

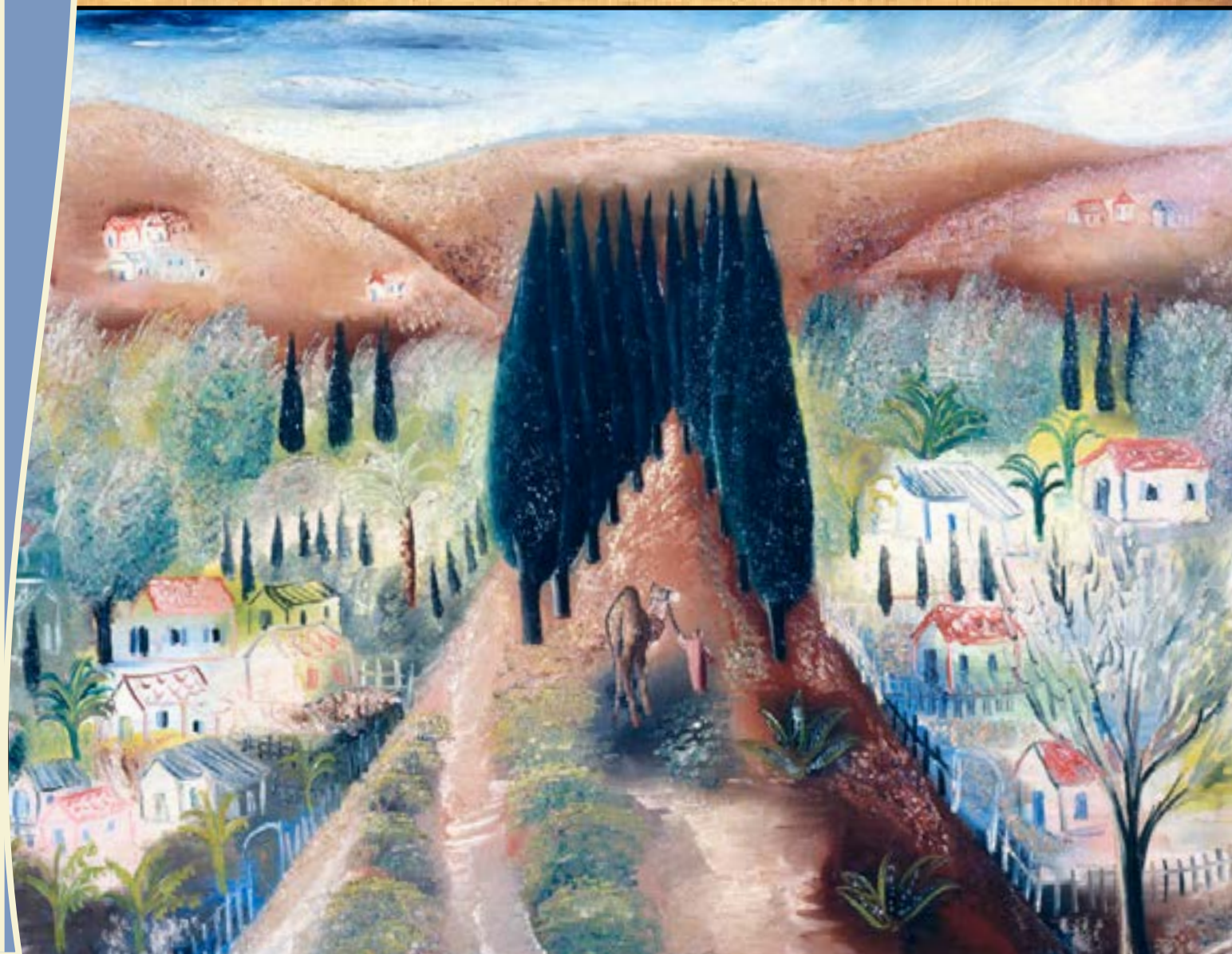


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KOL HAMEVASER

THE JEWISH THOUGHT MAGAZINE OF THE YESHIVA UNIVERSITY STUDENT BODY

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Kol Hamevaser, the Jewish Thought magazine of the Yeshiva University student body, is dedicated to sparking discussion of Jewish issues on the Yeshiva University campus and beyond. The magazine hopes to facilitate the religious and intellectual growth of its readership and serves as a forum for students to express their views on a variety of issues that face the Jewish community. It also provides opportunities for young thinkers to engage Judaism intellectually and creatively, and to mature into confident leaders.

Kol Hamevaser is published monthly and its primary contributors are undergraduates, although it includes input from RIETS Roshei Yeshivah, YU professors, and outside figures. In addition to its print magazine, *Kol Hamevaser* also sponsors special events, speakers, discussion groups, conferences, and shabbatonim.

We encourage anyone interested in writing about or discussing Jewish issues to get involved in our community, and to participate in the magazine, the conversation, and our club’s events. Find us online at kolhamevaser.com, or on Facebook or Twitter.



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Editor’s Thoughts

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ISRAEL AND ZIONISM

Sefer Melakhim ends with a scene
Editors’ Thoughts

Old-New Land: Israel’s Intertwined
Past and Present

By: ATARA SIEGEL

of terrible disaster. The Jews have been starved, beaten and exiled, their former king now a vassal, totally reliant on the King of Babylonia for food, clothing and freedom.¹ But there is consolation at the end of this exile, as Jeremiah promises, there will yet be a time when the exiles will be told “Flee from Babylonia, each man escape with his soul.”² And, just as *Bnei Yisrael* were redeemed from Egypt through the efforts of great leaders, “And through a prophet God brought Israel up from Egypt, and by a prophet they were guarded,”³ the books of Ezra and Nehemiah describe the distinguished leaders who led the “*olei Bavel*”,

returnees from Babylonia, back to their homeland in Israel as well. Ezra, renowned for his scholarship to such an extent that the Talmud states that he would have been worthy to bring the Torah down from *Har Sinai*⁴, physically led a group of returnees up from the Babylonian river *Ahava* to Jerusalem⁵. Nehemiah, with political connections to the King of Persia⁶, solidified the political infrastructure of the fledgling new Jewish state.

Approximately 2500 years later, Ezra and Nehemiah were called into service again, when a new group of Babylonian Jews needed to reach the land of Israel. This time the returnees travelled using Israeli airplanes instead of mules and donkeys, landing in Lod airport instead of at the newly built Temple in Jerusalem. Operation Ezra and Nehemiah helped around 120,000 Iraqi Jews flee persecution in Iraq during the years 1951-52⁷, and contemporary witnesses were quite sensitive to the parallels between the modern day operation and the Biblical story of return from Exile. From the Biblical name of the operation, to posters celebrating the arrival of “*olei Bavel*”⁸, the Talmudic term for

the returnees in the days of Ezra and Nehemiah, there is clearly something moving about relating modern day phenomena to historical events. Herzl chose a befitting title indeed when he named his novel envisioning a utopian society in the land of Israel “Alteneuland”, or “Old-New land”. *Erets Yisrael* runs deep with Jewish history, and draws us to visit the cities where the *avot* lived, the sites where miracles occurred or the hills our ancestors traversed to be *oleh l’regel* or declare the new moon in Jerusalem.

However, *Erets Yisrael* is also home to the modern day State of Israel, where each citizen owns an average of a little more than two cellphones⁹, a country with its own modern day challenges and dilemmas. The modern state of Israel is an important part of many Jews’ identity, with data from the Pew Research Study on American Jewry showing that over two thirds of American Jews “feel connected to Israel”, and 43% believe that caring about Israel is an important part of a Jewish identity¹⁰.

Previous issues of Kol Hamevaser are filled with passionate articles discussing Israel advocacy, human rights abuses in Israel, issues of *gerut* in Israel and the integration of technology and halakhah in Israeli society. In this issue on Israel and Zionism, we aim to widen the conversation with articles discussing issues relating to both modern day Israel, the Biblical history of Israel as well as the history of Israel in halakhah. Sarah Robinson and Alex Maged both bring unique insight into their analysis of stories of the Biblical conquest of Israel, and of the different leadership styles of important figures in Tanach, respectively. Several authors discuss the current status of the holiness of the land of Israel. Gilad Barach discusses R. Soloveitchik’s approach to *Kedushat Erets Yisrael* and its theological implications, while Shaul Yaakov Morrison focuses in on the *kedushah* of *Har Habayit* and the modern day dispute about visiting the site of the former Beit Hamikdash. Miriam Kukashavili analyzes Rambam’s view on the status

of the command to live in the land of Israel, and R. Yosef Blau discusses the ideology of the Religious Zionist movement as well as some of the challenges involved in living in Israel today. Finally, our book and creative art reviews add more depth to the discussion. Josh Fitterman reviews a volume of R. Benny Lau’s, *The Sages*, pointing out how the lives of the Tannaim of the ancient Galil contain important lessons for the Jewish community today, and Shani Bocian provides stunning commentary contextualizing Ludwig Blum’s landscape painting of Jerusalem.

The *Navi* Yeshayahu urges us to constantly remember that our hopes for the future of Israel have not yet been fulfilled, “Do not grant Him silence until He will establish and place Jerusalem with glory in the land.”¹¹ We hope you enjoy and invite you to continue the conversation, to share your responses or your own thoughts on Kol Hamevaser’s website and in upcoming issues.

Atara Siegel
is a senior at
SCW majoring in
Psychology and is an
editor-in-chief for Kol
Hamevaser

(Endnotes)

- 1 *Melakhim*, 25:27-30
- 2 *Yirmiyahu*, 51:6, all translations by author
- 3 *Hoshea*, 12:13
- 4 Talmud Yerushalmi, *Megillah* perek 1
- 5 *Ezra*, chapter 8
- 6 *Nekhemiah*, 1:11
- 7 Jewish Virtual Library, “Immigration to Israel: Operation Ezra & Nehemia - The Airlift of Iraqi Jews”, available at www.jewishvirtuallibrary.org.

- 8 “Ezra and Nehemia operation”, The Central Zionist Archives, World Zionist Organization, available at www.zionistarchives.org.il.
- 9 “Israel - Census: 1 Room & 2 Cell-phones Per Person”, *Vos Is Neias* (May 12th, 2010), available at www.vosizne-ias.com.
- 10 Pew Research Religion and Public Life Project, “A Portrait of Jewish Americans” (October 1st, 2013), available at www.pewforum.org.
- 11 *Yeshayahu*, 62:7



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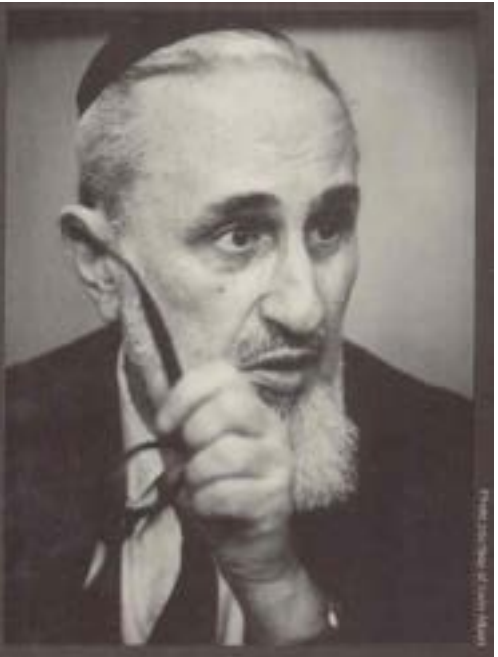
Rav Soloveitchik’s Bold Stance on *Kedushat Erets Yisrael*

BY: GILAD BARACH

One aspect of R. Joseph B. Soloveitchik’s philosophy that distinguishes him from other prominent Orthodox Jewish thinkers is his boldness in challenging conventional ideas while remaining true to halakhic principles. In one such instance, the Rav breaks away from a prominent opinion among *Rishonim* concerning the uniqueness and *kedushah* (sanctity) of the Land of Israel.¹ R. Yehudah ha-Levi argues that Israel has specific metaphysical qualities and inherent advantages over other lands. For example, its ideal weather (“moisture,” in his words) is particularly conducive to optimal health and spiritual life.² For these reasons, God had to bring Abraham to Israel before He could make a covenant designating him and his descendants as God’s treasured people.³ Ramban⁴ and others agree that Israel has intrinsic sanctity. The Rav strongly opposes this notion on halakhic grounds in his posthumously published essay, *The Emergence of Ethical Man*:

With all my respect for the *Rishonim*, I must disagree with such an opinion. I do not believe that it is halakhically cogent. *Kedushah*, under a halakhic aspect, is man-made; more accurately, it is a historical category. A soil is sanctified by historical deeds performed by a sacred people, never by any primordial superiority. The halakhic term *kedushat ha-aretz*, the sanctity of the land, denotes the consequence of a human act, either conquest (heroic deeds) or the mere presence of the people in that land (intimacy of man and nature). *Kedushah* is identical with man’s association with Mother Earth. Nothing should be attributed a priori to dead matter. Objective *kedushah*

smacks of fetishism.⁵ It is important to see how the Rav’s bold claim in *Emergence* about the origins of Israel’s sanctity compares with his discussion of the same topic in a *teshuvah* and *yahrtzeit* lecture of his. As is true of so much of the Rav’s Torah, he conveys his thoughts on this topic by means of explicating a perplexing ruling of Rambam. A well-known debate in the Talmud relates to the sanctity of Israel in different eras. There are differing opinions among *Tanna'im* as to whether the “first *kedushah*,” which began in the time of Joshua, terminated when the First Temple was destroyed and the Jews were exiled from their land.⁶ *Rishonim* similarly debate the status of the “second *kedushah*,” from the time of Ezra and the Second Temple. The Sefer ha-Terumah⁷ believes that both the first and second *kedushot* were temporary, and each vanished upon the



destruction of the respective Temple. Rambam disagrees; he records in several places in *Mishneh Torah* that, while the first *kedushah* disappeared upon Israel’s exile, the second *kedushah* remained and is therefore still in effect.⁸ Rambam explains his

distinction based on the nature of each Jewish settlement in Israel. Joshua’s entrance into Israel was through military might, and that produced the status of sanctity in Israel. Once the Babylonians amassed greater military might and defeated and exiled the Jews, the original Jewish conquest was nullified and the land’s sanctity ***The Rav proposes that the same force responsible for Jerusalem’s eternal sanctity is also responsible for the eternity of Ezra’s sanctification of Israel; namely, the Shekhinah.*** expired. Ezra, in contrast, established the Jewish presence in Israel through dwelling, *hazakah*, a term borrowed from the halakhic method of acquiring real estate. As Jews returned to reside in Israel, they became the owners, and the sanctity their presence brought to the land remains to this day.⁹ The Kesef Mishneh notes, “I do not know why the strength of *hazakah* is greater than the strength of conquest, and why we don’t also say regarding *hazakah* that, once the land is taken from our hands, the *hazakah* is nullified. Moreover, at first, when the land was sanctified through conquest, was there not also *hazakah*? Is *hazakah* without conquest [in Ezra’s time] greater than *hazakah* with conquest [in Joshua’s time]?”¹⁰ The Tosafot Yom Tov explains that the gentile conquest nullifies the Jewish conquest because the land’s sanctity was based on the Jews’ military might, which was negated when the Jews were defeated. However, the second *kedushah* arose because the landowner, King Cyrus of Persia, allowed Jews to settle in Israel. The Jews thus had permission to settle the land, and, even after the Romans exiled them, they continued to be the

rightful owners, so the land’s sanctity endured.¹¹ While this approach explains Rambam’s distinction between the first and second *kedushot*, Rambam’s full opinion is more complicated: he also distinguishes between Jerusalem and the rest of Israel. He believes that Jerusalem was sanctified forever when Solomon built the First Temple; even though the sanctity of the rest of Israel disappeared during the first exile, Jerusalem and the Temple remained sanctified.¹² This assertion apparently lacks a source, as Ra’avad notes.¹³ Rambam seems to acknowledge that his opinion is unprecedented, as he anticipates the reader’s question. “And why do I say for the Temple and Jerusalem that the first *kedushah* is eternal, but, for the rest of Israel..., it is not eternal? Because the *kedushah* of the Temple and Jerusalem is due to the *Shekhinah* (the divine presence), and the *Shekhinah* is never nullified.”¹⁴ Rambam quotes from a Mishnah that even when synagogues are destroyed, their sanctity persists;¹⁵ he applies the same concept to the Temple. In two separate homiletic contexts, the Rav deals with this interesting opinion of Rambam. These speeches are recorded in the collections of the Rav’s *teshuvah* lectures and his *yahrtzeit* lectures.¹⁶ ¹ⁿ one of his *teshuvah* lectures, the Rav compares the personal, spiritually redemptive aspects of repentance to the national, political return of the exiles. Following this connection, he addresses the matter of Israel’s sanctity and Rambam’s unique stance. The Rav is bothered by the questions the Kesef Mishneh raised: what is more lasting about turning destruction into settlement (in Ezra’s time) than forceful conquest (in Joshua’s time)? The Rav sees significance in the fact that Rambam explains the reason for the distinction between the first and second *kedushot* only in *Hilkhot*

Beit ha-Behirah, even though he mentioned the halakhic difference twice before, in *Hilkhot Terumot* and *Hilkhot Shemitah ve-Yovel*. This may be connected with Rambam’s discussion of a second issue in *Hilkhot Beit ha-Behirah* – the unique status of the Temple and Jerusalem, whose *kedushah* never expires. The Rav proposes that the same force responsible for Jerusalem’s eternal sanctity is also responsible for the eternity of Ezra’s sanctification of Israel; namely, the *Shekhinah*. Ezra’s settlement of Israel, like Solomon’s construction of the Temple, was “*be-derekh ha-Shekhinah*,” by way of the divine presence, so the later destruction of Israel could not impact its sanctified status, just as the destruction of the Temple did not reduce its sanctity. Joshua’s conquest, though, represented the Jews’ physical power, which the Babylonians’ conquest negated. The foremost decider of *kedushah* is *behirah*, divine choice. God’s choice of the Temple and Jerusalem is suggested by the beginning of Solomon’s prayer upon his Temple’s dedication.¹⁷ As for Israel, the Mishnah lists ten *kedushot*, concentric regions of sanctity, in ascending order;¹⁸ the Land of Israel is listed first, for it serves as the foundation of the “pyramid” of all sanctity. This Mishnah implies that God chose Israel, since a region cannot be sanctified without divine selection. But when did these *kedushot* of Jerusalem and of Israel arise? Joshua conquered Israel before the Temple was built, and even before Jerusalem was selected. The sanctity which came along with the Jews’ military victory and forceful settlement of the land was “*kedushah al yedei kibbush*,” sanctity via conquest. Only generations later, when Solomon completed the Temple, did God finally choose Jerusalem as the dwelling place of His *Shekhinah*. Joshua’s Israel was sanctified first in Jericho, then Ai, and then the south and the north, as he and the Jews defeated the Canaanite armies and settled their cities. The process of sanctification evolved from

the periphery inwards. The result was that only Jerusalem had the sanctity of divine choice, while the rest of Israel had a more temporary sanctity which could be removed through destruction. Ezra’s resettlement of Israel was different. The primary *hazakah* of the returning exiles was in Jerusalem and the Temple, for which they returned, and which they immediately began to rebuild. Since Jerusalem was already the seat of the *Shekhinah* from the time of Solomon’s Temple, the entire ***Rav Soloveitchik emphasizes man’s role in creating and maintaining spiritual value in the world. Only man can sanctify this world, and he may, at times, be summoned to do so.*** its stationary function as well, the Ark sanctified its home, the Temple. The sanctity of the conquered l a n d s and permanent level of sanctity by way of the divine presence. The *mekaddesh*, the sanctifier, was the *Mikdash*, the Temple. Therefore, Rambam believes, the areas of Jewish settlement in the time of Ezra continue to be sanctified nowadays for the same reason Solomon’s Temple is always sanctified: the *Shekhinah* is never nullified.¹⁹ The Rav uses this insightful explanation of Rambam’s opinion to establish two routes of personal repentance. While some may feel a passionate inner drive to return to God which then infects their whole being, in a way parallel to Ezra’s resettlement of Israel, there is also a gradual type of repentance, corresponding to Joshua’s conquest, which slowly works inward to impact one’s heart. In one of his annual *yahrtzeit shiurim*, the Rav gave a different explanation of Rambam’s opinion. The lecture was about the difference between Moses’ Torah and Ezra’s Torah, between the Written Torah and the Oral Torah. God’s Ark in the wilderness had a dual role. “It was as the Ark travelled that Moses said, ‘Arise, God, and Your enemies will scatter and those who hate You will flee from before You.’ And as it rested, he would say, ‘Reside, God, among the myriad thousands of Israel.’”²⁰ Each

of these two functions – smashing enemies and resting in place – creates *kedushah*. In its mobile military function, the Ark, which contains the Torah and represents the *Shekhinah*, was conqueror and sanctifier of conquered lands. Joshua’s conquest of the land was achieved through the mobile Ark; the Jews merely had to bring it with them into battle, and God promised, “Every area on which you set the sole of your foot, I have given to you.”²¹ In vanished when the Jews were defeated, because it was no longer the case that “Your enemies will scatter, and those who hate You will flee from before You.” But King Josiah hid the Ark in secret tunnels which Solomon had dug under the Temple. Even though the Temple was destroyed, the Ark remained; the *Shekhinah* was not nullified. Ezra did not use the Ark, which was still buried, to sanctify Israel; he instead employed a *hazakah*. The Talmud Yerushalmi interprets the verse “And He will do good to you and increase you more than your forefathers”²² to mean that the second wave of Israel settlement could sanctify the land even while under the burden of foreign rulers, when the location of the Ark is unknown.²³ The Rav believed this new form of sanctification was the Oral Torah. This can be contrasted with Joshua’s settlement of Israel, where the Ark, representing the Written Torah, was responsible for the land’s sanctity. The Written Torah is an object which the *tsibbur*, the group, wields. When Nebuchadnezzar scattered the group, the sanctity vanished. However, the Oral Torah lacks a physical form, and each Jew individually sanctifies Israel when he learns the Oral Torah. As long as there are individuals who study

Torah, even if the group is fragmented by a defeating army, the sanctity is not nullified. Are the Rav’s two explanations of Rambam consistent with each other? Do they fit the Rav’s arguments against R. Yehudah ha-Levi and Ramban found in *Emergence*? The Rav’s *teshuvah* and *yahrtzeit* lectures were of a homiletic, rather than halakhic, nature.²⁴ Each developed an approach to Rambam’s opinion that advanced the message of the lecture: instantaneous versus gradual repentance and the distinction between Written and Oral Torah, respectively. This certainly allows for *aggadic* and less philosophically rigorous perspectives, which need not necessarily be directly consistent with *Emergence*, or with each other. However, since the Rav criticized the opinions expressed in R. Yehudah ha-Levi’s Kuzari and Ramban’s Commentary on the Torah, neither of which is a halakhic work, it is worthwhile to attempt to fit his own extra-halakhic lectures with his philosophical-halakhic stance. Indeed, the two explanations can work together and match the Rav’s assertions in *Emergence*. In comparing the two approaches with each other, the cause of each of the three sanctities must be considered; namely, the first sanctification of Israel through Joshua’s conquest, the sanctification of the Temple by Solomon, and the second sanctification of Israel via Ezra’s settlement. The Rav described Joshua’s conquest in two ways: that Joshua first battled in the periphery of Israel, and that he used the Ark as his conquering force. These explanations are both true because Joshua brought the Ark to the battles against the Canaanite cities.²⁵ As the Jews defeated their enemies and dwelled in their cities, they instilled “*kedushah al yedei kibbush*” while the Ark, and the Written Torah within, sanctified the land.²⁶ The Rav’s two homilies attributed Solomon’s sanctification of the Temple to the divine choice of Jerusalem and to the presence of the Ark in the Temple. Of course, both of these are correct.

God selected Jerusalem as the epicenter of His *Shekhinah*, “The place which God will choose.”²⁷ The Ark’s presence was also integral to the Temple; in fact, David originally desired to build the Temple because he was distressed that “God’s Ark is sitting in a cloth tent.”²⁸ Both God’s selection and the Ark’s steady presence established the Temple and Jerusalem’s irrevocable sanctity, since the *Shekhinah* is never nullified. Finally, the Rav’s two explanations of Israel’s second *kedushah* can also be aligned. He says that Ezra’s resettlement created lasting *kedushah* both because it began in Jerusalem and radiated outward, and because he used the Oral Torah to sanctify the land. Again, these reasons work together. As the returning Jews rebuilt Jerusalem and flowed from there to populate Israel, they carried with them the study of Oral Torah.²⁹ With their source in the divinely selected city and their individual involvement in the oral study of Torah, they propagated and perpetuated *kedushah* throughout Israel.

In his argument that Israel had no a priori sanctity, the Rav states, “*Kedushah*, under a halakhic aspect, is man-made; more accurately, it is a historical category... Nothing should be attributed a priori to dead matter. Objective *kedushah* smacks of fetishism.”³⁰ In neither of the Rav’s lectures about the various stages of *kedushah* in Israel does he allow for inherent sanctity. On the origin of sanctity, the Rav writes, “The halakhic term *kedushat ha-aretz*, the sanctity of the land, denotes the consequence of a human act, either conquest... or the mere presence of the people in that land.”³¹ The ways in which the Rav’s



lectures explain the origins of Israel’s sanctity must be analyzed, to see if they really reduce to conquest and human presence.

In the *teshuvah* lecture, the first sanctification of Israel is said to be based on human conquest and Jewish presence in the land. However, the Rav says that a divine action – God’s choice – created *kedushah* in the Temple and Jerusalem. Still, God’s choice came historically only after man’s initiative in seeking, and then building, a home for God; to that extent, man is responsible for the sanctity of Jerusalem, which Ezra spread to all of Israel by expanding the human presence. The *yahrtzeit* lecture similarly emphasizes man’s role in establishing sanctity: man leads the Ark everywhere and thus takes credit for causing the sanctity. Solomon and Josiah placed and secured the Ark in the Temple in Jerusalem. Nowadays, Jews everywhere extend Ezra’s sanctification of Israel by continuing to study the Oral Torah. In these ways, both the Rav’s *teshuvah* lecture and *yahrtzeit* lecture are consistent with his statements in *Emergence*.

In the matter of the origins of *kedushat Erets Yisrael*, Rav Soloveitchik adopts a daring but consistent stance that all its sanctity is man-made. In terms of the *kedushah*’s lasting power, he agrees to a more traditional approach, that Israel is forever sanctified. On either end of history, Rav Soloveitchik emphasizes man’s role in creating and maintaining spiritual value in the world. Only man can sanctify this world, and he may, at times, be summoned to do so. Ezra’s sanctification of the land remains to this day only because Jews throughout

the world continue to study the Oral Law. Man’s spiritual impact in the world and the centrality of Torah study are two broader themes in the Rav’s philosophy that reveal themselves in the discussion of Israel’s sanctity.

Gilad Barach is a fourth-year student in Yeshiva College, majoring in Physics and Mathematics, and is a staff writer for Kol Hamevaser.

(Endnotes)

1 For the purposes of the present article, “Israel” refers to the Land of Israel.

2 Kuzari, 2:10.

3 2:16.

4 Ramban, Commentary to Leviticus, 18:25.

5 R. Joseph B. Soloveitchik, *The Emergence of Ethical Man* (Jersey City, NJ: Ktav Pub. House, 2005), 150.

6 *Archin*, 32b; *Shevuot*, 16a; and others.

7 *Sefer ha-Terumah*, *Hilkhot Erets Yisrael*.

8 *Hilkhot Terumot*, 1:5; *Hilkhot Shemitah ve-Yovel*, 4:26; *Hilkhot Beit ha-Behirah*, 6:16.

9 *Hilkhot Beit ha-Behirah*, ad loc.

10 *Kesef Mishneh* to *Hilkhot Beit ha-Behirah*, 6:16. My translation.

11 *Tosafot Yom Tov* to *Edyot*, 8:6. My translation.

12 *Hilkhot Beit ha-Behirah*, 6:14.

13 *Hassagot ha-Ra’avad*, ad loc.

14 *Hilkhot Beit ha-Behirah*, 6:16. My translation.

15 *Megillah*, 28a.

16 R. J. B. Soloveitchik, “Atonement, Pain, and Redemption” (Hebrew), in *Al ha-Teshuvah*, ed. by Pinhas Peli (Jerusalem: World Zionist Organization, 1975), 259-311; idem, “Reading the Torah on Shabbat, Monday, and Thursday” (Hebrew), in *Shiurim le-Zekher Abba Mari*, ed. by Amihai Bennet (Jerusalem: Mosad ha-Rav Kook, 2002), volume 1, 176-197. Unfortunately, neither of these sources is dated.

17 I Kings, 8:16.

18 *Keilim*, 1:6

19 After explaining Rambam’s opin-

ion, the Rav states that he agrees that Israel continues to have *kedushah*, not because he is a Zionist or a Mizrahi, but because it is the logical conclusion from the halakhic sources (*Al ha-Teshuvah*, 304).

20 Numbers, 10:35-36. My translation, in accordance with the Targum and Rashi.

21 Joshua, 1:3. My translation.

22 Deuteronomy, 30:5. My translation.

23 Talmud Yerushalmi, *Shevi’it*, 6:1.

24 The *yahrtzeit* lectures usually contained a rigorous halakhic discussion together with extensive *aggadic* material. In most cases, the published *shiurim* are composed predominately from the Halakhah portions of the lecture. In this instance, however, the editor writes in an introductory note, “This shiur has a unique combination of Halakhah and Aggadah” (p. 176).

25 This is stated explicitly for the battle against Jericho (Joshua, 6).

26 One might ask why there are two separate causes for the land’s sanctity, and how they interact, but these lectures are, by nature, sufficiently *aggadic* that it is adequate, should one be so inclined, to merely demonstrate the compatibility between them, here by showing that both required elements (the conquest and the Torah) were present as the land became sanctified, while the Rav focuses on one or the other for a given lecture. Deep analysis and what-ifs are unproductive.

27 This phrase appears in some form twelve times in Deuteronomy.

28 II Samuel, 7:2. My translation.

29 Rambam lists Ezra as a link in the chain of transmission of the Oral Torah (Introduction to *Mishneh Torah*).

30 *Emergence*, ad loc.

31 *ibid*.

The *Har ha-Bayit* Dilemma

By: SHAUL YAAKOV MORRISON

From my spot in the *Beit Midrash* at Yeshivat Hakotel, I looked out upon a clear view of *Har ha-Bayit* each day. I could see the giant, golden dome dominating the mountain, where *kohanim* and *leviim* once served, and I gazed out at a mosque where the *mizbeah* once stood. However, I remained an observer, watching this scene from afar, as I abided by the opinion of my *rebbeim* who had told me it is forbidden to ascend *Har ha-Bayit*. Nonetheless, I still felt a deep connection to the site of the destroyed *Beit ha-Mikdash*, and felt compelled to learn more about its holiness and status nowadays.

History of Har ha-Bayit

Although *Har ha-Bayit* is the holiest place in Judaism, the specific site of *Har ha-Bayit* is never explicitly mentioned in the Torah. Rather, the Torah refers obliquely to the future site of *Har ha-Bayit* as “*ha-Makom asher yivkhar*,” or “the place that Hashem will choose.”¹ Here, the Torah develops the concept of designating one location to be a focus of holiness, but it was not until later that the exact location of this “holy place” was revealed. The books of *Divrei ha-Yamim I* and *Shemuel II*² tell the story of how David *ha-Melekh* came to determine the exact location of *Har ha-Bayit*. David had sinned by counting the Jewish people without proper reason, and in order to punish him, Hashem brought a deadly plague upon *Benei Yisrael*. In order to demonstrate his sincere *teshuvah*, David *ha-Melekh* purchased a plot of land on which to build a *mizbeah*, offered *korbanot*, and in response the plague indeed stopped. After this episode, David *ha-Melekh* declared that the place where this miracle occurred should be the future site of the *Beit ha-Mikdash*³. The obvious question arises: How could David choose the site without first being told to by God? The *Sifrei*⁴ states that David *ha-Melech* did the correct thing by seeking out a

place to build a *mizbeah* and lay the foundation for the future *Beit ha-Mikdash*. *Har ha-Bayit* could not be revealed without human effort and money; those efforts helped to solidify the site as an important place that *Klal Yisrael* themselves established, a place which therefore should be eternally important to each Jew.

Since the times of David *ha-Melekh*, *Har ha-Bayit* has been endowed with a special level of *kedushah*. The modern questions about the status of *Har ha-Bayit* began after Israel recaptured the site during the Six Day War. Shortly after the war, Prime Minister Levi Eshkol returned the authority over the administration of *Har ha-Bayit* to the Jerusalem Islamic *Waqf*. In deference to the *waqf*, the Israeli government has placed severe limitations on Jewish access to the site, most notably by banning non-Muslims from praying on the mountain.⁵ Some argue that this ban is in fact illegal and violates the 1967 Protection of Holy Places Law, which guarantees freedom of access for all people to

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all religious sites for the purpose of worship.⁶ Additionally, many believe that the *waqf* is intentionally removing and destroying Jewish archeological artifacts from *Har ha-Bayit*, in order to delegitimize the Jewish claim for the site, another major violation of Israeli law.⁷ Surprisingly, these issues have gone relatively unopposed in the

Jewish community. This relative lack of concern for Jewish access to *Har ha-Bayit* is likely due to the fact that most rabbis prohibit access to *Har ha-Bayit* on halakhic grounds. For example, the official position of the Chief Rabbinate of Israel is that it is forbidden for Jews to go up to *Har ha-Bayit*, but the issue is debated. What is the basis for this total prohibition, and how in fact should *Har ha-Bayit* be treated today?

Position of the Chief Rabbinate

When the *Beit ha-Mikdash* was standing, there was a clear *issur* to be on *Har ha-Bayit* in a state of *tumat met*, and there was a more stringent *issur* to enter either the area of the *Beit ha-Mikdash* itself (the *heikhal*) or the *Kodesh ha-Kadashim* while *tamei*.⁸ Several *rishonim* debate the extent to which the prohibition remains in effect today when, unfortunately, the *Beit ha-Mikdash* is no longer standing.

Due to our inability to obtain ashes of a *parah adumah*, we are no longer able to perform the required ritual to purify individuals from *tum’at ha-met*, and therefore virtually everyone is assumed to be *tamei met* nowadays⁹. Rambam believed that the *kedusah* of the *makom ha-Mikdash* is fully in force today because the *kedushah* established during the period of *Bayit Sheni* is everlasting¹⁰. Therefore, according to Rambam, the original prohibition in force during the times of the *Beit ha-Mikdash* remains in force today, and one should not ascend *Har ha-Bayit* while *tamei*. Some scholars, however, point to a letter from Ramabam which suggests that he himself did ascend onto *Har ha-Bayit*.¹¹ R. Ari Zivotofsky disputes this letter’s authenticity.



Instead, he suggests that Rambam may have *davened* at a *shul* near *Har ha-Bayit*, but maintained his opinion that entering the actual mountain is prohibited.¹²

Raavad¹³, however, disagrees with Rambam’s view, and argues that the stringencies of *kedushah* which applied during the period of *Bayit Sheni* do not apply to *Har ha-Bayit* after the Temple’s destruction. It is true that the Gemara states that the *kedushah* of the *Beit ha-Mikdash* is permanent¹⁴, but this concept does not apply to *Har ha-Bayit*, rather only to surrounding areas of *Erets Yisrael*. Therefore, Raavad maintains that one who enters a holy area today would no longer be *hayav karet*, liable to the punishment of excision usually applicable to one who enters the *Beit ha-Mikdash* while *tamei*.

Former chief Rabbi of Israel R. Shlomo Goren discusses this opinion of Raavad. We know that Raavad believes an individual who goes up to *Har ha-Bayit* nowadays is not punished with *karet*, but it is unclear whether *Raavad* thinks that going up is totally permitted, or whether there remains an *issur*, albeit a lesser one, without the penalty of *karet*. R. Goren concludes that the opinion of Raavad is ambiguous, and therefore we must assume stringently that the *Raavad* maintains that there is still an *issur*.¹⁵ As Rambam explicitly states that *Har ha-Bayit* has the full level of *kedusha* today, and there is no clear opinion totally opposing him, many *poskim* prohibit Jews from going up to *Har ha-Bayit* even today after the destruction of the *Beit ha-Mikdash*.¹⁶

Basis to Permit Entry on to Har

ha-Bayit

Although both Rambam and Raavad prohibit going up onto sanctified areas, not all areas of present-day *Har ha-Bayit* constitute areas that are *asur* to enter while *tamei*. The Mishnah¹⁷ tells us that *Har ha-Bayit* is 500 by 500 *amot* large, about 675,000-902,500 square feet. Today, however, the area of *Har ha-Bayit* is 1,566,149 square feet¹⁸, significantly larger than the area described in *Masekhet Middot*. This discrepancy can be attributed to the area of *Har ha-Bayit* which was added during the time of King Herod, an area that was never sanctified. Based on archeological evidence, there is a consensus that part of this area lies on the southern side of *Har ha-Bayit*, near the ramp which ascends *Har ha-Bayit* adjacent to the entrance to the Kotel Plaza. One is allowed to enter the external area while *tamei met*, even though one cannot enter with other types of *tumah*, including the *tumah* of *niddah* and a *ba'al keri*, the two most common types of *tumah* today.¹⁹ However, immersing in a *mikvah* removes these other types of *tumah* even in the absence of the ashes of the *parah adumah*.

However, even if one does go up to these areas *of Har ha-Bayit* where the issue of *tumah* is less of a problem, there are still serious considerations regarding *moreh Mikdash*, proper fear of the *Beit ha-Mikdash*. The Torah emphasizes that we must have proper respect for the *Mikdash*, as the *pasuk* says, “You shall fear my temples.”²⁰ Rashi²¹ says that this verse teaches one must be careful not to enter the *Mikdash* with shoes, a money belt, a walking stick, or dusty feet as examples of precautions one needs to take in order to treat *Har ha-Bayit* with the sanctity that it deserves. This respect becomes especially important according to the opinion of Rambam, who says that *Har ha-Bayit* has the same level of sanctity today as it did when the *Beit ha-Mikdash* was standing. Therefore, even if one did go up today, it would be important to treat *Har ha-Bayit* with reverence.

The *Shulkhan Arukh*, when discussing the *halakhot* of how to treat a regular *shul*, says that one may not use a *shul* as a shortcut, or speak about frivolous matters in it, even if it is destroyed²². At least the same level of respect would be required in the place of the actual *mikdash*.

Notwithstanding the evidence to

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permit going up to the areas expanded by Herod, the *poskim* who prohibit ascending worry that our archeological evidence might be mistaken, and argue there is no way to know for sure which specific areas Herod added. Since there is a potential punishment of *karet* for someone who would enter the area of the true *mikdash*, these *poskim* are not willing to take a chance based purely on archeological evidence.

Building a Permanent Shul on Har ha-Bayit

According to those who permit going up the mountain, an important question arises: can we build a permanent *shul* or *beit midrash* on *Har ha-Bayit* today in order to recreate Jewish presence on the mountain? While we may be tempted to add places of prayer and learning to such a holy site, any building on *Har ha-Bayit* is subject to the prohibition of adding on to and changing the original structure of the *Beit ha-Mikdash*.

The Gemara in *Zevahim*²³ brings up this prohibition when it discusses the possibility of building a slot through one of the walls of *Har ha-Bayit* in order to allow a *metsora* to perform the mitzvah of *semikha*, of leaning on the *korban* he needs to bring as part of his purification process.²⁴ A *metsora* needs to bring this *korban* in

order to become *tahor*; and therefore, is not allowed to enter the inner parts of *Har ha-Bayit* until after the *korban* is brought, which would not leave an opportunity for him or her to do *semihka*. The Gemara, however, rejects the possibility of making a hole because this feature was not transmitted in the original plan to build

the *Beit ha-Mikdash*. The Gemara learns from the verse, “*Ha-kol biketav miyad Hashem alai hiskil*,” “All this I give in writing as Hashem has made me wise with it,”²⁵ that any additions or changes to the original plans of the *Mikdash* would be forbidden. Consequently, any structure, including a beautiful *shul* or *beit midrash*, that was not mentioned in writing in the *Tanakh* may not be built on *Har ha-Bayit*²⁶.

Non-Jews on Har ha-Bayit

Potentially more complex than the discussion of Jews ascending *Har ha-Bayit* are the issues involved with non-Jews going up onto *Har ha-Bayit*- specifically in the politically sensitive area of the Dome of the Rock. A non-Jew is never permitted to go further than a Jewish *tamei met* can go on *Har ha-Bayit*²⁷. If Israel were to run the *Har ha-Bayit* according to halakha, this would pose a major problem, as the Dome of the Rock is almost certainly past this forbidden point. Additionally, while many Jews who would go up on to *Har ha-Bayit* would abide by the rulings forbidding entering the areas in the center of *Har Ha-Bayit*, non-Jews would be less likely to be aware of or adhere to this prohibition. Because he believed that the Jewish people should protect the

sanctity of *Har ha-Bayit*, after the Six Day War, R. Goren requested that the entire *Har ha-Bayit* be placed under the control of the Chief Rabbinate, and the entire middle section be entirely closed to visitors.²⁸ Obviously, given the political ramifications of closing such a holy site for Islam, this was not a viable option for the Israeli government, even if it may be the most *halakhically* accurate approach.

Offering Korbanot Today

The entire discussion of ascending *Har ha-Bayit* today assumes that the reasons one might do so are to see the *Har* itself, and are not related to the desire to perform parts of the *Beit ha-Mikdash avodah*. R. Tzvi Hirsch Kallisher, in his *Sefer Drishat Zion*²⁹, discusses the possibility that it could in fact be possible to reinstate some of the *avodah* even before the coming of *Mashiah*. According to R. Kallisher, reinstating the *avodah* may be possible for several reasons. He argues that there is no explicit link between bringing *korbanot* and having a physical *Beit ha-Mikdash* standing. The issue of *tamei met* would not apply in this situation, as one who is *tamei* is allowed to walk around *Har ha-Bayit* to build a *mizbeah* if there is nobody who is *tahor* available³⁰. Additionally, many communal *korbanot* of the *tzibbur*, such as the daily *tamid* offering, the special *pesah* offering, and the holiday *musaf* offerings can be offered in a state of *tumah* if the majority of Am Yisrael is *tamei*³¹.

However, many other criteria need to be met in order to allow *korbanot* to be brought. One major obstacle is the necessity of determining the exact location of the *mizbeah*. Rambam³² says that since the act of *Akiedat Yitzchak*, the location of the *mizbeah* on *Har ha-Bayit* has remained the same and cannot be changed. Fortunately, even after the *hurban*, we do know the location of the *mizbeah* relative to the overall dimensions of *Har ha-Bayit*. Rashi learns from a *pasuk* in *Tehillim* that *Bnei Yisrael* will find and rebuild the *mizbeah*.³³ In line with this interpretation,

Rambam³⁴ identifies the location of the *mizbeah* relative to other areas of *Har ha-Bayit*.³⁵ Even if the place of the *mizbeah* is crucial, the dimensions of the *mizbeah* do not prevent a *korban* from being offered.³⁶

Another potential problem that would need to be resolved in order to bring *korbanot* today would be finding people fit to bring those *korbanot*. There is a *mahloket* whether the *kohanim* today are fit to perform the *avodah*. Rambam says that *kohanim* today can eat only *terumah* that is *terumah midirabanan*, rabbinically designated *terumah*, as we are not entirely sure that they are truly *kohanim*.³⁷ Because

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a *kohen* would need to be the one to perform the *avodah*, without the assurances that our *kohanim* are authentic, they may be disqualified from performing any of the *avodah*. R. Kallisher, however, argues from other places³⁸ that *kohanim* have a *hazakah*, a precedent, that they are true priests, which is powerful enough for *kohanim* to act as *kohanim* in all ways until they find out for sure (or with a high probability) that they are truly not *kohanim*. If this is true, then at least some *kohanim* would in fact be able to perform the *avodah* today.³⁹

R. Kallisher concludes that bringing at least a *korban pesah* today is theoretically possible, and therefore, should be encouraged. Through Rav Kallisher’s discussions, it is clear that that reintroducing *korbanot* was

considered during the 1800s. R. Yosef Dov Soloveitchik, however, objected to reestablishing *korbanot*, citing Rambam, who says that *Mashiah* will build the *Beit ha-Mikdash*, and only then *korbanot* will be brought⁴⁰. Rav Soloveitchik argues that the order is important, namely, that *Mashiah* is needed before *korbanot* could be brought.⁴¹ Since we are still waiting for *Mashiah*, R. Soloveitchik believes that we cannot begin offering *korbanot*.

Rebuilding the Beit ha-Mikdash Today

Notwithstanding R. Soloveitchik’s opposition to offer *korbanot*, R. Goren believes there is significant basis to permit (and possibly require) rebuilding the *Beit ha-Mikdash* today. He cites Rambam,⁴² who says that there is a *mitsvah* to build the *Beit ha-Mikdash*. Goren argues that the return of *Har ha-Bayit* to Jewish sovereignty is basis enough to allow the building of the *Beit ha-Mikdash* to start. This is a minority school of thought, as many do not believe that the modern-day Israeli government has the status of Jewish sovereignty.⁴³

Conclusion

Although I do not personally go up on to *Har ha-Bayit*, I am comforted by seeing how practical these issues have become, and look forward to a time when everyone will go up to *Har ha-Bayit* to visit the *Beit ha-Mikdash*. The fact that *poskim* are discussing details related to *Har ha-Bayit* is significant, as it demonstrates how far along the *ge'ulah* process has come. In recent years, a greater number of observant Jews have been going up onto *Har ha-Bayit*, including notably several religious members of the Knesset. There is current legislation in the Knesset to provide greater freedom of access and prayer to Jewish people on *Har ha-Bayit*. Regardless of one’s opinion about going up on to *Har ha-Bayit*, it is important to be sensitive to

those Jews who believe that going up to Har Habayit is acceptable, and allow them access to Judaism’s holiest site.

Shaul Yaakov Morrison is a sophomore at Sy Syms School of Business, majoring in Finance.

1 *Devarim* 14:23, author’s translation.
2 In chapters 21 and 24 respectively.
3 *Divrei ha-Yamim* I 22:1, Rashi ad loc.
4 *Re’eh Pesikah* 62.
5 Jodi Rudoren, “Jews Challenge Rules to Claim Heart of Jerusalem,” *The New York Times*, 21 September 2012, available at: nytimes.com.
6 “Protection of Holy Places Law,” adopted by the Knesset on June 27, 1967
7 Yaakov Lappin, “Archeologists: Waqf Damaging Temple Mount Remains,” *Ynet News*, 7 February 2007, available at: ynetnews.com.
8 *Vayikra* 12:4.
9 According to the Torah, a person contracts *tum’at met* by touching, carrying or being in the same room as a dead body. Because it is fairly easy to become *tamei met*, whether through visiting a hospital, attending a funeral or through direct contact with a deceased patient or relative, all people are assumed to have become *tamei met*.
10 Rambam, *Hilkhot Beit ha-Bekhirah* 6:14 and 7:7.
11 Rabbi Dr. Ari Zivotofsky, “Tzarich Iyun: The Har HaBayit,” available at ou.org.
12 Ibid.
13 Commenting on Rambam’s *Hilkhot Beit ha-Bekhirah* 6:14
14 *Zevakhim* 107b.
15 Rav Sholomo Goren, *Har Habayit*, (Jerusalem, 2005).
16 This is the opinion of Rav Avigdor Nebenzahl Shlit”a, former chief rabbi of the Old City of Jerusalem and *Talmid* of Rav Shlomo Zalman Aurbach zt”l, as quoted by Rav Baruch Vider, Rosh Yeshivah of Yeshivat Hakotel.

17 *Middot* 2:1.
18 “Temple Mount,” [available at: www.bibleplaces.com](http://www.bibleplaces.com).
19 Rambam, *Hilkhot Beit ha-Bekhirah* 7:15.
20 *Vayikra* 19:30, author’s translation.
21 ad loc.
22 *Orakh Haim* 151.
23 33a.
24 Generally, there is an obligation to lean on the *korban* in the *Beit Hamikdash* before it is offered. The *metsora*, however, is unable to do so because he lacks atonement, a needed stage to enter most of *Har ha-Bayit*. He does not receive this until his *korban* is brought, and generally, he would do *semikha* before the offering. This is a catch-22, which the *hakhamim* struggled to resolve.
25 *Divrei ha-Yamim* I 28:19, author’s translation
26 We do know that when the *Beit ha-Mikdash* was standing, there was a *Beit Midrash* that was used. Unfortunately, we do not know where the exact location of this *Beit Midrash* was, and if it were to be built in the wrong place, it is potentially a violation of *ha-kol bikhtav*.
27 Rambam *Biat ha-Mikdash* 3:5
28 Yoel Cohen, “The Political Role of the Israeli Chief Rabbinate in the Temple Mount Question,” available at <http://www.icpa.org/>
29 *Maamar Shlishi*.
30 Rambam, *Beit ha-Bekhirah* 7:23.
31 *Pesakhim* 66b.
32 Rambam, *Hilkhot Beit ha-Bekhirah* 2:1.
33 *Tehillim* 84:4.
34 Rambam, *Beit ha-Bekhirah* 15:5.
35 Obviously, this presumes that we rely on our archeological evidence to define areas of *Har Habayit*, although ascending *Har Habayit* in the first place also assumes that we rely on this at least to some extent.
36 Ibid 2:17.
37 Rambam, *Hilkhot Issurei Biah* 20:2,
38 *Kiddushin* 76a, *Ketubot* 24b, Rashi ad loc, Rambam *Hilkhot Melakhim* 12:2.

Exploring the Connection Between Yitzchak and Shimshon

BY: SARAH ROBINSON

Do Yitzchak and Shimshon have anything to do with each other?¹ At first glance one would surely think not, considering that the two live several hundred years apart and that their life paths are polar opposites. Yitzchak lives before the Jewish Nation existed. He leads a fairly quiet life with his wife and twin sons, ensuring that the Abrahamic tradition could continue in the coming generation. He then leaves the Biblical scene almost as quietly as he arrives. In stark contrast, Shimshon's life is full of drama. As the last judge in the Book of Judges, he single-handedly protects the Jewish nation by terrorizing the Pelishti enemy. While on his mission, he ventures risky escapades with Pelishti women and commits brutish murder. Once the Pelishtim finally catch him, they gouge his eyes out and make him into their laughingstock. Shimshon ends his tragic life by committing suicide. Alas – Yitzchak and Shimshon appear to be worlds apart!

However, a careful analysis of these biblical personalities reveals a mosaic of similarities between the two – the most salient point being that both are intended to transition the Israelites through an era of instability. A plethora of linguistic and structural parallels suggests that the author of *Sefer Shoftim*² may have contorted Shimshon's story to parallel Yitzchak's. After all, we readers must remember that these two

stories are works of narrative. Both of these Biblical accounts are purposeful representations, rather than play-by-play recordings, of stories that occurred. It is perfectly reasonable to presume that a later author would take artistic

license to emphasize certain details over others, to shape the latter story of Shimshon's to resemble the prior story of Yitzchak.

Let's explore some of the parallels between these stories in more detail.

Yitzchak and

Shimshon are both born to parents who suffer from childlessness. In both cases, the parents are informed of their child's forthcoming birth by an angel. These two angelic encounters are narratives that are almost mirror images of one another.

In both stories, one parent reacts to the Angelic encounter in disbelief while the other parent is silent. Sarah says, ““ After I am waxed old, shall I have pleasure, my lord being old also?”³ and Manoah (Shimshon's father) says, “Now when thy word cometh to pass, what shall be the rule for the child, and what shall be done with him?”⁴ Both are communicating disbelief and uncertainty in the angel's message to them that they will have children. Sarah laughs at the possibility of motherhood because her biological clock stopped ticking long ago and a

guest's message cannot change that reality. In contrast, their spouses are silent upon hearing the angel's news. In this way, the couples share similar reactions to the angel's news.

Additionally, the text linguistically links Avraham and Eishet Manoah. When Avraham prepares the meal for his guests, the words “*vayimaher*- and he hurried” are used twice.⁵ Similarly, when Eishet Manoah retrieves her husband, the text says “*vatimaher*- and she hurried.”⁶

The episodes also contain the same elements – namely, someone offers food, and an angel relays news. When Avraham entreats the angels, he first offers them hospitality, and then he hears the news about the forthcoming child. However, this sequence of events is reversed in the Shimshon narrative: Manoah only offers the angels food after he hears the news about his child.

This chronological difference in when food is offered to the stranger indicates Avraham and Manoah's different motivations for offering hospitality. Avraham and Sarah entreat their guests because they are impulsively kind. The reader is sensitive to this impulsivity when Avraham leaps to greet the angels, and when Avraham's household unquestioningly prepares the food. This is why the Talmud⁷ suggests that Avraham and Sarah often hosted guests. The rabbis of the Talmud suggested this *derash* to alert the reader of the *peshat*; the rabbis presumed that only a family who was accustomed to hosting would jump at the opportunity and handle their tasks with such efficiency. In contrast, Manoah and Eishet Manoah lack Avraham and Sarah's impulsive kindness. Instead, Manoah offers food “because Manoah did not know [that it was] the angel of God.”⁸ He offers hospitality not out of kindness, but to test the credence of the messenger. Indeed, the test works as we are told that “Manoah knew that it was an angel of God” when it rose to the heavens in a billow of smoke.⁹ This difference is

clearly purposeful. It clearly teaches the reader that Avraham's hospitality was genuine while Manoah's hospitality was motivated by ulterior motives.

As Yitzchak and Shimshon age, their lives continue to mirror one another. Specifically, both are deceived by those whom they love most, both are “bound” in some manner, and both lose their eyesight. Yitzchak is deceived by his own wife and son. Upon hearing Yitzchak's intention to bless Esau, Rivkah cajoles Yaakov into stealing the elder's blessing. So Rivkah and Yaakov work together to prepare the food and costume. Regardless of whether the deception is justified or not, Yitzchak is clearly deceived by his own loved ones because of his blindness.

Similarly, in Shimshon's case, the women in his life coax him into revealing secrets. Each time it instigates a major crisis ending with a massacre of the Pelishtim. First, his wife coaxes him into revealing the secret solution to his lion-honey riddle.

Yitzchak succeeds because he acts as a bridge, not as a revolutionary. Unlike his iconoclastic father who introduces monotheism to the world, Yitzchak's purpose was to successfully transmit monotheism to the coming generation.

She complains that, “you [Shimshon] only hate me and don't love me!”¹⁰ She then spends the followings seven days weeping and pressing him for the answer to the riddle. After all the badgering, Shimshon finally reveals the answer. When the Pelishtim tell the correct answer to Shimshon, he connects the dots and understands that his wife revealed the answer to them. In his barbaric manner, he responds

with a killing rampage. (Note how this reaction contrasts with Yitzchak's. Unlike Shimshon, who did not even try to filter his emotions, Yitzchak merely “shuddered”¹¹ upon understanding that he misappropriated the *bekhor* blessing to Ya'akov and not Esav.)

Additionally, Delilah also betrays Shimshon's trust, tricking him into revealing the way to remove his secret strength. Pelishti princes

bribe Delilah with thousands of pieces of silver to induce Shimshon into revealing the secret source of his strength. So, Delilah complies and asks Shimshon repeatedly for the secret source of his strength. On the first three occasions, Shimshon offers a useless answer. Finally, after a battery of whining, Shimshon tells her the real source of his strength. She then tells the Pelishtim, and they shave off Shimshon's hair.

Thus – the women in Yitzchak and Shimshon's life were deceptive and untrustworthy.

In addition to being deceived, both are bound. Shimshon is first bound by the people of Judah. They tie him up to imprison him so that he can be given over to the Pelishtim. Their plan fails miserably, as Shimshon uses this opportunity to smite even more Pelishtim. Delilah also binds Shimshon to hold him down so that his hair can be shorn and his strength sapped. Finally Shimshon is bound again, after he loses his superhuman abilities. The Pelishtim bind him to a pillar, gouge out his eyes, and make him the centerpiece and laughingstock of their party.¹²

Yitzhak is also famously bound at the Binding of Isaac. In truth, the bindings are very different. Avraham binds Yitzchak with the intention of fulfilling God's will, whereas the Pelishtim bind Shimshon to degrade their enemy.

Perhaps this parallel – of Yitzchak

and Shimshon being bound – could explain a different ambiguity. It was always unclear to me why the midrash¹³ felt compelled to say that Yitzchak lost his eyesight during the Binding of Isaac. On the simple level, the midrash was communicating that Yitzchak underwent a spiritually transformative experience during the Binding. On a deeper level, perhaps the

midrash is communicating the parallel that we have developed. Perhaps the midrash felt compelled to parallel Yitzchak and Shimshon becoming blind at the time they were bound! The midrash inferred that Yitzchak lost his eyesight at the time of his binding from the fact that Shimshon was blinded when he was bound in Pelishti captivity,

Up until now, we've explored how Shimshon and Yitzchak share similar beginnings and how they also encounter similar life-issues. But what is the purpose of this parallel? Why is it that the author of *Sefer Shoftim* feels the need to construct a parallel between these two Biblical characters?

I think the author of the Shimshon story wanted to highlight two divergent methods in how leaders respond to crisis. Both Yitzchak and Shimshon are born into eras of instability. In Yitzchak's era it was unclear how the Abrahamic tradition would continue. In Shimshon's era it was unclear how the Jewish people could last much longer, given their obsession with idolatry. While Yitzchak successfully continues Avraham's legacy, Shimshon clearly fails in his attempt to lead the Jewish people out of instability.

Yitzchak succeeds because he

acts as a bridge, not as a revolutionary. Unlike his iconoclastic father who introduces monotheism to the world, Yitzchak's purpose was to successfully transmit monotheism to the coming generation. Nearly everything he does echoes Avraham's actions.¹⁴ Like Avraham, Yitzchak's wife is also barren¹⁵. Just as Avraham has a chosen son (Yitzchak) and a rejected son (Yishmael), Yitzchak too has a good son and a bad son.¹⁶ Yitzchak is also forced to escape his home due to famine¹⁷, and ends up lying that his wife was his sister. Just as we see Avraham running into disagreements with shepherds, Yitzchak also disagrees with the local shepherds. Thus Yitzchak was successful precisely because he accepted the Abrahamic tradition and lived a quiet life.

On the other hand, Shimshon's leadership style is so unusual that some Rishonim question whether he really deserves the title “*shofet*” at all.¹⁸ Shimshon's actions are genuine.



stability to Israel, Shimshon leaves the country in shambles. This is why the stories of *Pesel Micha* and *Pilegesh B'Givah* – two of Tanakh's darkest stories of *avodah zarah*, rape, murder, and war – follow Shimshon's story. It's unsurprising that Shimshon fails in bringing about the needed revolution. After all, how can Shimshon possibly motivate others to a life of scrupulous religious observance if he is unstable and seeks what is “good” in his “eyes”?¹⁹

Thus, from this parallel the author of *Sefer Shoftim* is teaching us what Shimshon had the potential to become. Instead of being remembered as a failure, his legacy *could have been* grand like that of Yitzhak his forefather. Yitzchak solidified the Abrahamic tradition. Shimshon had the potential to do the same. He was needed to bring about a religious revolution to secure religious and physical safety in an era which needed stability.

In addition to showing the reader how Shimshon *should have* led, it also informs the reader of just how successful Yitzchak is. Now, instead of viewing Yitzchak as a pathetically passive character, the reader is now comforted to realize how Yitzchak's passivity was actually helpful and necessary. Thus, this parallel not only informs of Shimshon's weakness, it also informs us of Yitzchak's greatness.

Sarah Robinson is a second year student majoring in Psychology and Jewish Studies.

(Endnotes)

1 I'd like to acknowledge R. Jesse Horn who inspired me idea to compare these personalities. Jesse Horn, “*Who is Shimshon and why does he have such a central role in Sefer Shoftim?*,” YU Torah, available at yutorah.com

2 Shmuel *ha-navi*, see *Bava Batra* 14b

3 Genesis 18:12

4 Judges 13:12

5	Genesis 18:6, 18:7	was presented at the victory-party, the	15	Genesis 18:12 and 25:21	19	This wording intentionally par-
6	Judges 13:10	<i>Pelishtim</i> asked for him to “ <i>L’sahek</i>	16	Genesis 21:11 and 25:27		allels the language of “ <i>ein melekh</i>
7	<i>Sota</i> 10a-b records how Avraham	<i>lanu</i> ” and he was “ <i>va-yitsachek lif-</i>	17	Genesis 12:10 and 26:1		<i>bi-yisrael ve-ish ha-yashar bi-einav</i>
	would host many people and tell them	<i>neihem</i> .” (Judges 16:25) It is not mere	18	Radak held that Shimshon was a		<i>ya’aseh</i> .” Both Shimshon and <i>Am Yis-</i>
	to give thanks to Hashem in gratitude	coincidence that the pasuk uses words		<i>shofet</i> , albeit an unsuccessful one. Ral-		<i>rael</i> did what they thought was right,
	for the food.	hinting to Yitzchak’s name when de-		bag held that Shimshon was an officer,		irrespective of Torah commandments.
8	Judges 13:16	scribing Shimshon’s actions!		but not a <i>shofet</i> at all. The proof for this		Hence, immorality was rampant.
9	Judges 13:21	13 Genesis Rabbah 69:10, qtd. in		position is that Shimshon did not try to		
10	Judges 14:16	Rashi on Gen. 27:1.		motivate <i>Am Yisrael</i> to do <i>teshuva</i> . See		
11	Genesis 27:33	14 Nachmanides Genesis 12:6., s.v.		Radak on Judges 15:20 and Ralbag on		
12	Incidentally, when Shimshon	“ <i>ma’aseh avot siman li-banim</i> ”		Samuel I 4:9.		

Fear Factor: Exposure Therapy and the Walls of Jericho

By: ALEX MAGED

The first Canaanite city which the Israelites capture in the days of Joshua is Jericho. As part of the preparations for conquering this city, the nation receives one of the most memorable, mystifying military commands in its history. Before ordering the people to launch their offensive, God instructs them to march around the walls of the city for seven days, sounding *shofarot* during each circuit. In other words, the people spend a week literally “turning in circles.” This raises the obvious question: Why?

Traditional Approaches: Insights from the Classical Commentators

Surprisingly, Rashi, Metsudat David and Metsudat Zion all reserve comment on this issue, providing no explanation for the ceremony whatsoever. For his part, Ralbag notes the symbolic significance of the number seven, pointing out that *Pesah* and *Sukkot* each last seven days, that *shemittah* occurs every seven years, and that *yovel* takes place after seven *shemittah* cycles. He also suggests a function for the *shofarot*, positing that these serve to awaken the Israelites from their spiritual slumber, by reminding them that only with God’s help can they hope to succeed on the battlefield.¹ Malbim expands upon this theme, observing that the Israelites capture Jericho through means

which were entirely miraculous.² Alshikh, meanwhile, enumerates six independent difficulties in the

By forcing the Israelites to gaze upon the image of the serpent, he argues, Moses compels the people to confront their fears. In this way, he enables the nation to cope with the actual snakes plaguing the camp

text, mostly concerning the technical logistics of the procedure.³ Yet neither he, nor Ralbag or Malbim before him, seem troubled by the purpose of the circuits, per se. For a clear explanation, we can turn only to Radak. Unlike other commentators, Radak addresses our question directly, claiming that the Israelites circled the city of Jericho in order to terrorize the inhabitants of Canaan prior to invading the land.⁴

In summary, then, we might arrange the traditional Biblical commentators into three camps. Rashi, Metsudat David, Metsudat Zion and Alshikh offer no reason for the circuits of Jericho. Ralbag and Malbim outline a theological approach. For these commentators, God commands the Israelites to circle the city of Jericho precisely *because* it is an exercise in futility. At the beginning of a long military campaign, God demonstrates that no correlation exists between an

army’s might and its success. Rather, the troops will emerge victorious only once they place their faith in Him. Finally, Radak highlights strategic considerations. By marching around the city for seven days, the Israelites communicate their boldness and brazenness, demoralizing the enemy before the war has even begun.

An Intertextual Approach: Insights from the Bible Itself

Thus far, we have approached our question from the perspective of the traditional Tanakh scholars. In doing so, however, we may have gotten slightly ahead of ourselves. By proceeding straight to the writings of the Biblical commentators, we failed to consider whether the Biblical characters themselves have anything to contribute to our study. Believe it or not, they do.

In the second book of Samuel, King David famously covets Bathsheba, the wife of Uriah the Hittite. As a result, the king arranges to have Uriah fall in war, instructing his general, Joab, to position Uriah “at the forefront of the fiercest battle.”⁵ After the battle, Joab reports back to King David. Reading this report, we stumble upon a fascinating piece of military information:

And Joab sent and told David all the facts concerning the war. And he charged the messenger saying: “When you have finished telling the king all the facts concerning the war. And it shall be if the king’s anger is aroused, and he says to you: ‘Why did you approach [so near] the city to wage battle? Did you not know that they would shoot from upon the wall? Who smote Abimelech the son of Jerubesheth? Did not a woman throw an upper millstone upon him from upon the wall, and he died [there] at Thebez? Why did you



approach the wall?’ And you shall say: ‘Also your servant Uriah the Hittite is dead.’” And the messenger went, and he came and told David all that Joab had sent him for. And the messenger said to David, “When the men prevailed over us and came out against us to the field, then we came upon them as far as the entrance of the gate. And the shooters shot at your servants from upon the wall, and some of the king’s servants died, and also your servant Uriah the Hittite is dead.”⁶

It was common knowledge in Biblical times that “the wall” represented the most dangerous place in battle. Joab cites the infamous example of Abimelekh, whose father Gideon was one of Israel’s most capable leaders. After Gideon’s death, Abimelekh seizes power by arranging for his brothers’ murder. These crimes are not forgotten, and within three years, Abimelekh’s kinsmen turn against him, sparking the nation’s first civil war. During his campaign against Thebez, Abimelekh, who seems to have the city all but conquered, approaches the tower where everyone had taken refuge, in order to light it afire. In desperation, a woman casts a millstone in his direction. To everybody’s relief, this millstone strikes Abimelekh, cracking his skull and halting his advance.⁷

If Joab’s words are any indication, then the strategy employed by the woman in Thebez was a regular part of warfare in the ancient world. When all seemed lost, combatants would flock to the city’s highest point, leveraging their position to their advantage in a last ditch effort to turn the tides of a given conflict. Aside from the deaths of Uriah and Abimelekh, two other notable incidents come to mind.

The first of these incidents involves Sheba the son of Bihri. Mere days after King David quells his son Absalom’s

rebellion, Sheba attempts to incite a second one. In response, the men of Judah pursue Sheba, who flees to the city of Abel. At this point, the battle draws to a standstill. Like Abimelekh before him, Joab, the Judean general, instructs his troops to break through the city wall. Only the last-minute efforts of a wise woman spare the city from being massacred. Rather than resisting Joab, this woman offers to hand over Sheba directly. Joab accepts this deal, and everybody (except for Sheba) returns home safely.⁸

Nearly the exact same situation unfolds when Jehu, the newly anointed King of Israel, sets out to eliminate Jezebel, the idolatrous wife of Israel’s previous king, Ahav. With Jehu stationed outside the gates of the royal city, Jezebel’s supporters understand that they are in for a long, bloody conflict. Looking to avoid this fate, they choose instead to push the queen out of the window, sending her to her death.⁹ Once again, a would-be opponent to the ruling power loses her life at the wall.

Finally, the siege of Masada stands out as the most prominent post-Biblical example of this method being put into practice. Granted, the tactic becomes slightly moderated at Masada

At God’s behest, the Israelites come as close as possible to “the wall” – the most dangerous point of battle – for seven consecutive days. Only then do they take up arms. Through repetition and habituation, the Israelites slowly acclimate to the battlefield, confronting the danger, containing it, and placing it in its proper perspective

due to geographic considerations – a mountain replaces a wall, and the defenders of Jewish sovereignty find themselves on the defensive.

Nevertheless, the essential concept remained unchanged.

What, then, does all this mean for us?



In psychological terms, one of the most proven methods for overcoming fear is known as exposure therapy. This method calls for “deliberate and planned exposure to a feared stimulus, or representation of the stimulus, until the intensity of a person’s distress recedes to a level that is (1) lower than pretreatment levels and (2) acceptable to the client.”¹⁰ More simply, we might refer to this approach as the overcoming of phobias through confrontation. My teacher, R. Asher Friedman, once suggested in a short video lecture¹¹ that this principle underlies the strange incident of the copper snake recorded in the book of Numbers.¹² By forcing the Israelites to gaze upon the image of the serpent, he argues, Moses compels the people to confront their fears. In this way, he enables the nation to cope with the actual snakes plaguing the camp.

Could we extend this principle to the conquest of Jericho? As the Israelites prepare to leave their desert-existence and embark upon months of war, the very first matter of business

is to dispel fear from their ranks. This is not only important strategically; we actually find that the “fearful and

fainthearted”¹³ constitute one of four demographic groups granted military exemption by the Torah. Later, in the days of Gideon son of Joash, the “fearful and trembling”¹⁴ are expelled from the armed forces en masse.

In fact, the theme of fear features prominently throughout the book of Joshua. After Joshua replaces Moses as the leader of the Jewish people, he receives no fewer than four injunctions to “be strong and have courage”—three from God, and one from the shock-troops.¹⁵ Later, the spies sent by Joshua to Jericho report that the inhabitants of the land “have melted away because of us.”¹⁶ Apparently, the memory of the previous attempt to enter the land of Canaan in the days of Moses still lingers. At that time, Joshua and Caleb had pleaded repeatedly with their fellow Israelites “not [to] fear”¹⁷ the Canaanites. Alas, these efforts were for naught. Now, forty years later, every attempt is being made to eradicate fear from the hearts of the Israelites. Only fear of God is acceptable. Indeed, as

soon as the people enter into the land of Israel, Joshua states explicitly that God has split the waters of the Jordan for them for this reason precisely: “that you might fear the Lord your God forever.”¹⁸

Nevertheless, overcoming fear is easier said than done. Most contemporary experts agree that one’s emotions are not merely a function of one’s attitudes.¹⁹ Instead, the consensus seems to be that “an individual’s thoughts, behaviors, and emotions are inextricably linked.”²⁰ The rabbis understood this. To take but one instructive example: Both Maimonides²¹ and the Sefer ha-Hinukh,²² citing the Sifri, define the commandment to “love God” as a commandment to know God through the study of His Torah. To the halachik mind, “love of God,” as such, is too

abstract to communicate anything achievable; only when cast in the practical language of *talmud Torah* can love of God constitute a command.

If this approach is true of love, then it is true of fear as well. At God’s behest, the Israelites come as close as possible to “the wall” – the most dangerous point of battle – for seven consecutive days. Only then do they take up arms. Through repetition and habituation, the Israelites slowly acclimate to the battlefield, confronting the danger, containing it, and placing it in its proper perspective. When we read the incident in this light, we uncover an important dimension of the relationship between God and Israel which might otherwise slip under the radar. God is not the cold, unmoved general who expects His troops to dispel their fears simply because they

are irrational. That is not how humans operate, and it is not how God operates with them. Instead, God invites the Israelites to conquer their emotions by providing them with the mechanism through which to do so: the walls of Jericho.

Alex Maged is a sophomore at YC and is a staff writer for Kol Hamevaser

- (Endnotes)
- 1 Ralbag to Joshua 6.
 - 2 Malbim to Joshua 6:2.
 - 3 Ashlikh to Joshua 6:3.
 - 4 Radak to Joshua 6:3.
 - 5 II Samuel 11:15. All translations are from the Judaica Press, available at: www.chabad.org.
 - 6 II Samuel 11:18-24
 - 7 See Judges 9.
 - 8 See II Samuel 20.
 - 9 See II Kings 9.
 - 10 Richard, David C. S., and Dean Lauterbach. (Amsterdam: Elsevier/AP, 2007).

- “Chapter 1: Description, Mechanisms of Action, and Assessment.” *Handbook of Exposure Therapies*.
- 11 “Yeshivat Lev HaTorah-Rav Asher Friedman-Parshat Chukat 5773,” available at: www.youtube.com.
 - 12 See Numbers 21.
 - 13 Deuteronomy 20:8.
 - 14 Judges 7:3.
 - 15 Cf. Joshua 1.
 - 16 Joshua 2:24.
 - 17 Numbers 14:9.
 - 18 Joshua 4:24.
 - 19 Myers, David G. “Theories and Physiology of Emotion.” *Exploring Psychology in Modules*. 9th ed. New York, NY: Worth, 2014.
 - 20 Szigethy, Eva, John R. Weisz, and Robert L. Findling. “Cognitive-Behavior Therapy: An Introduction.” *Cognitive-Behavior Therapy for Children and Adolescents*. Washington, DC: American Psychiatric Pub., 2012. N. pag. Print. Cognitive Behavior Therapy for Children and Adolescents
 - 21 *Sefer ha-Mitsvot*, positive commandment 3.
 - 22 *Sefer ha-Hinukh*, commandment 417.

The Missing Mitzvah: Rambam’s Omission of Yishuv Erets Yisrael

By: MIRIAM KUKHASHAVILI

Rambam is famous for his love for the land of Israel, but his omission of the *mitsvah* of *yishuv erets yisrael* from one of his most important works is glaring. In his *Sefer ha-Mitsvot*, where he lists the 613 commandments, Rambam leaves out the *mitsvah* of *yishuv erets yisrael*, a *mitsvah* we would expect to be included as one of the 613¹ *mitsvot* considering the importance of the Land of Israel in Jewish tradition. This is a question many commentators have grappled with



since the publication of the *Sefer ha-Mitsvot*. Commentators such as the Avnei Nezer (R. Avraham Borenstein) and Megillat Esther (R. Isaac De Leon) explore various explanations, such as the notion that Rambam felt settling the land was not a commandment, or that he felt the commandment was included or juxtaposed to one already enumerated in his list. Further confusion is added when c o m p a r i n g Rambam’s list of *mitsvot* to other lists, such as Ramban’s, which do include the commandment of *yishuv eretz yisrael*. If Rambam came up short searching for a Torah source for

this *mitsvah*, Ramban had no trouble finding one, citing as proof the *pasuk* in *Bamidbar*, “And ye shall drive out the inhabitants of the land, and dwell therein; for unto you have I given the land to possess it.”²

Numerous commentators jump to defend Rambam’s position. The Megillat Esther and the Avnei Nezer are among those who offer rationales for the famous omission of Rambam. The Megillat Esther says Rambam did not list this *mitsvah* because it is not a *mitsvah* that applies to all generations. In his criteria of how to count *mitsvot*, Rambam says he does not cite *mitsvot* he believes are not historically permanent, meaning *mitsvot* that are generation specific. The command in the *pasuk* from *Bamidbar* quoted by Ramban is in fact generation specific, meant only for the generation that entered the land of Israel with Yehoshua. According to the Megillat Esther, we have no commandment to settle the land of Israel nowadays.³ This explanation stands in contradiction to other rulings of Rambam, such as in *Hilkhot*

Melakhim where he rules that one may not leave Israel to live in other lands.⁴ Additionally, Rambam does sometimes include *mitsvot* even when they

Rambam clearly acknowledges the value of yishuv ha-arets, without enumerating it as a mitzvah itself.

are also applicable to specific generations only, such as the *mitsvah* of *korbanot*, which is only applicable to generations living during the time of the *Beit ha-Mikdash*⁵.

The Avnei Nezer also attempts to explain the reasoning behind Rambam’s glaring omission via an analysis of the different philosophies behind Rambam’s and Ramban’s listing of *mitsvot*. According to Rambam, if there are two commandments and one *mitsvah* enables the other (meaning through the performance of one *mitsvah*, another *mitsvah* will occur), only the enabling *mitsvah* is listed as



a commandment. In the case of *yishuv erets yisrael*, Rambam felt that *kivush erets yisrael* is the enabler of all other *mitsvot* regarding conquering and settling the land, and therefore only *kivush* is listed. For Ramban, however, if one commandment enables the other, if they are both of value, then they are both listed⁶. Similarly, the Tashbetz (R. Shimon b. Tzemach Duran) says that Rambam did not count *yishuv* as a commandment because it is a general *mitsvah* that enables many other *mitsvot* to be performed, rather than a separate command in its own right.⁷

Later commentators were also clearly quite bothered by this omission of the Rambam, and struggled to understand it. A main reason for the plethora of justifications is the apparent paradox between Rambam’s omission of the *mitsvah* in his halakhic code, the *Mishneh Torah*, and his celebration of living in the land seen in his other written texts. R. Kook offers various textual proofs for the Rambam’s love for *Erets Yisrael*. In *Hilkhot Melakhim*, Rambam writes of the value the land of Israel had to scholars of his time, and quotes a promise recorded in the *Gemara* that a person’s sins will be forgiven if he settles in the land of Israel. Rambam takes this notion even further by stating that a person should

sooner live in Israel, surrounded by non-Jews, than outside the land in a Jewish community.⁸ Rambam clearly acknowledges the value of *yishuv ha-arets*, without enumerating it as a *mistvah* itself. R. Kook also attempts to prove that for Rambam, *yishuv erets yisrael* is an all-encompassing *mitsvah*, following the rationale of the *Sifri* in *Devarim*⁹ that living in Israel is akin to keeping all the *mitsvot* of the Torah.¹⁰

Rambam was blessed to visit Israel during his life even though most others living in his time period were not as lucky. He made the tough pilgrimage to Israel in the year 1168. He established the days he spent in the land as days of holiday for himself, filled with *simkha*, special food and clothing,¹¹ and refraining from his normal activities. Although his time in *Erets Yisrael* was short lived, Rambam commanded his family to bury him in the Holy Land as his final dwelling place, a wish many believe his family fulfilled by burying him on the western shore of the *Kinneret* in *Tiveria*.¹²

The real importance of this debate lies not necessarily in understanding

why Rambam chose to omit this *mitsvah*, but rather in why halakhic commentators are so quick to jump in and try to explain the exclusion of this *mitsvah*. The fact that the commentators were so troubled as to why Rambam did not include the *mitsvah* sheds light onto the importance of the *mitsvah* in and of itself. Instead of causing this *mitsvah* to be overlooked, Rambam’s exclusion of *yishuv erets yisrael* instead led to discussions over many generations which highlight the significance of the *mitsvah*.

It is with these stories and this image of Rambam in mind that many *Rishonim* and *Aharonim* struggle to find an explanation for Rambam’s exclusion of the *mitsvah* of settling in Israel from his list. Their struggle is not necessarily meant to justify the exclusion merely in *halakhic* terms, but to reconcile this omission with the importance of settling the land of Israel seen throughout Jewish thought. They could not fathom how Rambam would “ignore” the *mitsvah*, so they attempted to find a rationale for his actions. Paradoxically, it is Rambam’s exclusion of the *mistvah* that led to centuries of discussion highlighting its importance. The shock which *poskim* express at Rambam’s exclusion of the *mitsvah* illuminates the importance of the Land of Israel in not only Jewish thought, but in halakhah as well. Whether or not there is a biblical requirement to settle the land, returning to and living in the

The shock which poskim express at Rambam’s exclusion of the mitzvah illuminates the importance of the Land of Israel in not only Jewish thought, but in halakhah as well.

land of Israel is a desire that should be prominent in the hearts of every Jew. “*Ki mi-Tsion teitsei torah*”-For from Zion the Torah will come forth¹³ Living in Israel may not be a commandment, but fulfilling the mandate of *yishuv ha-arets*, living in this land which is the source of Torah, certainly reflects an ardent love of Torah and the *mitsvot*.

Miriam Khukashvili is a senior majoring in English Literature at SCW, and is a Staff Writer for Kol Hamevaser.

- (Endnotes)
- 1 Rambam prefaces his *Sefer Hamitsvot* with 14 premises of criteria as to how *mitsvot* came to be included in his list. Many commentators on Rambam wonder why the *mitsvah* of *yishuv erets yisrael* does not meet those criteria.
 - 2 33:53, JPS translation.
 - 3 Megillat Esther to *Sefer ha-Mitsvot*; *mitsvot aseh*, *mitsvah* 4.
 - 4 5:9-12.
 - 5 It is important to note that Rambam may have believed the *mitsvah* of *yishuv erets yisrael* really only did apply to the original settlers in the times of Yehoshua, whereas *korbanot* are not necessarily generation specific because the *mitsvah* will return with the rebuilding of the *beit ha-Mikdash*.
 - 6 In his commentary to Yoreh Deah 2:454.
 - 7 *Teshuvot Tashbetz* 3: 288.
 - 8 Rambam, *Hilkhot Melakhim*, 5:10-12.
 - 9 11:17.
 - 10 *Shut Tzitz Eliezer* 7:48 in *Kuntres Orchot ha-Mishpatim* chap. 12 - in the name of Maran Ha-Rav Kook.
 - 11 *Iggerot ha-Rambam*, Shilat Edition, p. 225.
 - 12 “The Life of Maimonides,” *The Great Eagle at the JNUL exhibit*, available at: www.jnul.huji.ac.il.
 - 13 *Yeshayahu* 2:3, Artscroll translation.

Interview with R. Yosef Blau: Religious Zionism Today

BY: ATARA SIEGEL

R. Blau serves as a Rosh Yeshiva at RIETS, and is the senior Mashgiach Ruchani at both Yeshiva and Stern colleges. R. Blau is also the current president of the Religious Zionists of America, the American branch of the Hapoel HaMizrachi movement.



AS: What does being a religious Zionist mean to you?

RB: Religious Zionism is the continuation of groups of religious Jews who returned to Israel over the generations of *galut* including *baalei ha-tosfot*, Ramban, R. Yehuda Halevi and students of both the Gr”a and the

BaalShemTov. A critical decision made by R. Reines, founder of *Mizrachi*, was to work within the framework of the World Zionist Organization even though the bulk of the leadership was not observant. Religious Zionists after the state was established worked for the Jewish character of the entire state and not only to protect the needs of religious Jews.

Among the Religious Zionists have been those who saw the creation of a state as a return to our native land and creating a safe haven for Jews. Others, particularly the followers of R. A.Y. Kook and his son R. Tzvi Yehuda, as having Messianic implications. Following the Six Day War, the latter perspective became dominate and focus shifted to building settlements in Yehuda and Shomron to solidify Jewish control over our biblical homeland. As a student of R. Soloveitchik, my personal leanings are to the pragmatic model, stressing Jewish education as the best method of insuring the Jewish character of Israel. It is of paramount importance that the state reflects the highest moral values

and I accept defining Israel as a Jewish democratic state.

Functionally, in the United States many Orthodox Jews sympathize with Religious Zionism; but organizationally the women’s organizations such as AMIT and Emunah, which concentrate on specific projects in Israel, are the most successful.

AS: What then is the role for ideological organizations such as the Religious Zionists of America?

RB: To increase awareness of Religious Zionist ideals, support Israel, and promote Aliya.

AS: What role should YU students play in supporting Religious Zionism?

RB: YU students have a unique background in Torah and secular education and can bridge the gap between the religious and secular communities in Israel (as well as in America). YU students also have a unique perspective to bring to Israel, having spent at least a year of their lives studying in Israel. In this regard

work needs to be done however to prevent the year [from] becoming an American experience located in Israel.

AS: How do you deal with the tension between being a Religious Zionist in America versus making aliyah and supporting change from within Israel?

RB: Certainly, I believe that the future of the Jewish people is in Israel, and that we have an obligation to be part of that. At the same time, we should acknowledge the complexity of individual needs and circumstances and the fact that there are five and a half million Jews in the United States, and that they also need leadership. I think all Jews have to make *aliya* a serious part of their calculations. It may turn out in some cases that it’s not the right move for various reasons. We don’t want people going on *aliyah*, being unsuccessful, and coming back. We should prepare properly. People who are going to take on educational roles in helping maintain American Jewry can justify living in America, particularly if they would not be as successful in Israel.

R. Meir’s trait of obstinacy in the face of the majority eventually plays a role in his ultimate expulsion from the *Beit Midrash* at Usha. His planned insurrection with R. Natan against the special privileges given to the patriarch, in particular the order of honors given to the patriarch over the rabbis, ultimately leads to his exclusion. The patriarch R. Shimon b. Gamliel (Rashbag) controversially instituted a precedence of how students were to stand for each of the leaders of the *Beit Midrash*, in an attempt to increase the patriarch’s prestige and in turn gain influence over the hearts of the future *hakhamim*. This did not sit well with R. Meir and R. Natan who felt snubbed, and embarked upon a mission to discredit, and thus de facto overthrow Rashbag.

In the aftermath of this episode, Rashbag instituted the tradition of

referring to R. Meir as “*Aherim*”, or “others”;² a fitting reference for the student of Elisha b. Abuya, who was

Indeed, my experience as a history major has taught me that the true importance of an event cannot always be discerned purely based on the facts, but must also be measured by how events were perceived

similarly referred to as *Aher*. The Gemara³ tells us that most sages did not rely on the opinions of R. Meir, as the other authorities of his generation could not understand the depths of his reasoning. We can learn from these stories how R. Meir was unwilling to abandon or compromise on what he felt to be correct. It seems that R. Meir has a perspective in which his own thoughts trump those of anyone else and overlooked dissenting views in determining halakhic norms.

As Lau points out, R. Meir connects to some of the more fascinating personalities of the Mishnaic period, such as Rashbag, the reestablished patriarch, Elisha b. Abuya, the heretical sage, and R. Meir’s own wife, Beruriah. R. Lau deals first with Elisha b. Abuya, who is involved with some of the most interesting philosophical problems in the Talmud. Elisha is the teacher R. Meir learns most of his Torah from, and R. Meir tries unceasingly and unsuccessfully to bring him back from the abyss. Although the majority of the *hakhamim* reject Elisha, R. Meir still finds value in his *rebbe*’s Torah. Until the very end R. Meir defends his teacher, not only from those who would seek to ignore his part in the *mesorah*, but also from God Himself.⁴

Indeed, R. Meir seems to attract outliers throughout the period. Lau himself says, “Everything about Rabbi Meir bespeaks otherness.”⁵ R. Meir’s associations with the fringes of the halakhic world force us to confront

the halakhic challenges of his time; his conflicts with his peers make us recognize the practical political challenges faced by the institution of the patriarch, who was required by political reality to be decisive and lenient in certain aspects of halakha. R. Meir, however, rejects leniency in favor of his own ideology and is rejected as a result.

Thus, we see that in the end R. Meir’s tale becomes a lesson in the dangers of being unwilling to listen to others, in that even while the *hakhamim* acknowledged his intellectual prowess, they had to reject his teachings. Lau uses this point to brilliantly contrast R. Meir with other more democratic sages, such as R. Yose b. Halafta. R. Yose, who lived in *Tsipporti*, a highly cosmopolitan and Romanized city, similarly dealt with changes and challenges to the old *mesorah*. Rather than rejecting the majority like R. Meir, however, R. Yose creates his own majority by consensus.⁶ According to the Gemara in *Berakhot*, the *navi* Eliyahu teaches R. Yose that

one may not pray alone in a ruin⁷, which Lau understands as a message to R. Yose that he must find religious life amidst the secular world, not in spite of it⁸. So it seems that while room exists for disagreement in halakha, unbending extremism is confined to the “*Aher*”, with no place in the conventional halakhic realm symbolized by Rashbag.

Perhaps Lau’s greatest gift is how his reading of the Talmudic and Mishnaic sources, albeit sometimes a little broad in its interpretation, gives so much context to these giants of our *mesorah*. Understanding the context

of the world these great sages were living in and looking more closely at the Talmudic sources themselves paints a picture of characters whose struggles are all too human, and more importantly so relatable to our own times. Lau at times goes out of his way to describe *Hazal*’s stormy disagreements, tensions and revolutions, such as the repudiation of R. Shimon b. Yochai’s rebellious views against Rome by his own son Elazar, who becomes an official for Rome.⁹ This highlighting of the arguments amongst the sages pervades the book, as if only to make sure we are not tempted to think his book a hagiography. Ironically, this acknowledgment of the Tannaim’s furious disagreement¹⁰ seems only to increase their greatness.

At times we might be tempted to picture the *hakhamim* all sitting in one *Beit Midrash* and discussing a rigid Torah. I have certainly fallen into this trap. However, this mischaracterization does not give enough credit to the ideological differences between the sages, and ignores the tremendous tensions that sometimes pervaded *Hazal*’s interactions, at times reminiscent of our own hyperpolarized world. I believe it is incumbent upon us to learn from our *mesorah* the destructive consequences of polarization, so as not to repeat mistakes made (and recorded) by our great (but

human) rabbis.

Josh Fitterman is a junior at YC, majoring in History

(Endnotes)
1 The description of this in William Randolph Hearst’s newspaper gave the impression of Spanish attack, when eyewitnesses had no such perception.



However, the public outrage stemming from the mass understanding was so powerful as to spark the U.S. to ignite war with Spain.

2 Lau, p.263.
3 *Eruvin* 53a.
4 The *Yerushalmi Hagiga* 77a recounts that after Elisha b. Abuya’s death, fire burnt on his grave as a sign of God’s displeasure. R. Meir threw down his cloak on the grave and demanded “If He redeems you, good”- this refers to the Holy One, Blessed Be He, who is good... ‘But if he does not want to redeem you, I will redeem you for myself, as God lives!’”
5 Lau, p. 157.
6 R. Yose’s personality is discussed more fully in the book.
7 *Berakhot* 3a.
8 Lau, p. 97.
9 Lau, p. 318. Elazar’s position was an apprehender of Jewish criminals. This is a highly intriguing, because aside from halakhic problems involved with being *moser* Jews to the secular authorities, these positions were historically corrupt. Lau explains that we must delve into other branches of philosophy to understand this complex figure, outside the scope of the present article.
10 See *Yerushalmi Shabbat* 10:5 where R. Elazar’s widow derides a proposed marriage between herself and Rebbe by saying “A vessel used for the sacred should be used for the secular?”



Creative Arts

Images and information provided by the Yeshiva University Museum



Jerusalem: A City Which Turns to Gold

By: SHANI BOCIAN

Jerusalem is considered a sacred city by members of Judaism, Islam and Christianity. Its history is rich, filled with ancient artifacts from all eras and cultures. Jerusalem is the epicenter of multiculturalism. However, it has also been the sight of destruction for thousands of years, a nucleus for conflict, war and antagonism.

This panorama of Jerusalem at twilight captures none of the above. We lovingly refer to Jerusalem the “City of Gold” because the golden light reproduced in this painting is the city’s true essence. This painting, created by Ludwig Blum in the mid-twentieth century, depicts a view of Jerusalem at dusk, when the sky is aglow with lilac,

This remarkable painting offers more than a visual scene of the Old City. Rather, the viewer is treated to a full sensory experience: a light wind rolls over the hills, Jerusalem bells ring, the prayer calls of the muezzin echo, the delicate smells of pine and baking bread pervade the air.

periwinkle and rose. The viewer in this work of art stands on the east side of Jerusalem, on the Mount of Olives, looking west toward the Old City. This painting creates a sense of immediacy, of capturing a fleeting moment in time. The work’s asymmetrical balance contributes to this notion, along with the loose brushstrokes which portray movement and flickering light as the eye moves over the canvas. This painting transports us to a place of tranquil serenity, where the entire city’s limestone walls gleam, tinged with a delicate gold. This remarkable painting

offers more than a visual scene of the Old City. Rather, the viewer is treated to a full sensory experience: a light wind rolls over the hills, Jerusalem bells ring, the prayer calls of the muezzin echo, the delicate smells of pine and baking bread pervade the air.

This painting depicts none of the conflict, the tears and the terror that have surrounded and filled Jerusalem for thousands of years. There is no focal point to this painting; it is not the grandeur of the Dome of the Rock, the holiness of the Temple Mount. There are no people present but a lone Arab villager who is minuscule against the grand sky. All these details and reminders of troubles past are

abandoned for the sake of rendering Jerusalem’s splendor when the sun sets and its rays emit a light that is unparalleled anywhere else in the world.

“Jerusalem of gold, and of bronze, and of light”¹ the famous song so accurately describes. Naomi Shemer wrote these words in 1967, only weeks before the

Six Day War when Jews could not approach the Western Wall. The song quickly became a confidence-boosting call for the soldiers of the Israeli Defense Forces, and when the Western Wall came under Israeli control after Israel’s victory, the soldiers cried out the words to “Jerusalem of Gold” in a passionate and heart-rending moment of

triumph.² At that magical moment, the words they sang must have reflected exactly what they witnessed, spurring them to sing with fervor: a city turned to gold at twilight whose beauty and sanctity are beyond comparison.

This painting captures that majestic moment in time where the light percolates through the stone walls of Jerusalem, turning the entire city gold. We must embrace the deep-seeded feeling of bittersweet nostalgia that this painting generates. The *pasuk*

in *Tehillim* warns us against forgetting Jerusalem, “If I forget thee, Jerusalem, may my right hand forget its cunning.”³ Yet Jerusalem coated in gold at twilight is forever and absolutely unforgettable.

All these details and reminders of troubles past are abandoned for the sake of rendering Jerusalem’s splendor when the sun sets and its rays emit a light that is unparalleled anywhere else in the world.

Shani is junior at SCW majoring in Art History

(Endnotes)
1 Naomi Shemer,

Yerushalayim shel Zahav, 1967
2 Yael Levine, “Jerusalem of Gold: The Career of a Song,” available at www.jerusalemofgold.co.il
3 Psalm 137:5, Judaica Press translation.



1985.040
Panorama of Jerusalem
Ludwig Blum (1891-1974)
Oil on canvas
Israel, mid 20th century
The Joseph and Rebecca Meyerhoff Collection
Collection of Yeshiva University Museum



1974.010
Baruch Dayan Emeth
Arthur Szyk
New Canaan, Connecticut, U.S.A. 1948



1985.039
Jaffa Gate
Ludwig Blum
Israel ca. 1960



1995.047
Tel-Aviv - Grusenber Str.
Moshe Ordmann
Tel Aviv, ca. 1918



1989.087
Model of the Ari Synagogue
Displaycraft
 U.S.A. 1972



1991.084
Soldier of Israel
Israel Z. Sztadt
 Israel 1955



1998.686
Together to Victory
 Z. Bergman
 Tel Aviv, mid 20th century
 Collection of Yeshiva University Museum
 Gift of the Jesselson Family