



הדרן אלך

Hadran Alakh

*Words of Torah from
Hadar's Advanced Kollel*



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The Hadar Institute

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אמר לו: רבי, אמשל לך משל. למה הדבר דומה? לבור הזה שאינו יכול להוציא מים יותר ממה שהיה מכניס. כך אני איני יכול לומר דברי תורה יותר ממה שקבלתי ממך.

אמר לו: אמשל לך משל. למה הדבר דומה? למעין זה שהוא נובע ומוציא מים, ויש בלחו להוציא מים יותר ממה שהוא מכניס. כך אתה יכול לומר דברי תורה יותר ממה שקבלו מסיני.

פרקי דרבי אליעזר ב

[R. Eliezer] said to [Rabban Yohanan], “My teacher, I will give you a parable: what is this like? It is like a well that cannot give forth more water than it takes in. So too, I cannot offer more Torah than what I have received from you.

[Rabban Yohanan] responded, “I will give you a parable: what is this like? It is like a spring that bubbles up and gives forth water, and can give forth more water than it takes in. So too, you can offer more Torah than even was received at Sinai.

PIRKEI DERABBI ELIEZER 2

To our teachers,
Rav Eitan and Rav Aviva,
who have filled our wells
and helped us become springs.

– *The Kollel*

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Beth Levy studied in Jerusalem for two years at the Conservative Yeshiva and in the Pardes Kollel before joining the Hadar Kollel. She grew up in London and has a degree in Jewish History from University College London. She now lives in Jerusalem where she teaches Gemara and *halakhah*.

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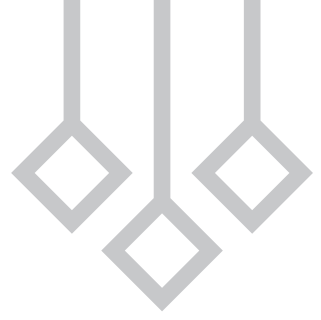
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Jamie Weisbach is a member of Hadar's Advanced Kollel. Jamie studied Theater and Religion at Bowdoin College and has studied Torah, Gemara, and *halakhah* at the Conservative Yeshiva, SVARA, Drisha, and Hadar. He is also a member of the steering committee for the Trans Halakha Project and chairs the ritual committee at the Fort Tryon Jewish Center. A Chicago native, Jamie now lives in upper Manhattan with his husband, Amram.



Leaping into the Void of Torah

R. Aviva Richman

GOD AND TORAH do not always feel close—physically, emotionally, or conceptually. This sense of distance can be a barrier and lead to alienation. But distance can also beckon us to embark on a journey towards deeper relationship. In this way, the distance we might perceive between ourselves and Torah can actually serve as a catalyst or engine that brings momentum to our religious lives.

The Talmud Bavli (Sotah 22a) ascribes value to the act of walking a far distance to go to a shul you **want** to go to, even if there may be a closer one nearby. For each and every footstep towards the environment conducive to prayer, one receives a reward (שכר פסיעות). The Maharal of Prague explains that this is because the walk there is not merely a practical way to arrive at the destination. The walk itself reflects the “pull” of the Divine Presence found within shul.¹ In fact, you could conclude that the farther

1. Maharal, *Netivot Olam* Netiv ha-Avodah ch. 5

נתיבות עולם נתיב העבודה פרק ה

וכך אמרו בגמרא (סוטה כ"ב ע"א) שיש ללכת אל בית הכנסת שהוא יותר רחוק מן האדם מפני שהוא נוטל שכר פסיעות. ויראה כי אין הדין הזה גבי סוכה שאם יש לו שתי סוכות האחת קרובה והאחת רחוקה שאין לו לילך אל הסוכה הרחוקה בשביל שהוא נוטל שכר פסיעות, כי אם גבי בית הכנסת אמרו וכדאמר הכתוב אשרי אדם שומע לי לשקוד על דלתותי וגו' מזוות פתחי. וזה כי השם יתברך מצוי בבית הכנסת כמו שאמרו ז"ל (מגילה כ"ט

the distance one has to traverse the more it indicates the strength and power of God's presence that is drawing you in, like the force of a magnet. If one merely goes to shul next door, there is no concrete indication of the powerful pull of God's presence.

R. Yitzhak Hutner takes this image in a different direction. Rather than focusing on the power and strength of God's presence that dwells in the place of prayer, he focuses on the journey as a process of approaching God (קורבה), just as prayer itself is an act of approaching God. Traversing the distance to get to the place to pray becomes continuous with the act of prayer. The distance is neither an obstacle nor an inconvenience to getting close to God. Distance creates the pretext for engaging in the process of approaching God.

He expands upon this image of physical distance to relate to emotional and spiritual distance as well. Any lack we experience in our lives becomes an "asset" in the realm of prayer, because prayer is about turning to God from a place of lack:

בענין התפילה יכולת העמידה לפני המלך ניוונית דוקא מחסרוננו. ולו יצויר אדם שאינו חסר לו כלום הרי שלימות זו של עמידה לפני המלך נעולה היא לפניו. ויש לנו בכאן שלימות הסמוכה על שולחנו של החסרון ומתפרנסת ממנו. ... דצורך שעה של מזונות בידו ליצור את החיים של קרבת אלקים דתפילה בנגוד לקרבת אלקים דתורה הנוצר דוקא על ידי שלימות ואדרבא כל חסרון וצורך גריעותא הוא אצלו.

פחד יצחק ראש השנה מאמר ה פרק ה

Regarding prayer, the ability to stand before the Sovereign is specifically nourished through one's lack. Were there a person created who was not lacking anything, this wholeness of standing before the Sovereign would be locked [i.e. unavailable] for them. [Prayer is] a case where wholeness leans upon the table of lack and is sustained from it... For the immediate need for food has

ע"א) כי בית הכנסת הוא מקדש מעט ולכך השם יתברך מצוי בבית הכנסת, ולפיכך כאשר הולך לבית הכנסת הוא נמשך אל השם יתברך להיות לו דבר קות בו יתברך. וידוע כי המתנועע אל דבר הוא דביקות גמור עם המתנועע יותר ממי שהוא קרוב לו כבר, כי המתנועע אל דבר הרי אינו עמו ועם כל זה הוא הולך אליו וזהו דביקות וחבור גמור, ודבר זה בארנו למעלה גם כן. ולכך אמר שהקדוש ברוך הוא מונה פסיעתך כי אף פסיעה אחת יותר רחוק הקדוש ברוך הוא מונה כי הכל הוא לפי התנועה יש לו דביקות בו יתברך כי אם הולך מרחוק הרי זה מורה דביקות גמור בו יתברך לכך הולך מרחוק.

the capacity to create a life of closeness to God through prayer. This is in contrast to closeness to God through Torah, which is specifically created through wholeness such that, to the contrary, any lack or need is a loss with respect to it [i.e. loss *diminishes* closeness].

PAHAD YITZHAK, ROSH HASHANAH, ESSAY 5, SECTION 5

Prayer offers what might seem like a paradox: a sense of “wholeness” in standing before the Divine specifically derives from awareness of lack. Through my tangible sense of what I need, I turn to God. The gaps and holes in our lives become fodder for a rich relationship with God. R. Hutner contrasts prayer with Torah. He asserts that when it comes to Torah, any lack punctures our relationship with God. Closeness to God in our engagement with Torah derives from a sense of wholeness rather than a sense of lack.

This also applies in the realm of sin and *teshuvah*. While we might think of our own shortcomings and gaps in our behavior as obstacles in our relationship with God, we can turn them into invitations to come closer to God. R. Hutner refers to the verse from Psalms “ממעמקים קראתיך – out of the depths I call You” (130:1) and points out that, throughout the entire book of Psalms, we only see the language of “depths” here, with respect to *teshuvah* for sins. This is because the depths of sin become reconfigured as assets for growing into a more whole relationship with God:

כי בשעה שבעל התשובה מתפלל על מחילת עונות הרי הוא מהפך את
החסרון שגרם לו החטא למכשיר השלימות של קרבת אלקים.
פחד יצחק ראש השנה מאמר ה פרק ו

For in the moment that one who does *teshuvah* prays for forgiveness of sins, behold, they turn the deficiency that caused them to sin into an enabler of wholeness of Divine closeness!

PAHAD YITZHAK, ROSH HASHANAH, ESSAY 5, SECTION 6

The orientation R. Hutner presents here positions distance as an invitation rather than an obstacle. Rather than repelling, it beckons. Gaps are an opportunity to build bridges.

Across the Jewish world in this moment, many people’s experience of God, Torah, and Judaism has the texture of distance and alienation. As heirs to modernity and postmodernity, we are skeptical of God’s power

and even existence. We aren't sure *mitzvot* intuitively translate into meaningful imperatives. People don't know how to pray using words of the Siddur they "don't believe." The way gender works in our culture clashes with what we find in Torah and traditions of Jewish practice. We are not sure how chosenness intersects with fairness and justice. Then there is the fundamental massive gulf of a language barrier. Many simply don't have the fluency to access Torah; every single word of it enshrines a sense of distance.

It is not helpful to deny these feelings of distance and alienation. They cannot be papered over or ignored. Yet, it is also devastating when awareness of these major gaps leads to a sense of repulsion, walking out on Torah. This is where the teaching of R. Hutner is so powerful. That distance between you and where you perceive God's presence to be—that distance is not a barrier; it is what defines the contours of a relationship. That distance is a substantive, sacred journey—in itself an act of coming close to God. Rather than being a barrier, the gap becomes a catalyst.

In Hadar's *beit midrash*, we take seriously the words of the Talmud (Yerushalmi Peah 1:1, 15b): "If [Torah] seems empty—that is upon you." We take up the charge to find wholeness, rather than emptiness, in Torah. This starts with a willingness to name and understand the many ways we may feel distant from Torah, the gaps we sense between ourselves and Torah, and to turn potential or actual crises into catalysts launching us into journeys towards closeness. Instead of falling into an abyss, we leap and we build. The abyss doesn't scare us away; it beckons. We leap into creatively finding ourselves within the dynamic depths of Torah—reaching into the well of Torah with our minds and our hearts. The verse in Psalms about calling out of depths morphs into a verse from the Song of Songs (2:8) that depicts "מדלג על ההרים – leaping from hilltop to hilltop." In this way, I would suggest that our learning is a combination of R. Hutner's descriptions of prayer and of Torah. In a *beit midrash* where there is total fluidity between prayer and learning, the apparent gaps between ourselves and Torah fuel our quest to make Torah whole. In Torah too, lack can become a catalyst.

Unlike R. Hutner's picture of reward for the long but certain journey, we may not always be so sure of our exact destination. We might not actually know where God's presence dwells and how to get there. In fact, we may have many meandering footsteps on our journeys. Religious value stems from the very fact of continuing to walk.

Yehuda Amichai speaks of the power of footsteps, even without clear direction, in a poem about his mother:

צֵדִיךְ בַּמְדְּרוֹגֹת תָּמִיד בְּתוֹכִי
לֹא מִתְקַרְבִּים, לֹא מִתְרַחֲקִים, כְּמוֹ פְּעִימוֹת הַלֵּב.

Your steps on the stairs
have always stayed in me
Never coming nearer and never going away,
like heartbeats.²

Amichai describes his mother's footsteps in the house as leaving a powerful impression forever imprinted in his own being. Like a heartbeat, these footsteps fuel his ongoing existence. The directionality of these steps—whether his mother was coming or going—is not significant. His language echoes the image of the Kohen Gadol in the Beit ha-Mikdash, whose footsteps were made audible by the ringing of the bells (פְּעֻמוֹת), linguistically similar to פְּעִימוֹת in the Amichai poem) on his garment. There is a power from being in a constant state of walking, even if we are not totally sure which direction will bring us closer to God. Every single footstep we take as we try to find our way—even the meandering footstep—holds inherent value. Like the footsteps of Amichai's mother, these steps we take are the bedrock of a powerful relationship. As we journey to find our way towards meaningful Torah and towards meaningful relationship with God, we build the bedrock of relationship in the process.

The world is a complex mess and religious leadership is not simple in this moment. Some of the most significant gaps and divides are not only between us and Torah but between Jews spanning different communities. The Torah essays in this collection are one small window into the ways our *musmakhim*, who have navigated their own intense learning journeys, now embark upon a next stage in steering Jewish communities through the joys and challenges of our Torah and our moment. Your essays unflinchingly embrace values often seen at odds—the *kedushah* of

2. Yehuda Amichai (1924-2000) was born in Germany and migrated to Palestine in 1936, where he lived in Jerusalem. This poem, entitled “זֶה בֵּית אִמִּי” – This is My Mother's House,” is found in his translated collection, *Poems of Jerusalem and Love Poems*, pp. 18-21. It is an ode to his mother and some of his earliest formative memories, while simultaneously acknowledging distance and pain.

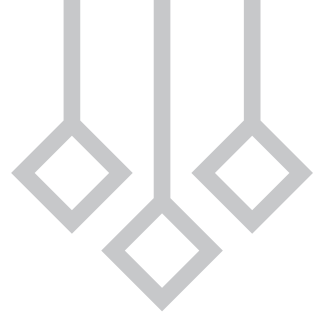
talmud torah and academic critical study (Kulp, Rogoff); accountability to the halakhic canon and to our own intuition and sensitivity (Anisfeld, Lichtenberg); the reality that Torah can be a source of alienation/pain and a force for healing/love (Botzum, Jaffe); inclusive and exclusive attitudes towards chosenness (Calabrese). Your essays take up hard questions in our communities—the complexity of human dignity and honor (Levy, Mattenson); uncovering the power of female subjectivity within Torah (Halpern, Kapnik Ashar); carving out theological space for the development of queer *halakhah* (Weisbach). Your leaps into the gaps of Torah energize all of us in this sometimes daunting work.

We believe that by leaping into the void between ourselves and Torah we can and must inevitably build connections among Jews who feel far from each other. The activity of *talmud torah* has the capacity to hold each of us individually and the questions we bring to bear, and also has the capacity to hold all of us together. This is the Torah we hold fast to and strengthen. The Torah that rewards us for approaching it with deep honesty, even if that means we are keenly aware of the extensive journey that lies before us. The Torah that inspires us as a people to draw close to each other as we journey with integrity towards it.

This Torah we create as we leap across great distance is a Torah of *hesed*. We not only build new paradigms of thinking; we build relationships and connections through our journeys—with students, *havrutot*, friends, teachers, colleagues, communities. The gaps that could present obstacles to being close to Torah and God, and could erect divides between one another, are instead invitations to leap into the work of building, together.

ממעמקים קראתיך ה'... קול דודי הנה זה בא מדלג על ההרים מקפץ על הגבעות.

“From out of the depths I call to You”... “Behold the sound of my beloved comes! Leaping over mountains, Bounding over hills.” ♦



Reflections on Learning Torah

Matthew Anisfeld

LOOKING BACK ON the last four years in the Kollel, I have been reflecting on what it is that we have been doing. For the most part, we have been learning Torah, and learning how to interpret Torah. But what is learning Torah? When we learn *halakhah*, what exactly are we meant to be learning? And when we offer an interpretation of Torah, what exactly are we meant to be doing?

A story about R. Meir's experience points to two key components of Torah learning:

מעיקרא אתא לקמיה דרבי עקיבא, ומדלא מצי למיקם אליביה – אתא לק-
מיה דרבי ישמעאל וגמר גמרא, והדר אתא לקמיה דרבי עקיבא וסבר סברא.
תלמוד בבלי עירובין יג.

At first, [R. Meir] came before R. Akiva [to learn Torah], but when he [found] that he was not able to understand him, he came before R. Yishmael and learned the traditional teachings, and then he returned to R. Akiva and learned reasoning.

TALMUD BAVLI ERUVIN 13A

Each of R. Meir's teachers offer him something different: knowledge of the traditional teachings of Torah, and the application of reason. These two elements are core to the work that we have been engaged in over the past four years. Each one is important in its own right, and understand-

ing their symbiotic relationship can help us to understand why it was hard, at first, for R. Meir to understand R. Akiva.

Learning the Traditional Teachings

In some ways, it is straightforward to see how learning the traditional teachings is central to Torah study. Judaism is a canonical tradition, one with texts at its core, and whose authors hold themselves accountable to the canonical works of previous generations.

Over the last four years, we have spent thousands of hours deep inside texts of Torah. These texts have been enormously wide-ranging in content and style. We have seen decisors that humbly submit to the rulings of their predecessors, and others who ferociously disagree with their halakhic ancestors. We have seen passages that offer brilliantly creative and innovative interpretations of canonical texts, and we have seen *poskim* tendentiously reinterpret texts to suit a particular agenda.¹ But one thing that all of these texts have in common is accountability to the texts that came before them; this is the distinguishing feature of a canonical tradition. Any student of Torah who wishes to hold themselves accountable to the tradition must know its texts, and any interpretation of Torah must offer an account of them. As students of this tradition, we have committed to studying this tradition, learning its wide range of voices, and navigating its complex contours.

Reason

But what about reason? Why is R. Yishmael's teaching insufficient, such that R. Meir needs to return to R. Akiva? And what is even meant by "reason"?

Rashi makes a number of comments throughout his commentary on the Talmud that emphasize the central role in Torah learning of understanding the rationale behind canonical texts.² For Rashi, reasoning in

1. See for example Tosafot on Talmud Bavli Shabbat 37a, s.v. *le-olam*.

2. In addition to the example below, see his comments on Talmud Bavli Berakhot 5a, s.v. *gemara*; Berakhot 6b, s.v. *agra de-sham'ata svara*; Berakhot 47b, s.v. *she-lo shimesh talmidei hakhamim*; Shabbat 13b, s.v. *ve-shimesh talmidei hakhamim*; Shabbat 63a, s.v. *de-ligmar inish*, and s.v. *ve-hadar lisbar*; Yevamot 17a, s.v. *sarmisin* and s.v. *hamisin*; Sotah 20a, s.v. *ve-hadar ata*; Sotah 22a, s.v. *she-shonin halakhot*; Kiddushin 63b, s.v. *merapesan igarei*; Bava Metzia 33a, s.v. *she-lim'do hokhmah*; Bava Metzia 33b, s.v. *she-shigegat talmud*;

this way is a critical step towards ruling in accordance with the tradition.

Why should understanding the reasons behind a text be so important when it comes to ruling on a question of Jewish law? Why is it insufficient simply to see what the text says, and rule accordingly? Rashi's comment on a surprising statement in tractate Sotah reveals his answer to these questions. The Talmud records the following tradition:

תנא: התנאים מבלי עולם.
מבלי עולם ס"ד?
אמר רבינא: שמורין הלכה מתוך משנתן.
תלמוד בבלי סוטה כב.

A tannaitic teaching:³ The Tannaim destroy the world.
Could you really think that they destroy the world?
Said Ravina: Because they rule on *halakhah* from their *mishnah*.

TALMUD BAVLI SOTAH 22A

A few terms may need clarifying. First of all, the Tannaim in question here are not the rabbis of the tannaitic period, but rather a group whose role it was to memorize traditional teachings and, when called upon, to recite those teachings to those studying in the *beit midrash*. They were the vessels of the oral traditions of Torah. Additionally, the term "*mishnah*" here means "repetition"; it refers not to the canonical Mishnah, but to the traditional teachings (including, but not limited to, the teachings of the Mishnah) recited by the Tannaim.⁴

In light of this, how are we to understand Ravina's statement? Why is ruling on *halakhah* through the recitation of traditional teachings a destructive act? Rashi offers an answer:

קאמר שמבלין עולם בהוראות טעות דכיון דאין יודעין טעמי המשנה
פעמים גורמין שמדמין לה דבר שאינו דומה.
רש"י סוטה כב., ד"ה שמורין

Sanhedrin 14a, s.v. *sarmisin*, and s.v. *sarmitin*, and s.v. *hamisin*; Horayyot 6b, s.v. *shogeg va-aseih*, and s.v. *mahu de-teima keivan*; Hullin 6a, s.v. *im yodei'a be-rabbo*; and on Shemot 21:1, s.v. *asher tasim lifeneihem*.

3. The irony of this statement opening with the introductory word "תנא – a tannaitic teaching" is surely intentional.
4. Indeed, the words "*tanna*" and "*mishnah*" are, respectively, Aramaic and Hebrew words deriving from the same etymological root.

It says “they destroy the world” through mistaken rulings because, since they don’t know the reasons behind the traditional teachings, sometimes this causes them to draw comparisons between cases that are not similar.⁵

RASHI ON SOTAH 22A, S.V. SHE-MORIN

Rashi’s premise is intuitive: the traditional teachings have a purpose that lies behind their prescriptions; they are trying to achieve something through their instruction. But, this has a significant consequence: it is possible to misapply these teachings, even when following the literal meaning of their direction.

This is true not only of tannaitic texts, but of any legal text. It is always possible to ask questions about the *telos* of a directive, and doing so is critical to ensuring its appropriate application. In his supercommentary on Rashi’s comment, the Maharsha⁶ makes this point about the Shulḥan Arukh:

ובדורות הללו אותן שמורין הלכה מתוך שו"ע והרי הם אין יודעין טעם
הענין של כל דבר... וטעות נפל בהוראותם והרי הן בכלל מבלי עולם ויש
לגזור בהן.

מהרש"א חידושי אגדות סוטה כב

And in these generations, [this also applies to] those who rule on *halakhah* from the Shulḥan Arukh and they don’t know the reason for the matter of every aspect... and a mistake occurs in their ruling, and they are included in the destroyers of the world, and one should rebuke them.

MAHARSHA HIDDUSHEI AGGADOT, SOTAH 22A

The texts of the halakhic canon are not coextensive with the *halakhah* itself. Halakhic texts are an imperfect attempt to distill the will of God, which speaks to the infinite complexity of life through the finite medium of language and books. In fact, it would be demeaning to the Torah to expect that its infinite wisdom could be contained within a finite set of books. This point is made powerfully by R. Moshe Feinstein in response to a critic of his innovative approach:

5. Rashi proceeds to offer some other more formal reasons that explain Ravina’s statement.

6. 16th/17th century, Poland.

כי כבר נעשה קץ וגבול לתורה ח"ו שנפסוק רק מה שנמצא בספרים ? ! ...
ודאי לע"ד אסור לומר כן דודאי עוד יגדיל תורה גם עתה בזמננו.

אגרות משה יורה דעה א:קא

Has there already been made an end and limit to the Torah, God forbid, such that we should rule only what appears in books?! ...
In my humble opinion, it is certainly forbidden to say so, because [God] will certainly continue to cause Torah to grow even now in our day.

IGGEROT MOSHE, YOREH DE'AH I:101

Rashi's point has profound consequences for how we think about *halakhah*. There is no default reading of halakhic texts. The "literal" reading is not a **safe** option. "Because it says so in an authoritative text" is not a sufficient justification for ruling in a particular way. Any responsible *posek* must grapple with the purpose of a directive, and consider whether that purpose will be achieved in the particular situation that they are confronting.

Synthesis

Why, then, did R. Meir initially have trouble learning from R. Akiva? And how did learning with R. Yishmael enable R. Meir to return to R. Akiva in the end? Rashi makes the following comment:

והדר אתא לקמיה דר' עקיבא – שהיה חריף לפלפל ולדקדק במה שלמד,
להשיב תשובות ומשניות זו על זו ולתרץ.

רש"י עירובין יג., ד"ה והדר

And then he returned to R. Akiva, who was sharp in argumentation and precise about what he [=R. Meir] had learned, to offer objections and texts that conflict with one another and to offer resolutions.

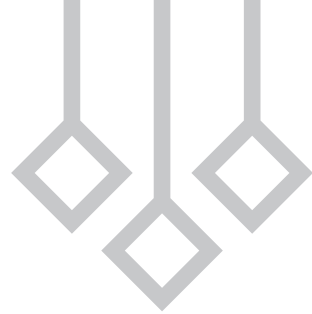
RASHI ON ERUVIN 13A, S.V. VE-HADAR

R. Akiva seeks to teach the deeper meaning behind traditional texts. And he achieves this by careful comparative analysis, noticing the way in which texts appear to conflict, and offering resolutions that rely on a deeper understanding of the texts. Thus R. Meir was initially unable to

learn from R. Akiva because he simply didn't know the canon.

Over and above knowledge of the traditional texts, and understanding of their purposes, R. Akiva expects something bigger: the integrity of Torah as a whole. The most profound and authentic interpretations of Torah are those that understand its texts as part of the Torah's broad vision. When interpretations of two texts conflict, something needs resolving. When the conjectured purposes in two areas of *halakhah* appear to conflict, something has not been fully understood. For R. Akiva, the Torah is an integrated whole and, at their best, halakhic rulings are granular directives that support the fulfillment of the Torah's broad vision.

For me, it is the uncompromising commitment to this synthesis that has made our learning so rich over the last few years. We have been held to account to the texts of the tradition, learning the history of each topic and its layers of interpretation. And throughout, there has been an unceasing attentiveness to purposes. We have learned always to ask: What is this set of *halakhot* about? How might the purpose of this text inform the ways that we think about other texts? And how does this analysis inform and inspire our application of Torah texts to contemporary Jewish life? ♦



On Containing Vastness: A Letter to Myself on the Day I Become a Woman Rabbi

Hannah Kapnik Ashar

BECOMING A WOMAN rabbi feels at once timeless, and so very new. Despite its newness, I want to feel that this role is totally aligned with what the Torah loves. So, I ask, where is the strength of a woman—in her glory and stewardship as a rabbi—figured in our ancient sources? While many female characters in our canon are limited in the power they can manifest, our canon does describe profound, boundlessly powerful feminine **capacities**. Two of these, in particular, shape how I think about my rabbinate.

In a list of miracles, Mishnah Avot (5:5) describes a moment during the Kohen Gadol's confession on Yom Kippur. When the time came for the entire community—pressed together in the courtyard of the Beit ha-Mikdash—to bow down to the ground, the very laws of nature were bent. The Mishnah says, “עומדים צפופים ומשתחיים וְרוֹחַם – the people stood crowded but bowed down spaciouly.”

It seems that the miracle here is the expansion of physical space. But a *midrash* in Vayikra Rabbah says this is also a miracle of expanding spiritual space:

ר' ישמעאל בר אבוןא בש' ר' אחא רוח ארבע אמות בין כל אחד ואחד,
אמה לכל צד, כדי שלא יהא כל אחד ואחד שומע קול תפילתו של חבירו.

ויקרא רבה י: ט (מרגליות)

R. Yishmael bar Onya in the name of R. Aha: The space between each person was *dalet amot* (four cubits), one *amah* (about a foot and a half) in each direction, in order that each one shouldn't hear the prayer of their fellow.

VAYIKRA RABBAH 10:9 (MARGOLIOT)

People go suddenly from standing packed together as witnesses of communal ritual, to bowed low in prayer, spread out with ample space. Each person's *dalet amot*—used by *Hazal* to describe personal space—enables them to pray with privacy. Everyone is afforded that most personal, intimate relationship with God, while still entirely participating in community.

This *midrash* in *Vayikra Rabbah* identifies the expanding courtyard of the Beit ha-Mikdash, during this moment of prayer, as “אָהַר מִן הַמְּקוֹמוֹת” שֶׁהָיִינוּ מוֹעֵד אֶת הַמְּרִבָּה – one of the places where the small contained the great.” The Hebrew word *hehezik*, “contained,” shares a root with the word *hazak*, “strong.” Containing is an act of strength. In this case, the miracle of the Beit ha-Mikdash is to hold holy space, and to expand to allow even more holiness. Its magic is its capacity to grow in response to the need of the moment.

When I first encountered this *midrash*, it struck me as representing a profound feminine ability. What could be more womb-like than the small containing the vast? This expansive smallness, while treated throughout the *midrash* as defying nature, is the everyday miraculousness of the feminine. The ability of a womb, in the flesh and in metaphor, to contain and at the same time to give space in accordance with the need, allows for new life—fresh aliveness.

My approach to pastoral work and teaching until now has been guided by this vision: How can I hold space for this other person or community? How can I be a container that holds them at the center, deeply honoring them, attuned and responsive? I have seen just how nourishing it can be to hold, witness, and allow someone to grow—or even to just be very present—within the container of my attention, my care, my trust.

While I feel tremendous admiration for the expanding courtyard or womb, I am simultaneously weary of holding this as my primary image of feminine power. Loving the small that contains the great can slip into loving, and identifying with, the smallness itself. Sometimes this attention toward others leads to limiting the space I allow myself to take up.

Today, I am on the precipice of inhabiting a role which I behold as

vast, great, and glorious—the role of a rabbi, which for many years I considered myself too small to inhabit—and I find myself drawn to a different image, one where the feminine herself is giant.

In Parashat BeHukkotai, God describes the nature of our freedom from slavery in Egypt, saying, “וְאֵלֶיךָ אָתְּכֶם קוֹמְמִיּוֹת – I made you walk upright” (Vayikra 26:13). The uprightness of this freedom, according to the Sifra (BeHukkotai Chapter 3, Section 7), is not only standing tall, but standing at a **huge** stature.

וְאֵלֶיךָ אָתְּכֶם קוֹמְמִיּוֹת – ... ר' יְהוּדָה אוֹמֵר: מֵאָה אִמָּה כְּאָדָם הָרִאשׁוֹן.

ספרא בחקתי פרק ג: 2

“I made you walk upright”—... R. Yehudah says: 100 *amot* tall, like Adam ha-Rishon.

SIFRA BEHUKKOTAI CHAPTER 3, SECTION 7

Adam ha-Rishon, the original man, is figured as enormously tall (Bereishit Rabbah 12:6). Here, our *midrash* envisions him as 100 *amot*, around 150 feet tall! A source about the first human could have been a proof-text for people of all genders, but this *midrash* reserves that image for men. Much to my delight, however, this *midrash* then goes on to be explicit about women being just as huge—but on their own terms. R. Yehudah continues:

אֵין לִי אֵלָא אֲנָשִׁים נָשִׁים מְנִין?

תַּלְמוּד לומר: בְּנוֹתֵינוּ כְּנוֹת מְחֻשְׁבוֹת תְּבֻנִית הֵיכָל (תהילים קמד:יב). וכמה היא תבנית היכל? מאה אמה.

Adam ha-Rishon only gives me a proof-text for men. What is the proof-text for women?

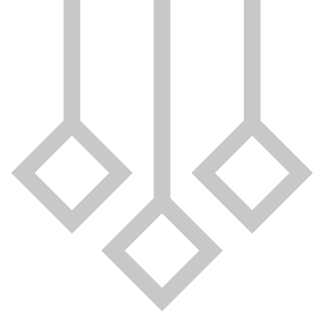
The Torah teaches: “Our daughters like corner pillars, hewn for the shape of a palace (*heikhal*)” (Psalm 144:12). And what is the shape of the palace? 100 *amot*.”

R. Yehudah likens upright women to the support pillars at the corners of a palace, *heikhal*. The word “*heikhal*” is also a term for the Beit ha-Mikdash, and indeed Rashi and Rashbam discuss the size of the Beit ha-Mikdash in their commentaries on this verse in Tehillim. The image for this form of feminine uprightness is vast, strong, and stable, giving shape to a huge holy space. While elsewhere in our canon standing tall is

associated with brazenness or arrogance, here it is precisely the fullness of her stature that proclaims utmost reverence toward the Divine.

This has become for me another primary image of how the Torah loves feminine strength. The pillar's strength is not drawn from flexibility and accommodating need but, on the contrary, from being **unbending**. In practice, I understand this as an image of unabashedness, alignment, and power. Ultimately, this uprightness serves the same goal as the miraculous capacity of the small containing the vast: to enable holy space—space where we may encounter the manifest Divine, dwelling among us.

As I become a rabbi, I ask for the insight to discern when to serve God from smallness and when from bigness, in the knowledge that the Torah supports both. May this be the time, as a woman stewarding Torah, to be made to walk upright, like a pillar of the Beit ha-Mikdash—to be the great containing the great. ♦



Mitzvot as Pathways to Divine Love

Shira Botzum

ALONGSIDE MY CLASSMATES, I have spent the better part of the past three years studying *halakhah*. As we approach each new topic, we start with the foundational question: what are these *mitzvot* **about**? What are the underlying values and concerns that underpin this area of law and practice? These questions stay with us throughout the course of our learning on any given topic, helping us to understand the underlying reasons for *mahlakot* that arise in the texts, to navigate which concerns to weigh when arriving at *pesak*, and enriching our conversations.

On the spectrum of the Torah's approaches to *ta'amei ha-mitzvot*, the underlying values and reasons for God's commandments, Rambam is the most notable proponent of the idea that all *mitzvot* can and must have a rational explanation and internal logic. He makes this case explicitly in his Guide of the Perplexed (3:28):

There are precepts concerning which people are in doubt, and of divided opinions, some believing that they are mere commands, and serve no purpose whatsoever, while others believe that they serve a certain purpose, which, however, is unknown to man...

I am prepared to tell you my explanation of all these commandments, and to assign for them a true reason supported by proof... I will show that all these and similar laws must have some bearing upon one of the following three things, viz., the regulation of our opinions, or the improvement of our social

relations, which implies two things, the removal of injustice, and the teaching of good morals.

This philosophy is a compelling and necessary part of any approach to *halakhah* and *mitzvot* as the foundation of one's religious life. For *mitzvot* to be worthy of shaping our life's most important decisions, they need to broadly have some meaning, purpose, and internal underlying values.

However, even as Rambam's framework is a necessary component for religious meaning, it is often not sufficient. The rationalist framework can be difficult to actualize across the board in each moment of learning *halakhah* or observing a *mitzvah*, and frequently leaves some real gaps in providing meaning. We cannot simply delay observing all the *mitzvot* until we've figured out exactly what deeper purpose each one serves, and for certain *mitzvot* or areas of *halakhah*, that answer may never come in a way that feels fully satisfying. At the same time, commitment to *mitzvot* is demanding and is difficult to sustain over the long term when you feel a gap between your actions and the framework of religious meaning they are supposed to connect to.

Fortunately, the Torah offers us an alternative frame that enables us to think of *mitzvot* in a more relational mode, as God's love language in their relationship with the Jewish people. In Mishnah Makkot (3:16), R. Hananya ben Akashya expresses a version of this idea in answering the question of why we have quite so many *mitzvot* and such a vast corpus of Torah:

ר' חנניא בן עקשיא אומר: רצה הקב"ה לזכות את ישראל – לפיכך, הרבה להם תורה ומצות, שנאמר ה' חפץ למען צדקו יגדיל תורה ויאדיר (ישעיהו מב:כא).

משנה מכות ג: טז

R. Hananya ben Akashya says: The Holy Blessed One, sought to confer merit upon the Jewish people; therefore, He increased for them Torah and *mitzvot*, as it is stated: "It pleased God for the sake of God's righteousness to make the Torah great and glorious" (Yeshayahu 42:21).

MISHNAH MAKKOT 3:16

From this perspective, *mitzvot* are gifts that God gives to us out of love, opportunities to earn more credit in our mutual loving relationship.

This idea is beautifully expressed in several of the *midrashim* we have on the story of *yetziat mitzrayyim*, the Exodus from Egypt, drawing particularly on the *mitzvot* surrounding the *pesah* sacrifice.

In the Mekhilta, R. Matya ben Heresh explores this idea by looking at how God chose to initiate a relationship with us as the newly forming nation of Benei Yisrael in Egypt, after generations of near-silence during the long period of slavery. The Torah in Shemot commands the taking of the lamb for the *korban pesah* on the 10th of Nissan and the slaughtering of it on the 14th, leaving an unexplained time gap of four days. The *midrash* picks up on this gap, and R. Matya ben Heresh interprets it using a metaphor from Yehezkel for the relationship between God and the Jewish people over time:

והיה לכם למשמרת (שמות יב: 1) – מפני מה הקדים לקחתו של פסח לשחיטתו ד' ימים?
 היה רבי מתיא בן חרש אומר: ואַעֲבֹר עָלֶיךָ וְאֶרְאֶה וְהָנָה עִתְּךָ עַתְּ דְּדִים (יחזקאל טז: 8) – הגיע שבועתו שנשבע הקב"ה לאברהם שיגאל את בניו. ולא היה בידם מצות שיעסקו בהם כדי שיגאלו, שנא' שְׂדִים נָכְנוּ וּשְׁעָרָה צִמְחָה וְאֵת עֲרִם וְעֶרְיָה (שם) – ערום מכל מצות. נתן להם הקב"ה שתי מצות, דם פסח ודם מילה, שיתעסקו בהם כדי שיגאלו. שנאמר, וְאֶעֱבֹר עָלֶיךָ וְאֶרְאֶה מִתְּבוֹסֶסֶת בְּדָמֶיךָ (יחזקאל טז: 1) ואומר גַּם־אֵת בְּדָם־בְּרִיתְךָ שְׁלַחְתִּי אֲסִירֶיךָ מִבּוֹר אֵין מֵים בו' (זכריה ט: יא).
 לכך הקדים הכתוב לקחתו של פסח לשחיטתו ד' ימים, שאין נוטלין שכר אלא על ידי מעשה.

מכילתא מסכתא דפסחא פרשה ה

"You shall keep watch over it until the fourteenth day" (Shemot 12:6): Why does the taking of the *korban pesah* precede its slaughtering by four days?

R. Matya ben Heresh says: It is written, "And I passed by you and I saw you, and behold, your time was the time for love" (Yehezkel 16:8): the time had arrived for [the fulfillment of] the oath that God had sworn to Avraham to redeem his children. But they had no *mitzvot* to engage in so that they could be redeemed, as it says "your breasts became firm and your hair sprouted, [but] you were still naked and bare" (16:8)—bare of *mitzvot*.

So God gave them two *mitzvot*—the blood of the *korban pesah* and the blood of circumcision—to engage in for their redemption. As it says, "When I passed by you and saw you wallowing in your blood" (16:6), and it is written "You, for your part, have released your prisoners from the dry pit, for the sake of the blood of your

covenant” (Zekhariah 9:11).

Therefore, the Torah commanded the taking of the *korban pesah* four days before its slaughtering, because reward is only given for actions.

MEKHILTA MASSEKHTA DE-PISHA PARASHAH 5

R. Matya ben Heresh connects the context in Shemot to an extended poetic and esoteric metaphor in Yehezkel, in which the prophet traces the narrative of God’s relationship with Benei Yisrael from its infancy to its latter stages, imagining it as a sometimes tumultuous relationship between lovers. R. Matya ben Heresh locates our point in that narrative, the moment God decides that the time for the Exodus has come and gives us the *mitzvot* related to the *korban pesah*, in the somewhat enigmatic verses in Yehezkel that describe the youthful Benei Yisrael “wallowing in [their] blood”—almost mature but not quite ready. Drawing on Yehezkel’s (and Zekhariah’s) mention of bloods (plural, דָּמָא), R. Matya ben Heresh explains that, when the right time arrived for us to begin our covenantal relationship, God gifted us two *mitzvot* related to blood—the *korban pesah* and circumcision—which we could perform and thereby start the process of the Exodus and of becoming God’s people.

Through this lens, we view the Torah’s seemingly arbitrary instruction to wait four days between taking the lamb and slaughtering it as just that: arbitrary! Returning to its original question, the *midrash* asserts that the purpose of this gap was to create and concretize another step in this *mitzvah*: the taking and guarding of the lamb. The content of the *mitzvah* was not the point; rather, its most important function was simply adding another opportunity for Benei Yisrael to earn merit and step into relationship with God. The *midrash* imagines that God’s chosen tool to jump-start a real relationship with Benei Yisrael was to give us our first *mitzvot* as a people.

Bringing this idea to the broader picture of *halakhah* and *mitzvot* in our lives, we can contextualize each *mitzvah* as a powerful pathway to our relationship with God, regardless of its specific content. *Mitzvot* come from a place of God’s deep desire for a relationship with us and the desire to give us shared activities to enable that relationship. Even if, in the moment, we don’t fully understand the inherent meaning in each *mitzvah* we learn or perform, we can still step into this relational frame and feel ourselves tending to our relationship with God, building and maintaining it piece by piece.

Perhaps most powerfully, the Torah imagines that God is just as excited and eager as we are for this relationship, if not more. Back in Egypt, Benei Yisrael are instructed to eat their *korban pesah* “*be-hipazon*,” in haste and eagerness:

ואכלתם אותו בחפזון (שמות יב:יא). ...
 אבא חנן משום רבי אלעזר אומר: זה חפזון שכינה. ואף על פי שאין ראה
 לדבר, זכר לדבר: קול דודי הנהיזה בא מדלג עליה הרים מקפץ עליה גבעות
 (שיר השירים ב:ח) ואומר הנהיזה עומד אחר פתלני משגיח מן החלונות
 מציץ מן החרכים (שיר השירים ב:ט).
 מכילתא מסכתא דפסחא פרשה ז

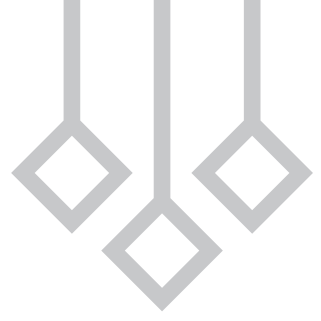
“And you shall eat in haste” (Shemot 12:11). ...

Abba Hanan says in the name of R. Elazar: This is the haste of the Shekhinah. And even though there is no proof for this, it is intimated in: “Hark! My beloved! There he comes, leaping over mountains, bounding over hills” (Shir ha-Shirim 2:8) and “There he stands behind our wall, gazing through the window, peering through the lattice” (Shir ha-Shirim 2:9).

MEKHILTA MASSEKHTA DE-PISHA PARASHAH 7

The *midrash* asks: who is most eager for Benei Yisrael to leave Egypt, for this journey to begin? It teaches that of all the impatience and haste at this juncture in the Exodus narrative—on the part of Benei Yisrael to escape and of the Egyptians to be rid of them—God’s eagerness and yearning to start a relationship with Benei Yisrael is the strongest of all. We imagine that God, as our beloved, in the romantic language of Shir ha-Shirim, simply cannot contain their excitement to finally be with us.

In contemplating the question “what are these *mitzvot* about” in my life and learning, I return to this frame. *Mitzvot* are an experience of commandedness and actualizing our deepest values. And they are also an experience of love and relationship with God—a relationship that we are given the chance to co-create every day. ♦



What Does it Mean to be Chosen?

Dr. Vincent Calabrese

ONE FRIDAY MORNING, as I was going about my pre-Shabbat errands, I happened to be standing in a corner of the grocery store alongside another man who was wearing a *kippah*. As we went about our shopping, a woman approached us, put her hands together, and said: “I just want to let you know that I love the Jewish people, because you are God’s chosen people! God bless you! Have a nice day!”—and she left. This wasn’t the first time something like this has happened to me, and I’m sure it won’t be the last. Personally, I was a bit tickled by the interaction, as I usually am at such moments. But whenever I relate anecdotes like this to others, they are almost always uncomfortable.

Of course, it’s not hard to understand why a Jewish person might not like being singled out in public, no matter what exactly is said. We might have reason to be suspicious of the theology which stands behind sentiments like the ones this woman expressed. We might simply want to be left alone, to go unnoticed by the non-Jewish world. Even acknowledging those concerns, however, I am always reminded in such moments of a striking image from the book of Zechariah (8:23): “In those days, ten men from nations of every tongue will take hold—they will take hold of every Jew by a corner of his cloak and say, ‘Let us go with you, for we have heard that God is with you.’”

I was not born to the Jewish people, but entered it by choice as an adult. The basis of my identity as a Jew is not familial belonging, but belief in the tradition’s theological narratives. Thus, in moments like this

I tend to respond with delight, because I feel that I'm witnessing the fulfillment of prophecy—that all is as it should be.

We encounter the idea that the Jewish people have been chosen by God for a special mission at the very beginning of our collective story. The first time God speaks to Abraham is to promise him that “I will bless those who bless you, and curse the one who curses you; and in you shall all the families of the earth be blessed” (Genesis 12:3). In choosing Abraham, God also chooses the manner in which the rest of the human family will be blessed. But the meaning of this promise is obscure: in what way are the nations of the world meant to share in the blessing that God bestows on Abraham?

In Bavli Yevamot, R. Elazar offers two *derashot* on the meaning of God's promise and the connection between Jewish chosenness and the peoples of the world:

מאי דקתיב: וְנִבְרַכְוּ בָּךְ כָּל מִשְׁפַּחַת הָאָדָמָה, אָמַר לִיה הַקָּדוֹשׁ בְּרוּךְ הוּא
לְאַבְרָהָם: שְׁתֵּי הַבְּרִיכוֹת טוֹבוֹת יֵשׁ לִי לְהַכְרִיף בָּךְ: רוּת הַמּוֹאָבִיָּה, וְנַעֲמָה
הָעַמּוֹנִיָּת. כָּל מִשְׁפַּחַת הָאָדָמָה — אֶפִּילוֹ מִשְׁפָּחוֹת הַדְּרוֹת בְּאֶדְמָה אֵין
מִתְבָּרְכוֹת אֶלָּא בְּשִׁבְלֵי יִשְׂרָאֵל.

תלמוד בבלי יבמות סג.

What is the meaning of: “And in you shall all the families of the earth be blessed”? The Holy Blessed One said to Abraham: I have two good shoots to graft onto you: Ruth the Moabite, and Naamah the Ammonite. “All the families of the earth” means: even families that live in their own lands are blessed only due to the Jewish people.

TALMUD BAVLI YEVAMOT 63A

The first *derashah* understands the verb “*nivrekhu*” not to mean “bless” (*levareikh*), but rather “graft” (*lehavrikh*). Ruth and Naamah (who come from the nations of Moab and Ammon, respectively) enter the Jewish people through their marriages to Boaz and Solomon—becoming joined to Israel the way a new branch is grafted onto an old tree. The second *derashah* seems to turn on a strong reading of the phrase “families of the earth”—those who are to receive blessing through God's choice of Abraham remain distinct families, separate from one another and from Israel, living on their own lands and not in the Land of Israel. To me, R. Elazar's *derashot* suggest two sharply divergent understandings of what

Jewish chosenness means, and what its implications are for the relationship between Jews and the peoples of the world—one in which blessing comes to the world through non-Jews being incorporated directly into the covenant, and one in which their receipt of blessing is dependent precisely on their remaining separate from Israel.

The first of R. Elazar's models suggests blessing comes to the world through the Jewish people when non-Jews like Ruth and Naamah convert to Judaism. In another passage, R. Elazar offers a different botanical metaphor:

תלמוד בבלי פסחים פז:

לא הגלה הקדוש ברוך הוא את ישראל לבין האומות אלא כדי שיתוספו עליהם גרים, שנאמר: "וְזָרַעְתִּיהָ לִי בְּאֶרֶץ". כלום אדם זורע סאה אלא להכניס כמה כורין.

The Holy Blessed One exiled Israel among the nations only so that converts would join them, as it is stated: "And I will sow her to Me in the land" (Hosea 2:25). Does a person sow a handful of grain for any reason other than to bring in several bushels?

TALMUD BAVLI PESAḤIM 87B

Here R. Elazar offers a daring theology of exile, comparing the Jewish people to seeds sown among the nations so that God can eventually harvest a bountiful crop of converts. While the first *derashah* in Yevamot, which mentioned only Ruth and Naamah, might lead one to believe that R. Elazar is concerned only with a few converts of historic importance, his statement in Pesahim makes it clear that he intends something more radical. This is a vision of the covenant as beginning with the family of Abraham, but slowly and surely spreading throughout the peoples of the world until, perhaps, all are brought under the wings of God.

Yet it's difficult to think of a conception of Jewish chosenness more foreign to the sensibilities of contemporary Jews, of whatever denomination or orientation. Most Jews instinctively recoil from the idea of a missionary faith, associating it above all with Christianity. Ironically enough, R. Elazar's language of grafting recalls nothing so much as the claim of Paul of Tarsus in his Letter to the Romans, when he asserts that non-Jews who believe in Christ are like wild olive branches that have been "grafted in among the others and now share in the nourishing root of the olive tree" which is Israel (Romans 11:17).

Whether explicitly or not, I think most Jews today who are interested in the idea of chosenness at all gravitate towards something closer to R. Elazar's second *derashah* in Yevamot, which seemed to imply that blessing comes to the nations of the world despite—or even because of—their remaining separate. According to this more isolationist model, the manner of this blessing is decidedly more mysterious than in the first. While the first model naturally suggests an emphasis on the Jewish way of life, which can be adopted by anyone, expressions of the second model will tend to focus on the Jewish people itself, construed as a biological or even mystical entity. One thinker who leaned in this direction was Michael Wyschogrod, whose thought revolved around the idea that the very flesh and bones of the Jewish people are holy. In his book *The Body of Faith*, Wyschogrod writes:

Judaism's teaching is that it is the election of a human family—the seed of Abraham—that establishes a family of election through which salvation comes to humanity... The circumcised body of Israel is the dark, carnal presence through which the redemption makes its way in history. Salvation is of the Jews because the flesh of Israel is the abode of the divine presence in the world. It is the carnal anchor that God has sunk into the soil of creation.¹

According to Wyschogrod, the central fact of Jewish theology is that God chose the biological family of Abraham to be the vessel of divine presence in the world. This means that being Jewish is not primarily a matter of belief or even of practice. Rather, holiness is attached to the carnal, physical being of the Jewish people. A world in which God is not present would be utterly lost. Thus, it is only because God is in some sense present in the body of the Jewish people in particular that salvation is possible for the world in general. Wyschogrod seems to revel in the mysteriousness of this concept of election, emphasizing again and again the seemingly irrational or even magical relation between Israel's election and the world's salvation. This theory of chosenness, which builds upon and radicalizes R. Elazar's second model, insists on the distinction between the children of Israel and the nations of the world, and is thus decidedly uncomfortable with conversion, let alone missionary activism. Thus, Wyschogrod wrote, although conversion is part of Judaism, it must remain a

1. Michael Wyschogrod, *The Body of Faith*, pp. 254-256.

limited and exceptional phenomenon.

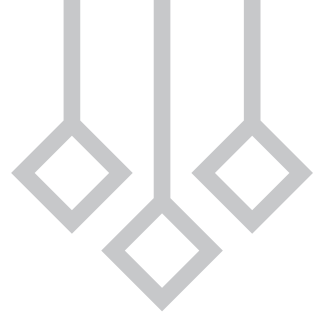
Each of R. Elazar's models may appeal to us in different ways, though those sources of appeal may be in no small amount of tension with one another. The first is a kind of universalism, emphasizing the openness of Judaism's teachings to all. We call Torah the Tree of Life, and we hold it to be so precious that the world itself was created for its sake. Knowing as we do the profundity of its power to transform human life, how could we not wish to share our Torah with as many people as possible? The second model, in its turn, can be taken to reflect a certain modesty, a disclaiming of the need for everyone to be like us. The annals of human history can be read as a chronicle of the futility of forcing a single pattern of life on the welter of human society. The Jews' historical reluctance to proselytize can thus be read as an affirmation of the value of diversity and difference, even in religious matters.

At the same time, each model can be taken to imply conclusions which make us deeply uncomfortable. The first can of course be seen as a kind of spiritual imperialism, precisely the sort of single-minded intolerance at the hands of which the Jews have suffered so much. The second, for its part, can be read—instead of as respect for civilizational pluralism—as excessive self-regard or theological narcissism, a sense that everyone else in the world is a bit player in the unfolding drama between God and the Jews.

Modern Jews are deeply uncomfortable with the doctrine of chosenness. The starkness of the dilemma we have seen—chosenness as a mission to spread Torah to the nations, or as a unique intimacy between God and the children of Israel—can help to clarify why this is so. Do we have the religious self-confidence to say with a straight face that everyone would be better off joining us in the covenant? Or are we comfortable with the idea that God's love for us must remain an exclusive possession? While many cannot answer either question in the affirmative, I find myself vacillating between the two. I entered the covenant of my own choice because I was compelled by the story of Israel, and have chosen to devote my life to sharing Torah with the world. At the same time, my experience of conversion allows me to see with clear eyes what may not always be obvious to those who have taken Judaism for granted since childhood: the profoundly bodily and familial nature of the covenant, in which I cannot share. I am acutely aware of my status as an exception.

While I have presented these conceptions of chosenness as a binary choice between conversion and isolation, they need not be so sharply

opposed. They were united, of course, in the person of R. Elazar, who did not seem to see a contradiction between his *derashot*. Saying yes to both *derashot* means welcoming those individuals who are drawn to the Jewish people, while at the same time affirming that those who remain outside of the covenant will be blessed nonetheless. Seen in this light, the mysteriousness of this blessing becomes an opportunity for wonder and gratitude at God's promises to us. ♦



Undone Hair: Erasure and Agency in the Stories of the *Nazir* and the *Sotah*

Avigayil Halpern

IN LEARNING TORAH, we often encounter moments where it feels like who we are as embodied people is at odds with who the Torah wants us to be. Our experiences, particularly of gender and disability, can at times feel like obstacles to accessing God and ritual; it can even feel like they are deployed as tools to distance us. But in truth, our specific bodies and their needs are among the most profound vehicles we have for connection with the Divine. The juxtaposition of the stories of the *sotah's* ordeal and of the *nazir's* vow is a particularly striking site to explore this.

When a husband suspects his wife of adultery and is filled with “רוח קנאה – a spirit of jealousy,” but there are insufficient witnesses for a standard court case, he can bring her to the *mishkan* to undergo the *sotah* ordeal. The man brings the woman to a priest along with a *minhah*, a meal offering. Then the Torah describes:

וְלָקַח הַכֹּהֵן מִיָּמִים קֹדָשִׁים בְּכָל־יָחֹרֶשׁ וּמִן־הָעֶפֶר אֲשֶׁר יִהְיֶה בְּקִרְקַע הַמִּשְׁכָּן
יִקַּח הַכֹּהֵן וְנָתַן אֶל־הַמֵּיִם : וְהִעֲמִיד הַכֹּהֵן אֶת־הָאִשָּׁה לִפְנֵי יְהוָה וּפָרַע אֶת־
רֹאשׁ הָאִשָּׁה וְנָתַן עַל־כַּפֶּיהָ אֶת מִנְחַת הַזִּכְרוֹן מִנְחַת קִנְאָת הוּא וּבִיד הַכֹּהֵן
יִהְיוּ מֵי הַמָּרִים הַמְאָרִיִּם :

במדבר ה: יז-יח

The priest shall take sacral water in an earthen vessel and, taking some of the earth that is on the floor of the tabernacle, the priest shall put it into the water. After he has made the woman stand before God, the priest shall dishevel the woman's hair and place upon her hands the meal offering of remembrance, which is a meal offering of jealousy. And in the priest's hands shall be the water of bitterness that induces the spell.

BEMIDBAR 5:17-18

The priest then formally informs the *sotah* that if she has not strayed then she will be safe, but if she has then when she drinks the water, “may God make you a curse and an imprecation among your people, as God causes your thigh to sag and your belly to distend” (5:21). The *sotah* agrees, saying “amen, amen,” and the ceremony continues.

The entire experience of the ordeal, beginning with having her hair disheveled, is a process of removing dignity from this accused woman. She is made to drink water into which the curses she stands to suffer, if she has indeed committed adultery, have been dissolved. The curse “her belly shall distend and her thigh shall sag” is vague, but seems to be related to genitals and/or reproductivity, given the themes of the passage. If the woman is found through this ordeal to be innocent, she shall be “able to retain seed,” suggesting that the punishment involves the opposite of this.

This is a deeply upsetting narrative on feminist grounds, in two primary ways: first, that women are the only people for whom questions around their sexual purity are deserving of humiliation through this ordeal, and second, that through this process a woman's entire worth is reduced to her reproductive capacity. Even an innocent woman is rewarded not with some apology for being made to experience this humiliating and frightening ritual, but with the promise of bearing more children, presumably conceived with the husband who has just subjected her to the *sotah*. From our point of view, this does not seem like a reward at all.

A woman's body enters the holy space of the *mishkan*, but is treated as notably unholy. The only ways in which the woman's embodied experience matters is in its relationship to her husband and their potential offspring.

On its face, *sotah* is fundamentally a lonely ritual. The woman stands by herself, exposed, in front of her accusing husband, at least one priest, and, as imagined by the Mishnah, other observers.

A story in the Midrash Tanhuma reacts to this loneliness, imagining

solidarity into an accused *sotah*'s experience. The *midrash* tells the story of a woman whose husband wants her to undergo the *sotah* ritual, and whose identical sister—presumably innocent of adultery—offers to go in her stead. After the sister survives the ritual and returns home, the accused woman joyfully leaves her home to greet her:

יָצְאת שְׂמֵחָה לִקְרֹאתָהּ,
חִבְּקָה אוֹתָהּ וְנָשְׂקָה לָהּ בְּפִיהָ.
כִּי־זוֹ שְׂנֵשְׂקוּ זֶז לְזוֹ, הִרְיָחָה בְּמִים הַמָּרִים,
וּמִיד מָתָה.

מדרש תנחומא נשא ו

She came out happily to greet her.
She embraced her sister and kissed her on the lips.
When they kissed one another, her sister breathed in the smell of
the bitter waters,
And immediately she died.¹

MIDRASH TANHUMA, NASO 6

The *midrash* imagines a woman who, perhaps despairing and panicking, reaches out to her sister rather than walk alone into the Temple. While the ending of the *midrash* rejects the idea that their sisterly subterfuge could truly override the power of the *sotah* ordeal, the story nevertheless shifts *sotah* from a lonely ordeal to a shared experience.

In Dr. Ruth Calderon's book, *A Bride For One Night*, she retells this *midrash* as a first-person narrative. In Calderon's version, the narrative choices highlight the importance of solidarity and love in the story. Calderon ends the story just before the sister returns—before the other shoe drops, before death comes after all. She writes:

I took the liberty of freezing the end of the story one moment prior to the sister's arrival, just before the sisterly kiss turns into a kiss of death... This story features sisters in solidarity and a God who is accepting, assisting, winking at the woman from behind the back of her jealous husband, like a mother who smiles at her eldest son from behind the back of his grumbling younger brother. Like an accomplice.

1. Translation: Ilana Kurshan in *A Bride for One Night* by Dr. Ruth Calderon.

By ending the *midrash* one line early, Calderon radically changes its meaning. Her retelling creates a God who is standing alongside sisters in their mutual love and support, who wants women to survive the violence of a system where a husband can subject his wife to the ritual of the *sotah*. This is a God who lives amongst women, among the sexually vulnerable, one who delights in their connections and desires their thriving.

There is perhaps a hint of this accomplice God even in the Torah text itself. In her commentary on Parashat Naso in *The Women's Torah Commentary*, R. Sarra Levine points out that through the requirement of the erasure of God's name to create the water the *sotah* must drink, the Torah places God's loss of dignity through erasure alongside the experience of the woman subjected to the ritual. God is experiencing the same thing as the woman, standing alongside her.

Solidarity, though, be it between women or between a person and God, is not sufficient to redeem the loss of physical and spiritual agency inherent in the *sotah* ordeal. For such a model, we must keep reading, into the chapter immediately following that of the *sotah*.

In the next verses, the Torah describes how a person can become a *nazir*. One way of reading this passage offers us an alternative to the *sotah* ritual, a way to be close to God without erasure, without humiliation, and with agency.

One who vows to be a *nazir* must abstain from all wine, grape products, and alcohol, avoid contact with dead bodies, and must let their hair grow long: “קֹדֶשׁ יִהְיֶה גִדְּל פְּרַע שְׂעָר רִאשׁוֹ – the wild growth of the hair of his head shall be holy” (6:5).

The popular idea that there is a link between *nezirut* and *sotah* is rooted in the many parallels between the two rituals. The Talmud Bavli in Sotah 2b says that the reason the laws of the *nazir* are juxtaposed with the narrative of the *sotah* is that one who witnesses the *sotah* ritual will be horrified and therefore want to take a vow of *nezirut*, so as to avoid alcohol and thereby the temptation of adultery.

In this vein, the Keli Yakar² focuses on a textual oddity in the first verse in the section about *nazir* “אִישׁ אִרְאָאָה כִּי יִפְּלֹא לְנָדָר נָזִיר לְהַזִּיר לֵה' – If any man or woman explicitly utter a nazirite's vow, to set themselves apart for God” (6:2). He points to an apparent redundancy in the verse: since people of all genders are always included in *mitzvot* that involve

2. Eastern Europe, 1550-1619.

prohibitions, like *nezirut*, why does the Torah add the superfluous clause “man or woman?” The Keli Yakar suggests that it is more obvious that a woman would take a vow of *nezirut* than a man. Punning on the dual meaning of “נִפְלֵא” as both “vow” and “surprise,” he explains: “לפי שהיין מזיק יותר לנשים תשושי כח מלאנשים גבורי כח ואם אשה תזיר מן היין אין הדבר פלא – כל כך כי בנקל לה לבא לידי מכשול של ערוה – since wine affects weak women more than strong men, so if a woman forswears wine that’s not altogether surprising, since it’s very easy for her to come to stumble in adultery.” But when it comes to men, “וראי מפליא לעשות אם יזיר מן היין” – it is certainly more surprising when a man forswears wine,” because men are not as easily made sexually vulnerable by alcohol.³

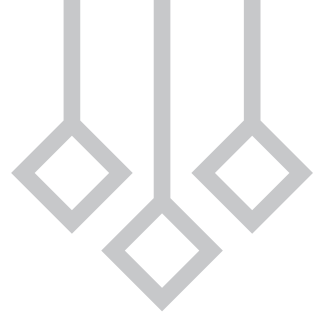
The Keli Yakar takes for granted that *nezirut* would be a more obvious choice for women than for men because women are more sexually vulnerable. In his explicit statement, this alcohol-induced vulnerability stems from some inherent physical or moral weakness of women. But we can also expand this reading to an acknowledgement that women in particular—who are more regularly subject to sexual violence—may want to take steps toward self-protection. *Nezirut* can thus be seen as the inverse of *sotah*, a way to redeem and protect precisely those people subjected to shame and vulnerability by the ordeal.

Additionally, the same root, “פרע,” is used for the untying or uncovering of the woman’s hair in the *sotah* ritual and for the state of the *nazir*’s uncut hair. The woman undergoing the *sotah* ritual has her hair made wild as part of a shaming experience, an attempt to make her vulnerable. The *nazir*, on the other hand, chooses to grow their hair to consecrate their body to God.

The juxtaposition of the *nazir*’s vow and the *sotah*’s ritual emphasizes both their similarities and their extreme differences. The sexually vulnerable, deprived of choice and agency, especially need the closeness with God offered by *nezirut*. *Nezirut* offers the choice to use one’s body to share a divine experience, to make God an accomplice. The *nazir* is juxtaposed to the *sotah* because it is the alternative to forced bodily shame, reproduction compelled by a spouse or by societal forces; it is holy agency, one’s body as for oneself and God alone. The sexually vulnerable, the Torah is teaching, might need this most of all.

3. Keli Yakar on Bemidbar 6:2.

I like to imagine a woman who has survived the *sotah* ritual herself taking a vow of *nezirut*. She returns to the Temple, her hair again wild and undone, but this time as the wind blows through it the sensation is one that is sacred and chosen. Perhaps her sister is beside her, both of them uncoerced, each making their own choices, integrating the solidarity hidden in the *sotah* ordeal with the agency of *nezirut*. God winks, delighted to see them. This time, nobody is erased. ♦



Roots and Branches

Dr. Joshua Kulp

THREE YEARS AGO, when I began studying with Rav Eitan Tucker and the Hadar Kollel, the first topic we learned focused mostly on the laws of “תערובות – mixtures.” The immediate topic was cases where either permitted and forbidden foods or meat and milk are mixed together. How do we determine the status of such mixtures? Can the minority of the mixture be nullified by the majority, or does the presence of any amount of forbidden material render the entire mixture prohibited? Can we determine that a dish is meat if there is a small amount of dairy within it?

While we mostly completed this topic after our first exam, the topic of mixtures continues to pop up throughout other fields of learning. Usually the goal of these discussions is to categorize a mixture: one mixture is dairy and can only be eaten with dairy foods, another is meat, a third—the worst scenario—is both meat and dairy, and must be thrown away.

But there are times in *halakhah* when Hazal let the mixture stay just the way it is, all mixed up. I came across such a case recently when writing up my Daf Shevui commentary on Massekhet Gittin (22a). The Talmud is discussing the status of trees whose roots and branches are in different places (one inside and one outside Eretz Yisrael). At stake is whether the fruit that grows from the tree is considered to be grown in Eretz Yisrael, and therefore must be tithed. In the midst of this discussion we read the following dispute between Rabbi [Yehudah haNasi] and Rabban Shimon ben Gamliel:

אֵילָן מִקְצָתוֹ בְּאֶרֶץ וּמִקְצָתוֹ בְּחוּצָה לְאֶרֶץ טָבֵל וְחֻלִּין מְעוֹרְבִין זֶה
 בְּזֶה דִּבְרֵי רַבִּי
 רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר הַגָּדֵל בְּחֵיב חֵיב וְהַגָּדֵל בְּפָטוֹר פָּטוֹר
 תִּלְמוֹד בְּבֵלִי גִיטִין כב.

[The fruit of] a tree, part of which grows in the Land of Israel and part of which grows outside the Land is considered untithed produce (טבל) and non-sacred produce (חולין) mixed together, the words of Rabbi [Yehudah haNasi].

Rabban Shimon ben Gamliel says: That which grows in a place that makes [the fruit] liable is liable and that which grows in a place that makes [the fruit] exempt is exempt.

TALMUD BAVLI GITTIN 22A

According to Rabbi the fruit on this tree is a true mixture—part of it grew in the land of Israel and therefore needs to be tithed, and part grew outside the land and does not need to be tithed. Each piece of fruit is itself a mixture. In contrast, Rabban Shimon ben Gamliel denies that any single piece of fruit is a mixture. Rather, each piece follows the place from which it grew, i.e. the location of the roots.

However, the Talmud eventually determines that the tree under discussion has roots both in the Land and outside of it. Now, according to Rabban Shimon ben Gamliel, the roots determine the status of the branches: branches on each side of the border grow from the roots below. But according to Rabbi, the airspace in which the branches grow mixes them up again, such that the fruit growing on the branches has the status of both places. Both Tannaim hold that roots matter: if the tree's roots grew in only one place, all the fruit would have the status of that place and that place alone, even if the branches move into the airspace of the other land. But in the case of the tree whose roots are split, they disagree about whether the status of the fruit can be determined solely based on the positioning of the roots and branches: Rabban Shimon ben Gamaliel holds that they are, and Rabbi holds that they are not.

This fascinating dispute illuminates two aspects of my own life, the first in terms of my Jewish life and the second in terms of my development as a lover of Torah. My Jewish roots lie mostly with my paternal grandmother, Charlotte Kulp. She grew up with mixed roots; she was raised in an assimilated home in Frankfurt-am-Main but at a young age adopted Orthodoxy when she married my grandfather. She retained that

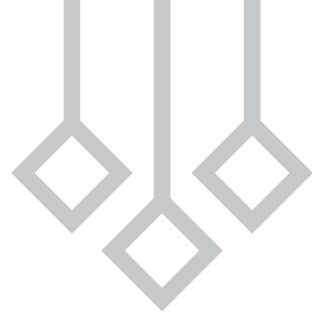
mixture throughout her life, leading an observant lifestyle but still managing to be fully involved in modernity, traveling all over the world, loving music and theater, and always reminding me that an Orthodox Jew could be fully engaged with the world. She never sacrificed either value—her tree was like that of Rabbi, mixed with different kinds of produce. My father inherited these values from her and spent his life dedicated to the Jewish community as a *hazan*, and yet he also always maintained a deep skepticism about the ultimate authority of Jewish law. His thinking and his practice was clearly a mixture of tradition and doubt.

Over 25 years ago I entered the *beit midrash* of the Conservative Yeshiva and have never left. But the person shaped by this experience is still very much like the fruit that grows on Rabbi's tree: a mixture of traditionalism and adherence to Jewish practice, along with a sense of commitment to modern values and scientific skepticism, all of which I inherited from my grandmother and father. This mixed tree **does** create mixed fruit; there are many times in learning and observing *halakhah* when I wonder, "does this really matter?" Is it even slightly important how I remove the seeds from my tehina on Shabbat (insider Hadar joke)? If my dairy spoon goes into a meat pot, does it matter whether the spoon is metal or wood? My answer is usually that it does matter **and** it does not matter. That's what you get on Rabbi's tree: a mixture.

When I began learning Talmud in earnest all those years ago, I was lucky enough to be directed to the office of Professor Shamma Friedman. Professor Friedman is one of the most important practitioners of the academic study of Talmud in the world. For the following 20 years I tried to follow in his footsteps, attempting to make my own very small contribution to the academic study of Talmud. Three years ago I—along with Jason Rogoff, my dear *havruta* and another fellow dweller in the halls of academia—made the fortuitous decision to ask Rav Eitan Tucker about learning for *semikhah*. The past three years, the branches of my learning have swayed in the winds of halakhic literature: from the Geonim in 10th century Babylonia, sweeping their way through the *batei midrash* of my beloved Rabbeinu Tam and Ri; taking a pause in Tzfat with R. Yosef Karo and in Poland with the Rema, the Shakh, Taz, and Magen Avraham; and eventually coming down to the greats of our own generation in America and Israel. However, in this case, my roots are in Professor Friedman's office—and that's where they stay. My academic approach to text is rooted in bedrock and will bear its impact on my own approach to *halakhah*. I doubt this is going to change. But in Rav Eitan, I have met someone

whose roots lie both in the academic halls of JTS and in the halakhic world of Ma'ale Gilboa and the Israeli *rabbanut*. His teaching is the embodiment of how wonderful Rabbi's fruit would taste. Rabbi is, after all, not only the author of the opinion that if the tree grows in two places, the fruit is a mixture of both. Rabbi is also the revolutionary redactor of the Mishnah, the book that changed Judaism for eternity. Learning with Rav Eitan and the other teachers of Hadar has been an opportunity to experience a new world of learning, and yet still bring to every *shiur* and every discussion the roots from which I derive my passion and nourishment, the academic study of Rabbinic literature.

I look forward to many years of learning, teaching, and writing; of sharing the ground from which we grow with Hadar's teachers and students, nurturing the trees that grow there, living under their shade, and harvesting the fruit of all of our hard study and work. I want to thank my family, my grandmother of blessed memory whose love of Judaism and culture was unmatched, my parents for raising me in a home in which Judaism was what we did every single day, and my wife and children for helping me bring these values and ways of being in the world to Israel and to our home in Modi'in. Finally, I want to thank Rav Eitan, Rav Aviva, and Rav Micha'el for their patience for my unbounded enthusiasm for the *peshat* of every single text, my fellow Kollel students for their youth—which makes me somehow feel simultaneously younger and older—and of course, most of all, thanks to Jason. ♦



From Rain to Dew: Navigating the Challenges and Joys of *Talmud Torah*

Yael Jaffe

WE LEARN FROM our Sages that the Torah has the potential to be either a “סם חיים – an elixir of life,” or a “סם מוות – an elixir of death.” That is to say, Torah has the ability either to inspire joy or to inflict pain on its learners and practitioners. So what is it that makes the difference? Under which conditions is the Torah a positive force that brings us nourishment, and under which is it a negative force that drains our energy? And, perhaps most urgently, how can we ensure that we access or cultivate more of Torah’s סם חיים in our own lives and communities?

Hazal offer us several answers to these questions. In the Talmud Bavli on Taanit 7a, R. Bena’ah suggests that Torah will be a סם חיים only if one engages in “תורה לשמה – Torah for its own sake.” In other words, if one treats their Torah study as an end in and of itself then it will be nourishing, but if they treat it as a means to some other end, then it will be destructive. On Yoma 72b, we find an alternative theory from R. Yehoshua ben Levi. He claims that, in order to render one’s Torah a סם חיים, a learner must be “זכה – deserving.” This is associated with a statement from Rava, who asserts that it depends on whether one is “אומן – skillful.” Both seem to suggest that the more expert or accomplished a learner one is, the more they can access Torah’s life-giving nature.

In the Sifrei Devarim, we find a related discussion, also exploring the question of Torah’s dual potential. But rather than the language of סם חיים

and *מוות*, the *midrash* uses the following verse as its starting point:

יֵצֵרְךָ כְּמָטָר לִקְחִי, תֹּזֶל כְּטֵל אִמְרָתִי, כְּשֹׁעִירִם עַל־דָּשָׁא, וְכִרְבִּיבִים עַל־
עֵשֶׂב:

דברים לב:ב

May my teaching come down like the rain, my speech flow like
the dew, like showers upon the herbage, like droplets on the grass.

DEVARIM 32:2

This verse offers a variety of water-based imagery for God's "teaching," which the *midrash* deploys to explore the different manifestations and experiences of Torah in our lives. It repeatedly asks the question: when does Torah bear down on us like a heavy downpour, and when does it flow gently and nourishingly like dew on the grass?

One theme which features several times in the Sifrei Devarim's discussion is the element of time. Twice the Sages address the particular experience of being a beginner, and how that shapes the experience of *talmud torah*:

"כשעירים עלי דשא" – כשאדם הולך ללמוד תורה תחילה, נופלת עליו
כשעיר, ואין "שעיר" אלא שד, שנאמר, "ופגשו ציים את איים ושעיר אל
רעהו יקרא" (ישעיה לד:יד), ואומר, "ושעירים ירקדו שם" (ישעיה יג:כא).

...

"כשעירים עלי דשא" – כשאדם הולך ללמוד תורה תחילה, אינו יודע מה
לעשות, עד ששונה שני ספרים או שני סדרים; ואחר כך, נמשכת אחריו
כרביבים.

ספרי דברים פסקא שו

"Like showers (*se'irim*) upon the herbage"—When someone first goes to study Torah, it falls upon them like a *se'ir*, and "*se'ir*" refers to a demon, as it says, "Wildcats will meet hyenas, goat-demons (*se'ir*) will greet each other" (Isaiah 34:14), and it says, "And goat-demons (*se'irim*) will dance there" (Isaiah 13:21). ...

"Like showers upon the herbage"—When someone first goes to study Torah, they do not know what to do. Until they have learned two orders or two books; and after that, the Torah is drawn after them, like "droplets."

Here, the *midrash* vividly describes just how challenging the beginner's experience can be—an experience which the Sages assume to be universal and unavoidable. When one first begins their journey in Torah study, they may feel inextricably lost and may even experience Torah as an adversary, inflicting pain and pushing them away repeatedly. But the solution, it seems, is fairly simple: more time. If one simply dedicates the necessary time—to cover more ground, to invest more deeply in this relationship—then their emotional experience of *talmud torah* can transform completely. No longer will they be chasing after Torah; instead, the Torah will be chasing after **them**. And that process too is presumed to be a universal one—a natural and inevitable outcome of one's investment in learning.

We find some striking parallels to this discussion in the world of *hilkhot aveilut*, the laws of mourning, which we studied this past year in the Advanced Kollel. On Mo'ed Katan 21a, a *baraita* lists the prohibitions that apply to a mourner during *shivah* and *sheloshim*; these include reading and studying Torah of all kinds: Tanakh, Talmud, *midrash*, *halakhah*, and so on. In response to this prohibition, Rashi asks: Isn't *talmud torah* a *mitzvah*? And isn't a mourner obligated in all *mitzvot* (except *tefillin*, from which one is exempt for just the first day of *shivah*)?! He explains that Torah is an exceptional kind of *mitzvah* because “אית בהו שמחה – it contains joy within it.”² Thus it is necessarily prohibited during *shivah*—a time when we intentionally try to minimize our joy—despite the fact that it is a *mitzvah*.³

However, we find several exceptions to this prohibition throughout the Talmud. For example, in the same *baraita* on Mo'ed Katan 21a, we

1. We learn this from Bavli Sukkah 25b:

אמר רבי אבא בר זבדא אמר רב: אבל חייב בכל מצות האמורות בתורה,
חוץ מתפילין, שהרי נאמר בהן פאר. מדאמר ליה רחמנא ליחזקאל פארך
חבוש עליך וגו' – את הוא דמיחייבת, אבל כולי עלמא – פטירי. והני מילי
ביום ראשון דכתיב ואחריתה כיום מר.

2. Commentary in place of Rashi on Mo'ed Katan 21a, s.v. ואסור לקרות.

3. The Ramban disagrees, arguing that a mourner is still obligated in *talmud torah*, and thus must offer several explanations to reconcile this with (a) the prohibition on *talmud torah* and (b) the exclusion of *talmud torah* from the statement in Sukkah 25b (see n1). See the Ramban's Torat ha-Adam, Sha'ar ha-Avel, Inyan ha-Aveilut.

learn that if a Torah scholar is needed by their community, they may teach Torah or provide halakhic guidance as necessary. Additionally, on Ta'anit 30a, a *baraita* suggests that one can study specific pieces of Torah that are explicitly sad in their content, such as the book of Iyyov and certain portions of Yirmiyahu.⁴ That same *baraita* offers yet another exception:

אבל קורא הוא במקום שאינו רגיל לקרות, ושונה במקום שאינו רגיל
לשנות.

תלמוד בבלי תענית ל.

However, one may read from a place [in Torah] that she is unaccustomed to reading, and one may study from a place [in tannaitic text] that she is unaccustomed to studying.

TALMUD BAVLI TA'ANIT 30A

Here, the *baraita* suggests that learning anything new is permitted during mourning. Why? The commentary in the place of Rashi explains: “דכיון דלא ידע, אית ליה צער” – since she does not already know it, it will be painful for her.”⁵ In other words, the *baraita* assumes that a mourner will not derive inappropriate joy from their *talmud torah* when they learn something new, since that is likely to be a distressing experience rather than a joyful one. This echoes the sentiment expressed in the Sifrei Devarim about the challenge of being a beginner. But rather than assume that the beginning is a single, fixed point that one simply leaves behind, the notion of a “מקום שאינו רגיל” – a place with which she is unaccustomed” suggests that the experience of beginning recurs again and again over the course of one’s learning journey.

In a similar passage in the Talmud Yerushalmi, this statement regarding the מקום שאינו רגיל is simply taught as an independent *baraita*, and is

4. The *baraita* begins with the statement, “כל מצות הנוהגות באבל נוהגות בתשעה” – All *mitzvot* practiced by a mourner are also practiced on Tisha B’Av.” It goes on to extend several Tisha B’Av policies to mourning practices, including these exceptions to the prohibition on Torah study.
5. See the commentary in place of Rashi on Ta'anit 30a, s.v. במקום שאינו רגיל לקרות. Coincidentally, the commentaries on the page of the Vilna printed Talmud in both Ta'anit and Mo'ed Katan have been incorrectly attributed to Rashi but were not authored by him. This is also true for Nedarim, Nazir, and Horayyot.

even corroborated with a story.⁶ However, in the Talmud Bavli, R. Yehudah chimes in to disagree, saying that even a *מקום שאינו רגיל* is prohibited for a mourner to study, and the *halakhah* ultimately follows him.

R. Yosef Karo,⁷ author of the *Shulḥan Arukh*, provides several technical explanations as to why the *halakhah* follows R. Yehudah in our case.⁸ But a more substantive answer can be found in a *teshuvah* of the Maharshal, R. Shlomo Luria.⁹ In a *teshuvah* discussing whether school teachers may continue to work while in mourning, he returns to the suggestion to permit studying from a *מקום שאינו רגיל*, which he attributes to R. Meir. He endorses Rashi's understanding of the *baraita*, explaining that R. Meir permits this because he believes this kind of learning will not be joyful, but rather a burdensome challenge. And as for why we ultimately do not follow R. Meir's opinion, he offers the following explanation:

משום דסוף סוף, אחר העיון, תבא לו שמחה.

שו"ת מהרש"ל סימן סו

Because, in the end, after deep study, joy will come to him.

SHU"t MAHARSHAL #66

For the Maharshal, just like the Sifrei Devarim, the secret lies with time. At first, a mourner may find a new area of Torah agonizing, but with time, their learning will inevitably bring them joy. When the *midrash* describes this experience, it seems to be looking back on the past experiences of every learner in the *beit midrash*. But for the Maharshal, it is

6. Yerushalmi Moed Katan 3:5, 82d:

תני: אבל שונה הוא במקום שאינו רגיל, כהדא ר' יסא הוה ליה עובדא,
שלח ליה רבי יוחנן תרין תלמידין דיתנון עימיה. אין משום דשרי לא ידעין
ואין משום דלא רגיל לא ידעין.

7. Spain, 1488-1575.

8. Beit Yosef, Yoreh De'ah 384:7:

כתב סמ"ג בירושלמי תניא אבל שונה במקום שאינו רגיל עכ"ל ומשמע
דאיתא כר"מ דשרי בכה"ג גבי ט"ב ולא קי"ל כוותיה אלא כר' יהודה דאסר
בט"ב כדאיתא בסוף תענית. וה"ה לאבל וכ"נ שהוא דעת הפוסקים שלא
כתבו הירושלמי הזה משום דמשמע להו דכר"מ איתא ולא קי"ל כוותיה
ומתוך זה יתבאר לך בטול דברי התוספות שכתבו דמדקאמר אבל שונה
במקום שאינו רגיל משמע דהא דוקא שרי ולא איוב וקיונת וירמיהו.

9. Poland, 1510-1573.

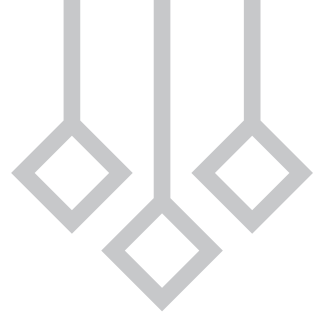
actually a matter of foresight—he sees the light at the end of the tunnel of every difficult learning experience. In his local case of the mourner, that light threatens to shatter the mood of a mourner's *shivah*. But beyond the context of *aveilut*, the Maharshal offers us an articulation of profound trust in Torah—a trust that it can and will always nourish us, if we just give it enough time.

In my own life, and especially in my learning toward *semikhah* at Hadar, I have found myself on an evolving, dynamic journey in my relationship to *talmud torah*. So much of that journey has revolved around this experience of being a beginner: of starting something new and intimidating, of feeling demoralized by its unfamiliarity; and of coming out the other end on a high, feeling more connected to and energized by Torah than I ever could have imagined. And just as R. Meir describes, this experience was not a one-time affair; it has recurred over and over, with each new topic in *halakhah*, each new genre of text, each new style of learning. With each and every new beginning, my greatest challenge is patience—patience with the Torah, and patience with myself.

When our learning becomes a *סם מוות*, when it bears down on us like a heavy downpour, it can be hard to see that light at the end of the tunnel. Even when we know rationally that the pain of newness is temporary, it sometimes feels impossible to adopt the Maharshal's clear-headed foresight, or to simply trust the process.

In those moments, my hope is that we can at least strive for hindsight—that we can look back and remember that we are by no means the first ones to experience these challenges. In fact, we inherit that experience from our ancestors, and just as they emerged stronger, so can we. Like them, we too can rediscover Torah's *סם חיים*, be nourished by its gentle dew, and fall in love over and over again. All it takes is time.

May we continue chasing after the Torah, and may the Torah continue chasing after us. ♦



Accountability and Respect for Human Life

Beth Levy

THE TORAH ASSERTS that every person is made in the image of God.¹ This claim is stated with no qualifications: every life matters, no matter who they are, or what they have done. At the same time, the Torah is full of laws and boundaries. God has expectations of us and distributes punishment when we do not meet them.

How can we, as a community, balance these two aspects of the Torah's demands? How should we relate to a person who behaves badly, perhaps many times over the course of their life? These questions come into sharp focus when someone dies. Often only after someone has passed away do we really begin to reflect on the person and the life they led. The choices we make in responding to a death reflect the way that we balance these competing values.

In Sefer Devarim, we see our tradition grappling with this tension. The Torah deals with the case of someone who has sinned so severely that they have received the death penalty:

וְכִי־יִהְיֶה בְּאִישׁ חֲטָא מִשְׁפָּט־מוֹת וְהוֹמַת וְתָלִיתָ אֹתוֹ עַל־עֵץ : לֹא־תָלִין נָבֶלְתוֹ
עַל־הָעֵץ כִּי־קָבוֹר תִּקְבְּרֶנּוּ בַּיּוֹם הַהוּא כִּי־קָלַלְתָּ אֱלֹקִים תָּלוּי וְלֹא תִטְמָא אֶת־
אֶדְמַתְךָ אֲשֶׁר ה' אֱלֹקֶיךָ נָתַן לְךָ נַחֲלָה.

דברים כא:כב-כג

1. Bereishit 1:26-27, 9:6.

If any party is guilty of a capital offense and is put to death, and you impale the body on a stake, you must not let the corpse remain on the stake overnight, but must bury it the same day. For an impaled body is an affront to God: you shall not defile the land that YHVH your God is giving you to possess.

DEVARIM 21:22-23

This person is deemed to be deserving of the death penalty, yet the Torah states that they must not be left unburied. Leaving any body unburied, even the body of a sinner, is an affront to God.

R. Meir picks up on this notion and brings a parable to explain:

תניא אומר רבי מאיר משלו משל למה הדבר דומה לשני אחים תאומים
בעיר אחת אחד מינוהו מלך ואחד יצא לליסטיית צוה המלך ותלאוהו כל
הרואה אותו אומר המלך תלוי צוה המלך והורידוהו.
תלמוד בבלי סנהדרין מו:

It is taught: R. Meir says: The Sages told a parable: To what is this matter comparable? It is comparable to two brothers who were twins who lived in the same city. One was appointed king, while the other went out to engage in banditry. The king commanded it, and they hanged his twin brother. Anyone who saw the bandit hanging would say: The king was hanged. The king, therefore, commanded that his brother be taken down, and they took the bandit down.

TALMUD BAVLI SANHEDRIN 46B

Rashi explains that the king in the parable refers to God; just as the king and his twin brother the bandit look alike, so too, all people made in God's image look like God.² People must be buried, lest it appear that God is being left unburied. To save God from this disgrace, all humans must be buried. Our dignity is inextricably linked to God's dignity—this is what it means to be made in the image of God. One might have thought that someone who has received the death penalty is not deserving of the respect that comes with burial; therefore the Torah tells us that even someone who has transgressed in the most egregious manner is made in God's image.

2. Rashi on Sanhedrin 46b.

This dynamic also plays out in the mourning practice of tearing one's clothes. This practice is well-known and broadly practiced today by immediate family members of the deceased. But there is also a significant history of tearing in other circumstances. The Rabbis list a number of cases in which you are expected to tear, such as for the death of a sage, and for an upstanding member of the community.³ In that context, R. Shimon ben Elazar adds an additional case:

רבי שמעון בן אלעזר אומר: העומד על המת בשעת יציאת נשמה חייב לקרוע. למה זה דומה? לספר תורה שנשרף, שחייב לקרוע.
תלמוד בבלי מועד קטן כה.

R. Shimon ben Elazar says: Someone who is standing there at the moment someone dies is required to tear his clothes. What is this similar to? To a *sefer torah* that has been burnt, which one is obligated to tear for.

TALMUD BAVLI MO'ED KATAN 25A

According to R. Shimon ben Elazar, tearing our clothes is not only something we do in times of personal grief. It is also something that should be done when present at any death. By expanding the practice in this way, our sensitivity is raised to be more aware of the loss of human life. One might have thought that we tear only when we are personally impacted by the death, or for important people, or people who did great things in their life, but R. Shimon ben Elazar reminds us that all human life is significant. When we witness the world losing someone, we have to show that we acknowledge that loss. This position ultimately becomes accepted as normative practice.

The medieval Ashkenazi rabbis discuss whether this law is applicable even in the case of someone who has done bad things in their life. On the one hand, R. Shimon ben Elazar's statement seems to include all people; he is concerned with the unqualified significance of the loss of a life, and demands that respect be shown. However, these rabbis are sensitive to the reality that people sometimes do really awful things. To show respect for them by tearing our clothes in the same way that we do for others might feel inappropriate.

3. Talmud Bavli Mo'ed Katan 25a.

The Maharam,⁴ quoted by Hagahot Mordekhai, says:

אם אדם עושה עבירה לפעמים לתיאבון או לפעמים מניח מצוה בשביל
טורח כגון זה חייב לקרוע עליו בשעת יציאת נשמה כיון שאינו עושה
להכעיס.

הגהות מרדכי מועד קטן רמז תתקלז

If a person sometimes sins for the sake of their pleasure, or sometimes doesn't do a *mitzvah* because it is too much effort, we are still required to tear our garments if we are present at this death, since he did not commit sin in order to provoke the community.

HAGAHOT MORDEKHAI MO'ED KATAN #937

According to the Maharam, R. Shimon ben Elazar's statement still applies to those who have sinned. People who sin for the sake of their own pleasure and people who don't keep all the *mitzvot* are not perfect, they are human. And it is precisely because they are human that we must tear for them. According to the Maharam, however, we are not required to tear for someone who sins in order to provoke.

Hagahot Mordekhai picks up on the Maharam's uses of the word "sometimes," and assumes that it is used with precision:

ומה שפירש מהר"ם לפעמים עושה עבירה לתיאבון יפה דקדק שאם היה
רגיל לעשות עבירה הרי הוא בכלל פורש מדרכי צבור.

The Maharam wrote well when he said "sometimes sins for the sake of their pleasure." For if he were to sin habitually, he would be considered someone who separates themselves from the community.

We tear for a person who **sometimes** sins but not for one who sins habitually. Everyone messes up sometimes, and everyone is lazy sometimes. However, as a community, we do have expectations of people, and if someone puts themselves outside of the community by regularly transgressing, we do not have to show them the same amount of respect in their death.⁵

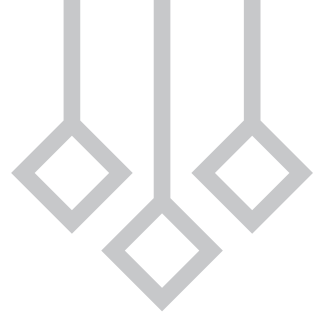
4. 13th century, Germany.

5. It is important to note that *teshuvah* is always possible, up until the last moment before death. See Or Zarua, Part 2, Laws of Mourning #428.

The Shulhan Arukh (Yoreh De'ah 340:1) codifies the position of the Maharam, and the Rema adds in his gloss the comment of the Hagahot Mordekhai. This codification, with the Maharam's qualification, seems to undermine the power of R. Shimon ben Elazar's initial statement, which comes with no qualifications—the end of any human life is significant. However, the death of someone who has done a lot of bad in their life can be a very complicated thing. How to show that person their due respect can be hard to navigate. This position of the Hagahot Mordekhai, adopted by the Rema, pulls us in one direction: someone who continually sinned should not be honored with the tearing of one's clothes.

Nonetheless, R. Shimon ben Elazar's insight never totally disappears from the tradition. No matter what someone has done in their life, the tradition maintains that a certain level of dignity is required in their death. As we saw above, for example, burial is an absolute right of any member of the community. In death, a certain level of respect is due to all people, no matter their past.

The tradition's guidelines on how to show respect to the dead, in which these dynamics are particularly intense, also shed light on how we should relate to people in our community more broadly. Having expectations of people and holding them to account for their actions are core elements of the Jewish tradition. But at the same time, the Torah insists that we never forget the profound sanctity of each and every life. ♦



“Master of the Universe, Why Are They Not Learning Me?”

Miriam Lichtenberg

HOW DO WE talk about the laws of mourning in our communities? The 12th century work, *Sefer Hasidim*, suggests that the more fundamental question is: **do** we talk about *hilkhot aveilut* in our communities? In one particular passage (#241), the book imagines the talmudic tractate Mo’ed Katan—one of the earliest sources for our laws of mourning—pleading with God to be studied.

כך אמרה מועד קטן... רבונו של עולם למה אין עוסקין בי כשאר מסכתות.
והקב"ה השיב לה: טוב! הרי כבר נאמר: טוב ללכת אל בית אבל מלכת אל
בית משתה באשר הוא סוף כל האדם והחי יתן אל לבו (קהלת ז:ב).

ספר חסידים רמא

Thus says Mo’ed Katan... “Master of the Universe, why is no one studying me [lit. dealing with me] like the other tractates?” And God responded to her, “Correct! Did I not already say ‘It’s better to go to a mourner’s home than to go to a wedding celebration [lit. a house of feasting], since this is the end of every person, and the living should take that to heart’ (Ecclesiastes 7:2).”

SEFER HASIDIM #241

God shares in Mo’ed Katan’s confusion; why **is** no one studying you? Why are halakhically-minded Jews not sitting with texts that could help them be better comforters? Have I not already said that you have a greater responsibility as a community member to be present in one another’s

sorrow than in one another's joy? God does not have an answer for Mo'ed Katan.

In this same passage, Mo'ed Katan is compared to a woman who longs to be married. She is frustrated that her trade of weaving funeral clothes makes her an undesirable bride, as suitors prefer to be with someone with a happier trade.

אמרה לאביה אחיותי יודעות אומנות נקייה... אבל למה נתת לי אומנות
שהכל מרחיקים ממנה לארוג בגדי אבל לתכריכי מתים אלו הייתה אומנתי
בגדי שמחה הייתי לאיש כאחת מאחיותי.

She said to her father "My sisters know pure trades... but why did you give me a trade that everyone wants to distance themselves from, sewing burial shrouds? If I were to sew clothes for celebrations, I would have been married like one of my sisters."

This serves as an answer to Mo'ed Katan's question—it is not studied because people want to distance themselves from death. Just as this woman longs to be married, Mo'ed Katan longs to be studied, but both are denied their desires because reminders of death repel us. Intuitively, this makes sense; we are weary to confront the truth of our inevitable mortality, and our inevitable experience with grief, unless we are forced to do so. It is not enjoyable to learn about mourning practices, and there may even be a fear that close proximity with the topic of death unnecessarily invokes the angel of death.

In the passage from *Sefer Hasidim*, God not only expresses confusion but, by quoting God's teaching in *Ecclesiastes*, also implies that people **should be** studying Mo'ed Katan. Why is this so important?

Perhaps Mo'ed Katan needs to be studied more because its laws may often seem straightforward but contain, in fact, deceptive depth. Studying its laws is necessary to ensure that we understand their context and purpose.

Mo'ed Katan delineates what is and is not allowed when comforting a mourner: do not start a conversation with a mourner at their *shivah* house; do not greet a mourner in your usual fashion; provide mourners with a meal upon their return from the burial; do not offer comfort to mourners who lost their parents after their first year of mourning; do not speak in a way that implies you are not accepting God's decree with love.

Exploring the context and purpose of two of these examples can help us become better comforters, and begin to reimagine our mourning ritu-

als. The first is the instruction not to start a conversation with a mourner. On Mo'ed Katan 28b, we see the following statement:

אמר רבי יוחנן: אין מנחמין רשאים לומר דבר עד שיפתח אבל, שנאמר:
אחרי כן פתח איוב את פיהו (איוב ג: א).

תלמוד בבלי מועד קטן כח:

R. Yoḥanan says: The comforters are not allowed to say anything until the mourner opens [and speaks first], as it says: “After this, Job opened his mouth” (Job 3:1).

TALMUD BAVLI MO'ED KATAN 28B

R. Yoḥanan seems to offer a straightforward rule; a comforter may not start a conversation with a mourner. But the context of the proof-text is important for understanding his meaning. In the preceding *pesukim*, immediately before Job speaks, he is visited by three of his close friends. When they see how deeply Job is suffering, they are silent: “ואין דבר אלי” – none spoke a word to him for they saw how very great was his suffering” (Job 2:13). Job’s friends assessed his state of mind and concluded that he was suffering too deeply to be comforted by words

Too often, R. Yoḥanan’s statement is applied narrowly, without considering this context from Job. Oftentimes, comforters mindful of *halakhah* are overzealous in their restraint, slipping from “I cannot talk first” to “I cannot talk unless I am spoken to” and on to “I cannot talk except for answering questions the mourner asks me.” Consequently, the mourner is then tasked with having to act as host. This can be especially true for young mourners visited by friends who have themselves not yet confronted meaningful loss; a friend shared with me that she was not once asked about the person she lost, but instead had to ask people how their summers were going.

Though presented formalistically, R. Yoḥanan’s statement (based on a contextual reading of his proof-text) is telling us to be attentive to the needs of the mourner, and act accordingly. This is often best achieved by allowing space for the mourner to start the conversation. But, crucially, a mourner may need your conversation more than your silence. R. Yoḥanan’s proof-text, despite his apparently clear directive, leaves room for a comforter to start the conversation when that is the need of the mourner.

Of course, every *shivah* is different. It would be completely inappropriate to pepper a mourner with questions while they can hardly talk between sobs. But that is precisely the point; every *shivah* is different. Visiting a *shivah* house requires a level of patience and psychological insight. R. Yohanan's rule is here to fall back on, but it is not always the right way to start. Understanding the broader context allows more room for nuance.

The trope of the “bad *shivah* visitor” is too common, and I think the canonical texts of Mo'ed Katan require a reunderstanding in order to ensure we are showing up for our bereaved community members in a halakhic and emotionally sensitive matter.

The second example is the prohibition of offering comfort to mourners who lost their parents after their first year of mourning. On Mo'ed Katan 21b, we learn:

המוצא את חברו אבל... לאחר שנים עשר חדש – שואל בשלום, ואינו
מדבר עמו תנחומין, אבל מדבר עמו מן הצד. אמר רבי מאיר: המוצא את
חברו אבל לאחר שנים עשר חדש, ומדבר עמו תנחומין, למה הוא דומה?
לאדם שנשברה רגלו וחיתה, מצאו רופא ואמר לו: כלך אצלי שאני שוברה
וארפאנה, כדי שתדע שסממנין שלי יפין!
תלמוד בבלי מועד קטן כא:

One who encounters a friend in mourning... after 12 months [have passed]—you can ask how she is without offering comfort to her, but you can offer comfort indirectly. R. Meir says: Someone who finds her friend who is a mourner after 12 months and offers comfort, to what is she compared? To someone who broke their leg and it healed. A doctor found her and said, “Come to me so that I can break it and I will heal it, so that you’ll know how good my medicines are!”

TALMUD BAVLI MO'ED KATAN 21B

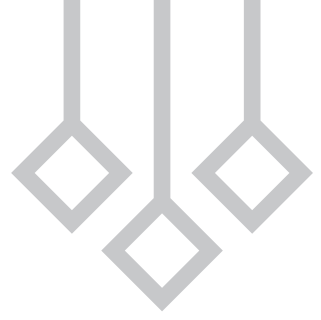
In the first year after losing a loved one, the loss is raw, and it requires a conscious effort on community members to offer comfort. But, as time goes on, the pain of the loss invariably begins to fade, and it is often replaced by the pain of moving on beyond life as a mourner. Perhaps the *sugya* is offering us a way to help in this process. Were we forever offering comfort to them, we might forget that they are more than a mourner.

But in R. Meir's comparison, an additional element of offering comfort emerges. The prohibition is not simply on offering comfort, but

rather on doing so in order to serve your purpose. You are prohibited to offer comfort that does not come from genuine care for the mourner and their loss.

This year will commemorate the 20th *yahrzeit* of my late mother, *a"b*. The way I carry her loss has evolved tremendously—but I always carry her loss. The pain of her loss will remain a steady companion for the rest of my life. I am comforted when I am asked about her. Understood too literally, R. Meir's teaching would leave me feeling alone and self-conscious of the way this loss remains with me.

For our own sake and for the sake of those dealing with loss in our communities, it is necessary that we talk openly and think creatively about our *shivah* process. A good *shivah* visit may involve starting a conversation with a mourner, and comforting a mourner may include asking them about their loss even 20 years later. It is incumbent upon us to continue drawing out and applying the nuanced readings which allow us to think creatively about our mourning practices. ♦



“Like a King Among His Troops, Like One Who Comforts Mourners”: Reflections on the Rabbinic Role

Akiva Mattenson

WHAT DOES IT mean to be a teacher of Torah? What does doing this well look like? We can structure an answer to these questions by following the pedagogical vision and insight of R. Moshe Alshekh¹ in his commentary to Iyyov 29:21-25. Prior to this passage, Iyyov is in the midst of recalling what his life was like before disaster ravaged him. Among other things, he was an honored judge pursuing justice for the underprivileged and marginalized. It is in this context that he waxes poetic about the esteem in which he was formerly held:

לִי שָׁמְעוּ וַיִּחַלּוּ,
וַיִּדְמּוּ לְמוֹ עֲצָתִי.
אֲחֵרֵי דְבָרִי לֹא יִשְׁנּוּ;
וַעֲלִימוּ תַטְף מִלִּתִּי.
וַיִּחַלּוּ כַּמָּטָר לִי,
וּפְתִיחַם פָּצְרוּ לְמִלְקוֹשׁ.

1. 1509-1583, Safed.

אֲשַׁחֵק אֱלֹהִים, לֹא יֵאָמְרוּ;
וְאוֹר פָּנַי לֹא יִפְּלוּן.
אֲבַחֵר דְּרָכָם וְאֶשֶׁב רֹאשׁ;
וְאֶשְׁכֹּן כְּמֶלֶךְ בְּגִדּוֹד,
כְּאִשֵּׁר אֲבָלִים יִנָּחֵם.

איוב כט:כא-כה

Men would listen to me expectantly,
And wait for my counsel.
After I spoke they had nothing to say;
My words dropped [as dew] upon them.
They waited for me as for rain,
For the late rain, their mouths opened wide.
When I smiled at them, they would not believe it;
They never expected my shining countenance.
I chose their course and sat at the head;
I lived like a king among his troops,
Like one who consoles mourners.

Iyyov 29:21-25

The image of judicial honor here is stark. Those who seek Iyyov out are passive vessels orbiting his impossibly bright star—they wait, keep still and open their mouths wide; they follow wherever he leads and fulfill every word of his counsel. There is no expectation that they will be acknowledged by Iyyov with a smile or a shining countenance—they find such displays of favor unbelievable. Put more abstractly, they don't expect to be taken seriously as persons in their own right—persons who deserve to be seen and heard.²

This picture is sharpened further when we attend to the imagery employed by Iyyov. He begins by comparing his words to water. This metaphoric trope echoes the words of Moshe, who cried out: "May my discourse come down as the rain, my speech distill as the dew" (Devarim

2. Contrast here the trenchant comment of R. Ben-Zion Meir Hai Uzziel (1880-1953, Jerusalem) concerning the role of a Jewish judge: "הדיין הישראלי: איננו מושל או גוזר, אלא פוסק משועבד להאמת ועומד לפני בקרת המשפט אפילו לפני בעלי אינו מושל או גוזר, אלא פוסק משועבד להאמת ועומד לפני בקרת המשפט אפילו לפני בעלי – The Jewish judge is neither someone with sovereignty or someone who makes decrees. They are rather a decisor beholden to the truth, standing before critique of their judgment, even from the very litigants who come before them" (IV Hoshen Mishpat 1).

32:2). Yet several differences are worth noting. First, Moshe **prays** that his speech be like dew and rain; Iyyov **declares** it. Moshe thus appreciates the risk and contingency in communicating a message to persons who may take up ideas in myriad ways. Iyyov, by contrast, does not see those who hear his counsel as full persons; they are vessels and containers who might be filled with wisdom. Second, Moshe's metaphor is one of dew and rain watering the grass ("like showers on young growth; like droplets on the grass"); Iyyov's is one of dew and rain slaking thirsty mouths ("for the late rain, their mouths open wide"). Moshe's metaphor invites the thought that his message will help cultivate and grow those it touches. Iyyov's, by contrast, invites the thought that his message will enable survival but nothing more. Iyyov's counsel is not there to shape and form a subject but to direct an object. Iyyov is also a king directing troops.³ He envisions his role as providing the unilateral, unqualified and unquestionable direction that kings provide in battle.

If we take this passage as a guide for thinking about what it is to teach Torah, we find something similar to the "banking" concept of education so thoroughly critiqued by the educator and philosopher, Paulo Freire. In this view, "education... becomes an act of depositing, in which the students are the depositories and the teacher is the depositor."⁴ This picture of education is constructed through a rigorous set of oppositions distinguishing teacher from student—among them, "the teacher knows everything and the students know nothing... the teacher talks and the students listen meekly... the teacher chooses and enforces his choice, and the students comply."⁵ This way of organizing education ultimately precludes students from becoming truly human for "in the last analysis, it is the people themselves who are filed away through the lack of creativity,

3. The third metaphor, "like one who consoles mourners," is somewhat of an interpretative puzzle. Indeed, Edward L. Greenstein proposes emending the text, replacing **כִּאֲשֶׁר אֲבִלִים יִנַּחם** ("like one who comforts mourners") with **בֵּאֲשֶׁר אֲוִבִלִים יִחַנוּ** ("wherever I'd lead them, they'd camp"). See the footnote to Job 29:25 in Greenstein, *Job: A New Translation*. The classical commentators who work with the Masoretic text nevertheless seek contextually appropriate meanings for the metaphor. Thus, pseudo-Rashbam explains that the one consoling mourners is seated above the mourners, much like the king in his military camp, thus giving the appearance of heightened honor, dignity, or authority.

4. Paulo Freire, *Pedagogy of the Oppressed*, p. 72.

5. Freire, *Pedagogy*, p. 73.

transformation, and knowledge.”⁶

Despite the impression produced by the plain sense of the text, R. Moshe Alshekh is able to discern here a radically different vision for what teaching Torah could look like.⁷ For Alshekh, the passage proceeds as a description of the successive strategies employed by Iyyov to encourage his students and colleagues to speak their minds with confidence and exercise their own intelligence. To begin with, Iyyov notes that his colleagues and students have already assumed the habit of taking his counsel and thought more seriously than their own. They have come, unconsciously, to believe that they have nothing to contribute. They have given up on their own capacities, and so they “listen to me expectantly, and wait for my council.” Aware that speaking first would simply retrench their silence, Iyyov decides to hold back and allow his colleagues and students to offer their insight. As Alshekh writes in Iyyov’s voice, “Look: if I say my piece first, ‘after I speak they will have nothing to say.’ For this reason, ‘upon them,’ which is to say after they have shared their thoughts, ‘my words will drop as dew.’”⁸ The first pedagogical gesture to encourage students to take their thoughts seriously is simply to make sufficient space for them to appear altogether.

Yet, on Alshekh’s reading, Iyyov is the first to admit that contracting the space one occupies as a teacher will often be insufficient—the students continue to wait for Iyyov to step in and speak, and even when they do muster the confidence to share their thoughts, they do so with “mouths open wide” for the “late rain” of Iyyov’s definitive wisdom. While the students now speak their minds, the fact that they put no stock in their own thinking means that work remains to be done. The next strategy turns to the affective. Iyyov begins to smile and laugh with his students. The aim here is “to reduce the great distance between my stature and theirs, that we might enter into a kind of equality.” Iyyov here recognizes that cultivating an environment where his students feel the confidence and dignity to engage in the difficult freedom of autonomous thinking involves more

6. Freire, *Pedagogy*, p. 72.

7. It is tantalizing to speculate that R. Alshekh felt a degree of dissonance between portraying Iyyov as a judge who championed the marginalized and vulnerable on the one hand and portraying him as such a domineering judicial personality. Sensing this dissonance, he sought to locate a more liberatory—and thus more consonant—personality and praxis in the text.

8. R. Moshe Alshekh, *Heklat Mehokkek* [Iyyov], 29:21-25.

than contracting oneself. Indeed, it requires an entirely different kind of presence and comportment—one that invites students to feel like they are engaged in a shared project with the teacher. Part of what laughter and smiles enable is the presencing of vulnerability, and it is often the vulnerability of teachers that inspires the confidence of students.

Still, Iyyov recognizes that something more explicit may be required. Taking seriously the thinking of students requires dialogue and responsiveness—a moment in which the teacher can say truly that they have learned something from their student. This, Alshekh suggests, is what Iyyov means when he says “I chose their course”: “I say to them, ‘what you have just spoken and shared is a good path.’” There may be here the beginnings of the kind of dialogue in which the teacher and the student “become jointly responsible for a process in which all grow.”⁹ Yet, even if there isn’t, the teacher has nevertheless made a critical intervention in the life of the student who has given up on the freedom and responsibility of their own intelligence, affirming that they **can** think in powerful and insightful ways.

Even the organization of physical space can have a powerful impact in this regard. Here, Alshekh engages in perhaps his most creative reimagining of the Iyyov text. For Alshekh, when Iyyov declares that he “sat at the head” he means to say that “I didn’t sit in a chair while they sat on benches, nor did I sit with none beside me while they were arrayed in rows before me, because all of that would have suggested there was none like me. Instead, I sat at the head of the row, with all of them ordered beside me, to show that my superiority was only one rung above theirs.”¹⁰ The attentive teacher will recognize that how we locate ourselves existentially cannot be wholly disentangled from how we locate ourselves spatially. If an environment of equality and equal dignity and worth is to be constructed, space will matter too. Indeed, this is also how Alshekh understands Iyyov’s claim to have been “like a king among his troops.” To be a king among the troops is to be in the dirt with everyone else, without separation, in a shared project together.

Notably, Alshekh here concedes that the gap between teachers and students is not simply dissolvable. There is space and distance between teachers and students. As Alshekh notes, the king among his troops “without a throne, among his people, doesn’t thereby lose any of his stature in

9. Freire, *Pedagogy*, p. 80.

10. Alshekh, Iyyov, 29:21-25.

their eyes.” But it is no longer central to the teacher’s self-conception that there be such a gap or distance. What matters instead is the responsibility “to enter into a kind of equality.” It is this role—that of intervening in the life of the student to kindle the capacities of free and responsible thought, to instill confidence and dignity and realize an equality that will be borne out in the work of teaching—that marks the teacher as teacher. This is precisely what is captured in the image of Iyyov as the one who comforts mourners. For Alshekh, this signifies that Iyyov comes to those in “grief over the smallness of their worth... and comforts them through showing them their equality.” Iyyov, and teachers in general, come into their own when they find ways to break through the grief and despair of students who have given up on their own intelligence and cultivate in them a sense of dignity and self-worth.

Here, then, we have a new and different conception of what it could mean to be a teacher of Torah and what it could mean to do this well. The work of the teacher of Torah is not first and foremost to communicate the ideas and texts of Torah to one’s students as though they were vessels to be filled with knowledge. Instead, the work is to inspire the confidence of students toward an appreciation of their equal dignity in the study of Torah and to instigate the free and responsible exercise of students’ thinking in the activity of Torah. In the words of Jacques Ranciere, it is to “demand... the manifestation of an intelligence that wasn’t aware of itself or that had given up” and “to give, not the key to knowledge, but the consciousness of what an intelligence can do when it considers itself equal to any other and considers any other equal to itself.”¹¹ Indeed, the work is ultimately to let one’s students become fully human. As our Sages taught:

וְאוֹמֵר (שְׁמוֹת לֵב) וְהִלָּחַת מַעֲשֵׂה אֱלֹהִים הִמָּה וְהַמִּקְתָּב מִקְתָּב אֱלֹקִים הוּא
חֲרוּת עַל הַלָּחַת, אֵל תִּקְרָא חֲרוּת אֶלָּא חֲרוּת, שְׁאִין לָךְ בֶּן חוֹרִין אֶלָּא מִי
שְׁעוֹסֵק בְּתִלְמוּד תוֹרָה.

משנה אבות ו:ב

“And the tablets were the work of God, and the writing was
the writing of God, engraved upon the tablets” (Shemot 32:16).
Do not pronounce the word as “engraved” (*harut*), but rather

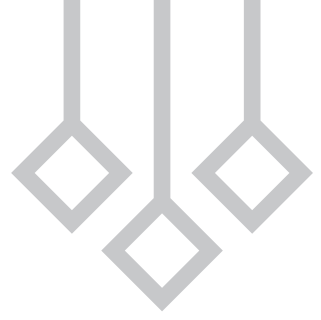
11. Jacques Ranciere, *The Ignorant Schoolmaster: Five Lessons in Intellectual Emancipation*, trans. Kristin Ross, 29, 39.

“freedom” (*heirut*). For no one is as free as one who engages in study of Torah.”¹²

MISHNAH AVOT 6:2

To engage someone in the study of Torah is to set them free into the fullness of their human capacities, to allow them to flourish and grow into themselves and to recognize themselves as a human subject with agency and intelligence and dignity. May we merit to teach Torah for many years to come, and may we learn to do so well—like kings among their troops and like those who comfort mourners. ♦

12. Translation from *The Oxford Annotated Mishnah*.



Uprooting Mountains, Discovering Wellsprings

Dr. Jason Rogoff

WHEN FACED WITH the challenge of appointing a new *rosh yeshiva*, the 4th-century rabbis of Pumbedita turn to their colleagues in Eretz Yisrael for advice and ask the critical question: “סיני ועוקר הרים, איזה, מזהם קודם – Who is preferable, Sinai or the uprooter of mountains?” (Bavli Berakhot 64a). The Bavli sages recognize two outstanding talents among their ranks, each with a unique skill set representing one of these paradigms. Rav Yosef, the elder of the two, has an unparalleled breadth of knowledge of earlier tannaitic sources; the metaphor “Sinai” refers to the mountains of information he has stored in his memory. When faced with questions of law and interpretation, Rav Yosef’s vast reservoir of Rabbinic teachings allows him to rely on the precedent of previous generations. Rabbah, in contrast, is known for his dialectical skill; his strength is using his sharp intellect to uproot the very mountains of knowledge formed by Rav Yosef. Rabbah can cut through long-held assumptions in exciting new ways and present innovative readings of earlier traditions.

In essence, *Hazal* are faced with a fundamental question about educational leadership in the *yeshiva*: Should the *rosh yeshiva* be someone who has unparalleled knowledge of earlier sources, a deep understanding of interpretive traditions, and the practical ability to rely on precedent? Or a person who has cutting textual insights and innovative interpretations who can engage with and challenge the past?

When I began to seriously engage in Talmud study, my own example of both paradigms was Professor David Weiss Halivni ז"ל. His breathtak-

ing memory of the entire Talmud was surpassed only by his instinctive ability to deconstruct those passages into their original components. His pioneering method of reading the Talmud opened up an exciting world of critical study of Rabbinic texts, but it was a world removed entirely from religious discourse. During my studies, I was faced with a different question than the one before the Rabbis of the Talmud: Should I pursue study within the walls of the *beit midrash* or in the tower of the secular academy? I made my choice and pursued a doctorate in Talmud at the Jewish Theological Seminary.

Returning to the question before the fourth-century rabbis, the Talmud Yerushalmi (Horayyot 3:5, 48c) has no doubt about the answer:

תני: הסודרן קודם לפילפלן.
 רבי שמואל אחוי דרבי ברכיה בעי: אפילו כרבי אמי?
 אמר ליה: מיתבעי מרבי אימי? הוא הסודרן הוא הפילפלן!
 תלמוד ירושלמי הוריות ג:ה, דף מח טור ג

It was taught: The systematic reciter of law has precedence over the dialectician.

R. Shmuel, the brother of R. Berekhiah, asked: Even like R. Ami?

He [R. Berekhiah] said to him: You're asking about R. Ami?! He is both a systematic reciter of law **and** a dialectician!

TALMUD YERUSHALMI HORAYYOT 3:5, 48C

R. Ami is an exception to the rule, but in all cases the Eretz Yisraeli sages give preference to the rabbi with the greater breadth of knowledge of earlier sources. This is confirmed by the response found in the Bavli *sugya* referenced above: "Sinai takes precedence, for all depend upon the owner of wheat." Just as one cannot live without wheat, education cannot be successful without great knowledge of inherited traditions. Despite this decisive response from the sages of Eretz Yisrael, Rav Yosef refuses the position and Rabbah takes over leadership of the *yeshiva* in Pumbedita. Rabbah's appointment represents how dialectical reasoning becomes the hallmark of achievement in Bavli academies. This is, perhaps, most clearly demonstrated in a short vignette from Bavli Megillah 28b. Rav Nahman, a Bavli sage, is called upon to eulogize a scholar with a tremendous breadth of knowledge of all Rabbinic literature. He retorts with the scathing criticism: "How should I eulogize him? 'Alas, a basket filled with books is lost?'"

After spending 15 years steeped in the academic study of Talmud, it seemed as if I too had made a choice of emphasizing one type of *talmud torah* over another. I often eschewed the halakhic discourses of medieval rabbinic works, only mining them for insights that might help me deconstruct the development of a talmudic passage. Over time, I came to feel that there was a gap in my own education. I had never studied the titans of medieval and contemporary rabbinic literature with an eye towards *halakhah* and practice.

When I began studying in the Hadar Advanced Kollel three years ago, I was able to enrich my previous academic training with new vocabulary and modes of discourse. Through the incredible teaching of Rav Eitan—who like R. Ami is both a systematic teacher and an unparalleled interpreter of texts—along with Rav Aviva and Rav Micha’el, all of us have been opened up to a world which combines the sharpest readings of the academy with the careful, value-driven interpretations of the *beit midrash*. My studies have inspired my teaching and made my own practice more meaningful. The environment of learning created by my colleagues in the Kollel and our teachers at Hadar has been some of the most challenging, engaging, motivating, and exhilarating *talmud torah* I have ever been a part of. Throughout the process, I was able to refine my skills and significantly add to my breadth of knowledge, using tools and experience from the world of academic study to create meaningful Torah inside the *beit midrash*.

R. Ovadiah Yosef, a giant of contemporary *halakhah*, was once asked whether one is permitted to pursue a PhD in Talmud or whether this would be considered a violation of the prohibition (found in Berakhot 17a) against studying Torah *she-lo lishma*, not for its own sake (Yehavei Da’at 3:74). He concludes that it is permitted only if one treats the research and study as an act of *talmud torah* and not as a means for gaining honor and respect through the title “Doctor.” Throughout the responsum he cites myriad texts, each exploring the question of how to define Torah study that is (or is not) for its own sake. Among those sources, he quotes a fascinating interpretation from the late 18th-century Talmudist R. Hayyim of Volozhin:

שבאמת כמעט הדבר בלתי אפשרי שתיכף בתחילת לימודו של אדם יגיע
למדרגת לשמה כראוי, והעסק בתורה שלא לשמה הוא מדרגה שמתוך כך

יוכל להגיע למדרגת לשמה... כמו שבלתי אפשרי לעלות מן הקרקע
לעלייה אם לא דרך מדרגות הסולם.

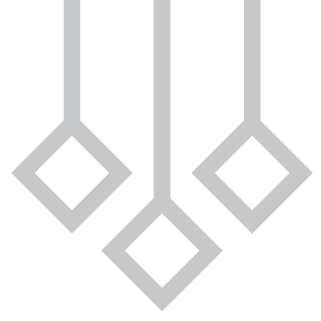
נפש החיים ג:ג

In truth it is almost impossible for someone to achieve the level of [Torah study] for its own sake immediately at the beginning of a person's studies, engaging in Torah not for its own sake is a rung [upon which one must step] to reach the level of [studying] for its own sake... just as it is impossible to go up from the ground floor to the attic without rungs on a ladder.

NEFESH HA-HAYYIM 3:3

R. Hayyim explains that, almost without exception, everyone who starts the learning process has many motivations in mind aside from fulfilling the commandment of Torah study. They want to improve their skills, to feel good about their successes, and to acquire a breadth of knowledge to be called a student of Torah. These feelings are all natural, perhaps even encouraged, because the next level of learning can only be achieved by starting on the ground floor and beginning the process. In my own learning, my foundations were built with the critical skills I acquired from Professor Halivni, and learning in the Kollel has brought me up the ladder to the next level. I am thrilled to use the knowledge gained and experiences accumulated to share my Torah with others. For in the balance of choosing between learning and doing, the Tosafot (Kiddushin 40b, s.v. *talmud gadol*) explain that teaching others is greater than them all.

I am forever indebted to my *havruta*, co-author, and dear friend Josh Kulp for embarking on this journey with me. I would also like to thank my parents for instilling in me a love of *talmud torah*. *Ahronah havivah*, last but certainly not least, I must conclude by thanking my wife Dara for the unbelievable amount of support she has given me during these past three years: encouraging me throughout the process and letting me escape to the office (even during COVID-19 lockdowns!) to spend hours learning, attending classes on Zoom, and studying to prepare for exams. I could not have done any of this without her. ♦



Entering the Wilderness

Jamie Weisbach

A FULL TWO-FIFTHS of the Torah are occupied with telling the story of the *dor ha-midbar*, the generation of the wilderness. This generation was born into slavery in Egypt and experienced a dramatic liberation. This generation stood at Sinai to receive the Torah and to enter, along with all of us, into a covenant with G-d. And this generation died, one by one, in the wilderness. They did not reach the Promised Land. Their lives played out in the liminal space of the wilderness: there they married, raised families, studied Torah, encountered G-d, wandered, struggled, and eventually, died. Their children, born and raised in the wilderness, would enter the Promised Land.

The experience of this wilderness generation has always captivated me because I find that it powerfully echoes and models the spiritual condition of queer Jews in this moment. Like the *dor ha-midbar*, we have experienced an astonishing process of liberation over the last several decades. While our redemption is not yet as absolute as the liberation from Egypt—examples of discrimination and queerphobia are not hard to find—our liberation is nonetheless profound. Today, queer people can point to multiple aspects of the lives they are living today that would have been almost unthinkable merely a generation ago. We know what it is like, in our own way, to leave Egypt.

And yet we also know what it is like to not arrive at a place of settlement and stability. When it comes to our relationship with G-d and Torah, it can be hard to feel that we are standing on stable ground. Al-

most everywhere one turns in Jewish life, there are profound, unanswered questions about how queer people are to live out Torah: important halakhic issues yet to be taken up, biblical verses we cannot read without pain and sadness, lifecycle landmarks surrounded by uncertainty and confusion. For all the liberation we have experienced, when it comes to our Jewish lives, we are not yet settled in the Promised Land, in the proverbial place where the promise of that liberation can be fully realized. In a way, we are living our lives in the wilderness.

In some ways we might find this metaphor sad. I don't want to deny the difficulty and struggle that comes with living in the wilderness, and the possibility that we may live there the rest of our lives. Nonetheless, this image fills me with profound hope, because the wilderness is a place of possibility as well as struggle. Shir ha-Shirim Rabbah illustrates how the desert functions as a place of potential:

מי זאת עלה מן המדבר – עלויה מן המדבר, חלוקה מן המדבר, מיתתה מן המדבר... תורה מן המדבר, משכן מן המדבר, סנהדרין מן המדבר, כהנה מן המדבר, לויה מן המדבר, מלכות מן המדבר, שנגמר: ואתם תהיו לי ממלכת כהנים (שמות יט:ו), וכל מתנות טובות שנתן הקדוש ברוך הוא לישראל, מן המדבר... הרי עלויה מן המדבר.

מדרש רבה שיר השירים ג:ו

“Who is this ascending from the wilderness?” (Shir ha-Shirim 3:6).

Ascent is from the wilderness, organization is from the wilderness, death is from the wilderness... Torah is from the wilderness, the *mishkan* is from the wilderness, the courts are from the wilderness, the Priesthood and Levites are from the wilderness, royalty is from the wilderness, as it says, “You will be for me a kingdom of priests and a holy nation” (Shemot 19:6), and all good gifts that the Blessed Holy One gives Israel come from the wilderness... In short, ascent is from the wilderness.

SHIR HA-SHIRIM RABBAH 3:6

The *midrash* draws our attention to the fact that all of the things that have come to define the Jewish people first emerged in the wilderness—our ascent from a band of fugitive slaves into a fully-fledged people took place not in the settled Land of Israel, but out in the wilderness. The wilderness therefore is not just a place of emptiness and lack: it is a place brimming with possibility, a place of formation and new beginnings, a

place of building the world and community that the descendants of the *dor ha-midbar* will inherit.

While in the *Humash* itself the *dor ha-midbar* is portrayed in a mixed light (at best), by the time of the Prophets the experience of the wilderness is already viewed in a more positive light, as a place where the Jewish people first showed our love and devotion to G-d: “I remember for you the *hesed* of your youth, your love as a bride, how you followed me in the wilderness, in a land not sown” (Yirmiyahu 2:2). It requires deep *hesed* to leave what you have known and to follow a strange G-d into the desert, a G-d who has scared and alienated you in the past. This is the *hesed* of making the choice to trust, to love, and to follow, *hesed* that is both irrational and unwavering.

To live in the wilderness requires deep love for G-d. In Midrash Tehillim, this *hesed*—the *hesed* in the very act of following G-d into the desert—is compared to a candle.

אמר ר' ינאי אם מדליק אדם נר לחבירו ביום בשעת האורה, מה הנאה יש לו, ואימתי הוא נהנה בנר, בשעה שהוא מדליק לו בלילה בשעת האפילה, והחסד שעשו ישראל במדבר היה להם מתוקן מאותה שעה מימי משה, ואימתי נפרע להן, בשעת חשיכה בימי ירמיהו, שנאמר כה אמר ה' זכרתיו לך חסד נעורייך אהבת כלולותיך לכתך אחרי במדבר בארץ לא זרועה (ירמיה ב:ב).

מדרש תהלים (בוכר) מזמור לו:ז

R. Yannai said: If a person lights a candle for their friend during the day, when there is light, what benefit is there? When do they benefit from the candle? When they light it at night, at the time of darkness. The *hesed* that Israel did in the desert was set for them from that time in the days of Moshe. And when did they benefit from it? At the time of darkness in the days of Yirmiyahu, as it says, “how you followed me in the wilderness, in a land not sown” (Yirmiyahu 2:2).

MIDRASH TEHILLIM (BUBER) MIZMOR 36:7

Even when we struggle to imagine the homeland we have not yet reached, the goal that all of our struggles and hopes are leading towards, our *hesed* leaves behind “candles”—traces of our love and commitment that can illuminate our way now and in the future. Every queer person who makes their way into a synagogue, into a *beit midrash*, to a Shabbat meal; who marries under a *huppah*; who figures out how to do an old

mitzvah in a new, queer way, re-enacts that *hesed* for our own wilderness generation. Our *hesed* is the light that will guide our descendants into the Promised Land.

The generation of the wilderness is not just the generation of *hesed*, but also the generation of *da'at*, insight. When listing the wisest of all people, the book of Kings names among them “Darda”—a figure otherwise completely unknown (1 Kings 5:11). A *midrash* suggests that Darda is not just one person:

וּדְרָדַע זֶה דּוֹר הַמִּדְבָּר שֶׁהָיוּ כֻּלָּם מְלֵאִים דַּעַה.

יְלִקוּט שְׁמַעוֹנִי נ”ך רמז קעח

“Darda”—this is the generation (*dor*) of the wilderness, because all of them were filled with insight (*de'ah*).

YALKUT SHIMONI ON NAKH #178

The *midrash* here sees the name “Darda” as an amalgamation of two words: “*dor*” (generation) and “*de'ah*” (insight), and tells us that this generation of insight was none other than the generation of the wilderness. The special insight of this generation is perhaps why R. Shimon ben Yoḥai said:

וּמִדֵּד הַקֶּבֶ"ה בְּכָל הַדּוֹרוֹת וְלֹא מָצָא דּוֹר הָרְאוּי לְקַבֵּל אֶת הַתּוֹרָה אֶלָּא דּוֹר הַמִּדְבָּר.

וַיִּקְרָא רַבֵּה יִג: ב (מַרְגְּלִיּוֹת)

The Blessed Holy One measured all the generations, and didn't find one fitting to receive the Torah except the generation of the desert.

VAYIKRA RABBAH 13:2 (MARGOLIOT)

There is insight that can only be found in the wilderness, where we are free but unsettled, when all the old answers to our questions are gone, and the new ones have not yet been written. The liminal space—the ownerless, *hefker* space of the wilderness—is where insight is born.

It takes time for insight to grow in the wilderness. While the Torah was given at Sinai at the very beginning of the journey, the Gemara tells us that it was only fully received at the end of the 40 years of wandering:

אף משה רבינו לא רמזה להן לישראל אלא לאחר ארבעים שנה, שנאמר:
 ואולך אתכם במדבר ארבעים שנה (דברים כט:ד), וכתוב: ולא נתן ה' לכם
 לב לדעת וגו' (דברים כט:ג). אמר רבה, ש"מ: לא קאי איניש אדעתיה
 דרביה עד ארבעין שנין.

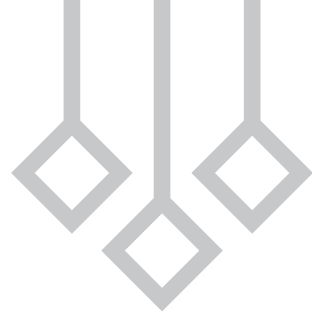
תלמוד בבלי עבודה זרה ה:

Moshe Rabbeinu didn't communicate this teaching to them until after 40 years, as it says, "I have led you in the desert 40 years" (Devarim 29:4), and it is written, "God has not given you a heart to understand [...until this day]" (Devarim 29:3). Rabbah said, learn from this: a person doesn't fully understand their teacher's thought for 40 years.

TALMUD BAVLI AVODAH ZARAH 5B

This is one of the reasons that it took the *dor ha-midbar* 40 years to make the 11-day journey across the desert: it took them 40 years to develop the ability to truly understand the Torah that G-d and Moshe were trying to teach them there.

This is why, when I think about the struggles we still face and the questions we have yet to answer, I don't feel despair. I remember that we are the wilderness generation, and that our insights will take time to accumulate and be understood. We don't need to have all the answers yet; our ability to experience the growth and learning offered by the wilderness comes when we acknowledge that we have not yet arrived. When I long for clarity and certainty, I remember that as we linger in the desert, moving painstakingly slowly from encampment to encampment, we are lighting candles for our descendants in the world that is coming into being. ♦



Hadran Alakh

R. Ethan Tucker

HADRAN ALAKH—THESE words signal the end of a profound journey of learning. The completion of a tractate of Talmud, an order of the Mishnah, or the achievement of other significant milestones in a life of *talmud torah* merit this liturgical closure.

The words “הדרן עלך – *hadran alakh*” likely originally mean “[We bestow] our splendor (הדר – *hadar*) upon you”—a statement of praise and adulation for the tractate just completed. But the phrase is more conventionally associated with the Aramaic verb הדר, which is parallel to the Hebrew חזר, meaning “to return to.” And thus, our phrase is rendered, “we shall return to you,” inextricably binding the end of our learning of this material to our reengagement with it at a future date.

What does it mean to complete something and, later, to begin it again? Often, this return is a mode of “חזרה – return” as **review**, where we simply try to settle the information we learned more deeply into our minds. So much of the work of learning intensively—and for these students in Hadar’s Advanced Kollel, much of the work of the last several years—is focused on this sort of return. Learn something, learn it again, memorize it, internalize it until the Torah is “חרושה על לוח לבכם – engraved on the tablet of your heart.”

But another form of return is החזרה – the restoration of something that was forgotten. The need to lose something before one can truly find it again. The Gemara provides us with a poignant and powerful narrative of this sort of return:

אמר רב יהודה אמר שמואל : שלשת אלפים הלכות נשתכחו בימי אבלו של משה.

אמרו לו ליהושע: שאל!
 א"ל: לא בשמים היא.
 אמרו לו לשמואל: שאל!
 אמר להם: אלה המצות – שאין הנביא רשאי לחדש דבר מעתה...
 אמרו לפנחס: שאל!
 אמר ליה: לא בשמים היא.
 א"ל לאלעזר: שאל!
 אמר להם: אלה המצות – שאין נביא רשאי לחדש דבר מעתה...
 אמר רבי אבהו: אעפ"כ החזירין עתניאל בן קנז מתוך פלפולו, שנאמר –
 וילכדה עתניאל בן קנז (יהושע טו:יז).
 תלמוד בבלי תמורה טז.

Said Rav Yehudah said Shmuel: 3,000 *halakhot* were forgotten during the mourning period for Moshe.
 The people said to Yehoshua: "Ask!" [Ask God to tell you what we have forgotten.]
 He said to them: "It is not in heaven."
 They said to Shmuel: "Ask!"
 He said to them: "These are the *mitzvoṭ*—no prophet can now innovate anything [after the time of Moshe]." ...
 They said to Pinḥas: "Ask!"
 He said to them: "It is not in heaven."
 They said to Elazar: "Ask!"
 He said to them: "These are the *mitzvoṭ*—no prophet can now innovate anything [after the time of Moshe]." ...
 Said R. Abahu: Nonetheless, Otniel ben Kenaz restored [החזירין] them [the lost teachings of Moshe] through his dialectic, as it says: "Otniel ben Kenaz captured [the town of Kiryat Sefer—lit. 'the village of the scroll']" (Yehoshua 15:17).

TALMUD BAVLI TEMURAH 16A

We encounter here a moment of tragedy and loss. No sooner is Moshe's valedictory speech completed than he disappears from Earth, much of his Torah departing with him. The people, already devastated by Moshe's absence, also lose track of many of his key teachings during their 30 days of mourning for him. They beg for them back, turning to leader after leader to intercede with God. Yehoshua, Shmuel, Pinḥas and Elazar stonewall them—denying the effectiveness of either divine oracles or prophecy as remedies. They cannot restore what they used to have in the time of Moshe, no matter how much the people want it back.

And it seems these *halakhot* were lost for quite some time. For years, the people remained in a fog of mourning for a *beit midrash* that once taught them things they could now no longer remember. They seem to have persisted asking authority figures from different generations if they could somehow be brought back to that earlier time. They wanted to **return** to their earlier state of knowledge, to recapture what had been taken from them.

Only Otniel ben Kenaz can see his way through this fog; only he realized that Moshe's legacy could be restored only through his own initiative. With his "weapons" of learning, he "captured" the metaphoric "village of the scroll," none other than the pieces of Moshe's Torah that had gone missing. If these traditions had been forgotten, then it was pointless trying to remember them again. Instead, they had to be reconstructed, they had to be **restored**, through his and his generation's creativity. This is the difference between *להחזיר*, to return to where one once was, and *להחזיר*, to restore something lost, now found anew.

Like all reconstructions of the deep past, this story is as much homily than history, a reflection by our Sages on their own experiences with learning, and a suggestive directive to us as we chart our own path. Torah is never fully and perfectly retained. In fact, it is precisely at moments of transition, as we complete a major task, as we are overwhelmed with the emotion of completion, that we lose and forget the most. It is perhaps because we ourselves change so dramatically in these moments of transition—a vessel reshaped and reforged cannot simply hold what it once contained without interruption. The Talmud here reflects on what it means to move beyond prior experiences of learning, to move even beyond our teachers, into new frontiers of Torah. It is a journey from "זכרון – memory and retention" to "פלפול – creative reconstruction" of what once received from someone else into something entirely one's own, even as this new thing is nothing but an iteration of the old.

R. Yitzhak Hutner, in a masterful essay in his *Pahad Yitzhak* (*Hanukkah* #3), reflects on the power and essential importance of forgetting. Had Moshe not broken the first tablets—the paradigm of pure Torah received from God—Torah would never have been forgotten (*Eruvin* 54a). But God smiles on this breaking of the tablets, congratulating Moshe on this act of destruction (*Menahot* 99a-b). God thus approves of a world in which people forget Torah and find ways to rediscover it. Or, perhaps, God knows that human beings are dynamic, entering and leaving *batei midrashot*, always changing in the process and therefore always

needing to renew their own relationship with Torah, stage after stage.

We are not the same when we return to a piece of learning, to any unit we mastered, as we were given the gift of toiling away in study for many years. Our חזרה – return is always a form of החזרה – restoration. We learn, we grow and forget, and then we rediscover old truths taught to us by others as we reformulate them in our own voices.

This booklet—a tribute to our Kollel students manifested in their own creative words of Torah—is worthy of its own *hadran alakh* moment: You have learned so much as you sit at the feet of רבותינו—our masters in Torah throughout the generations. Unlike Moshe, they will never leave you and you need never mourn their absence. But as you prepare over the next year to step out of the *beit midrash* at Hadar, you will grow, and you will leave what we hope has been an intellectual and spiritual crucible. And you will therefore forget, rediscover, and reconstruct. Your Torah contained herein is just the beginning of that process. Your task is not to look backwards to remember and recall, but to press forward like Otniel. For our part, watching you as you head out into the world to make your own unique contributions, we, your teachers, say to you: לא תתנשי מינן— we will always remember and be thinking of you. ♦



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