond the specified ethical behaviors codified as law.

The Mishnah in *Brachot* (5:3) cites the *mitzvah* of *shiluach haken*, sending away the mother bird from her nest, and attempts to provide an explanation for the command, ultimately determining that humans cannot apply emotion or logic to determine any *ta'amei hamitzvot*, reasons for a command, since

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<sup>4</sup> בראשית א:כו-כו

each one is completely Divine and beyond human logic.<sup>5</sup> This line of reasoning places morality on a pedestal, a higher standard that is not subject to humanity's powers of deduction – utterly Divine.

In support of the idea that the *avot* kept all the *mitzvot*, Chazal quote the *pasuk*, וישמר משמרת מצותי חקותי ותורתי.<sup>6</sup> What constitutes all the *mitzvot*?

Rashi defines each of the terms that the Torah employs to describe the type of Torah the *avot* observed. He distinguishes between *mitzvot* and *chukim*, defining *chukim* as commands unique to Judaism with no apparent rationale besides the fact that G-d decrees them. He defines *mitzvot* as actions mandated without explanation with logic assumed to be obvious.

For example, the prohibitions against stealing and killing would be categorized as *mitzvot*.<sup>7</sup> Since Rashi interprets *mitzvot* as “natural laws,” he effectively implies that Judaism recognizes some form of societal standard of ethics. If one continues to extrapolate, the fact that Rashi defines each term to ultimately encompass every aspect of the Jewish lifestyle implies that he believes that the Torah is the all-encompassing moral guidebook, leaving nothing external to it.

There is, however, a global *mitzvah* worth analyzing which may add to our understanding, ועשית הישר והטוב בעיני ה'.<sup>8</sup> This *pasuk* commands *Bnei Yisrael* to do what is “right and good in the eyes of Hashem.” What exactly this entails is subject to much debate. Does this *pasuk* support the claim that the Torah includes all moral deeds as an integral part of its laws?

<sup>5</sup> משנה ברכות ה:ג

<sup>6</sup> בראשית כו:ה

<sup>7</sup> רש"י שם

<sup>8</sup> דברים ו:יח

Alternatively, is the general statement meant to convey that one should attempt to satisfy the *mitzvah* according to how one sees fit?

The Ramban's famous explanation of this *pasuk* states that fulfillment of *hayashar v'hatov* is achieved simply through following G-d's Torah. He cites Chazal, who understand that this *pasuk* refers to another general principle, "*lifnim meshurat hadin*," acting beyond the specifications of the law, originating from Rashi's commentary on the Gemara explaining the phrase, "*Ima'an tailech b'derech tovim*," so that you will go in good ways.<sup>9</sup>

The previous *pasuk* in *Bereishit* regarding the *avots'* adherence to Torah pertains to the breadth of *halachot* observed, and this *pasuk* alludes to everything that is not explicitly commanded. Since it is impossible for the Torah to record the proper method of conduct for every potential situation, this general statement is seen as universally applicable. Throughout the Torah, details such as, ולא תקלל חרש<sup>10</sup>, ולא תלך רכיל<sup>11</sup>, ולא תעמוד על דם רעך<sup>12</sup>, לא תקום ולא תטור<sup>13</sup>, לא תפני שיבה תקום<sup>14</sup>, are included, yet a general principle is stated in order to ensure that all such actions are encompassed within Torah's framework. The mere fact that *halacha* dictates moral actions implies that morality is not completely inherent.

Addressing the issue from an alternate perspective, the Rambam, in *Mishnah Torah*, codifies what constitutes the

<sup>9</sup> בבא מציעא פג.

<sup>10</sup> ויקרא יט:יד

<sup>11</sup> שם יט:טז

<sup>12</sup> שם

<sup>13</sup> שם יט:יה

<sup>14</sup> שם יט:לב

entirety of the halachic system. Included within this are the *Sheva Mitzvot Bnei Noach*, which can be described as a code of ethical behavior for all of mankind originally entrusted to Adam and Chava.<sup>15</sup> If these laws pertain to humanity as a whole, one could infer that humanity is innately capable of success and therefore possesses an innate moral compass, corroborating the theology of Transcendentalism.

The Gemara<sup>16</sup> discusses the implications of *Mitzvot Bnei Noach* that are subsequently repeated at *Matan Torah*. Yet, those which are not mentioned are still binding on *Bnei Yisrael* because Torah, by definition, must elevate those who practice it to a higher level of *kedusha*, holiness. However, this cannot imply that Jews have an innately greater moral sense than those who practice other religions. Therefore, one must assume that the extra lengths the Torah requires are embellishments - extraneous by normal expectations.

The Rambam explains in *Hilchot Melachim* that Torah is a system exclusive to the Jewish nation and not incumbent on the remainder of humanity, as opposed to the *Sheva Mitzvot Bnei Noach* which are universally binding, revealed by G-d to Adam and Noach.<sup>17</sup> The fact that there is the simultaneous existence of the *Sheva Mitzvot Bnei Noach* and an additional halachic system indicates both that morality is an innate, human, characteristic, and that there are directives from a legalistic perspective. The two are not necessarily mutually exclusive.

According to one reading of the Rambam's *Mishnah Torah*, a non-Jew who is careful to observe the *Sheva Mitzvot Bnei Noach* because they are commands from G-d is considered

<sup>15</sup> עי' סנהדרין נו

<sup>16</sup> סנהדרין נט

<sup>17</sup> רמב"ם הלכות מלכים פרק ט

righteous. Ascribing to them due to personal rationales excludes him or her from the classification of pious.<sup>18</sup> The laws must be observed out of belief in the Divine, not logical thought. Skepticism at man's inability to arrive at intelligent conclusions regarding morality independent of G-d's influence is predictable, adhering to classic Maimonidean theology, and should subsequently obligate non-Jews to seek rabbinic advice in relevant religious areas.

An alternate text of the Rambam places the individual who concludes, through his or her own logical reasoning, that the *Mitzvot Bnei Noach* should be followed, in an exalted category entitled "The Wise of the Nations." Rav Kook suggests an interpretation that a non-Jew who independently arrives at the assumption that the *Sheva Mitzvot Bnei Noach* are an expression of morality is to be regarded as one who has achieved the highest level of spiritual attainment.<sup>19</sup>

This internal discovery of moral truth is the premier threshold of understanding. Rational revelation elicits a stronger conviction than simply accepting tradition as fact. Simultaneously, moral truth must exist somewhere in the realm between intellectual thought and religious revelation in order to be innate and remain universal.

Perhaps the Rambam is aligned with the philosophical approach that morality is biologically innate, yet imbued by G-d. Avraham himself, one of Judaism's patriarchs, came to discover G-d from within himself.

Rav J. David Bleich<sup>20</sup> posits that the category of *lifnei mishurat hadin* itself can be separated into distinct categories

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<sup>18</sup> שם ח"א

<sup>19</sup> אגרת הראיה חלק א

<sup>20</sup> ראה "Is There an Ethic Beyond Halakhah?" *Comparative Law Reporter*

of halachic reality: וְאֵת הַמַּעֲשֶׂה זֶה הָדִין אֲשֶׁר יַעֲשֶׂה זֶה לְפָנַי מִשּׁוּרַת הָדִין, a phrase that extends the law to exceed its potential parameters, incorporating ethics into halacha's fundamental framework, is evidence that the system integrates the concept into its processes.<sup>21</sup> Objective and integral.

The question then becomes whether or not Judaism recognizes an aspect of subjective morality. Can individual sensitivities be integrated into the existing codex without implying that humans are any more benevolent than G-d?

Rav Ovadia Bartenura's explanation of the first phrase in *Pirkei Avot* declares as a precondition to his commentary: the assumption that any ethical system must be part of the *halacha l'Moshe mi'sinai* – halacha originally revealed directly to Moshe at *Matan Torah* and transmitted through the generations – effectively dismissing any subjective component.<sup>22</sup>

There is, however, a support for the contrary – the possibility of a natural morality external to the corpus of halacha. Gemara<sup>23</sup> delineates that, "If the Torah had not been given, we could have learned modesty from the calf, not to rob from the ant, chastity from the dove, [and] proper conjugal behavior from the rooster." According to Rav Lichtenstein's analysis, this not only proves the possibility of logical morality, but validates nature as a source for it.<sup>24</sup>

Without the assumption that natural law is G-d-given, nothing structures the halachic system, allowing contradictory realities to exist on the premise of 'natural morality' unresolved

<sup>21</sup> בבא מציעא ל:

<sup>22</sup> רע"ב על משנה אבות א:א

<sup>23</sup> עירובין ק:

<sup>24</sup> ראה Modern Jewish Ethics, Does Jewish Tradition Recognize an Ethic  
Independent of Halacha? Page 63

and unmediated. Rav Bleich raises the impending concern of *ethical solipsism*, a condition where an individual creates his or her own ethical universe, unbeknownst to the remainder of society. This is both counter-productive and may be grounds to reject the premise of natural morality. Morality derived through logic lacks binding significance, serving no further purpose beyond the intellectual.

Ultimately, the creation of man “*b’tzelem Elokim*” commands that man, “*ve-halahta b’derakhav* – You shall walk in His ways,” essentially emulate G-d.<sup>25</sup> The Rambam views this charge as somewhat superlegal, a command to aspire, as opposed to act. *Din*, the law, alone is not sufficient to properly serve G-d which the concept of *lifnim mishurat hadin*, exceeding the parameters of the law, balances.<sup>26</sup>

Yet equating moral dilemmas with halachic parameters implies that every situation can be resolved through text alone, a universally recognized false notion.<sup>27</sup> Ethics is a critical dimension of Jewish life; it should therefore be included in halacha which dictates every aspect of life. An explanation provided by Rav Kook views morality as a precondition of halacha that, “every element of Torah must be preceded by *derech eretz* – natural, ethical behavior.”<sup>28</sup>

The real question is whether or not ethics are actionable. In other words, can a court compel a plaintiff to act on the basis of a mere *middah*? The *Gemara Ketubot* states that courts should, “*kofin al middat Sodom* – coerce over a trait of *Sodom*,”

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<sup>25</sup> דברים כח:ט

<sup>26</sup> ראה Modern Jewish Ethics, Page 73.

<sup>27</sup> ראה Modern Jewish Ethics, Page 68.

<sup>28</sup> אורות התורה יב:ב-ג

giving them the authority to force such actions.<sup>29</sup> Admittedly, this is not codified as a halachic principle, so it is presumed to be subsumed under *lifnim mishurat hadin*.<sup>30</sup>

Perhaps there are two independent systems, halacha and *middot*, that function in confluence with each other. Such a conclusion would allow for a natural morality to coexist with an inherently Divine system. Rav Kook argues that true *yirat shamayim*, fear of G-d, will never contradict morality since the two are intertwined. Natural morality used in conjunction with pure fear of heaven can allow one to ascend to greater heights. G-d's expectations never require an individual to override a higher, natural, internal moral compass.<sup>31</sup> Morality fluctuates depending on the circumstances because its bounds derive from the human consciousness, susceptible to surroundings.

This theory is cited in a *Maggid Mishnah* towards the end of *Hilchot Shechenim*. This is exemplified by a narrative in *Bereishit*, in which Avraham beseeches G-d to alter His intentions for *Sodom*. This plea, as Rav Hirsch points out,<sup>32</sup> utilizes the human definition of justice as the standard to which G-d is bound, a valid assumption because of *tzelem Elokim*, which is Divinely endowed.

Overwhelming evidence exists to support both natural and divine morality, both systematic and independent ethics. Neither approach is without flaw, and, as such, neither one can stand on its own. The complexity of the issue necessitates a complex resolution, integrating elements of each philosophy to piece together some form of coherent message.

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<sup>29</sup> כתובות קג.

<sup>30</sup> ראה 75 Modern Jewish Ethics, Page 75.

<sup>31</sup> אורות הקודש ג:כו

<sup>32</sup> בראשית יח



Regardless, according to Judaism, one cannot claim that people have no inherent obligation to minimally attempt to imitate G-d by acting morally and ethically according to the situation, the dictates of halacha, and one's intellectual logic. In the words of Rav Lichtenstein: "Does the tradition recognize an ethic independent of halacha? You define your terms and take your choice."<sup>33</sup>



## Covering All Corners

When looking at a notebook of a Jewish school child or the source sheet from a *shiur* of a renowned rabbi, one often sees the acronym ב"ה or בס"ד in the corner. Why? How did this practice originate? Is the use of one of these acronyms viewed as more preferable than the other? Is there a reason to continue this practice?

In the first *siman* in *Shulchan Aruch*,<sup>1</sup> the Rama writes, שויתי ה' לנגדי תמיד – "I have set the Lord before me constantly".<sup>2</sup> Many *poskim* debate how to apply this concept to daily life. The Ba'er Heitev understands this literally and says that one should always see שם ה', Hashem's name, in front of him or her.<sup>3</sup> According to the *Sha'arei Teshuvah*, the phrase is referring to the *menorah* bookmark in Sephardic *siddurim*, which is called a שויתי.<sup>4</sup> The reason for this practice is to remind someone who is davening that he is in the middle of talking to *Hakadosh Baruch Hu* and that he should not to talk to other people about trivial matters. However, he does not recommend the use of a שויתי since it is often dropped on the floor, disgracing Hashem's name. These interpretations might hint towards understanding the concept of writing ב"ה or בס"ד on top of documents, but do not explicitly mention the practice.

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<sup>1</sup> סע' א

<sup>2</sup> תהלים טז:ח

<sup>3</sup> אור"ח סי' א' ס"ק ג

<sup>4</sup> ס"ק ג

– בכל דרכיך דעהו והוא ישר ארחתיך: *Mishlei*: “In all your ways know Him, and He will smooth your paths.”<sup>5</sup> One can apply this *pasuk* to the practice of writing ב"ה or ב"ד. It is done is to always ‘know Him’ and thereby be blessed with success in all endeavours.

The earliest mention of this practice is in *Megillat Ta'anit*, quoted by the Gemara.<sup>6</sup> When the Greeks ruled over the Jews they forbade any mention of Hashem’s name. After the *Chashmonaim* defeated the Greeks, they overturned the ruling of the Greeks and mandated everyone to write Hashem’s name on all documents. Yet, when the *chachamim* heard about this, they abolished the decree and that day was celebrated as a *Yom Tov*.

This story leaves its reader with many questions. First, why did the *Chashmonaim* decree such an extreme decree? Second, why were the *chachamim* mad about it? And third, why was the day it ended considered a *Yom Tov*?

One explanation is that the *Chashmonaim* decreed this in attempt to reintroduce the usage of Hashem’s name in everyday life. Yet, the *chachamim* abolished the decree because ה' שם was being used in passing, thereby disgracing Him. They then celebrated because it had become so integrated into their culture that it was a miracle that everyone stopped writing it.

This story highlights an interesting tension between writing ב"ה or ב"ד and not writing it, and whether it is considered a good practice, or if one should be advised against it. At first, the practice seems praiseworthy due to the decree of the *Chashmonaim*, but the overruling of the *chachamim* makes it look as if it is a negative practice.

The *Shulchan Aruch* writes that if one is in the middle of writing ה' שם in a *Sefer Torah* and a king asks him a question, the

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<sup>5</sup> משלי ג:ו

<sup>6</sup> ראש השנה יח:

individual is not allowed to answer, due to the *kedusha*, holiness, of Hashem's name.<sup>7</sup> Additionally, the Rambam writes that burning ה' שם is forbidden; anyone who does is deserving lashes.<sup>8</sup> These sources help to illustrate how much *kedusha* there is in His name.

In his *Igrot Moshe*, Rav Moshe Feinstein explains the concern with writing ב"ה on top of a document, providing a rationale as to why it might be forbidden.<sup>9</sup> The first reason he cites is that the name might get accidentally erased. Secondly, the paper might be brought into the bathroom, which is disgraceful to ה' שם. The third reason is that it could be viewed as invoking Hashem's name in vain.

In *Devarim*, the original prohibition of using ה' לבטלה, Hashem's name in vain, is expressed.<sup>10</sup> The *Taz* comments that writing or saying השם is okay and gives Him proper respect. However, saying אדו-שם, a word combining 'the name' and 'master,' is disrespectful and should be avoided.<sup>11</sup> Additionally, the Rambam writes that if there is a *Sefer Torah* written by an *apikorus*, a heretic, there is a positive command to destroy it, since it lacks all holiness.<sup>12</sup>

We also see the danger of saying ה' לבטלה in the *Gemara Nedarim*.<sup>13</sup> Rav Chanin says in the name of Rav that anyone who says ה' לבטלה שם must be excommunicated, because saying ה' לבטלה שם causes poverty, comparable to death.

<sup>7</sup> שלחן ערוך יורה דעה רע"ג:

<sup>8</sup> רמב"ם הלכות יסודי התורה ו:ח:

<sup>9</sup> יורה דעה ח"ב סי' קל"ח

<sup>10</sup> דברים ו:יג, כח:נח

<sup>11</sup> או"ח סי' תרכ"א ס"ק ב

<sup>12</sup> הלכות יסודי התורה ו:ח:

<sup>13</sup> נדרים ז:

The Rama writes that it is forbidden to write ה' שם on anything other than a *Sefer* because it might become disgraced.<sup>14</sup> Even letters representing Hashem's name should be erased unless there is a great need.<sup>15</sup> He adds that some *poskim* are strict and careful to not even write one letter of any ה' שם anywhere that's not a Torah. This introduces the whole debate about ב"ה and ב"ה and whether one is more preferable to write over the other.

Is it better to write ב"ה or ב"ה, or is there is no difference between them? According to Rav Moshe Feinstein, it is somewhat preferable to write ב"ה, which doesn't include ה' שם, but ב"ה with the letter ה, is also permissible.<sup>16</sup> The *Tzafnat Paneach*, however, does not agree, explaining that one should be careful not to write ב"ה on papers due to the letter ה being part of ה' שם, possessing *kedusha*.<sup>17</sup> Rav Ovadiah Yosef concludes that even ב"ה is acceptable.<sup>18</sup>

According to the opinion that writing ב"ה is preferable, what is the logic? ב"ה stands for בסייעתא דשמיא, which is the Aramaic translation of בעזרת ה'. Since it is not Hebrew and not directly a letter from Hashem's name, many of the debated issues are no longer relevant and it therefore becomes more permissible. According to the Shach, there are no halachic issues in writing ה' שם in other languages.<sup>19</sup> Yet, Rav Yonatan Eibenschutz<sup>20</sup> and Rav Yaakov of Lissa<sup>21</sup> both forbid doing so,

<sup>14</sup> יורה דעה רעו:י"ג

<sup>15</sup> שם סע' י

<sup>16</sup> שו"ת אגרות משה שם

<sup>17</sup> שו"ת צפנת פענח קצו

<sup>18</sup> שו"ת יחזק דעת חלק ג סי' עח

<sup>19</sup> ש"ך יורה דעה קעט:יא

<sup>20</sup> אורים ותומים כז:ב

saying that even though Hashem's name is in another language, it still deserves respect because of what it represents.

As seen from the above sources, there are many different opinions regarding whether or not to write **ב"ה** or **בט"ד**. Both acronyms are valid and can be supported by major *poskim*. For example, the Tzfat Emet and Chidushei HaRim were known for writing **ב"ה** on top of their letters, while Rav Chaim Soloveitchik and the Chatam Sofer did not. Although this practice is often done by rote, inculcated from a young age, the act truly deserves halachic analysis.

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<sup>21</sup> נתיבות המשפט כז:ב





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מלאכת בורר

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## Finding the Good in the Bad

One aspect of *Melachat Borer*, the Torah prohibition of separating food on Shabbat, defines the ways in which one is able to remove the *pesolet*, the undesired entities, from the *ta'arovet*, or mixture. While it may be permissible to remove the desired food, there are potential issues with directly removing the waste.

Rav Hamnuna states<sup>1</sup> that one who mistakenly removes *pesolet* from within the food, as opposed to removing the food itself, is required to bring a *korban chatat*. This introduces the problem with removing *pesolet min ha'ochel*, the 'waste' from the food.

While the *Talmud Bavli* is clear that the removal of any *pesolet* constitutes *borer*, this is not as evident in the *Talmud Yerushalmi*. The *Eglei Tal* describes this apparent *machloket* between the *Bavli* and the *Yerushalmi*: the *Bavli* takes the stance that the *ma'aseh breira*, the action of separating, is essentially the problem and therefore, any amount of *pesolet* that one removes from the food, would render him *chayav*. However, the *Yerushalmi* writes that *tikun ochlim*, or 'fixing' the food, is the issue, therefore, one would only be *chayav* once the action is finished. If he started to remove the *pesolet* and stopped mid-action, he would not be *chayav* since he has yet to finish his enhancement of the food.<sup>2</sup>

The *Shulchan Aruch* codifies this prohibition and elaborates further. *Borer* is normally defined as the removal of the majority of the mixture. However, he explains that even if the *pesolet* is the minority in the *ta'arovet* and requires more effort to

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<sup>1</sup> שבת עג-עד:

<sup>2</sup> אגלי טל מלאכת זורה סי' ה

remove, it is problematic to take the *pesolet* out of the food even *le'altar*, for immediate use.<sup>3</sup>

Although the *Shulchan Aruch* seems to clearly state that removing *pesolet* would be considered *borer* and, would, therefore, make one *chayav*, the *Mishnah Berurah* creates a solution to the predicament. He refers to a situation in which a fly falls into a cup of wine. Removing the fly from the wine would be considered *hasarat pesolet min ha'ochel*. However, he explains that taking some of the wine along with the fly avoids the *issur*.<sup>4</sup> The *Beiur Halacha* describes a similar situation in which there is a mixture of fish and bones on a plate. In order to remove the bones, he allows one to take some of the meat with it, thereby, avoiding the *issur*.<sup>5</sup> Therefore, *l'halacha*, it seems as though taking some food out with the waste transforms the action from *assur* to *muttar*.

The *Chazon Ish*, however, rejects the logic of the *Beiur Halacha*. He says that even when one takes some pieces of fish with the bone, he is still separating between that which he does and does not want. His intentions remain the same, despite his taking from the fish as well.<sup>6</sup> The *Chazon Ish* further explains that the case brought down in the *Mishnah Berurah* of the fly in a cup of wine differs from the example given by the *Beiur Halacha* of the fish and bones in that the *pesolet* is not the fly itself, but rather the wine surrounding the fly. However, because the *pesolet* is not *nicar*, recognizable, in the *ta'arovet* and is considered *min echad*, one type of food, there is no issue of *borer* and the fly can be removed.

<sup>3</sup> שו"ע אורח חיים סי' שיט סע' ד

<sup>4</sup> מ"ב סי' שיט סע' טז ס"ק סא

<sup>5</sup> ביאור הלכה סי' שיט סע' ד ד"ה מתוך

<sup>6</sup> חזון איש אורח חיים סי' נד ג-ד

In order to resolve this contradiction between the Beur Halacha and the Chazon Ish, the logic of Tosfot,<sup>7</sup> which is brought down *l'halacha* in the Sha'ar HaTziun,<sup>8</sup> can be applied. Tosfot explains that *derech breirah*, the way in which *borer* is accomplished, involves one's removing of the food that makes up the majority of the dish, rather than taking the food that is the minority. Therefore, if one removes the minority from the majority, then *ein derech breira bekach*, this is not the normal manner of *borer*, and the action would be considered *muttar*. This thought process can explain the reason for the Beur Halacha's seemingly lenient approach, but the Chazon Ish would still reject this on the basis of one's intention when he removes the *pesolet*.

Another possible reason for this contradiction is that one's removing of the *ochel* with the *pesolet* is not actually separating a *ta'arovet*, but rather separating between *min echad*. The *ta'arovet* in this case would be the place in which the food meets the *pesolet* – the pieces of meat directly touching the bone. Therefore, when the bone is removed along with excess meat, the *ta'arovet* is taken out in its entirety and the separation is actually between the pieces of meat, which is *min echad*. While the Beur Halacha can use this logic to explain himself, the Chazon Ish would still argue about true intentions.

Later on, the Mishnah Berurah discusses another case in which there is fat on top of milk. He says that the removal of *some* of the fat is permissible, while the removal of *all* of it would make one *chayav*.<sup>9</sup> This logic seemingly follows the Talmud Yerushalmi in that performing partial *borer* would not be problematic since the main issue is regarding *tikun ochlim*. However, this is odd considering the fact that *halacha* is generally derived from the Talmud Bavli.

<sup>7</sup> תוספות עד. ד"ה בורר ואוכל אוכל מתוך פסולת

<sup>8</sup> שער הציון סי' שיט סע' יז ס"ק נה

<sup>9</sup> מ"ב סי' שיט סע' יז ס"ק סב

Perhaps, building off of the aforementioned solution, removing the fat from the milk is not considered a *ma'aseh breira*. Since the *ta'arovet* is only the place in which the *ochel* and *pesolet* touch, taking off a layer of fat from the top is merely separating *min echad*. Rav Ovadia Yosef, in his Yalkut Yosef, supports this reasoning, as he describes the milk and fat as separate entities.<sup>10</sup> Yet, he still encourages one to be *machmir* and take some *ochel* with the *pesolet*.

However, if one was to take a scoop of the fat with the milk, instead of only scraping off a layer of fat, it would still be permissible since some *ochel* is being removed along with the *pesolet*, meaning that the *ta'arovet* is entirely removed rather than separated. Therefore, as is evident, the Mishnah Berurah can be explained within the context of the Talmud Bavli.

Rav Moshe Feinstein, in his Igrot Moshe, compares this case described in the Mishnah Berurah to a situation of the *klipa*, the shell of the nut, and the nut. He says that just as one is able to crack open the *klipa* in order to access the nut, so too one is able to move the fat in order to get to the milk.<sup>11</sup> However, Rav Yehoshua Neuwirth disagrees with Rav Moshe Feinstein in his Shemirat Shabbat Kehilchata.<sup>12</sup> He explains that because there are other ways to access the milk, such as pouring out the contents of the pitcher, moving the fat in order to get the milk would be considered *borer*.

The permissibility of removing *pesolet* from a *ta'arovet* is subject to debate. While extracting *pesolet* by itself is forbidden, many *poskim* argue that taking *ochel* along with the *pesolet* is permitted. This method is allowed due to the fact that the simultaneous removal of both the *ochel* and *pesolet* effectively removes the *issur* in that the *ta'arovet* is not actually being separated, only

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<sup>10</sup> ילקוט יוסף סי' שיט

<sup>11</sup> אגרות משה או"ח חלק ד סי' עד דיני בורר אות ו

<sup>12</sup> ג:בב

relocated. Furthermore, removing *pesolet* in conjunction with *ochel* is not *derech breirah*, and therefore would not be problematic at all. In order to avoid separating a *ta'arovet* in a manner that would constitute *borer*, one can extract *ochel* with the *pesolet* and completely circumvent the *melacha*.





## Discerning the ‘Object’ive

### *A Glimpse at the Complexity of Halacha*

The following question was asked of the *Tzitz Eliezer* (Rav Eliezer Waldenberg).<sup>1</sup> Is it permissible to remove a desired Navi scroll from a cabinet on Shabbat, even if one will inevitably come to first remove other scrolls of *nevi'im* which he is not planning to use? Or is this a violation of *Melechet Borer*?

The topic that the *Tzitz Eliezer* is directly dealing with is that of *borer b'keilim*, separating non-food items. At first glance, the concept of *borer b'keilim* seems to be absent from both the Mishnah and the Gemara. There are three primary locations in which the Gemara discusses *borer*. All three solely relate to food items.

The first appears when the Mishnah introduces us to the 39 *Melachot* of Shabbat. *Borer* is located in what Rashi refers to as the *sidurei d'pat*, the series of tasks involved in the process of baking bread.<sup>2</sup> In order to refine the wheat to make it suitable for flour, the inedible parts of the wheat kernel must be removed.

The second arises in the process of differentiating between three seemingly identical *melachot*: winnowing, sifting, and sorting. The Gemara questions why these three are counted among the 39, while *k'tisha*, an additional form of separating and refinement of food, is not.<sup>3</sup> The response given is that while it is true that *k'tisha* may be a component in making bread, poor people eat bread that has not undergone this extra level of refinement. This

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<sup>1</sup> שו"ת ציץ אליעזר חלק י"ב סימן ל"ה

<sup>2</sup> משנה שבת עג

<sup>3</sup> שבת עג-עד

cannot be said about the other three, and they are thus included whereas *k'tisha* is not. This discussion further elucidates that the concern of *borer* is that of the preparation of food, and there is no indication that the prohibition of separating would apply to any other substance.

The third and primary discussion of *borer* is also centred on the preparation of food items.<sup>4</sup> The discussion begins with the phrase, *היו לפניו מיני אוכלין*, meaning that the subject had different variations of food in front of him. The Gemara then proceeds to discuss in which manner, if any, it would be permissible for him to separate the food items. In midst of the discussion, the word *ochel*, eating, is reiterated time and time again, making it difficult to assume that *borer* refers to anything other than food.

The first mention of the prohibition of *borer* applying to non-food items is found in a comment of Rashi on an unrelated topic. The Gemara attributes seven *chataot*, sin offerings, to someone who makes a jug on Shabbat.<sup>5</sup> Rashi here enumerates *borer* as one of the seven, explaining that in the process of the jug's formation, thick stones must be separated out.

The *Taz* writes that this Rashi is the source of *borer* relating to non-food items.<sup>6</sup> The analysis of this Rashi leads the *Taz* to believe that Rashi translates *ochel* as consumption, a much more comprehensive word than just 'eating,' thereby allowing the prohibition of separating to apply to non-food items as well. In essence, the word *ochel* functions as a descriptive term, determining whether an object is desirable or not.

Rashi is consistent with his understanding of the source of the 39 *Melachot*. He derives them from the activities involved in *Hakamat Hamishkan*, the construction and assembly of the *Mishkan*.

<sup>4</sup> שבת עד

<sup>5</sup> שבת עד: ורש"י שם

<sup>6</sup> ט"ז ס' שי"ט ט"ק יב

This is in contrast to others, namely the *Yerushalmi*, Rav Hai, and Rabbeinu Chananel, who view the actual activities done in the *Mishkan* on a day to day basis as the origin of the 39 *Melachot*.

This fundamental *machloket* appears multiple times in *Hilchot Shabbat*. For instance, there are two opinions regarding the source of the *melacha* of *hotza'ah*. Either it is forbidden because it was necessary in assembling and dismantling the *Mishkan* or because certain items (oil, *ketoret*) were carried by Elazar HaKohein.

One difficulty that arises by means of Rashi's explanation is that of the first eleven *Melachot*, the *sidurei d'pat*. While the others will describe baking bread as part of the weekly activity done in the *Mishkan*, Rashi resorts to an alternative explanation.<sup>7</sup> He states that the actions involved in the making of bread are identical to that of preparing dyes. Colorful dyes were used to color the raw materials used in the building of the *Mishkan*. While he does not explicitly elaborate as to how separating is a component in the process of preparing dyes, it can be inferred that it is indeed part of the process.<sup>8</sup>

There is an underlying principle here that further divides Rashi and Rabbeinu Chananel. They disagree on the parameters of *melachot*. The question is whether it is the *eichut hape'ulah*, the physical action done, that must retain its status quo for the classification of any given *melacha* to remain the same, or alternatively, the *eichut hanifal* the direct object. Rashi believes that it is the *eichut hanifal* must remain the same, while Rabbeinu Chananel perceives the *eichut hape'ulah* to be the game-changer.

This disparity is best illustrated through the means of which each differentiates between three seemingly indistinguishable methods of separation – *zoreh*, *m'rakeid*, and *borer*, winnowing,

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<sup>7</sup> רש"י שבת עג.

<sup>8</sup> מנחות מב:

sifting and sorting. Rashi (as clarified by the Ran<sup>9</sup>) distinguishes these three *melachot* by the objects that are being separated, such as rocks, pebbles and straw.<sup>10</sup> Conversely, Rabbeinu Chananel categorizes each action as its own category with a separate and distinct action, despite the fact that the three actions seem similar.<sup>11</sup> The object is not the issue of concern; rather, the discerning factor is the action.

The ensuing extrapolation of this is as follows: Rabbeinu Chananel identifies each *melacha* as a series of actions by the actions performed, with the direct object bearing little relevance. Therefore, *borer b'keilim* as a concept is pertinent because as long as the action of separating is the same, the substance to which it is done is negligible. Indeed, Rabbeinu Chananel also enumerates *borer* as one of the seven prohibitions in forming a clay barrel. However, in the process of doing so, he does not merely mention *borer*. On the contrary, he delineates how the objects are separated. Rashi's perception of *borer b'keilim* is perhaps even stronger. The main prohibition of *borer* is on non-food items – namely the materials used to prepare dyes – a process imperative to *Hakamat Hamishkan*.

Thus, according to all opinions, *borer b'keilim* is prohibited.<sup>12</sup> Only Rav Meir Simcha MiDvinsk, author of the *Ohr Sameach*, seems to disagree.<sup>13</sup> Upon closer reading, however, it is clear that he too, fundamentally agrees with this principle, and just denies that such a reality will ever occur. He points out that in order to constitute *borer*, the substances in question must be

<sup>9</sup> ר"ן לא: (דפי הרי"ף)

<sup>10</sup> שבת עג

<sup>11</sup> רבינו חננאל שבת עד:

<sup>12</sup> עי' שו"ע סי' שי"ט סע' ג' ומשנ"ב שם, (וכן במג"ח ובשש"כ)

<sup>13</sup> אור שמח הלכות שבת פרק ח הלכה ה

*balul*, a mixture. While in theory, separating does apply to inedible things as well, such substances cannot form a halachic mixture in reality, and thus *borer* is irrelevant to them.

The *Tzitz Eliezer* ultimately says that there is no concern of *borer b'keilim* while looking for the desired *sefer Navi*. The complexity of this example is indicative of the intrinsic nature of our halachic system. The detailed makeup of halacha is not intended as arbitrary but rather the result of the development of a brilliant, sublime system. It's the profundity of the Torah that makes it the magnificent, supernal work to which we all devote our lives.



## ***Borer and the Peeler***

*Borer* is perhaps one of the more complicated *melachot* and one with a lot of practical relevance. There are a multitude of halachic issues involved in the area of using peelers on Shabbat, specifically under the prohibition of separating.

The Rama states that one cannot peel an onion or garlic to set aside, but if done *l'altar*, for immediate use, peeling is permitted.<sup>1</sup> In his commentary, the Mishnah Berurah says that it is prohibited because of *borer*, and is generally permissible only if one does it *l'altar* and *ochel mitoch pesolet*, removes the good from the bad.<sup>2</sup> The Beiur Halacha states that peeling is inherently *pesolet mitoch ochel*, because one has to remove the peel (*pesolet*) from the fruit (*ochel*).<sup>3</sup> The Beiur Halacha then postulates that this problem is actually the rationale as to why one is in fact permitted to peel such items. One is peeling the item in order to eat and it would be impossible to eat it in any other way. This is considered the normal manner of eating (דרך אכילתו בכך) Therefore, it is not an *issur* of *borer*, despite it being *pesolet mitoch ochel*.

The Shemirat Shabbat Kehilchata says that one can peel edible peels with a *kli me'yuchad*, a specialized vessel, even for later use. However, regarding inedible peels, one is only permitted to use a knife (at most) for immediate use.<sup>4</sup> What is the logic behind this difference, between edible and non-edible peels?

In a footnote, the Shemirat Shabbat Kehilchata explains that an edible peel becomes *batel*, secondary, to the fruit because

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<sup>1</sup> סי' שכא סע' יט

<sup>2</sup> שם ס"ק פג

<sup>3</sup> שם ד"ה לקלוף

<sup>4</sup> שש"כ ג:לד-לה

most people eat it.<sup>5</sup> If the peel is edible, it is objectively food, and therefore, one is separating between two parts of the food. Thus no *borer* takes place.<sup>6</sup> The Mishnah Berurah mentions a case where one is separating a fruit with pods and wants to take the beans out of the pods.<sup>7</sup> He allows this under the assumption that the pods are fresh, making it *ochel mitoch ochel*, removing food from food. If the pods are dry, he does not allow it, even for immediate use.

This case is different from a situation where one has two types of foods before him or her. The foods are considered subjective *ochel* and *pesolet* respectively, depending on what one wants at that moment. One can separate two types of fish only for immediate use because there is a subjective *pesolet* and *ochel*.<sup>8</sup>

Another halachic aspect to using a peeler on Shabbat is that one may never use a *kli*, utensil, for *borer*. Are peelers, knives and other cutlery considered *keilim*, utensils, when it comes to *borer*?

The Mishnah Berurah writes that one cannot pour fat off a sauce even if done *b'yad*, by hand, and doesn't use a spoon.<sup>9</sup> This implies that a spoon in this case is a *kli*, and not considered *b'yad*. The Mishnah Berurah, however, also says that one would be permitted to use a spoon to take a dumpling out of sauce; here it seems that the Mishnah Berurah does not consider a spoon to be a *kli*, leaving what seemingly is a contradiction about the status of a spoon according to the Mishnah Berurah.<sup>10</sup>

<sup>5</sup> שם ס"ק צ

<sup>6</sup> אגלי טל, הלכות בורר, ו

<sup>7</sup> משנה ברורה סי' שיט ס"ק כא

<sup>8</sup> עי' שו"ע סי' שיט ס"ע ג

<sup>9</sup> שם ס"ק נה

<sup>10</sup> שם ס"ק סו



The Shemirat Shabbat Kehilchata explains that there is a subcategory within the category of *b'yad* entitled *yad arucha*, an extension of one's hand, including spoons, forks and knives,<sup>11</sup> and in a footnote<sup>12</sup> resolves the apparent contradiction within the Mishnah Berurah. The designation of something as a *kli* or as a *yad arucha*, depends on how it is being used. If one is using a spoon out of convenience but could use his or her hand then it is a *yad arucha*, but if it is helping the *ma'aseh breirah*, the act of separating, like spooning off fat from a sauce, then it is considered a *kli*.

What about using a knife to peel onions and garlic? This seems to contradict the proposition that if something is used to improve *breirah*, it is considered a *kli*. Rav Moshe Feinstein explains that the advantage of a knife is its ability to cut. But its use does not enhance the process of *borer*.<sup>13</sup>

The Orchot Shabbat also makes a distinction when using a non-specialized *kli* if one is performing an independent action, and not just engaging in the eating process.<sup>14</sup> For example, using the spoon to remove the fat in the sauce is *chashuv*, and thus using the spoon is prohibited. Peeling a fruit is not considered *chashuv*, and therefore it is permissible to use a knife.

All these complexities within the *melacha* of *borer* apply to the seemingly smallest instance of using a peeler on Shabbat. The action is subject to so many elements that one needs to understand in order to determine whether or not such an action is permissible, demonstrating the technicalities that are inherent within the halachic system. This highlights the complex and fascinating intricacies of *Hilchot Shabbat*.

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<sup>11</sup> ג:מט

<sup>12</sup> שם הערה קמא

<sup>13</sup> שו"ת אג"מ או"ח א:קכד

<sup>14</sup> פ"ק ג סע' פה וס"ק צה



## The Dilemma of Defining a Mixture

According to most opinions, in order for the issur of *borer* to apply, there needs to be a *ta'arovet*, a mixture, that one is separating into its components. In order to determine which actions are considered *borer*, one needs to determine what constitutes a mixture.

The source for the *issur* of *borer* can be found in the *gemara*<sup>1</sup>: *היו לפניו מיני אוכלין בורר ואוכל בורר ומניח*. “One who has types of food in front of him separates some to eat and leaves the rest for later.” Other aspects of the *melacha* are discussed in detail; the proper method of separation, the purpose for the separation, the timeframe, etc. However, the parameters of a “mixture”, a prerequisite for any sort of separation, remains undefined.

When the Rambam discusses the *halachot* of *borer*, he does not cite specific parameters regarding what constitutes a mixture subject to *borer*.<sup>2</sup> His ambiguous explanation, essentially a restatement of the content already present within the *Gemara*, does little to clarify the situation.

Commenting on the *Shulchan Aruch*'s equally vague statement, the *Rama* quotes the *Trumat Hadeshen*, who explains that *borer* only applies if there are two *minim*, meaning two distinct types.<sup>3</sup> According to the *Smag*, which the *Trumat Hadeshen* quotes, because the definition of *shnei minim* itself is subject

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<sup>1</sup> שבת עד.

<sup>2</sup> הלכות שבת, פרק ה, הלכות יב-יג.

<sup>3</sup> שו"ע סי' שיט סע' ג.

to doubt, the recommendation is to be *machmir*. For example, two varieties of fish may be considered *shnei minim*, even though the mixture is entirely fish and one might have the preconception that it is only one entity.<sup>4</sup>

In his approach, the Taz is *machmir* as well, arguing that there is a status of *borer* even in *min echad* – any sort of *pesolet*, undesirable element, even if only subjective, within the item, turns it into *shnei minim*.<sup>5</sup>

Unless the items are obviously completely separate, there is the potential to consider the items mixed and as such, consider the mixture a halachic *ta'arovet*, subject to all the conditions of *borer*.

Returning to the Trumat Hadeshen, there is an internal *machloket* regarding whether or not a bowl of fruit is considered a *ta'arovet*. Some would postulate that because each fruit is clearly *nicar*, recognizable, there is no issue. Others maintain, following the logic of the Smag, that because the definition of *nicar* is ambiguous, it is best to assume the entity to have the status of a *ta'arovet*. Despite this, the Trumat Hadeshen acknowledges that it is not actually a mixture, and therefore separating the items is akin to separating something from itself, and therefore it is not considered *borer*. The Trumat Hadeshen is lenient when defining mixtures; however, he is compelled to be stringent, out of concern for the opinion of the Smag.

The Mishnah Berurah writes that two types of fish are considered *shnei minim*, thus qualifying as a *ta'arovet*. Similarly, a combination of sweet and sour apples are also considered a *ta'arovet* since differing tastes also satisfies the parameters of *shnei minim*.<sup>6</sup> The Pri Megadim cited by the Mishnah Berurah

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<sup>4</sup> תרומת הדשן סי' נז

<sup>5</sup> ט"ז סי' שיט סע' ג

<sup>6</sup> משנה ברורה, שיט:טו

concurr. Therefore, even subjective *pesolet* is enough to be considered *shnei minim*, turning the items into a *ta'arovet*.

Many *achronim* rely on this Trumat Hadeshen that maintains that even though *shnei minim* are required to constitute a *ta'arovet*, because of the ambiguity regarding the definition of *shnei minim*, it is better to be *machmir* and act according to the possibility that combinations that would theoretically be considered one *min* are actually *shnei minim*.

The Pri Megadim states that separating one *min* from itself is not considered *breirah* because one *min* never constitutes a *ta'arovet* – regardless of any potential implications of subjective *pesolet*.<sup>7</sup> The Aruch Hashulchan similarly explains that there can be no *borer* in one *min*, even with the added component of variously sized pieces to the equation. He utilizes both the Rama and Trumat Hadeshen to support this thesis.<sup>8</sup>

For example, the case of sweet and sour apples mentioned above would not be considered a *ta'arovet* as long as they are not objective *pesolet*, since the principle mentioned regarding two types of fish applies to the apples as well – according to the logic of the Aruch Hashulchan. If there are two of the same type fish and one is of higher quality, the fish are still considered *min echad* and *borer* does not apply. Once something is considered *min echad*, subjective *pesolet* becomes irrelevant and does not turn the item into *shnei minim*. This is the central debate between the Aruch Hashulchan and the *Taz*: the impact of subjective *pesolet* on the status of *min echad*.

Both the Mishnah Berurah and the Aruch Hashulchan understand that one *min* exempts a mixture from being subject to the *melacha* of *borer*, both citing the need to be *machmir*. However, the Aruch Hashulchan has a broader definition of *min echad*;

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<sup>7</sup> משבצות זהב סי' שיט ס"ק ב

<sup>8</sup> ערוך השולחן שיט:ו

according to his logic, subjective *pesolet* does not make something *shnei minim*, while the Mishnah Berurah disagrees.

The Beur Halacha cites the Mordechai to prove that it is permissible to separate subjective *pesolet* to leave for later. On the other hand, the same is not the case regarding objective *pesolet*, which cannot be left for future use. Perhaps this is due to the distinction between subjective and objective *pesolet* regarding the classification as *min echad* or *shnei minim*. Objective *pesolet* is always considered *shnei minim* because it is clearly *nicar*. Subjective *pesolet*, though, does not necessarily acquire that status. Raising the possibility that the *issur* of separating items that constitute a mixture does not even stem from the classic perspective of *borer*, the Beur Halacha posits that the act itself is fixing the food, which is not permissible. However, if there is a pile of items that are obviously *nicar*, *borer* does not apply and there is no reason to be *machmir* whatsoever.<sup>9</sup>

According to the Eglai Tal, two pieces of fish are considered *shnei minim*, but big pieces and little pieces of the same entity are not considered *shnei minim*.<sup>10</sup> Therefore, when there are two distinct elements of a mixture, it is permitted to separate all the large pieces of each category from all of the small pieces. The Eglai Tal's more expansive commentary on his own insights concludes that there is no difference between subjective and objective *pesolet*. In fact, the Eglai Tal understands the *issur* of *borer* to apply specifically in cases of *ochel* and *pesolet*. *Shnei minim* itself does not make a mixture subject to *borer*; *shnei minim* is only invoked when *pesolet* is involved.<sup>11</sup> This thought process is similar to the principle of *nicar*, whereby the very nature of the distinctiveness of the items prevents them from being a *ta'arovet*.

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<sup>9</sup> באור הלכה סי' שיט סע' ג ד"ה ומניח

<sup>10</sup> אגלי טל, הלכות בורר, סי' ה

<sup>11</sup> שם סע' טו

The Shvitat Hashabbat explicitly states that large pieces that are easily discernable are not subject to *borer* because they are obviously recognizable, and the action is considered to be taking, as opposed to separating (e.g. selecting a portion of meat from its sauce).<sup>12</sup>

An additional aspect of *ta'arovet* is discussed by the Ohr Sameach who attempts to determine whether or not the title *ta'arovet* can be extended to items other than food. He limits the application of *ta'arovet* only to food, claiming food is the only entity that can actually be mixed to a point where it's no longer *nicar*.<sup>13</sup> This is not a universally held belief, as the Mishnah Berurah extends *ta'arovet* to include *keilim*, utensils, as well.<sup>14</sup>

Mixed silverware or clothing or a stack of books may not be subject to the regulations of *borer* – even if *keilim* receive the status of *ta'arovet* – if they are *nicar*.<sup>15</sup> The Aruch Hashulchan recommends separating them immediately prior to their use in order to ensure that the action is *derech achilah*, being done for the purpose of eating, and would be permissible in any case.

At the beginning of his commentary, the Chazon Ish establishes the accepted premise that *borer* is only relevant in a mixture. A fly that is floating in a cup of liquid is not considered to be mixed with the liquid, since it is immediately recognizable. Therefore, there is no *ta'arovet* between the fly and the liquid. Yet, the Chazon Ish proposes the existences of a *ta'arovet* between the water on the fly and the water surrounding the fly, which would not be distinguishable.<sup>16</sup>

<sup>12</sup> שביתת השבת, מלאכת בורר, סע' יא

<sup>13</sup> אור שמח, הלכות שבת, פרק ח, הלכה יא

<sup>14</sup> משנה ברורה, סי' שיט

<sup>15</sup> ערוך השולחן, סי' שיט

<sup>16</sup> חזון איש, סי' נג

Delineating his classification of a *ta'arovet*, Rav Ovadia Yosef cites the Magen Avraham and the Pri Megadim who determine that different pieces of fish are considered a *ta'arovet*. Even though the fish are *nicar*, they are categorized as a *ta'arovet* because an individual still requires concentration to distinguish between each piece of fish. The degree of concentration necessary to distinguish between individual entities appears to be the Yalkut Yosef's qualification for determining *ta'arovet*. Since a fly floating at the top of a cup of liquid is easily discernible, it therefore does not constitute a *ta'arovet*.<sup>17</sup>

This logic is then applied by the Yalkut Yosef to mixtures of liquids and solids. Because the liquids and solids are *nicar*, neither meat in sauce nor a fly in a drink is a *ta'arovet* because they are distinguishable. As the Maharit Tzahalon once stated; אין ברירה בלח וגם את הצרעה ישלח.<sup>18</sup>

In contrast to the Yalkut Yosef's understanding that solids and liquids are inherently excluded from the status of *ta'arovet* because they cannot actually be mixed, Rav Moshe Feinstein applies the concept of *shnei minim* to solids and liquids. The rationale for doing so lies in the separate functions solids and liquids serve.<sup>19</sup>

In conclusion, a constant tension exists between the elements of *shnei minim* and *nicar*. A mixture cannot consist solely of *min echad*, however, *shnei minim* automatically invokes the premise of *nicar*. Any attempt to classify mixtures as a *ta'arovet*, to pinpoint its exact parameters, confronts this difficulty. To be considered *shnei minim*, items must be two distinct entities. Yet, anything too disparate destroys the possibility of a *ta'arovet*.

<sup>17</sup> ילקוט יוסף סי' מא ס"ק ג

<sup>18</sup> באר היטב שיט'ג

<sup>19</sup> שו"ת אגרת משה או"ח ח"ד סי' ע"ד הלכות בורר א



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*Poskim* approach the issue from different perspectives, arriving at different conclusions based on their understanding of the importance of *nicar* and *shnei minim*, respectively.



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# FACULTY

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## Why Choose a Nation? Why Us?

Rashi's opening comment on the Chumash is quite puzzling at first glance.

R' Yitzhak says, It is not necessary to start the Torah before '*Hachodesh Hazeh Lachem*', which is the first commandment that *Bnei Yisrael* receive. And for what reason does Hashem begin with *Bereishit*? Because, "Hashem told to His people the strength of His works in order to give them the inheritance of the nations." If the nations of the world challenge *Bnei Yisrael* saying, "You are thieves who conquered the lands of the Seven Nations [of Canaan]," *Bnei Yisrael* will reply, "The entire world belongs to *Hakodesh Baruch Hu*; He created it and gives it to whomever He deems appropriate. When He desired it, He gave it to them, and when He desired it, He took it away from them and gave it to us (Tehillim 111:6).

There are a number of questions begging to be asked. Firstly, Rashi's question is strange, for it assumes that the Torah should have begun with the first *mitzvah*, Rosh Chodesh. Why would that be a better place to start than Creation? Rashi's question does not seem to suggest removing all Biblical narrative in order to leave the Chumash as a book strictly of laws.<sup>1</sup> Many stories appear after the *mitzvah* of Rosh Chodesh; for example, the golden calf, the spies, and Korach are assumed to retain their place. What, then, is the idea behind Rashi's question?

Secondly, Rashi's answer does not seem to substantially address the question. Rashi wonders why there is a need for the first sixty-one *perakim* – fifty in *Bereshit* and eleven in *Shemot* – yet, he only answers why the first *pasuk* (or first few *pesukim*) is necessary.

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<sup>1</sup> Interestingly, some assume that if the Torah had indeed begun with the *mitzvah* of Rosh Chodesh, the first sixty-one *perakim* would not have been left out, but rather, would have comprised a separate *sefer* (Mizrachi and Siftai Chachomim both on *Bereshit* 1:1) or been relocated elsewhere in the Chumash (Be'er HaTorah, *Bereshit* 1:1).

[The Ramban (Breishit 1:1) explains that the first eleven *perakim* – everything until Avraham – establish the concept of sin and exile. After each sin, exile followed. Adam and Chava were expelled from *Gan Eden*, Kayin was sent to be a wanderer, all of Noach's generation were removed from the world, and the *Dor Haflaga* were scattered. Still, what is the rationale for including the other fifty *perakim*?]

Thirdly, was the goal, in fact, accomplished? Do the nations of the world recognize that *Eretz Yisrael* belongs to the Jews because of the Torah's narrative? Can we expect really expect that of them?<sup>2</sup>

An insight into the selection process of which stories and laws, in general, were included in the Chumash is of paramount importance. Presumably, the qualification for inclusion depends on the answer to a fundamental question: What is the purpose of the Torah? After answering this question, one can begin to hypothesize as to why certain stories were selected over others.

Perhaps the Torah is a book for the Chosen People, designed to teach us how to act as a Chosen Nation. Based on this hypothesis, Rashi's opening question can now be readdressed. If the Torah is designed to teach the Chosen Nation how to conduct themselves as 'chosen', then perhaps it should begin with the first *mitzvah* given to them.

In attempting to deal with Rashi's question, it pays to analyze what would have been missing from the Chumash if it had begun with the *mitzvah* of Rosh Chodesh. Seemingly, the answers to two significant questions would be missing. First, why would Hashem designate a Chosen Nation? Second, why choose this particular nation? Even if one can develop reasons for choosing a nation, why did Hashem select *Bnei Yisrael*? What did they do to deserve it?

These questions may be exactly what the first sixty-one *perakim* come to answer. The first eleven *perakim* of *Bereishit* include four stories of failure, sin, and exile; the subsequent storyline, the

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<sup>2</sup> Perhaps the message is designed for *Bnei Yisrael*, and it is irrelevant whether the world accepts it. This is further implied by the *pasuk* that Rashi quotes, focusing on 'He told to His people'. Still, we will suggest an additional answer.

rest of *Bereishit*, is a response. After the world repeatedly fails, Avraham emerges as a teacher and preacher who successfully begins to enlighten the world with the values of Hashem.

The Torah illustrates Avraham's affection for people and portrays his passion to help by welcoming guests on a hot day, immediately after his *Brit Milah*. We also read of Avraham's unwavering dedication to Hashem in the story of the *Akeida*. This synthesis of love and commitment are the proper building blocks of our religion and the character traits that Avraham embodied, which make him the right man to start and represent *Bnei Yisrael*. Yitzchak, Yaakov, and the twelve brothers follow along these lines as the Chumash records their transformation from individuals into a family, and, ultimately, into a nation dedicated to this important mission.

These sixty-one *perakim* capture both why a specific nation was needed to lead, as well as why *Bnei Yisrael* were selected as that nation. Without a role-model nation, the world was doomed for failure, as seen in the first eleven *perakim*. *Bnei Yisrael*, led by the *avot*, embody the ideals and values of Hashem that are needed to accomplish His goal for this world.

Perhaps this is what Rashi intended. To say that Hashem can give the land of Israel to anyone He chooses captures more than a justification of giving the land to any nation. Hashem gave *Bnei Yisrael* the Holy Land because they are the Chosen People. The first sixty-one *perakim* explain why Hashem chose them and removed the other nations, making room for them. Without the background, the story of the mission of the Chosen People is out of context and lacks the weight it deserves with the preface of how we became a nation.<sup>3</sup>

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<sup>3</sup> Hashem waited to bring back *Bnei Yisrael* to *Eretz Yisrael* until Emori sinned to the point where they deserved to be exiled (*Breishit* 15:16).





# The Root of Rebuilding:

## A Call to Action

Jerusalem, 67 CE: the Romans have laid siege to the city. Inside, the city is divided. The *Perushim* believe in both the oral and written Torah while the *Tzedukim* believe only in the written Torah. The wealthy aristocracy lives in the upper Herodian quarter of the city while the poor cluster in the lower parts of town. The wealthy are, in fact, so prosperous that the Talmud records that three wealthy men, Kalba Savuah, Nakdimon ben Gurion, and Ben Tzitz Hakeset, could have sustained the entire city for twenty one years of siege. And in the words of the Gemara<sup>1</sup>:

There were [in Jerusalem] three men of great wealth, Nakdimon ben Gurion, Ben Kalba Savua and Ben Tzitz Hakeset. Nakdimon ben Gurion was so called because the sun continued shining for his sake. Ben Kalba Savua was so called because one would go into his house hungry as a dog [*kelev*] and come out full [*savua*]. Ben Tzitz Hakeset was so called because his fringes [*tzitzit*] used to trail on cushions [*keset*]. Others say he derived the name from the fact that his seat [*kise*] was among those of the nobility of Rome. One of these said to the people of Jerusalem, I will keep them in wheat and barley. A second said, I will keep them in wine, oil and salt. The third said, I will keep them in wood. The Rabbis considered the offer of wood the most generous.... These men were in a position to keep the city for twenty-one years.

Politically, the nation is divided into supporters of the Romans and the zealots, who believe in Jewish autonomy. Roman supporters believe that the emperor's forces are too strong to be defeated; a peace treaty must be made if Jewish lives are to be

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<sup>1</sup> גיטין נה:

saved. In stark contrast, the zealots fight a religious war in the name of G-d. They assert that, just as the Hasmoneans had defeated the Greeks nearly two centuries before, G-d will deliver the many into the hands of the few once again. The wealthy offer a third solution: wait out the siege for the next twenty one years, by which time the Romans will certainly despair of ever conquering Jerusalem. No need for the shedding of Jewish blood, and no need to acquiesce to our religious enemies.

The Talmud states that the second Temple was destroyed due to *sinat chinam*, baseless hatred.<sup>2</sup> In fact, the rabbis teach that, in every generation in which the Temple is not rebuilt, it is as if the generation itself destroyed it.<sup>3</sup> One of the most well-known illustrations of this can be found in the story in *Gittin*:

The destruction of Jerusalem came through Kamza and Bar Kamza... A certain man had a friend Kamza and an enemy Bar Kamza. He once made a party and said to his servant, Go and bring Kamza. The man went and brought Bar Kamza. When the man [who gave the party] found him there he said, "See, you tell tales about me; what are you doing here? Get out." Said the other: "Since I am here, let me stay, and I will pay you for whatever I eat and drink." He said, "I won't." "Then let me give you half the cost of the party." "No," said the other. "Then let me pay for the whole party." He still said, "No," and he took him by the hand and put him out. Said the other, "Since the Rabbis were sitting there and did not stop him, this shows that they agreed with him."

This story on its own certainly provides an insight into the concept of baseless hatred. Yet, understanding the historical background of the Temple's destruction can add another level of meaning to the bigger picture of what transpired at this party almost two thousand years ago.

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<sup>2</sup> יומא ט

<sup>3</sup> תלמוד ירושלמי, יומא א:א

An interesting fact, which the Talmud in *Gittin* omits but which is found in *Midrash Eicha Rabbah*, is that a certain Rabbi by the name of Rabi Zechariah ben Avkulas is present at this party and witnesses its events.<sup>4</sup> Even so, he does not condemn the actions of the head of the house. The Talmud in *Gittin* includes Rabi Zechariah in the continuation of the story:

[Bar Kamza said:] "I will go and inform against them, to the government." He went and said to the emperor, "The Jews are rebelling against you." He said, "How can I tell?" He said to him: "Send them an offering and see whether they will offer it [on the altar]." So he sent with him a fine calf. While on the way he made a blemish on its upper lip, or as some say on the white of its eye, in a place where we [Jews] count it a blemish but they do not. The Rabbis were inclined to offer it in order not to offend the government. Said Rabi Zechariah ben Avkulas to them: "People will say that blemished animals are offered on the altar." They then proposed to kill Bar Kamza so that he should not go and inform against them, but Rabi Zechariah ben Avkulas said to them, "Is one who makes a blemish on consecrated animals to be put to death?" Rabi Yochanan thereupon remarked: "Through the scrupulousness of Rabi Zechariah ben Avkulas our House has been destroyed, our Temple burnt and we ourselves exiled from our land."

As recounted in the Talmud, Bar Kamza turns to the Romans to avenge his shame. We might ask: Is this the first time that Bar Kamza is forming a connection with the Romans, or has he perhaps had a friendly relationship with the Roman government from beforehand? Maybe our anonymous party host is himself a zealot, not too keen on inviting someone too "left-wing" to his occasion. Interestingly, we find Rabi Zechariah ben Avkulas mentioned in a third place. Josephus Flavius records the names of the zealots, and one of the heads of the zealots is a man from a

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<sup>4</sup> איכה רבה (ד"ה מעשה באדם אחד): "... אמר לו קום לך, לקחו בידו והוציאו, והיה שם רבי זכריה בן אבקולס, והיה סיפק בידו למחות ולא מחה."

family of *kohanim*, priests, none other than Rabi Zechariah ben Avkulas himself.<sup>5</sup>

It seems that Rabi Zechariah may have had good reason to hate Bar Kamza. Is this hatred truly baseless? After all, Bar Kamza was a friend of the enemy, someone holding the nation back from redemption, both politically and religiously.

The story doesn't end here. The Roman Caesar, insulted by the refusal of the Jews to sacrifice his calf, begins a siege that will last three years. A faction of fundamentalist zealots, seeing the proposition of the wealthy men as a threat, burn down the storehouses, believing that the nation will have no choice but to join them in their struggle.<sup>6</sup> The zealots become divided into sub-factions based on differing political beliefs, violently quarreling amongst themselves. By the year 70 CE, the Jews have all but paved the way for the Romans to destroy the city physically. It has long been shattered spiritually.

Recently, a friend of mine asked me who I think was right. On one hand, the zealots are like Mordechai: we shall never bow before the enemy of G-d! On the other, the peace-seeking moderates behave like Yaakov, bowing seven times before Esav, valuing human lives above all else. But the truth is, I don't think it matters who was right, because in the end, they were all wrong. It doesn't matter where I stand politically, because that's not what is going to rebuild the Temple. It's that we love each other "for free," regardless of where my neighbor stands politically, financially, religiously. It's that we stand together.

The Talmud teaches that in every generation that the Temple is not rebuilt, it is as if we have destroyed it ourselves. Rav Kook expounds:

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<sup>5</sup> מלחמות היהודים ספר ד, ד:א

<sup>6</sup> גיטין נו.

ואם נחרבנו ונחרב העולם עמנו על ידי שנאת חינו, נשוב להיבנות והעולם  
עמנו יבנה על ידי אהבת חינו.

If baseless hatred has destroyed us and the world, then  
baseless love will return us to rebuild ourselves and the  
world with us.<sup>7</sup>

Let's get to work.

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<sup>7</sup> אורות הקודש, חלק ג' עמוד שכג-שכד

