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# KOL HAMEVASER

The Journal of Yeshiva University Student Body

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HALAKHAH  
AND PSYCHOLOGY

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### About Kol Hamevaser

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

Kol Hamevaser is published monthly and its primary contributors are undergraduates, although it includes input from RIETS Roshei Yeshivah, YU professors, and outside figures. In addition to its print magazine, Kol Hamevaser also sponsors special events, speakers, discussion groups, conferences, and shabbatonim. We encourage anyone interested in writing about or discussing Jewish issues to get involved in our community, and to participate in the magazine, the conversation, and our club's events. Find us online at [www.kolhamevaser.com](http://www.kolhamevaser.com), or on Facebook or Twitter.

Kol Hamevaser

**KOL HAMEVASER**  
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the Yeshiva University Student Body

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This magazine contains words of Torah. Please treat it with respect.



## Editors' Thoughts

### The Living Torah

BY: Gabrielle Hiller

When the Jewish people arrive in *Midbar Sin* soon after *yetsi'at Mitsrayim*, they approach Moshe and Aharon and complain about their lack of food.<sup>1</sup> In response, Hashem famously tells Moshe that a special food, soon to be known as *man*, will rain down from the heavens every day except for Shabbat. Interestingly, Hashem does not explain His actions with the anticipated reason of feeding the nation, but rather, "*le-ma'an anasenu ha-yelekh be-torati im lo* – So that I can test them, whether they will follow My teaching or not."<sup>2</sup> This verse is perplexing. What test is God referring to?

The classical commentators grapple with this question. Rashi explains that God is testing the people to see if they will keep the commandments associated with the *man*, such

*Sprinkled throughout our mesorah are hints to the notion that the Torah does not act and command in a vacuum. It is very much a part of the world that we live in, aware of our needs and the way in which we think.*

as the prohibitions to leave leftovers until morning or to collect *man* on Shabbat.<sup>3</sup> Ibn Ezra, however, reads this *pasuk* in a different light. He believes that the test is psychological and is meant to see if *Benei Yisra'el* will learn to rely on Hashem for sustenance day after day.<sup>4</sup> The transition from slaves of Pharaoh to servants of God would not be an easy one. Hashem understood that and, according to Ibn Ezra, gave the *man* as an aid for that transition, to help *Benei Yisra'el* learn to rely on God for their needs.

The episode of the *man* is not the only instance in which the Torah demonstrates an understanding of human psychology. There are numerous other examples in Tanakh, and, in fact, this awareness is not unique to *Torah she-Bikhtav*. Sprinkled throughout our *mesorah* are hints to the notion that the Torah does not act and command in a vacuum. It is very much a part of the world that we live in, aware of our needs and the way in which we think. The Torah is not looking to deny that we are human; rather, it enables us to elevate our normal, human lives to their highest potential. This approach shapes our rituals and informs our halakhic system.

In this issue of *Kol Hamevaser*, we explore the connections

and interactions between Halakhah and psychology.

It is apparent from overarching halakhic principles and specific halakhic practices that Halakhah accounts for the way that we think, feel, and react. This relationship between Halakhah and psychology is a fascinating and fruitful subject, and we hope that this issue of *Kol Hamevaser* will serve as a starting point for further discussion.

As this is the last

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issue of the year, I would like to take this opportunity, on behalf of all of the editors, to thank those people who have allowed us to fulfill our goal of "sparking discussion of Jewish issues on the Yeshiva University campus and beyond."<sup>5</sup> To our staff, writers, readers, and those of you who have attended our various events and *shabbatonim* over the year, thank you for keeping the discussion alive and for contributing your thoughts and time. And a final thank you to those staff members who are graduating this year, including editor-in-chief Chana Zuckier, associate editor Ariel Caplan, our webmaster (and *oleh hadash*) Rafi Miller, and staff writer Moshe Karp – congratulations and we wish you the best of luck in your future endeavors.

1 See *Shemot* 16.

2 *Shemot* 16:4. Artscroll's translation.

3 Ad loc., s.v. *le-ma'an anasenu ha-yelekh be-torati*.

4 Ad loc., s.v. *anasenu*.

5 *Kol Hamevaser* mission statement.



# What Happens to the Dangerous *Shoteh*?

BY: Gilad Barach

Law and order are at the core of any civilization. The Torah emphasizes their significance in demanding that courts be active not only in Jewish society<sup>1</sup> but in non-Jewish Noahide society as well.<sup>2</sup> Due to the prevalence of these courts, the notion that crime calls for punishment is familiar to all. Once a criminal is deemed deserving of punishment, a court may apply various punishments, each of which responds in a different way and with a different objective. Some unique cases, though, are more complicated, since an offender may be deserving of some punishment even if he or she is not personally accountable. The case of the dangerous *shoteh*, the insane menace to society, belongs to this problematic category.

There are four primary roles that punishment for crime can play in a legal system.<sup>3</sup> While no single punishment for a particular crime will achieve all of these objectives, it will likely fulfill several overlapping goals.

The foremost reason a legal system penalizes its offenders is to repair the damages their crimes inflicted: A robber must return the stolen goods, and an arsonist must pay for the property damage he inflicted. A second objective of punishment is to deter crime via penalties. For the criminal, the experience of heavy fines, corporal punishment, or imprisonment discourages further violations. On a communal level, the mere presence of an enforced system of penalties can prevent others from being involved in criminal activity in the first place.

Another objective of some punishments is rehabilitation, which directly addresses the criminal's mindset. For example, a sentence to community service may provide a convict with a new appreciation of his or her ability to positively contribute to society. A drug user's imprisonment enforces a period of rehabilitation, during which he or she must remain clean. This can help an addict overcome dependency. This third motivation of punishment, unlike the first two, wishes to benefit the offender so that he or she can return to society as a better citizen.

The final goal of punishment is confinement - simply removing the criminal from society to make it safer. A high-profile murderer, rapist, or kidnapper will typically be very publicly imprisoned, even before trial, in order

to keep the public safe and restore the community's confidence. Incarceration for the purpose of removing threats does not necessarily aim to repair damages, discourage future offenses, or rehabilitate a criminal; its goal is solely to accelerate the return of order to society.

Different offenses have different underlying symptoms and resultant damages, and a legal system should endeavor to employ the punishment most appropriate for the particular crime. For example, in cases of accidental property damage, there is no need to convince the unintentional violator that damaging others' property is wrong or to lock him or her up; the damager merely repays the victim, which both repairs damages and discourages future negligence. A bank robber, on the other hand, must return what was stolen and be deterred from future robberies, and, depending on the severity of the case, may need to gain a new perspective on community life.

The insanity defense is predicated on the acknowledgement that a mentally ill offender may not be fully accountable for his or her actions,

*Given the absence of prison or confinement as a punishment in Halakha, how should an insane*

*defendant be treated if he or she poses a threat to society?*

for two potential reasons.

Firstly, an insane person may not be aware that he or she is performing an act that is wrong; the defense asserts that it is unjust to punish a person who truly intended no malice through his or her actions. Alternatively, an insane individual may not have the capacity to fully control his or her behavior; by this rationale, it would be unfair to hold someone accountable for actions beyond his or her control. The current American federal law describing the insanity plea, the Insanity Defense Reform Act of 1984, focuses on the first basis of the insanity defense. According to this law, the defense must demonstrate that "[A]t the time... of the acts constituting the offense, the defendant, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness

of his acts."<sup>4,5</sup> As this law does not prescribe a definition of insanity, the jury is ultimately left to decide if a defendant lacks moral discernment and if he or she should be found not guilty by reason of insanity.

The closest analogue to the legally insane in the halakhic world is the *shoteh*, the mentally incompetent person who cannot exercise adequate discretion with regard to his or her actions. According to the Talmud, a person may be considered a *shoteh* based on a number of behaviors: roaming streets alone at night, sleeping in graveyards, and tearing his or her clothing.<sup>6</sup> There is debate in the Talmud and Rishonim as to whether one is considered a *shoteh* only if he or she exhibits all these behaviors,<sup>7</sup> whether one alone suffices,<sup>8</sup> or whether the Talmud's behaviors represent general categories which can be extended to other abnormal activities.<sup>9,10</sup>

Of course, a person halakhically considered a *shoteh* may not be found legally insane in a secular court, and a legally insane defendant may not qualify as a *shoteh*. The hazy boundaries of sanity are difficult to resolve in both Jewish and Western legal contexts, so this discrepancy is not surprising.

However, as there is certainly an intersection between the legal and halakhic

categories, their respective responses to a mentally ill offender can be meaningfully compared despite the definitional differences.

In American law, when a defendant is found not guilty by reason of insanity, he or she is not technically held accountable for the perpetrated crimes. Indeed, most of the aforementioned motivations for punishment are inapplicable. Any damages the insane person has inflicted are akin to those resulting from a natural disaster which no conscious party caused. There is no use in dissuading repeat violations, nor is there usually a need to discourage the broader community from

mimicking the perpetrator's unknowing crimes. Furthermore, any attempt to reshape the insane person to better contribute to society is likely futile.

Despite the technical exemption from punishment, however, the insane defendant is usually transferred to a mental hospital. Though this is not considered a punishment in the traditional sense, it fulfills the fourth goal of punishment - removing potentially dangerous criminals from society to prevent recurring offenses. Mental institutions thus accomplish, to a certain extent, the objective of imprisonment.

Halakhah, though, doesn't appear to have a punishment parallel to prison for any criminal, let alone mental hospitals for the insane. While the Torah refers to a few cases in which people are held in custody, none employ long-term containment as a form of punishment in the manner of American jail. The Jewish man who cursed God in the desert was placed in *mishmar* (holding) while Moshe awaited divine instruction on how to proceed.<sup>11</sup> Similarly, the man who gathered wood on Shabbat was held in *mishmar* so that the proper punishment could be determined.<sup>12</sup> The Torah commands (according to Hazal) that if one man strikes another, the assailant is detained until the victim has either recovered from his injuries or died; in the case of recovery, the assailant pays certain reparations, but if the victim dies, the murderer is put to death.<sup>13</sup> In all of these cases, the imprisonment is a temporary action which is not a punishment, but is a delay tactic to establish either the halakhic ruling or the conclusive facts of the case.

Hazal created another instance of prison for very unique cases, though it too doesn't align with the prison of secular society. The Mishnah and Talmud describe a scenario in which a murderer is unmistakably deserving of death, but cannot be executed due to a legal technicality.<sup>14</sup> The court places him in a *kippah* (enclosed chamber), where he is fed a diet designed to kill him. In this way, the Jewish court indeed executes the murderer, using one technicality (indirect execution) to solve another. The *kippah* punishment is also unlike secular prison, as it is primarily a form of execution rather than containment or rehabilitation.

Given the absence of prison or confinement as a punishment in Halakhah, how should an insane



defendant be treated if he or she poses a threat to society?

Halakhah does not seem to prescribe a particular solution to this issue. However, this does not necessarily indicate that a Jewish court is to take no action. The halakhic system has limits in its scope, beyond which it might only suggest, rather than dictate, how to proceed. In the case of a mentally ill public menace, Halakhah provides only negative instruction: such a person cannot be held liable for his or her crimes. Appropriate responses and countermeasures are to be considered and determined on a case-by-case basis. It is the obligation of the Jewish court and government to maintain security in the general community, and they are licensed to unilaterally create and impose punishments to this end.<sup>15</sup> The court's role in this case of a dangerous *shoteh* is similar to their role regarding a *bor bi-reshut ha-rabbim* – a pit (or other obstacle) in a public space. The court must remove the obstacle to protect innocent people, even though the pit is obviously not held personally accountable.<sup>16</sup>

Rambam exemplifies this super-halakhic response. The Mishnah records that a deaf-mute, *shoteh*, or child who damages others is exempt from punishment.<sup>17</sup> This is because they lack *da'at* – knowledge and discretion – and are thus unaccountable for their actions. Rambam writes in his commentary on the Mishnah, "All of this is simple; nonetheless, the judge should strike them greatly<sup>18</sup> in order to keep away the damages from other people."<sup>19</sup> While Rambam's method may not be the most sensitive option, it still indicates that Rambam goes beyond the halakhic framework to tend to the practical requirement of protecting society from threats.<sup>20</sup>

Rambam's pragmatic desire to fill in the logical gaps of halakhic instruction is echoed in the Jewish community's practices throughout its history, especially regarding imprisonment. Even though no halakhic sources exist for prison, Jews have used jail as a practical extra-halakhic punishment at least as early as the Ge'onim. Menachem Elon, a former Israeli Supreme Court justice, researched and wrote about the tradition of Jews throughout the ages to imprison their debtors in order to coerce repayment.<sup>21</sup> This occurred with the knowledge and consent of the leading rabbis of every generation.

The Torah itself is no stranger to prison. From Yosef<sup>22</sup> to Yehoyakhin,<sup>23</sup> characters of ancient Jewish history have been imprisoned, and the Torah never needs to define for the reader what jail is. While most prisons in Tanakh belong to non-Jewish nations, this is not always the case: Yirmiyahu was imprisoned in Tsidkiyahu's *beit ha-kele* after being accused of defection to the Babylonians.<sup>24</sup> Obviously, this particular jail says nothing about the halakhic legitimacy of jail, as any society that wrongfully accuses and imprisons a prophet likely has little regard for Halakhah.

A verse in the Torah itself suggests that Halakhah does not exhaust the full gamut of legitimate punishments. When Eldad and Meidad prophesy in the camp without being selected for prophecy by Moshe, Yehoshua responds, "My master Moshe, imprison them!"<sup>25</sup> Surely, Yehoshua is aware that jail is never used as the halakhic punishment for violators! Nevertheless, incarceration is the appropriate way to keep two unlicensed prophets from corrupting the Jewish camp.<sup>26</sup>

There may be no strictly halakhic reaction to the dangerous *shoteh*, but that does not mean that Halakhah thinks no action should be taken. The specific Jewish court that hears the case must select an appropriate course of action that protects society while minimizing the negative impact on the technically-exempt *shoteh*. At times, a Jewish court's response may parallel that of a secular court. Maybe a contemporary Jewish court would also make use of modern mental hospitals, which are only a recent invention in comparison with the halakhic system. Sometimes, a Jewish court may propose a different solution from Western law. The halakhic court can act as it sees fit, since its jurisdiction extends to matters beyond what is halakhically

prescribed. The case of the *shoteh* exemplifies this super-halakhic response which the Jewish court is not only entitled, but obligated, to provide.

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1 *Devarim* 16:18.

2 See Talmud Bavli, *Sanhedrin* 56b.

3 This list is not exhaustive, as there are additional motivations for punishment, like the strictly philosophical notion that criminals inherently deserve retribution. See, for example: Lawrence H. Davis, "They Deserve to Suffer," *Analysis* 32,4 (March 1972): 136-140.

4 18 U.S.C. § 17(a).

5 An earlier defense, known as the Durham Rule, was based on the second reason of the insanity defense. If the court found that the defendant had an "irresistible impulse" to violate the offense, he or she would not be held accountable. Later, courts rejected this defense for being too arbitrary, since it relied on psychiatrists' testimony and sometimes resulted in alcoholics being acquitted of their crimes. More information can be found on Cornell University Law School's website, at: <http://www.law.cornell.edu/background/insane/insanity.html>.

6 *Hagigah* 3b.

7 This is R. Huna's opinion.

8 This is the simple reading of R. Yohanan's opinion, as codified by *Rosh* to *Hullin*, 1:4.

9 This is how Rambam codifies R. Yohanan's opinion (*Hilkhot Edut* 9:9, and *Kesef Mishneh* ad loc.).

10 For further discussion on the definition and qualifications of a *shoteh*, as well as halakhic implications, see: J. David Bleich, *Contemporary Halakhic Problems, Vol. II* (New York: Ktav Publishing House, 1983): 283-299.

11 *Va-yikra* 24:10-12.

12 *Be-midbar* 15:32-34.

13 *Shemot* 21:18-19; *Sanhedrin* 78b.

14 *Sanhedrin* 79b, 81b.

15 *Shulhan Arukh, Hoshen Mishpat* 2:1 codifies the license for *Beit Din* to implement any punishment as they see fit.

16 I thank R. Daniel Rapp for offering this analogy.

17 Mishnah *Bava Kamma* 8:4; Talmud Bavli, *Bava Kamma* 87a.

18 "Le-hakkotam makkah rabbah;" literally, "to strike them a great strike."

19 Rambam, *Peirush ha-Mishnayot* to *Bava Kamma* 8:4 (Jerusalem: Mossad ha-Rav Kook, 1965). The translation is the author's.

20 It is not clear for whom Rambam intends this punishment. In *Mishneh Torah (Hilkhot Geneivah* 1:10), Rambam

quotes a similar directive for the court to hit children and slaves when they steal, though the reason provided there is "so they should not become accustomed to steal." Indeed, the *Maggid Mishneh* (ad loc.) notes that there is no source for this ruling, and that Rambam evidently derived it from logic. This *halakhah* might indicate that Rambam's comment in *Peirush ha-Mishnayot* is limited to the child; however, the motivation for the ruling in *Mishneh Torah* is not to protect society, but rather to discourage future robberies, so this might be an independent case.

21 Menachem Elon, *Freedom of the Debtor's Person in Jewish Law* (Hebrew) (Jerusalem: Magnes Press, 1964). I thank R. Michael Rosensweig for introducing me to this book.

22 *Be-reshit* 39:20.

23 *Melakhim* 2 25:27.

24 *Yirmiyahu* 37:15.

25 *Be-midbar* 11:28.

26 Rashi ad loc. quotes the *Sifrei* (96): "Put them in jail, since they were prophesying, 'Moshe will die, and Yehoshua will bring Israel to the land.'" This source clarifies the unrest that Eldad and Meidad's uncontrolled prophecy would cause society.



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# Dissonance and Damage Control in the Search for Meaning

By: Adam Friedmann

"The individual strives towards [inner] consistency."<sup>1</sup> This notion forms the basis of Leon Festinger's theory of cognitive dissonance. The consistencies in question include both ones between cognitive elements and the relation between beliefs and actions. That is to say that a person tends towards beliefs which do not contradict each other, and also tends to act in a way which is consistent with beliefs he or she holds to be true. When a contradiction, or dissonance, arises between either two beliefs or between a belief and one's actions,<sup>2</sup> psychological discomfort follows. This discomfort provides motivation to resolve the dissonance. In Festinger's own example,<sup>3</sup> an avid smoker may be informed by a reliable source that smoking is very harmful to one's health. If the smoker continues to smoke he experiences dissonance, since his actions are now at odds with his beliefs. The resultant discomfort motivates the smoker to resolve the dissonance in one of a number of ways. The smoker might stop smoking, or, if this is too difficult, might find some way of convincing himself that smoking is not so bad after all.<sup>4</sup>

Festinger defines "the maximum dissonance that can possibly exist between any two elements [as] equal to the total resistance to change of the less resistant element."<sup>5</sup> One's beliefs and actions are resistant to change, but, given a great enough amount of psychic stress, one will inevitably change any belief or action. Thus, argues Festinger, the maximum amount of dissonance that can exist between any two cognitive elements is equivalent to the amount of stress required to change the less resistant belief or action. The question is, can there be a dissonance with elements so deeply rooted in man's experience that it can never be resolved? If such a complete schism exists, it follows from Festinger's theory that it would cause enormous psychic torment. A potential candidate of such a dissonance is found in the writings of the existential philosophers.

In his classic essay, "The Myth of Sisyphus," Albert Camus examines the philosophical mindset of a person who chooses to commit suicide. "Dying voluntarily," he writes, "implies that you have recognized, even instinctively, the ridiculous character of that habit, the absence of any profound reason for living, the insane character of that

daily agitation, and the uselessness of suffering."<sup>6</sup> In fewer words, the suicidal impulse can only take hold once a person has concluded that life has no meaning. Camus goes on to describe the genesis of this feeling, which he terms "the absurd." The first step along the path toward the absurd is the break in one's day-to-day functionality: "The chain of daily gestures is broken." And in its stead there appears a void "in which the heart vainly seeks the link that will connect it again."<sup>7</sup> People are generally focused on their daily activities. But on occasion one may experience a moment of reprieve and reflection. It is within this moment that the "why" arises.

*The halakhic system strengthens this recognition by drawing the experience of revelation constantly into daily life and creating a framework of meaningful activity in the form of the mitzvot. As the Jew works to*

A person strains to understand not only the purpose of his or her particular occupation or position, but the purpose of life itself. In this new light, writes Camus, every action is "tinged with weariness."<sup>8</sup> The person feels suddenly estranged from his or her work. At every turn the "why," the mystery of meaning, appears to question the veracity of those activities. Life itself feels irrational and irrelevant.

Camus determines that the "absurd" feeling is the result of a contradiction between human nature and experience. On the one hand, man desires to understand the universe he lives in. By "understand" we do not mean detached mathematical constructs or partial theories. Rather, man seeks "in the shimmering mirrors of phenomena eternal relations capable of summing them up and summing themselves up in a single principle."<sup>9</sup> In short, the human mind deeply desires to discover the unifying secret of the universe. It seeks to intuitively understand the world in its elegant simplicity and to decode its transcendent meaning.<sup>10</sup>

But as soon as the mind applies itself, and attempts to embrace the whole of reality, "This world cracks and tumbles."<sup>11</sup> Instead of finding unity, the mind finds only more discord, which increases with

every new morsel of insight.<sup>12</sup> Even science appears as a patchwork quilt of ever-changing laws and theories. The disturbed mind searching for profundity and singular purpose cannot find comfort there.<sup>13</sup> The "confrontation of this irrational [world] and the wild longing for clarity whose call echoes in the human heart" is Camus's definition of the absurd. Camus is careful to note that it is not the world itself that is the absurd but rather the connection that binds man with it. The tension caused by man's inner belief of universal meaning and his inability to perceive it in the world around him is the absurd.

Thus we find that, in Festinger's terms, Camus has uncovered a fundamental cognitive dissonance in the human psyche. This dissonance is fundamental because by means of it the mind's drive

*attain a constant recognition of God, the reality of the absurd fades from conscious thought.*

For consistency is opposed by the very experience of reality. Every action and moment in life is touched by it. Moreover, we find that this dissonance cannot be easily resolved. If a mind is to stay true to itself, it cannot deny its deep desire to find meaning and its equally strong incapacity to accomplish this. To deny either of these requires a leap of faith.<sup>14</sup> Camus concludes that, on these bases, one must learn to embrace the absurd.<sup>15</sup> From Festinger's perspective the decision to maintain a dissonance is unnatural, if not unhealthy. It means that the mind must fight against powerful natural inclinations.

We now turn to the *mesorah*. What mention can be found of the absurd in the Judaic library and how is it approached?

According to *Midrash Rabbah*, our patriarch Avraham seems to have experienced the absurd. In the first passage in *parashat Lekh Lekha* R. Yitshak outlines the back-story to God's first contact with Avraham.

is] a parable analogous to one who would travel from place to place. Once he saw a prominent city burning. He asked, "Can this prominent city be without a leader?" The master of the city gazed upon him suddenly and said, "I am the master of the city." So too because our father Avraham would say, "Could it be that this world has no leader?" The Holy One, Blessed is He, gazed upon him suddenly and said "I am the Master of the world."<sup>16</sup>

In his *Yedei Moshe*, R. Ya'akov Moshe Ashkenazi explains the passage thus:

[The passage] means to say that just like this [traveler] saw the prominent city alight, that is to say burning, and thought that since no one was putting out the flames it was certain that the city had no leader, and the master of the city gazed upon him and said "I am the master of this city and it is my desire that it should burn," so, too, when Avraham our forefather saw that the world was on the path to destruction in the generations of *Enosh* and the flood and the separation he said, "Can it be said, Heaven forbid, that the world has no leader?" The Holy One, Blessed is He, gazed upon him and said "I am the master of the world and it is my desire to destroy the evildoers. And as for you, go for yourself (*lekh lekha*)."<sup>17</sup>

According to the *Yedei Moshe*, Avraham looked out at a world that stood on the brink of destruction. Mankind had already experienced a devastating flood and mass dispersion. Avraham's universe appeared bleak and incomprehensible. And yet he sensed that it cannot be that

[The story of *Lekh Lekha*



a universe could exist without purpose. As this inner turmoil - the picture of the absurd - came to a head, our forefather cried out to the heavens. "Can it be that this world burns without purpose? Can it be that there is no leader coordinating this existence?<sup>18</sup> Impossible! And yet all I see is destruction." At once, the Almighty, who was waiting, *ke-va-yakhol*, in the rafters, appears to the embattled Avraham. He does not reveal the meaning of the world that Avraham sees. He merely reassures Avraham that there is, in fact, a meaning - that the events unfolding are His will. He then commands Avraham to leave his homeland.

Perhaps this formula can be used to present a Jewish approach to the cognitive dissonance inherent in the experience of the absurd. God reveals Himself to man as the undeniable master and maintainer of the universe. However, God does not reveal to man the universal meaning he seeks. Rather, God issues a command. What is the relevance of the command in this context? Evidently the human being is incapable of grasping the divine calculus and reason with which the Almighty governs the universe.<sup>19</sup> At most, one may be assured of the existence of such a plan through revelation of the One who governs it. But these experiences are fleeting and one quickly becomes focused on daily activities, each person "turn[ing] to his own course, as the horse which rushes into battle."<sup>20</sup> In no time at all, the imprint of revelation is lost and the beginnings of the absurd are again close at hand. Therefore, God issues a command together with this revelation which perpetuates the experience of revelation. While a person is actively involved in fulfilling a command, with knowledge of the Commander, the moment of command - the revelation - lives on.<sup>21</sup>

The command also has a second function. Although not referenced in the *Yedei Moshe*, the conclusion to the *midrash* above provides its own reason for "*lekh lekha*." It quotes the verse from Psalms: "The king desire[s] your beauty..."<sup>22</sup> God commands man because He desires man's improvement. Conversely, man understands that as long as he follows these instructions life has definite purpose. A meaningful universe does not guarantee a life which is aligned with that meaning. But within the cocoon of the command from God, before Whom the universal animus is not concealed, a purposeful existence can be sought and found.

Given the above, it is not surprising that we find a similar

pattern at the beginnings of Halakhah. Rambam begins his *Mishneh Torah* with the affirmation, "The foundation of foundations and the pillar of pillars is to know that there exists a first cause."<sup>23</sup> The basis of any halakhic action is the knowledge<sup>24</sup> of God. What is the point of this belief? Is this purely a philosophical necessity, or is there a specific cognitive element to Halakhah that requires recognition of God's command as part of the halakhic act? Rambam takes the former route. In *Sefer ha-Mitsvot* he defines the injunction to "know God" as a requirement for one to have that particular philosophical position.<sup>25</sup> The "foundation" that is laid by this knowledge in relation to Halakhah is equally philosophical. Knowledge of God is the first on a list of things that one must know in order to be a Jew.

On the other hand, Rabbeinu Moshe mi-Kotsi in his *Sefer Mitsvot Gadol* brings knowledge of God closer to halakhic actions. He formulates the commandment as "[believing] that the One who gave us the Torah at Mount Sinai by means of our master Moshe is *Hashem* our God who took us out of Egypt."<sup>26</sup> The belief in God, and, specifically, His revelation at Sinai are bound with the commandments in the Torah. R. Avraham Danzig adds an extra element to this halakhah, namely

that this *mitsvah* is one of the six "continuous commandments" which are constantly binding. One can and should fulfill them at any time.<sup>27</sup> Extending<sup>28</sup> R. Danzig's position, we may conclude that every time a halakhah is observed there is a requirement to recognize not only God's existence but the direct relationship between that existence and the *mitsvah* being fulfilled. In this way the revelation at Sinai, where God issued the *mitsvot*, is preserved by the fulfillment of those *mitsvot*.<sup>29</sup> The Jew reminds his or herself constantly of "God the king of the world, Who sanctified [Israel] with His commandments."<sup>30</sup>

This shields the Jew from the debilitating torment of the absurd.

In light of the above analysis we may reconsider our original questions. In Camus's definition of the absurd there is indeed found a cognitive dissonance which is intrinsically unresolvable. The human craving to find ultimate meaning in the universe is persistently unfulfilled. Camus argues that one must embrace the absurd. Judaism, while it does not claim to settle this dissonance, aims to mitigate it. The ways of God are inscrutable, and His designs are recognized as beyond human comprehension. However, the revelation of God allows for definite knowledge of a meaning, though not the meaning. The halakhic system strengthens this recognition by drawing the experience of revelation constantly into daily life and creating a framework of meaningful activity in the form of the *mitsvot*. As the Jew works to attain a constant recognition of God, the reality of the absurd fades from conscious thought. From Festinger's perspective these two approaches have different values in terms of mental health. In Camus's solution to the absurd the dissonance is allowed to fester, causing significant psychological stress. Halakhah's approach, on the other hand, should significantly reduce this stress. Man may strive for inner consistency, but his reach will forever exceed his grasp. Halakhah allows for this reality to be confronted in a healthy way and from within the context of a meaningful life.

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1 Leon Festinger, *A Theory of Cognitive Dissonance* (Stanford, CA: Stanford University Press, 1957), 1.

2 In logical terms, two elements x and y are dissonant if x implies the negation of y. Cf. Festinger, 13. Festinger does not differentiate between contradictions of beliefs with other beliefs and beliefs with actions because he holds that actions ultimately map back to certain cognitive belief elements, cf. p. 19.

3 Festinger, 2.

4 Ibid. 6.

5 Ibid. 28.

6 Albert Camus, "From the Myth of Sisyphus: An Absurd Reasoning" in *Basic Writings of Existentialism*, ed. By Gordon Marino (New York: Random House, 2004) 437 - 488, at 443.

7 Ibid. 448.

8 Ibid.

9 Ibid. 472.

10 It is not coincidental that this statement is very similar to Festinger's claim of the human striving for consistency. Festinger's position is

not a philosophical one. He holds that human beings are hard-wired to seek uniformity. From his perspective the craving for simple meaning that Camus presents would likely be an outgrowth of biological predisposition.

11 Ibid. 453.

12 For more on this, see R. Joseph B. Soloveitchik, *Halakhic Man*, 8-10. There he discusses assertion of the neo-Kantian philosophers that while new scientific discoveries increase arithmetically, new questions increase geometrically. That is to say that for every step forward in scientific insight we uncover many more new questions which were previously unknown. This phenomenon can be observed on the contemporary scientific research scene which subdivides itself into increasingly small and complex areas as new discoveries and technologies are made available.

13 There is, of course, a deep-seated desire in the scientific pursuit to discover a unified theory which will explain the universe in its totality. However this theory is not known, and subscribing to it is a declaration of faith in scientific progress. While the mind which experiences the absurd may in the end choose to make the leap to faith in science, scientific knowledge cannot serve *a priori* as a remedy to the absurd. This is also assuming that such a unified theory could adequately explain the meaning of reality in philosophical terms, which is certainly not held universally. Cf. R. Joseph B. Soloveitchik *Uvikashtem Misham* 2:1-2, where he argues that science is not equipped to answer qualitative questions about the universe. See also R. Joseph B. Soloveitchik's *Halakhic Mind* Parts I-III where he further elaborates on this point and argues that metaphysics can have an approach to comprehending the universe which is separate from and reaches different conclusions than the scientific one.

14 A large section of *The Myth of Sisyphus* is dedicated to analyzing these approaches. See the section entitled "Philosophical Suicide," 463 - 476.

15 Camus, 477.

16 *Be-reshit Rabbah* 39:1, translation mine.

17 *Yedei Moshe* to *Be-reshit Rabbah* 39:1, s.v. *Mashal le'ehad*.

18 At this point the argument extends beyond the experience of the absurd toward a formulation of the teleological argument for the existence of God. That topic is beyond the scope of this article. What is clearly implied, however, is that an experience of the absurd prompted this outcry.

19 See Rashi to *Shemot* 33:18 s.v. *har'eini na*, 33:19 s.v. *va-yomer, karati*. In Rashi's development of this narrative, Moshe



desires to know what it is about himself that found favor in God's eyes so that this knowledge can be used to gain forgiveness for *kelal Yisra'el*. According to Rashi God's response is to teach Moshe the thirteen attributes of mercy which *benei Yisra'el* can use to petition God for forgiveness in the future. However, when Moshe asks to see a vision of God Himself, presumably in order to clearly understand the nature of these things, he is refused. In the end God reveals only the thirteen attributes, which are a method of accomplishing what Moshe ultimately desired - forgiveness for *benei Yisra'el*, though not the explanation he was seeking. Cf. *Moreh Nevukhim* 1:54.

20 *Yirmiyahu* 8:6, cf. R. Moshe Hayyim Luzatto, *Messilat Yesharim*, chapter 2.

21 This notion has basis in Jewish thought. In the final section of *Uvikashtem Misham* (Chapter 19) R. Soloveitchik discusses the perpetuation of prophecy as a key element in the activity of *devekut* (cleaving/identifying with God). R. Soloveitchik writes that this perpetuation is accomplished through intellectual attachment to the oral Torah which links one back to the original revelation at Sinai. From a slightly different perspective R. Eliezer Berkovits in his *Essential Essays* (pages 222-232) argues that for historical religion attachment to the moment of

revelation is essential to religious life. In Judaism, this revelation is the one at Sinai. Berkovits argues that Jews connect themselves with revelation through faith. Thanks go out to my insightful editor Chumie Yagod for this last source.

22 Psalms 45:12, Koren Translation.

23 *Hilkhot Yesodei ha-torah* 1:1, translation mine.

24 "Knowledge" here is not meant in the pure epistemological sense. Rather, it is as opposed to pure belief which is not derived from any personal analysis or proof. Cf. *Moreh Nevukhim* 1:52.

25 *Sefer ha-Mitsvot*, Aseh 1.

26 *Semag*, Aseh 1.

27 *Hayey Adam* 1:5.

28 Presumably the *hiyyuv* to recognize God and the relation between His existence and *mitsvot* exists even at the time of fulfilling the *mitsvah* or, at least, the moments beforehand. Actively achieving this recognition was formalized by Hazal as *berakhot*.

29 I do not mean to argue that this is the sole purpose of the *mitsvot*, merely that this is one aspect of their purpose.

30 Standard *berakha* formulation for *mitsvot*, translation mine.

## An Interview with Dr. Stephen Glicksman

BY: Gavriel Brown

GB: Jews have played major roles in the founding of major branches of psychology. A partial list of contemporary Jewish psychologists includes: personality psychologist Alfred Adler, Polish Gestalt psychologist Solomon Asch, facial expert Paul Ekman, ethicist Carol Gilligan, humanistic psychologist Abraham Maslow, developmental psychologist Lawrence Kohlberg, linguists and authors Noam Chomsky and Steven Pinker, and positive psychologist Martin Seligman. Why do you think Jews have played such a large role in shaping the field of psychology?

DSG: I think that there are a couple of reasons why Jews have played such influential roles in psychology. As a developmental psychologist, I think one of those reasons is that Jews, even non-observant Jews, are raised surrounded by symbols. I think that growing up in that atmosphere of symbolic thought leads some people into broader, more creative, and more abstract ways of thinking. Immersion in a Jewish world can lead people to view the world completely differently.

Certainly when you look at Vygotsky,<sup>1</sup> who I know wasn't an observant Jew, you can see a nice overlap between his thinking and Jewish thought. The whole Jewish *Zeitgeist*, the Jewish way of living, is a very rich, abstract, and symbolic environment. Also, many Jewish psychologists, such as Freud,<sup>2</sup> had viewpoints that probably run counter to Judaism. Some psychologists who grew up in Jewish environments come

up with certain theories to reject their past and their history; their psychological theories are rebellions against their Judaism.

Finally, many people, simply because of their life experiences, whether that's unique to Judaism or not, come up with psychological insights. I think the two most striking examples of this are Bruno Bettelheim<sup>3</sup> and Viktor Frankl.<sup>4</sup>

They came up with their approaches in response to their personal experiences in the concentration camps during the Holocaust.

GB: If we were to discuss a Talmudic framework for conceptualizing human psychology, we might mention the idea of the *yetser ha-tov* and the *yetser ha-ra*. Do you find the idea that individuals embody productive and destructive instincts helpful in your own practice as a psychologist?

DSG: No, not really. I think in my practice, in working with the people

I've worked with, I personally find that identifying individual strengths is a much more productive way of helping people grow. The idea that you need to overcome the *yetser ha-ra* is not so beneficial for people coming to me with concerns.

Keep in mind that psychologists have a self-selected population. The people who are coming to you are coming because

they are already concerned. However, if you want to use the *yetser ha-ra* and *yetser ha-tov* to teach *mitsvot* or *middot*, that kind of framework might be helpful. But when people are coming to you with needs and challenges, starting from a framework of "overcoming" the *yetser ha-ra* is not helpful.

GB: According to Peter Langman, author of *Jewish Issues in Multiculturalism*, "Jews differ from many cultural groups in that they place less value on self-reliance and are less suspicious of taking their problems to professionals."<sup>5</sup> In your professional experience, do you agree

with this statement?

DSG: In many ways I find this to be true. In my own experiences in working with the Ultra-Orthodox population (where I spend much of my professional time), I find that, despite the stereotype, they do seek out professionals. They do take advantage of resources that are available to them.

GB: Following up on that question, many observant Jewish communities have been slow in incorporating the insights of psychology into their communities. Many communities seem to be in denial about childhood eating disorders, issues of sexual identity, issues of child abuse, and predatory behavior. Do you think this is the case? If this is the case, why do you think that is and how can this be changed?

DSG: I think this might have been the case in the past, but I think things have really changed drastically over the last few years, primarily because the social ills that you are referring to simply cannot be ignored.

Everyone knows someone with an eating disorder. Everyone knows someone with a child with specialized needs. Everyone has a family member who might be experiencing a challenge that, in the past, people were able to say that the community "simply doesn't have." These things are so pervasive now that there is no honest way to deny them.

Also, even Ultra-Orthodox people are putting more stock in education and





getting educated in many more areas, which might account for a greater openness to professional psychology.

Rebbetzin Perlow *a"h*, the first wife of the current head of the Agudah, had a Masters in Psychiatric Social Work. There are people like R. Dr. Abraham Twerski who are straddling both worlds. There are a lot of role models out there.

I often work with families who will see me and then consult with their rebbe and I often have people who consult with the rebbe and then consult with me after the rebbe guides them to a professional. A meeting of MASK (Mothers Aligned Saving Kids), which is an organization started in Brooklyn to address the issue of at-risk youth, had over 500 people in attendance. The Ultra-Orthodox community is becoming much more open about addressing certain issues because these issues simply can no longer be ignored. Everyone knows someone who is impacted by them.

GB: Jews have traditionally sought out the rabbi for counseling. What are the pros and cons of this reality? Should professional psychologists take over the pastoral role traditionally reserved for the rabbi?

DSG: I don't think psychologists should take over the pastoral role traditionally reserved for the rabbi and I don't think rabbis should feel obligated to take over the counseling role traditionally given to psychologists. There are excellent rabbis who have great insight into human behavior and are skilled at helping people overcome psychological challenges. Some of them are professionally trained in various areas of mental health and some of them have gained insight from years of Torah study and community work. But, not everyone with *semikhah* would make a good therapist, just like not everyone with *semikhah* would necessarily make a good teacher or principal. There is more than one way to solve a problem. For some challenges, taking to a rabbi might be the best solution. Sometimes, though, it's best to reach out to a psychologist.

GB: Yeshivat Chovevei Torah places emphasis on pastoral care. Rabbinical students take pastoral counseling courses for the entire four-year curriculum. Should Yeshiva University's Rabbi Isaac Elchanan Theological Seminary's rabbinic program expand its pastoral counseling program?

DSG: For full disclosure, I have to admit that I am one of the psychologists that Yeshivat Chovevei Torah calls every year or two to talk to the rabbinic students

about topics in Halakhah and psychology. It's a good idea to have pastoral counseling if for no other reason than the fact that people go to their rebbeim for just that purpose.

I would think you either need to give some training to rabbis in this area, or you have to teach rabbis to say, "No, I'm not qualified to do that" when people come to them for this service.

GB: Have you ever experienced a conflict between Halakhah and the practice of psychology?

DSG: No. What I have experienced is working with other people, some psychologists and some not, who do see a conflict and who make decisions based on that assumed conflict. Then I, as a member of a counseling team, must speak up from the perspective of someone who believes in the coexistence between Halakhah and psychology.

GB: Have you ever dealt with someone who had a psychological issue directly related to that person's approach to an aspect of Judaism? What do you think is the root of that conflict and how did you approach the issue?

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DSG: What I would say is that one of the reasons that I chose developmental psychology is that I wanted to study morality. It just turns out that developmental psychologists are the people who do that. So that came from my own personal conflict in looking at certain halakhot that might, on a surface level, conflict with secular morality, and seeing people who, on their surface appear to be observant Jews, and yet behave immorally. It was those kinds of conflicts that led me to the particular branch of psychology that I find myself in. My dissertation is on religion and moral development. I guess the answer to your question is that I'm the person you are asking about. I spent many years awake in bed thinking about the interplay between Torah and morality and, in the end, I got a doctorate for it.

GB: Earlier in April, psychiatrist Bob Spitzer made headlines after he retracted his controversial 2001 study proclaiming that "highly motivated" gay and lesbian people could change their sexual orientation, he also made an

unprecedented apology to both former patients of reparative therapy as well as members of the lesbian, gay, bisexual, and transgender (LGBT) community.<sup>6</sup>

At the same time, the "Declaration on the Torah Approach to Homosexuality," signed by a few noted Yeshiva University Roshei Yeshivah, states emphatically that LGBT people can "overcome their inclination and desire" and advocates for reinforcing the "natural gender-identity" of individuals.<sup>7</sup> As a psychologist and Orthodox Jew, what do you make of this tension?

DSG: I would say that people interested in the question of the appropriateness and effectiveness of reparative therapy should read Rabbi Rappaport's book *Judaism and Homosexuality: An Authentic Orthodox View*, and also look into Freud's theory of innate bisexuality.

GB: You talked about changes over the years in acceptance of professional psychologists in the Ultra-Orthodox world. Have you noticed a change in the Modern Orthodox Jewish community's attitude toward the psychological needs of its members?

DSG: Certainly in terms of addressing certain learning disabilities and specific learning needs of students, there are many more resources now than in the past. I used to

*when people come to them for this  
service.*

work as a guidance counselor in a yeshivah high school in the 1990s. My own children are in high school now and the difference between the resources that they had earlier and those they have now is astounding. The idea that certain individuals have specialized learning needs that might not be a learning disability is just one of the different ways that the Modern Orthodox community continues to change. People are beginning to open up to seeing learning styles as points on a continuum and the black and white distinction between those who are "disabled" and those who are not has greatly diminished over the years. The idea of *melamed kedarko*, teaching according to need, is actually being taken seriously. The same is true with addressing non-learning psychological needs in the schools, such as eating disorders and bullying.

GB: What is, in your opinion, an important psychological insight in the Torah?

DSG: *Pirkei Avot* says, "*keneh lekha haver*,"<sup>8</sup> which is traditionally translated as "acquire for yourself a friend." But it can also be translated as "purchase for yourself a friend." So that might be a *heter* for talking to a psychologist.

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1 Lev Vygotsky (1896-1934) was a Russian psychologist, credited with founding the discipline of cultural-historical psychology.

2 Sigmund Freud (1856-1939) was an Austrian neurologist, and founded the highly revolutionary discipline of psychoanalysis.

3 Bruno Bettelheim (1903-1990) was an Austrian-born American child psychologist and writer. During the Holocaust he was placed in Dachau and Buchenwald, and he emigrated to America after he was released in 1939. He became the director of the Orthogenic School at the University of Chicago, a home for emotionally disturbed children. He wrote many books on normal and abnormal child psychology.

4 Viktor Frankl (1905-1997) was an Austrian doctor who introduced the term logotherapy as a form of Existential Analysis. In 1942, he, along with his family, was deported to Theresienstadt. Although he survived the Holocaust, his family did not, and his bestselling book, *Man's Search for Meaning*, is an account of his experiences, based on his psychotherapeutic method of finding meaning in all forms of existence, even difficult ones.

5 See F.M. Herz and E. J. Rosen, "Jewish families," *Ethnicity and Family Therapy* (1982): 364-392, at p. 370.

6 See "Robert Spitzer, Psychiatrist Behind Retracted 'Ex-Gay' Study, Apologizes To Gay Community, Patients," *Huffington Post* (April 25, 2012), available at: [www.huffingtonpost.com](http://www.huffingtonpost.com).

7 Available at: [www.torahdec.org](http://www.torahdec.org).

8 *Pirkei Avot* 1:6.



# Why I Could Not Live Anywhere Else

By: Rafi Miller

"Make aliyyah!" call many Religious Zionists. As Jews, they tell us, we belong in the Jewish homeland, so every one of us who lives elsewhere must get up and move to Israel. How simple! But, unfortunately, most of us are not getting up and moving, even if we identify with the Religious Zionist movement. This tension has long provoked reflection among the American Modern Orthodox about aliyyah.<sup>1</sup>

As I plan my own aliyyah in the coming months, I wish to express why I personally cannot imagine living my life anywhere other than Israel. My religious and cultural heritage centers on this land. It is the home of God's plan, commandments, and immanence, the land for which our people has yearned and sacrificed for millennia, and the focal point of today's unique moment in our history and beyond into our future.

## God's Plan

We find in the Bible that the Land of Israel is essential to God's vision for the People of Israel. The very first words that God speaks in His first appearance to each of Abraham, Isaac, and Jacob concern the Land:

God said to Abram, "Go from your land, from your birthplace, and from your father's house, to the Land that I will show you...."<sup>2</sup>

God appeared to [Isaac] and said, "Do not go down to Egypt. Dwell in the Land that I will tell you...."<sup>3</sup>

Behold, God was standing over [the ladder], and He said [to Jacob], "I am God, Lord of Abraham your father and Lord of Isaac. The Land upon which you are lying I will give to you and your descendants...."<sup>4</sup>

The Land is likewise a central point of

God's early speeches to Moses about the nation he would lead.<sup>5</sup> Much of Prophets revolves around the nation's struggle to establish and maintain sovereignty in the Land.

The Bible identifies the Land as among God's priorities. Is it my priority?

## God's Commandments

The *mitsvot*, which constitute the foundation of Israel's covenant with God, are closely tied to the Land.

First, many *mitsvot* can only be performed in the Land. R. Simla'i presents this fact as the motivation of Moses'

plea to enter the Land,<sup>6</sup> and the Mishnah associates these *mitsvot* with the Land's superior holiness.<sup>7</sup>

Furthermore, settling the Land is itself a *mitsvah*, obligatory even today according to many Rishonim,<sup>8</sup> most famously Ramban.<sup>9</sup> In his discussion about this *mitsvah*, Ramban quotes a powerful passage from *Sifrei*:<sup>10</sup>

R. Judah ben Beteira, R. Matya ben Heresh, R. Hananiah ben Ahi, R. Joshua, and R. Nathan were leaving the Land. They reached the border and recalled the Land of Israel. They raised their eyes and their tears flowed down; they rent their clothes; and they read this verse: "You shall inherit it, and settle it, and be sure to keep all the *mitsvot* that I am commanding you today."<sup>11</sup> They inferred, "The settlement of the Land of Israel is equal to all the *mitsvot* of the Torah."<sup>12</sup>

Ramban also asserts that any *mitsvah*

performed in the Diaspora is inferior to one performed in Israel, "for the essence of all the *mitsvot* is for those who live in the Land of God."<sup>13</sup>

## God's Presence

One of the chief goals of Judaism, achieving nearness to God, is best achieved in the Land of Israel. The Talmud describes the Land as ideally suited for prophecy<sup>14</sup> and Torah study.<sup>15</sup> The Land also merits direct providence from God: "It is a Land that the Lord your God cares for; the eyes of God are continually upon it, from the year's beginning to its end."<sup>16</sup>

The Talmud quotes stark words for those who live outside the Land:

Our Rabbis taught: One must always live in the Land of Israel, even in a town of mostly idolaters; and let no one

*As I plan my own aliyyah in the coming months, I wish to express why I personally cannot imagine living my life anywhere other than Israel.*

live outside the Land, even in a town of mostly Israelites. For whoever lives in the Land of Israel is as one who has a God, and whoever lives outside the Land is as one who has no God. As it is said, "To give you the Land of Canaan, to be your God."<sup>17,18</sup>

This, then, is my religious motivation for aliyyah: pursuing God's vision, will, and presence. But I also feel compelled by the course of Jewish history.

## Longing for the Land

Ever since Moses pleaded with God, "Let me cross over and see the good Land,"<sup>19</sup> our people has longed for the Land of Israel.

Rambam describes in his legal code the love of the Talmudic sages for the

Land: "The greatest of scholars would kiss the borders of Israel, kiss its stones, and roll in its earth. And thus it says, 'Your servants take pleasure in her stones and favor her dust.'"<sup>20,21</sup> One sage, R. Zeira, even risked his personal safety to enter the Land at his first opportunity, explaining, "The place that Moses and Aaron did not merit to enter—who could assure me that I should merit to enter?"<sup>22</sup>

Many of the rabbinic giants of history ventured to settle the Land of Israel, including Rambam in 1165,<sup>23</sup> the "three hundred rabbis" from the Tosafists in 1210-1211,<sup>24</sup> Ramban in 1267,<sup>25</sup> R. Joseph Caro in 1536,<sup>26</sup> R. David ibn Abi Zimra (Radbaz) around 1553,<sup>27</sup> and R. Moses Hayyim Luzzatto (Ramhal) in 1743.<sup>28</sup>

R. Judah Halevi composed about thirty-five "Poems of Zion" describing his yearning for the Land.<sup>29</sup> In his *Sefer ha-Kuzari*, he castigates at length those who choose to remain in exile, including charges of shamefulness and hypocrisy.<sup>30</sup> R. Judah Halevi finally left for the Land of Israel in 1141.<sup>31</sup>

This yearning for the Land did not end with our ancestors. We ourselves pray every day in our *davening*<sup>32</sup> and *bentshing*<sup>33</sup> to return to the Land. I must ask myself: Do I mean the words I say?

## Suffering for the Land

Jewish yearning for the Land of Israel has inspired much sacrifice. The Midrash identifies the Land as one of three "good gifts" that God gave to us through suffering.<sup>34</sup> Unfortunately, we find ample expression of this suffering in modern history.

The pioneers who founded the Yishuv in the 19th century faced poverty, starvation, plagues, and bloodshed. R. Israel of Shklov, a student of the Vilna Ga'on, describes in the introduction to his work *Pe'at ha-Shulhan* the unremitting suffering he endured from 1813 to 1836 while founding Jewish communities in Palestine. During the First Aliyah from 1882 to 1903, approximately 25,000 Jews immigrated to Palestine, but conditions were so difficult that only about 10,000



remained in the Land at the start of the Second Aliyah.<sup>35</sup>

Defending the Yishuv has exacted a difficult human toll on our nation. As of Israel's 2012 Memorial Day, 22,993 sons and daughters have sacrificed their lives since 1860.<sup>36</sup>

One moment that deeply impressed me as a high school student occurred on a visit to a small military cemetery in Israel. The soldiers buried there were casualties of the 1948 war; under the pressure of battle they were buried two or more to a grave. The headstones listed their ages. Many were teenagers, as I was at the time of that visit. Many had lived through the Holocaust. I imagined such a boy picking up a gun, running into combat, and collapsing mortally wounded on the battlefield. What motivated him? The dream that Israel could be free for Jews to call their home; that now, six decades later, all I need to become a citizen of Israel is a passport and some paperwork. Standing in that cemetery, I wondered: What would I be willing to sacrifice?

### This Moment

Those generations of longing and sacrifice have led to a unique moment in our history. We now have a State of Israel whose Law of Return guarantees citizenship to any Jew who wants to return home. The Jewish army protecting the State is among the most advanced in the world.

The State still faces many challenges, but those challenges pale compared to the sheer fact of a Jewish State. I am blessed to have already spent about fourteen months of my life in Jerusalem. The daily joy of seeing its stone skyline, counting the construction cranes, and thinking, **Today I woke up in Jerusalem, a bustling Jewish city**, finds expression in Isaiah: "You will see, and your heart will rejoice; your bones will flourish like grass!"<sup>37</sup>

Journeying to Israel, which not long ago was fraught with risk, now amounts to less than a day of sitting in an airplane seat. Imagine how RZeira would react to the sight of air traffic at Ben Gurion International Airport!

### Looking Ahead

Watching the Jewish population grow in our homeland stirs our historical consciousness. R. Abraham I. Kook saw the aliyah movements of early Zionism as fulfilling "anticipation of the salvation,"<sup>38</sup> one of the criteria upon which Rava says the soul will be judged in the

next world.<sup>39</sup> Dozens of leading rabbinic authorities viewed the establishment of the State of Israel as a "beginning" of the final redemption of the world.<sup>40</sup> R. Joseph B. Soloveitchik described the events of the 1940s as the "knock of the Beloved,"<sup>41</sup> meaning God's call to the Jewish people after centuries of exile; he bemoaned that "we Orthodox Jews are still enveloped in a sweet slumber,"<sup>42</sup> when we should be seizing the opportunity to realize our "Covenant of Destiny" as a nation.<sup>43</sup>

Even without this lofty idealism, I see aliyah as simple self-interest: The future of the Jewish nation is in Israel. This is not just a dream but a demographic fact. And I want to live my life on the side of the future. Will I strive to raise a Jewish family in the eternal home of our people, or in a country with rampant assimilation and rising tuition costs? Centuries from now, where will my descendants point on their family tree and say, "This is when we returned from the exile?"

Far be it from me to moralize to those with no plans for aliyah. Many people far more righteous than I have chosen to make their

*Centuries from now, where will  
my descendants point on  
their family tree and say, "This  
is when we returned from the  
exile?"*

mark in the Diaspora, where much important work needs to be done.<sup>44</sup> Many who wish to move to Israel find the practical obstacles to aliyah overwhelming.<sup>45</sup> But no matter the justifications, we ought to keep our ideal clear. Our home is in Israel.

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1 For example, the 2008 Orthodox Forum at Yeshiva University focused on Religious Zionism. So did the Summer 1992 issue of *Tradition* (26, 4), as well as numerous individual articles in that periodical over the decades. In my own experience as a student in *shanah alef* at Yeshivat Hakotel in Jerusalem, rarely did a visiting speaker hold a question-and-answer session without someone asking a question about religious pressures toward aliyah; such questions weighed on many Anglo students there.

2 Genesis 12:1. All translations in this article are mine.

3 Genesis 26:2.

4 Genesis 28:13.

5 Exodus 3:8,18; 6:4,8.

6 *Sotah* 14a.

7 *Kelim* 1:6.

8 *Encyclopedia Talmudit* asserts this as the opinion of "most *rishonim* and *posekim*;" see "*Yeshivat Erets Yisra'el*" (Hebrew), *Encyclopedia Talmudit*, ed. by Shlomo Yosef Zevin (Jerusalem: *Mekhon ha-Encyclopedia ha-Talmudit*, 2002), volume 25, 664-688, at p. 676. The ideology that this fact represents, not the technical law, concerns this article. As for how this *mitsvah* might obligate you *le-halakhah*, consult your local Orthodox rabbi.

9 Ramban, *Shikhehat ha-Asin* 4.

10 *Ibid.*

11 Cf. Deuteronomy 11:31-32.

12 *Sifrei* to Deuteronomy 12:29.

13 Ramban to Leviticus 18:25.

14 *Mo'ed Kattan* 25a.

15 E.g. *Bava Batra* 158b, *Bava Metsi'a* 85a, *Ketuvot* 75a. See also *Be-reshit Rabbah* 16:4: "There is no Torah like the Torah of the Land of Israel, and no wisdom like the wisdom of the Land of Israel."

16 Deuteronomy 11:12.

17 Leviticus 25:38.

18 *Ketuvot* 110b.

19 Deuteronomy 3:25.

20 Psalms 102:14

21 Ramban, *Mishneh Torah*, *Hilkhot Melakhim* 5:10. Based on *Ketubot* 112a.

22 *Ketuvot* 112a.

23

Louis Isaac Rabinowitz et al.,

"Maimonides, Moses,"

*Encyclopaedia Judaica*, ed. by

Michael Berenbaum and Fred Skolnik, 2nd edition (Detroit: Macmillan Reference USA, 2007), volume 13, 381-397, at p. 382.

24 Ephraim Kanarfogel, "The Aliyah of 'Three Hundred Rabbis' in 1211: Tosafist Attitudes Toward Settling in the Land of Israel," *The Jewish Quarterly Review*, New Series 76.3 (Jan. 1986), 191-215. Note that key details of this aliyah might be apocryphal.

25 Joseph Kaplan et al., "Nahmanides," *Encyclopaedia Judaica*, volume 14, 739-748, at p. 740.

26 David Tamar et al., "Caro, Joseph ben Ephraim," *Encyclopaedia Judaica*, volume 4, 488-491, at p. 488.

27 Hirsch Jacob Zimmels, "David ben Solomon ibn Abi (Avi, ben Abi) Zimra," *Encyclopaedia Judaica*, volume 5, 470-472, at p. 471.

28 Joseph Dan and Joelle Hansel, "Luzzatto, Moses Hayyim," *Encyclopaedia Judaica*, volume 13, 281-286, at p. 282.

29 Angel Sáenz-Badillos and Daniel J. Lasker, "Judah Halevi," *Encyclopaedia*

*Judaica*, volume 11, 492-501, at p. 495.

30 *Sefer ha-Kuzari* 2:23-24.

31 Angel Sáenz-Badillos and Daniel J. Lasker, p. 494.

32 E.g., in the tenth blessing of *shemoneh esrei*: "Gather us together from the four corners of the earth [to our Land]" (the bracketed words are omitted in *nusah Ashkenaz*).

33 E.g., toward the end of *birkat ha-mazon*: "May He guide us [speedily] upright to our Land" (the bracketed word is included in *nusah Edot ha-Mizrah*).

34 *Mekhilta* to Exodus 20:2.

35 Itzhak Alfassi, et al., "Land of Israel: Aliyah and Absorption," *Encyclopaedia Judaica*, ed. by Michael Berenbaum and Fred Skolnik, 2nd edition, volume 10 (Detroit: Macmillan Reference USA, 2007), 329-373.

36 Yoav Zitun, "2012: Number of Israel's fallen stands at 22,993," *Ynet News*, 22 April 2012, available at: <http://www.ynetnews.com>.

37 Isaiah 66:14.

38 E.g., Abraham I. Kook, "*Orot Erets Yisra'el*" (Hebrew), *Orot* (Jerusalem: *Agudah le-Hotsa'at Sifrei ha-Re'iyah Kuk*, 1950), 9-13, at p. 9.

39 *Shabbat* 31a.

40 For extensive citations see Yitshak Dadon, *Athalta Hi : Yahasam shel Gedolei Sefarad ve-Ashkenaz la-Tsiyyonut u-le-Hakamat ha-Medinah* (Hebrew) (Jerusalem, 2006).

41 Joseph B. Soloveitchik, *Kol Dodi Dofek: Listen - My Beloved Knocks*, transl. by David Z. Gordon (New York: Yeshiva University, 2006), 31 ff.

42 *Ibid.* 47.

43 *Ibid.* 65 ff.

44 Cf. Herschel Schachter, *Nefesh ha-Rav* (Hebrew) (New York: Flatbush Beth Hamedrosh, 1994), 98.

45 R. Aharon Lichtenstein discusses these challenges with great sensitivity in Aharon Lichtenstein, "Diaspora Religious Zionism: Some Current Reflections," *Religious Zionism Post Disengagement: Future Directions*, ed. by Chaim I. Waxman (New York: Yeshiva University Press, 2008), 3-30, at pp. 15-17.



# The Beauty of Two Worlds: The *Metsueh* and the *Eino Metsueh*

BY: Gabrielle Hiller

Scenario one: You arrive home, put your bags down, and walk into the kitchen. Out of the corner of your eye, you notice that the sink is full of dishes, but you move on to the refrigerator and take out something to eat. You settle down at the table for your meal. A few minutes later, your mother walks in and asks you to wash the dishes. After completing your meal, you promptly do so. Your mother thanks you.

Scenario two: You arrive home, put your bags down, and walk into the kitchen. Out of the corner of your eye, you notice that the sink is full of dishes. You pause on your way to the refrigerator, turn around, and wash the dishes. You then grab some food and settle down for your meal. A few minutes later, your mother walks in and sees that you washed the dishes. She thanks you.

These two scenarios are almost identical, the only difference being when the dishes were washed — before being asked or afterwards. And yet, ask any mother and she would most likely say that she would be more impressed with the second scenario. Why? Seemingly because there is something greater and more meaningful about doing something that you know is right without being asked.

And it is not just mothers who might make this claim. The Amora R. Yosef would agree as well. When the blind R. Yosef heard that R. Yehudah had ruled that blind people are exempt from *mitsvot*, he was initially thrilled because he reasoned that his fulfillment of *mitsvot* would be considered greater than that of someone who was commanded to do *mitsvot*.<sup>1</sup> But R. Yosef's bubble of joy was burst when he heard the statement of R. Hanina: "*Gadol metsueh ve-oseh yoter mi-mi she-eino metsueh ve-oseh* — One who performs a precept having been commanded to do so is greater than one who performs a precept without having been commanded to do so."<sup>2</sup> Surprisingly, our assumption was entirely wrong. Apparently, in God's eyes, the first scenario would be preferable.

What is the source for this counter-intuitive concept and what is its underlying reasoning? The statement first appears in *Kiddushin* 31a, in the Gemara's discussion concerning *kibbud av va-em* (honoring one's mother and father). R. Eli'ezer was asked how far one must go in honoring one's parents. To answer, R. Eli'ezer tells a story of a Gentile, Dama ben Netinah, who refuses to sell a stone

for the *efod* (vest of the High Priest) to the *Hakhamim*, despite the enormous reward proffered to him, because his father was sleeping on the stone at the time. A year later, Hashem gives him his reward in the form of a *parah adumah* (red heifer) which Dama can then sell to the *Hakhamim*, making up for any loss that he incurred by restraining himself from disturbing his father's slumber. Based on this story, R. Hanina states that if one who is not commanded in *kibbud av va-em* receives such a tremendous reward, a Jewish person, who is commanded in the *mitsvah*, will certainly receive an even greater reward.

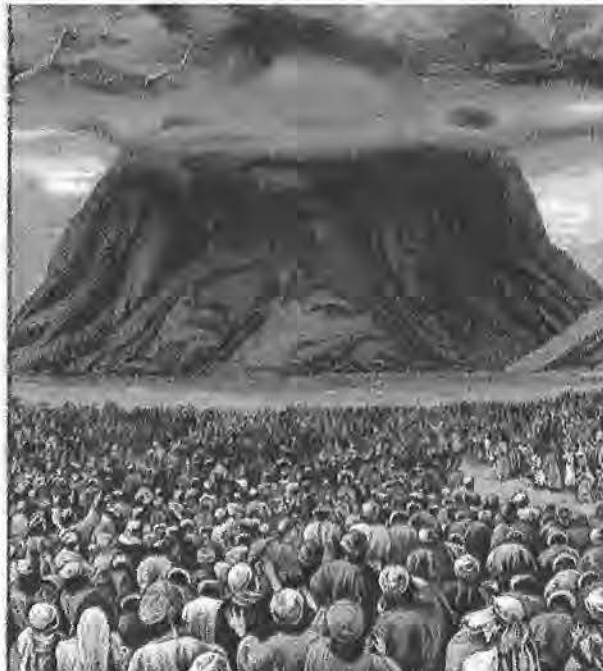
Indeed, this statement of R. Hanina is accepted and concretized as halakhah. Rambam writes in *Hilkhot Talmud Torah* 1:13 that a woman who learns Torah receives *sakhar*, reward, just not as much as a man does, because she was not commanded to learn Torah, and someone who was not commanded does not get the same amount of *sakhar* as someone who was commanded. This principle is cited in the *Tur* and *Shulhan Arukh* as well.<sup>3</sup>

But what is the reason for this principle? *Tosafot* explain that someone who is commanded worries more about not transgressing a *mitsvah*, while someone who is not commanded does not feel the same pressure.<sup>4</sup> *Tosafot ha-Rosh* and Ritva elaborate on this idea, explaining that a *metsueh* (one who is commanded) is more distressed because, unlike an *eino metsueh* (one who is not commanded), he must combat his *yetser ha-ra* (evil inclination).<sup>5</sup> Ritva also adds the well-known maxim from *Pirkei Avot* 5:26, "*le-fum tsa'ara agra* — the reward is in proportion to the exertion."<sup>6</sup> The *metsueh* has to invest more into doing a *mitsvah* than an *eino metsueh*, and he therefore deserves more reward than an *eino metsueh*.<sup>7</sup>

A second explanation is offered by *Hiddushei ha-Ritva*. Ritva points out that God does not need the *mitsvot*. God only gave us *mitsvot* in order to provide us with a way to fulfill the will of our Creator. Thus, when a *metsueh* does a *mitsvah*, he receives reward for fulfilling the word of God. Someone who does a *mitsvah* that he was not commanded to do, however, does not receive *sakhar* for fulfilling the decree of God. Nonetheless, Ritva adds,

that an *eino metsueh* still receives some reward because, although he was not directly commanded by God, he acts out of "*tov levav*" (goodness of his heart) and "*hassidut*" (piety), and there is some *retson Hashem* because Hashem did command someone. Based on this reasoning, Ritva qualifies that there would be no *sakhar* for an *eino metsueh* who does something that Hashem did not command anyone to do. Someone cannot make up some sort of ritual dedicated to God and receive reward for it.<sup>8</sup>

R. Reuven Ziegler reveals the deeper philosophical aspect of *gadol metsueh ve-oseh*, based on addresses by R. Aharon Lichtenstein.<sup>9</sup> R. Ziegler explains that living the life of a Jew means living the life of one who is called upon and commanded. This has widespread



implications. It means that, "A *metsueh* leads a theocentric rather than an anthropocentric life. He is guided by God's will, not by his own likes and preferences."<sup>10</sup> A Jew ought not do what he wants when he wants. He ought not act out of his own personal desires. Rather, a Jew's life must be focused around God and what God commands him to do. Thus, a Jew should not choose to fulfill some *mitsvot* and overlook others, because that would be characteristic of an anthropocentric life, a life centered on himself instead of God.

R. Ziegler discusses two areas in which this ideology is reflected. The first relates

to Torah study. The Gemara in *Eruvin* 64a compares someone who says "I like this section of Torah but not that one" or "I will learn this part of Gemara but not that part" to someone who consorts with prostitutes. Similarly, someone who only learns Torah occasionally or does not fix times for *talmud Torah* is labeled by the Gemara in *Sanhedrin* 99b as a "heartless adulterer." These judgments seem harsh, but R. Ziegler explains that at the core of the sins described by the Gemara is the attitude of doing what one wants without feeling any responsibility. In other words, "A person has to approach Torah and *avodat Hashem* not as an adulterer—someone whose goal is to extract whatever pleasure he can, even spiritual pleasure. A person has to subject himself to Torah and not to subject Torah to himself. He must be willing to commit himself to it unconditionally and accept whatever God imposes upon him."<sup>11</sup> A Jew must serve God, not himself.

A second area in which the concept of living the life of one who is commanded is relevant is *gerut* (conversion). We do not accept a Gentile who wishes to embrace some *mitsvot* but not others. Rambam writes in *Hilkhot Melakhim* 10:9, "The general rule is that we do not permit them to innovate a religion and to perform *mitsvot* for themselves according to their own understanding. Rather, they should either convert and accept all the *mitsvot*, or they should remain within their own religion and not add or detract."<sup>12</sup> What is wrong, though, with a motivated Gentile deciding to do certain *mitsvot* and not others? R. Ziegler explains that this attitude contradicts the values inherent in "*gadol metsueh ve-oseh*."

He poignantly elaborates:

...a person cannot come and sit in judgment upon Torah, and upon the Almighty, and enter the world of Torah and *avodat Hashem* as if he were shopping in a department store. One shops in a department store precisely in response to one's own needs and desires. It is part of self-indulgence and self-fulfillment. But one cannot shop around in God's world. Either one understands what it means to accept the discipline of *avodat Hashem* or one doesn't. Either one is called and commanded—in which case you do not pick and choose among the



commands, because if you pick and choose they are no longer commands – or one cannot become a Jew.<sup>13</sup>

Underlying the concept of “*gadol metsueh ve-oseh*” is the fundamental understanding that Judaism is about fulfilling God’s commands and living a theocentric life instead of an anthropocentric one. There is no picking and choosing in Judaism.

Why, then, does an *eino metsueh* still receive reward? R. Ziegler explains that *mitsvot* are intrinsically good. Someone who volunteers to do a *mitsvah*, therefore, is rewarded for doing something that is good. Nonetheless, one who is commanded receives greater reward, for, in addition to doing something that is good, he has also done an action that he was commanded to do, and that aspect is a central value of our religion.<sup>14</sup>

Now let us return to our original analogy of washing dishes for your mother. Why did that example lead us astray? Perhaps because it was a faulty analogy. As we always feel a natural obligation to help our parents – or friends, roommates, or any other relation, for that matter – whether we were asked or whether we took the initiative in washing the dishes, we were analogous to *metsuvin* because our action was based on more than a sudden, altruistic feeling to act, but on a sense of obligation to help our parents. Now, the difference between the two scenarios is simply whether you had to be reminded of your obligation or not. Unsurprisingly, your mother would be more impressed if she did not have to remind you repeatedly of what you should already know.

A case that would help us to better understand the concept of *metsueh ve-oseh* would, perhaps, be one in which two people are performing the same job, but one is being paid while the other one is a volunteer. In this case, the paid worker is analogous to a *metsueh*, but the volunteer is analogous to an *eino metsueh* because he is working owing only to his own motivation. Studies have shown that the volunteer, acting out of his own initiative and unburdened by any obligation, enjoys the work more than the paid worker.<sup>15</sup> Based on these studies, it becomes clearer as to why it is more difficult to do something in which you are obligated, and it is therefore understandable why R. Hanina would say that the commanded receives more reward than the non-commanded.

However, there is something that is slightly troubling about this whole concept. First, while following God’s commands is an essential facet of Judaism, there is also something beautiful about a sudden inspiration to serve God or the sudden realization and recognition

of something that God has done. Indeed, this type of motivation is a central aspect of *tefillah*, as demonstrated by Hannah’s paradigmatic *tefillah* that was heartfelt and spontaneous. Is R. Hanina denying the value in this?

This concept is somewhat troubling on a technical level as well, especially for Ritva who says that a *metsueh* receives more reward because “*le-fum tsa’ara agra*.” While this logic may hold for many *mitsvot*, it is defeated when faced with the *mitsvah* of *peru u-revu*. Even though only the man is commanded to procreate,<sup>16</sup> it is the woman who certainly undergoes more pain than the man in childbirth. Does she really receive less reward than the man just because she is an *einah metsueh*?

R. Dr. Menachem-Martin Gordon, a former Stern College Jewish Studies professor, recognizes these difficulties and, through a close reading of *Tosafot*, presents a fascinating and novel interpretation of R. Hanina’s statement.<sup>17</sup> *Tosafot* describe someone who does not have the same pressure as the *metsueh* to fulfill the *mitsvah* and “*im yirtseh, yaniah* – if he wants, he can forego it.” But, what

Underlying the concept of “*gadol metsueh ve-oseh*” is the fundamental understanding that Judaism is about fulfilling God’s commands and

if there would not be a question of the *eino metsueh* not doing the *mitsvah*? Would R. Hanina judge differently? R. Dr. Gordon claims that he would. Based on *Tosafot*’s wording, the concept of “*gadol metsueh ve-oseh yoter mi-mi she-aino metsueh ve-oseh*” is limited to partially-motivated people, for whom the only thing pushing them to do *mitsvot* would be a divine command. A fully-motivated person, on the other hand, would not feel the same option as a partially enthused *eino metsueh* to forfeit the *mitsvah* if he so desires. For two people who are partially motivated, the one who is commanded in the *mitsvah* would surely receive more reward. The case would be different, though, for two fully-motivated people. In such a situation, the fully-motivated *eino metsueh*, performing an unsolicited act solely out of love, would actually be considered greater than a fully-motivated *metsueh* who, despite any love that may also be a factor in his motivation, ultimately acts out of fear and his sense of obligation.<sup>18</sup>

To further explicate this idea, R. Dr. Gordon explains that there are two factors involved in the issue of personal

autonomy and Divine commitment. The first is the content of the religious initiative – the substance of the act may have been devised entirely by the performer or it may have been drawn from some religious system. The second factor is the motivation behind the performance of the act – a person may act out of his own decision and initiative or a person may act out of submission to the Divine will. Thus, an *eino metsueh* can either be categorized as a person who derives his action from a Divine system but is autonomously motivated, or hears a person who intuitively the substance of his own act and yet feels a Divine obligation to perform the act. For example, a woman who does a *mitsvah* that she is not commanded to do is expressing the first option. Although she is autonomously motivated, she derives the substance of her act from the religious system. In R. Dr. Gordon’s words, “Though ‘not commanded,’ she is very much indebted, cognitively and experientially, to the substance of her religious tradition, from which she has derived the content of her initiative.”<sup>19</sup> It would be difficult to say that she is less praiseworthy than a *metsueh*.

This thesis is consistent, claims R. Dr. Gordon, with the words of Rambam who, as quoted earlier, holds that women receive less reward than men for *talmud Torah*. R. Gordon interprets this

living a theocentric life instead of an anthropocentric one. There is no picking and choosing in Judaism.

statement as referring to **obedience** to the command of Torah study. Thus, as only men are obligated in this *mitsvah*, they should certainly receive more reward than women for its performance. Women have no obligation of obedience to the *mitsvah* of *talmud Torah* and they therefore would not receive the same reward as men. However, when it comes to the **quality** of the *talmud Torah*, there is no inherent superiority of men’s learning over women’s learning. The worth of a *metsueh* and an *eino metsueh*’s *talmud Torah* is judged equally. In other words, while a man may get more *sakhar* for his obedience to the *mitsvah* of *talmud Torah*, both a man and woman are capable of receiving the same amount of *sakhar* for the quality of their *talmud Torah*.<sup>20</sup>

The differing presentations of R. Hanina’s concept by R. Ziegler and by R. Dr. Gordon both bespeak valuable lessons within Judaism. On the one

hand, our purpose as Jews is to fulfill God’s will. On the other hand, Judaism without spontaneity and initiative would be dry and stagnant. This dichotomy is perfectly illustrated by the concept of *tefillah*. While the text of *tefillah* has been set for us, we are forbidden from making our prayers *keva*, fixed.<sup>21</sup> It is vital to remember that we must follow God’s will. Without that, our focus in serving God has been lost. And yet, connection to God without inspiration and spontaneity, acting by just going through the motions, is also pointless. Only by understanding the values underlying both the *metsueh* and the *eino metsueh* can we reach a more complete picture of what our motivations should be as *ovedei Hashem*.

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1 Kiddushin 31a. See also *Bava Kamma* 87a.

2 Ibid. Artscroll translation.

3 *Tur* and *Shulhan Arukh*, *Yoreh De’ah* 246:6.

4 *Tosafot* to *Kiddushin* 31a, s.v. *gadol*.

5 *Tosafot ha-Rosh* to *Kiddushin* 31a, s.v. *gadol*.

6 Artscroll translation.

7 *Hiddushei ha-Ritva* to *Kiddushin* 31a.

8 *Hiddushei ha-Ritva* to *Kiddushin* 31a.

See also *Tosafot ha-Rosh* to *Kiddushin* 31a, s.v. *gadol*.

9 R. Reuven Ziegler, “*Mitzva: A Life of Command*,” *The Israel Koschitzky Virtual Beit Midrash*, available at [vbm-torah.org](http://vbm-torah.org).

10 Ibid.

11 Ibid.

12 R. Ziegler’s translation.

13 Ibid.

14 Ibid.

15 See, for example, Edwin J. Boezeman and Naomi Ellemers, “Intrinsic need satisfaction and the job attitudes of volunteers versus employees working in a charitable volunteer organization,” *Journal of Occupational and Organizational Psychology* (2009), 897-914, and Mark van Vuuren, Menno D.T. de Jong, and Erwin R. Seydel, “Commitment with or without a stick of paid work: Comparison of paid and unpaid workers in a nonprofit organization,” *European Journal of Work and Organizational Psychology* 17,3 (2008), 315-326.

16 See *Yevamot* 6:6.

17 R. Dr. Menachem-Martin Gordon, *Modern Orthodox Judaism: Studies and Perspectives* (Jerusalem and New York: Urim Publications, 2012), 86-93. Thank you to Rabbi Saul Berman for directing me toward this enlightening source.

18 Ibid, p. 90-92.

19 Ibid, p. 86, footnote 34.

20 Ibid, p. 93.

21 See *Berakhot* 4:4.



# The Gerizim Address

BY: Chesky Kopel

In a time of terrible instability and violence in pre-monarchial Israel, a prominent family is massacred by one of its own. Seventy siblings are slaughtered on one stone by their brother. Only one, the very youngest, survives, for he had gone into hiding when the killing began.<sup>1</sup> His underdog stature and unlikely escape from peril fit the hero archetype well, almost too well. His name means "God is perfect."<sup>2</sup> He ascends Mount Gerizim, the great platform of blessings for Israel,<sup>3</sup> and at this historic moment calls upon the people of Shekhem, who had collaborated with and crowned the murderer as their king, to listen to his message of rebuke and warning.<sup>4</sup> He speaks in parable. He warns the Shekhemites that the consequence of failing to heed his words will be destruction, but he is ignored and flees, never to be heard from again.<sup>5</sup> Three years and a bloody civil war later, the corpses of Shekhem's civilians lay strewn about on the streets, massacred by the rampage of Avimelekh's troops; the survivor's curse had come true.<sup>6</sup>

This tale of Yotam, the tragic whistleblower, is memorialized in Tanakh and understood by many to present timeless relevance. The tale's centerpiece is, of course, Yotam's parable, recorded in *Shofetim* 9:7-15. Yotam tells of a time when the trees decided to anoint a king for themselves. They first approached the olive tree, then the fig tree, and then the grape vine, only to be rebuffed by each in turn. Each preferred serving man and God in its unique way to engaging in politics. Finally, the trees were left with no choice but to approach the thorn bush. They offered the bush

kingship, and it replied ominously: "If in truth you anoint me king over you, then come and take refuge in my shadow; and if not, let fire come out of the thorn bush, and devour the cedars of Lebanon."<sup>7</sup>

The parable's characters are distinct, and its dialogue is sharp. The three declining trees form a front of sincerity of purpose and nobility; the thorn bush is their brutally honest and frightfully dangerous alternative. The text altogether seems to lend itself to assignments of enduring symbolic meaning.<sup>8</sup> But Yotam constructed his parable in a particular context, with an immediate political goal in mind. Yotam's father was Gideon, the *shofet* of Israel, who had saved the people from Midianite oppression during a time of great despair.<sup>9</sup> After the victory, popular opinion in Israel demanded that Gideon, also known as Yeruba'al, establish a patrilineal dynasty, but the military leader rejected the appeal and deferred to God's exclusive rule.<sup>10</sup> Soon after Gideon's death, the people forgot all that he had done for them, and did not act kindly toward his family. So when Avimelekh, son of Gideon's Shekhemite concubine, resolved to seize power, the people of his mother's family and city stood by him and said nothing as he slaughtered the members of his own family, the progeny of Gideon.<sup>11</sup>

Into this great moral crisis stepped Yotam. He attempted to rectify the situation with logic and with the force of his oratory skill. He spoke not a single word about God or any form of higher duty; his address to the people concerned only the subjects of gratitude and loyalty.

He told the aforementioned parable; perhaps heads nodded in understanding - the thorn bush was correct in speaking as it did, in demanding the sincerity of the other trees, and in warning of them of danger.

But then Yotam proceeded to provide the allegory himself, in harsh rebuke to the audience. Avimelekh is the thorn bush! The warning to the trees is a warning to Shekhem! If the people acted truthfully in their decision to align with Avimelekh, then let them live happily ever after. But if they did not act truthfully and appropriately (and here Yotam makes his feelings on the matter clear by reiterating the tremendous kindness of Gideon and the complicity of Shekhem in the murder of Gideon's seventy children), then "let fire come out from Avimelekh, and devour the men of Shekhem, and Beit-Millo; and let fire come out from the men of Shekhem, and from Beit-Millo, and devour Avimelekh."<sup>12</sup>

Much ink has been spilt in attempts to decipher the meaning and applicability of all the details of Yotam's parable. In the midrashic view, cited by Rashi, the symbolism of the three refusing trees grounds the conflict over Avimelekh in historical context, by contrasting him with the great leaders who came before him. The olive tree represents Otniel, the fig tree Devorah, and the vine Gideon, all previous *shofetim* and heroes of Israel.<sup>13</sup> Radak quotes an explanation in the name of his father, R. Yosef Kimhi, that makes use of a similar contrast by identifying the three refusing trees with the three expressions of dynasty in the request made to Gideon ("...both you, your son, and your son's son also..."),<sup>14</sup> all of which he refused.<sup>15</sup>

Professor Yehuda Elitzur of Bar-Ilan University attaches moral significance to the framework of the allegory by distinguishing between the parable's three categories of trees. The olive tree, fig tree, and grape vine, all fruit-bearing trees, are physically and spiritually productive, beautiful beings, the pride of Israel. To such trees Yotam compares the great heroes Otniel, Devorah, and Gideon.

Cedars of Lebanon constitute another category: trees of awesome appearance and stature that do not bear fruit. These beings possess a hollow beauty, pleasing to the eye but utterly useless. To such

trees Yotam implicitly compares the people of Shekhem, as it is both the cedars and the Shekhemites who face danger of destruction by fire, in the parable and its allegory, respectively. This characterization of the people of Shekhem stems from their actions in this episode: They chase vainly after the glory of having a sovereign king of their own - a glory lacking in positive moral substance.

The final category is that of the thorn bush, explicitly identified in the words of Yotam as a representation of Avimelekh. The thorn bush lacks all the good qualities of both other categories, featuring neither productivity nor physical beauty. Such was Avimelekh, a morally decadent figure whose initial military might quickly waned. And as if the lack of positive traits were not enough, the thorn bush also presents a terrible danger to all the other trees in its propensity to catch and spread fire when dried out by the summer heat. Even the mighty cedars of Lebanon are bound to fall victim when a simple thorn bush dries out and catches flame. And so, predicted Yotam, would the lowly Avimelekh bring calamity to the great city of Shekhem.<sup>16</sup>

Unfortunately, though, Yotam's allegory is unconvincing. The analogy of the thorn bush fails to capture the most important features of Avimelekh's image in the eyes of the people of Shekhem. The bush is neither the offspring of the tree community's late savior nor is it of closer kinship to the other trees than the first three that had been offered kingship, both of which Avimelekh was to Shekhem. All we are told about the thorn bush is that it is a lowly, unattractive being and no more than an afterthought. Other than that, its significance in the eyes of the other trees seems equal to that of the olive tree, fig tree, and grape vine; the people of Shekhem, however, had more personal stake in Avimelekh than in any of the previous leaders of Israel. Yotam may have tried to appeal to logic, but he failed to construct proper parallels for actual events. Even worse, he may have deliberately sacrificed nuance for the sake of shock value.

Perhaps more puzzling is the role of the thorn bush itself. While the thorn bush does, in a sense, play the part of the unworthy king Avimelekh, it also delivers the warning of destruction to the other trees. Avimelekh did no such





thing in his interaction with the people of Shekhem; in all likelihood, he guaranteed that following his lead meant safety and prosperity for all.

The force of Yotam's real warning is its antagonism of Avimelekh and its indictment of the people for the sin of following him. The warning in the parable, however, comes from the Avimelekh equivalent itself and seems to come for no purpose. The trees had not committed any sin of disloyalty to previous leaders in following the thorn bush. The thorn bush had not done anything wrong that would make it so taboo.

Still, Yotam's predictions came true: Civil war decimated Shekhem when its inhabitants grew dissatisfied with Avimelekh's reign.<sup>17</sup> Yotam was the whistleblower, the prophet of doom. His warning was ignored, perhaps because of the incoherence of his allegory, and he had no choice but to flee for his life.

The book of *Shofetim* is full of failed messiahs. Time and again, the people succumb to decadence and idolatry, and are punished with enemy oppression. Each time, a *shofet* rises up and saves the people, inspiring them to repentance in doing so.

But the inspiration is never lasting, and the people repeatedly relapse into sin and punishment. What distinguishes Yotam from these

leaders is that he is not appreciated by the people even momentarily. Rather than stand up to foreign enemies on behalf of Israel, as did the rest of the leaders, Yotam stands up to Israel itself on behalf of justice. He is not a failed messiah but a failed whistleblower.

Alternatively, to borrow Providence College professor Terence J. Keegan's Bible-study terminology, Yotam is a sort of messiah in the world of the narrative and the "world of the text," but not in the "world of the story."<sup>18</sup> In other words, Yotam is uniquely poised to save an entire Israelite city at one historic moment (and his personal background lends itself to this mission), but this capacity is not recognized by anyone at the time. This view of Yotam's role is only crystallized later in history, when the narrator records his story for posterity. The narrator knows it, and the readers know it, but the people in the world of the story itself do not.

I cannot help but see Yotam's speech as a colossal missed opportunity. As a son of Gideon and a powerful speaker, Yotam could have addressed the Shekhemites on their own terms, by acknowledging their struggles and their motivations in choosing Avimelekh. Perhaps the people would have paid attention had he done

so. Perhaps he could have then convinced them with his logic, and perhaps disaster could have been avoided. By opting for a simplified, dramatized smoke-and-mirrors presentation instead, Yotam ensured that his position would offend the people of Shekhem, and that it would therefore go unheeded.

Three thousand years later, Israel is still a land of failed messiahs (but of a different nature entirely, to be sure). The state's challenges and threats always loom large, and so the political stakes are always high. These circumstances frequently give rise to "self-anointed political saviors," in the words of journalist Eetta Prince-Gibson.<sup>19</sup> These include Yigael Yadin in 1977, Ezer Weizman in 1984, Rafael Eitan in 1992, Tommy Lapid in 2003, and now Yair Lapid in 2012. Each of these men jumped into the limelight of Israeli politics suddenly and with great fanfare, creating dynamic new political parties. In every case (save for Yair Lapid, who is still new on the scene), the movement fizzled quickly and disappeared entirely within a decade.<sup>20</sup>

A simple reading of the book of *Shofetim*

*"Rather than stand up to foreign enemies on behalf of Israel, as did the rest of the leaders, Yotam stands up to Israel itself on behalf of justice. He is not a failed messiah but a failed whistleblower."*

speaks to this trend. Israelite autonomy and religious devotion failed to survive after the death of each military savior in that era. This suggests that depending heavily upon an individual personality, rather than on an enduring message or set of values, endangers the welfare and stability of the nation.<sup>21</sup> The same can be said of the many messiahs of modern Israel, whose rises and falls ensnare the small country's political system with constant fracturing and intensely populist sentiments. The government's capacity for decisive action is hindered so long as these realities persist.

That said, the legacy of Yotam has a place within the book's larger message as well. Between the failed messiahs arose a whistleblower, without any military might, who had the opportunity to steer the people away from disaster with a call for moral conduct. Had he succeeded, his influence may have survived longer than that of other leaders recorded in the book. Yotam had the truth, and his prediction ultimately came true. But he failed the people with his presentation.

If this tale can be said to suggest a lesson

for modern Israel, it would be to warn the people to take its whistleblowers seriously – whether they speak of a demographic threat resulting from the failure of the peace process, an Iranian nuclear threat resulting from lack of preventative action, or a domestic threat resulting from the Haredi sector's freeloading of national resources. But Yotam's story also warns the whistleblowers to take their opportunities seriously and thereby be taken seriously, instead of endangering their messages with illustrations as fantastical as comparisons to the Holocaust or solutions as alienating as calls as for Jews to boycott other Jews.

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1 *Shofetim* 9:5.

2 The Brown-Driver-Briggs-Gesenius Hebrew English Lexicon, Strong's number 3147, accessed via [www.biblestudytools.com](http://www.biblestudytools.com). I substituted "God" for the Lexicon's transliteration of the Tetragrammaton.

3 See *Devarim* 11:29. *Midrash Tanhuma, Vayera* 29 adopts the characterization of this message as a curse from *Shofetim* 9:57, and asks why it was delivered from Gerizim, a geographic symbol of blessing.

The answer places an anachronistic polemic in the mouth of the speaker, retorting the Samaritans' later claim to Mount Gerizim as a site of blessing. Really, the Midrash explains, it is a site of curse, since the curses recited on Mount Eval were directed at the people standing on Gerizim, and vice versa. Therefore, the curse of *Shofetim* 9 is not delivered out of place, and the Samaritan claim to Gerizim is entirely unfounded.

4 *Shofetim* 9:7.

5 *Ibid.* 9:20.

6 *Ibid.* 9:57.

7 *Ibid.* 9:15. This and all Bible passages quoted in this essay are translated by the Jewish Publication Society, with my small emendations.

8 See, for instance, Yosef Tsamudi, "*ha-Mivneh ve-ha-Retorikah shel Mashal Yotam*" ("The Structure and the Rhetoric of the Parable of Yotam") (Hebrew), *Beit Mikra* 98 (5744), accessed via [www.daat.ac.il](http://www.daat.ac.il), the online academic database of Michlelet

Herzog; and Yisrael Rosenson, "*Avimelekh: Mashal Yotam*" in Yisrael Rosenson, *Shofet ha-Shofetim: Iyyunim Parshaniyyim be-Sefer Shofetim* ("The Judging of the Judges": Interpretive Analyses in the Book of Judges)(Hebrew) (Alon Shevut: *Tevunot*, 5763), accessed via [www.mikranet.org.il](http://www.mikranet.org.il).

9 *Shofetim* 7.

10 *Ibid.* 8:22-23.

11 *Ibid.* 8:35-9:6.

12 *Ibid.* 9:16-20.

13 Rashi to *Shofetim* 9:8-12. The Midrash ties each figure to his or her tree symbol with complex allusions.

14 *Shofetim* 8:22.

15 Radak to *Shofetim* 9:13.

16 Yehuda Elitzur, "*Halokh halekhu ha-etsim...*" ("The trees went forth...") (Hebrew), *Mahanayyim* 42 (5720), accessed via [www.daat.ac.il](http://www.daat.ac.il).

17 See *Shofetim* 9:57.

18 See Jerome T. Walsh, *Old Testament Narrative* (Louisville, KY: Westminster John Knox Press, 2009), 6-8. Keegan's distinction, as explained by Walsh, identifies three components of Biblical texts: 1) The world of the story is the "realm where individuals live (characters) and things happen (events) in particular circumstances (settings)." 2) "The world of the narrative is identical to the world of the story...except that the narrative's events are chronologically later than those of the story. What happens in the world of the narrative is that a narrator tells the story to a narratee." 3) The world of the text is "our primary world, in which the written text we hold in our hands exists, just as we ourselves do."

19 Eetta Prince-Gibson, "Can a 'Messiah' Save Israel Now?," *Moment Magazine* 37:2 (March/April 2012), 16.

20 *Ibid.*

21 This does not mean to say that no *shofet* left a legacy of enduring values, nor does it mean to imply that the lessons of such a complex period of Jewish history can be easily summarized into a one-sentence moral. In fact, this essay is not the proper place for a broad study of the book of *Shofetim*. My only intention in making such a claim is to propose a modern Israeli reaction to the tragedies of the book.



# Shiv'ah: Psychology in Disguise

BY: Penina Wein

Different religions address death in a variety of ways, often with an array of practices. Judaism, in particular, has a very detailed system that normally consists of three stages: *aninut*, *shiv'ah*, and *sheloshim*. (Additionally, following the death of a parent, an eleven-month mourning period is instituted subsequent to the *sheloshim*.) These phases allow a person to process death in a structured and constructive manner. Psychiatrist Dr. Irwin Kidorf hypothesizes that the reason "that the custom of observing the *shiv'ah* lasted from its beginnings until the present" is that "aside from purely religious factors, it appears that this ceremony satisfies the needs of people in mourning."<sup>1</sup> This article will consider the different halakhic stages of mourning, and will try to uncover the psychological underpinnings of each stage.

The first stage that a mourner undergoes is *aninut*: the time period immediately following the loss, but before the dead has been buried. Halakhah rules that an *onen* is exempt from observing the positive commandments even if he himself is not personally involved in burying the dead. Interestingly, the *Mehaber* explicitly says that even in a case where an *onen* wants to be stringent and do certain *mitsvot*, such as making *berakhot*, he is not permitted.<sup>2</sup> Seemingly, a person is supposed to be so *tarud* (caught up) with the *mitsvah* of mourning for his loved one that he is prohibited from doing other things that might distract him from mourning. R. Chaim Navon of Modi'in explains that this altering of the mourner's lifestyle mirrors the confused state in which the mourner finds himself after experiencing his loss. The prohibition against doing positive *mitsvot* that serves as a purposeful increase in the mourner's confusion signifies that not only is it normal to respond to a loss in a disoriented fashion, but that it is appropriate as well.<sup>3</sup>

While abstaining from doing positive commandments, the relative of the deceased also performs the act of *keri'ah*, ripping one's clothing.<sup>4</sup> This act reflects the emotional needs of the mourner during this time. Based on a study by British psychologist and grief expert Colin Parkes that showed that "anger was at its peak during the first month of mourning,"<sup>5</sup> Dr. Ruben Schindler, Senior Lecturer at Bar Ilan University's School of Social Work, explains that *keri'ah* "is not

mere ceremony. It allows the mourner to give expression to his deep anger by means of a controlled, religiously sanctioned, act of destruction."<sup>6</sup> Dr. Joel Wolowelsky, Dean of the Faculty at the Yeshivah of Flatbush High School, reiterates this by saying that "*keri-a* allows emotions that may border on frightening rage to be expressed as controlled, salutary anger."<sup>7</sup> This explanation demonstrates the way in which Halakhah addresses an inevitable emotion that people experience after learning of a death, allowing for the expression of the emotion, but in a constructive manner. I would like to propose that this action may also do something else for the bereaved: Perhaps *keri'ah* is an acknowledgment for the mourner to himself that he is

*The Torah does not forbid a person from acting human, but rather encourages him to express his emotions. It encourages him to "tear his clothes in frustrating anger and stop observance of mitzvot because his whole personality is enveloped by dark despair and finds itself in a trance of the senses and of the faculties. Let him cry and shout, for he must act like a human being."*

now in a new state. One could even say that the words that the mourner says immediately after hearing about death, "*Barukh Dayan ha-Emet*," accomplish the same thing - they provide the mourner with a means of verbally expressing that something momentous ordained by God has just occurred, without the actual acceptance that something tragic has happened as well.

The transition from the stage of *aninut* to *shiv'ah* is marked by the *levayah* (funeral) and the *kevarah* (burial). There is also a *mitsvah* to give *hespedim* (eulogies) about the dead person.<sup>8</sup> On the one hand, many of these laws are specifically meant to honor the dead. Three of the acts associated with this process - giving eulogies, watching the funeral, and guarding the body - are ways to pay tribute to the dead. However, I think that these actions also contribute to helping the mourner deal with what he is facing, and to begin the process of recognizing what he has lost. As in the stage of *aninut*, here, too, the mourner customarily performs a combination of *dibbur* (speech) and *ma'aseh* (action). The eulogies not only shower praise upon the dead, but also serve as a way for the mourner to acknowledge aloud what

has just occurred. After encountering death, many people remain in denial until they acknowledge the loss out loud. By eulogizing, the mourner is forced to acknowledge the fact that someone close to him has just been lost.

The physical customs, such as accompanying and burying the dead, also play a large role in the stage of mourning between *aninut* and *shiv'ah*. A mourner may often wish that he had done more to help the dead in his lifetime. This process of burying the dead, therefore, allows the mourner to perform a *hesed shel emet* as he performs one last sincere action to help his loved one, thereby alleviating some of the guilt that the mourner feels toward the dead. It is also possible that the action of burying the dead is one of realization as well. *Sefer ha-Hinnukh* notes that one's mind is influenced by one's actions,<sup>9</sup> and the physical action of burying and eulogizing the dead may be that which causes the mourner to begin to comprehend that someone close

threw his way. By realizing this fact through speech, the mourner also begins to slowly regain the strength to push on with his own life, and, inspired by the *met*, starts to realize more of the opportunities that life presents.

Another aspect of the *shiv'ah* period concerns the relationship that a mourner has with his community. Dr. Wolowelsky explains, based on the thought of R. Soloveitchik, that the relationship is two-fold and reflects the psychological needs of a mourner. In some regards, the mourner is not to be left alone. While at this time one might experience "a sense of intense loneliness and abandonment... *Halakha* insists that they continue to see themselves as part of a community."<sup>12</sup> This is seen in many different aspects of the *shiv'ah* house, such as the obligation for the community to pay its respects to the mourner, and for a *minyán* to be present in order that the mourner can say *kaddish*.<sup>13</sup> Dr. Kidorf explains the communal aspect of *shiv'ah* to be a form of psychotherapy for the mourner: "The presence of visitors,

the overt signs of mourning, and in fact the entire atmosphere encourage catharsis of feeling on the part of the participants. It... [brings] about the amelioration of the surface level aspects of the problem which is quite often... one of the early goals of most types of psychotherapy."<sup>14</sup> However, despite this, Dr. Wolowelsky writes:

*Halakha* insists that the loneliness experienced by the abandoned mourner be acknowledged and expressed. Mourners must also maintain a private mourning known only to them and those who know them most intimately. They are constrained from bathing, having marital relations, studying Torah - prohibitions whose observance is hidden from public view.<sup>15</sup>

The mourner is also not allowed to greet people, "and as long as they refrain from acknowledging the community's presence, [they] in a sense, remain isolated."<sup>16</sup> Thus, while *shiv'ah* does serve as a beginning to the mourner's reintegration into society, certain aspects of the *halakhot* of *shiv'ah* serve as yet another reminder to the mourner of the loss that he has just experienced.

At the completion of the seven days, the *shiv'ah* process culminates with a walk around the block. As the mourner does not typically leave his house during



*shiv'ah*, it is interesting that this action is inserted at this point. Perhaps this is a sign to the mourner that although he has been sitting and thinking about death all week, it is now time to take a step back into the other aspects of life and to begin to rebuild his life after his tragedy.

The *sheloshim* period begins next -- thirty days during which one is restricted from doing laundry, getting a haircut or shaving, and attending happy events.<sup>17</sup> This period eases the mourner's transition back into the regular world; if a person were to re-enter society immediately after a loss, he might get involved with something else and lose sight of what just occurred. Thus, the restrictions of *sheloshim* remind the bereaved of what happened while still lessening the degree of mourning, thereby helping him to

readjust back into his normal life in a healthier fashion.

The system of mourning set up by the rabbis seems to have been created with consideration for the many psychological elements that constitute the mourner's reaction as he deals with this tragedy in his life. R. Soloveitchik claims that "Judaism maintains and insists, [that man] is capable of determining the kind of emotional life he wants to live," and that "the precept of *avelut*... rests completely upon this Jewish doctrine of human freedom from emotional coercion."<sup>18</sup> The Torah does not forbid a person from acting human, but rather encourages him to express his emotions. It encourages him to "tear his clothes in frustrating anger and stop observing *mitzvot* because his whole personality is enveloped by dark despair and finds itself in a trance of the

senses and of the faculties. Let him cry and shout, for he must act like a human being."<sup>19</sup> According to the Rav, Halakhah

*d i v i d e d* mourning into stages in order to allow the person not "only to sub[mit] himself to the emotional onslaught, but gradually and slowly to redeem himself from its impact."<sup>20</sup> This approach portrays the message that the system set up for mourning was created not as a way to mandate the way people should feel about death, but rather to provide them with a framework to act out and then to slowly return to society.

R. Chaim Navon expresses this idea explicitly when he says:

Mourning has enormous psychological value. On the one hand, the mourning laws compel the mourner to give

expression to his suffering and even provide him with the framework within which to do so. On the other hand, Halakha returns him in stages to the world of the living. The psychological profundity of the laws of mourning explains why many secular Jews meticulously observe them and express great interest in fully understanding them (as reported to me by the head of a *Chevra Kadisha* in Tel Aviv).<sup>21</sup>

R. Navon points out that *Shulhan Arukh* says that one who does not know that his relative has died is allowed to be invited to a celebratory meal, even if the host knows.<sup>22</sup> This shows, he explains, that before one receives the news that he is a mourner, "he is not yet considered a mourner."<sup>23</sup> According to R. Navon, this seems to imply that the mourning period is not a magical or mystical time, but rather is a result of the psychological state that a person is thrust into once he hears the news. This state is clearly addressed by Halakhah in a way that not only shows respect for the dead, but also helps the mourner cope with his loss in a way that allows for natural emotions and psychological difficulty. The Jewish process of mourning is truly psychology in disguise, a process that gives help to people in need.

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1 Irwin W. Kidorf, "The Shiva: A Form of Group Psychotherapy," *Journal of Religion and Health* 5,1 (January 1966): 43-46, at p. 44.

2 *Shulhan Arukh, Yoreh De'ah* 341-342, 361.

3 R. Chaim Navon, "Philosophy of Halakha- Lecture #24: Mourning," *The Israel Koschitzky Virtual Beit Midrash*, available at: [www.vbm-torah.org](http://www.vbm-torah.org). (Originally written in Hebrew, transl. by R. David Strauss.

4 *Shulhan Arukh, Yoreh De'ah* 340.

5 Colin Murray Parkes, *Bereavement* (New York: International Universities Press, 1972), 80.

6 Schindler, Ruben. "The Halachic Framework of Mourning and Bereavement and its Implications for the Helping Professions," *Journal of Jewish Communal Service* 51,4 (1975): 325-331, at p. 326.

7 Joel Wolowelsky, "Communal and Individual Mourning Dynamics Within Traditional Jewish Law," *Death Studies* 20,5 (Sep-Oct 1996): 469-480, at p. 471.

8 *Shulhan Arukh, Yoreh De'ah* 343-344, 361.

9 *Sefer ha-Hinnukh, Mitsvah* 16.

10 *Shulhan Arukh, Yoreh De'ah* 380.

11 See "Life, Death and Mourning," *Jewish Virtual Library*, available at: [www.jewishvirtuallibrary.org](http://www.jewishvirtuallibrary.org).

12 Wolowelsky, 472.

13 *Ibid.*, 474-475.

14 Kidorf, 474.

15 Wolowelsky, 474.

16 *Ibid.*, 474.

17 *Shulhan Arukh, Yoreh De'ah* 389:1, 390:1, 392:2.

18 R. Joseph B. Soloveitchik, "Avelut Yeshanah and Avelut Hadashah: Historical and Individual Mourning," *The Israel Koschitzky Virtual Beit Midrash*, available at: [www.vbm-torah.org](http://www.vbm-torah.org).

19 *Ibid.*

20 *Ibid.*

21 Navon.

22 *Shulhan Arukh, Yoreh De'ah* 402:12.

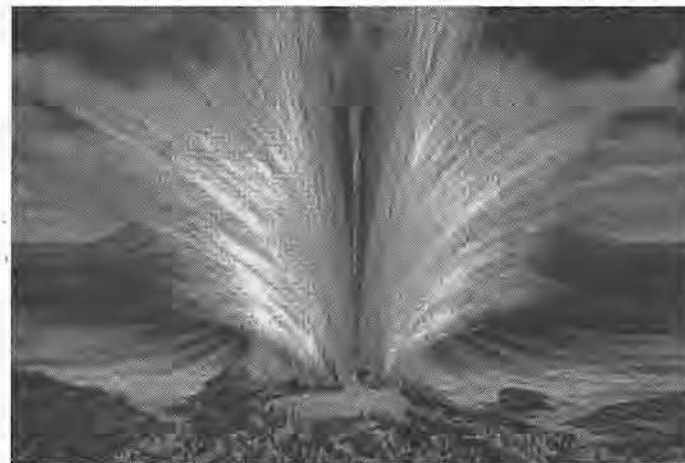
23 Navon.



6. *Kitva 1740/41 II. Entzif Bravina Pograkowepo (sabra 46- 42-47).*

A 18th century book of the *Chevra Kadisha* (Jewish Burial Society) in Lodz.

## Write for Kol Hamevaser's Fall Issue: Miracles and Divine Intervention



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## Tortured Masters: Heresy, Hegemony, and the Historiography of Hasidut

BY: Gavriel Brown

Reviewed Book: David Assaf, *Untold Tales of the Hasidim: Crisis and Discontent in the History of Hasidism* (Hanover, NH: University of New England, 2010).

"All my life is one long chain of suppressed desires, concealed ideas, shattered cravings and wishes," wrote a young Rabbi Yitzchak Nahum Twersky of Shipikov in 1910. "I constantly have free thoughts, but I am obliged to observe my ancestors' most minute stringencies of observance,"<sup>1</sup> he confessed in beautiful Hebrew penmanship in a letter to the Warsaw writer Yaakov Dineson, discovered almost a century after it was written. He spoke of his soul yearning for poetry, for beauty, for love, and for freedom.

Son of the revered leader of the Belz dynasty, R. Yitzchak Nahum Twersky chose not the life of an *admor* (Hasidic leader) but of a communal rabbi, all the while suppressing his deep yearnings for the secular world. But he could never fully suppress his urge for non-spiritual works, and he spent the early hours of

his mornings studying maskilic books and philosophy, the works of Sigmund Freud and Kurt Lewin.<sup>2</sup> His story, like that of many other tortured masters of Hasidut, is told, shaped, and reimagined by David Assaf.

*Untold Tales of the Hasidim* is a scholarly work, yet its subject is dark and scandalous. David Assaf, a scholar of Hasidut at Tel Aviv University, published his original work in Hebrew under the title *Ne'ehuz ba-Sevakh* (*Caught in the Thicket*). Its publication sent

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*as an academic can.*

shudders

through Israeli

society. Secular

Israelis enjoyed what they

saw as "scandalous scoops"

Assaf revealed about overzealous

Hasidic sects.<sup>3</sup> At the same time, Hasidic pseudo-historians became incensed at Assaf's perceived irreverence. Reading the dense book, however, renders a less bifurcated reaction. Assaf is a first-rate social historian whose primary goal was not to create scandal, as Hasidim think, nor was it to stain the cloak of Hasidic glory. Rather, he attempted to tell their stories in as sympathetic a way as an academic can.

Assaf aims to transform "juicy anecdotes" into events of "profound historiographical significance" through careful detective work.<sup>4</sup> Assaf collects evidence from a variety of sources. For instance, Assaf collects reports of early anti-Bratslav persecutions by other Hasidic sects from the biased reports of the Bratslav Hasidim themselves.<sup>5</sup>

Remnant literature from the Hasidic-Maskilic "memory wars," which were fought through polemic tracts and satiric plays, is a treasure trove of information. Additionally, "Orthodox historiographers," Hasidic recorders of collective memory, are also considered.<sup>6</sup> Assaf digs deep into archival documents, maskilic "memory traditions," non-Jewish sources (mostly from apostates), Hasidic "memory traditions," and "sparse historiographical treatments in both the critical academic tradition and the Hasidic, Orthodox one." Of course, these sources are ideologically tinted.

Assaf therefore contextualizes the evidence before weaving these primary and secondary documents into well-defined theories of events.

A salient example of Assaf's reinterpretation of "juicy anecdotes" into important biographic information comes in chapter three: "One Event, Multiple Interpretations: the Fall of the Seer of Lublin." Assaf reconsiders the accepted narrative of the demise of R. Yitshak Horowitz, the Seer of Lublin, long believed to have fallen from a window in an effort to hasten the coming of the Messiah. The Maskilim present a different story; it was "unrestrained drinking" that caused the Seer's self-defenestration, and intoxication that let the embarrassing episode slip out.<sup>7</sup>

Much of the evidence for the alternative reading of the story comes from obscure Maskilic works. This is potentially troubling, as many of these works, such as Isaac Erter's *Gilgul Nefesh* (*Transmigration of the Soul*), Solomon Schechter's *Sihot Hanei Tsantera de-Dahava* (*Conversations of Two Fine Fellows*) and Alexander Zederbaum's *Ketter Kehunah* (*Crown of Priesthood*) were heavily satirical or outright hostile to

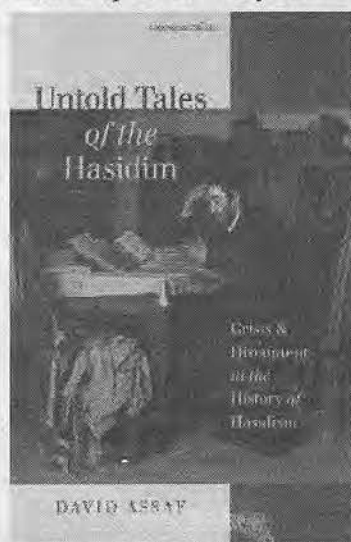
Hasidim.<sup>8</sup>

However, Assaf quotes some Maskilim, such as Shimon Dubnow, a historiographer of Hasidism, who avoided the binary between the narratives adopted by the Hasidic movement and those espoused by the Mitnaggedim.<sup>9</sup> Assaf complicates the story even further, quoting a "kosher" Hasidic source which indicates that depression and suicidal thoughts drove the Seer to commit suicide.<sup>10</sup>

At its core, *Untold Tales of the Hasidim* is a work about the voices and stories that are ignored, belittled, and suppressed within collective memory. It is about the psychologically and religiously tormented R. Yitzchak Nahum Twersky of Shipikov and the son of R. Shneur Zalman of Lyady who converted to Christianity. It recounts the too-often forgotten, heartrending persecution of Bratslav Hasidim by other Hasidic sects through beatings, murder threats, slander, damage to books and property, and even torture.

In another untold tale, introduced in chapter six, "How Times Have Changed: The World of R. Menahem Nahum Friedman of Itscan," Assaf records the legacy of R. Friedman, the descendent of famous Hasidic rabbis and prolific writer of works combining philosophy, Halakhah, economics, Zionism, and scientific inquiry. In fact, R. Friedman was regarded as a religious humanist, attempting to harmonize Torah and general knowledge. While R. Friedman enjoyed some support from his contemporary Hasidic masters, later Hasidic writers skewed his legacy through apologetics. They argued that R. Friedman battled the "reformers," thus had to use "their language."<sup>11</sup> A recent article in *Yated Ne'eman*, a Haredi newspaper, instructed its readers to carefully censor R. Friedman's *Divrei Menahem* (*Words of Menahem*) for its "idolatrous foundations."<sup>12</sup>

*Untold Tales* is also about the dangers of sugarcoating history and whitewashing difference, dispute, and discrimination. For instance, concealment and self-censorship has kept the tragic history of





the persecution of Bratslav Hasidim out of the consciousness of today's Bratslavers. While this crucible of profound psychological hatred shaped the Bratslav movement, few Hasidim know of this important episode.<sup>13</sup> The tale of R. Shneur Zalman of Lyady, the founder of Habad Hasidut, and whose son Moshe converted to Christianity, was long suppressed within the Hasidic community. However, when overwhelming evidence of Moshe Schneerson's un-coerced conversion arose, Habad denied (and continues to deny) this history; instead, it propagates an unverifiable hypothesis arguing for Schneerson's insanity or coercion.<sup>14</sup>

Perhaps one of the strengths of this



Grave of Rabbi Yaakov Yitzchak Horowitz, the Seer of Lublin

book lies in the first chapter, where Assaf discusses contemporary history making. In "Lies My Teacher Told Me: Hasidic History as a Battlefield," Assaf, like R. Dr. Yoel Finkelman, author of the recently published *Strictly Kosher Reading: Popular Literature and Condition of Contemporary Orthodoxy*, examines contemporary collective memory wars. He recounts an episode where the Haredi community excommunicated R. Dov Eliach because of his three volume *HaGaon*, a benign biographic work published for a Haredi market. Eliach's final volume "crossed the line" when he spoke of the Vilna Gaon's anti-Hasidic campaign.<sup>15</sup> Similarly, the Ultra-Religious Haredi descents of Elimelekh Ashkenazi of Horodenka whitewashed his religious nationalist Zionism, which evidently stained their family memory.<sup>16</sup>

Narratives are formed by linking facts with folklore, ideology with identity, agenda with admiration. Assaf, though primarily interested in Hasidic memory traditions, nevertheless illuminates

the complications of adopting a single narrative, whether Maskilic, Mitnaggedic, Zionistic, or Hasidic. Single narratives leave voices out. These voices, as Assaf points out, will eventually leak out and "any attempt to clap a lid on the boiling kettle is doomed to failure."<sup>17</sup>

Assaf's *Tales* should leave us feeling anxious. It raises the question: what stories are being suppressed in our Modern Orthodox memory? Were the greatest scholars in Modern Orthodoxy ever crippled with doubts, only to have them repressed for the "greater good"? Are there self-watchmen suppressing our embarrassing truths?

*Tales* is no ordinary scholarly work. It might be profoundly disconcerting, but Assaf's scholarly reconstruction of these hagiographic portraits leaves the reader

with a sense of sympathy and awe for these tormented personalities.

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1 David Assaf, *Untold Tales of the Hasidim: Crisis and Discontent in the History of Hasidism* (Hanover, NH: University of New England, 2010), 218.

2 Ibid. 212.

3 Yair Sheleg, "Shame and Scandal in the Family," *Haaretz.com* (13 June 2006), available at: [www.haaretz.com](http://www.haaretz.com).

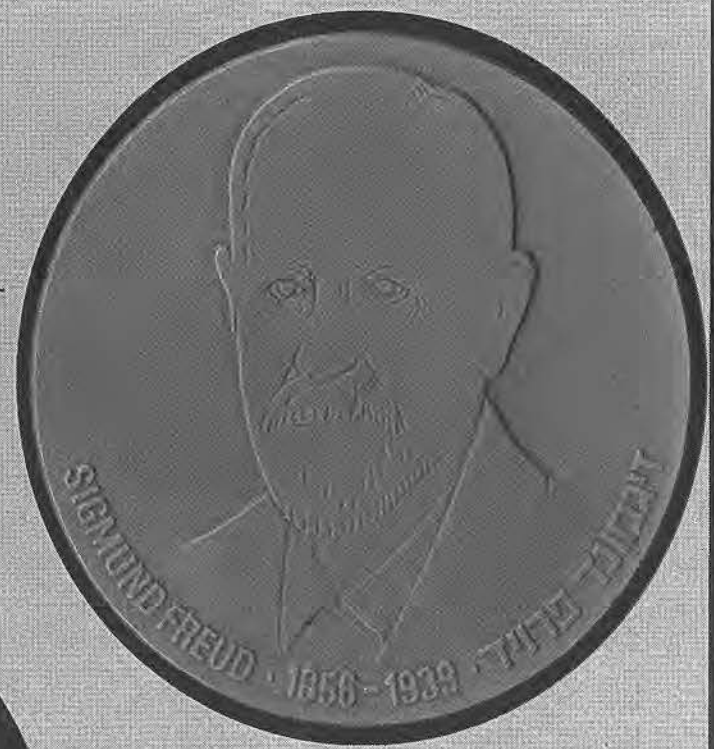
4 Assaf, 34.

5 Ibid. 145.

6 Ibid. 7.

7 Ibid. 102.

*Above and Below:* Sigmund Freud Medal commemorating the 50th anniversary of the Israel Psychoanalytic Society, designed by Gideon Keich, engraved by Moshe Nov, Kretschmer mint, bronze, Israel, 1983, Collection of Yeshiva University Museum, Gift of Charles Feingersh.



*Next Page:* David playing for King Saul, Wilhelm Wachtel (1875-1942), oil on canvas, Collection of Yeshiva University Museum, The Deborah and Abraham Karp Collection

8 Ibid. 113-116.

9 Ibid. 117-120.

10 Ibid. 119.

11 Ibid. 201-204.

12 Ibid. 205.

13 Ibid. 146-153, esp. 147.

14 Ibid. 96.

15 Ibid. 12.

16 Ibid. 19.

17 Ibid. xii.



