

Dat u'Medinah

Haim David Halevi: Halchic Thinker and
Political Philosopher

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Introduction

Haim David Halevy (1924/5-1998)¹, served as the Chief Sephardic rabbi of Tel Aviv-Jaffa between the years 1972-1998. Born in Jerusalem to parents of a Turkish-Sephardic background, they wanted him to retain Jewish knowledge and therefore enrolled him in *Porat Yosef* yeshiva instead of Alliance Israelite Universelle, where he would have gained secular knowledge.² At the yeshiva, he gravitated toward intensive study and was identified by his teachers as highly intelligent. Rabbi Uziel (1880-1953), Halevy's mentor and teacher later in life, oversaw the yeshiva. Rabbi Uziel privately, with a select group of students stressed the importance of Jewish thought and philosophy, while the yeshiva's administration stressed the study of Talmud, Torah and *halachah*. Halevi was part of a select group of students who studied the *Kuzari* with Rabbi Uziel in his private home. Halevi later used Yehuda Halevi's proto-zionist thought in his writings; an example is seen in chapter nine of *Dat u'Medinah*. Rabbi Uziel also instructed them to learn passages of the Jewish Bible by heart. Haim David was part of another study group with Ovadya Yosef, Zion Levi, Benzion Abba Saul and Avraham Barukh with whom he focused on *halachah*. Following ordination, he served as Rabbi Uziel's private secretary for two years. In the summer of 1950, he began his service as a Rabbi of Rishon Letzion where he remained until being appointed as the Chief Sephardic Rabbi to Tel Aviv-Jaffa in 1972. He served this post until his death in 1998.

While in Rishon Letzion, he began to publish his first books. These books reflect his various concerns: primarily, for the religious character of the evolving Jewish State and

¹ His name may also appear as Hayyim David ha-Levi in English or הרב חיים דוד הלוי in Hebrew

² Angel, Marc with Hayyim Angel, Rabbi Haim David Halevy, Gentle Scholar and Courageous Thinker, Urim Publications, New York, 2006. pp12-13

secondly, the value of Torah education and its observance. *Bein Yisrael laAmmim* was published in 1954, which was one of his first works. In this work, Halevi discusses and analyzes Judaic attitude toward other nations. It describes Israel's foreign policy as well as domestic policy in relation to the non-Jew. *Devar haMishpat* (three volumes) was published between the years 1963-65. This work is a commentary and analysis of Maimonides writings on the Sanhedrin. Halevi not only explains Maimonides' position, but he also explains how it can be used in the Israeli courts today; he began *Mekor Hayim haShalem*, a five-volume account of Jewish law and practice with elaborated commentaries. It is a textbook used in modern *yeshivot* in Israel today. The next book Halevi published is what I translated. I will discuss it more in-depth later in the introduction. While serving in Tel Aviv, he began to host a radio program in 1974 for the Israeli state radio network, "Kol Yisrael." The program was called "*Aseh Lecha Rav*" (Acquire for yourself a Rabbi).³ The purpose of this program was to answer questions orally. Those answers were later developed into responsa that applied to all aspects of life in the secular state. Ultimately, these responsa were placed in a nine-volume set of contemporary *halachic* responsa.⁴

In general, Rabbi Halevi had a reputation for a clear-headed approach to difficult questions of *halachah* in contemporary life. As evidence from his bibliography, he is always writing with the goal of understanding traditional sources, while using them in a forward approach to modern life. He is a rationalist, which can be demonstrated through his use of *halachah*, a modernist which is evident by the subjects he tackles, a mystic by

³ Perkei Avoth 1:6

⁴ Zvi, Zohar, "Sephardic Hakhamim, Modernity and the Theology of Haim David Halevy," in *Critical Essays on Israeli Society, Religion and Government*, eds. W. Zenner and K. Avruch, Albany: SUNY Press 1997, pp.115-136. Zohar offers a *brief* statement of Halevi's works along with some general analysis.

his inclusion of *kabbalah* and *aggadic* literature in his writings, a *posek* since he is asked to make rabbinic decisions and lastly a teacher in his desire to instruct Jews and bring them back into tradition. He attempts to synthesize all of these into his thoughts to give back to Judaism what he thinks is lacking from it – that is spirit. I believe, based on his works that he felt that Judaism had lost its way. In Halevi's view, many rabbis focused on the letter of the law instead of the heart of the people. This happened when *halachah* and *aggadic* literature was separated. To this end, Halevi largely accomplished a merger between *halachah* and *aggadah* in his book *Mekor Hayyim*. In this book, before Halevi would discuss laws, he would present source material for these laws from the Bible as well as *aggadic* and even *kabbalistic* sources. This would allow students in the yeshiva world an opportunity to expand their intellectual horizons by pondering these sources. The last part of *Daat u'Medinah* includes a chapter from *Mekor Hayyim*. Additionally, several of the articles in the book have a similar construction. These chapters may have been later summaries for public consumption of his writing in *Mekor Hayyim*.

Intellectual Background to Halevi's Thought

Rabbi Uziel, Haim David's teacher and mentor, was an important voice among religious Zionists. Rabbi Uziel, was the chief Sephardic rabbi of Israel from 1939-1954. He worked closely with Rabbi Kook and they had a close affinity with one another. Rabbi Uziel worked to elevate Oriental congregations in the newly forming

state as well as the Sephardic and Oriental communities in general. Much of Rabbi Uziel's thought has found further life in the later writings of his student Rabbi Halevi.

Many of Rabbi Uziel's teachings are translated and available online, including the following:

"The ingathering of exiles, which has taken place during the past few years, is the seed from which will flower the complete redemption. The appointed time will then arrive and the Creator-of-the-world who has His chosen people and Holy Land will cause the spirit of wisdom and strength to rest with us. In the hearts of all our brave pioneers may they receive the crown of victory and may He give us this land, which was sworn to our forefathers."⁵

Rabbi Uziel believed that the Jewish state was "*Atchalta De'geulah*"⁶ or the beginning of redemption. The state must be based in *halachah* which will regulate all aspects of religious life. It is possible to see this teaching reflected in Halevi's work, specifically chapters 1 and 2 of *Dat u'Medina*.

Rabbi Uziel worked with other *Mizrachi* Rabbis to develop the halakhic basis for a Jewish state in the Land of Israel. According to Dr. Mark Washofsky, the assumption of *Mizrachi* rabbis: "that Jewish law in its existing format both recognizes the phenomenon of modern Jewish statehood and affords the state the full political authority necessary to the attainment of its legitimate ends," is difficult to argue for. The thesis is based upon two institutions, the Sanhedrin and prophecy, which no longer exist.⁷ When the state was still developing in the early days, Uziel argued for reconvening the Sanhedrin as a legal authority in the state. The renewed Sanhedrin, like its legendary

⁵ http://www.mizrachi.org/elearning/View_history.asp?id=135 (a website dedicated to Mizrachi thought)

⁶ The concept of "*Atchalta De'geulah*" is central to the philosophy of religious Zionism. It

⁷ Washofsky, mark, "Halacha and Political Theory: A Study in Jewish Legal Response to Modernity," *Modern Judaism*, Oct. 1989, pp280-310

predecessor, would be empowered to renew *halachah* and update it to reflect contemporary challenges. This also meant the rabbinate would wield a particular amount of political power and control over Jewish life in the new Jewish State.

Halevi opens his book with a statement of his theology. In the first chapter of *Dat u'Medina*, Halevi offers a theological understanding of the beginning of the Jewish State. Halevi believes that the establishment of Israel was the beginning of the Messianic redemption. He opens by saying: "The Holocaust, the establishment of the State and the vision of the ingathering of exiles" are all signs of reaching redemption *אהתחלתא דגאולה*.⁸ The swift victory of the Six-Day war provided for Halevi, as for many other religious Zionists, further reassurance for the messianic caricature of the historic events. Halevi understood this victory to be a miraculous occurrence and a demonstration of the imminence of final redemption."⁹

Background to the Debate of Religion and State in Israel Today

Following the War of Independence and the establishment of the State, there were two major tensions that began to arise in the newly born state, and remain unresolved through today. These tensions are over 1. the Jewish character of the state and 2. the rights of the minority - religious Jews, secular Jews and Arabs within the Jewish state.

⁸ "For it is clear and without any doubt, that "I the LORD will speed it in due time." (Isaiah 60:22). God will not abandon the people who live in Zion and he will extinguish the light of Israel, from those who yearn in their heart to remain in exile. By His means, God will force them to make *alyiah*, for their return is their salvation, and the redemption of the young state that needs her son's for rebuilding, to strengthen it and to fortify it, building for eternity." DM Ch. 1, part 4

⁹ Marc Angel discusses in his book on Halevi that in Halevi's later works, he views the wars that the state experiences as a "prolonged struggle...and as part of a longer divine plan of redemption. Angel, Marc and Hayyim Angel, Rabbi Haim David Halevy, Gentle Scholar and Courageous Thinker, Urim Publications, New York, 2006 pp.221-222

When Israel was first established, the Knesset functioned both as a constitutional assembly and a legislative body. The first Knesset, and most subsequent Knessets, have enacted Basic Laws on various subjects. The intention was that the gradual process of the legislation of the basic laws will form the constitution of the State of Israel. Since there is not yet a constitution, when determining decisions, courts have often referred back to the Declaration of Independence as a way to guide the determination of “values” of the state.

“THE STATE OF ISRAEL will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.”¹⁰

This statement promises freedom of religion, equality and justice. It acts as the beginning foundation of a Jewish democracy. It did not articulate a state that would be governed by *halakhah* – meaning that the political arrangements for the state would be derived and evaluated by Jewish law and its authoritative interpreters. There were attempts to view the Declaration of Independence as possessing constitutional status, meaning laws that were inconsistent with the Declaration were regarded as invalid. Yet, all attempts to

¹⁰<http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Declaration%20of%20Establishment%20of%20State%20of%20Israel>

enforce this were rejected by the courts, who viewed laws from the Knesset as valid even if they are “inconsistent with basic rights, such as freedom of conscience.”¹¹

Prior to 1980 when a court made a decision, it referred to English Common Law in order to fill *lacunae* in existing Israeli law. In 1980, the Knesset passed legislation entitled *Hok HaYesodot HaMishpat*. This legislation for the first time stated explicitly that when a *lacunae* occurs, instead of referring to English Common law to determine precedent, judges should examine Jewish law and only then refer to common law as necessary.

סעיף 1.

ראה בית המשפט שאלה משפטיות הטעונה הכרעה, ולא מצא לה תשובה בדבר חקיקה, בהלכה פסוקה או בדרך של היקש, יכריע בה לאור עקרונות החירות, הצדק, היושר והשלום של מורשת ישראל.
סעיף 2א) סימן 46 לדבר המלך במועצתו לארץ-ישראל - 1947-1922 , בטל.
סעיף 2ב) אין בהוראות סעיף קטן (א) כדי לפגוע במשפט שנקלט בארץ לפני תחילת חוק זה.

Article 1: When a question comes before the court to which the answer is not found in existing law, existing practice by the court or cannot be determined by the way of analogy, the answer to the question has to be determined in light of the values of freedom, justice, integrity and peace of the tradition of Israel.

Article 2A: Regarding the King's Courts in the Land of Israel from 1922-1947 – annulled

Article 2B: There is no small paragraph of this directive, (1) In order to damage through law what was comprehended in Israel before the beginning of this law.¹²

This piece of legislation for the first time potentially brought *halachah* into legal conversation as a part of Jewish tradition and further deepened the character of the state

¹¹Kretzmer, David, “Constitutional Law,” *Introduction to the Law of Israel*, ed. By Amos Shapira and Keren C. DeWitt-Arar, Kluwer Law International 1995, Boston, p.45

¹² 1980-תש"ם חוק יסודות המשפט, www.knesset.gov.il, translation from Dr. Rechnitzer

as Jewish. But the definition of what “tradition of Israel” means has not been clearly defined. Since it was not defined, it can refer to any aspect of literature where a Jewish value is expressed which would shed light onto the legal discussion. This discussion is expressed below by two examples. The first is from Justice Meir Shamgar and the second is Halevi. If “the Jewish character of the state” is defined as it was in the legal decision *Neiman v. Chairman of the Central Elections Committee for the Twelfth Knesset* (1988), by the president of the Court, Justice Shamgar, who stated that: “The existence of the State of Israel as the State of the Jewish people does not negate its democratic character, just as the Frenchness of France does not negate its democratic character.”¹³ This might imply that the Jewish character of the democracy of the Jewish state was minimal. The Jewish character is simply nationality of its citizens. Thereby reducing the necessity of state support and funding for the rabbanut. This would exemplify the separation of religion and state.

Yet for Halevi, who understands religion and state as intertwined, religious law guides Jewish life, therefore it can neither be created nor over looked.

Now it is clear that legislation to organize and establish a society in all the areas of life--both the social and the political-- without exception, is not the right of the kingdom itself. Rather it is her duty that the Torah commands upon all her inheritors: all authorized leadership in Israel...But, compared to the kingdom in Israel, the Torah scholars were very diligent since they used the authority which was given to them *after* the kingdom dissolved. [This authority was] granted to us with a full explanation, whose purpose was to establish a complete and healthy society according to the Torah. They did not leave even one area of life unregulated.¹⁴

¹³ Kretzmer, p.47

¹⁴ Chapter 8

Religious law binds secular authorities to regulate aspects of society which religious law can not. The debate over the Jewish nature of the state and the role of *halachah* in it was intensified when the Knesset passed two Basic Laws; 1992 Human Dignity and Freedom¹⁵ and 1994 Freedom of Occupation.¹⁶ These laws opened a new phase of the debate but not its parameters. For the first time, the explicit purpose of this Basic Law is to protect human dignity and liberty, in order to establish in a Basic Law the values of the State of Israel as both a Jewish and democratic state.¹⁷ The two basic laws reflect an attempt to synthesize and ensure that the laws are consistent with a concept of a Jewish State and its democratic values. Practically, this means that when ever legislation is adjudicated by the court, it must always be consistent with preserving human rights and fundamental values of democracy.

Yet, all this is problematic when faced with the two major perennial tensions: Jewishness (Religion) and State and the status of non-Jews, or secular Israelis, in the State of Israel. For the purposes of this discussion, I will continue to focus on the tension between Religion and State only. There is no separation of religion and state in Israel. In many ways, the system in Israel is similar to the old *millet* system from the Ottoman Empire. In the *millet* system all personal status law lay in the hands of religious

¹⁵ Article 1. The purpose of this Basic Law is to protect human dignity and liberty, in order to establish in a Basic Law the values of the State of Israel as a Jewish and democratic state.

¹⁶ Basic Law: Freedom of Occupation (1994)

1. Fundamental human rights in Israel are founded upon recognition of the value of the human being, the sanctity of human life, and the principle that all persons are free; these rights shall be upheld in the spirit of the principles set forth in the Declaration of the Establishment of the State of Israel.

2. The purpose of this Basic Law is to protect freedom of occupation, in order to establish in a Basic Law the values of the State of Israel as a Jewish and democratic state.

3. Every Israel national or resident has the right to engage in any occupation, profession or trade.

¹⁷ For a full description of this law please refer to:
http://www.knesset.gov.il/description/eng/eng_mimshal_yesod1.htm

communities, who maintain the connection between the religion and the state. This is just as true in the Jewish community in Israel, as it is for Moslems, Christians and Druze.

Halevi's voice is one among many thinkers on this issue. Each thinker has a unique paradigm on the continuum of Israeliness (secular) and Jewishness (religious).

Halevi

In the following pages I provide an outline of the book *Dat u'Medinah* and then explain why I believe that this book is important for Reform Rabbis and lastly why I chose to write about him.

Halevi, writing in 1969, was already sensitive to many of these issues of the debate between Religion and State in Israel. He discusses the type of law in the Jewish state, the role of the rabbi, security decisions and attempts to understand how current events define liturgy. The book is divided into three parts. The first part is an explanation of Halevi's theology. The second part of the book, addresses the role of government and religion. I will focus my discussion of the book on the second part. In the final part of the book, Halevi speaks to religion and life in Israel today as leading toward redemption.

In 1963, Halevi addressed the question of government. He understood the fine balance between the majority secular Israelis and minority religious Jews in government and in decisions about life in Israel. The first part of Book Two was based on a talk that Halevi had in the spring of 1963. He said that, since the Knesset is not governed by rabbis, it can therefore pass a law which does violate *halachah*. The Jewish nature of the legislation granting rabbis the role in marriage, divorce and *kashrut* in the armed forces

came about from the people's desire to live life full of Jewish character. He cites a rule: "Do not place a decree upon the people, which most of the people can not follow," in part eight of chapter seven of his book, when discussing laws of marriage, divorce and *kashrut*. According to Halevi, the rabbis' decrees would not have been accepted by the population had Israelis not already been desirous of rabbinic structures. Therefore the *rabbanut* had power because of the will of the people. Furthermore, when laws were up for debate in the Knesset he believed that at specific times, concessions by the majority to the minority for maintaining harmony were necessary, though not guaranteed. All religious legislation enacted at the time Halevi wrote this book such as – marriage and divorce under rabbinic control, Shabbat as a state "day-off" and *kashrut* for the army, were a legitimate expression of the will of the people and were not prescribed or legislated by rabbis. The majority of Israelis had respect for the Torah and Torah sages. Halevi advocated understanding from all groups.

In chapter eight (in part two), Halevi discusses what he understands as *medinat hok* (meaning that the state is regulated by secular laws) and *medinant halakhah* (a state that is based on Jewish law). One might suppose that these were contradictory and should be separated. Yet Halevi believed that *halachah* has flexibility so that it is possible to adapt to every situation. He argued that *halachah* did not offer a specific economic system nor establish set legislation upon which the government would operate; instead *halachah* offers eternal principles which can serve as a foundation for all future political arrangements. For Halevi, the *halachah* did not discuss all eventualities; therefore it leaves open the possibility for leaders of each generation to create legislation

which is specific to their needs. A Jewish state, should create legislation which is true to the principles that Halevi sees within *halachah*.

“In conclusion to these ideas: a nation of law and a nation of *halachah*, do not contradict each other at all, and truthfully they complete each other. The *halachah* itself casts the sovereignty and successors, all the legally ordained leadership, to create decrees and legislate laws that fit the daily needs and the development [of the society], for in the Torah itself *only* the foundations and the principles were found, and upon them and according to them, we must establish our laws.”¹⁸

Therefore, Halevi advocates the creation of a position for a rabbinic sage who will review the legislation and confer with *halachah* to ensure that the legislation is according to the spirit of *Halakhah*. The sole job of the rabbinic sage, would be to study Jewish law and determine if legislation passed by the Knesset fell within the framework of Jewish law. Broadly speaking, for Halevi, an act of the Knesset is *halakhicly* acceptable so long as it does not violate clear boundaries established by Jewish law. Alternatively, *halakhah* does not set forth in advance the precise content of the legislation to be adopted by the democratic assembly. Rather, it charts broad parameters within which many different directions of policy might be acceptable.

Another topic which Halevi wrote on was the unconditional love of Israel.

There is no doubt that for a religious person¹⁹ that the holiness of the Torah and mitzvot and commandments are deeply engraved in his consciousness - spiritual elevations are needed in order to love the secular country. Not only that, but it is his duty to love that [secular state]. Even more, his religious consciousness that is based on Torah and the prophetic visions deepens his love [for the state] when he makes an effort to enlighten the ways of the misguided and provide them the light of the Torah exactly as humanity treats its patients. It is foolishness to hate

¹⁸ Halevi, Chapter 8

¹⁹ The religious person's love to God will deepen,

them. Humanity places a tremendous amount of effort in order to heal them or to rehabilitate them. So too is the case with the illness of faith, it is an obligation of the faithful to heal the other. And maybe this is the deep meaning of the verse: “You shall not hate your brother in your heart,” and if you think that he is a transgressor then, “reprove your kinsman.” Barren hatred does not improve the case “but incur no guilt because of him,” to teach you that abstinence from the reprove is sin (Leviticus 19:17).²⁰

But as Halevi indicates elsewhere, religious Jewish Israelis struggle to love and respect the secular state -- specifically aspects which are not congruent with *halachah*. Secular Jews, in turn, did not always respect religious groups or their desire to impose religious law onto them. Halevi advocates for both sides – religious and secular – to respect one another. Religious Jews should not see their secular counterparts as antagonists, but have love and care for them, while secular Jews should be more sensitive to the feelings and desires of the religious community to live according to a certain way. Halevi wants both religious and secular Jews to feel at home in the Jewish State, which may challenge the democratic nature of the state. Yet this quote from Halevi is very telling of his attitude. The fact that Halevi refers to secular Jews as “patients” implies that they are sick. The fact that he refers to the faithful as “healers” implies they are healthy. It is this attitude which created the problem Halevi was addressing. It is this attitude which makes it difficult for both groups (religious and secular) to respect one another.

When discussing another aspect of religion and state Halevi argues that it is the right of the secular government and not of the rabbis to make decisions in regard to matters concerning security of the state and its citizens. This includes a decisions such as

²⁰ Halevi, DM Chapter 10

giving up land for peace. According to Halevi when the Messiah comes, all will be restored as it needs to be. But until then, government officials should make these security decisions since they are privy to all pertinent information. Therefore rabbis could inform the government only with general *halachic* principles, rather than a specific *halachic* decision. In this way Halevi limits the political role of the rabbi in the state.

Halevi's book is a significant contribution to the debate of religion and state in Israel. Halevi advocates not for the separation of religion and state but for there harmonious unification. He advocates love for Israel and encourages Israelis today to honor their heritage and bring that into discussions of how to live Jewishly in modern society. The collection of writings on religion and state over a defined length of time was to give to people, in one place, a vision for understanding his thoughts of religion and state so that they too can further understand how to best integrate these dichotomies. Book Three demonstrates that fact by integrate modern history with liturgy and holiday observance – specifically the observance of Yom HaAzmaut. Halevi constructed his argument about Hallel in the liturgy, by recognizing the significance of the day and contextualizing it with other major Jewish historical events.

I chose to do this project because I was drawn to the discussion of Religion and State after I took a class on that topic taught by Dr. Jonathan Cohen and Dr. Haim Rechnitzer. This class inspired me to learn more in this field. The next semester, I took a class with Dr. Mark Washofsky on Rabbi Haim David Halevi, who discussed this topic exactly. I wanted to study Halevi's work in depth. So I thought that by writing an

annotated translation, I would not only learn this text on an in-depth level, but that I would further learn about a rabbi who struggled with this topic.

What appealed to me and compelled me to study Halvi's in greater depth was his flexible *halachic* rulings. He demonstrated that *halachah* is not monolithic, it does not contain one voice or one way of approaching a problem. Instead there is a varied approach. I have also learned in my leadership classes, that it is the role of the rabbi to make Judaism relevant today. We are to place modern-day struggles in the framework of Judaism. That framework includes *halachah*, *agaddah* as well as history and philosophy. As rabbis we must ground our answers in the Jewish framework. Studying Halevi's works helps broaden that framework. He brings to light *halachah* I was not aware of previously and uses it in new and exciting ways.

The Reform movement is not an *halachic* movement. Yet "Reform Judaism may indeed have dispensed with the "rule of law," -- the notion that every religious question must be submitted to rabbis for authoritative judgment -- but it did not discard the law itself. [T]he substance of *halakhic* observance as it has come down to us [through generations and is respected and discussed by Reform rabbis and incorporated into our responsa]." ²¹ Understanding our roots, agreeing/disagreeing with the sources and using the tradition to guides our lives today as Jews (Reform and Orthodox) is at the very heart of what it means to be a Jew in the modern world. In some ways Halevi, can be seen as a reformer himself. He created new theology based on religious Zionists to explain the

²¹ Washofsky, Mark, Jewish Living, a Guide to Contemporary Reform Practices, UAHC Press, New York, 2001, p. xx

historic events unfolding around him. He addressed modern questions through the lens of the rabbinic Judaism, forcing Judaism to bend toward modernity.

I was personally inspired by his writing and high level of research at answering questions. My hope is that I will also be able to answer questions presented to me with the same type of thoughtfulness and creativity.

On a different note, I found Halevi's text at times to be very difficult. The language is not the language of Modern Hebrew. This is a modern religious discussion, and written in that same language. Halevi refers to the bible, the Talmud, *Halachic* Codes, Jewish philosophy and modern legal literature. Not only did I at times struggle with the Hebrew, but I spent time learning these texts and their usage through weekly meetings with my advisors.

Not unlike Halevi, I was personally challenged and struggled on many levels by these sources in our tradition. I feel as if my knowledge base of Jewish sources grew, my personal theology has deepened and my ability to confront difficult topics in a Jewish framework has increased. I feel more comfortable referring and using religious sources which comprise our tradition. I feel that my own ideas and values have been clarified by this process. I grateful for all of the work I devoted to this project and hope that by learning more in this area, I will be further enriched as a rabbi.

Daat u'Medina

Religion and State

An Introduction

Part of this book, has already been published in the past several years. All of the essays were a written examination of situation as they arrived - this topic was therefore discussed at the correct time for the public. In spite of this, none of these topics only pertain to politics alone, for these were written with the purpose of bringing to light the problems faced in this broad field at the appropriate time and place. By establishing and describing the important issues for each generation of wise men in Israel, and discussing them on a historical and in-depth level, I can predict the fairness of these topics for our people.

In order to explain the problems being discussed that are brought to light in this area, three main focal points must be presented for the reader; they are three main loves: Torah, Jewish People and State; the commandments for all Jews are based upon them.

.....

Three things to explain:

1. The “path to complete redemption” is explained in six subsections, examining the history from the beginning days of exile, to the time in Europe, to the 28 of Yaar, and finally to the establishment of the state of Israel.

2. “The basic problem of religion and state,” is explained in five subsections, that is focused on: religious verses secular law; who is considered Jewish, and the correct spiritual path for Israel.
3. God and the 28th of Yaar. Their “the spiritual meaning” is explained in four subsections: examining the meaning and laws regarding Israeli Independence Day as well as the Temple Mount and the potential establishment of a Third Temple in our days.

If the publishing of this book contributes in a small way to resolving the conflict between religion and state, in the spirit of the Torah and the love of Israel, the country and the state – then this was my reward.

I pray to God that I will publish more books related to this problem of religion and state in another book that will deal with the problems of religion and faith and the remainder legal *aggadah*.

I dedicate this book, to my wife, who is my loyal partner in my life, to our precious and loving children and to all the Jewish people who will win when “All of your enemies and those who hate You will soon be destroyed and erased. And the evil kingdom will be uprooted, broken and surrender and when your servant David’s throne is quickly reestablished in Jerusalem in our days.” Amen

Hayyim David Halevi.

Book One

On the Way to Total Redemption

Chapter 1

The Holocaust, the establishment of the state and the Vision of the ingathering of exiles

Divine providence did not assign to historical missions or assignments. There were generations that request under their specific historical circumstances were not asked to work for the achievement of some purpose of Divine action, and thus were exempted from any historic responsibility. On the other hand, there were generations that were asked to do historical assignments – to perform a historical mission.

There was not a generation - like our generation - that was under God's protection in order to perform historical and responsible assignments. We achieved that goal, of the establishing a state, but we did not achieve it in full. This will only come through the fulfillment of the in-gathering of exiles and this is the commandment and obligation of the present generation.

For the servants take pleasure in her stones and embrace the dust thereof. This means that Jerusalem can only be rebuilt when Israel yearns for it to such an extent that they embrace her stones and dust.” (The Kuzari)

This beautiful sentence was not chosen to finish the Kuzari *only* because the author wanted to end the book in a nice way. The deep meaning for the real and full redemption can not become reality but only when the Jewish people completely return from the Diaspora and “embrace [Jerusalem's] stones and dust.” Are filled with the absolute desire to be redeemed.

If there was another time in which it was necessary to convince and explain and persuade people of this principle, [of Diaspora]. It appears as if that period is over. There was a time that national identity mission, fate, and destiny of the Jewish people, which itself is correct, led to the development of a false ideology of Exile. If the Jewish people were chosen to fulfill the part of the kingdom of priests and a guide and educator for all

the nations, then it would be better to remain in the Diaspora among those nations so that the Jewish people could educate and achieve their goal in a more efficient way. These thinkers made a fundamental error, because if it is so that the Jews were chosen to be a light unto the nations, and there is no doubt that the Jewish people did this faithfully, and the best of the world's cultural values are infused with the spirit of our holy Torah whether it is realized or not. But you can not assume from that [achievement], that Diaspora Exile was necessary in order to achieve that goal. There is no contradiction between a people being a kingdom of priests, a holy nation" and yet residing in its own land and state. From the beginning, the Jewish people were chosen to build itself as a state based on Torah in the chosen land, which will serve as be a perfect [example] for the world and [serve] as a light to the nations. By the people existing in the chosen land according to Toraitic law and principles they should have been the example for the ideal state and society. [i.e., *that's* how they were to be a "light to the nations" and a society built upon a foundation of pure divine ethics] Yet because they did not establish such a society, they were sent to live in the Diaspora?

How was it that Israel could not remain in the land as a perfect society? Because they of course followed in the ways of Canaanites whom the land spewed forth because of their abominations, therefore the land also vomited them [Israel]. Thus it says in the Torah, "that were vomited on the land as a result of abominations...thus they were vomited as well (Leviticus 18:27). According to the prophets before she was destroyed Jerusalem was called the daughter of an Ammorite father and a Hititte mother (Ezekiel 16:3). This is the plain meaning of the Diaspora. [of Exile – *i.e.*, it's a punishment, not a divinely-appointed opportunity.]

There is not a clue in the Bible that Israel has a spiritual destiny [to lead fulfill] in the Diaspora. On the contrary in parshat BeHukkotai, which hints toward there are clues regarding the destruction of the First Temple, there is a powerful curse, “Those of you who survive shall be heartsick over their iniquity in the land of your enemies;... you will get lost among the nations and the land of your enemies will eat you. The remnants will die slowly in the country of your enemies...then they will confess the abominations that they did and they will recall their covenant and the land” (Leviticus 26). In parshat Ki Tavo, which hints at the destruction of the Second Temple, after all of the curses about destruction and the dispersion of the people, there will remain a small number-from the people of Israel who will live in a state of fear and terror, and “The Lord will give you there an anguished heart and eyes that pine and a despondent spirit. The life you face shall be precarious; you shall be in terror day and night, with no assurance of survival” (Deuteronomy 28:65-66). The simple explanation of the literature . *Peshutam shel mikra'ot* means “the plain [= *peshat*] sense of the verses [*mikra'ot*] shows that the Diaspora is most bitter punishment of all because Israel has broken the agreement with God. True, Ramban explained that after we were in the Diaspora in countries of our enemies, our actions were not cursed, but rather we resided in countries in the same way that the rest of the people did. That, according to Ramban, is the meaning of the verse “Yet, even then, when they are in the land of their enemies, I will not reject them or spurn them so as to destroy them, annulling My covenant with them: for I the LORD am their God.”²² with all types of other people where other people belonged to the Promised Land, and despite the Diaspora we will survive. May his words be true, and From a particular

²² Leviticus 26:44

historical point of view, his statement *was* true, but this was a sign of God's mercy on His people and His promise to us that he will not destroy or cause us to vanish while we are in the Diaspora [*i.e.*, and not a promise that we will and should live well and comfortably in Exile.] There is a great difference between this promise and the idea that we have a mission to fulfill in Exile.

Moreover, the prophecy stated in the verse "but shall perish among the nations; and the land of your enemies shall consume you" (Leviticus 26:38)... has been completely fulfilled in our history. How wonderful are the words of our Rabbis concerning this verse: "You will perish, and be destroyed then among the nations" – here the term loss, implied we will be located in the Diaspora. ["Perish" implies Exile] Yet when God said that "the countries of your enemies will eat you," could this imply actual destruction? The second half of the verse, *veakhlah etkhem*, etc., implies destruction. Thus, the first half of the verse, *ve'avadetem bagoyim*, must mean Exile. (Sifre, Leviticus 27:38). Two large crises [tragedies] occurred to Israel when it was in the Diaspora. The first one is implied in the Rabbinic statement that "loss" means Exile. These are the branches of our nation that were cut down, etc., meaning that they assimilated, etc., whether consciously or unconsciously, and were lost to our people. The second great loss regarded those individuals who kept their national core identity, with a passion; they were not lost from the body of the nation of Israel but still the countries of our the enemies "ate" them; this was true physical destruction and a real loss. The Ramban saw that some of the remnant of Israel that held on in the Diaspora, lived a relatively good life, and in that fact he saw the fulfillment of the verse and in them the promise and faith of the Torah resided, "I didn't hate them or deny them." [In other

words, Ramban finds a silver lining in the cloud.] Where the sons/children of this ancient nation, who, were it not for the curse of Exile, would number hundreds of millions like India and China that never entered the Diaspora. All other [nations] who became lost in the Diaspora - the countries of their enemies ate them (meaning they were absorbed into the nation where they resided and they lost their national identity).

Shall *this* be called a “religious destiny”? Is it an act of justice for Divine Providence to send out its chosen ones to be killed, slaughtered, destroyed, merely to serve as priests and educators to the nations? If there were those that believed, in all innocence maybe whose beliefs were innocent, in this erroneous point of view, then the horrible Holocaust came with horrific results to prove their error. If Israel resided 2,000 years in the Diaspora, “And educated” the world about the good and the high value of the morals of the Torah then this “faithful student sent is “revered teacher” to such cruel and horrific slaughter then behold, this ideology has turned into a bad joke. The Holocaust is proof for us to believe in the words of our holy Torah, that the Diaspora was meant to be from her nature, for a loss of the people. The Holocaust is proof that the Torah’s prophecy was true, that the Exile was meant by its very nature to be an experience of destruction—And the fact that some of us managed to survive in Exile is on account of God’s mercy (so as not to destroy us utterly and totally).

Thus, it is superfluous to explain and argue on the basis of *halakhah* or *agadah* concerning of the obligation to make Aliyah and reside in the land. Our rabbis in the Talmud and Midrash, and the wonderful majority [“wonderful majority?”] of our great Rishonim and Achronim also spoke of the obligation to fulfill this mitzvah and the great importance of this topic. (There is no room here for further explanation.) How much the

more so is it good to fulfill the great obligation to make Alyiah especially in our time period, as a result of the Holocaust from our point of view of history [after the Holocaust] and the history of our generation.

Part Two

Regarding this exile, the prophet Isaiah said, (Isaiah 60:22) “I the LORD will speed it in due time.” Our rabbis explained the meaning of this verse in Sanhedrein 98– [and in their discussion they asked] --Does this mean that the Messiah’s coming will be sped up? The Radak later clarified another way of understanding the tradition and explained the apparent contradiction of speeding up an event versus waiting for it to take place, “in due time.” The Radak said: “When the time arrives to hasten the end of days, for He will not lengthen time from the unholy time of Jesus till the period of her completion.” Thus, it is clear that either on the merit of Israel, “they would be immediately exiled, even if they did not experience one day in Exile.” According to the words of Rav in his book *Or Hachaiim* when he explained the verse from Numbers (24:17): “What I see for them is not yet, What I behold will not be soon.” Therefore, a group of Jews will rise up and lead-- the pioneers were the ones who paved the way for the establishment of the State of Israel.

One tribe will exist among Israel which was established in the natural ways of the world; they will establish, they will rule and they will do.

Of course, the historical reality was that Israel was never redeemed through “*Achishena*” or miraculous redemption at the hand of the Messiah. The only other option is the long, arduous, “hard” redemption that Israel is undergoing today. The hard redemption arrived only at the time that God had designated that He was willing to redeem His people. God changed historical events in accordance with this desire. He created historical conditions that were required for the redemption of His chosen people. There were those who understood, immediately, the significance of the time, those with strength and ambition joined and gave of themselves to serve the Divine Providence - there were those who did this consciously and unconsciously. Everyone acted in accordance with God’s will and Providence who worked together for the redemption of Israel. Since there were [also] some who did not understand, a large majority of Jewish people remained in Exile.

“And God, may He be blessed” great in knowledge and great in deeds, who had already determined that the time of God’s will had already come before Him. Let history run its course, working through natural processes because the Jewish people did not merit an earlier miraculous redemption. Had the people merited redemption earlier and been pushed to make *Aliyah*, they might have changed history. At the time when the gates of Israel were opened to allow entrance, the world might have merited to enter the land in song and eternal joy. Who knows how the conclusion would turn out after the work of redemption of the people? What would the history of our people look like in the past several decades? If we had only made *aliyah* earlier, yet the people had not merited and they did not hear the call from the Exile.

Perhaps, this was the meaning of the angry prophecy of Ezekiel? And what you have in mind shall never come to pass -- when you say, "We will be like the nations, like the families of the lands, worshiping wood and stone." (Ezekiel 20:32) (The meaning of the verse is the demand of [the Jewish] people to settle in Exile, yet like our rabbis said-- to live outside of the land of Israel is the equivalent of worshiping idols. (Ezekiel 20:35-38) “ And I will bring you into the wilderness of the peoples; and there I will enter into judgment with you, face-to -face. As I entered into judgment with your fathers in the wilderness of the land of Egypt, so will I enter into judgment with you -- declares the Lord GOD. I will make you pass under the shepherd's staff, and I will bring you into the bond of the covenant. I will remove from you those who rebel and transgress against Me; I will take them out of the countries where they sojourn, but they shall not enter the land of Israel. Then you shall know that I am the LORD.”

As I write these lines, my heart trembles and my hand shakes, a quote from Tractate *Brachot* 10a: “The ways of His protection are hidden from human understanding.” Who is the man who understands and speaks of this? Why has all of this happened to our people? Why were one third of our people destroyed so horribly that it is difficult to grasp? Maybe this is what Ezekeil meant when he said, I brought you to this exile surrounded by other people. (Ezekiel 20:34-35) With a strong hand and an outstretched arm and overflowing fury, I will bring you out from the peoples and gather you from the lands where you are scattered; and I will bring you into the wilderness of the peoples; and there I will enter into judgment.” (The explanation of this verse,) God prepares for [the Jewish people] to reside [in Israel] during our generation

and those to come, following the great destruction of the Jewish people, in the horrible Holocaust.

Part Three

The ways in which God exerts His providence are hidden from our understanding, but after the events (of recent Jewish history), our duty is to contemplate the past and to learn for the future. We have already hinted that the *Shoah* was a result of ignoring the opportunity of the return to Zion and building the Land. But, we will never really know the complete accuracy of the will of Divine Providence, or understand the correct timing of the beginning of the redemption and the terrible way in which it came to be. Let our words here be a type of historical analysis of the period and the events.

It has already been explained that our redemption *should* have happened in its first stage in *bayiot* - "at its time," so according to the natural ways of the world; this length of time would be long. From the beginnings of the Zionist state, there has been a growth, those few who immigrated to the land to build it up showed grace upon the dust. Yet, masses of the Jewish people did not hear the voice of God calling to them to rise from the cursed and horrible Exile to build the future of the nation as a cradle for the people in its homeland. In the meantime, a foreign government began to slowly restrict the gates of the Land of Israel, even from the few ones who wanted to make *Aliyah* to Israel following the will of God. Yet, it is us -- the Jewish people-- who failed to take advantage of this time as granted by God.

The Arabic peoples, who at first did not display any real opposition to the idea of Israel's returning to its homeland, began to take interest in this land. They did so at a later time, whether out of arousing themselves to protect their brothers who dwelled in the land, or as a result of the incitement of the foreign ruler. These people had been asleep for a long time under the rule of foreigner occupiers; then awakened to national calling. This movement encompassed all the enslaved peoples of the world –[their] minds and hearts.²³

Meanwhile, the situation of the Jewish community in Israel was small and weak - both in the population and its ability to conquer, for itself, a place in the homeland. Were it not for the rise of the Nazi regime in Germany which caused people to reside in the Land and not immigrate, the population may not have grown. Therefore, the Land was seen as a refuge. The Jewish community in Israel would have become like a Jewish community in some Arab country who ventually would kick out their foreigner occupier sooner or later; just as their brothers did in their own countries and the little Jewish community would have been forced to deal with this situation, at a later point.²⁴

God, who desires the redemption of His people and could look to the end of all time, saw the redemption. To Him it was clear, that which is only clear to us now, that the natural workings of history was supposed to bring about the redemption of Israel at its proper time. God was aware that under this circumstance brought about after WWII, the increased Arab opposition and aggression against the Restoration of Zion, would cause a

²³ There was an outpouring of nationalism following World War I in the Arab communities as well as the Jewish community.

²⁴ Halevi is rewriting history here with a possible casualty statement "If tthis had happened, then that might have happened." Had the Jewish community remained small, eventually the Arabs would have kicked out the foreigner occupier.

strong, nationalistic feeling around the whole world. Under these conditions, all hope was lost for the reemergence of the people of Israel and its land, as well as for the hope of the beginnings of its redemption --at least at this stage of history.²⁵ God saw that redemption followed the course of natural history. Unfortunately, His main hope of redemption at this stage was in the wake of the rise of Nazi Germany causing many Jews of that country to immigrate to Israel. This was not something that these German immigrants did from their own will, but as a result of [external] events.²⁶ The German immigrants, who came, did so with a vast knowledge and experience in building a [new] society along with a large segment of the population who came with their property, thereby, enriching the Jewish settlement in the Land of Israel and increasing the power [of the Jewish people], both in quality and quantity. The Anti-Semitic movements whose continued persecutions intensified their resolve in Europe, caused more power to flow into and enrich the strength of the settlements in Israel. Until the great time that God's promise arrived, when the settlements found themselves prepared to repel their enemies and establish for itself a portion in its homeland. Indeed, the Divine Providence set the best timing for His stage of redemption through the agonies that were bound up with Messiah.²⁷ It is possible that the price that the nations paid for Israel's redemption was too expensive ; about this we say why do you try and figure out the mysteries of God's Providence (whenever you explain the *Shoah* through narrative or history). [On the other

²⁵ The image of lost hope leading to redemption is portrayed in Ezekiel's vision of the valley of the dry bones in Ezekiel 37. It should be noted that history produced a Zionist movement that was not actualized according to Halevi. He did not blame the Arab's aggression, but saw it as part of nationalistic movement and then Halevi put a religious and not political explanation of these events.

²⁶ This is unclear if he speaks of the 1930s or 1940s. There were two waves of immigration during the rise of the Nazi and after World War II

²⁷ Halevi indicated that if Redemption could have happened instantly, it would have, but we missed our opportunities. So, now it can only come as a result of suffering.

hand, you do not try to say, “One which they ordered to be left without conclusion” (*Brachoth* 11a) and maybe there was no other way. Our rabbis knew that the pain of the Messiah was going to be bitter and prayed that they would not be here themselves when it came to pass. “Please don’t let me be present during the days of the Messiah”.

On the other hand, were it not for the horror of the Holocaust, the Redemption could have happened and that would have been preferable. Perhaps, the nations of the world (the UN) never would have come to the conclusion to establish the State of Israel [at all]. The Holocaust was a crucial factor in causing the historical decision of the United Nations and let us not scorn or underestimate the value of this decision that helped more than a little to reach this positive outcome. Unfortunately, all of this goodness came on [the heels] of the terrible Holocaust.²⁸

Part Four

It is appropriate to continue the same historical investigation, but with an eye toward the future-- from the point of view as just discussed. However,. the establishment of the State of Israel, however is not yet the completion of that same historical end point and the enterprise of God, when most of the Jews are still in Exile. If we had only merited Redemption and if the people learned from their mistakes of the past then they

28 This is not the proper framework to discuss the Shoah, this terrible disaster that befell our people, but given that it has inflamed many times even good observant Jews, and given that we have hinted between the Holocaust and the establishment of the State, it appears proper to explain that --in theory-- it really is not right to poke at this subject if only because our human intelligence is too limited to fathom the ways of God’s Providence. It is arrogant to claim understanding of the religious man because intelligence is limited. Our pretention to be able to understand this, and our understanding is also limited. God’s ways are right and just for if it were not so, there would be no room for faith.

would understand their horrific results. The people would have understood the necessity of this moment to eliminate the Diaspora [in its entirety] . The purpose of the Exile, is so that “the land of your enemies shall consume you” (Sifre, Leviticus 27:38). To dwell in Exile, therefore, is totally against the will any nation to exist. How can it happen if-- God forbid-- the people in the Diaspora would not understand the obligation of this moment and not fulfill the commandment according to this period? There the same poison that our enemy, the Nazis, used against the Jewish people is still present. The Nazi movements still exist in enlightened countries. They are liable to reach dangerous levels. However, the will of Divine Providence is quick to complete the Redemption of Israel. History does not stop, there is development and change that must happen so as to strengthen the creation and fortification of the State so that, God forbid, there is no retreat. The State of Israel arose in an instant and the State had the power to defend herself against her neighbors,--her enemies-- that might attack her. But [who knows] for how long her defense will last?

Wasn't there a threat that her neighbors would increase in strength in a way that might risk her very existence? Does the human eye possess the ability to predict what will happen in the future, in the space we currently reside? Is it possible in our situation in small numbers to maintain [the State] against huge hostilities, that although we reach the climax of power, there is no [guarantee] that our neighbors won't reach the same height of power.

Part Five

God be blessed, promised us in his holy Torah three salvations, the salvation from Egypt, the Salvation from Babylon and the long salvation that is without end (Tanchuma, Final Judgment). He did not promise an additional Exile and that there would be no additional destruction. Thus our rabbis explained in Sifre about the verse: “See, I place the land at your disposal. Go, take possession of the land that the LORD swore to your fathers, Abraham, Isaac, and Jacob, to assign to them and to their heirs after them” (Deuteronomy 1:8). “...to assign to them” – to those who dwell on the land. “...and to their heirs after them” – those are the days of the Messiah. That is the final salvation which is not followed by destruction. Regarding that Amos prophesized, “And I will plant them upon their soil, Nevermore to be uprooted From the soil I have given them -- said the LORD your God” (Amos 9:15).

In order to secure that, the responsibility of the nation is to do everything in its power to establish the “beginning of redemption” and to bring it to a successful conclusion. To the nation who sits in Zion, to increase in power and strength in his land – his state. But this is only possible when the nation will wake up in the Diaspora and immigrate to her in droves. If the nation will merit now to “hear” the sound of God who calls [the people] to shake off from their wills the curse of exile (even though currently it is convenient for them), he will physically join in the fortification of the state and the preparation for the complete redemption – he will not need, God forbid, to immigrate to the land unwillingly. For it is clear and without any doubt, that “I the LORD will speed it in due time.” (Isaiah 60:22). God will not abandon the people who live in Zion and he will extinguish the light of Israel, from those who yearn in their heart to remain in exile.

By His means, God will force them to make *alyiah*, for their return is their salvation, and the redemption of the young state that needs her son's for rebuilding, to strengthen it and to fortify it, building for eternity.

Part Six

Even though we have a tremendous number of problems which occupy us today – each one of them is undoubtedly very important. But above all our generation is facing an historical mission of the first degree – “the ingathering of exiles” as fast as possible because the “ingathering of exiles” is not anymore an aspect of a vision; that is meant to be expected and prayed for it only, the “ingathering of exiles” is the savior of the Jewish people from exile. It is not permissible of us to sit idly by during the expedition of this process of complete salvation, instead it is our responsibility to do everything with God's blessing and assistance. The historical reality taught us that the correct process of the redemption of Israel, and the direction that we need to act – immediately. The “ingathering of exiles” is “security” - security of the nation and the state, and we should postpone all the other problems that are bothering us today. [We should] pay attention to the campaign of explanation (propaganda) to all the exiles of Israel. To instill in the mind of our brothers the immediate recognition of their need to immigrate to Israel. Therefore our generation will merit and fulfill the historical mission of Divine Providence assigned to us.

Part Seven

All of this above has always been clear. But now after the Six Day War, even the problem of the immigration of our brothers from the land of the Diaspora to the Land of Israel is assuming a new dimension willingly and even subconsciously the thought activates in every subject by the same wonderful miracle. More so, entire system of thought suckles their inspiration from what is revealed from those days, some with a full consciousness, while others with their sub consciousness.

But everything is dependent of course in the amount of each persons success to comprehend those wonderful events. No one succeeded to completely digest these events, because human limitation prevents grasping completely all aspects of the greatness of these days, when the light of God was revealed upon His people. Like “When God returns again Zion we were in a dream.”²⁹ But humans have the power to grasp sparkles from that great light in their minds to a certain amount that causes him to dwell upon that “The breath of Shaddai, that gives them understanding.”³⁰

From now on, the approach to every subject that is discussed in our days, he establishes the conclusions to them, those who caught more of the sparks of God’s light in a very deep and broad his conclusion will fit more to the greatness of those days. But the basic foundation is to believe that God’s hand that has been revealed to us twice in that generation on the fifth of Iyyar (the day of the establishment of the State of Israel) and the twenty eighth of Iyyar (the day of the liberation of Jerusalem) - is the pinnacle of all Israel’s conquests during the Six Day War, are not occurrences which in and of

²⁹ Birchat Hamazon

³⁰ Job 32:8

themselves have God's favor's bestowed only upon us, rather a set schedule of deeds whose ultimate goal is the complete redemption of Israel. Without that basic belief, every approach will be inaccurate and the conclusion will be wrong.

Therefore we need now a new basic approach. The intent is to educate and preach to establish the belief in the future redemption which will soon arrive. Comprehension of the superficial forms of how these wonderful things happened. Even though, we do not know anything about the meanings and intent of the Divine Providence in the world. But this we saw big trouble (the Holocaust) at the beginning of this miracle done at that generation, the biggest and most terrifying fear from the danger of being massacred and utterly destroyed culminating in a huge victory larger than anything the human imagination can describe, from darkness to great light.

This in itself is one of surprise the miracle: a nation that could have inflict such [damage] to its most hated enemies in such surprising great speed and amazing power, why were the people so afraid at the beginning? If he was so afraid, where did the nation acquire all that power from? We have to admit that in this phenomenon only, (that it by itself came to be by the will of Divine Providence) there is a lot of room for more in-depth analysis.

Therefore, that was the will of Divine Providence, to prove to the people who reside in Zion, for God's hand was revealed upon them in all His might and glory, to cast away the feeling of God's "My own power and the might of my own hand have won this wealth for me."³¹ Even so there are those who are trying even now blur this

³¹ Deuteronomy 8:17

wonderful revelation, “For every eye shall behold The LORD’s,”³² but not with great true success. All the people knew our at least felt, that all those wonderful things did not happen in a natural way.³³

This is the correct explanation of the *Chazarah B’Tushvah* (those who return to an orthodox observance of Judaism) that the nation returned, we need to increasingly encourage the nation to return to God. Saying! To return from the wrong path of, ““My own power and the might of my own hand,”³⁴ to believe in God’s reality and God’s protection.

The foundation that completes that belief is – that all this was done by Divine Providence, in order to prepare the hearts of the Jewish people to return to her, to redeem them in the very near future for complete redemption.

If this discovery of belief is the most important in the first degree to those who live in the State of Israel, it is therefore seven times more important to the people in Exile. Regarding our brothers in exile, the basic messianic element of the greatness of these days might bring them to the correct recognition [of these significant times] and [might bring them] to fulfill their obligation to immigrate to Israel.

For the biggest problem of the nation of Israel today, is the immigration from the Diaspora to Israel, and I will emphasize here the truth that is revealed to us. Not for the State of Israel, who needs (her sons) today to build her today, and not even for them. The security and the existence and their future is in the state of Israel, (and of course it is enough through recalling the terrible days of the Holocaust to realize the benefit of

³² Isaiah 52:8

³³ {Halevi} regarding the essence of the miracle we already wrote this in Mechor Hayyim second part, chapter 93

³⁴ Deuteronomy 8:17

security), rather the value of the historical process which we are undergoing. [All this] points to the redemption of Israel, which was a vision and becomes a reality, and this can not totally become realized without the “ingathering of exiles.”

Those who think that good living conditions will attract Jews from wealthy countries to immigrate are mistaken. Those who think that the idea of the existence of the State of Israel might encourage them [to immigrate] are also none-the-less mistaken. Even so, without decent living conditions, not only that, that one can not expect immigration, there is genuine concern for people to leave Israel. Therefore, there is an urgent need to heal in very thoroughly the state to absorb the immigration. It is doubtful if this is enough to encourage people to immigrate from wealthy countries. Likewise no one in the Diaspora will reach the deepness of the central point, that obligates every individual from Israel to act toward the well being of the land and the state. This is the nature of every individual, to bless that the State of Israel can survive even without him, that is the nature of humanity that does not understand that the whole depends on each individual.

Therefore, the great and most basic belief, that all the events that are in front of our eyes are deeds of the Divine Providence to complete the Redemption of Israel, a belief in the days of the messiah which are arriving soon, combined with the possibility of a descent existence that might convince the Jews in the Diaspora to immigrate.

We will confess the truth, “with all those miseries he will undergo, he will still look for hope.”³⁵ The roots of humanity brings the value of the land, the ropes (pangs) of absorption in the renewed land are some of the harder things. Only now with the strong

³⁵ Haggigah 4B

need of Alyiah do we understand the true depth of our rabbi's ideas and teachings. R. Yochanan said that the day of the ingathering of the exiles will be as momentous as the day when heaven and earth were created. For it is stated *The children of Judah and the Children of Israel will be assembled together, and they will appoint for themselves one leader and ascend from the land, for the day of their ingathering is great* (Hosea 2:2). And it is written regarding the creation of heaven and earth: *There was evening and there was morning – one day* (Genesis 1:5). (Pesachim 88a) Rashi's point is based on his explanation of the word *day* as it appeared in both original texts,³⁶ Maharsha obtained his elucidation there and appropriately explained the idea from his writings. The Maharsha wrote that "During the period of creation, on the first day the primary material was created *ex nihilo*, and the remainder days of creation God put everything in its proper place...an elevation of the first day was done by changing the label to say "day one," thus "God was One and His Name was One,"³⁷ just as it is clarified in the *Midrashim*, that here on the second day was the beginning of the separation into a duality of material. Thus on the day of the ingathering of exiles there will be a great miracle of a new creation *ex nihilo*. Therefore in the same day it is said first "one," to fulfill the apparent time, but the hint is that on the same day there will be the works of creation that is analogous to "one."

Come and see now, the works of creation and the ingathering of exiles, as new wonders of creation. The works of creation are considered "one" for God came and they

³⁶ Rashi takes this idea of the "great day" from Hosea when he speaks about redemption to allude to another great day – creation. Maharsha indicates that the miracle of the final redemption will be so wonderful as to be analogous to the first day of creation.

³⁷ Aleinu last line

said “the Lord shall be One, and His name One,”³⁸ thus it will be the same in the future that on the same day of the ingathering of the exiles, God will cause them to be put in their place by making *aliyah* on the land thereby fulfilling the verse: “The Lord shall be King over all the earth; on that day the Lord shall be One, and His name One.” These days are bound with the belief in finding God and Divine Providence. This is the final meaning of the complete redemption of the Jewish people, which came from the expression brought up earlier, through miraculous events that we can witness with our own eyes.

³⁸ Zechariah 14:9

Chapter 2

Redemption of the World and Eternal Redemption

Redemption of Israel is also the redemption of the world and the eternal redemption; this expands the horizons of our thinking at this moment from another point of view.

The messianic vision of the end of days was the vision from the prophets of Israel, and it was founded upon the hope that all humankind would one day *rediscover* the reality of God: “For then I will make the peoples pure of speech, so that they all invoke the LORD by name, and serve Him with one accord.”³⁹ (Zephaniah 3:9) From this vision develops the hoped-for world *eternal* peace. “In all of My sacred mount, nothing evil or vile shall be done; For the land shall be filled with devotion to the LORD As water covers the sea.” (Isaiah 11:9) “The wolf shall dwell with the lamb.” (Isaiah 11:6)

For hundreds of years the world thought that the fulfillment of the messianic destiny had already come to the world through the oppression of the Jewish people. The time has come to explain to the entire world that only now has fulfillment of the eternal messianic destiny come, through the redemption of the Jewish people and the renewal of its political independence in its ancestral land.⁴⁰

The presentation of Israel’s position in the United Nations by Israel’s representative and ambassadors was excellent in its logical basis and comprehensiveness,

³⁹ JPS translation

⁴⁰ The world uses biblical imagery-Unclear to me your complete thought here. Please clarify

but it lacked the spirit of Judaism, specifically the vision of the prophets. The world always needs to hear from representatives of Israel, especially at this fateful moment, a comprehensive description portrays the historical processes which are guided by the hidden Divine Hand for the purpose of fulfilling biblical ideas so beloved by the world. It would have been better to guide and educate the world to bring awareness not only of the reality of God, but also the special providence concerning the events and phenomena in the world, especially in this region of the world, the cradle of prophecy – the Land of Israel.

It is our obligation to explain to the world how the redemption of the world and the eternal redemption are inextricably bound together. The central idea of the establishment of the League of Nations --following the end of the First World War-- was born at the same time as was born the idea for the establishment of the national home for the Jewish people to live in the Land of Israel.⁴¹ In the same way, the idea for the establishment of the United Nations Organization, was born the on the eve of the establishment of the State of Israel following World War II. One can should he choose to see in all this series of events, coincidences; however it is our duty to explain that these events are not coincidences.

The foundations of the League of Nations, at its time, and later the foundations of the United Nations, were the fulfillment of the prophetic vision: “The wolf shall dwell with the lamb.”⁴² We are permitted to understand Isaiah’s parable as a wondrous allegory to the idea in and of itself is a great one, which promised peace to all the peoples

⁴¹ Balfour Declaration and League of Nations happened about the same time: Please provide the year

⁴² Is. 11:6

of the world. We see the period in which the super powers could send forth their armies and to subdue small states has passed, disappeared not to return. We can not ignore the reality of the balance of world powers, between East and West, which dictates the principle of self-restraint toward small [countries], but one who sees things in their true depth, sees that balance is not the only factor⁴³. There is a feeling in the world that the “lamb” has equal-rights with the “wolf,” at least when pertaining to the small country’s right of existence. In this international institution, the opinions of a small country are equal to that of a large country during important votes. Therefore in spite of all the evil that remains in the world, there is a type of hope growing that the days are not far off that a small people will not fall prey to the fangs of a large people. With all its flaws which need to be seen as the remnants of that wickedness, the very fact of the existence of the United Nations should be seen as the first budding of hope; for as long as the UN exists, great countries will be ashamed to mistreat small countries and the opinions and viewpoints of the small countries, if correct, will prevail upon even the community of nations and restrain the wickedness of larger countries.

And this is the realization of the prophetic vision of “The wolf shall dwell with the lamb.” At the basis of the idea which brought about the creation of the United Nations was contained the idea that came from the Jewish prophets, an idea founded upon two bases: practical and spiritual.⁴⁴ Practical, because Israelite prophets understood the profound truth that there was no possibility to establish eternal peace for their people alone. Peace is a concept that can only be achieved when both sides agree. We ourselves

⁴³ Is he speaking about the Cold War here? Most likely: When was he writing this text?

⁴⁴ Spiritual here includes a sense of intellectual and both of these are aspects of knowledge

have seen from our own difficult experience that, despite all our desire for true peace, so long as our neighbors do not wish it, it can not be achieved. And spiritual because this type of messianic (*acharit hayamim*) peace will not be achieved so long as the world suffers from an absence of wisdom:

These great evils that come about between human individuals who inflict them upon one another because of purposes, desires, opinions, and beliefs, are all of them likewise consequent upon privation. For all of them derive from ignorance, I mean from privation of knowledge. Just as a blind man, because of absence of sight, does not cease stumbling, being wounded and also wounding others, because he has nobody to guide him on his way, the various sects of men – every individual according to the extent of his ignorance – does to himself and to others great evils from which individuals of the species suffer. If there were knowledge, whose relation to the human form is like that of the faculty of sight to the eye, they would refrain from doing any harm to themselves and to others. For through cognition of the truth, enmity and hatred are removed and the inflicting of harm by people on one another is abolished. It holds out this promise, saying: *and the wolf shall dwell with the lamb, and the leopard shall lie down with the kid, and so on. And the cow and the bear shall feed, and so on. And the sucking child shall play, and so on.*⁴⁵ Then it gives the reason for this, saying that the cause of the abolition of these enmities, these discords, and these tyrannies, will be the knowledge that men will then have concerning the true reality of the deity. For it says: *They shall not hurt nor destroy in all My holy mountain; for the earth shall be full of the knowledge of the Lord, as the waters cover the sea*⁴⁶. Know this.⁴⁷

It is appropriate to stress this at the conclusion: in the vision of our prophets, Eternal world peace and the redemption of the Israel result from a prior and even more important: “For the land shall be filled with devotion to the LORD, As water covers the

⁴⁵ Isaiah. 11:6-8

⁴⁶ Isaiah. 11:9

⁴⁷ Maimonides, *The Guide of the Perplexed*, translated by Shlomo Pines, Vol. II. The University of Chicago Press, Chicago 1963

sea.(Isaiah 11:9)”⁴⁸ The Jewish people are obligated to work for the fulfillment of this vision. *I say this without any trace of arrogance: only our people is capable of “filling the world with devotion to the LORD As water covers the sea.”*⁴⁹ Our nation was created for this; this is our historical destiny. Throughout its existence as a nation, it has busied itself with this mission: during the time it dwelled on its land, during the days of its exile among the peoples. Thanks to our people, today the world recognizes-- to a great extent --God’s presence, and it is our obligation to continue in this [endeavor], to bring it to its intellectual completion.

The explanation of all the events that happened in the whole world, in the last fifty years, God’s plan, whose purpose was to bring to humanity the light of God is expressed in the redemption of Israel and the eternal world redemption, as described in the messianic vision. If all of humanity does not come to “understand” this, just as not all of the Jewish people do “understand” this, there will still be some who do understand. For The Holy One Blessed Be He marches us along this path, on which we shall walk with confidence until we merit our complete redemption --which indeed-- is very near.

⁴⁸ **Isaiah 11:9**

⁴⁹ **Isaiah 11:9**

Chapter Three

The Days of the Messiah (On the heels of the Six Day War)

Silence would be a proper response to all that has happened to us during these great days that we have experienced. This is analogous to the following Talmudic case: “A certain man went down to the ark to serve as a prayer leader before R. Chanina. He said in his prayers: The great, the mighty, the awesome, the glorious, the potent, the feared, the strong, the powerful, the certain and the esteemed God. R. Chanina waited until he had completed his prayers. When he was done R. Chanina said to him: Did you, by adding these praises, complete all the praises of your Master? What need have I for all these [praises]? As for us, even those three praises that we recite in Shemoneh Esrei, had not our teacher Moses stated them in the Torah and had not the Men of the Great Assembly come and established them as part of the text of Prayer, we would not have been able to recite them! And here you say all this and continue on with your own embellishments? Your behavior is analogous to a king of flesh and blood who had thousands and thousands of golden *dinars* – and [people] would praise him by saying that he had *dinars* of silver. – Is it not a disgrace for him?” (Brachot 33b). Likewise with respect to the acts of God performed by His faithful messengers, the soldiers of the Israeli Defense Forces, it is proper to say “Silence is your praise.” The words of thanks which could possibly describe the power of greatness of these days have yet to be created, “And

if our mouth is full of songs of the sea and our tongues full of happiness...we are not doing enough to thank you our God.” (Nishmat Kol Chai the introduction to the concluding benediction of the Pesukei deZimra that is recited on Shabbat and festival days) It is enough if every person or every man feels with his own consciousness and his own sensitivity the profound greatness of the hour even if he could never successfully express that feeling.

What happened can not be defined as a miracle or even a great miracle. Even if had only one tenth of what was achieved for Israel actually happened *that* would have been a *very* great miracle. Now, what actually was achieved comes under the category of: “For every eye shall behold The LORD’s return to Zion.” (Isaiah 52:8).⁵⁰ What has now happened is “the end of the *beginning of redemption*⁵¹” a period which began nineteen years ago, that is, the first stage of the redemption has come to completion. The establishment of the state and its stabilization over the long term]. But the continuation of this period, that is, the beginning of the “end,” should be the spiritual/intellectual redemption, a purpose [the end] for which the state and the remaining governmental institutions serve only as an instruments [the means].

If we have achieved the beginnings of our redemption in the situation in which our people find themselves, then the conclusion of this redemption, which in its essence

⁵⁰ A miracle is a miracle, but this is equivalent to seeing God

⁵¹ From kabbalistic lit, taken by Zionist messianists to describe the beginning of the establishment of redemption. Halevi is creating a second phrase.

is spiritual, can only be achieved through the establishment of a spiritual life according to the Torah and the *mitzvot*. According to the words of our rabbi Moses Maimonides: “the essence of the matter is thus, that the Torah, its laws and its statutes are eternal and we are not allowed to add to or detract from them. And should there arise a king from the line of David who studies the Torah and performs its commandments as did David his father in accordance with the written and the oral Torah and should he coerce the people of Israel to walk in its path to repair its cracked foundations and to fight the wars of God, such a person is presumed to be the messiah.”⁵²

We are convinced that “the beginning of the redemption” has come; now the continuation [of the redemptive process] is at hand, and it is predicated upon a condition that is set by the Torah, “once you return to the LORD your God with all your heart and soul” (Deuteronomy 30:10). And so the transition from the beginning to the end of the redemption process may be delayed as long as the people’s delay in returning to God.⁵³

The intoxication of victory is very sweet, and it might inflame the imagination so that it reaches the erroneous thought that the Messiah has already come. The conquest of Jerusalem and the holy sites could be signs that the days of the Messiah are drawing nigh” (may that happen soon and in our days), which will be coming, may it be soon in our days, but these themselves are not yet the messianic period.

⁵² Unable to find citation

⁵³ God is here!

It might be that those wondrous events will bring the hearts of the nations closer to its God, renew the covenant between the people and God, and this is the necessary preparation for the full redemption, though the exact way of its appearance are far beyond our comprehension.

It is appropriate to say a few things, and clearly, at this fateful moment.

Our existence as a nation is a huge miracle, one of the wonders of world history, and our existence as a sovereign state is a miracle seven times greater. A little ~~deep~~ reflection ~~or~~ upon our strategic situation might scare [frighten] us and weaken us over the long run weak in the long run. Is there any other state in the world whose neighbors declare morning and evening, even during periods when they themselves are broken and defeated, that the nation has no right to exist and they are going preparing to destroy it? Reality proves that these words are not empty rhetoric. Suppose some nation made such a declaration against Germany, the Germany which crushed an entire world under her boot and engaged in horrific crimes against humanity, all the nations without exception would rise, and protest against a declaration like that. But in this case, the entire world hears the declarations from the leaders of our neighboring countries and their clear intentions to wipe our country from the world map, and no one speaks, not a single nation opens its mouth to protest, not even for the sake of simple moral decency. Indeed, the isolation of Jacob among the peoples of Esau and Ishmael is a cautionary note like ~~any~~ none other.

But the Divine Providence had concern for the existence of this sheep among seventy⁵⁴ ravenous wolves. It is easy to see and to understand how God causes the political developments that occur in the world, and especially in this part of the world, as a means of founding and safeguarding the state of Israel, the dawn of our redemption, and we can always rely upon Him, may He be blessed.

Therefore it is our obligation to examine the ways of Divine Providence's way from an even longer historical perspective. Why did God choose for His people this land, which already was in the hands of seven nations, so that those nations could come and claim against us, as the midrash says [Rashi to Genesis 1:1]: "You are thieves, in that you have conquered the land that belonged to seven nations." God could have given Israel a quiet and deserted part of the world where no one would have contested their legal right to the place. But this piece of land is especially devoted to Israel because of spiritual significance, "country with God's eye's in it," "God measured all the countries and all the lands and couldn't find land for Israel except for this one." Indeed, He could have arranged for this land to remain deserted until Israel came and settled there without any claims or protests.

We were exiled us from our land, God settled other nations in it, so that when we return to this land at the end of our long exile they again claim "you are thieves." Didn't God promise during the First Temple period, "so that your enemies who settle in it shall

⁵⁴ Symbolic of the nations of the world see, *e.g.*, **Bavli Sukah 55b**.

be appalled by it” (Leviticus 26:32)? Why didn’t God [leave the land deserted] and likewise during the Second Temple period? Why didn’t God leave the land deserted until we would return to it with no legal claim against us? Behold, God controls everything; is there anything that is too difficult for Him to do?

No other such strange and unique destiny is attributed to any other nation. This destiny must guide [I think he means “disturb”] our rest even in times of great victories, so that we will continue to think about the special reality of our existence, so that we will know that our existence is not natural and that the existence of our state is not natural. Rather, the entire existence of Israel and its state are the will of ~~the~~ Divine Providence, which in these days has been revealed to us in all its glory, all in order to remind us: “He gave them the lands of nations; they inherited the wealth of peoples” (Psalm 105:44).

In this way we shall bring nearer the hoped-for “Days of the Messiah,” that according to all signs indicate is close at hand and coming quickly.

The smallest shall become a clan; The least, a mighty nation. I the LORD will speed it in due time. Isaiah 60:22

Happy is the generation that won [the right] to see God’s promise from the Torah fulfilled: “And the LORD your God will bring you to the land that your fathers possessed, and you shall possess it; and He will make you more prosperous and more

numerous than your fathers.” (Deuteronomy 30:5) God bestowed more goodness upon us than He bestowed our fathers in all other generations.

“For it is the duty of all creatures, Lord our God and God of our ancestors, to extol, laud, and glorify you, exalting, to add our own praise for the miracle you have done for us.”⁵⁵ The miracles themselves are known and famous, but their essence is hard for us to digest, “When the LORD restores the fortunes of Zion -- we see it as in a dream --” (Psalm 126:1). Those events that happened so speedily before our eyes make us feel as if we are in a dream, those events that changed the perspective which we possessed for twenty years, since the establishment of the state of Israel, *the beginning of the growth of our redemption*. The prophetic vision from Isaiah “I the Lord will speed it in due time” is has been fulfilled in us, that is to say, “when its time has come, I will speed ~~up~~ it in order to finish [redemption] quickly, for it is not going to be long from the beginning of redemption to the end (The Radak commented on Radak is a Bible commentator. See what he says on Isaiah 60:22 this in the Talmud). Indeed, these miraculous events are the hastened completion of the Redemption that began twenty years ago.

This progress expresses itself in two directions. The first direction is that of political policy, simply put: The strengthening of the security of the state and the expansion of her borders, and most importantly, the conquest of Temple Mount and holy sites. But the second direction is more important: it is the conquest of the hearts and minds of this generation, so that they will recognize “God’s existence and Providence” in this world. Let’s not fall in our spirit [Let us not be disappointed that, the whole nation has yet to repent and to keep all the Torah and the *mitzvot*], for through the working of

⁵⁵ Appearing in the liturgy just before yeshtabach in pseuki d’zimra.

these events in their wonderful ways, without our will [better: without our having intended them], and even against our will, and recognize as a nation that there is a leader to the capital, Keeper of the Castle [see Genesis Rabah, ch. 39], that we are not [the ones] causing the events which alter history, but rather are performing the will of Divine Providence. This is the greatest spiritual attainment of the last war⁵⁶. The sages of this generation are commanded to implant this consciousness deep in the hearts of the people, the hope and faith that what we have just seen is not yet the end. May our generation merit to see another stage of [Isaiah's prophecy come to life] "in its time I will hasten it" (Isaiah 60:22), a stage which will shock a chord into the hearts of Israel to cause them to return to Our Father in Heaven.

This is not a new vision. Already at the [time of the] Exodus from Egypt, God created for Israel great miracles with a clear purpose: "For I have hardened his heart and the hearts of his courtiers, in order that I may display these My signs among them, and that you may recount in the hearing of your sons and of your sons' sons how I made a mockery of the Egyptians and how I displayed My signs among them -- in order that you may know that I am the LORD" (Exodus 10:1-2). The miracles reached their climax at terror of the Sea of Reeds and it then says: "And when Israel saw the wondrous power which the LORD had wielded against the Egyptians, the people feared the LORD; they had faith in the LORD and His servant Moses (Exodus 14:31). And immediately after

⁵⁶ The six day war

this it says: "'How long will you men refuse to obey My commandments and My teachings?" (Exodus 16:28). That is, belief in God and keeping of the *mitzvot* are two separate things. Then as now, the nation returns with its feelings and sub-consciousness as a result of the miracles of wars to believe in God's reality and His Providence in this world, even though the nation still has not kept the Torah and the *mitzvot*.

This great occurrence is one of the miracles of Divine Providence, no human power, not even the greatest and the most organized could succeed in returning the heart of the sons to their Father. Specifically, to their Father in Heaven so quickly and efficiently in a fast and efficient way.

Just as everything that happened in Iyar 5727, is comprehensible to us only now, and no one could have predicted all the political developments since the establishment of the country, as the Divine Providence designed them, (An example, we always thought that the resistance refusal of the Arab world to accept us was our biggest failure. Now we understand that peace before Iyar 5727 would have been our biggest failure. Peace without the entirety of Jerusalem, peace without Hebron – the city of our fathers and David's kingdom -- is not peace.) So, too, did we not understand the spiritual stages:

A hard question was always bothering us. Our Rabbis taught us (and Rambam fixes it as *halakhah*) "That Israel will only be redeemed by *teshuvah*, repentance" (Halachot Teshuva, Chapter 7, Halachah 5). And in our eyes we saw [ENGLISH, please!] the progress and development toward the redemption of Israel in the last fifty years, not just without returning in *teshuvah*, but also with a retreat from the Torah and the *mitzvot*. This event phenomenon caused great hesitations and specifically moral and spiritual hesitations, and there were those who denied for this reason that the Zionist

movement was acting as God's messenger. Now we understand that we did not comprehend anything regarding the ways and movements of Divine Providence. The Six Day War came as a leading step toward the redemption of Israel in two ways: the military way, which gave us the entire Land of Israel and a respected position in this region of the world, and [secondly] spiritual, which gave us faith in God and His Providence in His world. And this is not the "End." The ultimate political goal should be complete peace with our neighbors and the ingathering of exiles into Israel, and the spiritual should be the returning of the people to keep the entire Torah and *mitzvot*. And God has (already) promised Israel that He will achieve both these ends together:

"Then the LORD your God will restore your fortunes and take you back in love. He will bring you together again from all the peoples where the LORD your God has scattered you. Even if your outcasts are at the ends of the world, from there the LORD your God will gather you, from there He will fetch you. And the LORD your God will bring you to the land that your fathers possessed, and you shall possess it; and He will make you more prosperous and more numerous than your fathers" (Deuteronomy 30:3-5) (And this is the redemption of the whole nation) "Then the LORD your God will open up your heart and the hearts of your offspring to love the LORD your God with all your heart and soul, in order that you may live." Deuteronomy 30:6 (And this is the complete spiritual redemption)

We do not assume, God forbid, that we are not required to engage in any action. On the contrary, it is our duty to marshal the people along the path toward the complete redemption. But we cannot do this by means of routine educational methods, which are successful in persuading people to adopt some political or social idea that is rooted in

human reason. The fulfillment of mitzvot depends on deep belief that is in the heart that you can achieve only by studying Torah. We can learn (derive) this from that wonderful series of blessings, that our Rabbis gave us, the *musaf* prayer for *Yom haZicharon* (Memorial Day for Israel).

The three prayers are:

1. *Malkhuyot* (Kingship), which deals with the kingdom of God in this world, and that was the first period in the life of the people of Israel, when Israel was trying to destroy idolatry from its own midst and from the entire world. To coronate God to be King of all the Earth. This action brought about worthy results: etc. fruits which were almost able to uproot the tree of idolatry totally from the world.

2. *Zichronot*, “Remembrance”, is basis of the belief of God’s Providence in this world. The intention is to implant in the minds of the world that the events that happened in the whole world were according to the will of God, and this is the middle of the period that we are now in.

3. *Shofarot*, shofar, that starts with the Standing at Sinai The giving of the Torah came with the strong sound of the shofar and ends with the blast of the shofar indicating the redemption of Israel and the End of Days (And it was on that day a great blast of the shofar and the lost ones returned to the *assur* country and the postponed in Egypt and bowed to God on the holy mountain in Jerusalem). To teach you that the last stage of the Eternal Redemption will come in the midst of Torah only. And when we will look at this wonderful point, we will understand that the main function of our job today is to increase as much as possible the study of the Torah among the various layers people and there is

in part of the Torah to march the people Israel to the complete redemption. “Our Redeemer -- LORD of Hosts is His name -- Is the Holy One of Israel.” (Isaiah 47:4)

Chapter Four

Is retreat permitted from the Liberated (Conquered from Syria, Egypt and Jordan) Territory of Israel?

In God's Help, 30 Av 5727 (September 5 1967)

To the his honor

HaRav Haim David Halevi

The Honored,

Soon the demand will mostly likely come before our government and the Knesset, to return the freed territories of the land of Israel to the countries from whom we liberated them (Syria, Egypt and Jordan).

This probably will be the result of international pressures from one side on the one hand, and of the fear over absorbing a huge number of Arabs within our boundaries on the other hand. Out of a recognition that this is a fundamental problem in our life we turn to you, rabbi, requesting a *da`at Torah* [a learned rabbinical opinion on a question that may not be strictly speaking a halakhic one]

The Holy One Blessed Be He helped us and brought us to the point that the Jewish state came to her historical and religious promised boundaries. Are we allowed (Meaning: the established political representative and mainly: the orthodox among them,

for whom a *da`at Torah* will undoubtedly be a huge weight in their decisions) to give up any part of our right to the land of Israel?

We request from your Honor an answer to this question, so that we will act and be influenced by your response.

With respect

The committee of the “*Young People’s Group*”

God Willing: 19 Elul, 5727 (September 24, 1967)

To the Honor of

The Youth of the Po`el Mizrachi Seeking to Reform the Movement

Tel Aviv

Peace and Blessings,

This confirms the receipt of your letter from 30 Av 5727 (September 5 1967) and your question: “Are we allowed to give up our rights to the land of Israel?”

Before I will begin to answer your question, let me offer two basic statements:

1. First of all I want to express my great confidence that all of the events that our eyes see and our mind can not digest are God’s wondrous actions, a continuation to “the beginning of redemption.” Therefore, just as all of the above events happened not by our will, and even some came totally against our will (the war

against Jordan), so I am sure that in accordance with God's will, He will turn things so that the liberated territories remain in our hands.

2. God's Torah is *Torat Chaim*. Whoever knows well the methods of halakhic decision making knows how flexible the *halachah* is; it fits all generations and all times. There are a lot of *halachot* that are effected by specific limiting conditions "Provided that..." [he refers here to statements in the literature (Mishnah et al) that begin with the words בלבד ש-, "provided that," which indicate a limitation placed upon the preceding general rule.] There are that change in "emergency circumstances" (*sha`at hadachak*) or in cases where the rule would involve a significant financial loss (*hefsed merubeh*)] "for the sake of the settlement of the Land of Israel" etc. And almost all of the mitzvot, including those mentioned explicitly in the Torah, even the most severe of them, are limited in cases of *pikuach nefesh* [of saving a life], therefore there is no question in the *halachah* that has only one side. Therefore only the one who is well-informed about all aspects of the subject under discussion can answer in a clear and certain way.

Now I will answer your question:

The question splits into two sub-topics. The first one is the possibility of "giving up the liberated territories because of the fear of absorbing so many Arabs within our boundaries." And that one I should answer – no, no no "this is absolutely prohibited." [to give up land because of Arabs], it is clear now that the positive commandment comes from the Torah It is a clear positive commandment of the

Torah - Numbers 33:53 “And you shall take possession of the land and settle in it”
 (Look at Numbers 33:53 and the commentary of Ramban there, and also in Ramban’s
 list of the “omissions” in Maimonides’ *Sefer Hamitzvot*, number four)⁵⁷ And whoever
 thinks to return the liberated territories of Israel to strangers foreigners is sinning
 [intentionally violates this positive commandment] against positive commandments.
 And the one who (would give back the land) out of fear of the sizeable Arab minority
 is comparable to the one who violates Shabbat due to extraneous considerations (*i.e.*,
 other than *pikuach nefesh*) and probably has weak confidence in God. On the
 contrary, a huge duty has been cast upon the people of Israel to make every effort in
 order to bring our brothers from Exile back to the land of Israel and to increase the
 birthrate here in Israel through adequate policy of compensation and the like. Indeed
 “one mitzvah leads to another mitzvah.”⁵⁸ By keeping the liberated territories in our
 hands with a big Arab minority, we will encourage our population growth in our land.

You also asked about the possibility of international pressures and did not explain
 what is this possible pressure and how it would be expressed. I have to explain that if
 Israel should be pressured by economic sanctions, therefore our answer is akin to
 what I wrote above – there is not tangential concerns of any kind that will abrogate a
 positive command. But if the international pressure will come to steps which will risk

⁵⁷ **Numbers 33:52-54** ⁵² you shall dispossess all the inhabitants of the land; you shall destroy all their
 figured objects; you shall destroy all their molten images, and you shall demolish all their cult places. ⁵³
And you shall take possession of the land and settle in it, for I have assigned the land to you to possess. ⁵⁴
 You shall apportion the land among yourselves by lot, clan by clan: with larger groups increase the share,
 with smaller groups reduce the share. Wherever the lot falls for anyone, that shall be his. You shall have
 your portions according to your ancestral tribes. Ramban – it is a commandment for you to take possession
 of the land. It is commanded upon you to reside in the land, you must possess the land since God gave it to
 you. Do not despise the decision of Adonai, conquer

⁵⁸ Perkei Avot 4:2

our security and right to exist and even break our army, then it is like the desecration of Shabbat necessitated by *pikuach nefesh*, saving a life. Then our special international relationships by our ambassadors and experts will make the decision related to the severity of the problem when the time will come. Like a doctor decides if there is a need to desecrate Shabbat because of the need of *pikuach nefesh*. I would like to emphasize two points that were mentioned above.⁵⁹

1. There is no possibility to make firm *halachic* decisions at this moment, since we have yet to know exactly what the international pressure is that will impact us.
2. Only specialists in international relations-can judge if the state has reached the point of *pikuach nefesh*, because there are some sorts of “pressure” that do not involve a serious threat to us.

In conclusion I would point out, that silence would be preferable in this case, because a unilateral declaration that Israel will not return any territory will appear to the world that Israel does not want peace. The formal position of the government is logical: we have no one to speak with and therefore have nothing to say. It is better to speak in general terms and to declare that we want peace with our neighbors and the Kadosh Baruch Hu, will move the wheels of history as He likes, because if He wants to, and it appears as if He does, He will make their hearts like stone harden their hearts so that they will not negotiate with us. And then we will hold those territories with no published declarations without having to make explicit declarations

⁵⁹ There is an old debate in halachic literature which ask why did the Rambam leave out this positive commandment from his list. Halevi glides over the discussion, since he can not give this up on the basis of concerns of this or that. He does not define international pressure. Our existence gets us to the question of *pikuach nefesh*. Who decides it is an issue of *pikuach nefesh* it is our military leaders. Refer to R. Ovadia Yosef

in advance until the world will accept this new reality that is called “Greater Israel” and in the mean time those territories will be settled by a huge number of Jews and when according to God’s will additional big events will occur that will force our neighbors to accept our existence and make it easier for us to hold the liberated territories in our hands now and to negotiate for peace.

Hereby I finish in faith and hope that those big events will bring us closer to our complete redemption in huge steps and our generation will have the right to see great wonders, and God’s pleasure in His world

May you be inscribed and sealed for blessing in the book of life

In Great respect

Haim David Halevi

Chapter Five

Territories, Aliyah, Birthrate⁶⁰

Question: Which opinions should determine policy on the question of the “Greater Land of Israel” (*i.e.*, maintaining control over all the territories seized as a result of the 1967 war): those of the rabbis or those of security experts?

Answer: The entire land of Israel, as defined by its historical boundaries, is a precious thing. Therefore it has stirred up controversy on a problem that apparently existed for at least nineteen years, from the day the state of Israel was established. Why didn't this question arise between the fifth to the twenty fifth of Ayar⁶¹ last year [*i.e.*, 1967], that is, who ought to have the decision-making power concerning this severe problem what will decide the destiny of our country and our people? Should we attack our enemies who had have encircled us like noose, or do we continue with diplomatic negotiations? Is the destiny of the country and its existence less important then the Greater State of Israel with her new territories? And why also doesn't the question arise now of who shall decide the economic structure which comprises the infrastructure of the country; perhaps it is not in accord with the standards of the *halakhah*?, After all, this economic structure

⁶⁰ There is an old debate in halachic literature which ask why did the Rambam leave out this positive commandment from his list. Halevi glides over the discussion, since he can not give this up on the basis of concerns of this or that. International pressure...unclear. Our existence gets us to the question of *pikuach nefesh*. Who decides it is an issue of *pikuach nefesh* it is our military leaders. Refer to R. Ovadia Yosef

⁶¹ The fifth of Iyar, the 3 week period which led up to the 6 day war. June the 6th the war started. Yom HaAtzmaut, Egyptians declared a blockade...why didn't we think about this then.

and system of taxation, that very well run counter to the *halakhah*, are factors that prevent a larger *aliyah* from the developed countries; is the *mitzvah* of immigration to reside in the land of Israel any less important than the question of “complete boundaries”? Rather, the entire Land of Israel is beloved, because it has awakened this old problem, which was asleep dormant until now.⁶²

As a matter of fact, this is an ancient problem. It divided the temple priest and the king during the time of the first Temple period and the Sanhedrin and the state during the time of the second Temple. Usually in normal days When the world operated properly (*i.e.*, when Jews lived under the rule of Torah), “the sages of Israel,” the leaders of the generation, would take counsel with “the Sanhedrin” scholars of the Torah (Sanhedrin 17A) concerning the problems of the nation and its security. The Sanhedrin who were not experts in political and security matters heard the problem from each side [*i.e.*, in all its aspects] as it was presented to them and their opinion was the opinion of the Torah [*i.e.*, they would decide the question as the Torah would have us decide it]. If we were worthy, then even now, the government of Israel would receive advice from the Sanhedrin of this generation. It would present to them the problem in all its aspects, the positive and the negative, the chance opportunities and the dangers, and the role of the Torah scholars would be to give the “opinion of the Torah” so that the decision would be based on their best understanding of the “opinion of the Torah.”⁶³

⁶² Interview for newsletter *lechyah l'da'at*, Tevet 1968 – This is a journal for religious soldiers who are serving in the army

⁶³ This refers to the golden age of the past and golden age of the messianic time. It should be noted that Halevi grants elite Torah scholars, worthy of the same weight as the Sanhedrin had as their ability to be consulted with by the secular government.

Now that we are not worthy, and the scholars of the Torah do not hear from the professionals [experts] regarding matters of international relations and security from all the sides of the problem, they can not render a definite decision, except to convey the general principle, that there is a mitzvah of the Torah regarding the entire Land of Israel according to its borders. We are not allowed from any point to give-up willingly even one speck of dirt from the land. And if, God forbid, we will be put in a position of strong international pressure which will compromise our existence as a nation and a country, only professionals in international relations should decide if the danger against the state is serious. In such a case, *pikuach nefesh* and even *safek pikuach nefesh* [explain] overrides all of the mitzvot of the Torah.

But there is a serious concern, that the will to abandon the land is supported with the fear to confront domestic problems that flow from the existence of the large Arab minority that might change in a few years the demographic make-up of the country, and to protect the country against that fear, Torah scholars need to warn in all their might, that only true *pikuach nefesh* will push the mitzvah of “And you shall take possession of the land and settle in it.” (Numbers 33:53)⁶⁴

Question: How then can the rabbi suggest solving the problem of the large Arab minority within the Greater Land of Israel?

⁶⁴ Religiously there is an obligation to possess and retain. You can not willingly give it up. You can give it up when the Torah commands. You must not confuse true *pikuach nefesh*, unless that Arab minority endangers the existence of the state.. Secular theorists would say that if this is a Jewish state then it is incoherent for us to rule over non-Jews who can not be true citizens of the state. From the *halachic* perspective (aka. Halevi), the existence of a large Arab minority not an essential question. The question is if we possess the land, except for *pikuach nefesh*. There is also a fear that Halevi will hear exaggerate testimony to say a situation is *pikuach nefesh* when it is not.

Answer: One must honestly confess that the problem with of the large Arab minority is very grave and serious. I can not offer any practical suggestions as solutions to the problem. But I believe totally that the Holy One Blessed be He, Who causes all things to happen, help to solve that problem the same way He solved this very problem during the War of Independence, and many other problems that we were powerless to solve. All this, provided that we do all that we can maintain possession of the entire country. It is understood also that we can not sit idly and trust in a miracle (is it not that Noah was commanded by the Divine Providence to build for himself an ark for his salvation, even though that salvation was a miracle, and Moses and Joshua sent spies to spy the land, even though it was promised by God that He would march in front of them... the commentary of the Ramban [he gives no cite for this]). However, even in an instance, God forbid, that we feel that we are powerless to solve the problem, forbid us from giving up our free will to the complete Land of Israel {the territories of Israel} we must not of our own volition yield on the question of the Greater Land of Israel.⁶⁵

Question: There is no doubt that against the danger of the Arab minority we can confront with increasing the birthrate and increasing *Alyiah*. Do you rabbi suggest actions that have to be done to increase those sources [of national growth]?

⁶⁵ Halevi has no solution, but has faith that the same God who helped us before will help us with this. Because it is a mitzvah to maintain the land, then we can not be compelled to give up the land, but if it is determined that we have to save our selves, then it is not a desire of free will, it becomes a situation of self preservation.

Answer: Increasing the birthrate in Israel can contribute a lot to balancing the demographic base of the country. However, let us be completely honest: the income policy (the welfare policy and benefits package) that is established in Israel does not leave any hope to encourage an increase in the.⁶⁶ If we truly had great faith in the Holy One, who provides sustenance to all, this problem would not exist at all, at least for a big part of the nation. But because our faith is not so firm, it is hard to demand from the masses that fight under the harsh conditions of squeaking out a living—something that is more difficult than parting the Sea of Reeds -- to increase the birthrate, when they confront an income policy that is against all the rules of righteousness and honesty. So long as two people can work for the same income, and one with has two children while and the other with has six (the difference for each child is so small as to resemble ridiculing the poor –Proverbs 17:5), there is no hope of increasing the birthrate in Israel.⁶⁷ Any one who thinks differently sticks his head in the sand like the ostrich.

Therefore two things need to be checked examined thoroughly and fast quickly in order to fix them as soon as possible:

1. The system of wages in Israel, needs to emulate the way it is done in France to encourage the increase of the birthrate.
2. The economic policy and the tax system, which are preventing the large *alyiah* from the wealthy countries.

⁶⁶ *Kitzbaath Yeledim* – component of the social security network, every family gets after the second or third a progressively increasing amount of money after have more children. A family of five or more children have another source of income.

⁶⁷ Set up a social policy based on the number of children.

Question: What does the rabbi think can be done to increase the religious and national consciousness of the younger generation with respect to the question of the Greater Land of Israel?

Answer: It seems to me that the preponderant majority of Jews who reside in the state of Israel favor the retention of the Greater Land of Israel. But there is a fear (in addition to the one I have already mentioned) that dwells in their hearts: the fear of being branded by the “enlightened” world as aggressors and as oppressors of other peoples through military conquest. Therefore the best way would have been for Israel to have begun, immediately after the Six-Day War, a worldwide campaign of information, the purpose of which would have been to “remind” the enlightened world that this entire land had been stolen from us, that we are its rightful historical possessors, and that it was stolen from us again in 1948 when Jordan and Egypt took over parts of it.

Moreover, explanations based on biblical, historical and even messianic foundations, would have strongly influenced the world’s opinion. Even in the United Nations, where all matters are decided according to the interests of the powerful nations great powers, it would have been possible to do a lot among the representatives of those countries that do not have direct interest in the area region, if the Israeli delegation would have passionately explained the vision of the establishment of the country of Israel, that it is a fulfillment of the prophetic visions, and that all the events that we are witness to is God’s actions are the acts of God (even if the Christian world thought differently in the last few hundred years.)

But obviously we ourselves lack the basic faith that everything that we have seen [witnessed] in the last nineteen years is not just a series of fortunate coincidences but the hand of the Divine Providence that is fulfilling the promise of God to His nation. If the nation would have believed in it, it would not have doubted the vision of the Greater Land of Israel, and it would also have succeeded in “attaching” world opinion to this proposition, including the opinion of a great many delegations to the UN.

Even now it is not too late to come out with a campaign to explain both domestically and internationally to convince and to be convinced that those conquests are the will of God, in order to bring the Jewish people back to its full inheritance, by way of our full redemption.

Chapter 6

Neutral Policy⁶⁸

“Israel needs to be the most neutral state in the world, since it is exclusively positioned as a country whose people are spread amongst countries that are in two, major [opposing] world blocks. But, Israel as a member of the United Nations takes a position for one side against the other.”

(*HaTzophe*, 28 *Hashbon*, 5729 or October 30, 1968)

Without taking a position to the central problem in connection with things that were said, it is fitting to point out that they --in and of themselves-- are absolutely accurate. Scrutinizing the Jewish Bible might clarify one absolute meaning that the prophets of Israel placed their opposition to allying with any of the blocks of nations that ruled the world at that time by the people of Israel. All of the troubles that came upon Israel were understood as a consequence of the meddling into [global affairs] between two world blocks. There are many examples and we will only discuss a few in Second Kings, Chapters 17, 18 and 20, that deal with the allying of the Kings of Judah and Israel with policies of the Southern Egyptian block against the Northern Assyrian block. This alliance brought the destruction of the kingdom of Israel and endangered almost to the

⁶⁸ This topic, as far as the *halachah* is concerned will be discussed more fully throughout the book, “between Israel and the nations” 5714 (This article was published in “*Haztophe*” 15 Keislev 5769, December 6, 1968.)

point of annihilation the kingdom of Judah, which survived only by a miracle. There are many more examples [of this] in the Jewish Bibles.

Even then in Israel, there was a division of opinions among those who supported the North and those who supported South (Parallels to East and West in our days), and the prophet [spoke out against] both of them in mockery: “Instead, Ephraim has acted Like a silly dove with no mind: They have appealed to Egypt! They have gone to Assyria!” (Hosea 7:11). Or that angry prophecy, “ Oh, disloyal sons! -- declares the LORD -- Making plans Against My wishes, Weaving schemes Against My will, Thereby piling Guilt on guilt -- Who set out to go down to Egypt Without asking Me, To seek refuge with Pharaoh, To seek shelter under the protection of Egypt. The refuge with Pharaoh shall result in your shame; The shelter under Egypt's protection, in your chagrin. Though his officers are present in Zion, And his messengers reach as far as Hanes,” (Isaiah 30:1-4).

The intention of this prophecy spoke against those diplomatic delegations that went from Judah to Egypt to request Egyptian protection, -political and military, against Assyria. (Study properly the Radak). It is understandable then, that the prophets of Israel insisted that the leaders of the country engage in absolute neutrality regarding conflicts among the great powers of those days.

Yet, allegiance to one of the world blocks was (even then) necessary, so to speak for the existence of the nation. First was for economical reasons, then political alliances and in the end-- military terms. The prophet Jeremiah lamented that: “We hold out a hand to Egypt; to Assyria, for our fill of bread.” (Lamentations 5:6). And the *Targum* to that verse stated, “To Egypt we give assistance in order that we may profit there, and to

Assyria for our fill of bread.” In the eyes of the prophet, it was a big mistake that led to the destruction. “Our fathers sinned and are no more; And we must bear their guilt.” (Lamentations 5:7).⁶⁹ The prophets of Israel were convinced that only absolute non-alignment will secure the existence of the nation.⁷⁰

The demand from the prophets of Israel was for a neutral policy, based on the Torah; it already appeared so to the father of our nation. “Abraham created a covenant with Abimelech. And the Ministering Angels said to Holy One Blessed be He, Master of the Universe, You singled out one person from among seventy nations, and made a covenant with the nations of the world...you do not have a nation and a language in the world that were dependent (as if enslaved, but not physically) on them in Israel more than a few hundred years (meaning the Pleshtim), for Abraham created a covenant with Avimelech” (Tana D’bey Elyhuh Rabbah⁷¹, Sof Parek 7). Abraham felt secure with his covenant with Avimelech, thereby revealing signs of weakness, fear and loneliness,-- that feeling of security was considered a sin on [Abraham’s part]. But, Jacob was charged by our rabbis with this serious sin that symbolized the destruction of Jerusalem. And thus the rabbis spoke about this verse, “Jacob sent messengers ahead to his brother

⁶⁹ The rabbis understood the juxtaposition of these verses that reflectively clarify the meaning of one another. .

⁷⁰ Rashi on these verses: It is traditional idea that if someone falls, we hold out a hand to help them. We gave out a hand so that they would help us, but the *Targum* says that we first got involved in order to do business there, so that they would supply bread for us.

⁷¹ Late *agadic midrash*

Esau”⁷² (Genesis 32:4), and it says, “One who seizes a dog by its ears” (Proverbs 26:17). “The Holy One Blessed be He said to him, on the way he was walking and you sent to him and told him that’s what your servant Jacob said.” (Bereshet Rabbah). The Ramban wrote, “In my opinion this too hints that we began to be subjugated to the power of *Adom* (Christianity) because the kings during the Second Temple period entered into a covenant with the Romans and those who came from Rome, which was the reason they were defeated at their hands.” (Ramban’s Torah commentary). The Ramban understood that the kings, during the Second Temple, who traveled to Rome to request protection from the Roman Empire against Greek empire -- from the point of view of religion,--was the reason for the destruction of the Second Temple, which resembled Jacob’s transgression which was a loss of faith in God. If the historian sees the covenant between Judah and Rome as the seeds of the calamity and destruction from a simple and political point of view: “The widely held vision of the hand that plants the tree of liberty will also place within it a worm that will gnaw away at its beautiful flowers. This vision was seen also in Judah, Shimon (the head of the House of the Hasmoneans) was focused only to the short-term benefits without the ability to rise above the present and penetrate with his spirit into the mists of the future the way the prophets were able to do in their time. Shimon believed that he could fortify for the long term, the independent status that Judah had acquired after hard-fought wars, *if only* he sought the protection of the people which had aspired for a long time to conquer other countries that did not belong to it and to subjugate through force and arrogance peoples and states. In order to save Judah from the pressures

⁷² Jacob tried to enter into a covenant with Esau, which was considered a sin. The Romans occupied us by attracting attention when we forged an alliance with them.

of the comparatively small and weak rulers of Syria (Greece), he entrusted the destiny of his country to the great tyrants, the rulers of Rome, whose arms of love strangled the nations who submitted to them. Shimon sent the emissaries (same language when Jacob sent messengers to Esau, the commentaries and the Ramban) to the Romans to ask them if they will please recognize Judah as an ally, the rulers of Rome were ready to give their peace agreement even to a small country that is not strong, in their strong belief that this apparent mercy was the first step which would turn a small country into their slave. After two hundred years from the day of signing this agreement Rome demanded...and after another thirty years cut off in anger the glory of Israel...those terrible consequences of the agreement with the Romans, that Shimon and his contemporaries did not foresee these consequences, rather they were overjoyed when the Romans called them friends, brothers allies. (Geretz)⁷³

In those days, when the prophets of Israel were active, there was not in the whole world one neutral block, there were only two world blocks that improved their ability to bully and crush small countries which were swept away to one side or another. So what was then the demand from the prophets to the leaders of the country, the very difficult demand was to be an isolated country (not a member of the block of neutral countries) and to cast their fate and their security to God (Halevi recalls this citation from Isaiah 30,

⁷³ Halevi says that Geretz came to the same conclusion as the Ramban and therefore-- also Halevi. Ramban simply makes explicit the warning that Jacob's sin had this horrific outcome.

from memory but I have not found this verse). Without a doubt, that was the policy that only could have been done entirely by the prophetic regime. It is hard to describe the government of regular human beings that would cast their fate with a Supreme Power to ensure their security, against that state's uprising that encompassed all the nations in the area, even if Hezekiah and Yoshiah -- the righteous kings of Judah-- that could not accomplish it entirely. Also the first Hasmonean Kings, you cannot doubt their belief in God and their love of His Torah and *mitzvot*, [since they] went out to fight against the Greeks for that love. Even if they failed, though it was not enough to overcome the great confidence in the covenant with the great countries and world blocks inspire [an agreement] with the small countries. But, the hardest and almost impossible was easily done in our days in large quantity. In the ancient world, it was impossible for a small weak block of countries to unite and declare a neutral state, because the large block would have swallowed them up with no shame, and therefore any Israeli government did not execute the policy. "Israel resided secure, alone Jacob's spring" like the Torah wanted, and the way the prophets of Israel preached, but in our days the times have changed, and we will preface that with a short introduction.

The vision of the salvation of Israel which became a reality in front of our eyes is also the vision of the salvation of the world. The creation of the United Nations organization is only the first stage that will bring the world together with the revelation of the light of God with his people in His land, to the same prophetic vision: "And they shall beat their swords into plowshares And their spears into pruning hooks: Nation shall not take up Sword against nation; They shall never again know war. (Isaiah 2:4)... "The wolf shall dwell with the lamb." (Isaiah 11:6)... Nothing evil or vile shall be done (Isaiah

11:9). Just as the redemption of Israel has not yet come to completion, so, too, the vision of world redemption has not yet come to completion. Just as Israel merited “the beginning of redemption,” so --too-- did the world. Not for nothing, has the beginning of Israel’s redemption during the First World War marched in step with the founding of the League of Nations, and not for nothing the establishment of the State of Israel at the end of World War II come together with the creation and establishment of the United Nations. The change in international politics from the fact of the creation of the UN that we witnessed today is the possibility to gather together a neutral world block, something that was totally impossible in the world fifty years ago. We are witnesses today to a huge problem that a large country faces when they try to conquer a small county (such as the conquest of Czechoslovakia by the Soviet Union which already gave signs to the world not said regarding this sad,[but unfinished] saga.) The Soviet Union has faced judgment, to a certain extent-- and the entire bill was not paid,⁷⁴ and --no doubt-- that this effort will be to dissuade others in the future, but this subject is for a separate special article. In front of our eyes, we can see the slow crystallization of the essence of the prophetic vision for “the end of days.”

In this world, how easy it was for the State of Israel, in the beginning of her establishment to adopt a neutral policy. Not like the kings of Judah and Israel at a time when a policy like that was—before their eyes-- a dangerous, lonely adventure and

⁷⁴ The Russians will pay the price for their arrogant conquest.

which is hard to imagine. Now, there is a block of neutral countries that Israel could have been an honored member-- and perhaps the head of the block--, either as a result of her physical or spiritual power. Thus, Israel's prophets and visionaries described the destiny of the world thousands of years ago as a neutral policy.

And the reader might wonder, didn't Israel absorb its physical power from that Western block that we did not have to become a part of? Here is the source of the mistake: had we only joined the Western block the power would have only been greater. Eventually, neutral policy pays more than aligning with one of the blocks. India and Yugoslavia will prove that.. And Israel didn't benefit at all --in fact—from [aligning] with the West, except for when that had totally identical interests. This is a clear fact that [does not require any additional evidence.].

All of this would have been proper to say, even if the Soviet Union did not offer huge military help to establish the country. But, now when without its active help, it is difficult to know just how things might have developed. Of course, it was a historical necessity to join the neutral block of world countries [then], and there is a [great] possibility to assume that the Soviet Union's hatred toward Israel would not even have been born.⁷⁵ⁱ

⁷⁵ Halevi appears to say that Israel slapped away the hand of assistance from the USSR. The USSR could have achieved its influence in the Arab world through other means than by hating Israel. Israel was responsible for their (Soviet) hatred towards the Jewish state.

This calculation might be wrong, “For My plans are not your plans, Nor are My ways your ways -- declares the LORD” (Isaiah 55:8). We will never know how God caused the events of this period to happen in order to bring about the redemption of Israel. For if it were for not the hatred of the Arabs toward us, that came about from an instigation from the Soviet Union, it is likely that after the War of Independence, a true peace would have been possible in this region. Now we are convinced that this peace is in our best interest (but if it is a peace without the Temple Mount and without Hebron, city of our forefathers, and the house of the kingdom of David – this is not a peace), and from that point of view-- we must give thanks to the Soviet Union which conducted the war in our area. Yet, this calculation is also wrong in its foundation because there are many ways for Divine Providence to achieve His goals in this world. We shouldn’t assume that if Israel [implemented] negative policy, which against her core [values], “There is a people that dwells apart” (Numbers 23:9). This path is the one that brought about so much good; this good in which there are many not-so-small-dangers hidden within it and our great faith --with God’s help-- is what will overcome them.

It might be that we have gone a long way on this chosen path and it might be impossible to turn around. However, it is appropriate that the leaders of the state,-- who have the [country’s] future security in their hands, must pay attention to determine that this path was the correct way to go. It may be possible to take advantage of an appropriate moment to move to a non-aligned [power] block and --possibly-- even lead it. Since the Jewish people were [actually] the first people in history to contemplate the idea of political neutrality. In Isaiah’s prophecy (19), the country and people of Israel appear to be standing at the head of this block: In that day, Israel shall be a third partner with

Egypt and Assyria, as a blessing on earth; for the LORD of Hosts will bless them,
saying, "Blessed be My people Egypt, My handiwork Assyria, and My very own Israel."

Book 2

Basic Problems of Religion and State

Chapter 7 Spiritual Leadership and Political Leadership

1

From every generation problems and corresponding solutions arise and from that - new concepts are developed. Our generation created, as a result of its [unique] circumstances, a newly defined meaning of “religion and state.”

This problem of religion and state is not at all new. In all the years of the existence of an Israeli or Jewish state, this problem has been present. Occasionally, it is evident its starkness in the annals of our nation. But, in order to understand this problem from its roots, we will need to see the distinction between them. We said the new concept of “religion and state” resulted in creating new problems. The authority that decides the life of the nation during the First and Second Temple Periods – was the Sanhedrin. All the discussions and decisions were conducted according to the laws judgments based on the Torah -- and also the kingdom. The sovereign needed to rule the nation according the directions of the Sanhedrin, including focusing on obvious security problems such as going to war. This is similar to the blue color in a tallit, so obvious: the State is based totally on the foundation of the Torah and the *halachah*.

By contrast, the State of Israel, is a state based on a democratic values that does not recognize any authority, and apparently-- even not in the authority of our holy Torah. The Knesset, whose members are selected by the people, decides how the Jewish people

live theirs, the laws and the judgments, and—theoretically-- the Knesset can decide against interpretations of the Holy Torah; and the opinions of Torah scholars are not considered.

Therefore, we said that “religion and state” is a new concept that our generation created. But having just said that, for additional scrutiny that will prove that the national leadership did not agree with the manners of [Jewish] laws and the judgments of the Torah, to the feelings of deep sorrow and pain from the annals of the history our nation.

2

In the twilight of the life of Moses our Rabbi, he called to gather all the elders of Israel and he made them witness the heaven and earth: “For I know that, when I am dead, you will act wickedly and turn away from the path that I enjoined upon you, and that in time to come, misfortune will befall you for having done evil in the sight of the LORD” (Deuteronomy 31:29). Therefore, even the strong dedication of Moses to teach Torah to Israel, to establish from among them a Sanhedrin and courts in the desert, to replace him with a good leader like Joshua, his apprentice, --all of this-- did not help. After the first generation which had conquered the land died, immediately the people turned away from God. Also, the prophets with all their strong will and dedication to educate the generation was without avail and the witness to it is the destruction of the First Temple. (Refer to Masachet Nedarim 22)

By contrast, the situation during the Second Temple period was much better. During the Second Temple period, there were actually three eras that were like two. The first was the return of the people to their land after the first destruction [of the Temple] and under the rule of Persia, in this land they had only spiritual and not political autonomy. During that same period, the strong spiritual leadership made great strides to fortify the laws and the judgments of the Torah without interference. After that period, came the time of political independence – the reign of the Hasmoneans. Again, spiritual leadership had to confront new political leaders, that didn't recognize the challenges from recent past. Therefore, a fight occurred. But, is not the First Temple Period similar to the Second Temple Period?, in which the actions of the people in the first Knesset and their successors were so strong in the nation, until the political leadership of the Hasmonean rulers, came to challenge a strong and organized religious power, and even this religious power was not always successful. And even Rabbi Shimon ben Shatach, --one of the great, dynamic leaders of the Sanhedrin-- (his special status was at the same level as King Jannai) took a [challenging] stand – and he was forced to escape for his life, in the period of persecution of the scholars of Israel. In the end, King Jannai recognized his mistake and he learned to correctly value the power of the Jewish religion of those days. Obviously, when that great leadership ceased to exist in the aftermath of the Roman conquest, the *spiritual leadership remained as the only power* in the nation, the leadership molded the shape of the nation as it is reflected in the history of eighteen-hundred years of exile. The spiritual nation which was uprooted from her homeland, but was involved in the preservation of the Torah and the observance of her commandments.

During those long years of exile, the nation knew *only* of spiritual leadership and the spiritual condition throughout the nation, measured in relation to the leadership of that generation. With the establishment of the Zionist movement, the spiritual leadership of the nation during the period of the creation of the State, started to mark visibly the clashes between the spiritual leadership and the new political leadership. Within individual congregations throughout the Diaspora, where the two leaderships were *not* officially recognized for the long period of exile, the evolution of the State marked great changes. The huge desire for redemption marked clashes between the political and spiritual leaderships. Along those same lines (of character) marked the clash between the king and the prophets of the First Temple, and between the king and the leaders of Second Temple period, [which] also defined that era. It is natural that the political leadership did not want the existence of spiritual leadership next to her.⁷⁶

The great delight of our generation is the reward that --right before their eyes -- the establishment of the State of Israel will materialize.. Officially, there is no separation of religion and state [in Israel]. According to the few external signs (to outside observers), the official framework of the nation is the Jewish religion. It is not a secret that Torah and mitzvot have a place in the life of the nation as a country, but they are not formally recognized. Those people who shout --to no avail-- who want to *separate* the religion from the state, but in all practically religion and state are already separated.

⁷⁶ Halevi: Here we are stopping to analyze this idea. (As soon as we did it in a special article on “the *Rabbanut* during the period of the beginning of redemption” that, God-willing, will be printed in the second part of this essay).

Those who see a connection and a link between the state and religion through the laws of marriage and divorce according to the *halachah*, or official days of rest or kosher kitchens in the military – are mistaken. The laws of marriage and divorce are not a result of the willingness to preserve a link between the religion and the state, but rather they are the result of the desire to preserve national unit.

Most Israelis understand that, without Jewish law, the people who reside in Zion would split into two nations. There is serious danger in the division of a nation which [already] fights for her very existence. Those [Israelis] whose views are narrow, seek the separation of religion from the state, since there is very little left of the Torah which is already incorporated into the laws and judgments of this state. About the official days of rest – indeed, the truth is that there is no other corner in the whole world that you can feel the days of Shabbat and the holidays as one can in the Land of Israel, that recognizes those days as official days of rest. Could the State of Israel establish official days of rest, other than those that were sanctified by the nation? Therefore, to our great disappointment, these days are not observed according to the demands of the Torah's commandments, because their establishment did not come from the recognition of the place the religion—specifically Shabbat--holds in the nation, only because there is a need of a weekly day of rest. Can you ignore The Holy Days and the Intermediate days that were sanctified by the nation thousands of years ago? Therefore, their original religious character is not expressed in the laws of the nation, *only in the will of the people*. Even, without those laws, those days would have been established by the people of the nation as days of rest. In reality, a Shabbat in Jerusalem is not a Shabbat in Haifa. The kosher kitchens of the nations' army, are a necessary reality. If the State wants to impose

[equally] the military draft upon everyone in the nation-- including the religious segments of the population--, again it is the will of the Jewish people rather than the place of religion in the state that drives [that decision].

Therefore, we can sadly establish that there is already –in all practicality-- a separation of religion and state. It is extremely visible, in the areas of law based on foreign legislation as a whole, and that point is the most painful. Who can see rightfully so the national law as the being and character of the nation, for the Torah says: “Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who upon hearing of all these laws will say, "Surely, that great nation is a wise and discerning people." (Deuteronomy 4:6). Whoever is versed in the laws of the Torah knows, that-- even now, after the development of the world's legal systems in the last millennia--, we are able to say with assurance (Deuteronomy 4:6): Where is there a large nation that has laws and judgments, righteous as the whole Torah?

If even the most stubborn will insist on saying that those examples are enough to prove that there is no separation between religion and state. There exists a narrow bridge as thin as paper which sits above the turbulent river, that links the connection between religion and state.

It is understandable that if there is a similarity between our nation and the past, it is to the Second Temple Period. Even now as was then, the religious recognition of that nation is the greatest, and in spite of many changes in the world of religion, the most profound thinker is able to understand that those separations between religion and state today, are not deep, but are superficial. I will not get into a description of the condition of the religion and the state because it is not the specified subject, but generally, we can say with certainty that the prosecution of the Torah scholars in our days, is impossible -- not the way it was during the period of the Second Temple. Not only because the state was founded on a democratic base which was healthy and stable, since certainly-- the nation as a whole-- could not have accepted a different type of government. The majority of the people who reside in Zion have great respect for the Torah and the Torah scholars - since *they were the only leadership that existed in all of the years of Exile*. And only because of that relationship with religion, it is hard to imagine that the Knesset will someday pass, a law that clearly contradicts a Torahitic commandment, (even though the spiritual balance will be kept at all times as it exists today)

On the other hand, there is obviously, a difference between the days of the Second Temple Period and our days. At that time, the political leadership was not a separate and independent area of the government from the religious framework. The leadership was also active and forced to act only within the framework that the Torah established. From the way that the scholars of Israel ordained, explained and translated

[the law], it is clear that therefore there was no separation of religion and state, since that was the way of life in the ancient world. Religious laws were the means for deciding the practical way of life. Therefore, one can assume that the struggle between the political leadership and the spiritual leadership came about from the willingness to achieve more influence on the way of life for the country; The rulers of the nation were suspicious of the influence from Torah scholars on the masses of Israel. It will be sufficient enough to look at one example from the struggle from the Second Temple period:

THE KING MAY NEITHER JUDGE etc. R. Joseph said: This refers only to the Kings of Israel, but the Kings of the House of David may judge and be judged, as it is written, O House of David, thus saith the Lord, execute justice in the morning; and if they may not be judged, how could they judge: is it not written, Hithkosheshu wakoshshu, which Resh Lakish interpreted. 'Adorn yourself first and then adorn others'? But why this prohibition of the kings of Israel? Because of an incident which happened with a slave of King Jannai. who killed a man. Simeon b. Shetah said to the Sages: 'Set your eyes boldly upon him and let us judge him.' So they sent the King word, saying: 'Your slave has killed a man.' Thereupon he sent him to them [to be tried]. But they again sent him a message 'Thou too must come here, for the Torah says, If warning has been given to its owners, [teaching], that the owner of the ox must come and stand by his ox.' The king accordingly came and sat down. Then Simeon b. Shetah said: 'Stand on thy feet, King Jannai, and let the witnesses testify against thee; yet it is not before us that thou standest, but before Him who spoke and the world came into being, as it is written, Then both the men between whom the controversy is, shall stand etc.' 'I shall not act in accordance with what thou sayest, but in accordance with what thy colleagues say,' he answered. [Simeon] then turned first to the right and then to the left, but they all, [for fear of the

King], looked down at the ground. Then said Simeon b. Shetah unto them: 'Are ye wrapped in thoughts? Let the Master of thoughts [God] come and call you to account!' Instantly, Gabriel came and smote them to the ground, and they died. It was there and then enacted: A King [not of the House of David] may neither judge nor be judged; testify, nor be testified against.⁷⁷

This incident is only a reflection of serves as background to the difficult struggle which was carried on by the kingdom against the Sanhedrin. The struggle was for the control of the daily life of the nation, by emphasizing the superiority of monarchy above the Torah scholars in the supreme seats as the only authority over the nation.

We will understand why Rabbi Shimon ben Shetach did not give up, and thus why the courts of law could have come down from their heights. The Tosaphot "you want what you want." Rabbi Nachum broadens the subject and he wrote: "And I say that it was possible that Rabbi Shimon ben Shetach was mistaken in the end, that he did not have to insult [the king] and tell him to stand after all, he was the king and he could have

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1. ⁷⁷ http://www.come-and-hear.com/sanhedrin/sanhedrin_19.html.
 2. Alexander Jannaeus (Jonathan) lived 103-76 B.C.E. third son of John Hyrcanus, King of Judea but not of the House of David.
 3. He was a brother of the queen (v. Ber. 48a), yet the relationship of the ruler with the Pharisees, of whom Simeon b. Shetah was the head, was one of bitter antagonism. History relates most cruel acts which Jannai committed against them (v. Graetz, *Geschichte* III, 146ff.) At times during his reign, the Sanhedrin consisted almost entirely of Sadducees, Simeon being the only Pharisee among them (v. *Meg. Ta'anith* 10). This fact might be traced also from this incident [V. Hyman, A., *Toledoth*, III, 124. A similar story is related by Josephus. (Ant. XIV, 9, 4) of Herod who, as 'servant' of Hyrcanus was charged with murder. The identification of the incident related here with that reported by Josephus, involving a confusion of names on the part of the Talmud, as suggested by Krauss, *Sanhedrin-Makkot*, 103, is quite unwarranted.]
 4. Exodus 21: 29.
 5. So too in the case of a slave, who is regarded as one of the chattels of his master.
 6. Deuteronomy 19: 17.

given pardon to the [slave] owner. And after the collective forgiveness, it is hard to for me to tell the head of the Sanhedrin, Rabbi Shimon ben Shetach, when all his days were dedicated to the struggle to defend the Torah and honor – that he was wrong. especially, at the height of the struggle of the Torah. It was clear to Rabbi Shimon ben Shetach, that King Jannai acted purposefully to hurt the Torah scholars, but actually the fact that is that the king came before the Torah scholar., It was a *mitvah* from the Torah that he needed to stand [before them]. Without a doubt, Rabbi Shimon ben Shetach invited him to sit, if King Jannai was hesitating for a moment, but when Rabbi Shimon ben Shetach saw that he meant to hurt him, it angered him greatly, And therefore, King Jannai emphasized his negative feelings against the Torah Scholars. If for a moment Rabbi Shimon ben Shetach was thinking that he did it out of feelings of self-importance as a leader, of course he would have given in and would have insulted him, [King Jannai} after he already sat. But, because it was already assured that Rabbi Shimon ben Shetach that everything that King Jannai did happened only to hurt the Torah scholars in the manner of protest (to one-up the Torah scholars in their own high seats), and he was not allowed to give in.

6

The struggle between the monarchy and the Sanhedrin in the Second Temple Period, is unlike the situation today. The political leadership of the nation today does not see that the Torah of Israel forces them in managing the life of the nation and the people. Furthermore, the spiritual leadership today has lost their legal right that existed during the Second Temple period, and in that regard there was a strong deterioration in the people's

consciousness. “That priest that poured water on his legs was stoned by the people by their *etrogim*” (Sukkah 48). And that same priest represents views of the political leadership which—in my opinion-- were correct. This therefore means,that the people recognized in the opinion of the Torah Scholars, an opinion that was obligatory to everyone, which is not the case today. The people in Zion ,indeed, showed respect to the Torah Scholars, but our big sorrows were that [the priests] did not recognize that their decisions would obligate the whole nation. And therefore, there is no struggle between the political leadership and the spiritual leadership, because there is no true contest in the struggle between the power the people bestow on him [the king] and the power that is missing to the enforce the national laws,[by the Sanhedrin]-- like a giant [versus] a midget.

Therefore, the struggle between religion and state is different in our days. The background of the current crisis sometimes reflects the [tension] of the earlier period; however this differs from [snapshots] of practical daily life of the nation.

When a crisis occurs, as in this struggle, then a portion of the Jewish religious population loyal to the Torah and its holiness [mobilize] . If there is a need to pass a law in the Knesset, that part of the nation struggles against to assign to that law a Jewish value as much as possible, but that is not the real reflection of the struggle between religion and state, because [it is just not so]. Even though in a way it is a portion of salvation, it is not an agreeable way, and many of the faithfuls from the Torah camp do not think it is the correct way. Since it is not the same as a law that is accepted from the conscious of the nation and its appointed leaders in its importance and usefulness, or if [the law] is accepted based on other calculations that do not have a connection to the

main aspect of the law. Therefore, there are many who appeal the ways of the accepted compromises in respect to those achievements, even if the fundamental compromises were problematic. Of course, it is a very difficult question, skeptics can not void those achievements in one fell swoop, and[they] are not allowed to have reservations in the future. So whatever our feelings are against them, the hour necessitates, that the gloomy reality created them. We do not have any control over the reality that assigned to us this responsibility, in this critical period, which was not according to our desires. But on the other hand, we are not allowed to accept --in our heart--- and appreciate those achievements even if they are important, and will make a difference-- in the end --with the struggle between religion and state, because it is not truly reflective of the struggle, that will be decided in the end at a different front, and only by different means.

7

Why? Because the struggle regarding the image of the nation using legal means will not succeed. As in the words of the prophet Hosea: “The many teachings I wrote for him have been treated as something alien.” (Hosea 8:12). What value is there to the laws that are based on the scrolls of the Torah, if in the eyes of the generation they were considered as strangers?

The Knesset can try to draft a law (not from the religious perspective) that the majority of the nation decides that they do not want it, and I am sure that this law will not come to be a practical reality.. All the police power and the judges will not be able to

force this law on the people. To review “Do not place a decree upon the people, which most of the people can not follow,” that is the consequence if [the people] do not want it.

Furthermore, that the progress in the area of the law that had been achieved until now, were the results of an honest will to preserve some aspect of the unity of the nation – it was actually possible only to have a balance between the powers of the religious and the non-religious, it was a compromise between the majority and the minority. So it is clear that all additional progress will be possible in the same power dynamic, because there is no sense that the majority will give into the minority, *ad nauseam*.

Therefore, the true face of the struggle and its likeness, is the front of the educational explanation. Sorry to indicate that we did not do as much as we could have to[contribute] our success on that front. All of our wills should have been concentrated on those individuals who have wandered from the ways of Torah, to enlighten the darkness of the generation, to penetrate to the deepness of the heart, to rekindle the remaining embers that were not extinguished. This is the real front of the struggle that will be decided in our generation, in pleasant ways and [direct] explanation, that all aims will be to instill in the whole nation the enlightenment that is in the Torah.

Because the struggle of our generation is --above all-- not concerning the image of the nation and the system of the laws, instead it is based on the [values] of the generation that decides the face of the nation and the way of life.

I said once in a *drashah* or explanation, using the words of our rabbis from the *midrash* of “Song of Songs: Song of Solomon 1:2 : For your love is more delightful – the ways of our fathers are good, Song of Solomon 1:2 than wine – those are the heads of the scholars.” “The ways of our fathers are good,” there it says, “For I have singled him out, that he may instruct his children and his posterity to keep the way of the LORD by doing what is just and right,” (Genesis 18:19). The fathers were busy educating their sons, and their way was good and efficient, from the ways of the leaders, that their goal was to spread the Torah and its truth under the rule of the law, and indeed the leadership symbolized in the *midrash* of our fathers [reflects] the power of the rule and law.

Here are examples of many generations from the days of the First Temple where the laws of the Torah were not kept in the nation, and there was no punishment under the power of the law, because there is no law --even a law from God-- will not be able to be preserved among the nation if they do not want it. And therefore, according to our belief, that was the reason that the Temple was destroyed and that Israel went into Exile. Likewise the Second Temple, where the situation was much improved in that regard, even though: “when there was an abundance or murder then the ritual of the decapitated heffer (when the murder is not known the priest decapitates a heifer to expiate the sin from the community), when there was an abundance of adultery the ritual of the bitter waters ceased” (Sota).⁷⁸ “Forty years before the destruction of the Temple, the Sanhedrin exiled from the department of the *Gazit* and settled into the store.” (Sanhedrin).⁷⁹ The legislation of capital offenses were annulled from Israel. Rashi explained that they did

⁷⁸ I could not find the quote

⁷⁹ I could not find the quote.

not have enough time to pass judgment. He did not mean that in relation to time, because they could have established special courts for that, but what Rashi meant was that they did not have the authority to judge them because of the decrease of the power of the order of the law and court system.

Therefore, let's look at our main function in the struggle of our generation of educating this generation in the ways of the proper understanding explanations, but based on the transcendent and true love of Israel. We will increase the influence that soldiers (teachers) are able to help in all possible ways. God will help us, and soon we will merit to [be witnesses of the fact] that the state of Israel is dear to all of us. [This is] based strongly on the foundation of Torah and *mitzvah* and peace from all around her, in our complete spiritual salvation.

Chapter 8

A Nation of Laws and a Nation of *Halachah*⁸⁰

This problem of the [ongoing] tension between the state and religion is one of the subjects that has increasingly excited our public life in the last several years. In the beginning, we will try, therefore to explain this from all sides:

“A nation of laws,”⁸¹ which means a state, where elected officials decide the way of life according to the needs and benefits of all of its citizens.⁸²

“Nation of *Halachah*,” means: a state where the life -style is decided according to the written Torah and the tradition. And that also forces the elected officials of the nation to act according to [Torah].

Apparently, the meaning of state can be a state of laws or a state of *halachah*, for these two possibilities look as if they contradict each other. We want to prove that this is not correct. Actually, the *halachah* itself demands from us to administer the government of laws as described here.

Before this discussion, there will be a basic preface:

The strength and force of the *halachah* is in that, its laws in their essence were given by the Omniscient God, the God that can perceive until the end of time. And therefore, it is possible to find the solutions to the real problems of every generation. From [this vantage point], the reason that you can not find within the Torah specified

⁸⁰ Delivered at a Symposium about this topic

⁸¹ *Medinat Hok* – The rule of law, it is the law that rules or something else that rules. In the US, do we our personal decision rule our way of life or does secular rule? . . .

⁸² Secular governments is where people make decisions on the basis of their needs

patterns of life, a clear and defined political and economic regime, for such a thing could be appropriate for a particular way of life in a specific time period. The Torah was given to all the generations.⁸³

Therefore, we can actually find within the Torah, the basis, foundation and principles only, on which it is possible to build ways of life relevant to different periods, and conditions. And therefore, we find big changes from the period of the Torah to the period of the Prophets, from there to the *Mishnah* and to the *Talmud*, and from that period to various generations of exile. And everything is according to Torah scholars, not that *halachah* has changed-- God forbid,-- but only the way of life changed, and even those principles themselves were subject to those changes.

Our teacher, Rabbi Kook, may his memory always be for a blessing, wrote in one of his articles: "God forbid you will think the following, that it will occur to some great Jewish court in Israel to change even one letter from the Torah that is not part of the spirit of the Torah. It is already within the power of the Torah to bring a number of important decisions to fruition, the decision to do so is occasioned according to the needs of the time, in matters of ethics, and in physical and spiritual matters. And all of these things were prepared in advance by the Omniscient God."⁸⁴

Our generation is not that different in any aspect from any other generation. Our generation can also build a way of life as it sees fit and according to the development of the society, on the same principles that the *halachah* was determined. It is

⁸³ The *halachah* was meant to be eternal, apply to all circumstances, which is why in the *halachah* there was not ordained a particular way of life.

⁸⁴ When we find rabbis changing laws, the Torah has already granted them that power to do so in the *Beit Din*.

understandable, that [Rabbi Kook] refers to the part [of the debate] that deals with matters of society and politics only.⁸⁵

Seemingly, a question could be raised: Can the establishment of a proper life in every modern society be entrusted to both the legislative branch and the judicial branch? In the Torah, those two branches are clearly found and defined. “Those are the laws that you will place before them,” “you will put judges and police officers in all your gates...and judge the nation in righteous judgment.” “Those are the laws and those are the judges. What remains, therefore, for the state to act so that its institutions can respond to the needs of its development.

All this is apparent only, because it is not the truth, and there are three reasons for that:

1. Not all the cases [of this dispute], even the most forgotten ones (even from the ancient world) exist in the Torah.
2. There are obvious and convenient ways to establish communal institutions, and those are not mentioned in the Torah, either.
3. The possibility of punishment, according to the Torah, is one of the hardest thing., For that. real “kosher” eye-witnesses are needed (circumstantial evidence is not accepted), warnings are given and received, etc. How can you establish a correct society with so many limitations, and common knowledge that the possibility for punishment is an absolutely necessary condition?

⁸⁵ Not talking about religious matters and ritual laws.

Would it be possible that the Torah prevents its believers from walking in the path of the laws and *mitzvot*, a simple possibility to conduct a healthy society? On that question, Ran writes:

“It is common knowledge that human kind needs judges. For without them, we would swallow each other live, every nation needs this and Israel needs them just as all the other nations [do]. And aside from this, there is also a need for the Jews to establish and in force the laws of the Torah in a Jewish *community*, provided in that particular transgression there is no serious damage to political order (ritual transgressions.) And God, Blessed is He, ordered the appointment of judges to do true justice and have no more authority than that. Since political order requires more than this and can not be obtained solely by these methods. God perfected the order of the society through the appointment of the king or executive authority. This is already explained: (Sanhedrin 40)...and this a is a proper law entrusted to the judges. But, if the transgressor is not punished in this way then even the political arrangement will collapse since there will be a multiplication of number of murderer., Therefore, God commanded-- according to the king-- by enforcing without a requirement of forewarning as he sees fit according to the needs of the political community. The judges and the high court’s purpose was to judge the people according to the true law (the law of the Torah) from which the Divine purpose could be divined. (His words continue and he compared the appointment of judges in Israel to the mitzvah of sacrifice, whose meaning is to create an overflow of Divine goodness so that the people will be influenced by it.) Whether or not this will be fitting to the needs of society --and on account of this-- it is possible that there could be similarity among some of the laws of the nations, something that is better suited to the

establishment of social order then some of the laws in the Torah. But, we lack nothing in this regard because everything that would have been lacking in this proper functioning, the king himself would have completed. And when there will not be a king in Israel, the judges will encompass both of these powers, the power of the judge and the power of the king: I hear that the *Beit Din* can punish transgressors even when the law of the Torah does not require it to make a law protecting the Torah itself.”⁸⁶

There is a need to clarify the most important aspect, because there is no logic that the king, himself would have [actually] sat and judged all the criminals of society that the religious courts could not punish, that is the thought that a healthy mind can not stand. Therefore, it is logical that the king himself would have appointed and established national courts which judge and punish to create a normal life in the society. Our assumption of this is based in the *halachah*, but we can not expand regarding that, here. (Closely examine what the Rambam said in *Helchot Sanhedrin*, Chapter 2, Halachah 5, and what they wrote in “*D’var Hamishpat*” or “Words of Judgment” Part 2, page 71) .Even more clearly, is that court houses are controlled by judgments that -- without doubt-- are on account of laws and legal declarations, that the monarchy conducted as the [rational] basis for society. (This the Rambam made clear in *Halchot gezalah V’Avodah*, Chapter 5, look at look was written in “*D’var Hamishpat*” or “Words of Judgment,” chapter 1, page 179).

Another aspect that we may highlight, is that the authority of the Israelite monarchy, is not given to the king only, “Regarding royal judgments that refer to the

⁸⁶ The Beit Din possess power beyond which has been written, the king would take care of things not specifically, addressed by the Torah. But, what happens when there is no king? Then the Torah said that the powers of the king does not disappear, but rather is placed into the power of the Judges..

general leadership, of course, official judges and general presidents can stand in place of the king.” (Our rabbi, Rabbi Kook, May his memory be for a blessing, in his book, *Mishpat Cohen*, Chapter 144, letter 14).

From all the above, we must conclude that:

1. Also, during the [ideal] period of the Sanhedrin, were state court houses, that judged and punished according to the needs to regulate the social order. [By definition, the Sanhedrin was limited to adjudicating ideal, religious legislation which] prevented the absolute authority of the Sanhedrin [in secular non - religious matters. Even during the period of the Sanhedrin there were secular courts which regulated the life of society], which are religious court houses, that judge according to the rules of the Torah.
2. After the kingdom of Israel was dissolved, this secular authority returned to the hands of the Sanhedrin and as we read in the Talmud Sanhedrin 27A: “The [secular] court house imposed a punishment not according to the Torah,” which means that this was not following the law of the Torah, in order regulate social order.
3. These state authorities were all granted the approval of leadership or were [made to be] her agents of authority: the court house (Refer to the Tur and the *Shulcahn Aruch Choshen Mishpat*, chapter 2).

But, a fundamental difference exists between the authority of the state and the authority of the Sanhedrin. The Sanhedrin in Israel, is the religious court house that is not permitted to decree permanent regulations, “that is not according to the Torah,” to accomplish a strong and healthy society, but they were permitted to judge when

necessary, the criminal transgressions of the society in an exceptional way, “that is not according to [ideal Torah] law,” and if, “only as required by the situation.” But the king or the secular authority that draws on the power of the state is permitted to issue permanent regulations, “that are not derived from the Torah” to accomplish a healthy society. (All this is made clear from the words of the Rambam in Hilchot Rotzach, chapter 2, *halachah* 4, about corporal punishment, and in Hilchot Gezalah v’Avedah, chapter 5 about fiduciary punishment, and look in Hilchot Sanedrin, chapter 24, from *halachah* 4 until the end of the chapter, and in our explanation in the “*D’var Hamishpat*” or “Words of Judgment,” there.)

Now it is clear that legislation to organize and establish a society in all the areas of life--both the social and the political-- without exception, is not the right of the kingdom itself, but her duty that the Torah commands upon all her inheritors: all authorized leadership in Israel.⁸⁷

As a historical comment, that it looks like the kingdom in Israel did not use that authority; in any case, we do not possess any proof of regulation [by the secular authority during the time of the Sanhedrin]. But, compared to the kingdom in Israel, the Torah scholars were very diligent since they used the authority which was given to them *after* the kingdom dissolved, granted to us with a full explanation, whose purpose was to establish a complete and healthy society according to the Torah, and they did not leave even one area of life unregulated. They are the foundation for “Evenizer” and the “*Chosin Mishpat*,” and all the *responsa* literature of various

⁸⁷ It is a commandment on the secular authority to regulate all aspects of society.

types and for generations is for the regulation of a healthy society, according to the *halachah*.

But every secular authority faced two limitations, once it comes to legislate laws and regulate decrees according to the *halachah*.

1. Rabbi Joseph Kalon (15th C *responsa* writer, quoted in the Beit Yosef) wrote (In the Root 188, in his commentary the Beit Yosef in *Choshen Mishpat* simon 179) “Specifically in matters of taxation and matters of regulation of the state’s laws and courts, but in interpersonal [matters] it is clear that it is not, because if it was, all the laws of the Torah were nullified,-- God forbid”⁸⁸
2. The Rambam wrote (In *Hilchot Melachim* 83:59) “There is no need to say that if the king ruled to cancel a *mitzvah*, you do not follow him.” And it was already explained that every secular authority draws from the authority of the Kingdom, [We shall to both of these significant limitations;]

Even though it looks like Maharik’s ruling would limit secular authority, that is not so. If we eliminate from secular law all of the limitations that are written in Torah law regarding : limitations based on testimony, rules of evidence, convicting a man when he confesses, details that limit Torah court., If secular law is free of all of these

⁸⁸ The power of the secular authority to make laws binding. Does the *halachah* recognize the law-making authority of a secular body? The Maharik, says that such a body has the power to make laws regarding to taxation and procedures generally related to the secular government. But laws regarding Jewish *halachah* which covers damages, contracts etc. are [fully] stated [in the corpus of] Jewish law. Obviously, secular power can not legislate in these matters, unless you choose not to abide by the Torah. The inability to regulate business matters would severely limit the secular government.

restrictions, then the results of legal proceedings change in matters related to the king. If someone claims that the authority of the kingdom will only interfere in criminal jurisdiction which is necessary to secure public order, here we already proved that the king had the right to complete the “public order”-- as the Ran said--, and he even wants to add to the social [order]. And should the monarchy, for example, recognize “the laws concerning loans,”⁸⁹ are causing a break down in the proper conduct of commerce, why would the government not be permitted to add legislation of its own to perfect the life of the commercial community.⁹⁰ The rabbis also did things like this as part of their own authority; they established an “oath regarding to the *kofer hakol*”⁹¹ *even* if the Torah exempts him. and it is without doubt, that they meant to fix a gap in commercial life, and why wouldn’t the secular authority have the ability to function in the same way. And in truth, we learn here in the words of the Rashba when he wrote in a *Teshuva*: That those words were only said with respect concerning the Sanhedrin or rabbinic courts and [actual]their source is decreed by the Torah.⁹² But, with respect to secular law, secular courts do not pay attention to these restrictions of evidence, since the secular courts are only concerned with finding out the truth. A person can be convicted under secular law

⁸⁹ These are matters which fall under the laws of the Torah.

⁹⁰ If all these laws are under the rabbinate from Torah, then the overall authority of the king is greatly limited, but once we understand that the king has the responsibility to protect the public, then rabbis can not restrict the king.

⁹¹ The *kofer hakol*, after being accused of owing a loan, can respond in one of three ways. The first, that yes - he owes money, the second, that the amount in question is not agreed-upon and the *kofer* is required to take an oath when there is no evidence then he might have to pay only ½ of the loan. But in the third case, the *kofer hakol* can deny *even* owing any money at all. So, the rabbis created an oath in the area of commercial law since there is such a great potential for people disregard their oaths.

⁹² All of these apply to normal, secular law. The king can execute a person based on his own confession. Recall that King David kills the Malachite who killed Saul. The king does not have to pay attention to all these restrictions in Torah law. The king has to focus his attention on emergency matters and it would be too cumbersome to apply these requirements to secular society. Halevi argues that the king has these rights to protect the public order. Halevi takes it one step further by applying the king’s power to normal secular law. The king can enter in areas of monetary matters and, civil and criminal jurisprudence.

even on the testimony of his relatives, and according to his own testimony *without* forewarning. All the king's laws are based on discerning the facts, since if you do not insist that the law of the Torah and Sanhedrin be applied with respect to the Sanhedrin, then the world would be destroyed because liars and their colleagues would multiply. Whoever is appointed by the king concerning these matters, would conduct his office as if he were following the king's laws, since the king's laws will stabilize the land."⁹³ And all those arguments are also] applicable to interpersonal matters.

Truly, this is the opinion of the dissenters and among them: Nachmaonides, the Rashba and the Ran and also the Rama. (Chapter 369, Paragraph 69, *Choshin Mishpat*) They pine that even in monetary law, the customary patterns of behavior that the public observes are—[in fact]. the law.⁹⁴ The king can legislate laws and make decrees whose purpose is to prevent disputes and fights, and also to regulate normal monetary matters.

Regarding this, Jews are not permitted to conduct themselves in accordance with the laws of other nations simply because the government provides authorizations. Since the Rama says in Chapter 369, that even though the government is entitled to make laws for its own benefit and for the proper functioning of the community, it is not permitted to operate according to the laws of the gentiles; since this *could* cancel Jewish law. This is the opinion of the Maharik. The SHAMACH said, deducing from the Rashba's opinion, a fundamental principle in this matter. All the authority that has been handed to the king

⁹³ Rashba also legitimize the secular system the right of the nominated entity to judge and execute law according to the kingdoms' law and not according to the Torah.

⁹⁴ Regardless of what is written in the Torah

is a proper function of the king's power: laws of *archaot* (values)⁹⁵ do not pertain to the laws of the king. The Gentile courts are not related to the laws of the king since they follow their own procedures. If you don't say that, then you have-- God forbid,-- eliminated the laws of the Jews. From this [we learn,] that secular authority has the right to make its own laws for the preservation of public order. But, this does not permit judgments to be made generally by laws of the gentile. Those laws were not created by the monarchy, but they were simply copied from the legal literature from other nations. That is not part of the power granted to the king.⁹⁶

It appears that there is no permission --as stated above-- given merely to make laws that do not contradict the laws of the Torah *even* if those laws were not explicitly stated in the Torah itself (and not to adopt the legal system of the gentiles).⁹⁷ Thus, the words of Shabtai Cohen clarified Chapter 33 see note 39, [there he] elaborated more, but it seemed to be his opinion as to explain the permission. His intention was that even those who permit [secular legislation not based on Torah law] do permit the secular authority to meet the immediate need [of the people], even if [the legislation] is not based on laws of the Torah, and only if they do not contradict any aspect of Torahitic law.

Let's cite an example of law that the Rama brings in chapter 73 concerning the ruling of R. Josef Karo regarding a loan madd on a collateral basis OR taken for collateral. Karo said that thirty days after a suit had been brought to court, the creditor can sell the pledge. But, Isserles said concerning that, even in a community the one who

⁹⁵ *Arachot* – gentile courts. There is a prohibition in Jewish law not to attend to a gentile court, only if the Jewish court sends one there.

⁹⁶ The king can make laws of his own, but that power does not include the power to tell you to follow someone else's laws. These were simply in the law books from other legal traditions.

⁹⁷ The power of the king to create laws does not allow him to adopt laws.

lends to a non-Jew can not sell the collateral taken in pledge, before a year has passed. If that is the custom with respect to gentiles, then the same law will apply to Jews with respect to a fellow Jew since in matters of this [nature], we follow the local custom.

The meaning of the word “custom” as used by the Rama here is intended to legislate the judgements of the secular law. Regarding this,(in chapter 356 paragraph 7 Seftey Cohen explains the difficulty, of the “*minhag*.” “It is obvious that the authorities alive at the time are empowered to make rules like this.” This subject is broad and deep, please refer to the sources, but what I have told you is the law.

Therefore, on the basis of everything that we explained, it is clearly permissible for someone to make rules and adopt legislation that is appropriate for the development of the society-- according to the needs of that time and place--- based on the fundamental principles of the fundamental laws of the Torah, and even for principles not mentioned in the Torah (although this would be very rare).⁹⁸

And now, to the second point;

The bottom line is “a king who, decrees nullifying a mitzvah,” the simplest explanation [of this] is, a real decree, as a decree that was dictated by Jeraboam ben Navat, that Israel will not make a pilgrimage to Jerusalem.⁹⁹ And here we have no doubt,

⁹⁸ Secular authority has the power to make legislation; they can not legislate to eliminate laws of the Torah. The secular government can legislate matters related to property, money and government.

⁹⁹ King Jeraboam forbade the people from making pilgrimage to Jerusalem which violated the Torah.

that there is not a person in the land that wants to make a decree to nullify a commandment from the Torah, even though there is no practical need for it.

But, there is a concern when preparing a law in its details, that some paragraph could contradict the *halachah* and nullify a commandment from the Torah. In my limited judgment, that has never happened in all of the years of the existence of our country, and you can assume that it will not ever happen. A law or a paragraph inside of the law might nullify a mitzvah that is explained from the Torah, will not be accepted in the Knesset, even though one might hope that this case is not even present.

[In one instance], about ten years ago, a State minister gave directions (by the way he did not submit a law to the Knesset) on whose basis was somewhat a destruction and uprooting of a law of the Torah, that is the chapter of “Who is a Jew?” and he created chaos in Israel and around the world, until the nullification of those instructions. So that is what will happen -- God forbid-- if they[secular authorities] will try to legislate a law which will uproot the law of the Torah from its foundation or a commandment derived from the Torah. Furthermore, there will not be anyone who will want to do that.

But, in truth according to what was said, the Knesset of Israel behaved as “*Medinat Hok*” according to the *halachah*, knowingly or instinctually, they never received any law that was targeted against the letter of the laws of the Torah, but events happened in the past, that they did pass legislation which was opposed to the spirit of the Torah. For example, regarding the issue of common-law [marriage]. Maybe, we can not find clear *halachah* that prohibits awarding to the common-law wife, [marital] rights, and this is a stipulation made with respect to monetary matters, inheritance and other legal rights. And this is a monetary condition for whomever will live with her, he agrees

to a contract of his own freewill and thereby stipulates that she will get a portion of his property. But, of course that is against the spirit of the *halachah*, even more so [against] the spirit of Judaism and its ethics, even though the court will not accept this peculiar explanation that is described about the common-law wife.¹⁰⁰ Similarly, the law that requires women to join the military, is totally against the spirit of the Torah of Israel. Furthermore, [there is] a law that [is presently] before the Knesset, [involving] the community property between husband and wife, even though you can not argue that this law --as a whole --is against the *halachah*. The aspects of the law which relate to the monetary assets, --and similar laws were already passed communities in Israel-- but the core of its being [considered] a law, might complicate the life of many families in Israel.¹⁰¹ In an indirect way, it might uproot the *halachah*. From this point of view, it contradicts the spirit of the tradition of Jewish family life.

In conclusion to these ideas: a nation of law and a nation of *halachah*, do not contradict each other at all, and truthfully they complete each other. The *halachah* itself casts the sovereignty and successors, all the legally ordained leadership, to create decrees and legislate laws that fit the daily needs and the development [of the society],

¹⁰⁰ The secular law says that a common-law wife has a claim to the property, but what happens if she is married to another man?

¹⁰¹ Standard Jewish law does not recognize community property between them. The property acquired prior to marriage remains in the hands of both spouses respective families. Anything acquired after the marriage states that it belongs to the husband only. Individuals can make stipulations about money under Jewish law. A married Jewish couple is permitted share things, as long as this has legally been designated in a contract.

for in the Torah itself *only* the foundations and the principles were found, and upon them and according to them, we must establish our laws.

And this is the virtue and importance of the Torah, if the Torah would have given us many clear, all-encompassing and established laws that incorporate the total nature of life and all its details, and there would be nothing more to add. But, without a doubt this includes, --first and foremost-- a few very thick volumes, and after very few generations, it would have become totally out-dated. And even now, all the laws and decrees of the Torah exist and stand in all their relevance for all generations forever, according to that each generation builds a doctrine of life which fits them.

From this point of view, it would be preferable that before the Knesset holds a debate over any legislation, they would invite in a Scholarly Rabbi, knowledgeable in the *halachah*, and who lives *only* in the world of the *halachah*. He would present to them, the relationship between Torah and the legislation being debated. This will enrich the resolve of the legislator from a Jewish/*Halachic* perspective, and this will help them to adapt the secular law that the country needs in accordance with its own development to the foundations of the *halachah*; as they say: “Or what great nation has laws and rules as perfect as all this Teaching that I set before you this day?” (Deuteronomy 4:8).

Although in the Knesset there are Torah Scholars and even those ordained as rabbis, that were and are [currently] practicing rabbis and they can function and minister as rabbis, and their Torah knowledge is not inconsiderable, none the less, the great value in the thought processes of the scholar who lives Torah, who professionally studies Torah as his only business. Yet, the primary business of a member of the Knesset is politics and his [instinctive] way of thinking is political. and even the *halachah* he will

understand [is] through the force of his subconscious, through political terminology and through other sources of thought. .

This is different from a scholar who just who *only* engages in the depths of *halacah* all of his life, the [Scholarly Rabbis] will present the *halachah* upon the foundations, principles, paragraphs and sub-categories as though they were given at Sinai. Not only that, even his ways of thinking will be on a unique path that differs from normal thinking and this is what is called, “*Daat Torah*,”¹⁰² a line of thought that has developed in a specific direction to understand every subject in the spirit of the Torah. including the *halachah*, itself.

If the Knesset is strict in [it’s reviewing so as to prevent receiving] legislation that contradicts or uproots any law or judgment from the Torah. If it coordinates legislation with the spirit of the Torah laws and based on Torahitic principles, then this is what the nation will call a law according to *halachic* standards.

And they will clearly say, this should not --under any circumstances-- be called religious legislation, on the contrary we have determined, this is secular legislation that is based on the *halachah*.

All this reminds us of the first days of the judges and our counselors until the Sanhedrin was established, that it was a Torah court that who judged according to Toraitic law. We already clarified, the goal of the court house is to “complete the political organization,” which means repairing the society. This will also be continued by the government court that will discuss --according to the laws of the king--, e.g. create

¹⁰² *Daat Torah* – scholars who dwell in the Yeshiva world, and understand Torah and *halachah* in its purity. They are not influenced by external thought. Their attention is focused and they are free to view the Torah as it really is. Yet from a modern or post-modern perspective, there is an assumption that each group examines a subject from their own vantage point.

legislation according to the *halachah*. if the religious court house's goal is to judge the people "in correct and righteous judgment," that is Torah law. It does intend to repair the social order, but the aspect of God that is within the law of Torah [is there to keep alive] the idea of God," inspiration of God's *Shechinah* in Israel, like the sacrifices in the Temple, like the words of the Ran, cited above.

All this was based on one foundation, that all the mitzvot of the Torah whose origination is ritual in nature," and whose foundation is in faith, --without any direct influence on the social order -- that remains for "the present time" (until our righteous Messiah will come) in the "private domain." Regarding these mitzvot, the Ran hinted, in his words that we copied above, "[It is a necessity]to enforce the laws of the Torah, even if the violation of those laws [does not cause] damage to society." This is the function of the Sanhedrin alone, but the secular government did not intervene in this area at all. (For example, those who were acquitted by the Sanhedrin for not keeping the Shabbat, because of circumstantial evidence which was not enough according to biblical law, and if the courts wanted to, they could punish him could according to "emergency jurisdiction"). Nonetheless,¹⁰³ regarding the "*shimiot*," mitzvot, the state of Israel will not exist as a country of law based on *halachah*, if one of the secular laws will cancel the laws of the Torah. But there is no doubt --that also in this area-- nothing like this will

¹⁰³ Saadya Gaon – made two distinctions in laws between *Shimiot* and *Sechliot*. Mitzvot that are *shimiot* we recognize them as mitzvot since we heard them when God gave them to Moses. By contrast, mitzvah *Sechliot*, that we could have arrived at ourselves through human logic.

ever happen and-- God forbid- we would even [consider] a law explicit in the government's legislation which would think about canceling Shabbat or forbidding kashrut laws or eating leavened goods on Passover.

(We had our luck to see the wonders and miracles that happened in the Six-Day War, when “eye -for-eye,” God was seen to His people, the [people] silenced the huge arguments and debates around the ruling of “religious legislation.” I want to say, laws that will force all the citizens of the country which prevent them from engaging in activities whose source is only from the *halachah*, like “the laws of Shabbat.” They do not have any connection with laws designed to repair the social order that come from secular legislation which are based on *halachah* as explained above. This [issue] was a severe problem that excited our daily life for a long period of time. There is no doubt that [this debate] would return when our daily life will return to[normalcy].. Note that this is not related to our subject from a point of view of concepts that we already explained above, but actually this is a very different argument about the need for the existence of those “*shimiot*” mitzvot that are based in faith, in the public domain.)

The argument is about the public image that our generation will shape for the country of Israel. This is not what the *halachah* claims from the point of view of our subject, because the *halachah* does not need strength from the secular law. If the people want the Torah commandments to exist, it is enough that the Knesset will have one decision, that the people of Israel will be --from now on-- the people of God. according

to His Torah. That would give legal authority to “*Or Haim*” and “*Yoreh Dayh*,” like the decision that “marriage and divorce will follow the laws of the Torah,” and also give that legal authority to all personal judgments that are part of “*Even Haezer*.”

And things like this have already happened before, in the days of the kings, when the observance of the mitzvot grew lax by those who were not observant. And when a new period came, [the State’s] existence was [based on] commandments from the Torah for the people. “And Jehoiada solemnized the covenant between the LORD, on the one hand, and the king and the people, on the other -- as well as between the king and the people -- that they *should* be the people of the LORD.” (2 Kings 11:17). And a situation like this occurred during the time of Josiah: “At the king’s summons, all the elders of Judah and Jerusalem assembled before him. The king went up to the House of the LORD, together with all the men of Judah and all the inhabitants of Jerusalem, and the priests and prophets -- all the people, young and old. And he read to them the entire text of the covenant scroll which had been found in the House of the LORD. The king stood by the pillar and solemnized the covenant before the LORD: that they would follow the LORD and observe His commandments, His injunctions, and His laws with all their heart and soul; that they would fulfill all the terms of this covenant as inscribed upon the scroll. And all the people entered into the covenant.” (2 Kings 23:1-3). These covenants that the kings made included observing all of the commandments from God’s Torah, meaning, that a functioning society establish not only by the Torah alone, instead it takes upon itself the obligation of observing all laws [as if they were] Torah commandments.

This argument about “religious legislation,” you can compare it to the covenant created by King Zedekiah with all the people that were in Jerusalem to set free all those

male and female slaves in the seventh year, (Jeremiah 34). Or, to the other covenant that Ezra created in the time of the return of Zion, to expel all the foreign women (Ezra 10), it appears that their authority was not enough for both Zedekiah and Ezra to force upon the people all the mitzvot of the Torah –or [it] was not necessary and it was meant only to show a specific breach. By the way, we learn that the government that wants to introduce the mitzvot in their entirety will not succeed *without* the will of the people. If so, then we can assume that there was no need to bring the people into a general covenant to keep the Torah and the mitzvot, so regarding freeing of the slaves, or expelling the foreign women the covenant will not be a useful tool, all the more so to bring the people into a general covenant.

This is the argument that is taking place today, because the majority of the people who sit in Zion did not become accustomed to [observing] God's Torah, including keeping all the mitzvot.

The demand by the religious people is to form the country into the real historical image following “the way the religion was practiced,” ; at its minimum --this includes “the public domain.” Due to the justified concern of the characteristic of the people in the state and the historical continuity that is characterized by this or even make it [the religious way of life] possible for the religious community-- even though they are a large and respected minority --, to live a comfortable and pleasant [life]. When you trample, t upon Jewish holy things in the public domain, this overshadows the happiness of “the beginning of redemption” in which the religious community believes full heartedly.

We will finally conclude (even though this argument was not [put together] to confer and to understand this question, but like the positive time-bound commandment,)

that we are allowed to have a wish that all the Israeli people who describe themselves as religious and those who describe and themselves as not-religious (and I am specifically using this expression, because I do not believe in an absolute religious or an absolute non-religious person) they will have more discussions, not on principles, not to specific clarification as to who is correct here, because there is no usefulness in [doing] that. Nothing religious forcefulness, nor anti-religious forcefulness will help here. . All the people who sit in Zion must recognize the situation as it is, and look for proper ways using compromise out of good will, so that each side will respect his fellow Jew, to understand his own heart, and to feel the righteousness of his fellow's desires, but even if his ways are not righteous, but only that everything will be [driven by] the faithful love of Israel --above all,-- as the mitzvah in our holy bible [states]: Love your fellow as yourself (Leviticus 19:18).

And all this is temporary, until we will merit the destiny of the prophets: "For the land shall be filled with devotion to the LORD, As water covers the sea." (Isaiah 11:9).

Chapter 9

Who is considered a Jew?

Chosen (Segolah) People¹⁰⁴

1

Exodus 19:5 ⁵ Now then, if you will obey Me faithfully and keep My covenant, you shall be My treasured possession among all the peoples. Indeed, all the earth is Mine;

Deuteronomy 4:37 ³⁷ And because He loved your fathers, He chose their heirs after them;

Deuteronomy 7:6-8 For you are a people consecrated to the LORD your God: of all the peoples on earth, the LORD your God chose you to be His treasured people. ⁷ It is not because you are the most numerous of peoples that the LORD set His heart on you and chose you -- indeed, you are the smallest of peoples; ⁸ but it was because the LORD favored you and kept the oath He made to your fathers that the LORD freed you with a

¹⁰⁴ A comment written to the Israeli Supreme Court judge regarding the alleged racism of God's Torah, 1964.

mighty hand and rescued you from the house of bondage, from the power of Pharaoh-- king of Egypt.

Deuteronomy 10:14-15 ¹⁴ Mark, the heavens to their uttermost reaches, belong to the LORD your God, the earth and all that is on it! ¹⁵ Yet, it was to your fathers that the LORD was drawn in His love for them, so that He chose you, their lineal descendants, from among all peoples -- as is now the case.

Deuteronomy 14:2 ² For you are a people consecrated to the LORD your God: the LORD your God chose you from among all other peoples on earth to be His treasured people.

Deuteronomy 26:19 And that He will set you, in fame and renown and glory, high above all the nations that He has made; and that you shall be, as He promised, a holy people to the LORD your God.

Nehemiah 9:7-8 ⁷ You are the LORD God, who chose Abram, who brought him out of Ur of the Chaldeans and changed his name to Abraham. ⁸ Finding his heart true to You, You made a covenant with him to give the land of the Canaanite, the Hittite, the Amorite, the Perizzite, the Jebusite, and the Girgashite -- to give it to his descendants. And You kept Your word, for You are righteous.

From the first verse that is quoted above, we learn that God established an eternal covenant with Abraham to be Lord to him and to his children, after him. In the second verse from the Book of Exodus, appears a condition with the children of Abraham to faithfully observe the covenant (Rashi says that this covenant should take place at the giving of the Torah to the descendants) and this is what makes them chosen among all the peoples. The third verse expresses the reason or claim for choosing the people: “because He loved your fathers.” (Why did He love the fathers – it is not clearly stated in the verse). In the fourth verse, comes a new explanation for being chosen, “it is because the Lord favored you” Why – again, it is not made clear in the body of the verse). In the fifth verse, again, comes the reason of love of the fathers. In the sixth and seventh verse, comes a new reason, “for you are a people consecrated to the Lord your God” while in the verse from Nechemia, the reason given for the choosing of Abraham and the establishment of the covenant was to give the Promised Land to his descent. “finding his heart true to You”

Allegedly, we read here racist teachings. For the superficial reader of these verses, Judaism would appear as distinctly racist at first glance, because the choosing of the people was a consequence for the choosing of the forefathers, and only their descendants merit being “a chosen people-- in fame and in glory.” We will do our best to prove that this is not at all the truth, it is only a vain lie which the Jewish people and their Torah were falsely accused of, and—unfortunately-- many of our own also believed in this incorrect world view in which there is no trace of truth.

God's Torah started with the creation of the world and its chronicles from the first human, who was certainly not a Jew, and it gave all the specifics of the other races, their chronicles and families. A racist Torah would not assign importance to other races, up to the point of exploration of each and every one of their chronicles..

Our Temple was a place to worship God for all the peoples (as it is written in the Torah:) When any man of the house of Israel or of the strangers in Israel presents a burnt offering as his offering. . . (Leviticus 22:18) Our rabbis taught: [the idolaters who bring] vows and donations like Israel (Holin 13, and more). The second time it's written, it is taught by the prophets in Solomon's prayer: "Or, if a foreigner who is not of Your people Israel... oh, hear in Your heavenly abode and grant all that the foreigner asks You for. Thus all the peoples of the earth will know Your name and revere You, as does Your people Israel; and they will recognize that Your name is attached to this House that I have built.(1 Kings 8:41-1 Kings 8:43). It is fitting to mark with a specific emphasis on Solomon's aspirations: that the idolater will also fear God's name exactly like the people of Israel. The third time that this appears is in the prophecy of Isaiah: "I will bring them to My sacred mount And let them rejoice in My house of prayer. Their burnt offerings and sacrifices Shall be welcome on My altar; For My House shall be called A house of prayer for all peoples." (Isaiah 56:7). People who perceive themselves as part of a superior race, do not open the gates of its' Temple to a foreign people for worship and prayer, with the clear intention to provide for them the tenants of the faith in which-- among them --are the principles of the national uniqueness.

The prophets of Israel did not prophesize *only* for the Israelite people, but for all peoples, and this is out of recognition of their significance and their national mission. This is not what a racist ideology would claim.

The Shabbat is --in fact-- reminiscent of the Exodus from Egypt, a Jewish national event, but [the Shabbat] is also designated to indicate that this a day when God rested from the work of creation, which is a universal idea.

Also, Jewish holidays and sacred times are not narrowed into a national framework alone. For example, Rosh HaShanah is a day of judgment for all parts of the world, and the first verse in the blessing of remembrance says -- which is said in Parshah Noah: “And God will remember Noah...” precedes the choosing of Abraham and his descent. And the fact that Rosh HaShanah is a universal day of judgment proves the significance that our Torah gives ?credence or recognition? to all those created in God’s image, because a racist Torah would not bring into consideration other nations fit to stand in judgment before God the Creator.¹⁰⁵ Yom Kippur, remains to be a day of atonement for Israel. But, the idea of repentance followed by forgiveness – is not associated solely with Israel as Jonah proves with his prophecy to Nineveh and all the verses in the closing prayers of Yom Kippur that pertain to the idea of repentance. In not in any of them is the name of Israel mentioned. So, the three pilgrimage holidays (Passover, Shavuot and Sukkot) that on --one side – are based on the foundations of nationalism, but-- on the other side --include nature, which belongs to all of humanity.

The ideal is the monarchy of King David, whose renewal and restoration all the houses of Israel pray for three times a day with great hope, whose ancestry comes from a

¹⁰⁵ Please refer to encyclopedia of Judaic for references about RH liturgy.

foreign¹⁰⁶ family, from Ruth the Moabite, is it possible for a racist Torah to incorporate such an extraordinary phenomenon. The great leaders of Israel among various generations, Shiah and Avatalion¹⁰⁷ – were converts, Rabbi Meir (who opened the eyes of Israel to *halachah*) was a descendent of Caesar Nero, and more.

And furthermore, “The Holy One --Blessed be He-- did not just exile Israel to exist among the other nations in order to increase converts (Passover 87).¹⁰⁸ We will return to the words of our forefathers at the end of the article, but it is clear that a nation of masters that adopts a racist ideology that treat others as insignificant is not capable of explaining its military and political failures, the destruction of its homeland, its exile among other nations, accompanied by its great physical suffering, and great and deep emotional humiliation, came in order to give its Torah to seemingly inferior races. It was a grave mistake by those who think that our Torah is built God-forbid on a racist view.

3

How can we support all the text that we quoted earlier that proved the Israel is chosen as a superior people from among all the other nations in the world in honor, name and glory? What is the reason that the nation of Israel was chosen from all the families on Earth, and why did God chose [Israel's] forefathers?

¹⁰⁶ May also refer to here as convert

¹⁰⁷ Were converts, refer to masechet avot

¹⁰⁸ R. Eleazar also said: The Holy One, blessed be He, did not exile Israel among the nations save in order that proselytes might join them, for it is said: And I will sow her unto Me in the land;20 surely a man sows a se'ah in order to harvest many kor!

You are the Lord God who chose Abraham, “and you found his heart loyal to You.” That is a very convincing case for God’s choice of Abraham, Abraham is a person with strong spiritual disposition that was immersed in a family and nation of idolators and with his powers and wisdom and perfection of his soul came to know his creator (see chapter Laws Idolatry by Rambam) Therefore Abraham is entitled to be the one for whom the love of God will cling to.

According to these verse [quoted at the beginning of this chapter] from the love of the fathers comes the selection of the sons. Apparently that is not a good enough explanation. It is possible that man will keep a covenant of love to his beloved’s son only due to the love of the father of that because of his love of his forefathers? But to choose a whole nation only based on the love of the father does not appear to be enough. In the verse found in (Deuteronomy 7:7) supposedly there are two arguments for choosiness: 1) from the love of God to you and 2) that God keeps the oath to the forefathers; but Rashi did not agree that there were two arguments that were said here and he explained that “only from the love of God to you that [you] kept the oaths,” So to that explanation the Rashbam and Sphorno and others agreed to [that explanation] of Rashi. But Nachmonides explained: “From God’s love to you, He chose you, as He sees you deserve to fall in love in front of Him, and to choose to love more then all the nations, did not mention the reason for that choice, because the choice to be loved and who know how to suffer [the one that love him] does not matter what is being brought upon him, Israel deserves that love [from God] more then any other nation. (Israel deserves that loves from God since they continued their character, identity and their love for God.)

According to his explanation of the choice¹⁰⁹ of Israel came from the strong and forged character, that empowered them to withstand difficult trials for the sake of their beliefs. Like lovers do, this is a historical truth, but Nachmonides acknowledges that the Torah herself did not mention the reason of the choseness.

4

But Rabbeinu Behaye interpreted the Torah [on Deuteronomy 10:14-15], and repeats the opinion of the Kabbalists. “God loved only your forefathers and this a hint to the souls of the fathers who were.”¹¹⁰ In these profound thoughts lay latent the idea of heredity, if the forefathers of the nation were deemed to be worthy and fit before God, “Finding his heart true to You” (Nehemiah 9:8) – therefore their own sons born to them, will inherit from their forefathers the characteristics of their heart and soul as well as their obedience to God.

These ideas are clearly identified in the laws of heredity, and Nachmonides explained best that the covenant that was established with Israel on the plains of Moav: “perchance there is among you a stock sprouting poison weed and wormwood.” (Deuteronomy 29:17). Nachmonides explained this verse to mean: “*the stock sprouting* – the text hints that from a sweet root, bitterness can not sprout. So if his heart is complete of honor for God and you do not think about idolatry then your descendents will not accept idolatry.” Gersonides pushed this idea deeper into its very roots: “This big idea is

¹⁰⁹ Here he plays with the words in Hebrew to indicate the reason for the choosiness of Israel

¹¹⁰ “Mark, the heavens to their uttermost reaches belong to the LORD your God, the earth and all that is on it! Yet it was to your fathers that the LORD was drawn in His love for them, so that He chose you, their lineal descendants, from among all peoples -- as is now the case.” (Deuteronomy 10:14-15)

that the seed creates the soul of the child. If you sow in cleanliness, purity and holiness then [the child] will be descended [or lower]...and if you say, the proof is that Abraham fathered Ishmael and Isaac fathered Esau? You need to know that those parts of evil that the father sowed, Tarach, Abraham's father was an idolater, and when Abraham's soul came out, parts of it were contaminated with evil, but the kindness of Abraham overpowered the evil until Isaac came and separated by boiling with holiness and that is why Jacob [soul] came out pure."¹¹¹

How wonderful and deep are the ways of the Creator, Ishmael was the first born and only after him Isaac was born, so that Ishmael will filter out Terach's side of Abraham's soul that Abraham still carried inside, the final purification was done by Esau who was first born as well and then just after him Jacob was born filtered and pure. This demonstrates the physical and metaphysical laws of nature in inheritance, and the scientific experiment verifies all of this, and this is not the place to discuss this further. According to this, the selection of the forefather comes from the refinement of their personalities, from their obedient heart before God, the Torah is not racist, because this selection could have happened by others who were also qualified. And even so the selection of the sons would have come out for the same reason. If it became clear here, that the quality of the forefathers that adhered to them and if from the holiness of the nation itself. That idea which is strongly expressed in the words of our rabbis comes from Deuteronomy, "For you are a people consecrated to the LORD your God: the LORD your God chose you from among all other peoples on earth to be His treasured

¹¹¹ Halevi references here that this is an explanation for Genesis 49:3

people – great holiness upon you caused God’s selection of you.” (Seifri – Deuteronomy 14:2)

Between this and that, there is no reflection here of a racist ideology, and all the other peoples that want to sanctify in the holiness of the Torah and mitzvot are not forbidden or prevented from doing so. It is true that Israel merits the holiness from its forefathers, but the people [of Israel] do not perceive it more than a unique virtue in its holiness and this virtue accounts for its status. In the same way that Abraham cleansed and purified himself up to the point of knowing God, so every gentile can also join the kingdom of God. The proof of that can come from descents of converts, Shmiah and Avtalion, who were elevated to the highest levels of the Torah, and Rabbi Meir, the descents of Caesar Nero enlightened Israel in the ways of Torah.

5

The position and the standing of a convert from a foreign race that accepted upon himself the Torah and the beliefs of Israel status is not by any means less than the status from those descendants of Abraham, Isaac and Jacob. From the moment that the wings of belief were spread over him, therefore he is a Jew in every way and means.

It is enough to indicate that certain mishnah, “the convert brings the first-fruit offerings and he can not read, you can not say that God promised to our forefathers to bestow on us (Seder Zarim, Masechet Bichorim, Perek 1 Mishnah 4). The Rambam wrote that the *halachah* does not follow this mishnah but the convert can offer [the first fruits] and read, and it is also possible for [the convert] to say “to our forefathers to

bestow upon us” since the land of Israel was given to Abraham and he is the father both for converts as of Israel, as it is written “**Genesis 17:5** for I make you the father of a multitude of nations” , you are the father to the whole world, so when [the convert] prays between himself and between the synagogue, he is saying “Our God and God of our forefathers” even though his mother is not from Israel (refer to a commentary by our Rabbi Ovadia from Bartanurah)

Even though, the following *mishnah* says: “R. Eliezer ben Yaakov says that the daughter of converts will not married a descent of the priesthood until her mother will be from Israel,” and even though the law follows the opinion of R. Eliezer ben Yaakov, but it must be highlighted that it is not a principle defect connected to the concept of the status of the convert in Israel. But it comes from the arrogant behavior of the priestly families. We found such various attitudes of the priest toward Israel as well. There is absolutely no intention to discriminate against converts, because this *halahcha* is only at the outset, as Karo decided through a legal decision: “the male convert that marries a female convert and she gave birth to a daughter will not marry a priest at the outset...but if she has been married to a priest then marriage is valid (Even HaEzer, chapter 10, halachah 21). And if it was considered as a principle defect one could not be lienent post-factum since it is possible that their son can eventually become the High Priest.”¹¹²

Seemingly, [we encounter] another limitation in regard to converts becoming king over Israel: “Be sure to set as king over yourself one of your own people; you must not set a foreigner over you,” (Deuteronomy 17:15). It is explained in Sifrei (there) “until

¹¹² If it was so important, then the rabbis would have annulled the marriage since the marriage could lead to an unworthy high priest.

his mother will be from Israel,” since it is written that a complete “foreigner” is disqualified, but if his mother is from Israel then he considered your brothers. This is indeed a type of limitation but is it so hard to understand it and justify it? Even though we are not permitted to interpret the mitzvah according to our will, but in this case it is almost clear that for justified security reasons the torah forbid the anointing of a complete foreigner, a son of mother and father converts as a king over Israel. Because, how can we be confident in a person when this person discovers his true origin and to which nationality he originates from, will come to terms with his parents actions. Maybe he will not be in total agreement with beliefs of his newly adopted nation. That can be a security risk to assign to such high key positions to the son of foreigners and at least it is required that his mother will be from Israel and then this case the situation will be balanced (because the mother that was referred to in Sifrei and the reference to the mother was excessive and therefore it is clear that if his father is from Israel it is lawful, please refer to Masechet Yevamot, page 102A¹¹³ (an the Kesef Mishnah responding Rambams’ Laws of the King 6:4). Therefore our sages expanded this limitation not to kings only but to all the government position and empowered the people who held them to great powers over a large jurisdictions. Isn’t it that way that other nations do in their own countries? And isn’t it that we learn from our past and recent experiences how great the danger is? But from here forward there is no limitation to the converts which come

¹¹³ “A proselyte may, according to Pentateuchal law, sit in judgment on a fellow proselyte, for it is said in the Scriptures, Thou shalt in any wise set him king over thee, whom the Lord thy God shall choose; one from among thy brethren shalt thou set king over thee; only when set over thee is he required to be one from among thy brethren; when, however, he is to judge his fellow proselyte he may himself be a proselyte. If his mother was an Israelitish woman he may sit in judgment even on an Israelite. In respect of *halizah*, however, [no man is eligible as judge] unless both his father and his mother were Israelites for it is said, And his name shall be called in Israel.”

under the wings of the Shechinah. Furthermore, when a convert will marry an Israelite woman or a female convert will marry an Israelite man their descendents will be considered Israelite in everyway, even toward priesthood and royalty.

If we will look carefully at everything that is mentioned here, we will come to a simple conclusion that not only that there is not a shred of racism in the Torah of Israel, instead the opposite is true. Therefore sociological researchers came to the conclusion “that you can not find in the people of Israel uniform physical characteristics.” Because these characteristics can not be in a people that is far from racist teachings, but “it is possible to find similar spiritual characteristics among the people of Israel,” due to the fact that the Torah of Israel can be pedantic regarding the purity of the soul – not the race, and the convert in Israel that his physical characteristics are basically different from the seed of Israel, purified and sanctified by the holiness of the Torah and its commandments up to a point that one can not distinguish any more between the characteristics of the [convert’s] soul to those of those of the nation that he chose.

6

The path of Rabbi Yehudah Halevi is different regarding his understanding of the national essence of the Jewish people. When he was requested to explain the foundations of his beliefs, he began by stating:

[We] believe in the God of Abraham, Isaac and Israel, who led the children of Israel out of Egypt with signs and miracles; who fed them in the desert and gave them the land, after having made them traverse the sea and the Jordan in a

miraculous way; who sent Moses with His law, and subsequently thousands of prophets, who confirmed His law by promises to the observant, and threats to the disobedient. Our belief is comprised in the Torah – a very large domain. (The First Part of the Kuzari, 11) Then the Khazari: In terms about which I am quite clear, and to these I could add others which were at first rather doubtful, but are no longer so. The Rabbi: In this way I answered thy first question. In the same strain spoke Moses to Pharaoh, when he told him: ‘The God of the Hebrews sent me to thee,’ viz. the God of Abraham, Isaac and Jacob. For Abraham was well known to the nations, who also knew that the divine spirit was in contact with the patriarchs, cared for them, and performed miracles for them. He did not say: ‘The God of heaven and earth,’ nor ‘my Creator and thine sent me.’ In the same way God commenced His speech to the assembled people of Israel:” ‘I am the God whom you worship, who has led you out of the land of Egypt,’ but He did not say: ‘I am the Creator of the world and your creator.’ Now in the same style I spoke to thee, a Prince of the Khazars, when thou didst ask me about my creed. I answered thee as was fitting, and is fitting for the whole of Israel who knew these things, first from personal experience, and afterwards *through uninterrupted* tradition, which is equal to the former (Halevi, Part One #24-25). The Khazari: If this be so then your belief is confined to yourselves? The Rabbi: Yes; but any Gentile who joins us unconditionally shares our good fortunes, without, however, being quite equal to us. If the Law were binding on us only because God created us, the white and the black man would be equal, since He created them all. But

the Law was given to us because He led us out of Egypt, and remained attached to us, because we are the pick of mankind (Halevi, Part One #26-27).

In other words, we didn't become a chosen people because we received the Torah only, the opposite, we were the chosen people and therefore we were worthy of receiving the Torah and we merited joining God's presence.

In which way did Rabbi Yehudah Halevi express the virtues of Israel?

Bear with me a little while that I show the lofty station of the people. For me it is sufficient that God chose them as his people from all nations of the world, and allowed his influence to rest on all of them, and that they nearly approached being addressed by Him. It even descended on their women, among whom were prophetesses, whilst since Adam only isolated individuals had been inspired till them. Adam was perfection itself, because no flaw could be found in a work of a wise and Almighty Creator, wrought from a substance chosen by him, and fashioned according to his own design. There was no restraining influence, no fear of atavism, no question of nutrition or education during the years of childhood and growth; neither was there the influence of climate, water or soil to consider. For he created him in the form of an adolescent, perfect in body and mind. The soul with which he was endowed was perfect; his intellect was the loftiest which it is possible for a human being to possess, and beyond this he was gifted with the divine power of such high rank, that it brought him into connection with beings divine and spiritual, and enabled him, with slight reflection, to comprehend the great truths without instruction. We call him God's son, and we call all those who were like him also sons of God. He left many children, of

whom the only one capable of taking his place was Abel, because he alone was like him. After he had been slain by Kain through jealousy of this privilege, it passed to his brother Seth, who also was like Adam, being [as it were] his essence and heart, whilst the others were like husks and rotten fruit. The essence of Seth, then passed to Enosh, and in this way the divine influence was inherited by isolated individuals down to Noah. They are compared to the heart; they resembled Adam, and were styled sons of God. They were perfected outwardly and inwardly, their lives, knowledge and ability being likewise faultless. Their lives fix the chronology from Adam to Noah, as well as from Noah to Abraham. There were some, however, among them who did not come under divine influence, as Terah, but his son Abraham was the disciple of his grandfather Eber and was born in the lifetime of Noah. Thus the divine spirit descended from the grandfather to the grandchildren. Abraham represented the essence of Eber, being his disciple, and for this reason he was called *Ibri*. Eber represented the essence of Shem, the latter that of Noah. He inherited the temperate zone, the centre and principal part of which is Palestine, the land of prophecy. Japheth turned towards north, and Ham toward south. The essence of Abraham passed over to Isaac, to the exclusion of the other sons who were all removed from the land, the special inheritance of Isaac. The prerogative of Isaac descended on Jacob, whilst Esau was sent from the land which belonged to Jacob. The sons of the latter were all worthy of the divine influence, as well as of the country distinguished by the divine spirit. This is the first instance of the divine influence descending on a number of people, whereas it had previously

only been vouchsafed to isolated individuals. Then God tended them in Egypt, multiplied and aggrandized them, as a tree with a sound root grows until it produces perfect fruit, resembling the first fruit from which it was placed, viz. Abraham, Isaac, Jacob, Joseph and his brethren. The seed further produced Moses, Aaron, and Miriam, Bezaleel, Oholiab, and the chiefs of the tribes, the seventy Elders, who were all endowed with the spirit of prophecy; then Joshua, Kaleb, Hur, and many others. Then they became worthy of having the divine light and providence made visible to them. If disobedient men existed among them, they were hated, but remained, without doubt, of the essence inasmuch as they were part of it on account of their descent and nature, and begat children who were of the same stamp. An ungodly man received consideration in proportion to the minuteness of the essence with which he was endowed, for it reappeared in his children and grandchildren according to the purity of their lineage. This is how we regard Terah and others in whom the divine afflatus was no visible, though, to a certain extent, it underlay his natural disposition, so that he begat a descendant filled with the essence, which was not the case with all the posterity of Ham and Japhet. We perceive a similar phenomenon in nature at large. Many people do not resemble their father, but take after their grandfathers. There cannot consequently, be any doubt that this nature and resemblance was hidden in the father, although it did not become visible outwardly, as was the nature of Eber in his children, until it reappeared in Abraham.

96. Al Khazari: this is the true greatness, which descended direct from Adam. He was the noblest creature on earth. Therefore you rank above all the other inhabitants of the earth. But what of this privilege at the time when that sin was committed?

97. The rabbi: All nations were given to idolatry at that time. Even had they been philosophers, discoursing on the unity and government of God, they would have been unable to dispense the images, and would have taught the masses that a divine influence hovered over this image. Which was distinguished by some miraculous feature. Some of them ascribed this to God, even as we to-day treat some particular spots with reverence, going so far as to believe ourselves blessed by their dust and stones. Others ascribed it to the spiritual influence of some star or constellation, or of a talisman, or to other things of that kind. The people did not pay so much attention to a single law as to a tangible image in which they believed. The Israelites had been promised that something visible would descend on them from God which they would follow, as they followed the pillars of cloud and fire when they departed from Egypt. This they pointed out, and turned to it, praising it, and worshipping God in its presence. Thus they also turned towards the cloud which hovered over Moses while God spake with him; they remained standing and adoring God opposite to it. Now when the people had heard the proclamation of the Ten Commandments, and Moses had ascended the mount in order to receive the inscribed tables which he was to bring down to them, and then make an ark which was to be the point towards which they should direct their gaze during their devotions, they waited for his

return clad in the same apparel in which they had witnessed the drama on Sinai, without removing their jewels or changing their clothes, remaining just as he left them, expecting every moment to see him return. He, however, tarried forty days, although he had not provided himself with food, having only left them with the intention of returning the same day. An evil spirit overpowered a portion of the people, and they began to divide into parties and factions. Many views and opinions were expressed, till at last some decided to do like the other nations, and seek an object in which they could have faith, without, however, prejudicing the supremacy of him who had brought them to of Egypt. On the contrary, this was to be something to which they could point when relating the wonders of God, as the Philistines did with the ark when they said that God dwelt within it. We do the same with the sky and every other object concerning which we know that it is set in motion by the divine will exclusively, and not by an accident or desire of man or nature. Their sin consisted in the manufacture of an image of a forbidden thing, and in attributing divine power to a creation of their own, something chosen by themselves without the guidance of God. Some excuse may be found for them in the dissension which had broken out among them, and in the act that out of six hundred thousand souls the number of those who worshipped the calf was below three thousand. For those of higher station who assisted in making it an excuse might be found in the fact that they wished to clearly separate the disobedient from the pious, in order to slay those who would worship the calf. On the other hand, they sinned in causing what was only a sin of intention to become a sin in deed. This sin was not on a par with an entire lapse from all obedience

to Him commands was violated by them. God had forbidden images, and in spite of this they made one. They should have waited and not have assumed power, and have arranged a place of worship, an altar, and sacrifices. This had been done by the advice of the astrologers and magicians among them, who were of opinion that their actions based on their ideas would be more correct than the true ones. They resembled the fool of whom we spoke, who entered the surgery of a physician and dealt out death instead of healing to those who came there. At the same time the people did not intend to give up their allegiance to God. On the contrary, they were, in theory, more zealous in their devotion. They therefore approached Aaron, and he desiring to make their plan public, assisted them in their undertaking. For this reason he is to be blamed for changing their theoretical disobedience into a reality. The whole affair is repulsive to us, because in this age the majority of nations have abandoned the worship of images. It appeared less objectionable at that time, because all nations were then idolaters. Had their sin consisted in constructing a house of worship of their own, and making a place of prayer, offering and veneration, the matter would not have been so grave, because nowadays we also build our houses of worship, hold them in great respect, and seek blessing through their means. We even say that God dwells in them, and that they are surrounded by angels. If this were not essential for the gathering of our community, it would be as unknown as it was at the time of the kings, when the people were forbidden to erect places of worship, called heights. The pious kings destroyed them, lest they be venerated beside the house chosen by God in which He was to be worshipped according to His

own ordinances. There was nothing strange in the form of the cherubim made by his command. In spite of these things, those who worshipped the calf were punished on the same day, and three thousand out of six hundred thousand were slain. The manna, however, did not cease falling for their maintenance, nor the cloud to give them shade, nor the pillar of fire to guide them. Prophecy continued spreading and increasing among them, and nothing that had been granted was taken from them, except the two tables, which Moses broke. But then he pleaded for their restoration; they were restored, and the sin was forgiven. 98.

The Khazari: The theory I had formed, and the opinion of what I saw in my dream thou now confirmest, viz. that man can only merit divine influence by acting according to God's commands. And even were it not so, most men strive to obtain it, even astrologers, magicians, fire and sun worshippers, dualist etc."

7

The foundation of his method is that the choosiness of the nation of Israel is their inheritance from the days of Genesis, from the day that God created the first person, that he stamped upon him all the possible perfections in humankind and the divine qualities passed from father to son till Abraham, Isaac, Jacob and their sons and from them to all the nation of Israel. This [divine quality] is the prophecy given in the land of prophecies.¹¹⁴ Here we learn that the essence of the qualities of Israel has been their adherence to their Divine element through prophecy, that they inherited from the first

¹¹⁴ According to Yehudah Halevi, prophecy can only be given in the Land of Israel.

man (Adam), and therefore: “Moses invited only his people and those of his own tongue to accept his law,” (Part One of the Khuzari #101). The person who adheres to this way him and his progeny will be granted a major part in nearness to God, Blessed be He, Those, however, who become Jews do not take equal rank with born Israelites, who are specially privileged to attain prophecy, whilst the former can only achieve something by learning from them, and can only become pious and learned, but never prophets.” (Part One of the Khuzari #115).

This theory of Rabbi Yehudah Halevi, was pointed out by those who opposed him as racist. From the first appearance it seems like they are correct, that he prefers the people of Israel to have characteristic traits of a special racial inheritance that do not and can not exist in other nations, and even not exist in converts that follow the house of Israel. Here after we will demonstrate that it is not as it is seen at first glance, but before we should prove that this theory of Rabbi Yehudah Halevi, is not firmly based on the foundation of the teachings of our Rabbis, whose water we drink.

Not only that, we have not found based on the teachings of our Sages in any place, that prophecy does not sit upon converts, instead it is possible to prove from their teachings the opposite from [what Halevi] said. Thus it is said in the Gemorah: “Why did Obadiah (who was a convert) attain the gift of prophecy? — Because he hid a hundred prophets in caves,” (Sanhedrin 39B).¹¹⁵ And even though one can dispute this claim based on the fact that the phrase in the Talmud that was expressed as a question and so it

¹¹⁵ From this narrative it appears that the Rabbis of the Talmud identified Obadiah, the governor of Ahab's household with the Obadiah of the minor Prophets. “R. Isaac said: Why did Obadiah attain the gift of prophecy? — Because he hid a hundred prophets in caves, as it is written, For it was so when Jezebel cut off the prophets of the Lord that Obadiah took a hundred prophets and hid them, fifty in a cave. Why just fifty? — R. Eleazar said: He learnt this lesson from Jacob, as it is written, ‘Then the camp which is left shall escape. R. Abbahu said: It was because the one cave could not hold more than fifty.’”

seems also from Rashi's interpretations: "why did Ovadiah attain the gift of prophecy, afterall he was a convert and the Shechinah descends only upon the elect among the Israelites as it says in Scripture, 'to be God to you and to your offspring to come' (Genesis 17:7)."¹¹⁶ But, the decisive approach of Rabbi Yehudah Halevi claims that such a possibility does not exist at all, this in contrast to the teachings of our Rabbis that said, "Because he hid a hundred prophets," which is opposite to [Halevi's] theory of prophecy that only people from the same race can inherit Divine element that adhered to his forefather's only.

And even Rashi's explanation and foresight are not required, indeed God has a covenant with Abraham to place upon his progeny His Shechina, but from where do we learn that we must [negate the option of the prophetic quality from the stranger]? We must learn that strangers who comes and joins the house of Israel agreed to accept upon themselves the same covenant that God create with Abraham. And more so in Tractate Yevamot 42a they taught based on this verse: "a distinction must be made between the seed of the first husband and the seed of the second..." And there Rashi [himself] interpreted: "In the next generation after you, the Shechina will not lay upon you, but only upon the person whose progeny is very privileged," were they talking about prophecy?! Even though Rashi had to question that, because the question from the Gemora is not completely clear – "for what was the reason that Ovadiah merited [receiving the gift of] prophecy?"¹¹⁷ – not due to the fact that he was a convert, but the Gemorah can simply be explained since it was known that Ovadiah was never of the

¹¹⁶

¹¹⁷ Yevamoth 39a

descendents of the prophets. His prophecy came surprising without any early spiritual preparation that the prophet required, and to that [problem the Gemarah] answered, because he hid a hundred prophets in caves, and without any doubt, this was a big privilege that caused him to merit the inspiration of prophecy. [and that is the reason for the question to begin with, since his prophecy came about so suddenly and without preparation that the Gemora questions his ability to receive prophecy in the first place.]

And even the essence of the theory of Rabbi Yehudah Halevi, that the receiving of the Torah in Israel had to be the result of them being chosen – it can not be found in the teachings of our rabbis as they said that God tried to court different nations, Blessed He, attempted to offer the Torah to every other nation and none accepted it as it says: “This teaches us that the Holy One, blessed be He, offered the Torah to every nation and every tongue, but none accepted it” (Avodah Zarah 2b). But on the other side we found from the legends of our Sages opinions that supports Rabbi Yehudah Halevi: “From the time that Israel received the Torah all the other nations of the world envied them, what did they see to draw near from all the other nations, the Holy One Blessed be He closed their mouths and told them (non-Jews), bring me the book of your ancestry the same way that my children (Israel) bring, and therefore He did not give them the commandments (Torah), [all this is to say] that Israel did merit due to their genealogy.” (B’midbar or Numbers Rabbah Chapter 1). This legend contradicts the foundation of the previous legend that is quoted here, and it assists the theory of Rabbi Yehuda Halevi, that there is a connection between the receiving of the Torah and between the “lineage,” even though you can define this “lineage” simply, that kept the purity of the family and of their forefathers.

In any case there is nothing from the teachings of our Sages [on which to place] a fundamental principle, to base on it the view of Rabbi Yehudah Halevi. Oppositely the opinion of Maimonides to this question is very clear. [Maimonides] is the teacher of the principle of the “the unlimited rule of intellect,” never mentioned in all of his many writings the special status of the nation of Israel. In his letter called “the Letter to Yemen,” he portrayed in one short sentence his opinion of Israel among the nations: “by this Torah the Creator distinguished us from the rest of the people in the world.” Not a special inherit quality of the people that caused them to receive the Torah, instead only the fact of receiving the Torah made them distinguished. It is clear therefore that every stranger that received this Torah will be an equal citizen of Israel in everyway.

8

And even Rabbi Yehudah Halevi’s opinion on Israel seems like it is discriminating against converts at least regarding prophecy – when he comes to explain the reason of the problem that Israel has in the Diaspora, he drifts into the vision of the ‘end of days’ and assigns to the whole world, to adhere to the Divine Influence. That this according to his method is the main foundation of the Godliness inheritance in the state of Israel: “Now we are burdened by them, whilst the whole world enjoys rest and prosperity. The trials which meet us are meant to prove our faith, to cleanse us completely, and to remove all taint from us. If we are good, the Divine Influence is with us in this world” (Part Two, Halevi’s *The Kuzari* #44). Even he confesses, that the future of the whole world restored, then the Divine Influence will cling to [all of humanity].

The meaning is: that the nationalistic approach of Rabbi Yehudah Halevi is not in order to limit [and exclude the non-Jews] but the purpose of this approach is to widen and perfect for [it] to be universal.

So a little discrimination of the convert in this reality, will be corrected in the ‘days to come,’

How wonderful is his parable regarding the exile of Israel. and everyone will be a fruit.

So in the same level that Israel [exists in the world], and thus from here is Rabbi Yehudah Halevi even from any racist point of view. (((Fourth Essay from Halevi, #23, translate as is, but check the foot note)))

Originally the word of Rabbi Yehudah Halevi, were the words of our sages: R. Eleazar also said: The Holy One, blessed be He, did not exile Israel among the nations save in order that proselytes might join them, for it is said: And I will sow her unto Me in the land;²⁰ surely a man sows a se'ah in order to harvest many kor! (Pesachim 87B). And it is not necessary to understand Rabbi Eleazar's words, a true “convert,” and also within Judaism, there is no passion for conversion, and [R. Eleazar] means through his words to spread the reality of God's name amongst the nations, and to bring them closer to the value of the Torah of Israel, and thus one can understand from Maimonides words about the Messiah (Halchot Malachim the end of chapter 11): “and he fixed the entire world so that it will pray for God together for it says, then I will turn the nations into a clear language for everyone to call in the name of God and pray as one.”

The relationships of the prophets of Israel to the nation of the world expressed in the fact that they gave them prophecies and predicted their future. In this the Torah highlighted the importance of how [Israel] treats the nations of the world and their national destiny like it said clearly above, but in the prophecy of Isaiah that is part of the vision of 'the end of days,' reflect on the vision of the prophecy of the values and destiny of the future of the nation: "In that day, Israel shall be a third partner with Egypt and Assyria as a blessing on earth; for the LORD of Hosts will bless them, saying, "Blessed be My people Egypt, My handiwork Assyria, and My very own Israel" (Isaiah 19:24-25). Egypt and Assyria symbolizes the Superpowers that aspire to rule the world in the past and in the present cause a lot of suffering and misery for the smaller nations and most of all, misery for the people of Israel. You can relate the misery of Israel to the competition between the superpowers that bring indirectly to will of Israel's small neighboring countries [of Israel] to destroy and cause their extinction. But for the future our holy prophets predict world peace between the superpowers (that in his time was between Egypt and Assyria), following the peace will come "blessing among the land," and the prophet arrives to the peak of his enthusiasm when God, Lords of Hosts, will bless His world, "Blessed be My people Egypt, My handiwork Assyria, and My very own Israel" (Isaiah 19:25). In the world that exists in a state of peace and harmony it is possible to count Israel as a friend to the superpowers, because by merit of Israel's spirit, Israel is like a superpower.

But in the meantime an significant prayer is recited by Israel and this prayer is one of the prayers is part of the High Holiday liturgy:

“And therefore, O Lord our God, let Thine awe be manifest in all Thy works, and a reverence for Thee fill all that Thou hast created, so that all Thy creatures may know Thee, and all mankind bow down to acknowledge Thee. May all Thy children unite in one fellowship to do Thy will with a perfect heart; for we know, O Lord our God, that dominion is Thine, that Thy might and power are supreme, and that Thy name is to be revered over all Thou hast created.”¹¹⁸

This prayer is a prayer that all humankind will return to God full heartedly. And indeed when the world will merit, a time will come to the second stage

“And therefore, O Lord, grant glory to Thy people who serve Thee, praise to those who rever Thee, hope to those who seek Thee, and confidence to those who yearn for Thee. Bring joy to Thy land, gladness to Thy city, renewed strength to the seed of David, and a constant light to Thy servants in Zion.”¹¹⁹ And only then the people of Israel will also be rewarded with the understanding of the value of His righteous and the pious.

“And therefore, the righteous shall see and be glad, the just exult, and the pious rejoice in song, while iniquity shall close its mouth and all wickedness shall vanish like smoke, when Thou removest the dominion of tyranny from the Earth.”¹²⁰

All this will happen when God’s reign will be resorted over the whole world.

“You will reign, O Lord, speedily through your deeds, On Mount Zion your holy *mishcan* and in Jerusalem Your holy city, as it is written: God will reign forever in Zion, for all generations, *halaluyah*”

¹¹⁸ High Holiday Prayer Book, worship services for Rosh Hashanah and Yom Kippur with Explanatory Notes, Supplementary Prayers, Meditations, and New Readings compiled and arranged by Rabbi Morris Silverman; The United Synagogue of America, the prayerbook press, 1951, p.152

¹¹⁹ Ibid. p.152

¹²⁰ Ibid. p.152

The people of Israel, are far from a racist point of view, Israel perceives the universal happiness and peace [that will come] at the ‘end of days,’ we see all the above as connected to the elevation of the whole world and humankind to Israel’s level of consciousness, values, magnificent faith, all of which is the essence of Israel’s national calling and: “And the Lord shall be King over all the earth; on that day the Lord shall be One, and His name one.”¹²¹

¹²¹ High Holiday Prayer Book, worship services for Rosh Hashanah and Yom Kippur with Explanatory Notes, Supplementary Prayers, Meditations, and New Readings compiled and arranged by Rabbi Morris Silverman; The United Synagogue of America, the prayerbook press, 1951, p.176 (Aleinu)

Chapter 10

The Unconditional Love of Israel¹²²

The covenant between God and the Jewish people was dear to all the prophets of Israel. The prophet preached that a condition of the covenant that God made with the Jewish people was [the people's] return and adherence to the Torah and mitzvot. None of the prophets threatened the people with destruction and exile from within himself or based on his own reasons, in spite of the fact that the people broke from the covenant with God and began worshipping Baal and Asherah. Even Eliyahu HaNavi, the most zealous among the prophets that arose to Israel. (as his own testament regarding himself: "I am moved by zeal for the LORD, the God of Hosts, for the Israelites have forsaken Your covenant, torn down Your altars, and put Your prophets to the sword. (1 Kings 19:10). He never uttered the threat of destruction. And on the contrary when "King Benhadad of Aram gathered his whole army; thirty-two kings accompanied him with horses and chariots. He advanced against Samaria, laid siege to it, and attacked it (1 Kings 20:1). It says: "Then a certain prophet went up to King Ahab of Israel and said, "Thus said the LORD: Do you see that great host? I will deliver it into your hands today, and you shall know that I am the LORD." (1 Kings 20:13). That prophet did not conclude that when the people will leave the covenant with God, then God will leave the covenant with them. And in the name of God, the same prophet faced the same sinner and criminal king (that about him it was said, "Indeed, there never was anyone like Ahab, who committed

¹²² From the article in "Tzofeh" June 1964 it was a period of extreme unrest related to religion and state

himself to doing what was displeasing to the LORD,” (1 Kings 21:25). And he wished him a military victory and he continued to encourage him to further victories in the future before the end of the year). This is not a solitary incident, it is only one example to the devotion of the prophets of Israel to their people and their country, because when they were speaking, it was as if God was speaking, and what they were not commanded to say, they did not say, even though they felt the pain of breaking off the covenant that God made with His nation.¹²³

Just when the decree was decreed from On High, then it was said, “I will wipe Jerusalem clean as one wipes a dish and turns it upside down.”¹⁴ And I will cast off the remnant of My own people and deliver them into the hands of their enemies. They shall be plunder and prey to all their enemies¹⁵ because they have done what is displeasing to Me and have been vexing Me from the day that their fathers came out of Egypt to this day.”¹⁶ Moreover, Manasseh put so many innocent persons to death that he filled Jerusalem *with blood* from end to end -- besides the sin he committed in causing Judah to do what was displeasing to the LORD.” (2 Kings 21:13-16). And even afterward when a righteous king as Josiah arose, that “There was no king like him before who turned back to the LORD with all his heart and soul and might, in full accord with the Teaching of Moses.” (2 Kings 23:25). That was without a doubt an act which delighted the heart of the prophets of Israel and the believers of the Torah, but this fact did not change anything in the prophets attitude, and they continued to prophesize in the name of God, “I will also banish Judah from My presence as I banished Israel” (2 Kings 23:27). For it is true

¹²³ The prophets themselves would never say anything regarding destruction, but only when decreed by God.

to their words, even when they cheered their people and promised them victories and even they prophesized destruction and exile, not from their hearts did they speak, not that they changed anything in their association because they continued to preach in the name of God, “I will also banish Judah from My presence” (2 Kings 23:27). Because all of what they say is true, even when they cheered the people and they prophesized for the people great victories or when they prophesized for them great exiles, not from their hearts did spoke but in the name of God. Their own furry, their pain and their despair over [the people’s] abandoning the ways of God, [the prophets] never reached the point of hatred toward the people and the country, which they loved strongly.

Prophecies of destruction [by the prophet of Israel] caused them great grief and pain, and even the irate prophet Jeremiah, whose prophecis about the destruction still cause hairs to be raised till today, who, following each revelation of destruction, used to accompany so it seems every vision of destruction with a prayer to God for the people, until he was commanded, “As for you, do not pray for this people, do not raise a cry of prayer on their behalf; for I will not listen when they call to Me on account of their disaster” (Jeremiah 11:14).

This phenomena begs for an explanation, the independence of the people and the country, or their destruction, God forbid, are not given to the heart and the feelings of a person. Only a prophet in the name of God is allowed to tell the people what he was commanded to say (and even then he carries prayers and song for the people). He understands, that without a decree of destruction from above there is no destruction, and even when it is logical to defer that [destruction] must happen. Above all doubt, the love

of the people of the country, even if they are criminals and transgressors, guided and instructing this irate prophet.¹²⁴

The healthy feeling of every person that the Torah and visions of the Israelite prophet are directing his way of life, has to be a complete love, unlimited and unconditional. Of course that the phenomena of desecrating the mitzvot of the Torah and violation of the covenant of God with His people, caused the religious people in Israel tremendous pain, but God forbid, never effected the amount love for Israel, Israel the people and Israel the nation. (in another places I already proved in great length from halachic sources that the hate of a person from Israel, even if omitting a commandment from the Torah was never permitted, and this is the case in regard to the state.) Not only for those who believe that the state of Israel is a product of God's will and His providence, and the state signifies the "beginning of redemption," but even those who don't mean to think that way and see the country as a human creation, the fruit of a huge effort of two generation – even those are not allowed to start to hate the state, the state of the people of Israel, and especially not even to hate an individual from Israel.

Its understandable that it is forbidden to even think of the punishment of destruction that seemingly is waiting to the people and the country that do not adhere to the mitzvot of the Torah as was proven just now, and especially thoughts like that can

¹²⁴ Prophets were patriots in this section

bring [a person to] hate, God forbid, those who in one's misguided imagination can cause allegedly the destruction of [Israel].

There is no doubt that for a religious person¹²⁵ that the holiness of the Torah and mitzvot and commandments are deeply engraved in his consciousness, spiritual elevations are needed in order to love the secular country. Not only that but it is his duty to love that [secular state]. Even more his religious consciousness that is based on Torah and the prophetic visions will deepen his love [to the state] when he will make an effort to enlighten the ways of the misguided and to provide them the light of the Torah exactly as humanity treats its patients which is foolishness to hate them, humanity does not save any effort to heal them to rehabilitate them. So is the case with the illness of faith, it is an obligation of the faithful to heal the other. And maybe this is the deep meaning of the verse: "You shall not hate your brother in your heart," and if you think that he is a transgressor then, "reprove your kinsman" barren hatred does not improve the case "but incur no guilt because of him," to teach you that abstinence from the reprove is sin (Leviticus 19:17).

Not all the masses of the people are able and can rise to the level of the prophets of Israel at their time. The average person that is religiously conscious, even the deepest is very limited in their basic contents, he is not capable of understanding in his simple mind, how you can separate between the essence of Israel and their Torah, because from his point of view Israel and the Torah are one. Sadly bigger and better people are accepting that incorrect view, without going deeply to the meaning of the separation between the love of Israel and his country and the painful and irritating reality.

¹²⁵ The religious person's love to God will deepen,

On the other hand, even the public who is called not religious is instructed to accept the religious segment and to be sensitive to the beliefs [of the religious]. The “status quo” in relation of religion and country is not a healthy thing in and of itself, but for now it is necessary even if it is minimally bad. A new generation will rise in Israel (in the state), that will nourish in all their conscious and understand the destiny of their nation, in the land of their forefathers and maybe will be able to fundamentally solve the problem. But for now, it is important to remember that there is a religious public that exists whose fundamental tenants of the Torah are embedded within the their conscious:

- 1) Shabbat in the public sphere
- 2) A kosher kitchens of any state run institution on land, sea and air
- 3) The sanctity of marriage life

In truth, the non-believers is not moved by those ideas, that as far as he is concerned are obsolete, it can be assumed that all the explanations will not convince him. (that non-believer must be educated before anything to the faith in the fundamentals and it can be done but this is a unique separated issue and this is not the place to expand on it.) But it is a necessity that the segment of the country that does not believe will be convinced at least that the segment that does believe and is religious will not be able to see in this generation, (even if not correctly) a generation that continues the chain of the magnificent generations of the nation of Israel. And if one will ask a question, and why does a non-religious community must continue an obligation that has no interest to him? Also for

this we must answer out of love: the religious community gave from his blood and might for the creation of the country, and he wants to live there with the feeling of a good and warm “home,” and he even wants to give his life for the country when time requires so. Is it possible that this religious community which indeed is a minority, but a large minority in quantity and quality, carries the same heritage of the forefathers, the generations of Israel, will live his life with the feeling that he is in exile. And therefore the character of the public sphere must be kept as a state of Israel truthful to its origins and roots. In contrast the religious community already completely gave up on the matters of the private sphere. The religious community does not intend to enforce the 613 mitzvot that are in the Torah over the state, this aspiration is connected to the rules governing the messianic time, which we have to strive for, but the religious community is interested to keep the national religious character of the state of Israel in order to perceive it as the beginning of our redemption and to devote all his heart and soul to the nation and to its immense historic tasks facing this generation until the ultimate redemption will come.

Chapter 11

Destruction and Redemption

“The kings of the earth did not believe, Nor any of the inhabitants of the world, That foe or adversary could enter The gates of Jerusalem.” (Lamentations 4:12)

Lets think about this: why didn't the leaders of the nations, the inhabitants of the earth, not believe in the possibility that an enemy could enter into the gates of Jerusalem, here are many military defeats that Israel suffered from the hands of its neighbors before the destruction, and why was it believed to be so impossible that they did not even desire to believe [that the enemy will come to the gates of Jerusalem].

“What caused the loss of the Land of Israel – Historians know how to respond immediately: there is nothing wonderful or surprising about the double destruction of Judah. The Holocaust which came and was repeated twice was like a natural process. It was not out of the question that Judah would fall as well to the global power of Assyria which was spreading in all directions. Could small Judah withstand against the great legions of Rome? The geographic location of Israel was against her survival as well. Judah was situated on the boarder between East and West. And it was obvious that it would be crushed between the two global powers. It would have been a miracle from heaven if it would even succeed to simply withstand [these external pressures]. The fact that Judah was not destroyed was not in itself a miracle, but the existence of the country

in a period of a thousand years was the miracle. While Judah existed, it did so without a basic natural foundation. All the development of the nation of Israel, and its entrance into the coterie of nations as an independent country without the power to govern and without any chance of alliances and agreements with other countries, those were considered miracles too. This nation was different and totally opposite in comparison to the other remaining countries. Therefore Judah ceased naturally when the miracle of its existence also ceased” (Rabbi S.R. Hirsh, In the Turning of the Years 4)¹²⁶

This idea does not with stand the test of scrutiny. Even a perfunctory reading in the book of Kings, proves that Assyria and Babylonia did not target at all the destruction of Jerusalem and its Temple, to exile its people and totally destroy the kingdom of Israel. The kings of Israel in their political mishandlings, take an active part in the struggle between north and south regarding regional control, and by them joining the uprising headed by Egypt against Babylonia, they caused the destruction of their country and their people (Please refer to my article earlier in this book of “The Neutral Policy”). When the Jehoiachin, the King of Judah, did not agree to fall under the rule of Babylonia, who at that time had defeated Egypt and ruled the area to the Mediterranean Sea, the destruction of Jerusalem actually started, and the second uprising of Zedekiah completed the destruction (2 Kings 24-25). Even so everything was according to the will of God, “To remove Judah from before God because of the sin of Menasheh.” But in our interest, it is important to understand the punishment as a result of Menasheh’s sin, using political mistake, that if there was not a rebellion in Babylonia then Jerusalem would not have

¹²⁶ I attempted to locate this translation from Hirsch’s works without success, therefore this is my translation of the Hebrew text that Halevi was using.

been destroyed. In any case, just the fact that the existence of Judah did not need a miracle that big, because that was not the aspiration of Babylonian to destroy the kingdom of Judah, only to bring it under its jurisdiction, and even God's prophet prophesize to that. "Put your necks under the yoke of the king of Babylon; serve him and his people, and live!" (Jeremiah 27:12). And so it was in the destruction of the Second Temple, Rome did not ever aspire to destroy the kingdom of Judah, as long as Judah was able to withstand the rule of Rome, Judah could exist as all the other countries which fell under the boots of Roman rule. And if the leaders of the generation of the destruction would have listened to the advice of the Scholars of Israel (Gittin 56), then Jerusalem would not have been destroyed and the kingdom of Israel would not have been cut off. That says that the destruction was not necessarily the historical political reality. For life in Israel during the First and Second Temple period was not necessarily much different from the lives of Israel's other small neighbors who also struggled in the same political strife as Israel was, when the superpowers were fighting each other. And small differences that come from the character of other nations and the essence of their existence.

This and more, indeed the prophet himself confirms this in his calling: "The kings of the earth did not believe, Nor any of the inhabitants of the world, That foe or adversary could enter The gates of Jerusalem." (Lamentations 4:12). From here we can see the opposite, that the existence of the kingdom of Israel and its capital Jerusalem was in essence a historical reality in the eyes of other countries (here we will see why). Our rabbis exaggerate their explanations when they described the destruction of Jerusalem at

the hand of Babylonian as a deed [the Babylonians] did without a desire and without planning. (Lamentation Rabbah Section 4: 15)

This is not the framework to explain the words of our rabbis and the deepness of their creative expressions, but it is clear that the essence of their meaning is, that also the Babylonians knew well that if Jerusalem would fall into their hands, it would not be because of their military might, but as a result of the will of God, and those were the words of General Nevuzardan to Jeremiah after the destruction: The chief of the guards took charge of Jeremiah, and he said to him, "The LORD your God threatened this place with this disaster; ³ and now the LORD has brought it about. He has acted as He threatened, because you sinned against the LORD and did not obey Him. (Jeremiah 40:2-3). We do not have a need to simplify the following explanation: "Because they heard what Jeremiah was prophesying to them" (Radak and other commentators who agreed with him). But so they believed that the destruction of Jerusalem was impossible without the will of God. It is possible that [Jeremiah] felt that during the war.

“ Raba said: Nebuchadnezzar sent Nebuzaradan three hundred mules laden with iron axes that could break iron,³ but they were all shattered⁴ on a single gate of Jerusalem, for it is written, And now they attack its gate [lit., ‘door’] together: with axes and hammers they smite.⁵ He desired to return, but said, ‘I am afraid lest I meet the same fate which befell Sennacherib.’⁶ Thereupon a voice cried out, ‘Thou leaper, son of a leaper, leap, Nebuzaradan, for the time has come for the Sanctuary to be destroyed and the Temple burnt.’ He had but one axe left, so he went and smote [the gate] with the head thereof, and it opened, as it is written, A man was famous according as he had lifted up axes upon the thick trees.⁷ He hewed down [the Jews] as he proceeded, until he reached the Temple. Upon his setting fire thereto, it sought to rise up, but was trodden down⁸ from Heaven, as it is written, The Lord hath trodden down the virgin daughter of Judah [the Temple] as in a winepress.⁹ His mind was now elated [with his triumph], when a voice came forth from Heaven saying to

him, 'Thou hast slain a dead people, thou hast burned a Temple already burned, thou hast ground flour already ground, as it is written, Take the millstones, and grind meal: uncover thy locks, make bare the leg, uncover the thigh, pass over the rivers:'¹⁰ not 'wheat' but meal is said.¹¹¹²⁷

It is not if Aram, Tzor and Sidon, and Egypt, that fell into the hands of the Babylonians who were defeated as a result of the great military might over them, as if Judah, even though she was weak compared to the might of Babylonia itself even though, "...did not believe, Nor any of the inhabitants of the world, That foe or adversary could enter The gates of Jerusalem." (Lamentations 4:12). Instead if "The LORD your God threatened this place with this disaster; because you sinned against the LORD" (Jeremiah 40:2-3).

The connection between the sin and the punishment, of course in my opinion, is obvious and simple: "Leviticus 26" and "2 Kings 24-25"

The characteristics of the last verse that we copied are like two things that are overlapping, or that the second one came as a result of the first and it is practically the punishment since it looks like if he had not committed the sin he would not have been enticed to rebel, from here in essence the rebellion was the beginning of the punishment, or Nebuchadnezzar would not have attacked Zedekiah, since God Himself would have changed Babylonia's agenda from what actually happened, or it would have come up and

¹²⁷ Sanhedrin 96B

stumbled as Sennacherib did during his time. Therefore that was the example that troubled Nebuchadnezzar and Nabuzardan as was explained in the midrash which was copied here above.

The eve of Sennacherib's defeat in Jerusalem, in a miraculous and strange way, made first and foremost a huge and forceful impression upon Israel, that equals the commemoration the night of Passover as a holiday of freedom (Isaiah 30:29, please refer to the explanations of that verse for more detail). And that will be a sign in Israel for the rest of the nation, that in Jerusalem God defends Israel, and without His will there is no power that can subdue [any external threats]. But they will also know that the larger goal for God is the existence of His people and country, His cities and synagogues. And properly they distinguished when God commanded the execution of His position and instructed the execution of His position, and fulfilled His position, and when sins were committed against God, then He takes away His watchful position over them.

From that point of view we will more clearly understand the direct connection between the sin and its punishment, in a simple way, that will explain how and why God punishes His people using political and military turmoil.

“The people of Israel sinned against God...and God in turn was angry at Israel and allowed them to be plundered.” (שפנים ב'). The first verse in prophets that connects the sin with the punishment, and there were many more [verses] like this [which also

connected the sin to the punishment]. There is nothing mysterious here, the heart of the matter is that God seeks the enemies against Israel, but this not visible to the naked eye, what is visible appears as a natural process, but after investigation it is possible to see beyond.

When the people of Israel keep their covenant with God and it is pronounced in their ability to keep the Torah commandments. In all opinions the essence of the Torah is more holy and pure, more complete and elevated in ethics and exalted in nobility in holiness. And that point does not disappear from the eyes of the other countries who are Israel's neighbors, they can sense that this nation is not like them, they are elevate from the loathed ways of Egypt and Canaan, and Israel's ethics are more connected to their worship of the Holy of Holiness. Then they feel the protection of God over His people, that feels the position in Israel's boundaries (or His universe) the position of God's representative on Earth, "You shall be holy, for I, the LORD your God, am holy." (Leviticus 19:2). But in their senses they can feel when their religious feeling falls apart and their ethics as well, because transgressing in God's eyes is an expression of worshiping idols and sacrificing your children to the rulers and incestuous relations and corruption of morality and then the neighbors justifiably think that they can relate to Israel as any other nation as if [Israel's neighbor] are stronger. In a period of hundreds of years [this thought process] crept into the unconsciousness of the other countries. But in the meantime the life of the people of Israel, even with all the laws of that period of the degeneration of the religion, Israel was still more pure and noble then the neighboring countries. That level of ethics that in certain recent periods elevated and exalted the people of Israel above its neighbors, implanted in them the recognition that in any case

God's representatives of Jerusalem and its Temple were the greatest and strongest and therefore the kings of the land did not believe that the enemy can come and lay siege to the gates of Jerusalem. From here the description in the sayings of our rabbis that the destruction was almost forced on to our destructors.

It is nice to so as well, and mostly regarding our time period. The same Jewish values that were not even then part of Israel's heritage itself, that became the international cultural heritage, and the world knows that. That same Book of Books that the world received from Israel and those things are known and famous. And now, with the country of "Israel" (as a nation and a state) following the foot steps of wrong and deceiving teachers does not want to see itself as a continuation the old style Israel religion, with the huge spiritual load that is embodied in the Book of Books, therefore the world can not see it in any different light. If Israel breaks away from the Shabbat, from the kosher table, from modesty of the heart and soul of the nation, the world can not recognize Israel as the continent of the dynasty of that nation that presented to them the cultural values embodied with in the Book of Books. Oppositely, the image of "Israel" in our generation as a nation, and in our generation as a country, is pictured as an image in a new creation without a Jewish identity of the Tenach. "The problem worsened close to the six-day war. The Jewish world raised its voice against the Christian world, by saying that its forbidden for [the Christian world] to stand idle against the aspiration of the Arab countries to destroy Israel. The Christian naively asked: "what's the problem?" There was a lot of tension among the leaders of the various religions in the United States.

Rabbis blamed priests that the Christian position at a time of a great crisis is without ethics. And then they began asking, what is the actual connection between Israel and the Jewish religion?" (Maariv, 13 of Tammuz, 1968, or 9/7/68, p.16)¹²⁸

It seems that the world sees in Israel a new creation, which is based without a doubt in the UN resolution of 1948 with borders which were decided in that resolution. Our representatives to the UN approved [that resolution]. By omitting in their arguments all our past historical rights and all the prophetic promises for the future. Not consciously [the Israel representative to the UN] are right, because all the argument about Biblical inheritance and promises are not the same as the those religious values that the Bible itself based on our right to the country. Therefore it is a sad conclusion, but it is the true reality in light of the image of the Israel street [life].

If we would have merited, and the state of Israel would have continued the way of life from the Book of Books at least from its most basic principles, the world would have looked at us at different eyes. As a nation that carries a Biblical message, (by the way, their most favorite book), and even with all the interest of the world blocks, would have increased the amount of ethical sympathy in the heart of the world to that nation that creates by itself wonderful Godly destinies and visions, that realize practically transcendental theories that do not have any other place in the world. They would have realized the Torah of Israel in the country of Israel, and the people of Israel that realized, the threesome that you can not separate. It is possible that our Arab neighbors (by the way, basically according to their religion they too believe that the messianic destiny of

¹²⁸ Maybe the essence of the article or a quotation from an article, since Halevi never put closed quotations before his remark that it was part of the Israeli newspaper Maariv article

the Tanach) would have looked at us with different eyes, it would have been easier for them to agree with the sons of the ancient nation, that realized a spiritual vision in practice and agreeing in that return to that country the cradle of that belief.

It is possible that they too would have been convinced as other ancient nations, “That foe or adversary could enter the gates of Jerusalem.” (Lamentations 4:12), and the same way that we are convinced and believe that Judah will remain forever and Jerusalem will be for all generations.

Book 3
5th(129) and the 28th(130) of Iyyar and
Their Spiritual Meaning
(The Temple and the Sacrifices)

Chapter 12
The Answer to the Generation of “The Beginning of Redemption”¹³¹
(The Holiness of the 5th and 28th of Iyyar)

There is not an answer that is worthy for all people, nor all circles of people, and certainly there is not single answer that is worthy for all the generations.

The important question which I must answer, is the meaning of these wonderful and challenging days – are they the “beginning of redemption?” Especially, after the great miracles that we experienced during the Six-Day War, and in the presence of the great lights that shone on us from the skies during those days. My response is not like a response that would be given to the preceding generations. I do not want to imply that this is a response to the generation as a whole, *only* to religious Jews. The simple meaning is for the religious Jews, who observe the Torah and the mitzvot, and purposely root their practice with an increasingly deep love of Torah and desire to maintain its mitzvot.

If so, what reply is needed? The Rambam wrote (*Hilchot Tushva* 7:3) Of these, you will say, these are the sins of which were physically committed, for example prostitution and stealing. Of the following that human being needs to repent from those that is why he needs to search in the negative opinions that he has and to repent from the

¹²⁹ Israeli Independence Day

¹³⁰ Jerusalem Reunification Day

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anger and the hate, jealousy and the mockery and pursuit of money and honor, and the pursuit of indulgement (of food) etc. from all this there is a need to repent. Those are the major sins from them there is a physical committed act, at the time that the person is immersed in those it is hard for him to abandon them.¹³²

In general from the Rambam's sayings we learn, that it is an imperative to examine defects in opinions, especially of those who observe Torah and the mitzvot, who are obligated to determine the defects of their own opinions, and particularly those whose opinions are based on the religious consciousness.

What is the purpose of those things?

An Answer to the Pathway of Redemption

From the beginning of the creation of the Zionist movement, it was troubling for the Jewish religious segment, for the Torah lovers and the observers of mitzvot, there was burning [unresolved] question, based on Rambam's *pasak*¹³³: "All the prophets as a whole demanded a response and Israel *does redeem itself only in repentance*, and the Torah already promised that --[at the end of Days]-- Israel will repent in the end of their exile and they will be redeemed, at once." (Rambam, *Mishnah Torah, Hilchot Tushva* 87, *Halachah* 5). And here a movement evolved that is totally built on secular foundations, and aspires to redeem the nation of Israel from its exile. Not only is it their goal to do it without repentance, but also with a total retreat from the ways of the Torah and the

¹³² This is my translation

¹³³ A *Pasak* is a legal decision, it is written by rabbis with supporting *halachah*.

mitzvot. A lot was written trying to explain this weird phenomenon, but the heart ache could not be resolved. The Rambam's *pasak* was based on an explanation from the Torah, and he decided --without a doubt--, that redemption is the only key to salvation. And even the faithful members of the religious Zionist movement were caught -- every now and then-- in a spiritual crisis. This crisis happened to them when they realized [that there was an] increasing distance from the way of Torah and mitzvot, and the ancient [religious practices].

And there the political Zionist marched successfully --step by step-- until the creation of the state of Israel [was achieved] -,and until they established and widened her borders. What the [Jewish people] actually achieved [surpassed] even the wildest dreams in the imagination of any one of Israel's founders.

The biggest victory that the state of Israel achieved during the Six-Day War was the liberation of the historic lands which were part of the Land of Israel. The highlight of this was the capture of Jerusalem between the walls [of the Old City] and the Temple Mount, which occurred on the 28th of Iyyar. [The significance of this land] caused a deep division among the scholars of the generation about [the meaning of] that day. This also awakened, the question about the meaning of the 5th of Iyyar -- Independence Day. It is not appropriate to repeat here the explanation of the period leading to [the 28th of Iyyar], but the essential argument about those days, brings to light negative views that were voiced from the point of view of "*Halachah*." These points might lead to sad thoughts in the relation to the country of Israel, from the same point of view that we started with.

The source of that original relationship [with Israel] was pure and holy, a deep belief in the eternity of God's Torah; but the way these thoughts developed, from the

channels of the rivers of beliefs, reaching huge and wonderful sites, narrow and complicated passages that disturbed clarity of the Zionist vision.

The anger, the hate and the jealousy, and even the pursuit of respect that the Rambam mentioned -- which may sometimes come from a pure source -- even Moses was angry about the water of Meribah¹³⁴ (of course-- for heaven sake), this [is when Moses made] his mistake and [received his ultimate] punishment (the Rambam's way), and like it was said in our generation-- *yamai ditmi*-- that we can not direct purest of [spiritual] sources be directed toward any[thing] negative, and just like the country of Israel.

The Ideal State

True, that the spiritual darkness in which we now exist causes --without any doubt-- total confusion and foginess, but our Rabbi,-- Rabbi Kook, may his memory always be for a blessing--, already preceded us, and the period that he lived in was much darker [than now], and he enlightened our path by the light of his Torah with these words:

“The State is not the supreme source of happiness for a person,; you can say that for a secular country. It's not as a state that is ideal in its foundation, that is legislated in its core with ideal contents that is more supreme that it is really the greatest happiness of the individual. This state is our country, the country of Israel, the foundation of God's throne in the world, that all her desires is that God will be One and His name will be One, that

¹³⁴ Numbers 20:2-13

this in reality is the most supreme happiness. True, that this great happiness requires a *long interpretation* in order to have it shine in the darkest days, but not because of that [explanation] will the happiness cease to be the greatest happiness.” (The Light of Israel 86, letter 7).¹³⁵

Correct, that from the spiritual perspective, we are still living in a period of darkness, and therefore, as the word of Rabbi Kook,--may his memory all serve as a blessing,-- indicates the need for a *long interpretation* to elevate light from the days of darkness, and it is our responsibility, therefore, to toil and explain, “*the long interpretation*” of all the wonderful phenomena that our eyes [have] witnessed. Released from inside the consciousness of God’s Torah is the source of our livelihood and existence, the thing that is very true and real in and of its self, and the side argument--, that the state is the [source] of supreme happiness of a person – this is not true in relation to the people of Israel and the state of Israel, because she is “the foundation of the throne of God in the world;” In all the long years of our darkest exile it was known that the **Shechinah** was in exile with us as well, God,--may His name be Blessed-- was desecrated by the destruction of the Temple and the exile of His people, and therefore the honor of Israel in its independent state, God, may His honor be blessed, is it that we are His sons as well, and even the ones who go against His will, are [still] His sons, “It is through the LORD that all the offspring of Israel have vindication and glory.” (**Isaiah 45:25**). And therefore, the rabbi was correct when he established that “the state of Israel is the foundation of the throne of God in the world.”

¹³⁵ This is my translation of the text that Halevi quoted.

Because God's Name was Called Upon Her

Those are the words of the rabbi that were firmly fixed, “that all the desires (of the state of Israel) are that God will be One and God’s Name will be One.” This requires a very “*long interpretation*”. But how? Indeed, is that how it is seen to be in our eyes? Maybe not the way it seems in our eyes, but that is how it was in the eyes of High Priest, according to the words of Rabbi Kook -- may his memory always be a blessing: “The character of the redemption that is coming before us, whose first steps we sense and feel, is in the interior of *Knesset Yisrael* (Ecclesia Israel). The nation develops with all its powers, expands its spirit, its nature and essence. It does not recognize yet the depth of the higher existence that is the foundation of its uprising. Its eye is on the earth; to the heavens it does not yet look. She does not return, yet in deed to her first husband; she works out her life with powers found at the roots of her soul. However, without calling a name, without a clear objective, all is the light of the Lord and His glory, but neither she (Israel) nor the world recognize this clearly. The name of heaven is not constantly on her lips, she pursues brawn and strength, but truly all is holy and godly. Only when the content is complete, when the nation will ascend to its full height, then will the light of the explicit name of God begin to be revealed. It will be revealed and seen that all that illuminated and will illumine, all that lived and will live in it – it is all the light of the God of the Universe, the God of Israel. *This is its name which they shall call, God-is-our righteousness. The name of the city from today, God is there.* This state of redemption is the fundamental vision of the mystery, that Israel will not return to its place in the future, but rather the Holy One and His hosts will come to her, raise her from the ground in great

honor. Happy is the eye that beholds all this, and our soul is gladdened by the tidings and the hope. The duration of time that elapses between the singular manifestations concentrated in *Knesset Yisrael* (Ecclesia Israel) until the light of the glory of Israel appears, to know that the name of God is called upon her – is the time of the “birth-pangs of the Messiah” concerning which, only a strong man such as Rav Yosef could say – in defiance of all who say, “May he (Messiah) come and I not see him!” – “May he (Messiah) come and I merit to sit in the shadow of his donkey’s dong.”¹³⁶

Rabbi Kook,-- may his memory be for a blessing, lived in the time of the creation [of the state], when “Its eye is on the earth; to the heavens it does not yet look.”¹³⁷ And so it was that first period of political Zionism “whose first steps are to the redemption.” Despite the fact “[of] light of the explicit name of God,” our rabbi also noticed and acknowledged “all that illuminated and will illumine, all that lived and will live in it – it is all the light of the God of the Universe, the God of Israel...all is holy and godly.” In his vision, he is evaluated and in his spirit he saw “Only when the content is complete, when the nation will ascend to its full height.” If he would have seen in his vision a Jewish army in the Golan Heights and the Suez, this we will never know. How did he explain to himself (and others) “raise her from the ground?,” that this is not important, but what is important, because he recognizes that, “then will the light of the explicit name of God begin to be revealed.” This is what we see, today with our earthly eyes. Our generation that saw the great miracles and wonders deeds of the Six Day War, and God, the Lord of Israel that walked in the military camps of Israel placed the enemy in their

¹³⁶ *Orot, Rabbi Abraham Isaac Kook*, Translated and with an introduction by Bezalel Naor, A Project of Orot, Inc., Jason Aronson Inc, Northvale, NJ 1993. p. 188

¹³⁷ Rav Kook said this in the paragraph quoted above.

hands, started to understand that all those phenomena are not coincidence. Because God's mighty arm appeared to His chosen people and God is their Lord.¹³⁸

Glory Under Ash

The skeptic argues that it is not enough that, "Repentance," that includes a complete return to fulfillment of the Torah and mitzvot; Rabbi Kook saw that as well in his vision, "This state of redemption is the fundamental vision of the mystery, that Israel will not return to its place in the future, but rather the Holy One and His hosts will come to her, raise her from the ground in great honor." (The source of this text, Rabbi Kook's son determined is from the holy Zohar). He wants to say, that the spiritual powers of the nation will not [have the strength to] withstand the spiritual of faith's return by herself to this place, in the future, He will bless all and return by Himself. The Torah explains this (**Deuteronomy 10**), and the prophets envisioned this for the future, as well (Jeremiah 31, **Ezekiel 36** and more prophets.) That, too, we can see with our own eyes.

The same **Shechinah** that dwelled at the Western Wall, covered in black, and with an ashen face received her children who came to cry over the destruction of her Temple, returned to dress in fancy garments under those ashes, with glowing and illuminated faces. She receives now her children who return to her adorned with victory and honor. She extended Her hand to raise Her sons from the ashes of their materialism and to return them to their place, to complete repentance. Here at the Western Wall, the hardest and courageous champions are breaking, who are the most distant from Torah and

¹³⁸ The last phrase of this sentence is similar to **Psalm 100:3**

Mitzvoth, extend their hands to the Holy **Shechinah**, when they extend their arm to put phylacteries and it is written on them “The LORD is our God, the LORD alone.”¹³⁹ In any other place they would not have done that even with all the imploring, here they break. In other times, they would not have done that, but—here--now, they break. Here and now their resistance breaks, now and here their hearts melt, because they passed the heavy rocks, where God’s **Shechinah dwells**, who peeks with a shiny face to Her son’s return to Her under a wonderful power that does not have an explanation, because what is the great power of the Western Wall that attracts so many masses of the House of Israel, even those who are secular; if “the Holy One and His hosts will come to her, raise her from the ground in great honor. Happy is the eye that beholds all this,” As the rabbi’s words who saw all this in his vision, and we merit happiness that we are seeing all this in front of our own human eyes.

Inner Approach

This is the answer that Torah scholars required, true and pure lovers of God who follow both the easy and complicated mitzvoth to do in our days. Without a Messianic destiny in our state of Israel, and when we waver truly and innocently to recognize the beginning of the sprouting of the redemption, by rejecting the values of the days of the 5th and the 28th of Iyyar as great and holy Festival Days for the people of Israel. We push away the masses of the House of Israel from the Divine between the connection of the state of Israel to the Holy One --May He be Blessed-- by approving that the state of Israel

¹³⁹ **Deuteronomy 6:4**

is a secular enterprise --God forbid--that there is not a [connection] between the national holidays, synagogues and the values with all their full meaning, enough to the ones who understands (and here is not the place to expand on this).

“The duration of time that elapses between the singular manifestations concentrated in *Knesset Yisrael* (Ecclesia Israel) until the light of the glory of Israel appears, to know that the name of God is called upon her – is the time of the “birth-pangs of the Messiah.” Rabbi Kook, may his memory always be blessing, gave a new explanation to the concept of the “birth-pangs of the Messiah,” --a spiritual explanation. Therefore, we feel the torment of the soul of the generation and it’s severe indecisiveness and the terrible confusion of thoughts that are typical to this period. But it is our obligation to elevate ourselves as Rav Yosef said: “May he (Messiah) come and I not see him!” – “May he (Messiah) come and I merit to sit in the shadow of his donkey’s dong.”¹⁴⁰ And that is when we will honestly believe that everything that our eyes see is an impression of the sound of Him coming, walking closer. What adds importance to this approach, actually in the midst of the hard battle of the essence of our existence in our country, is that we are engaged in it. That great recognition is needed to strengthen the national spirit, and –maybe-- also to stand up to difficult situations on the way to full redemption.

[Having said that], there are those who hesitate in establishing the days of the 5th and the 28th of Iyyar as Festival Days for the nation, for different kinds of [reasons]. They argue that as long as there is not peace along the borders of Israel and the spill of

¹⁴⁰ Orot, Rabbi Abraham Isaac Kook, Translated and with an introduction by Bezalel Naor, A Project of Orot, Inc., Jason Aronson Inc, Northvale, NJ 1993. p. 188.

blood has not yet started, there is still no room to establish Festival Days. This is a horrible mistake, that our rabbis,--the scholars of the Second Temple Period-- when they set the eight days of Hanukah, they were still in the beginning of the revolt, and for sure they knew how many hard battles were waiting for them against the huge super power of Greece. Is it not true that all the Hasmonean brothers fell in the next battles, as it is known. And even so, and maybe just because of that, the scholars of Israel of that generation immediately established eight days of thanksgiving to God by lighting candles and saying Hallel with a blessing. Our situation now is much better than their situation [was] then (despite all the sacrifices that fall from our [military and non-military] camps, the hearts of Israel hurt and languish,¹⁴¹ which should not loosen our hands in any way.) Our obligation is to march the nation [forward] to believe in the [proper] way which will elevate us to full redemption, by establishing those days as Festival Days and sacred to the nation which will come to be expressed strongly and faithfully in the daily prayers.

Let's return to complete repentance, to recognize that "It will be revealed and seen that all that illuminated and will illumine, all that lived and will live in it – it is all the light of the God of the Universe, the God of Israel," [per] the words of Rabbi [Kook]. Our ability to grasp the "law" will be influenced from this holy approach, and will be sanctified with verses of law that will uphold the holiness of the state of Israel and God -- the Lord of Hosts sanctifies Israel.

Chapter 13

Independence Day: Its Meaning and Its Laws (of Observance)¹⁴²

From the Mishnah we learn: IF ONE SEES A PLACE WHERE MIRACLES HAVE BEEN WROUGHT FOR ISRAEL, HE SHOULD SAY, BLESSED BE HE WHO WROUGHT MIRACLES FOR OUR ANCESTORS IN THIS PLACE. The Gemora responds: “Whence is this rule derived? — R. Johanan said: Because Scripture says; And Jethro said, Blessed be the Lord who hath delivered you, etc. And is a blessing said only for a miracle wrought for a large community, but not for one wrought for an individual? What of the case of the man who was once travelling through Eber Yemina , when a lion attacked him, but-- he was miraculously saved, and when he came before Raba he said to him, Whenever you pass that place say, Blessed be He who wrought for me a miracle in this place? There was the case, too, of Mar --the son of Rabina-- who was once going through the valley of 'Araboth and was suffering from thirst and a well of water was miraculously created for him and he drank; and another time he was going through the manor of Mahoza, when a wild camel attacked him and at that moment the wall of a house just by fell in and he escaped inside; and whenever thereafter he came to 'Araboth

¹⁴² {Halevi} Everything that is said here is *halachah*, but not a positive commandment because those *halachot* --according to the characteristics-- are in the hands of the Central Authority of the *rabbenut* to decide.

he used to say, Blessed be He who wrought for me miracles in 'Araboth and with the camel, and when he passed through the manor of Mahoza he used to say, Blessed be He who wrought for me miracles with the camel and in 'Araboth — The answer [is that] for a miracle done to a large community it is the duty of everyone to say a blessing, for a miracle done only to an individual only the individual? is required to say a blessing.

Our Rabbis taught: If one sees the place of the crossing of the Red Sea, or the fords of the Jordan, or the fords of the streams of Arnon, or hail stones [*abne elgabish*] in the descent of Beth Horon, or the stone which Og king of Bashan wanted to throw at Israel, or the stone on which Moses sat when Joshua fought with Amalek, or [the pillar of salt of] Lot's wife, or the wall of Jericho which sank into the ground, for all of these he should give thanksgiving and praise to the Almighty.”¹⁴³

Any person who experienced a miracle and did not bless it, disgraces God and our forefathers already taught this lesson based on the verse that we mentioned [from Exodus], “Blessed be the LORD,” Jethro said, “who delivered you...” (Exodus 18:10) as “Rabbi Pappas: [said] this passage expresses a reproach of the Israelites. For, behold there were six-hundred thousand people and not one of them rose to bless God until Jethro came and blessed God, as it is said: “And Jethro said: Blessed be the Lord.”¹⁴⁴

It is not enough simply to recognize the reality of God's existence, if it were not for God supervising, influencing and acting in the world, then His being-- in relation to

¹⁴³ *Brachot* 54a

¹⁴⁴ *Mekilta de-Rabbi Ishmael*, a critical edition on the basis of the manuscripts and early editions with an English translation introduction and notes by Jacob Zauterbach. Jewish Publication Society, Philadelphia 1933.P.175

us-- has no meaning. Therefore, if Israel would have believed in the reality of God then they would have had to offer praise and blessing to Him.

Even though Kabbalistic Scholars through their deep knowledge of God and the secrets of His wonders; related to the Blessing of Thanksgiving¹⁴⁵ and the declaration of the miracle, influence the Divine Spheres, until they said that all the powers above and hosts entered together in thanksgiving and praise to God. And His Presence elevated in the [Kabbalist]upper and lower spheres when the human being declared His miracles and thanked “Him” about them. (This subject is found in the Zohar, *Parshah Bo*, page 241, 71), nonetheless, the literal meaning that our forefathers assigned to the blessing “on miracles” is: -- in order to strengthen them in our hearts and to be aware of the Divine existence in and throughout the universe.

Despite the fact that our very existence and our presence are always miraculous, like we say in the prayers: “We gratefully thank You...for Your miracles that are with us every day; and for Your wonders and favors in every season – evening, morning and afternoon,”¹⁴⁶ which means that all these miracles are hidden and bound to nature. But, someone who sees miracles that happened to our forefathers [were observed] like the Exodus from Egypt etc, is obligated to bless in God’s name and God’s kingdom (*Shulchan Aruch*, Chapter 218:61). Humanity is obligated to understand and to know of God’s existence and presence, even though they[these miracles] have simple, natural explanations; these actions are according to God’s will and-- according to God’s will-- might cease to continue (This subject is spoke about in more detail in Haim David

¹⁴⁵ Part of the *Amidah* Blessing

¹⁴⁶ *The Complete Artscroll Siddur, weekday, Shabbat and Festival*, a new translation and anthologized commentary by Rabbi Nosson Scherman, edited by Rabbi Meir Zlotwitz, Rabbi Sheah Brander, 2000/ p.275

Halevy's book *Mekor Hayyim* p.66). Our forefathers [intended] when they wrote the "Amidah" with the blessing of "Thanksgiving," to praise and thank God for our lives which are in His hands, and for the miracles which happen every day and for His wonders and blessings which happen at all seasons¹⁴⁷, and even more so: "with every breath that a person breaths, he must offer glory to his Creator" (Deuteronomy Rabbah 2). Generally, we say thanks three times a day. Wherever it is possible to see God's hand in visibly creating a miracle, the blessing for the daily flow of natural occurrences is required: "That Make Miracles."¹⁴⁸

The Blessing "On Miracles" During the 5th and the 28th of Iyyar

From the words of the *Gemora* which are copied here, we already clarified the obligation to offer thanksgiving and blessings on the miracle that happened to the Jewish people, and it is a big disgrace to a generation when a miracle happened to them and they did not stop to bless God. As it is explained from the words of the Mekhilta (a commentary on the book of Exodus), here are the text of the *She'iltot* [a Geonic work which contains variants of passages from Chazal] in Hebrew translations:

[This is not a question. "The people of Israel are obligated to...] give thanks and praise to God at the time a miracle happened to them, as is written: "Praise the LORD, all you nations; extol Him, all you peoples, for great is His steadfast love toward us;" (Psalm 117:1-2). And are the nations obliged to give thanks simply because "His

¹⁴⁷ Halevi is paraphrasing the blessing in the *Amidah*

¹⁴⁸ All the details of those *halachot* and their explanation to the details of the blessing of the miracle Halevi explained in Part 2 of his book *Mekor Hayyim* p.93

steadfast love has been great toward us”? But this is how the verse is explained: “Praise the LORD, all you nations; for all that God has done to benefit you, and how much the more so should Israel praise God, because His steadfast love has been shown to us. “If one sees the place of the crossing of the Red Sea, or the fords of the Jordan...to the Almighty, You must offer thanks and praise”¹⁴⁹ “...and when the day arrives that a great miracle happened to Israel-- such as Hanukah and Purim-- Israel must bless “*baruch* (bless) ...for the miracles for our forefathers in our time, during Hanukah over the candles, and Purim over the reading of the Megillah, as was said: “"Blessed be the LORD," Jethro said, "who delivered you from the Egyptians and from Pharaoh"¹⁵⁰” (Exodus 18:10). We already referred here to the verse that contained: “Rabbi Pappas: This passage expresses a reproach of the Israelites. For, behold there were six-hundred thousand people and not one of them rose to bless God until Jethro came and blessed God, as it is said: “And Jethro said: Blessed be the Lord.”¹⁵¹

It was already explained here in the *Gemora* that our rabbis learned the obligation of saying the blessing when a person approaches a place where a miracle happened for Israel from this verse said above, “Blessed be the LORD,” Jethro said...” From the text of the question there is a new, additional meaning to that verse, the obligation of reciting the blessing during the festival recalling the miracle that happened to Israel such as Hanukah or Purim, since the obligation of the blessing of Hanukah and Purim is

¹⁴⁹ *Barchot* 54a

¹⁵⁰ {Halevi} “That these questions of Rabbi Ahai Gaon of Parshat Vayiaslach, we already copied his words and debated them and the scholars of our generation recognized the problem as a whole that arose from the creation of the state, refer to Rabbi Nariah and to Rabbi Friedman in their book of In the Torah-State 2, and also Rabbi Goren in his book, *Torat-Hamoadim*.”

¹⁵¹ Mekilta de-Rabbi Ishmael, a critical edition on the basis of the manuscripts and early editions with an English translation introduction and notes by Jacob Lauterbach. Jewish Publication Society, Philadelphia 1933.P.175

mentioned in the *Gemora* (Shabbat 21, Megilah 21). Without learning this from the written Torah, but based on the words of the interpretation, we find ourselves learning of the obligation of the blessing at the *time* that the miracle happened, and even afterward, when a person arrives at a location where a miracle occurred or a person arrives during the time of a miracle. In truth, those words are exact in the writings of the *Gemora* that asked: “From where does Jewish Law deal with the blessing of a miracle, that recognizes the “place” that a miracle happened, and that was learned from the verse “Blessed be the LORD,” Jethro said...” and Jethro did not see a place like that at that time, but when he saw that a miracle happened-- both to Moses and to Israel--, it was *as if he himself saw* those places himself. And therefore, some of the wiser rabbis believe that when a person sees that a miracle has happened to him and blesses upon the [miracle,] it is as if the law reflects an understanding of God (Rabbi Moses Isserles, in his commentary to the *Schulan Aruch Orach Chayim* ch. 218:6, in the name of Abudarham, and the Meiri writes likewise on chapter 9 of *Berakhot*).

Pertaining to the obligation of reciting a blessing over a single miracle and it is from here—that we understand—that[an actual presence in] the “Place” is not necessary, but indeed anything that causes a person to recall excitement and memories of the miracle [is necessary]. And truly the interpretation from the *Gemora* (according to Rashi’s understanding as we copied above), focuses on the importance of the obligation of the blessing [the miracle] (and not necessarily of the place), and based on the verse from Jethro, it is possible to learn everything, that the precise time of the miracle, its place, and its annual [festival observance].

And even if the essence of the obligation of the blessing over the miracle that we learned from the written Torah: “Blessed be the LORD,” Jethro said,” and the obligation is to the individual and to the community, *here is the big difference between them*, that regarding a miracle that happens to an individual, there are some who think each small miracle requires a blessing, and every miracle that happens to the individual is considered a great miracle, but for a miracle that happens to the community, only great miracles are blessed. And when the people were close to a big disaster and they were saved from it-- even though it was considered miraculous--, it should be blessed (HaMeiri ch. 9 of *Berakhot*, 54a, s.v. *nisim*.) And the obligation to say that blessing is not satisfied) by saying Hallel, songs, or verses of thanksgiving, and others, was it not that Israel in that generation, sang songs to the Holy One Praised be He at the time of the parting of the Sea of Reeds, and even they said Hallel (Passover 117). “This passage expresses a reproach for the Israelites...and not one of them rose to bless God until Jethro came and “blessed God”...that delivered us,”¹⁵² and from here we understand that there is no substitute for the blessing of all miracles.

From that we learn that the responsibility to bless on every great and famous miracle that happened to Israel in every generation “like Hanukah and Purim” the blessing “*Sheasah Nissim*,” and the principal meaning [of the blessing] which was learned from the verse mentioned in parshah Jethro. Here is Ramban’s explanation of that verse. “He did another miracle: *Who hath delivered the people from under the hand*

¹⁵² Mekilta, p.175

of the Egyptians, since they were in Egypt and they went out of there to everlasting freedom.”¹⁵³

Ramban’s words are incredibly fitting to the events that happened during our generation, for a great miracle happened to Israel when the enemies came up and lay siege in 1948 and in, again, in 1967, that they did not succeed in destroying [Israel] when they had encircled them with such a huge force. Another great miracle that happened was that until 1948 [Israel,] were subject to foreign rule and they were liberated to an independent state, which occurred on the 5th of Iyyar. And in 1967, Israel was successful in liberating all the land of the Land of Israel and the pinnacle of that victory was the liberation of Jerusalem and the Temple Mount, that was held hostage by an enemy who lay siege to her, and that happened on the 28th of Iyyar, as the month was ordained by Divine Providence for the redemption of Israel, our forefathers called this month by the name *Ziv*.¹⁵⁴ That --in this month--, the world did shine (since *Ziv* means shine), and the plants and the trees pronounced [this by shining] (Jerusalem Talmud ch 1 of Rosh Hashanah, *halakhah* 2). . . “adorned and fine is the shining of the world,” when the redemption of Israel begins.

Either one of those two great and important miracles, should have established for this generation (and all subsequent generations) the blessing “*sheasah nissim*,” and therefore on the 5th of Iyyar, (the day announcing the creation of the state of Israel) and

¹⁵³ Ramban’s Commentary to Exodus, p. 259. Ramban indicates that the text presents two problems, why mention “the hand of Egyptians” twice? And why does Jethro first address himself directly to the people and then speak in the third person? The answer for Ramban is that two miracles happened, the first involved Moses and the plagues and the second was the saving of the Israelites.

¹⁵⁴ **1 Kings 6:1** “In the four hundred and eightieth year after the Israelites left the land of Egypt, in the month of *Ziv* -- that is, the second month -- in the fourth year of his reign over Israel, Solomon began to build the House of the LORD.”

on the 28th of Iyyar (the day of the conquest of Jerusalem inside the walls were the pinnacle of the victory of the Six Day War) should bless: “Blessed are You, Hashem. our God, King of the universe, Who has wrought miracles for us, at this season.”¹⁵⁵

And the subsequent generation will bless God by saying: “Blessed are You, Hashem, our God, King of the universe, Who has wrought miracles for our forefathers during these days at this season.” (The change in the formula for this blessing as result of the evolving development of Israel, we already noted this in our book *Mikor Hayyim* chapter 81, in the chapter referring to *Birchat HaMazon*.)

The skeptic might ask, ‘Isn’t it [true] that many miracles happened to Israel from the time that it first became a nation?’. From all those miracles, some were counted, as places in which miracles happened to Israel,--as is mentioned in this Barita quoted above (from Brachot 54), and of the many others that were mentioned in the Megilat Taanit, we did not find that our forefathers established the recitation of the blessing “*Sheashah Nissim*” on the day that the miracle happened, instead only over “*the place*” that the miracle happened. And if from that [above] skepticism it is explained, that every day that a miracle happened to Israel [a blessing is required], “just as” the blessing for Hanukah and Purim is required to be recited, and-- if in actuality-- we did not find a requirement to establish a day [to commemorate] this blessing, except only for Hanukah and Purim, (refer to Rabbi Goren who said this in his book *Torat-Hamoadim*). And, it

¹⁵⁵ Based on the second blessing for Hanukah, translated from ArtScroll Siddur, p. 783

appears in my humble opinion, that there is no doubt that on any day that a miracle happened to our forefathers --where the people of that generation and generations close to that generation of the occurrence of the miracle-- were blessing that day by reciting “*Sheasah Nissim*,” but, because that day was not established as an official holiday, it was natural that the specific date of the miracle will be forgotten by the masses and the blessing will also be forgotten, --except for Hanukah and Purim that from the beginning were established by early generations who recited “*Sheasah Nissim*.” And, from that we learn that everything depends on the essence of the miracle, *a great miracle that did not occur would have endangered the entire nation and caused its destruction*, as in Purim or as in the destruction of the Temple, as in Hanukah.

It is established from the beginning as a day of thanksgiving and praise for all future generations because all future generation will feel (experience through memory) the miracle, because without that miracle it is possible that the image of the nation would have changed [in the eyes] of the other nations of the world. That it is not so with a miracle even if it is so great that it brought so much goodness and usefulness to that generation, but it did not have enough power to change much for the next generations. For example “or hail stones [*abne elgabish*] in the descent of Beth Horon,”¹⁵⁶ that made it easier to win that battle and prevent many casualties for Israel, but even without this miracle, the next generation would not have affected at all their daily life, according to this miracle, we need to bless “*Sheasah Nissim*” every year to commemorate the date of that miracle, but [this commemoration] is not established for all generations. And my

¹⁵⁶ Halvei is describing this incident in **Joshua 10:11** “¹¹ While they were fleeing before Israel down the descent from Beth-Horon, the LORD hurled huge stones on them from the sky, all the way to Azekah, and they perished; more perished from the hailstones than were killed by the Israelite weapons.” Which is also referenced in Talmud Babylonian Brachot 54a

heart tells me, that from the beginning there was a meaning connected to it, that only this generation and generations close to it will bless on that miracle, until it[the miracle] will be totally forgotten. The reasoning behind this is that if every miracle that ever happened to Israel would be established as a day of commemoration and recitation of the blessing “*Sheasah Nissim*” will be recited, then after a few thousand years of Israel’s existence, they would almost have to be daily blessings [for all the miracles that ever occurred]. That was not the intention of the Torah which inevitably knew-- that in the future-- those places will be forgotten by subsequent generations, and as we can see with our eyes today. The Scholars of the Generation that experienced a great miracle --knowing that it changed the image of the nation, required the recitation of the blessing =“*Sheasah Nissim*,” for all future generations, and those are the days of Hanukah and Purim. And if anything close to the magnitude of this were to occur again in the future, then we would also establish the recitation of “*Sheasah Nissim*”, once again

Regarding the miracle of the Exodus from Egypt on Passover, for which we do not recite the blessing “*Sheasah Nissim*” [to commemorate it], instead we recite “Therefore, we owe it to God...that in the Land of Israel, Israel was redeemed” as it says in the Passover Hagaddah (just before the second blessing over the wine), which is in place of the blessing “*Sheashah Nissim*.”

One can understand, that the miracle that the Scholars of that specific generation want to commemorate by establishing a blessing for all future generations, needed to give to that day (or days) special festival rituals and meanings, because otherwise --it would be forgotten in later days. Therefore, the reading of the Megilah and the great feast and festivities of Purim,-- the glorifying and the praise and the lighting of the candles on

Hanukah-- are like *Yom Tov* (Festival Days,) and-- in my humble opinion -- *that* is the meaning of the interpretation and “the recitation of “*Sheashah Nissim*

This idea is supported by the words in the *Gemora* in *Brachot* 18¹⁵⁷: That even if the reading of *Megillaat Taanit* is canceled during Hanukah, this still does not cancel out the “celebration of the miracle,” and Rashi explained that this miracle was revealed to all of Israel since it is expressed as a mitzvah. Hanukah might have been canceled if not for the mitzvah [of lighting the candles] we do during the holiday, and the rabbis deemed it to be considered a *Yom Tov* (Festival Day).

From here we learn, that if the Scholars of our Generation established a recitation of “*Sheashah Nissim*,” during the days of Hanukah, and the 28th of Iyyar for all future generations, as to give these days a festive character like other *Yoma’ Tovim* as I will now clarify.

The Establishment of Festival Days to Commemorate the Miracle

Israel already had established festival days that commemorate miracles which happened to them and were described in *Megilat Taanit*. Those fast days are, the day before and the day after [the festivals], forbidden in Taanit. Some of them are eulogizing,

¹⁵⁷ “[It has been stated [elsewhere]: Rab and R. Hanina hold that the *Megillath Ta’anit*¹⁴ has been annulled,¹⁵ whereas R. Johanan and Resh Lakish hold that the *Megillat Ta’anit*, has not been annulled. Rab and R. Hanina hold that the *Megillat Ta’anit* has been annulled, interpreting the words of the prophet thus: ‘When there is peace, these days ¹⁶ shall be for joy and gladness, but when there is no peace, they shall be fasts’, and placing the days mentioned in the *Megillat Ta’anit*, on the same footing. R. Johanan and Resh Lakish hold that the *Megillath Ta’ani* has not been annulled, maintaining that it was those others [mentioned by the prophet] that the All-Merciful made dependent on the existence of the Temple,¹⁷ but these [mentioned in *Megillat Ta’anit*] remain unaffected. R. Kahana cited the following in objection: ‘On one occasion a fast was decreed in Lydda on Hanukah¹⁸ and R. Eliezer went down there and bathed and R. Joshua had his hair cut,¹⁹ and they said to the inhabitants, Go and fast in atonement for having fasted [on this day]’!²⁰ — R. Joseph said: Hanukah is different, because there is a religious ceremony [attached to it]²¹ Said Abaye to him: Let it be abolished and its ceremony with it? ²² — R. Joseph thereupon [corrected himself and] said: Hanukah is different because it commemorates publicly, a miracle.” *Rosh Hashanah* 18a-b

but [the fact] that *Megillat Taanit* is annulled, and only Hanukah and Purim were left is WHAT??. The logical explanation of annulling those Festival Days is that after the destruction of the Temple, their meaning was lost. We should note, that this is not an agreed-upon [understanding], and there is an ongoing dispute as to whether or not *Megillat Tannit* is actually annulled. From that we learn there was not a special directive from the Scholars of Israel to annul the *Megillah*, otherwise why would there be a dispute?.. But, the people of that generation, they became unobservant. Through the Halachah all the Festival Days, except Hanukah and Purim-- were declared annulled (everything was explained in the sugiah in Rosh Hashanah 18-19) But we should take note the words of our rabbis when they explained the meaning of ending the sealing of all Festival Days on the Jewish calendar. The Rabbis said who wrote *Megilat Tannit*? They said it was Hannya ben Hezekiah and his disciples looked forward to the disasters (when they actually redeemed from those disasters so the miracle became acceptable to mention it and praise the Holy One Blessed be He to use those miracles to establish festival days.) Rabbi Shimon ben Gamliel said that even though we favor those disasters, but we will do if we came to seal them, but we are not sufficient, since they are so frequent we do not have the time to make each day as a Festival Day. Another example: “a fool does not get hurt” (meaning that he does notice his limitations; that is how miracles come upon us and we do not recognize them. Another example : “a flesh of a dead man does not feel the scalpel (Shabbat 13: and what is in parenthesis above in this paragraph is from Rashi’s explanation.)

Therefore, the cessation of recording miracles and establishing Festival Days based on them comes from the generation that followed the destruction of the Temple,

who are not fond of commemorating the miracle to exult the Holy One-- Blessed be He. (According to Rashi's explanation and upon further review) and when the disaster has passed, that generation prefers to forget it. Maybe, because after the destruction [of the Temple] the disasters came more frequently and therefore, there were more miracles and saviors, and it is not feasible to turn all the days of the year into Festival Days or maybe the sensitivity of the people of the last generation became dulled and they could not "feel the miracles" that happened to them and are not able recognize them. Or, it is worthwhile to support them, because [the people of the last generation] resemble, after so many disasters and pain, "a dead limb that no longer feels the scalpel that cuts it" For those who argued to commemorate all of the miracles that were mentioned, their absence would not have endangered the existence of the nation, and if that [a miracle] did happen- they would have only eased up on Israel's suffering, and that's why they could have ignored them, because-- to a certain degree-- they became common (this idea that influences that *halachah* is learned from the words of the Meiri in *Mashechet Shabbat* 13)¹⁵⁸

We learn, in addition, from the words of those rabbis mentioned above, a very important *halakhah*, that there is no prohibition to add Festival Days [to the calendar] if we would have desired. For were this not so, why did Rabbi Shimon ben Gamliel need to teach us the merits to such devotion [to God] by the the generation following the destruction of the Temple. The first-quoted Tanna hinted about it by disgracing the last

¹⁵⁸ "Our Rabbis taught: Who wrote *Megillat Ta'anit*?1 Said they, Hananiah b. Hezekiah and his companions, who cherished their troubles.12 R. Simeon b. Gamaliel observed: We, too, cherish our troubles, but what can we do? For if we come to write [them down], we are inadequate.13 Another reason is: a fool is not assailed.14 Another reason: the flesh of the dead does not feel the scalpel. But that is not so, for did not R. Isaac say, Worms are as painful to the dead as a needle in the flesh of the living, for it is said, But his flesh upon him hath pain, And his soul within him mourneth?15 Say: The dead flesh in a living person does not feel the scalpel. Rab Judah said in Rab's name: In truth, that man, Hananiah son of Hezekiah by name, is to be remembered for blessing:16 but for him, the Book of Ezekiel would have been hidden,17 for its words contradicted the Torah.18 What did he do? Three hundred barrels of oil were taken up to him and he sat in an upper chamber and reconciled19 them." (*Shabbat* 13b)

generation, that they did not favor to exult-- For in any event, Megilaat Taanit. has been annulled. But the annulment of Megillat Taanit stemmed, as it was explained here, from the loss of those values of miracles following the destruction [of the Temple]. There is no prohibition against the addition of future Festival Days [to the calendar] as a result of miracles which happen and will happen -- both in the Land of Israel or in the Diaspora.¹⁵⁹ This rationale justified the actions of the last generation who ignored establishing Festival Days, regarding the miracles that happened to them, and they are based on the mundane-nature of those miracles.

But when great miracles happen, it positively improves image of the nation such that not only are rabbis allowed to establish Festival Days for commemoration, but it is an obligation, and-- all those reasons which justify ignoring the establishment of festival days do not apply to them. Even more so regarding the days of the 5th and the 28th of Iyyar. that the miracle was doubled, a salvation from certain death to life, and so the first [miracle] is the establishment of the modern State of Israel; the second [miracle] is completing the conquest of the Land of Israel and the heart of the nation – Jerusalem, a place of the Temple Mount. These spectacular occurrences represent a turning point in the life of the entire nation of Israel-- both in Israel and in the Diaspora. And therefore, the 5th and the 28th of Iyyar are worthy of establishing as days of praise and thanksgiving to God-- since God's Mercy fell upon us, and these will be days of feasting and happiness for all future generations.

¹⁵⁹ Halevi's footnote: We are not entering here into a detailed discussion regarding this *halachic* problem, if it is possible the establish a Festival Day to commemorate miracles that were done to the public or to the entire people of Israel, and there are many long and tiring things connected to this subject.

The Purpose of Establishing Days to Commemorate a Miracle

From these words of the rabbis in this Barita, we learn the purpose of establishing Festival Days to commemorate a miracle. Rashi explains, that they favored redemption from those catastrophes and the miracles were favored by them in order to exult the Holy One --Blessed be His Name, and the explanation of problem in the text was not clear to the reader, since afterward the Barita should have said, that they favored the miracles and not the catastrophes. Rabbi Hananel, explained the problem in the text by saying, “that they favored commemorating the days of *happiness* instead of the days of sorrow.”¹⁶⁰ Rabbi Shmuell Eliezer Halevi Eidels (also known as the MaHaRSHA) in his book Chiddushei Aggadot explained: “To truly favor disaster, as it was said that you favor the torments, and that is why the day of redemption becomes a festival, from that you will be able to commemorate the favored day of the disaster, as they said you bless on the evil as well as the good, and therefore we read *Megilaat “Taanit,”* that commemorate festivals days -- the basis of which are not [festival days], but on fast days which recall times of sorrow.”

The rabbi does not intend to say that they were favoring the disasters and expecting --God forbid--that they will actually occur, but rather only after disasters came upon them, they tended not to forget when they were redeemed from them, and on the contrary-- their favored [recalled] disasters [in their memories], and they commemorate them on their holidays. The anomalous explanation of this, that the establishment of

¹⁶⁰Could not find the quote., but perhaps this is an idea from Halevi It's R. Hananel b. Hushiel's commentary to that passage in the Talmud.

Festival Days comes not to praise God only, but to commemorate the disasters as a people, on those days. And the Rabbi (MaHaRSHA) did not explain the usefulness of commemorating those sorrows.

I believe that there is a need to learn from the Torahitic festivals, as we found concerning Passover, “so that you may remember the day of your departure from the land of Egypt.” (Deuteronomy 16:3). Here is a day to commemorate the miracle of Exodus from Egypt that the Torah established the [observance of the holiday] as an obligation. This commemoration comes to be a clear expression in the words of Ramban Gamliel: “Whoever does not make mention of these *three* things on Passover does not discharge his duty, and these are they: the Passover-offering. Unleavened bread, and bitter herbs. The Passover-offering is [sacrificed] because the omnipresent passed over the houses of our fathers in Egypt as it is said, then ye shall say: it is the sacrifices of the Lord’s Passover, for that He passed over. The unleavened bread is [eaten] because our fathers were redeemed from Egypt, as it is said, and they baked unleavened cakes of the dough which they brought forth out of Egypt. The bitter herb is [eaten] because the Egyptians embittered the lives of our fathers in Egypt.” (Passover 116). Here, the rabbis obligated us based on what was clarified in the Torah, to commemorate the occurrence of the miracles and to explain them, to recall the “bitter” that embittered [infliction], and afterwards, the miracle of “Passover,” and [of the three things] the different formulas, and the explanation of the idea, I explain in the fourth part of my book *Michor Hayym*, in the *halachot* of Passover.)

The usefulness [of commemoration] is unlimited. As a single person who is tortured arises above [the pain], purified and refined, thus the nation --at the time of

afflictions and pains-- are purified and refined to the peak of its superiority. The continuing tranquility, with all the goodness in it, might lull the powers of morality, and the disasters are the incidents which galvanize the Jewish people.. And, therefore when the nation itself is redeemed from her disasters, she establishes a Festival Day, as the Torah did following the Exodus from Egypt (simply to say thanks to God regarding the miracle, as Rashi explained). But mainly, to commemorate the disaster in the days of celebrations, to elevate the “bitter herbs” at the time of the [eating of the] “unleavened bread” and to recreate the entire disaster that happened to Israel. How did it happen?, and if mistakes were made, then how did Israel escape from Egypt?. Because a nation does not need to aspire for disasters in order to galvanize. And there is the power in those teachings to be a healthy substitute to galvanize a nation without disasters.

Also, our generation *must* learn from those days of remembrance of those great miracles that happened to them. All the troubles that happened to us from the time of the destruction of the first Temple resulted from the love of the Diaspora. Aren't those the words of Rabbi Yehuda Halevi in his answer to the so-called preaching that the King of the Kuzari preached to him. ?¹⁶¹ “This is a severe reproach, O king of the Khazars. It is the sin which kept the divine promise with regard to the second Temple, viz.: Sing and rejoice, O daughter of Zion” (Zech. ii.10), from being fulfilled. Divine Providence was ready to restore everything as it had been at first, if they had willingly consented to return. But only a part was ready to do so, whilst the majority and the aristocracy remained in Babylon, preferring dependence and slavery, and unwilling to leave their

¹⁶¹ This is a long quote from the Khuzari, the bolded sentences are Halevi's comments regarding this text throughout the paragraph itself.

houses and their affairs. An allusion to them might be found in the enigmatic words of Solomon: I sleep, but my hearth waketh (Song v. 2-4). He designates the exile by *sleep*, and the continuance of prophecy among them by the wakefulness of the heart. **(He wants to say that prophecy still exists in Israel and they are with Haggai, Zecharia and Malachi)**. “It is the voice of my beloved that knocketh” means God’s call to return; ‘My head is filled with dew’ alludes to the *Shekhinah* which emerged from the shadow of the Temple. The words: ‘I have put off my coat,’ refer to the people’s slothfulness in consenting to return. The sentence: ‘My beloved stretcheth forth his hand through the opening’ may be interpreted as the urgent call of Ezra, Nehemiah, and the Prophets, until a portion of the people grudgingly responded to the invitation. Typically, in their average minds they [the Jewish people] did not receive full measure. **(God wants to talk about the repentance of the Shechina)**. Divine Providence only gives man as much as he is prepared to receive; if his receptive capacity be small, he obtains little, and much-- if it be great. **(This speaks of Israel when they are preparing for their redemption) (Godly business does not include man)**. Were we prepared to meet **(Here the rabbi starts talking in the first person, blaming his generation)** the God of our forefathers with a pure mind, we should find the same salvation as our fathers did in Egypt. **(miracles and wonders with the revealing of the Shechina)**. If we say: ‘Worship His holy hill – worship at His footstool – He who restoreth His glory to Zion’ (Ps. Xcix. 9,5), and other words, this is but as the chattering of the starling and the nightingale. We do not realize what we say...” (The Kuzari 2, 24, and the subject is in Yoma 9). The Rabbi’s words fit our era. wonderfully, our generation is suffering from the same sins, as well. Tthe voice of my beloved that knocketh means God’s call to return” for Israel to have complete

redemption in the Land of Israel, the people are not hearing that great Divine call. If Israel would have immigrated *en masse* immediately after the establishment of the State, maybe the Shechinah of God would have appeared, “as the days of the Exodus from Egypt wonders were revealed” as the Rabbi explained. There is no doubt that our neighbors would not encircle us today with a noose, and would have given up the idea of destroying us *had the majority* of the Jewish people immigrated and settled in our country. Even the wars which threaten us now, would not have happened *if* the nation would have “listened” immediately to the voice of God -- calling to them to immigrate [en masse].. Even from the political struggles, we would have come out victorious, if the reality of the natural borders of Israel would have been set and all of the masses of the House of Israel would have come and settled. So maybe the vision of the holy prophet would have been fulfilled: “Shout for joy, Fair Zion! For lo, I come; and I will dwell in your midst -- declares the LORD.” (Zechariah 2:14)

Therefore it seems, in my humble opinion that:

It is the obligation of our generation to commemorate with “ pen and iron and a quill and stone [**Jeremiah 17:1**]”, the 5th and the 28th of Iyyar, the days of commemoration of the great miracles which happened in our day, the huge and glorified masses, like “Haggadah of Passover,” from the Torah, Prophets and Writings and from the Midrashim of our Rabbis, on the obligation of immigrating to the Land of Israel, on the virtue of liberating the Land of Israel from the hand of strangers by building and settling of her sons who built her. Those good days will remind the people of Israel, both in the land of Israel and in the Diaspora, of the obligation of this great hour. All this is included on the life of the description of the victories of the war, as the Ramban said on

the verse: “Therefore it will be said on the book of God’s battles, that were in those generation, people that were intelligent and wise, writing a book of the great wars, therefore in all the generation and the people of the book were called and the victories which were wonderful in their eyes were related to those Wars of God

Of course, the description of God’s battle’s on the 5th of Iyyar will describe the pinnacle of God’s miracles during the War of Independence and the description of God’s Battles on the 28th of Iyyar will describe the heights of God’s miracle during the Six Day War.

Our generation merited from the time of the destruction of the Temple and it’s exile from its land, and [our generation] could renew the book of God’s words and the “*Hagodah*” which was written with the right intention, that will describe God’s miracle’s in our generations’ war and will remind [our generation] of their obligation to return to their land, that will establish an obligation to pray in all the synagogues on the 5th and the 28th of Iyyar, will be accepted by all Israel just as the *Sedar Tefillat Yom Haatzmaut*, that our rabbis established in the Land of Israel, in the previous generation.

The Recitation of Hallel and the Blessing of *Shechewanu*

Our Rabbis taught: Who uttered this Hallel? R. Eleazar said: Moses and Israel uttered it when they stood by the [Red] Sea. They exclaimed, ‘Not unto us, not unto us,’²⁹ and the Holy Spirit responded, ‘For mine own sake, for mine own sake, will I do it.’³⁰ R. Judah said: Joshua and Israel uttered it when the kings of Canaan attacked them. They exclaimed, ‘Not unto us [etc.]’ and the Holy Spirit responded, etc. R. Eleazar the

Modite said: Deborah and Barak uttered it when Sisera attacked them. They exclaimed, ‘Not unto us [etc.],’ and the Holy Spirit responded. ‘For Mine own sake, for Mine own sake, will I do it.’ R. Eleazar b. ‘Azariah said: Hezekiah and his companions uttered it when Sennacherib attacked them. They exclaimed, ‘Not unto us [etc.]’ and the Holy Spirit responded etc. R. Akiba said: Hananiah, Mishael and Azariah uttered it when the wicked Nebuchadnezzar rose against them. They exclaimed, ‘Not unto us etc.,’ and the Holy Spirit responded, etc. R. Jose the Galilean said: Mordecai and Esther uttered it when the wicked Haman rose against them. They supplicated, ‘Not unto us, etc.,’ and the Holy Spirit responded, etc. But the Sages maintain: The prophets among them enacted that the Israelites should recite at every epoch and at every trouble -- may it not come to them! — and when they are redeemed, they recite it [in thankfulness] for their delivery. (Passover 117a). “We learned from the Torah...that man is obligated to offer praise and thanksgiving to God over the occurrence of miracles [that happen to him and the community]...as it was said that you will retell the story to your son and your son’s sons...and to retell my Name across the entire land (*Midrash HaGadol, Parshah Bo*, 10:12). “Then Moses sang this song¹⁶²...they said, we will say to our children, and our children’s children, and they will sing a similar song before You at the time when You made miracles for them (*Shemot Rabbah, Bashlach, Parshah 23:12*). It is clear therefore that absolute obligation to sing and praise God at the time when God created a miracle for Israel; there are some who considered this to be a mitzvah from the Torah (Considering the entirety of *halachot*, this adds to the value of the mitzvah) (*Baal Halachot Gadolot*, 9th Century Babylonia Shimon Kimora) On the other hand, there are those who say that it

¹⁶² Ex. 15:1

is not a requirement from the Torah, but a rabbinical obligation (Rambam Halachot Hanukah 3:6, referred there in detail the Rabad, the Ravid Mishnah, Keseph Mishneh commentary.) But there are no practical *halachic* differences if this obligation comes from the Torah or from the Rabbis.

But here we found an obligation to offer praise and thanks to God for miracles that God gave to Israel, at the time of the occurrence of the miracle: “When the redeemers spoke about their own redemption,”¹⁶³ But, if the scholars of the generation will establish [the obligation] to recite these [praises] on the same day as the miracle [occurred], this will be for all subsequent generations, then recitation of the thanksgiving blessing becomes the obligation for the next generations. We already quoted here above the opinion of Daat Hashiotot that there is an obligation to thank and to praise to God, when the day that the miracle happened does arrive [in the calendar year or anniversary of the holiday] as in Hanukah and Purim. We already clarified the subject of the blessing *Sheasah Nissim*, which depends upon the greatness of the miracle and its overall importance as to whether to establish for the next generations. The sages of the generation [1948] already established that the 5th of Iyyar is a day of thanksgiving and the complete Hallel [will be recited]; there is no doubt that—now-- we must establish the 28th of Iyyar as a day of thanksgiving requiring a recitation of Hallel.¹⁶⁴ and it is clear that

¹⁶³ Passover (quoted above)

¹⁶⁴ Halevi: Here the great *Poskim*, in the following [collection of sources] that studied this *halachah*, they conditioned the saying of Hallel upon miracles done to all of Israel, only. Refer to Rabbi Yona in Brachot 82 in the name of Rabbenu Tam ...this is a detailed and familiar argument. The is because the law concerning the inhabitants of the Land of Israel is the same concerning all of the Jewish people. Or, due to the establishment of the State of Israel on the 5th of Iyyar and the strengthening and expansion on the 28th of Iyyar and the salvations of His residents on these days. (So, either Hallel has been established for all the Jewish people, both in the Land of Israel happens and in the Diaspora., The significance of these 2 days secured the State and helped bring security to the entire Jewish people. The second statement has a theological point: the the State is the fruit of the Zionist movement, done through human efforts and was

it is within the power of the scholars of Israel in every generation, --even to their own generation and subsequent generations, -- when they established holidays and when the nation ratified their decision to celebrate, the obligations were take upon all of Israel for all subsequent generations-- as with Hanukah and Purim [to recite Hallel], and therefore it is truly a mitzvah from our rabbis to recite Hallel during those days.¹⁶⁵

But, regarding the subject of the blessing of Hallel, our rabbis and teachers Rav Uziel and Herzog (who were the chief rabbis of the official central rabbinate already of Israel) established that we must recite the Hallel *without* the blessing. Maybe their reasoning came from the Responsa of our Rabbi Hidah (Responsa of Haim Yosef David Azulai in is collection title Haiim Shaal part 2 chapter 11) who copied the words of the Meiri (end of his Tractate Pasachim commentary that he copied and mentioned in his memoirs and in the parenthesis I will add the version that we have of the Meiri).¹⁶⁶

“Every individual who has suffered tragedy (and was saved) is permitted to obligate himself (to recite by himself) the Hallel on that day (every year following), but he does not bless (before reciting the Hallel); and that is the ruling for the entire Jewish community (and any smaller sub-community), that was the *takanah* of the prophets (to say) Upon every individual disaster (and catastrophe) that you are redeemed from her,” and about that our Rabbi Azulai wrote: It is understandable from the words of our rabbi,

the salvation of the entire Jewish people.) The State is both the center for all the Jewish people in the Diaspora as well as its salvation. (This is Zionist thought, that the importance of this event was highly significant for the entire Jewish people. Halevi accepts this ideology as the basis of his approach to his theological understanding of history. He is using *halachic* reasoning, but he is also, accepting without argument that the Sages of the Generation established the 5th of Iyar, since the entire Jewish people were saved.)

¹⁶⁵ We do not recite Hallel, but we do say *Sheasah Nissim* and *Al Hanissim*. Whether it is because we recite the Megillah or whether we were not redeemed on Purim

¹⁶⁶ Meiri's commentary to Talmud was lost; Azulai has a manuscript that differs from the commonly accepted printed manuscript

that our community will not recite a blessing before the recitation of Hallel-- which they only read for the salvation of their lives, when they are actually saved from the hand of their enemies, As you can see, the Meiri equates the congregation to the individual here, so that the congregation-- will not recited the blessing before Hallel. Since Rabbi Azulai did not mandate the obligation to only recite the Hallel with out the blessing,, we learn from his opinion that the community should not say a *brachah*, this is as far as the *Hidah* states. [Halevi therefore concludes] that we should be required to recite the Hallel without the blessing on both 5th and the 28th of Iyyar.

I have seen a prominent authority who tried to prove from the words of Rabbenu Tam, (his words were cited in Rabbenu Yona's¹⁶⁷ commentary in Chapter 4 of *Masechet Brachot*) to require a blessing, and this is what Rabbenu Tam said: Regarding this matter, the value of the Hallel was proscribed to be recited over every disaster from which the community was saved, for at the time when the entire Jewish people faced a disaster and God created a miracle for them , and then they created a day to commemorate the miracle as a Festival Day. Our people took on the obligation of the recitation of Hallel and they were obligated to bless its recitation even though they did not recite the complete Hallel. The main point of this *takanah* was the focus on the *miracle [itself]* that was performed for the entire Jewish people: *Ki tavo*" (the point of this verse, after the war, when your enemies are defeated and this is considered the day of your rejoicing; Likewise, on the day of your Festivals, in saying this the Torah equates the day of rejoicing of your victory with *Rosh Chodesh* and *Moadim*) But, by contrast, a

¹⁶⁷ Refer to Alfasi's *Brachot* chapter 4, Rabbi Yona Garundi (Gerona) his students put together a commentary based on his teachings

miracle done for an individual the Sages did not ordain that Hallel be recited, even a community is called an individual for their purpose. In every situation when the entire Jewish people were not present, it was considered that a miracle happened to an “individual.” These words of Rabbeinu Tam do not support his claim, for even from the beginning where he wrote “they make that day a Yom Tov,” Based on his words, it is possible to assume that he meant to establish this obligation on all future generations. However, that was not the literal meaning of his written words. Since his words are simply refer to exactly when and where the specific miracle occurred. They say a Hallel with the *brachah* and his proof is from the verse: “...when a war happens in your land.”

But, the Meiri’s words clearly and explicitly pertain to the establishment of the recitation of the Hallel without the *brachah* on *that day and every year following*. Undoubtedly, the *Hidah* was correct according to the Meriri if you study them. But, that according to the commentary of Rabbi Avraham Iben Ezra, on the day of their rejoicing, *it appears in his opinion that the simple understanding of Jewish literature about the establishment of Festival Days for all generations*. is based on his understanding of the verse: “On the day of your rejoicing when the nation returned from the land of their enemy, or the days of Hanukah (Other versions read Hezkiah)¹⁶⁸ happy...obviously the recitation of Hallel on those days would be with a *brachah* as it is on Hanukah and Purim.¹⁶⁹

¹⁶⁸ Hezkiah and Assyrians battle

¹⁶⁹ Chief rabbis at the time said, we will say Hallel without a *brachah*.

(Saying a *brachah* could indicate that these days really were miracles as God has empowered the rabbis to recognize this as a miracle for all generations. Reciting a *brachah* when not necessary could imply taking God's name in vain.)

At any rate, this entire discussion relates to miracles related to redemption from disaster. If we consider both the 5th and the 28th of Iyyar] as [rescue from disaster, then certainly the law concerning those days is to recite Hallel *without a brachah*. With humble apologies to those great rabbis Uziel and Herzog, these two days have a significance and importance much greater than those redeemed from disaster. The 5th of Iyyar is a day marking "the beginning of Redemption," a day on which God appeared to His chosen people from the hidden places. God, whose face had been hidden from us, and partially reveal Himself (the world changed in a fundamental and theological way) God has now revealed Himself again, to a people who have seen its victories and its failures, conquered lost parts of the Land of Israel-- most importantly-- the old city of Jerusalem. It is now clear that God did this, to return the Jewish people to the Land of Israel. Thus, on the 28th of Iyyar 1967, we saw evidence of God redeeming us, with an illuminated face and with awesome power. This is Revelation of the *Shechinah*, on that day we won great victories with no failures, we won victories without defeats; the Crown was receiving the Temple Mount, the people saw with their own eyes, the presence of God, in their own midst. "For it is the LORD, your God who marches with you to do battle for you against your enemy, to bring you, victory." (Deuteronomy 20:4). A great shock and awe seized the people in the Land of Israel and the Diaspora to-- once again-- believe in the existence of God and His Providence in their world. The people saw with open eyes His care for the benefit of His people and their portions, fulfilling the prophetic

visions of our prophets. The road was open and hearts were prepared for the destiny of our holy Torah: “Then the LORD, your God will open up your heart and the hearts of your offspring to love the LORD your God with all your heart and soul, in order that you may live.” (Deuteronomy 30:6). God’s promise was that this destiny would be quickly fulfilled: the people will return to the observance of mitzvot in their entirety and may He—may He be praised-- knows how this will happen, even though this is beyond our own imagination..

The ones who naively believed in all that [above] and think that the 5th and the 28th [are miraculous], “I, the Lord will speed it in due time” (Isaiah 60:22), that will commemorate those days not only as salvation from your enemy and from someone who lays siege upon you, (according to the Meiri and Azulai). but only as the days of Passover and Hanukah at a time when the nation survived deadly circumstances, moving from slavery to freedom. The same as the Sages of Israel from the generation of Mattisyahu the Hasmonean High Priest and his sons, realized and understood the meaning of the great miracle of those days and established those days for the recitation of Hallel and the *Hodiah* blessing, because of their appreciation and they valued as [a miracle akin] to the [miracle] of Passover [in historical context]. So, if our Sages in our generation would decide to view the 5th and the 28th of Iyyar as days marking a turning point, beginning completion of Redemption, with the construction of the Temple and appearance of the Messiah, they are empowered to establish the blessing of the recitation before and after the recitation of Hallel.

The *halachic* basis on which to establish the blessing of the recitation before and after the recitation of Hallel comes from the words of *Da’at Shiltot* and followers that we

quoted above, that any time that a miracle happens to Israel, there *is* an obligation to say thanks and giving praise to God on the day of the anniversary of the miracle, “like Hanukah and Purim,” as was explained above, that the matter of establishing the blessing of “*Sheasah Nissim*” over the Hallel-- as is the exact case with Hanukah.¹⁷⁰

To the matter of the *Shechehianu* blessing, it is a simple thing, and this does not need to be explained, and from what we already explained in the second part of the book “Mikor Hayyim” chapter 92: “If there is a place where it is questionable if a person is *required* to recite the *Shechehinu* blessing or not, (even though the *halachah* over this blessing is simple), it is doubtful if the [*halachah* of] recitation over the blessing will be more permissive, as the essence of the *Shechehianu* is to honor the joy found in one’s heart. Of course, one can bless if one is truly happy and he is blessing God and asking that He keeping him alive, sustaining him until this day”¹⁷¹. But, we had some reservations there, “it is good and suitable for a person who wants to bless the *Shechehianu* blessing and there is no clear requirement from the *halachic* position, to ascertain his feelings if he actually truly happy.”

And therefore it is clear, that the recitation of the *Shechehianu* blessing on the 5th and the 28th of Iyyar, through the true feeling of happiness, it is a positive commandment to [recite the blessing]; even so he worries that this is a *brachah l’vatchalah*. Obviously it is not like that at all. Even that, too, if there will be an agreement from the Central

¹⁷⁰ {Halevi’s footnote} This *halachic* research was written over a year ago. Subsequently, , the Central Rabbinic Authority convened a meeting on the 18th of Tammuz 1968, and established the recitation of Hallel with a blessing on the 28th of Iyyar. In my humble opinion, it is time to decide if that decision also applies for Independence Day as well.

¹⁷¹ Similar to the *Shechianu blessing*, except the blessing here speaks about the individual and not God.

Rabbinical Authority of Israel, every person will be able to recite the ***Shechehianu*** blessing, as is similarly done on both Hanukah and Purim.

And now to the conclusion of the *halachic* discussion, that if an agreement from the Central Rabbinic Authority regarding all that was mentioned here, we can establish a specific regulation:

On the erev of the 5th and the 28th of Iyyar, before the evening prayers, the 107th Psalm will be recited, and the remaining order of the psalms during the Hallel should be recited as they were established by our rabbis in the Land of Israel, “This is the day Hashem has made; let us rejoice and be glad on it”¹⁷² and afterward the *Sheliach Tzibor* stands before the congregation and blesses in a loud voice, in order to include the congregation in the blessing, and the congregation will have completed their obligation: “Blessed are You, Hashem our God, King of the universe Who has wrought for us miracles in our days” and the congregation will answer “Amen.” Everyone together will say: Who has completed miracles for our forefathers and redeemed them --and us --from slavery to freedom, He will bring us full Redemption soon and gather us from the four corners of the Earth, all of Israel will be as brothers and we will say, Amen. And afterward the *Sheliach Tzibor* will bless by saying the ***Shechehianu*** and all the congregation will say Amen, and after the evening prayers will be recited and they will continue according to the Central Rabbinic Authority.¹⁷³

¹⁷² Artscroll Siddur translation of the last line of the closing blessing of Hallel p.641

¹⁷³ {Halevi} If one person will say the *Shechehianu*, therefore he can make a blessing during any hour he deems suitable during that holy day, but the blessing in the congregation according to the Rabbanut of Israel, who suggested to say before the evening blessings, as our rabbis who preceeded us that on erev Yom Kippur we should say the ***Shechehianu*** before the evening prayers because there is no holiness in the house, and that is judgment during those days.

The Eighteen Blessings (the *Amidah*) on Israeli Independence Day

Even our rabbis did not change anything from the prayer of Hanukah and Purim, except adding “*Al Hanisim*” to the blessing of the *Hodah*. Certainly, it is not a possibility for us to change, even now, the blessing for the Israeli Independence Day from its foundations. But, there is a huge difference that exists between Hanukah and Purim to that of Independence Day. What is common between them is the salvation of life from death, but certainly nothing changed in the life of the nation following those miracles [of Purim and Chaunukah]. During Purim, “We are still servants of Ahasuerus!” (Megilat 14).¹⁷⁴ During the time of Hanukah, the nation did not enter battle in order to achieve redemption and not even political independence, and (actually they did not even aspire to that), the background of the holiday was religious following a decree of annihilation by the Hellenists. Even if now, in the 5th of Iyyar, the nation went into battle in order to achieve salvation and redemption of their soul, [but their focus was] political independence, and from Heaven they proved-- that now-- on the 28th of Iyyar, even to those who doubted the most. that this was the desire of the Divine Providence; and that is

¹⁷⁴ Megilah 14a – (the entire quote helps contextualize the Halevi’s discussion) “Our Rabbis taught: ‘Forty-eight prophets and seven prophetesses prophesied to Israel, and they neither took away from nor added to what is written in the Torah save only the reading of the Megillah’. How did they derive it [from the Torah]? — R. Hiyya b. Abin said in the name of R. Joshua b. Korha: If for being delivered from slavery to freedom we chant a hymn of praise, should we not do so all the more for being delivered from death to life? If that is the reason we should say Hallel, also? — [We do not do so] because Hallel is not said for a miracle which occurred outside of the land of Israel. How then do we come to say it for the Exodus from Egypt which was a miracle which occurred outside the land of Israel? — As it has been taught: ‘Until they entered the land of Israel, all lands were counted as proper for chanting a hymn of praise [for miracles done in them] — After they had entered the land, other countries were not counted as proper for chanting a hymn of praise [for miracles done in them]. R. Nahman said: The reading of the Megilah is equivalent to Hallel. Raba said: There is a good reason in that case [of the Exodus from Egypt] because it says [in the Hallel], Praise ye O servants of the Lord, who are no longer servants of Pharaoh — But can we say in this case, Praise ye, servants of the Lord and not servants of Ahasuerus? We are still servants of Ahasuerus! Whether on the view of Raba or on the view of R. Nahman, there is a difficulty in what has been taught [above], that ‘after they had entered the land, other countries were not counted as proper for chanting a hymn of praise [for miracles done in them]’? — When the people went into exile, the other countries became proper as at first.”

the beginning of the true salvation of the nation's aspiration during the long time in exile. The salvation came in a way and shape for which we were not prepared, but now it was proven that this is the completion of the salvation of Israel, and in conclusion-- we will certainly realize that this will be the salvation of the world and the eternal salvation. And therefore, the connection to Independence Day should be different than the connection to Hanukah, and we should give it a fitting expression even in the prayer, the Amidah.

Every person senses and feels [God's hand] while praying the regular and daily prayers that are prayed on Independence Day. Consequently, the day remains as a regular working day, as is the case during the festivals of Hanukah and Purim, which are acknowledged as a normal day. But, we recognize that turning the 5th of Iyyar into a national holiday is much more significant occasion than Hanukah or Purim. From now on, the secular feel of the day will remain with the daily prayers and the recitation of Hallel will not influence over this feeling what so ever, the same way that the recitation of the Hallel does not have the power to influence Hanukah. Therefore, in the *halachic* framework that was given to us, without renewing anything, *we will be able* to place upon the prayers [themselves,] for Independence Day. We already explained this in great detail and length in the first part of our book "Mikor Hayyim" (p. 126 and p.248). Each person who wishes to add in the end of a rabbinically ordained blessing --another type of blessing-- is permitted. And, if there is a place for objections regarding an individual's personal prayer, that he might be bothered by that situation, but if there is an addition to the prayer that is already part of the established and set text, there is no reason why that [addition] should be forbidden. There is not any *halachic* restriction against adding to the normal Amidah text that is suitable and fitting, if that will inspire the one

who prays to the feelings of that significant day and awaken the soul to feel that important moment.

A set prayer text does not have any *halachic* restriction, is based on the principal that every blessing starts and ends the same way-- that it was said by our rabbis and the Sanhedrin, but before the ending of the prayer, each and every person is permitted, (and more so by the religious court of that generation), to add according to the needs [of the community].

We will present as an example, the first blessing:

The Fifth blessing in the *Amidah*:

“You graciously endow man with wisdom and teach insight to a frail mortal,”¹⁷⁵

“You chose us from [among] all the peoples; You loved us and took pleasure in us,”¹⁷⁶

“Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who on hearing of all these laws will say, “Surely, that great nation is a wise and discerning people.” (Deuteronomy 4:6). Lord, our God, please grant wisdom, understanding and knowledge to the leaders of the state of Israel, and to those who guard her security, and quickly bring to us the Messiah, the son of David, your righteous one, that about him the vision of the righteous prophet said: “The spirit of the Lord shall alight upon him: A spirit of wisdom and insight, a spirit of counsel and valor, a spirit of devotion and reverence for the Lord.” (Isaiah 11:2). “Endow us graciously for Yourself with wisdom and insight. Blessed are You, Hashem, gracious Giver of Wisdom”¹⁷⁷

¹⁷⁵ Artscroll Siddur, p. 103 of the *Amidah*

¹⁷⁶ The *Maariv Amidah* for *Yom Kippur*, p.71 of *Metsudah Machzor*.

¹⁷⁷ Artscroll Siddur, p. 103. Translation of part of the *Amidah*, 5th blessing. The only difference is that in the blessing there is the word *l'haskal*, but that is not in Halevi's version.

In this way additions of “requests and earnest requests” in any of the middle blessings of [of the *Amidah*], in the blessing of “*Hashivanu*,” it is possible to add a single request that God will give His love and His feeling of awe into the hearts of those who lost their way from the path of the Torah, as it was said: “Then the LORD, your God, will open up your heart and the hearts of your offspring to love the LORD your God” (Deuteronomy 30:6). In the blessing *Ranah Bananu*,¹⁷⁸ to many is a request of salvation from disasters and not salvation from a national standpoint (refer to the *Megillah* 17B and Rashi’s comment starting with “*Etchtalta D’giula*” (the beginning of redemption). It is possible to have a single request regarding special suffering that are presently being inflicted or might be inflicted against the nation in a much broader and encompassing way, according to the essence of the entire *Amidah*.

In the blessing “*refaeinu*,” it is possible to add a special request for the well-being and good health of all the ones who are responsible to the existence and carry the burden of her security, and at the top of that list, the soldiers of the Israeli Defense Forces (IDF).

In the blessing of “*barech aleinu*,” it is possible to insert a request to stabilize the economic position of the nation.

In the blessing of “*kibbutz galuliot*,” it is possible to insert a special request for the immigration of Russian Jews, Jews from Arab countries and others [to Israel].

In the blessing of “*hashivah shoftanu*,” a special request, “That God will prepare the hearts of the people and increase their desire for God and to be blessed in the Torah.” It is preconditioned to be renewed by the ordination of the rabbinic courts of Torah (Rambam in his commentary to *Sanhederin* 81a).

¹⁷⁸ The blessing dealing with Redemption in the *Amidah*

In the blessing of “*lemini u'lmalshinim*,” a special request to guard the nation, from spies and from those who undermine her existence.

In the blessing of “*Al HaTzadikim*,” a special request that God will grant good wages to all the Righteous Gentile Nations of the World that supported and even now are helping the existence and the establishment of the nation.

In the blessing of “*Bynan Yerushalim*,” a request for a prayer on the construction of the Third Temple].

In the blessing of “*Tzemach David*,” a request that we will merit the appearance of the Messiah, the son of David, and for total Redemption.

In the blessing “*Modiim*,” the prayer “*Al HaNissim*,” that will include praise to God for the miracles that He performed for our generation, to put in the heart of other nations to grant the creation of Israel. For the [nations] that stood by Israel when their conditions was dire and weak during the War of Independence (without mentioning here at all the defeat of the Arab countries from the rationale that this is the not the place to discuss that).¹⁷⁹

In the blessing “*Sim Shalom*,” an addition that will give a vigorous expression of the will of the people of Israel for global and regional peace, and a prayer for true peace with our surrounding neighbors; “And Jacob shall again have calm And quiet with none to trouble him.” (Jeremiah 30:10).

A prayer like that on the Day of Independence will contain praise and thanks to God for God’s mercy upon us, and the intention will be similar to a Festival Day that will

¹⁷⁹ {Halevi} for the prayers for the 28th of Iyyar there is only a need to establish *Al HaNissim*, on the background of what happened leading to the Six Day War, and regarding the great strength and bravery that God instilled in us during the great days of war, etc. as exemplified by Hanukah and Purim.

add exaltation to the souls of all who pray and is based --in full accordance-- with the *halachah*.

Let's see how much the scholars of Israel from the period of the Talmud took pains to include in the prayer the needs of the people:

“R. JUDAH SAYS: THE LAST TO STEP BEFORE THE ARK etc. The following was cited in contradiction to this: Until when do we [continue] to pray for rain? R. Judah says: Until Passover is over; R. Meir says, Until the end of Nisan! — R. Hisda replied: The two statements [of R. Judah] are not contradictory; the one refers to ‘praying’ and the other to ‘making mention’; ‘praying’ one continues [until] the end of Passover], but ‘making mention’ is discontinued on the first day [of Passover]. ‘Ulla said: This [solution of the contradiction] by R. Hisda is as difficult as vinegar to the teeth, and as smoke for the eyes. If one makes mention of rain at such times when it is not permissible to pray for [it], how much more so should one make mention of rain when it *is* permissible to pray for it? — It must be, says ‘Ulla, that [there is a dispute] between two *Tannaim* as to the opinion of R. Judah. R. Joseph said: What is the meaning of, ‘Until Passover is over’? Until the first reader on the first day of Passover is over [with his prayers]. Said Abaye to him: Is there then a place in the Festival [Tefillah] for inserting the prayer for rain? He replied to him: Yes, the Meturgeman ‘prays’ — Does then the Meturgeman ever pray for something of which the community has no need? Therefore, the better solution is that of ‘Ulla.”¹⁸⁰

¹⁸⁰ *Masechet Taanit* 4B. The rabbis are debating the insertion in the *Amidah* to the blessing “*HaShamim v'ten tal umatar*.” This blessing can be found on p.104 in the Artscroll Siddur.

Refer to what Rashi explained about the Meturgeman is a [problematic] explanation for Halevi, which he ultimately, does accept.} ¹⁸¹

And the Rabbi Hannel (990-1050CE) explained: Since the Gemora does not reject this, that the Meturgeman (an assistant to the prayer leader) prays for rain. But, is there a Meturgeman for prayer? The Beit Din would establish this point, whose job it was to pray for things that the community needed. Therefore, it possible to add to the morning and evening blessing on Festival Days the blessing of “May it be your will Lord our God to give us dew and rain across the land,”¹⁸² as a separate request.

From now on, on this basis we can make a *kal v'chomer* (an *a fortiori* inference) that the prayer leader does not have the option to add anything to his prayers (as the [discussion of] the blessing over dew and rain during festive day) nonetheless the sages of Israel took pains to include every desired request by the Meturgeman , but in a place where the prayer leader is able to lead prayer by himself and beseeching for the needs of the generation, according to the subject of the *brachot* in his prayer. So, if one can do it [make the request] on a Festival Day through the Meturgamon, then one can add a blessing on Independence Day. Like the blessing in this prayer but not more so, all the suggested additional prayers to the [*Amidah* on] Independence Day are requests that the generation needs the most.

¹⁸¹ This is the footnote in the Talmud Sancino addition to the Meturgeman: “The translator or interpreter. The function of this official in Talmudic times was to interpret to the audience in the Synagogue in a popular manner and to enlarge upon the theme of the rabbi lecturing. Rashi, feeling that in our passage no such official could be referred to, explains that here the lecturing rabbi and interpreter are one and the same person, he who lectures on the first day of Passover, and that he included in his address a prayer for rain. V. however, the commentary of R. Hananel ad loc.”

¹⁸² My translation of R. Hananel, which Halevi quotes

The Value and the Usefulness of Additions in the Body of Prayer

If someone asks and questions, why is there a need to add all those requests in the body of the *Amidah*?, and is it not possible to write a new special prayer that will include all those requests, and more, to be said after the *Amidah*. Regarding this question there are two answers:

1) We already explained that the main reason was to place in the daily prayers more feelings of celebration, because those who pray with meaning and deepness can find all their personal and national desires in the same *Amidah* that our rabbis established in the period of their holiness. Only an addition to the body of the prayers causes a special revival, in the same way that we found in the days of public fasting in the land of Israel who used to add six, long blessings in the middle of the *Amidah*. (Mishnah Taanit, chapter 2, for the complete version of the blessings refer to the *Tur, Orat Hayyim*, Paragraph 579)

2) There is no doubt that there is a great usefulness in the hearing all of these prayers before God. When this blessing is recited with the *Amidah*, (as we saw in the question that we quoted above) and that we tried to have the Meturgeman request rain in a prayer said deliberately on a Festival Day. Could it not have been done following the *Amidah* (and what would have been so hard for the Gemora “a question of in a festival day, [is there any case in which the principal you maintain, applies]?” And therefore, we learn from our rabbis: “One should first recite The Prayer and *then ask* for his own needs, as it is said, “I pour out my meditation before Him [then] I declare my [own] affliction before Him.” (*Avodah*

Zarah 7B) And from here we expanded and learned from Rabbi Naphtali Tzvi Judah Berlin (1817-1893 Poland), “That a person should not pray *only* on something through established/set prayer at the appropriate times” (Genesis 18:23). The verse “on my sword and on my request” (48:22) that Onkelos translated as “in my prayer and in my fright,=” is similarly explained in the *Gemora* (Baba Bathera 124), “with my sword this is my prayer, and my request is a request“ The rabbi explained that the set prayer that we recite three times a day is considered a request. “A person can not create a request to address his immediate needs, only in an established/set prayer.” After this subject is explained in length, he [R.Berlin] summarized by saying, we see that set prayer is called a sword, and a request to the immediate needs are called “bow”. He wrote there the meaning of those names, sword for prayer, bow for request.

It seems in my humble opinion, that explaining those terms, that the set prayer has the power to reach a target that is close only, for example the sword, and the set prayer can not reach distant targets. And on the other hand, requests, which are additions to the [set] body of prayer, the prayer’s power is greater, for example a bow can reach distant targets and possess great usefulness. The meaning seems very simple to explain, since established/set prayer is said about one thousand times a year with all the effort that a person will make to make his prayer more powerful and adhere to his Creator and Maker. However, most likely [the person praying] will not be successful [in strengthening his or her prayers], and therefore, there is not enough strength in his prayer to reach the target very efficiently, and that resembles the sword. But, the request that it is a special addition

to the body of the prayer, causes a person very easily to be *empowered* in his prayer and to sense and feel the great exultation, elevation and adherence to his Creator who stands before him when he prays. (We already explained a similar idea in Michor Hayyim, the first part, p.297). Therefore a prayer like that is more likely to reach its target more efficiently, similar to the example of the bow.

In that we will better understand, why did our rabbis set in times of trouble for Israel six additional blessings to be added to the Amidah. Truly, why is there a need for that,? is it not that their request will be accepted from the regular set prayer, what is missing from [the set prayer]? Likewise, we will understand the meaning of what the Gaonim added to the special request to the daily prayers of the High Holidays (*Zochranu, MiKamocha, U'vchen, Katuv, U'vasafer*) and even in the first three blessing and in the last three blessing they are in contradiction to the *halachah* and the rabbis with difficulty permitted them to be included into the prayer. (Refer to Masechet Brachot 34, the Tur *Orch Hayyim* paragraph 582). After them came the head of the yeshivaot, rabbis, and *paytanim* (writers of religious poetry), who added more requests and supplications into the Amidah, at least in the repetition of the prayer leader [of the *Amidah*], and “there is not any person that is prevented from saying them” (Rabbi David ben Solomon ibn (Abi) Zimra (1479-1503) *Kelalei ha-Gemora* Paragraph 534). The concerns regarding additions and religious poetry in the blessings of the *Shema* are best understood in the *Tur* by its author, .Rabbi Asher (chapter 68). Regarding additions and religious poetry it is correct to prevent someone from adding them while reciting the *Shema*, but not while they are actually reciting the *Amidah*. (Refer carefully to *Beit Haadash* and the *Aruch HaShulchan* and other great rabbis. on this) Since they knew very well how much value

and importance there is for prayers that comes with special additions which can cause the person exultation, excitement and elevation. 42

It is the custom of the Kabbalists in Jerusalem to refrain from saying *piyyutim*, But what about all the other Jews who are satisfied with the surface or literal meaning and take no notice of this argument, all the rest of the Jews who do say *piyyutim*.

How great was awareness of the first generation of scholars, as they decided to add proper additions to the original body of prayers that came to hint at miracles that happened even to a single congregation in Israel, and-- later on-- those additional prayers were accepted by all of Israel. A great miracle has already happened to the Jews of the old city of Jerusalem, one of the fourth most-famous Sephardic synagogues by the name of "Talmud Torah" (near by the synagogue called "Rabban Yochanan ben Zachai"), as was told in the book *Simchat HaRegal* by Rabbi Azulai, --may his memory always be a blessing. That happened in ancient days in the days of Rabbi Kolonimus inside of Jerusalem who is buried there.⁴³¹⁸³ [This is the legend of the miracle involving rabbi Kolonimus in the old city as told by Halevi]. The Muslims killed an Arab boy at night and that evening they threw his body into the courtyard of the synagogue "Talmud Torah." The Arabs wanted, God forbid, to retaliate. Rabbi Kolonimus did what he does bes\ by praying to God and the murder child opened his mouth and said described what happened to him and who killed him, including those who threw his body into the courtyard. All the non-Jews and governors heard those words and the people of Israel were saved. That is why he is called Our Rabbi, Rabbi Kolonimus-- the miracle maker.

¹⁸³ 43 http://www.campsci.com/iguide/old_city_shuls.htm, Please refer to this website for more information on the old shuls of the old city, including a version of the story of Rabbi Kolonimus in English.

That is what they say “gives speech to the deaf and reveals hidden things” Rabbi Galanti, a student of Moses ben Jacob Cordovero or Moshe Cordevero (1522-1570) wrote, that this praise that we say, was established as a result of a situation like this. “and he said in that section they inserted between the cracks of the words, the following: to the blood liable and ... (Genesis 31:38) When Pharoah’s dreams are interpreted that Targum is to find someone like this who can interprets dreams. Who can save people taken away for execution, Rav Mikubal, a Kabbalistic rabbi, did this by his use of pronunciation of divine names, caused the dead person to speak, and to recount the entire deed and that is why they established this praise. God made the murderd person talk. This one reveals mysteries.” Regarding this Rabbi Nitiv Am added: ever since I saw these words written by Rabbi Azulai that in the middle of this fixed prayer -Nishmat Kol Chai, -they added specific words to the already established prayer, “but I found in the Abudrahan¹⁸⁴ that he gives a running explanation, but from the words *Nusach* to *Modaiim* are not mentioned or explained. Why does the Abudraham stop, we must conclude from this that those words must not have been in front of the Abudrahan, because after we explained “we had no King but thee” he jumped to “our mouths are filled with song.” He wants to say, that this is proof, that this is about adding various items to the liturgy, from Rabbi Galanti and Rabbi Azuali, these things speak for themselves.

The Reading of the Torah and Hafatrah on Independence Day

¹⁸⁴ 44 A Sephardic commentary to the Siddur 15th C.

The main cycle of Torah reading for Shabbat comes from the days of Moses (*Babab Kamma* 82). The main purpose “in order to cause the people to hear the mitzvot and laws” (*Or Zarua*). And they established the reading of the Torah on Mondays and Thursdays as well, so that there would not be a three days absence from the Torah (*Gemora* there, and Rambam *Halachot Tefilah*). Even from this reasoning, one could have chosen to read the Torah on Tuesday instead of Monday, there are hidden meanings for the choosing of Monday and Thursday since they are days of “desire.” From this reason on those days we added *Tachanun* which we already explained in our book *Mikor Hayyim* the first part, p.300.

This is the essence of the additional, Torah readings and he was to introduce a few introductions that is needed to clarify our subject. If they would have canceled the reading of the Torah on Mondays, they would not take out the Torah scroll on Tuesday for the following reason. Monday was set as a day of “desire,” (That is a very famous legal discussion and finally the agreement was established by Rabbi Azulai). Furthermore, in Mincha, the Torah will not be read as compensation for *Shacharit*, because that is what the meaning of the essence of the additional Torah readings, precisely during *Shacharit* (That was explained according to the Rambam, in agreement with all the great *poskim*).

The difference between reading the Torah on Shabbat and reading on Monday and Thursday stems from the foundation of a preference that belongs to each one of those as we are going to explain. That if they [Torah readers] made a mistake and skipped even one verse, they can go and pull out the scroll of the Torah and complete the reading of that verse, in order to achieve the main goal of “causing the people of Israel to hear the

mitzvah and the Torah.” But it is not like that on Mondays and Thursdays, because if they would have read as a lesson ten verses (of course, by reading nine verses the requirement is fulfilled), and a verse was skipped from the order of the reading, there is no need to repeat it, because the requirement of reading “that three days will not pass without hearing words of the Torah” is fulfilled, and the verse which was skipped will be read on the following Shabbat.

Furthermore, if they made a mistake on Monday and Thursday and read from a totally different *parshah*, that is not part of the cycle of Torah readings, there is no need to return and to read from the correct *parshah* of that Shabbat. We already explained in great length in part three of our book *Mikor Hayyim*, in Halachot Kriat HaTorah. Also, when a day of fasting happens on a Monday or a Thursday, you are permitted to take out a scroll of the Torah and read “V’ykal” which is *parshah* of *Taanit*, without the need to enquire first if there is enough people who are fasting as it is needed on a different day, because even though those are days when the Torah is read, it is unimportant to me which *parshah* is read, since the main goal is “that three days are not passed without hearing the Torah.”

From all the above, we have learned, that the essence of the requirements of the reading of the Torah was set to only special times (Mondays, Thursday and Shabbat) for the reasons that we already explained. The Sages of Israel in their generations that they required the reading of the Torah on Festival Days and Intermediate Days and on the day of the New Month. The reading of the Torah on Purim and Hanukah was established by the sages of that generation. Also, they established the reading of the Torah on Fast Days, and not necessarily those which are explained by the prophets, also on days of

fasting that the public was called to fast and to congregate to ward off imminent dangers and the permission to read from the Torah on those days stems from the essence of the *Takanah* of our rabbis of previous generations. Those rabbis established the days of fasting as was explained in the Torah. The reading of the Torah in all those previously mentioned days, highlight the significance of each of those days and is not the sole reason of avoiding hearing the Torah for three consecutive days

It is possible to learn, as our rabbis taught from the time that the Hasmoneans established the reading of the Torah, --in the days of Hanukah-- to point out and to underline the value of the rededications of the Temple and sanctification and purification of that period. Also during the days of Purim, they established the reading from the parshah "*V'yavo Amelek*" to point out the fall of Haman in their generation. Also possibly, that the scholars of our generation will be allowed to establish the reading of the Torah on Independence Day. If we will assume that on this day (the Day of Independence) the establishing of the State of Israel was announced. The corner stone was laid to establish the beginning of our Redemption, and afterward will come the full Redemption of Israel to its various levels, the materialistic and the spiritual. From this point of view,-- certainly-- Independence Day rises in its importance above Hanukah and Purim. So, if our sages established on those days the reading of the Torah to point out their value and meanings, why would they take those same tools away from the Day of Independence?

If there are any reservations in the hearts of the scholars of our generation that they would be afraid to establish the reading of the Torah on a day that our rabbis of previous generations did not establish. So, at least, they can establish the reading of the

Torah when Independence Day will fall on a Monday or a Thursday, or they will have a special reading from the Torah but it will not interfere with the Torah portion on Shabbat, since suddenly there is nothing to fear, since any way those days are already set-aside for Torah reading (as it was explained).⁴⁵¹⁸⁵

I would personally suggest that the readings on Independence Day should be from Deuteronomy 30:1-15, because the contents of that *parshah* deals with the future Redemption of Israel, after the end of exile in destruction of the Second Temple, when the nation of Israel will return to God, and God will return with them to the Ingathering of Exiles; and He will deliver them to the promised land, and He will return to be among His people as in His early days.

Also it seems like there is a need to establish the reading of the Torah on Independence Day on any day that this holiday will fall for the reason that we will explain. Nevertheless, the Haftarah blessings are not needed because the Rambam decided: “There is no Haftarah reading, only on Shabbat, Festival Days and Tisha B’Av” (Hilchot Tefilah 41:2). All our research that does not support the similarity between [Independence Day] to Hanukah and Purim, because Independence Day is not a Yom Tov, which requires the reading of Torah, the type that Rambam referred to.

It seems like Independence Day *could have obviously resembled* Tishah B’Av, however, on Tishah B’Av, our rabbis established the reading of the Haftarah in order to increase its distinction and the amount of importance of the mourning by reading of the vision of the destruction in the Torah and by the prophets. Even though Independence

¹⁸⁵ {Halevi} all this is without considering a single opinion on a person who thinks that any day that ten people will agree to read the Torah, that they can take out the Torah scroll and read the blessings; and wishfully this will happen everyday. The sages did not establish a daily reading because of the inconvenience to the people (Ginat V’Radim, paragraph 49).

Day is not a sanctified day from the Torah, from the point of view that it is the greatest day for all of Israel, therefore you can compare it [similarly] to Tishah B'Av. Using that direct comparison, we can establish a rationale for the reading of the Haftarah and blessing as to increase the significance of the day and highlight through the signs of Redemption in the Torah and in the Prophets. But [this practice] does not have strong foundation in Jewish law, and our rabbis in the land of Israel of the previous generations, already established, the reading of the Haftarah “עוד היום בנוב לעמוד” (Isaiah 10 and 11.) It [the reading] is without blessing, due to the great concern that there will be a *brachah livatalah*. Until our righteous Messiah will, hopefully soon, reveal Himself to us, then Independence Day will be, that it commemorates the beginning of the strongest foundation for Redemption, as a great Yom Tov as Passover functions by recalling our biblical freedom, but now even those who doubt, will “understand” and learn the greatness of this day for Israel. “The spirit of the LORD shall alight upon him: A spirit of wisdom and insight,” (Isaiah 11:2) like waters covering the sea.

The Order of the Prayers for Independence Day

According to what was said [above], I recommend an order of prayers for Independence Day similar to [this list below]:

In the *Psukei diZimra* section, you should add the psalms that are normally recited on Shabbat and Yom Tov. Beginning with Psalm 19 “השמים מספרים כבוד אל.” When they will reach the song of *Hodu* (Psalm 136), that is the Great Hallel, among the 26 verse of *Ki*

*l'aolam chasdo*¹⁸⁶, all the congregation will stand on their feet, and they will sing it to a special melody (Refer to Rabbi Azulai, in his Responsa *Hayyim Shaal*, Section 2, chapter 11, end of the answer) – because actually it is a “Great Hallel.” After the Song of the Sea is read let them say, *Nishmat Kol Hai* to be sung to the melody of the Festival Day (please refer to the *Shulchan Aruch, Orech Hayyim, Siddrah* 221, and what Rabbi Kaf-Hachayyim in the letter 7, in the name of Rabbi Hayyim Ben Yaakov Peljy in *Ruach Haayim* 14), is in itself a thanksgiving prayer. After “the Baruchu”, continue with the regular blessings, but with a festival melody. Pray the *Amidah* with additions of special requests for peace over the nations, its development, its fortification and military might, and for a full redemption. (Certainly, if this suggestion will be accepted then these additions will be added to those prayers) and after they will read the Hallel with blessings, they will take out the Torah scroll and call three people for an Aliyah and read from Deuteronomy 30, and they will read the Haftarah “עוד היום בנב לַעֲמֹד” (Isaiah 10 and 11) without the blessings, “*Mi SheBarach*” for the safety and well-being of the nation, and the conclusion of the prayer “*Aleinu*”. By the way, it was customary to recite the “*Mi SheBarach*” for the soldiers of Israel when the Torah scroll was removed with the opening of the ark, because that is when the greatest period of desire and mercy as is described in the Holy Zohar). And that also, should be established for the Day of Independence.

Of course, all that was suggested here and was bound by a blessing, therefore the taking out the Torah scroll is subject to the agreement of the *Rabbanut* [Central Rabbinic Authority] of Israel.

¹⁸⁶ Psalm 136, said during Psukei D’Zimra, usually a congregation stands for its recitation

Lastly, we will remove the apparently truly justified concerns , because there are always some who will object to adjusting the prayers, reading the Torah, blessings etc, especially, because Independence Day is not always set as the fifth of Iyyar because it is moved to Thursday, to the third of Iyyar if the fifth of Iyyar falls on Shabbat. I, personally, do not believe that [that variable] is relevant because even Purim is changed if it falls on Shabbat so that the Megillah will be read on Friday: This date variability was part of the very establishment of this holiday: “Many times were adjusted” (Megilah 2). Therefore, the scholars of our generation can expect from the holiday’s creation that the day of thanksgiving and prayers will be on the date the Day of Independence falls, except if it should fall on Shabbat.

We can conclude, from this great belief that our generation merited and witnessed --in our days-- the steps to bring the Jewish people closer to Redemption. In the completion of this process you will witness the materialization of the prophetic vision of our holy prophets, and the revelation of God in His land and among His people and the Jewish people’s need to sanctify the Day of Independence; and to a certain degree, the the 28th of Iyyar in their mind, so as to prepare intellectually and spiritually to accept the great light which will come to shine on Zion.

Chapter 14

The Temple Mount and the Holy of Holies

Our generation merited the return to the heart of our nation _the holiest place in the entire world --the place of the Temple, Holy of Holies, where the light of God's revelation of God to Israel did shine.. From the time of the Destruction, of the Temple a Jewish person could only stand at "the Western Wall" Plaza; when his soul yearns and deeply craved to reach inside past that wall, and ascend the Temple Mount, although he could not do so.

When the great day of the 28 Iyyar 1967 arrived, and the agents of Divine Providence, the IDF forces, came forth and liberated the place where the great holy Temple once stood, there were differing opinions among the rabbis regarding which the specific areas on the Temple Mount [can be entered] in accordance with the halachah. This difference of opinion was never settled, because the truth of the matter is that these things can not be explained. To the question in the editorial of "Alay Mishmeret", our answers were given to this effect:

30 Tishrei 1968

To the Editorial Board of "Alay Mishmeret"

Magazine of the youth section of the Mafdal¹⁸⁷

Tel Aviv

Shalom and blessings,

I am confirming that I have received your letter-question on the 28th of Tishrei of this year, to explain the division dispute among Israeli rabbis on the question of the Temple Mount and its main points.

In my humble opinion --- in its essence the argument is unnecessary, because the rules of entering the Temple Mount are among the most simple and clear in the halachah. I will confess therefore, that I am also one of those [individuals] who does not understand this disagreement, allow me to explain:

“The Temple Mount,” is the part of the mountain on which the Temple had originally been built. This mountain was surrounded by a wall; this wall is the same wall of the Temple Mount, of which the Western Wall is a remnant.. The area of the Temple Mount was 500 x 500 cubit; the Temple was not built on the center of that mountain and was actually built toward the North-Western side. The measurements of the Temple itself are also known. These are the [agreed-upon] facts.

There are ten levels of holiness in the land of Israel. The Temple Mount is on the third level, which means that people that are suffering from gonorrheic discharges or actively menstruating and women who are not in their menstrual period or new mothers are **not** allowed to enter there. However you are allowed to take in a corpse and –how

¹⁸⁷ Religious political party

much the more so-- a person who is impure from contact with a corpse *is* permitted to enter the Temple Mount, but only on the condition that he will purify himself from the impurities which emanate from the dead, according to the law. This is the law that covers the area from the walls of the Temple Mount until the “Soreg.” The Soreg is the Mechitzah that is made out of sheets of wood, some long and some short planks that were mounted diagonally and entirely surrounded the whole area of the Temple. From “Soreg” onward is the rampart (it derives its name from this verse, “rampart to mourn,” in Lamentation 2:8) from that [physical] point starts the fourth level of holiness, and from that point on no person who contacted a corpse can enter.

These laws are very simple and clear in every aspect without any [rabbinic] objections, even more so than the [laws related to] tefilin which we put on every day [and which there are so many disagreements over]. Even during the period which the Temple was in existence, a corpse could be taken up till the rampart, if the person would have been purified from impurities which emanate from the body according to the law.

After the destruction of the Temple, the holiness of the place did not dissipate, because “The first consecration of the Temple sanctified the place for its own time and for the future, since the sanctity of the Temple and Jerusalem is a result of the Shechinah dwelling there and the Shechinah does not disappear: “I will destroy your Sanctuary,” “even though it is destroyed, their sanctuary remain holy.”¹⁸⁸ [The second clause is the midrash on the first clause, the verse.] Therefore, it is understood that even now anyone that enters the Temple Mount is culpable for death at the hands of heaven because we are

¹⁸⁸ Parshat B’Hukotai, Lev. 26:31 - the midrash says that he still called them sanctuaries and therefore they hold the sacred status

all impure as a result of contact with the dead, and we do not have any option to purify ourselves from the impurity of death, from absence of the ashes of red heifer and the rituals of purification.

This is the Rambam's opinion, and all the great Rishonim and Achronim agreed with him (except for Rabbi Abraham Ben David of Posquieres (1120-1197) and maybe another great posek). In my book,¹⁸⁹ I pointed out many of the greatest poskim whose opinions resembled Rambam's (By the way, I pointed out the sources of those laws, and also the holiness of the Western Wall and its importance as a place of prayer that flows from that sanctity will never disappear). From these sources it is clear and obvious from the halachah that the individuals that are impure by contact with a corpse are forbidden to enter the place where the Temple stood, but not the remaining area of the Temple Mount.

Now, disagreements among engineers and the certified surveyors would be understandable, (and maybe archeologists, too) [lay experts], if they would debate the exact position of the location of the Temple on the starting point for where measurements begin on of the Mount and [what actually constitutes] the exact length of the cubit etc, remain unclear. But, in my humble opinion the rabbis do not have any grounds to argue on that subject because according to the halachah there is no clearer halachah then this one.

There are some individuals , nevertheless [due to this uncertainty], that are fearful that by permitting the masses entrance to the Temple Mount, this will place a stumbling block before them and open the possibility of punishment by *karet*, for they would

¹⁸⁹ Michor Hayyim – the second part, chapter 95, that deals among other things with the halachot of holy places and their essence

continue walking until they entered the forbidden area and entrance to an area of the Temple Mount which requires immersion and shoe removal. . Or-similarly—the requirement to count seven days of purity for a man or woman following impure bodily discharge and immersing in fresh water (mikvah) for the impure male also applies (refer to Leviticus 15). These concerns do not permit us from entering the Temple Mount, because those who do not worry about the holiness of the place nevertheless, are entering and exiting[The temple Mount]. So “who is the one who loses from that prohibitory ruling?, Those who fear God and respect God’s holiness, who passionately desire to stand as close as possible to that wonderful point of light, that is the point where the Shekhinah revealed itself-in the past and exists dwells there even now in the present (and even if to a certain extent God hides Himself today.) We must presume those God-fearing individual will be not careful to stumble and transgress against any sort of prohibition. Moreover, it is well known that in the post-Talmudic period we are prohibited from issuing forbid that which the Torah permits. (Since the period of the Talmud, No religious decree may be issued based on merely a “sense” of what is right.)

In my above-mentioned book, I summarized: the halachah concerning the holiness of the Temple Mount and the Temple, is simple obvious, agreed upon and clear: that the original sanctification was holy at the beginning but the sanctification for the future according to the Rambam’s opinion, that is the view of the majority of rabbis and entry to the Temple Mount is permitted except to the place where the Temple was built upon. Concerning bodily impurities, Jewish people are permitted to purify from impurities which are discharged from the body-- even though they are impurities transmitted from the deceased; this is also simple and agreeable without rabbinic

objections. The greatest obstacle is precise measurements that will determine the position of where the Temple was built, in order to limit a prohibition to only that area, and to allow the entrance to the remaining area of the Temple Mount. But, now that God deemed us worthy to conquer the Temple Mount and extend the rule of Israel over it, there is a duty placed on those entrusted with this responsibility to devote all their heart and soul, and to make every possible effort to establish –by the most qualified lay authorities-, in the most precise and qualified way the position that the Temple was built on the Mount. Should it ever become possible In case it would be possible to establish an agreed-upon and ascertain section, then it will be possible to permit and even encourage the entrance of Jewish people to that permitted area. To be able to converse with our Father in Heaven, to the location of the *Mishkan* of His Holy Shechina that was set upon him, and my eyes and my heart were there for all time, and the eyes and heart of every person in Israel are yearning in great spiritual and strong aspiration, to the place the God chose to put His eyes and heart, for eternity. Our generation will be blessed if we will actually merit this.

And I am signing here in hope and in prayer to the building of our Temple and our magnificence at the hand of the righteous Messiah in our days, Amen.

In Blessing and Great Respect,

Hayyim D. Halevi

And now, close to nearly two years after the liberation of the Temple Mount from foreign rule, it is clear to us beyond a doubt that [the State missed the great moment of opportunity, and facts were not established (political) immediately following the conquest. If a synagogue would have been erected in the area of the Temple itself, that would have permitted the entrance of *Tammai Matim*, and the entrance would have been permitted according to those halachic limitations, then we would have established a firm claim to the right of the people of Israel to that place that He sanctified originally, with the Akadah of Isaac, the father of the nation, with the military conquest from the hands of Caanan, by the purchase in full price by King David, --king of Israel (from Araunah the Jebusite¹⁹⁰ who held the Mount as his own private possession according to the international law rule that conquest does confiscate private ownership domain) and in the building of the Temple by his son, Solomon King of Israel. But now that we uncovered in the first two years after conquering the temple Mount, that we left that holy place--- at least in this stage (for how long?)-- in the exclusive rule of another religion, that sanctified the location following the destruction of our Temple. There is nothing left for us but for our great sorrow, only to add and pray from the painful heart in the Musaf prayer: "But because of our sins, we have been exiled from our land and sent far from our soil. We cannot ascend to appear and to prostrate ourselves before You and to perform our obligations in the House of Your choice, in the great and holy House upon which Your Name was proclaimed."¹⁹¹

¹⁹⁰ 2 Samuel 24

¹⁹¹ Artscroll Siddur, Musaf service for Passover, p. 678

Chapter 15

The Rebuilding of the Temple and the Renewal of Ritual Sacrifices

Even though we are not yet worthy of the spiritual liberation of the Temple Mount, the physical liberation created a great excitement in the nation. There were some who insisted on rebuilding the Temple and renewing God's worship as was done in the past. There were some who would have been satisfied with the sacrifice of the Pascal offering only, but, there were also some who came to us to awaken [revisit] an old question: are we at all expected to renew the ancient ritual of offering sacrifices? Is it possible in our progressive era to renew that ancient tradition? To those [who ask, the answer is] yes, and it is to those individuals who we dedicate our words:

“Hear, O LORD, what is just; heed my cry, give ear to my prayer, uttered without guile.” Psalm 17:1¹⁹²

“Hear, O righteous Lord,” that is the prayer of *Shema*. “heed my cry,” that is the music of the Torah, “give ear to my prayer,” that is the morning prayer, “uttered without guile,” this is the *Musaf* prayer (Palestinian Talmud, Rosh Hashanah, 4:8). The commentators explained what each meant, and despite that, it still needs to be further

¹⁹² {Halevi} This article is Chapter 131 from the third part of our book *Michor Hayyim* that, God-willing, is being prepared to be printed, and its preface for the laws for the *Musaf* prayers.

explained, for what reason did our rabbis relate that the *Musaf* prayer [must be said when] “uprightness comes from my lips,”¹⁹³ (and not with deceitful lips)? And intellectually we will explain that it is known that “Tefilot were instituted to replace daily sacrifices.”¹⁹⁴ Meaning, that the number of prayers and their timing were set according to the type of sacrifices and the time of the sacrificial offering. (For a clarification of what was said, refer to the in-depth discussion in *Mikor Hayyim* Part 1, Chapter 61). Even so, there is a great difference between the prayers for Morning, Afternoon and Evening, and that of the *Musaf* service. The first three are, in principle, a request for mercy, and the daily sacrifice is mentioned only in a short, yet comprehensive request, “Restore the service to the Holy of Holies of Your Temple. The fire-offering of Israel and their prayer accept with love and favor.”¹⁹⁵ Wherein the *Musaf* prayers, the essence is the *Musaf* sacrifice. On Shabbat, the middle blessing opens with “You Established the Shabbat,” and below is the explanation:

“You Established the Shabbat,” is (clear) language from the Siddur, just as “But the LORD probes the mind.”¹⁹⁶ [note the similarity between *tikanta* and *vatokhen*.] “Found favor in its offerings,”¹⁹⁷ there are those who explain, that in all the sacrifice it does say “the goat of atonement,”¹⁹⁸ –that is, an atonement sacrifice is required among all the other sacrifices except Shabbat -- which is not like the Shabbat offering, which are willing offerings of Divine favor that do not necessitate atonement.

¹⁹³ Proverbs 8:6

¹⁹⁴ Talmud, *Masechet Brachot* 26B

¹⁹⁵ Part of the *Avodah* Prayer in the *Amidah*, translation can be found on p.275 of the Artscroll Siddur

¹⁹⁶ Proverbs 21:2

¹⁹⁷ Part of the Holiness of the Day Prayer in the *Amidah* for *Musaf*, translation can be found on p.467 of the Artscroll Siddur

¹⁹⁸ Not an actual quote, but m a reference to Numbers 28:30

There are those who explain, that You did not want any sacrifice of a creature that has not lived through a Shabbat, as it is explained in the verse: “When an ox or a sheep or a goat is born, it shall stay seven days with its mother, and from the eighth day on it shall be acceptable as an offering by fire to the LORD.” (Leviticus 22:27) a parable about this is a king who enters a country and issued a proclamation that said, “No man shall see my face until he shall see the face of my wife first,” that is what the Holy One Blessed Be He told Israel, do not offer any sacrifice until he will live beyond one Shabbat, because there is not seven without Shabbat, and there is no circumcision without Shabbat, therefore the rabbis said “found favor in its offering.” “Instructed regarding its commentaries along with the order of its showbreads,”¹⁹⁹ this refers to the verse *tzav et benei yisrael* (Num. 28) where the Shabbat offering is set forth that Israel was commanded to place there,²⁰⁰ this is explained by the Shabbat offerings: You commanded sacrifices that come with a set of bread whose face is made from solet, two form a set, six sets total etc. (*Shebolei Haleket*, Chapter 82²⁰¹), what is continued is self-explanatory. Afterwards comes the prayer, “that You bring us up in gladness to our land and plant us within our boundaries. There we will perform before You the rite of our required offerings, the continual offerings in their order and the *Musaf* offerings according to their laws.”²⁰² On Festival Days, this prayer is lengthened with this addition, to describe the destruction of the

¹⁹⁹ Part of the Holiness of the Day Prayer in the Amidah for *Musaf*, translation can be found on p.467 of the Artscroll Siddur

²⁰⁰ Leviticus 24:5-9 ⁵ You shall take choice flour and bake of it twelve loaves, two-tenths of a measure for each loaf. ⁶ Place them on the pure table before the LORD in two rows, six to a row. ⁷ With each row you shall place pure frankincense, which is to be a token offering for the bread, as an offering by fire to the LORD. ⁸ He shall arrange them before the LORD regularly every Sabbath day -- it is a commitment for all time on the part of the Israelites. ⁹ They shall belong to Aaron and his sons, who shall eat them in the sacred precinct; for they are his as most holy things from the LORD's offerings by fire, a due for all.

²⁰¹ <http://www.hebrewbooks.org/8919>

²⁰² Part of the Holiness of the Day Prayer in the Amidah for *Musaf*, translation can be found on p.467 of the Artscroll Siddur

Temple by the absence of Temple rituals, not having the opportunity to ascend and face God three times a year, and wishing from the deepest parts of the heart, “that You once more be compassionate upon us and upon Your Sanctuary in Your abundant mercy, and rebuild it soon and magnify its glory...Bring us to Zion, Your City, in glad song, and to Jerusalem, home of Your Sanctuary, in eternal joy. There we will perform before You our obligatory offerings, etc.”²⁰³ A person who is hurt truly and innocently, by the destruction of God’s Temple because holy worship ceased, will pray the *Musaf* prayer with great feeling (and intention), and therefore, the best Prayer Leaders pray the *Musaf* prayer with a cracked voiced and a sad and melancholy tone that touches the heart.

From this we learn that a person can pray any prayer without an difficulties “without lips of deceit,”²⁰⁴ regarding a request for mercy, but not [except for] the *Musaf* prayer, because all its content and the meaning is a request to renew sacrificial worship in the great and holy Sanctuary, and this [request is of] actual sacrificial rituals. But if a person is not totally in agreement with that ritual, therefore his prayer comes from “lips of deceit.”

The things were stated [above] focus on individuals who were led astray by teachers who incorrectly thought negatively regarding the ritual sacrifices, who taught that—supposedly-- there is not a place for ritual slaughter in our advanced era. All this is because their mind can not accept the essence of the ritual, and even not its great influence. But ritual slaughter is one of the secrets of the Torah, and truly a simple human mind can not understand [those secrets]. “Concerning sacrifices, it does not seem logical,

²⁰³ Part of the Holiness of the Day Prayer in the Amidah for Festival *Musaf*, translation can be found on p.678 of the Artscroll Siddur

²⁰⁴ Psalm 17:1

by comparison, therefore that there is an abundance of God in it.” (The commentary of the Ran, *Drosh* 11). That assumption appears regarding many incidents that were described in the Torah. For example, “Then Noah built an altar to the LORD and, taking of every clean animal and of every clean bird, he offered burnt offerings on the altar. ²¹ The LORD smelled the pleasing odor, and the LORD said to Himself: “Never again will I doom the earth” (Genesis 8:20-21). God, Blessed be He, ordered Himself the construction of the *mishkan* only for the reason of sacrificial ritual worship. By means of the sacrifice the *mishkan* and the priests became holy, because they brought forth sacrifices (Exodus 29 deals entirely with this). God’s *Shechinah* was not immersed in Israel until the ritual of sacrifice was established, as it is explained: “Take a he-goat for a sin offering; a calf and a lamb, yearlings without blemish, for a burnt offering; ⁴ and an ox and a ram for an offering of well-being to sacrifice before the LORD; and a meal offering with oil mixed in. For today the LORD will appear to you.” (Leviticus 9:3-4)... “Fire came forth from before the LORD and consumed the burnt offering and the fat parts on the altar. And all the people saw, and shouted, and fell on their faces” (Leviticus 9:24). That also happened when the First Temple was established: “When Solomon finished praying, fire descended from heaven and consumed the burnt offering and the sacrifices, and the glory of the LORD filled the House.” (2 Chronicles 7:1) “...they knelt with their face to the ground” (2 Chronicles 7:3).

The same fire that descended from the sky when Solomon dedicated the Temple, remained and engulfed the altar until the days of *Menasheh*, [the fire] took the

appearance of a lion, “clear as the sun,”²⁰⁵ and she was real, and consumes “wet things as well as dry things” (Yoma 21a) and does not produce smoke, and in essence it consumed the flesh from the alter, and the priests only needed to bring two pieces of wood, because the mitzvah to bring fire was not to be brought from sacred property, it was said that the sons of Aaron, the priest, ignited the fire and placed wood on the fire. God’s fire remained lit on the alter until the days of *Menasheh* because that is when the *Shechinah* began to remove itself. During the Second Temple the fire from heaven existed, but it was not in the image of a lion (but it was in the image of a different animal), and this fire did not help burn the flesh of the sacrifices, since were only burned by the fire that was started by human beings. While during the First Temple period God’s *Shechinah* revealed herself to the nation as a shiny and bright light, but it was not like that in the period of the Second Temple,²⁰⁶ but the presence of “fire from the sky” was necessary during the Second Temple period as well, because without it there was no point for the (whole) sacrificial ritual.

From this point, as long as we are not yet worthy of the shiny light of God’s honor upon us, of course there is no reason and no place to build the Temple. There is not even a place for the sacrificial rituals, something for which there is no need for or benefit from today and would –certainly-- be very damaging. There is a reason that our rabbis have a

²⁰⁵ Song of Songs 6:10

²⁰⁶ {Halevi} The source for this subject comes from *Masechet Yoma* 21a: Rashi’s commentary there, along with the Ma’eri, and Rambam explained in *Halchos Tamidim Musafim* Part 2, *halachah* 1, here they wrote: “It was not like that in the Second Temple,” we concluded with that, since according to the words of our rabbis in Yoma 9: “the *Shechinah* did not linger in the Second Temple” but you can not understand that literally, because we know that the *Shechinah* did not move from the western wall, how much the more so well the Second Temple was still standing, please refer to Part 2 of *Michor Hayyim* section 5, the *Shechinah* did not admonish Israel with a bright shiny light as it did during the First Temple period; and that this is proof that fire came down during the Second Temple period but it was not attached to the alter, take the shape of the lion nor consume the Sacrifice.

tradition that the future Temple -- that we yearn for-- will come and reveal itself already built and perfected from the Heaven as it was said: “God’s Sanctuary will be established by Your hands” (refer to Rashi, Masket Sukkah 41a. and that is how it is explained in the *Chumash* this verse, and that it originated from in the *Mechilta*). This is the opinion of the Kabbalistic scholars, as their words in the Holy Zohar commentate on the verse from the psalm: “May it please You to make Zion prosper; rebuild the walls of Jerusalem.” (Psalm 51:18). The time when the Divine Providence will awaken, God will kindle and care for the lights of that building (The Temple) and that ritual. And even the Angels on High can not look – neither at the Temple and nor at that structure,-- as to see the Temple rituals will be built and perfected. What is meant by. . . “Will rebuild the walls of Jerusalem”? Is it not from that day that God was busy building the Temple until then still He did not build them? If the walls of Jerusalem were not built, certainly the Temple would not be built? Instead, the Holy One Blessed Be He, will build the Temple first and in the end when God will bring the Temple down from Heaven and establish it in its place, afterward He will build the walls of Jerusalem (*Zohar, Mishpatim* 108a). Come and see from now, that in the First Temple, there was the fire which came in the image of a lion that was laying upon the alter and in the Third Temple to come in the future [will be of fire] and will shine in golden lights.

If the words quoted above from our rabbis are to be taken literally, then certainly we do not yet have a clear sign of God wishing us to worship Him through sacrificial rituals and offerings. But, if we do want to understand them (not as literal) [but metaphorically] then, therefore it is possible to learn, that only when God’s greatness will reveal itself in Israel as a great and shining light, *only then* will the nation of Israel be

qualified to build the [Third] Temple and to grasp the value of serving God not through human knowledge, but only when the golden lights of God's greatness will shine upon humanity the values of the ritual sacrifice in the sacrificial offering.

For the ritual of sacrifice is the highest and final level of worshipping God and that was the meaning of the prophets of Israel, whom rejected the sacrificial rituals and other rituals in the Temple, not --God forbid-- from objection to the essence of the rituals, but to the generation which was not qualified to do that [worship]: "What need have I of all your sacrifices?" ... "I am sated with burnt offerings of rams, And suet of fatlings, And blood of bulls; And I have no delight in lambs and he-goats. Isaiah 1:11 "no more; New moon and Sabbath, (Isaiah 1:13) ... Your new moons and fixed seasons Fill Me with loathing (Isaiah 1:14) ... And when you lift up your hands (Isaiah 1:15) ... Though you pray at length, I will not listen. (All this is because) Your hands are stained with crime (Isaiah 1:15)... Wash yourselves clean; Put your evil doings Away (Isaiah 1:16). Not only did the prophets object to the ritual of sacrifice, but also to all the rituals related to worshipping God on the Festivals, New Moon, prayers and minor festivals (all ritual observance), until all of Israel will purify themselves. That was the how the prophets' rejection regarding ritual slaughter was demonstrated [explained]: Prepare your self and purify your consciousness before you sacrifice and bring offerings to God, because that is the highest level of worshipping God. In this manner we understand the entire opposition by the prophets to the sacrificial cult. The evidence to this is great. (Refer to an example of this in *Tanhumah*, in the beginning of chapter 96.)

Currently, we have not yet merited those great Divine manifestations, and yet the Mountain of Zion is still in ruins and “Foxes have gone up on it,”²⁰⁷ and we can not fulfill our obligation of offering ritual sacrifices in the Holy Temple, before a person rises to the *Musaf* prayer he must focus his mind so that his prayer will not be as “lips of deceit,”²⁰⁸ and he will meditate on those wonderful verses: “True sacrifice to God is a contrite spirit; God, You will not despise a contrite and crushed heart. May it please You to make Zion prosper; rebuild the walls of Jerusalem. Then You will want sacrifices offered in righteousness, burnt and whole offerings; then bulls will be offered on Your altar. (Psalm 51:19-21). In the spirit of the words that the Kabbalistic sages explained and was clearly quoted above. Thus, he will deliver a faithful prayer in “Uprightness comes from my lips”²⁰⁹ and he will pray from the depths of his hearts: the very end of *Musaf* requests that the “May it be Your will Lord that the Temple be rebuilt, the sacrifices be renewed in our days and we will perform before You daily offerings as in their order added like their laws.”

²⁰⁷ Lamentations 5:18

²⁰⁸ Psalm 17:1

²⁰⁹ Proverb 8:6

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