



Satmar and Zionism (2)

Show# 134 | September 9th 2017

תלמוד בבלי מסכת ברכות דף י עמוד ב

תנו רבנן: ששה דברים עשה חזקיהו המלך, על שלשה הודו לו ועל שלשה לא הודו לו. על שלשה הודו לו: גזן ספר רפואות - והודו לו, כתת נחש הנחשת - והודו לו, גירר עצמות אביו על מטה של חבלים - והודו לו.

אבות דרבי נתן פרק ב

יחזקיהו מלך יהודה עשה ארבעה דברים והסכימה דעתו לדעת המקום. גזן ספר רפואות והסכימה דעתו לדעת המקום.

שו"ת אגרות משה אורח חיים חלק א סימן קט

עוד בענין הנ"ל ה' אדר תשי"ב. מע"כ ידידי הנכבד הרב הגאון מו"ה ר' מנשה קליין שליט"א שלום וברכה.

הנה מה שמתנצל כתר"ה במה שחלוק עלי בדבר הלכה הוא למותר **כי כן דרך התורה שצריך לברר האמת וח"ו מלשתוק מי שסובר שאינו כן בין לקולא בין לחומרא**. ומצד לא תענה על רב עיין בני" סנהדרין דף ל"ו בשם המפרשים לאו למימרא דאסור לענות על רב דאדרבה אסור לו לשתוק אלא הכי אמר קרא שראוי לעשות בענין שלא יצטרכו לענות על רב כלומר שידברו הם תחלה ולא מפני כבודו אלא שיש לחוש שמא לא ירצה התלמיד אח"כ לחלוק על הרב עיין שם, וכן משמע מפרש"י במתני' /סנהדרין/ דף ל"ב שכתב שמא יחייבנו הגדול ולא ירצו לחלוק על דבריו משמע שודאי רשאים לחלוק וגם מחוייבין כדסובר הנ"י אך שחוששין שמא לא ירצו. ולתוס' /סנהדרין/ דף ל"ו שסברי שאסור לחלוק עיין במהרש"א ומהר"מ הא סברי בלשון אחד שלא נאמר האיסור אלא בדיני נפשות ואף לפי' הראשון יכולין דרך שאלה. והרמב"ם אף שבפירוש המשנה כתב אסור לנשארים לחלוק עליו מ"מ בהלכותיו בפי"א מסנהדרין ה"ו לא כתב בלשון שאסור משמע שסובר בחבורו כפי' הנ"י. ולבד זה אין דין זה אלא בעמידה למנין ולא באמר הגדול הדין דרך למוד או אף דרך תשובה למעשה ולא היה בצרוף למנין וכדאשכחן כמה פעמים שהקשו התלמידים לרבם על פסק דינם והוראתם ואף שאפשר הוא מטעם התוס' משום שהוא דרך שאלה או משום שאינו בד"נ הי"ל לתוס' להביא ראיה מכאן אלא פשוט שהוא מטעם דלא נצטרפו למנין. וגם מסתבר שאין בזה"ז דין גדול ומופלא לגבי דין זה שלא לחלוק עליו. ואף שהרמ"א בחו"מ סי' י"ח כתב דטוב להתחיל מן הקטן הוא משום דלכתחלה יש עכ"פ להחמיר. ואף שזה שהוא רק לכתחלה הוא משום דאיירי בד"מ כדאיתא בסמ"ע מ"מ כיון שהוא רק דין דלכתחלה סובר דיש להחמיר גם בזה"ז שליכא דין גדול ומופלא.

לכן אף אם יחשוב אותי כתר"ה לגדול רשאי לחלוק וממילא מחוייב לומר דעתו ואין מן הצורך להתנצל. אבל עכ"פ בעצם השאלה האמת כדכתבתי לאיסור.

רמב"ם הלכות דעות פרק ו הלכה א

דרך ברייתו של אדם להיות נמשך בדעותיו ובמעשיו אחר ריעיו וחביריו ונוהג כמנהג אנשי מדינתו, לפיכך צריך אדם להתחבר לצדיקים ולישב אצל החכמים תמיד כדי שילמוד ממעשיהם, ויתרחק מן הרשעים ההולכים בחשך כדי שלא ילמוד ממעשיהם, הוא ששלמה אומר הולך את חכמים יחכם ורועה כסילים ירוע, ואומר אשרי האיש וגו', וכן אם היה במדינה שמנהגותיה רעים ואין אנשיה הולכים בדרך ישרה ילך למקום שאנשיה צדיקים ונוהגים בדרך טובים, ואם היו כל המדינות שהוא יודעם ושומע שמועתן נוהגים בדרך לא טובה כמו זמנינו, או שאינו יכול ללכת למדינה שמנהגותיה טובים מפני הגייסות או מפני החולי ישב לבדו יחידי כענין שנאמר ישב בדד וידום, ואם היו רעים וחטאים שאין מניחים אותו לישב במדינה אלא אם כן נתערב עמהן ונוהג במנהגם הרע יצא למערות ולחוחים ולמדברות, ואל ינהיג עצמו בדרך חטאים כענין שנאמר מי יתנני במדבר מלון אורחים.

Telegram by Rabbi Yosef Tzvi Dushinsky

DOCUMENT NO. A-AC 14-44

Communications received by Ad Hoc Palestine Committee,

November 18, 1947

To the Secretary General of the United Nations Lake Success:

The Jewish Orthodox community (Eida Hacharedis) of Jerusalem comprising 60,000 souls, objects to the plea of including Jerusalem in the Jewish state and/or its residents becoming automatically citizens of the Jewish state.

Our community demands that Jerusalem be an international zone, under your protection, with full autonomy, and its residents be free citizens of the international zone of Jerusalem.

We beg of you, not to take any action before receiving our memorandum which is being sent by airmail.

Chief Rabbi J. Z. Dushinsky

In the Name of the Ashkenazic Community

על הגאולה ועל התמורה הקדמה עמוד י

משיח לדקינו. אבל כל דברי אף לפני אותן שאינם נתפסים מזרם העולם ובה כס"מ וחיילותיו אבל חפלים לדעת האמת לאמיתו אליהם העוף מלתי אולי יועיל עכ"פ לקלחם, ולהליל אף נפש אחת מישראל מזרם המינות והכפירה חשוז מאוד צעיני השי"ת. ובכ"ג אמרו חז"ל אוי לי אם אומר אוי לי אם לא אומר והדר פשעו אומר מהאי קרא כי ישרים דרכי ה' לדיקים ילכו צם ופושעים יכשלו צם. (וצפנים הקונטרס ידובר מזה באריכות). והרמב"ם ז"ל צם המורה באמצע הפתיחה כתב חז"ל סוף דבר אני האיש אשר כשיליקבו הענין ויאר לו בדרך ולא ימלא תחבולה ללמד האמת שצח עליו מופת אלא כשיאות לאחד מעולה ולא יאות לעשרת חלפים סכלים אני בוחר לאמרו לעלמי ולא ארגיש בגנות העם הרב הבה וארצה להליל המעולה האחד הבה ממה שנשקע צו ואורה מצוכתו עד שישלם וירפא עכ"ל הקדוש. ומשם נלמד לענינה דידן. לצי עלי דוי וכשל כח הסבל לראות מה הגיע אלינו צמצב העורא של הדור האחרון עיקבא דמשיחא אשר מזה פחדו חז"ל ובי מהם שאמרו ייתי ולא אחמיני. השי"ת ירחם עלינו ויתן לנו כח ואומץ לסבול ולעמוד על המשמר עד אשר ישמחנו כימות עניחנו צביאת משיח לדקינו צצ"א.

והנה בדרך כלל המאמין באמת צבשי"ת וצחוק"ק לא יסתפק כי כל קיום אותה המלוכה העמאה הוא נגד הצחוק"ק צאופן נורא אשר קן לא הי עוד מעולם, כי מלצד חומר האיכור הגורא של השצופות שלא ליקח מלוכה קודם ציאת המשיח שהוא ציכרג ואל יעבור כאשר נחצאר היעצ צספרי הקטן ויואל משה, חוץ לזכ' מלכות המינות אשר כל דתי המה צע"ז וג"ע ומינות וכפירה ועקירת הדת, צודחי שלא יוכל להאמין צה אלא הכופר בכל התורה כולה. ואין ספק שאין היחר צשו"א עבור קיום כל אותה המלוכה העמאה לאצד אף נפש אחת מישראל. וכל הצרות והמלחמות האיומות שעצרו על ישראל שמה הי רק צשציל קיומם של אותה המלוכה זאלו היו מוותרים עלי צודחי לא הי שם מלחמות ולרות זכיו עושים שם האומות המאוחדות סדר שלא יכרג אף אחד מישראל. ח"כ המה הגורמים את המלחמות והצרות, לא את ההללה. ובמה שנוגע להללה מזה אדבר להלן. אמנם אף לשיעתם העמאה שרולים צקיומה אין שום סכרא שילכו צעזות וחליפות כ"כ להצרות צאומות שזה מציא רעות רבות לרות והריגות ר"ל. זכבר למדונו יעקב אציו ע"ה כמ"ש הרמב"ן צריש פי' וישלח צמה שכתקין עלמו יעקב נגד עשיו לדורון ולתפלה ולמלחמה חז"ל ויש צזה עוד רמו לדורות כי כל אשר אירע לאציו עם עשיו יארע

ה ק ד מ ה

לכם חמיד עם בני עשיו ורצוי לנו לאחוז בדרכו של לדיק שנזמין ענמינו לשלשת הדברים שהזמין הוא ענמו לתפלה ולדורון ולהללה בדרך מלחמה לצרות ולהגלל עכ"ל. הגה תראה צמ"ש שאף צעת ההכרה שיהי בדרך מלחמה סיים לצרות ולהגלל דכל טנדקי דאפשר לעשות שלא ללחום אף ע"י צריחה מחויב לעשות, זולת צשא"ח צענין אחר. זיעקב חצינו צודאי הי צכחו להפיל את עשיו ואנשיו, והרצה יותר מזה עשה נסים ונפלאות אטפיי"כ הרצה צהשתחוויות ודורונות להפוך לצבו שלא לצוא לידי מלחמה להורות לנו הדרך נלך צו והם עושים צהיפך ומתגרים צחומות צחופן נורא ומפקירים דמם של ישראל. והלא ערצו מלחמה עם הלא הנורא שצגרמני ונשמע קולו אז צרדיו שאמר היבודים ערכו נגדו מלחמה ע"כ אטנה לבס וכן עשה צעוה"ר שחוקף אח"כ התחילו ההריגות הנוראות. א"ח להצין האיך אפשר אכזריות נראה כ"כ ציודעם שחלק גדול מכלל ישראל תחת ידו והם לא יוכלו לעשות צזה מאומה, האיך אפשר להתאכזר כ"כ להפקיר דמם של ישראל. וכן עשו הרצה מעשים נוראים כאלו שגרמו אצדון של ישראל צעו"ה, וקלחם מהם מוצא צם' מן המילר שכתב יודי הרצ הגה"ח המנוח מוה"ר מיכאל דוב ע"ה. גם המן הרשע טרם שקנא צו מרדכי לא עשה מאומה אלא שקנחת מרדכי הי מן השמים כנודע, אצל הכחות הרשעים החלה שמחמת עזותם וחולפתם מתגרים צחומות הרשעים, כן המה הגרועים שצגרועים הגורמים לרות מצבילות על ישראל. ונהירנא עוד צתחלת הזמן כאשר נהייתה אותה אצי אצות בעומאח של הציונות אמרו אז כל גדולי הדור שאם ח"ו יעלה צידם איזה מלוכה אין לשער גודל הצרות הנוראות שינמח צזה, ויש ע"ז גם הרצה מכתבים מגדולי הדור שהיו אז צזמן ההוא. וכן הי צעו"ה, ועד מתו יהי זה לנו למקש. הי ירחם צמהרה.

גם צכיבוש סיני התגרו על לא דצר וגרמו צזה לרות רצות שעד אז לא הי חסר מאומה לישראל צחותן המדינות, ומלחמת כיבוש סיני גרם המלחמה שנעשה עכשיו כי הי סיבת הענין עצור זכות מעצר המים שכבשו צכיבוש סיני ולא ראו לוותר ע"ז, וע"ז לעקו הערצים הרצים מרה והתפורר שנחתם וקנחתם, והס"מ מסמא גם צזה עיני העולם שיש הרצה חושצים שמלחמה זו היתה מוכרחת בעצור שאמרו ח"ו להשמיד להרוג ולחבד, וזה שקר וכזב וכחו של הס"מ שמיסוי לצן של בני אדם שלא לראות השתלשלות הענין כדצעי, שהלא עיקר הנידון הי שהי נדונין על המים אותו הזכות של מעצרות המים, ושזב אחר התגצרות הוויכוחים צאו לדצר קשות כאלה, אצל כל הצומות אמרו פה אחד שלא למחר לעשות מלחמה כי יש תהוב

לחורך עוד השלום. ואלו היו מותרים אף צרגע האחרונה על זכות המים היו מקימים הסערה לדממה. וכי יעלה על הדעת שצשציל אותן המים ישפך דמם של ישראל כמים. ואף לפי סברתם הטמאה שאמרו צזה שאין להאריך דדצרי הצליהם כי עכ"פ זה ודאי שעל סברא אין לשפוך דמם של ישראל. ועכ"פ הי' להם לנסות לוותר על ככה להנלל מן המלחמה. ואף אלו הי' חיזה ספק דדצר ההכרח לעשות כל טנדקי שלא לאצד נפשות צידים, צפרע צמקום חשש סכנה ח"ו. והחמת חגיד כי חייני מסחפק דדצר ויש ראיות צרורות צלי ספק שאילו היו מותרים על אותו זכות המים לא הי' צח לידי מלחמה, אלא שאין רצוני להאריך צזה כי לפלפל צפאלטיק אין קץ ואין נפקא מיינה כ"כ כי זה ודאי בכל מודים כי התחלת בענין הי' תלוי רק צזכות המים שכצשו צכיצוש סיני ואותן המים הדליקו את האש המרחה של המלחמה. וכמה מי מריצה אשר רצו צה אלה ברשעים שמשני הצדדים אלה צנלחנימו ואלה צרלחנימו, הלא השזה שצבן אלה ואלה צנלחנימו וצרלחנימו. וצלאח"כ הלא אין שום ספק צעולם שיהי' ח"ו חיזה היחר לאצד אף נפש אחת מישראל עצור קיום כל אותה המלוכה הטמאה.

ומבואר צגמי פסחים דף קי"ח צזר עמים קרצות יחפלו, מי גרם להם לישראל שיתפצרו צין האומות, קרצות שהיו חפלים צהם. וכתב שם המהרש"א ז"ל כפירש"י צם' תכלים מלשון קרצות ומלחמות דהיינו צמקדש ראשון אלו השלימו עם נצוכדנלר לא גלו כלל, זיותר צמקדש שני אלו שמשו פריני ישראל לריצ"ז ולחכמים שצדור והשלימו עם עיטום לא גלו כמפורש צפי הנזקין, אצל קרצות ומלחמות יחפלו ולא צשלום, עכ"ל. אצל הרצה והרצה יותר מהם עושין המחולפים והאפיקורסים המופקרים שצמנינו ר"ל. אי"כ הן המה הגורמים להאש הגורח שהציח כ"כ פחד וצבלה ואיצוד הרצה נפשות מישראל והקולר תלוי צלווארם.

ותמה אני הפלא ופלא היעלה על הדעת שעל סמך סברת אפיקורסים גמורים העוקרים דעת חובה"ק ורגילים להפקיר דמם של ישראל ויהי חיזה היחר ליכנס צמלחמה לאצד אלפים נפשות מישראל. הלא גם כשהי' לנו מלכות קדושה שהיו מקושרים צכל תנועותיהם אף צדעת חורה הקי' כשרנו ליכנס למלחמה שקלי וטרי צאימה ופחד אס הוא צחמת דעת חורה כן והשליכו נפשם מנגד לצקש רחמים וחחוניים מהקצ"ה ולזה הי' בכל מסיעורא דקדושה ויהי הי' צעוזרם. אצל אפיקורסים גמורים שכל מזימתם לעשות הכל נגד החובה"ק גם צידים ועל סברתם הטמאה ויהי

בראשית רבה פרשת בראשית פרשה ב

וחשך זו יוון שהחשיכה עיני ישראל בגזרותיה שהיתה אומרת לישראל כתבו בקרן שור שאין להם חלק באלהי ישראל, על פני תהום זו מלכות הרשעה הזו, מה תהום הזה אין לו חקר כך מלכות הרשעה אין לה חקר.

תלמוד בבלי מסכת מעילה דף יז עמוד א

אמר להם: תלמוד ערוך בפיו של רבי אלעזר בר רבי יוסי. שפעם אחת גזרה המלכות גזרה שלא ישמרו את השבת, ושלא ימולו את בניהם, ושיבעלו את נדות. הלך רבי ראובן בן איסטרובלי וסיפר קומי, והלך וישב עמהם, אמר להם: מי שיש לו אויב יעני או יעשיר? אמרו לו: יעני, אמר להם: אם כן, לא יעשו מלאכה בשבת - כדי שיענו, אמרו: טבית אמר, ליבטל, ובטלוח. חזר ואמר להם: מי שיש לו אויב יכחיש או יבריא? אמרו לו: יכחיש, אמר להם: אם כן, ימולו בניהם לשמונה ימים - ויכחישו, אמרו: טבית אמר, ובטלוח. חזר ואמר להם: מי שיש לו אויב ירבה או יתמעט? אמרו לו: יתמעט, אם כן - לא יבעלו נדות, אמרו: טבית אמר, ובטלוח.

תלמוד בבלי מסכת עבודה זרה דף יח עמוד א

לא היו ימים מועטים עד שנפטר רבי יוסי בן קיסמא, והלכו כל גדולי רומי לקברו והספידוהו הספד גדול, ובחזרתו מצאווה לרבי חנינא בן תרדיון שהיה יושב ועוסק בתורה ומקהיל קהלות ברבים וס"ת מונח לו בחיקו. הביאווה וכרכוהו בס"ת, והקיפוהו בחבילי זמורות והציתו בהן את האור, והביאו ספוגין של צמר ושראום במים והניחום על לבו, כדי שלא תצא נשמתו מהרה. אמרה לו בתו: אבא, אראך בכך? אמר לה: אילמלי אני נשרפתי לבדי היה הדבר קשה לי, עכשיו שאני נשרף וס"ת עמי, מי שמבקש עלבונה של ס"ת הוא יבקש עלבוני. אמרו לו תלמידיו: רבי, מה אתה רואה? אמר להן: גליון נשרפין ואותיות פורחות. אף אתה פתח פיך ותכנס [בך] האש! אמר להן: מוטב שיטלנה מי שנתנה ואל יחבל הוא בעצמו. אמר לו קלצטונירי: רבי, אם אני מרבה בשלהבת ונטל ספוגין של צמר מעל לברך, אתה מביאני לחיי העולם הבא? אמר לו: הן. השבע לי! נשבע לו. מיד הרבה בשלהבת ונטל ספוגין של צמר מעל לבו, יצאה נשמתו במהרה. אף הוא קפץ ונפל לתוך האור. יצאה בת קול ואמרה: רבי חנינא בן תרדיון וקלצטונירי מזומנין הן לחיי העולם הבא.

רמב"ן פרשת וישלח (לב, כו)

וירא כי לא יכל לו - מלאכיו גבורי כח עושי דברו, ועל כן לא יכול לו המלאך להזיקו, כי לא הורשה רק במה שעשה עמו להקע כף ירכו. ואמרו בבראשית רבה (עז ג) נגע בכל הצדיקים שעתידין להיות ממנו, זה דורו של שמד. והענין כי המאורע כלו רמז לדורותיו שיהיה דור בזרעו של יעקב יתגבר עשו עליהם עד שיהיה קרוב לקעקע ביצתו, והיה זה דור אחד בימי חכמי המשנה כדור של רבי יהודה בן בבא וחביריו, כמו שאמרו (שהש"ר ב ז) אמר רבי חייא בר אבא אם יאמר לי אדם תן נפשך על קדושת שמו של הקדוש ברוך הוא אני נותן ובלבד

שיהרגוני מיד, אבל בדורו של שמד איני יכול לסבול, ומה היו עושים בדורו של שמד, היו מביאין כדוריות של ברזל ומלבנין אותן באור ונותנין אותן תחת שיחיהן ומשיאין נפשותיהן מהן. ויש דורות אחרים שעשו עמנו כזה ויותר רע מזה, והכל סבלנו ועבר עלינו, כמו שרמז ויבא יעקב שלם:

שמים בכל יכלתו. "נוטל מילות וזורקן כלפי מעלה" (מדרש איכה רבתי ג', מ"ג). אמנם בז' אומות, אף שעשו כל התועבות, אבל כונתן היתה להנאת עצמן ולא להכעים.

העושים להכעים הם מזרע עמלק ג. והנה רז"ל מסרו לנו מפתח לכל סיפורי התורה "מעשה אבות סימן לבנים" (עי' רמב"ן ריש פ' וישלח), וא"כ גם מעשה עמלק סימן לזרעו ונמצינו למדין מזה, כי העושים להכעים הן מזרע עמלק. ושמעתי מהקדוש בעל ח"ח ז"ל אודות היעווסעקעס בזה"ל: "ביי מיד איז ברור אז זיי זיינען פון זרע עמלק" (ברור לי שהם מזרע עמלק), וז"ל הגר"א באבן שלמה, פרק חבלי משיח: הערב רב דבוקים מאד בישראל וישראל לומדין ממעשיהן ממ"ש ויתערבו בגוים וילמדו מעשיהם (תהלים ק"ו, ל"ה). והם העשירים עליזי גאווה וכו', וא"א להפריד הע"ר רק ע"י קושי הגלות. ה' מיני ע"ר יש בישראל וכו', ובעלי מחלוקת הם גרועים מכולם והם נקראים עמלקים ואין בן דוד בא עד שימחו מן העולם וכו'. עמלקים הם ראשי ישראל בגלות ועליהם נאמר (איכה א', ה') היו צריה לראש, וכל עזי פנים ורשעים שבדור הם מגלגול נשמתן של ע"ר וכני קין וכו'. וזה מרומז במ"ש (בראשית ל"ג, ג'): וישם את השפחות וילדיהן ראשונה, הם הע"ר שהם ראשי העם, ואת לאה וילדיה אחרונים, הם הע"ה הטובים שהם כפופין תחת הע"ר, ואת רחל ואת יוסף אחרונים, אלו ת"ח שהם שפלין מכל וכו'. והע"ר הם גרועים מעכו"ם, שישראל נמשכין אחריהם, שרואין שהשעה משחקת להם, וזהו סיבת אריכת הגלות עיי"ש. ומה שהביא הגר"א מהכתובים הנ"ל מפני שהפרשה היא ששב יעקב מגלותו לבית אביו ועדיין היה בדרכו, היא פרשת עיקבתא דמשיחא. ופרשה הקודמת לה היא פרשת הגלות, כמ"ש הרמב"ן שם.

הערב רב ד. וז"ל רעיא מהימנא פרשת נשא (דף קכ"ה דפוס ווילנא): א"ל רע"מ באומאה (בשבועה) עלך בשמא דידו"ד לא תאחר בכל יכולתך, דהא אנא בצערא סגי וכו' ואני חשיב בעינייהו בין ערב רב רשיעיא, ככלב מת דסרח בנייהו דחכמת סופרים תסרח בנייהו בכל קרתא וקרתא, ובכל אתר דישאל מפוזרין בנייהו בין מלכוון ואתהדרו אינון ערב רב רעין על ישראל עאנא

דקוב"ה וכו' ולית לון יכולת למעבד טיבו עם ת"ת. ואנשי חיל ויראי חטא מסובבים מעיר לעיר ולא יחוננו ומחרימין ע"ר בנייהו ולא יהבין לון באתרין סגיאין אלא דבר קצוב דלא יהא תקומה לנפילו דלהון ואפילו חיי שעה. וכל חכמים ואנשי חיל ויראי חטא בצערא בדוחקא ביגונא חשיבין ככלבים. (איכה ד') בנים המסולאים בפז איכה נחשבו לנבלי חרש בראש כל חצות, דלא אשכחו אכסניא בנייהו. ואינון ערב רב אינון עתידין בשלוח בחדווא בלא צערא בלא יגונא כלל, גולנין מארי שוחד דאינון דיינין רישי עמא, (בראשית ו') כי מלאה הארץ חמס מפניהם עלייהו איתמר (איכה א') היו צריה לראש. באומאה עלך זמנא תניינא בחי ה' צבאות אלקי ישראל יושב הכרובים, דכל אלין מילין לא יפלון מפומך בכל יכלתך, למללא בהון קמי קב"ה ואלחזאה דוחקא דלהון, עיי"ש.

העמלק של ימינו
ה. כל המתבונן היטב להנעשה אצלנו כעת,
ימצא בדברים הנ"ל תמונה נוראה של דורנו,
איך כל הדברים האלו מתקיימים במלואם לעיני כל ישראל בימינו שהם
עיקבתא דמשיחא, אשר הכופרים הם מנהיגי הדור ואינם מניחים לת"ח
להרים ראש זולתי למחניפיהם ומלחכי פינכא שלהם, ולוחמים עם התורה
מלחמה גלויה ביד רמה. ולו היה אצלם שפה אחת ודברים אחדים, אז לא
היה לנו תקומה מפניהם, אבל הסדי ה' כי לא תמנו, שהטיל ערבוביא
ביניהם, שילחמו גם אלו כנגד אלו. ובכ"ז, להלחם נגד התורה, מואב ומדין
עושים שלום ביניהם. והנה כתוב (שמות י"ז, ט"ז) מלחמה לה' בעמלק
מדור דור, והעידה תורה בזה כי המלחמה הזאת קיימת בכל הדורות עד
בוא המשיח, אלא שבדורות הקודמין עת שלטון התורה בישראל, נהלו
המלחמה זרע עמלק מאוה"ע, אבל מעת שפרקנו עול התורה ממנו, שרצו זרע
עמלק בתוכנו ונתרבו בינינו המומרים להכעים, כמו היעווסעקעס הנמצאים
לא לבד במדינה האדומה, כי אם בכל תפוצות ישראל, מקצה הארץ ועד
קצה הארץ וגם באה"ק, אשר המתיוונים שמה הן אותן היעווסעקעס בעצמן
ואין שום הבדל ביניהם, רק שאלו כותבין בזארגון יידיש, ואלו כותבים
ומפטפמים בורגון עברי — ניי העברעאיש — אבל על הללו והללו נשבע
הקב"ה שאין שמו שלם ואין כסאו שלם עד שימחו מן העולם. וכ"כ גדלה
עניות הדעת בימינו, שחלק גדול מעמנו תומכים אותם בכספם לגדלם

עליהם כהונתם עליהם, וכשאין בגדיהם עליהם אין כהונתם עליהם, ולכן גם קידוש שמן המשחה שייך רק כשלבושים בבגדיהם, וכשאינם לבושים בהם הרי הוא כמושח על בשר זר.

וחגרת אתם אבנט אהרן ובניו (כ"ט, ט')

אמרו בירושלמי יומא (פ"ז ה"ג), שהיה ארכו ל"ב אמה. ובמסכת ערכין (ט"ו ע"א) אמרו, שהאבנט מכפר על הרהור הלב, אהיכא דאיתיה, כלומר, שכפרתו הנה על המקום שעליו הוא חגור. ובשטמ"ק שם (אות י"א) הביא מדרש, שהיה מקיפו ל"ב פעמים נגד הלב, לב בגי' ל"ב. ובזבחים פ"ח ע"ב פירש רש"י, שהיו חוגרין אותו על הלב בין אצילי ידיהם. וברמב"ם (פ"ו מכלי המקדש ה"ב): ועל האבנט מפורש בקבלה "ולא יחגרו ביזע" במקום שמזיעין, וכך קיבל יונתן בן עוזיאל מפי הנביאים, ותרגם: על לבביהון יסרון. ולכאורה נראה קצת מלשון הרמב"ם, שמה שחוגרין אותו כנגד הלב אינו משום דבעינן כנגד הלב, רק שאין יכול לחגור אותו במקום אחר משום ששאר מקומות נתמעטו מ"לא יחגרו ביזע". אולם נראה שבאמת כוונת הפסוק ללמד לא רק למעט שאר מקומות שמזיעין, אלא לקבוע ולסיים מקומו של האבנט כנגד הלב. ואולי זה כלול בלשונו של יונתן בן עוזיאל שתרגם הפסוק לא בדרך שלילה לפסול שאר מקומות, רק בדרך חיוב, שצריך לחגור האבנט על הלב.

והיה לך למנה (כ"ט, כ"ו)

אעפ"י שעסקם של אותם הימים היה בחינוך אהרן ובניו הכהנים, מעלתו של משה רבנו שקבל ומסר את התורה גרמה לו שהיה עומד ומשמש כל שבעת ימי המילואים בחלוק לבן, וקבל החזה והשוק של קרבנות המילואים.

להורות בעת חינוך הכהונה, שהתורה מעלה מעל הכהונה, וחשובה אף מעבודת המקדש.

שבעת ימים ילבשם הכהן תחתיו מבניו אשר יבא אל אהל מועד לשרת בקדש (כ"ט, ל')

במסכת יומא (ע"ב ע"ב): יכול יהא בנו של משוח מלחמה משמש תחתיו כדרך שבנו של כהן גדול משמש תחתיו, ת"ל "שבעת ימים ילבשם

הכהן תחתיו מבניו אשר יבא אל אהל מועד" וכו', כל שעיקר משיחתו לאהל מועד, יצא זה שעיקר משיחתו למלחמה.

ושמעתי עובדא שבאה לפני הקדוש ה"חפץ חיים" זיע"א, שבאו לפניו בני עיר אחת שנסתלק רבם לב"ע, ורצו בני העיר למנות אחר במקומו, ובניו ערערו על המינוי, וטענו כי עפ"י דיני ירושה מגיעה להם הרבנות. שני הצדדים הסכימו לקבל את הכרעתו של ה"חפץ חיים", וכך עשו. נסעו אליו לראדין, ושטחו בפניו את טענותיהם.

לאחר ששמע ה"חפץ חיים" את טענותיהם, נענה ואמר, כי אף אם אמנם יש ברבנות דין ירושה ככל מינויים של דברים שבקדושה, אבל הלא מצינו שככהן משוח מלחמה אין דין ירושה, כמבואר בסוגית הגמרא שהעתקנו למעלה. וטעמו של דבר נראה, כי הכהן המוציא ומביא את העם למלחמה צריך להיות בעצמו איש מלחמה, ואיך שייך שיהיה בזה ירושה לבנו, אם הבן אינו מתאים לתפקיד, שאינו איש מלחמה.

והנה כאשר עם ישראל רובו ככולו הקפידו בשמירת תורה ומצוות, ותפקידי הרבנות התנהלו על מי מנוחות, ועיקר תפקידו של הרב מרא דאתרא היה ללמד דעת את העם ולשפוט בין איש ובין רעהו, היתה הרבנות דבר שבקדושה ששייכת בו ירושה. אולם כאשר עתה אש ההשכלה והציונות אחזה בכל פנות הבית, ועיקר תפקיד הרב הוא להיות איש מלחמה, לגדור פרצות ולהשיב מלחמה שערה, אין אפשרות לדון ברבנות דיני ירושה, והחובה לחפש אחר רב גדול בתורה שילחם מלחמות ה'.

כל הנוגע במזבח יקדש (כ"ט, ל"ז)

בתרגום יונתן: כל דיקרב במקדשא יתקדש מן בני אהרן ברם מן שאר עמא לית אפשר להון למקרב דלמא יתוקדון באשא מצלהבא דנפיק מן קודשיא. משמע מלשון ת"י כי איסור קריבת זר למזבח הוא לאו דוקא בהקרבה על גביו, אלא אפילו נגיעה בעלמא אסורה. והוא דבר חידוש. ועי' ברמב"ם פ"ג מכלי המקדש ה"ט, שמפורש בדבריו שנגיעה במזבח מותרת.

ואכלו אתם אשר כפר בהם (כ"ט, ל"ג)

דרשו חז"ל (פסחים נ"ט ע"ב): כהנים אוכלים ובעלים מתכפרים.

Cabinet Approves Bill to Draft Yeshivah Students

כ"ט תמוז תשע"ג | Sunday, July 7, 2013

by Hamodia Staff

YERUSHALAYIM — The Israeli Cabinet approved on Sunday the new military draft law that calls for the recruiting of yeshivah students by the age of 21 or a jail sentence, by 14 votes in favor and 4 abstentions.

Three Yisrael Beiteinu ministers abstained from the voting due to the Perry Committee's failure to include provisions for drafting Israeli Arabs into the military or alternative civilian service, as well as the universal conscription from age 18 (yeshivah students can defer service until age 21).

Housing Minister Uri Ariel (Jewish Home) abstained due to dissatisfaction with a clause that could adversely affect the Hesder students. According to the bill, all yeshivah students will serve "at least 17 months." Ariel wants the "at least" to be struck, in view of the fact that some committee members want the Hesder recruits to serve 24 months, comparable to the 24 months *chareidim* are made to serve according to the law.

However, those abstentions were regarded as merely symbolic since Yisrael Beiteinu MKs said they will support the bill in the Knesset and have no intention of creating a coalition crisis over it.

Justice Minister Tzipi Livni again voiced objection to the bill in its current form. "The proposed law is only a partial solution and is not free from flaws," she said, referring to the relatively short term for Hesder students. However, Livni said she would vote for the bill in the Knesset plenum since it represents movement toward a more "equal sharing" of the burden, in her view.



Israel's Prime Minister Binyamin Netanyahu arrives for the weekly Cabinet meeting on Sunday. (Miri Tzahi/POOL/FLASH90)

She vowed that when the time for *chareidi* conscription comes in 2017, she will fight to lengthen the term for Hesder students, as per the opinion of the attorney general.

The bill now heads to the Knesset, where it needs to pass in three readings. Ariel said that the bill will still undergo changes before its final passing in the Knesset.

Prime Minister Binyamin Netanyahu's comment to the Cabinet, "We will enact this change gradually while considering the special needs of the [*chareidi*] population," did nothing to mollify *chareidi* political leaders, who issued a series of condemnations.

United Torah Judaism MK Rabbi Yaakov Litzman denounced it as "a continuation of this government's program of destroying Torah in Israel. We are living through a period in which the Torah world and the yeshivos are experiencing a frontal assault, in which anti-religious forces seek to uproot all that is holy. But they will not succeed.

"Anyone who is a partner to this government will have to answer for this in the future. This means not only the heads of the Likud Beiteinu party and Bennett and Lapid, but also the leaders and voters of the Jewish Home party. Everyone who supported and voted for this party, which founded and maintains this anti-religious government, bears personal responsibility for all the attempts the government is making to destroy Torah."

UTJ MK Rabbi Moshe Gafni noted that Israel thus becomes "the only government in the world which has determined that Torah study is not legitimate."

Furthermore, he said Prime Minister Binyamin Netanyahu would never be forgiven for this "after he received decades of [political] support from us, nor Jewish Home chairman Naftali Bennett, whose party purports to be religious and has Torah students among its supporters."

UTJ MK Rabbi Meir Porush called it "a sad day for the *chareidi*-religious Jewish world. This day will be recorded as a dark day for the Jews living in the land of Israel," he declared.

MK Menachem Eliezer Moses (UTJ) said that the government's decision would be "remembered as an everlasting disgrace. This government has emblazoned on its flag the liquidation of the Torah world and persecution of the *chareidi* public, both spiritually and materially. But they will not prevail over us. The Torah is stronger than any draconian law that seeks to destroy it."

Drafting Yeshiva Students: A Halachic Debate

In light of the bill recently passed mandating the enlistment of a quota of Charedi yeshiva students, it is worthwhile to explore the halachic literature on the subject of whether or not Torah study is valid grounds for exempting one from joining the effort to defend the Jewish State from those who seek its annihilation.

Three issues must be addressed in seeking to determine the halachic grounds for such exemptions:

- 1) Does the current circumstance in Israel qualify as a *מלחמת מצוה* — a war which the nation is bound by Torah law to wage?
- 2) Even if the operations of the Israel Defense Force (IDF) indeed qualify as a *מלחמת מצוה*, should yeshiva students be exempt on the basis of the Rambam's famous comments that anyone can achieve the status of *shevet Levi*, which was exempt from warfare?
- 3) Should students be exempted on the basis of the Gemara's comment in *Bava Basra* (8a), רבנו לא צריכי נטירותא, (“Rabbis do not need protection”)?

I. Are IDF Operations Considered a *מלחמת מצוה*?

A. Defining *מלחמת מצוה*

The Rambam discusses the distinction between a *מלחמת מצוה* (obligatory war) and *מלחמת רשות* (optional war) in *Hilchos Melachim* (5:1–2) in the context of a king's authority to initiate a war and forcefully draft citizens into the army. He writes that a king has the authority to enlist the citizenry for war in the case of a *מלחמת מצוה*, but not for a *מלחמת רשות*, which must be authorized by the *Sanhedrin*. In defining *מלחמת מצוה*, the Rambam writes:

ואיזו היא מלחמת מצוה? זו מלחמת שבעה עממים, ומלחמת עמלק, ועזרת ישראל מיד צר שבא אליהם.

What is an obligatory war? This is the war waged against the seven [Canaanite] nations, the war against Amalek, and rescuing Israel from an enemy that has descended upon it.

The Rambam then defines *מלחמת רשות*:

היא המלחמה שנלחם עם שאר העמים כדי להרחיב גבול ישראל ולהרבות בגדולתו ושמעו.

This is a war fought with other nations in order to expand Israel's territory and increase its prominence and stature.

According to the Rambam, then, two types of wars fall under the category of מלחמת מצוה: 1) Wars fought against the nations which the Torah requires annihilating (the Canaanite peoples and Amalek); 2) Wars of self-defense against nations who attack the Jewish People.

Rashi, however, in several contexts, appears to exclude wars of self-defense from the category of מלחמת מצוה. Commenting on the first Mishna in *Sanhedrin* (2a), Rashi writes:

כל מלחמה קרי רשות לבד ממלחמת יהושע שהיתה לכבוש ארץ ישראל.

Every war is considered an optional war, except the war [waged by] Yehoshua, which was for the purpose of conquering the Land of Israel.

Similarly, in *Eiruvin* (17a), Rashi writes:

סתם מלחמת רשות ממלחמת יהושע ואילך שהיא היתה מלחמת מצוה.

“Optional war” generally refers to [wars fought] after the war of Yehoshua, which was an obligatory war.

Likewise, in his commentary to *Sota* (44b), where the Mishna distinguishes between these two categories with regard to מעורכי המלחמה (those who leave the military camp before battle¹), Rashi explains מלחמת מצוה as referring to the wars waged by Yehoshua.²

Several *Acharonim* raise the question of how to reconcile the Rambam's position with the Gemara's discussion in *Sota* (44b) concerning those who are מעורקי מלחמה. The Gemara there delineates three different categories of wars:

- 1) מלחמות יהושע לכבוש — Yehoshua's battles to capture the Land of Israel, from which no one was exempt.

1. This refers to: 1) those who had built a new house but had not moved in; 2) those who had planted a vineyard but had not yet enjoyed its grapes; 3) those who had betrothed a woman but had not yet gotten married; 4) those who were frightened. See *Devarim* 20:5–8.

2. The *Aruch La-Ner* (*Sanhedrin* 2a) raises the question of why Rashi did not include in this category the war against Amalek, as well. He suggests that it is obvious that such a war does not require the authorization of the *Sanhedrin*, as it is explicitly mandated by the Torah. It should be noted, however, that Rashi appears to restrict the category of מלחמת מצוה to Yehoshua's battles with regard to all *halachos*, and not just the authorization of the *Sanhedrin*, and it is thus indeed difficult to understand why he excludes the war against Amalek from this category.

- 2) מלחמות בית דוד לרווחה — Wars fought to expand the kingdom's territory, which are regarded as מלחמת רשות, and to which the exemptions of חזרין מעורכי מלחמה therefore apply.
- 3) למעוטי עכו"ם דלא ליתי עלייהו — Wars fought to deter enemies from attack. These wars are also regarded as מלחמת רשות with respect to the exemptions of חזרין מעורכי מלחמה, although according to the minority view among the *Tanna'im* (Rabbi Yehuda), participation in such battles is considered a *mitzva* with respect to the *halacha* exempting a person involved in a *mitzva* from other *mitzvos* (עוסק במצוה פטור מן המצוה).

The final of these categories, למעוטי עכו"ם דלא ליתי עלייהו, appears to qualify as a war of self-defense, and yet the Gemara explicitly classifies such a campaign under the category of מלחמת רשות, seemingly in direct contradistinction to the Rambam's view that wars of self-defense constitute a מצוה מלחמת מצוה.

Evidently, as noted by the *Lechem Mishneh* (*Hilchos Melachim* 7:4), the Rambam distinguishes between a war fought in response to an attack and a war fought to deter future attacks. The *Lechem Mishneh* suggests that when the Rambam describes a war fought “to increase its [the Jewish kingdom's] prominence and stature,” classifying such a war as a מלחמת רשות, he refers precisely to what the Gemara calls למעוטי עכו"ם דלא ליתי עלייהו, a campaign intended to display the kingdom's might and military capabilities for the purpose of deterrence. But when the nation comes under attack, the military response to defend and protect the Jewish nation would, according to the Rambam, qualify as a מלחמת מצוה. Indeed, in his commentary to the Mishna, the Rambam writes that the debate among the *Tanna'im* concerns battles fought בישאל לא ילחמו בישאל — “in order to diminish their strength so they will not fight against Israel or descend upon their territory.” This clearly refers to preemptive military measures to deter future attacks, and not to wars fought in response to an attack.³

Accordingly, we would need to determine into which of these categories the ongoing operations of the IDF against the Arabs should be classified. On the one hand, these measures are not necessarily in response to an attack, but are rather undertaken to eliminate future threats. On the other hand, these operations are carried out in response to a clear and present danger of war and

3. One may, however, still question the Rambam's view in light of the Gemara's discussion, as the Gemara makes no mention of a war of self-defense in describing the category of מלחמת מצוה. Indeed, the *Keren Ora* notes that the straightforward reading of the Gemara does not support the Rambam's position, and he suggests that the Rambam arrived at his ruling on the basis of the Yerushalmi (*Sota* 8:10), which states that באתיין אינון עלן — “when they descend upon us,” the situation qualifies as a מלחמת מצוה.

terror, and not as a display of force for the purpose of deterrence. Similarly, we might raise the question as to the status of preemptive military strikes, such as the strike launched by Israel at the onset of the Six Day War, when the Arab nations mobilized their armies and were openly preparing for attack, but Israel launched its attack preemptively. It seems likely that all these operations would fall under the category of עזרת ישראל מיד צר — wars of self-defense — in light of the fact that Israel's enemies are, unfortunately, poised to launch attacks against her, a threat to which the Jewish State is forced to respond through ongoing preemptive measures.

B. Can There be a מלחמת מצוה Without a *Beis Ha-Mikdash*?

Even once we determine that, according to the Rambam, military operations undertaken in self-defense qualify as a מלחמת מצוה, we must address the question of whether the formal halachic status of מלחמת מצוה requires the presence of the *Beis Ha-Mikdash*. The basis for raising this question is the Rambam's comments in the introduction to *Sefer Ha-Mitzvos* (after the *shorashim*, just before enumerating the *mitzvos*):

Any affirmative command or negative prohibition which is dependent upon the sacrifices, the Temple rituals, court-administered execution, the *Sanhedrin*, a prophet, a king, **or obligatory or optional wars**, I do not need to mention in that context that the command applies only in the presence of the Temple, as it is evident based on what has been mentioned.

The Rambam here clearly classifies warfare as a *mitzva* that applies only in the times of the *Beis Ha-Mikdash*, and, as such, it is not practically applicable nowadays.

However, we indeed find that the Rambam and other codifiers make mention of מלחמת מצוה even in contexts that appear to refer to contemporary halachic guidelines. In *Hilchos Shabbos* (2:25), the Rambam writes, “One may lay siege on gentile towns three days before Shabbos,⁴ and war may be waged against them on any day, including Shabbos, until the town is captured, even if this is an optional war...not to mention in an obligatory war.” The Rambam issues an explicit halachic ruling relevant to a מלחמת מצוה, and it seems difficult to imagine that this was intended as a ruling applicable only in the Messianic era.

Moreover, this ruling appears even in the *Tur* (O.C. 249), a halachic code that includes only those *halachos* that are practically applicable even without

4. Within three days of Shabbos, this is forbidden, as the soldiers would then be unable to feel relaxed and at ease on Shabbos (see *Hilchos Shabbos* 30:13).

a *Mikdash*. The *Beis Yosef* thus comments that the *Tur* made mention of this *halacha* only because it is mentioned in the Gemara along with other, similar *halachos* that do apply nowadays, such as embarking on a sea voyage three days or more before Shabbos.

The *Bach* explains the *Tur*'s comments similarly, but then suggests a different explanation:

כגון שנשבו גויים וישראלים מותר לילך עליהם עם הגויים אפילו בשבת דמלחמת מצוה היא להציל אחיהם.

For example, if gentiles and Jews were taken captive, it is permissible to descend upon them together with the gentiles even on Shabbos, **because this is a** מלחמת מצוה — rescuing their brethren.

The *Bach* appears to distinguish between two different concepts of מלחמת מצוה fought in self-defense. The first is a formal war waged by the Jewish kingdom to defend itself against its hostile enemies. This kind of war, as indicated by the Rambam in *Sefer Ha-Mitzvos*, applies only in the times of the *Beis Ha-Mikdash*. But there is also a different kind of מלחמת מצוה — an informal effort made to rescue Jews. Any time Jews are in danger, the prohibition of לא תעמוד על דם רעך (“Do not stand idly by your brother’s blood” — *Vayikra* 19:16) requires us to try to rescue them. Thus, when the Rambam and *Tur* permit waging a מלחמת מצוה on Shabbos nowadays, they refer not to the formal institution of מלחמת מצוה discussed by the Gemara in *Sota* and elsewhere, but rather to the general obligation to rescue our fellow Jews in danger.

This distinction is developed more clearly by the *Chazon Ish* (end of *Hilchos Eiruvim, likutim*), who writes that when everyone’s participation is needed to secure victory against an enemy, everyone is obligated to join the effort, irrespective of the formal *halachos* of מלחמת מצוה and מלחמת רשות. The laws governing exemptions apply only when a specific number of soldiers are needed for the campaign to succeed. Under such circumstances, if the war qualifies as a מלחמת מצוה, then the king is authorized to draft everyone, even those who are not technically needed to secure victory, because no exemptions are granted during a מלחמת מצוה, and in a מלחמת רשות, exemptions are granted as mentioned in the Torah. However, when the nation faces a life-threatening situation that requires the involvement of all its citizens, then no exemptions apply at all, as this constitutes a standard case of פקוד נפש in which everyone is obligated to act.

Thus, even if nowadays the formal concept of מלחמת מצוה does not apply, it would certainly be a *mitzva* to wage war to save Jewish lives when necessary, and even those who are normally exempt from a מלחמת רשות would be required to join the effort.

However, if this is the case, then we must address the question of whether one is required to place himself in a situation of danger in order to rescue his fellow Jew outside the context of a formal war. Generally, of course, the concern for human life overrides nearly all *mitzvos*, and thus the concept of a *מלחמת מצוה* — a command to wage war, which necessarily entails endangering one's life — likely marks an exception. This point is made by the *Minchas Chinuch* (425), who takes issue with the *Sefer Ha-Chinuch's* comment that one transgresses the command to eliminate the Canaanite nations if he fails to kill a Canaanite when he was in a position to do so “without endangering himself.” The *Minchas Chinuch* argues that once the Torah instructed us to wage war against Canaanites, it implicitly requires putting our lives at risk for this purpose, given the nature of warfare. When a *mitzva* involves waging war, the consideration of *פקוח נפש* (preserving human life) is, by definition, set aside.⁵

With this in mind, we might question the *Chazon Ish's* comment requiring all people to join the war effort when their participation is needed for the nation's self-defense. If a person is not required to fight by force of the *halachos* of warfare, and the only obligation that could apply is that of *לא תעמוד על דם רעך*, it is questionable whether he would be required to put his life at risk for this purpose. The *Beis Yosef* (C.M. 426) cites the *Hagahos Maimoniyos* as ruling (based on the *Yerushalmi*) that one must risk his life for the purpose of saving the life of another, but the *Sema* (426:2) notes that this ruling was not codified in the *Shulchan Aruch* or by the Rama. Indeed, Rav Moshe Feinstein (*Iggeros Moshe*, Y.D. 2:174) rules that one is not required to endanger himself to rescue another person, although one may if he so desires. Accordingly, it seems difficult to claim that in situations in which the status of *מלחמת מצוה* does not apply, such as in the absence of the *Beis Ha-Mikdash*, there would nevertheless be a *mitzva* to participate in the war effort to save lives.

It seems likely, then, that when the Rambam speaks in *Sefer Ha-Mitzvos* of *מלחמת מצוה* applying only in the times of the *Beis Ha-Mikdash*, he refers to wars such as conquering *Eretz Yisrael* and the war against Amalek. When it comes to defending the Jewish nation, however, the status of *מלחמת מצוה* applies at all times, even after the Temple's destruction, and for this reason, the Rambam speaks of situations of *מלחמת מצוה* in the context of *hilchos Shabbos*.⁶

5. It is likely the *Sefer Ha-Chinuch* accepted this premise and made his comment in reference to one who had the opportunity to kill a Canaanite outside of the context of formal warfare.

6. This distinction is made by Rav Moshe Feinstein (*Iggeros Moshe*, C.M. 2:78), who writes that given the danger of warfare, the nation may not embark on even a *מלחמת מצוה* without specific instructions from the *Sanhedrin* and the *urim ve-tumim*, except in

II. Yeshiva Students and the Tribe of Levi

A. Levi's Exemption

The Rambam writes in *Hilchos Shemita* (13:12) that just as the members of the tribe of *Levi* did not receive a portion of *Eretz Yisrael* because they were assigned the role of serving in the *Mikdash* and teaching Torah, they similarly did not participate in the nation's wars.

Several *Acharonim* raise the question as to the source of the Rambam's contention that the *Leviyim* were exempt from warfare. It is noteworthy that the Rambam does not introduce this theory with the phrase *יראה לי* ("It seems to me"), as he does when postulating a theory that is not explicated in Talmudic literature. Apparently, he felt there was a clear source for the *Leviyim's* exemption from waging war. The *Or Samei'ach* (*Teshuvos*, 1:67) explains that the Rambam reached this conclusion on the basis of the fact that the term *יוצאי צבא* ("combatants") does not appear in reference to the tribe of *Levi*. This likely refers⁷ to the census of *Benei Yisrael* recorded in the beginning of *Sefer Bamidbar*, in which God commanded Moshe to count the nation *בִּישְׂרָאֵל כָּל יוֹצֵא צֶבֶא בְּיִשְׂרָאֵל מִבֶּן עֶשְׂרִים שָׁנָה וּמֵעַלָּה כָּל יוֹצֵא צֶבֶא בְּיִשְׂרָאֵל* ("from age twenty and up, all among Israel who go out to war" — *Bamidbar* 1:3). As Rashi explains, the census included only those members of the nation who waged war, and thus included only men from the age of twenty. The tribe of *Levi* was counted separately in this census (1:49), and the Rashbam explains that the *Leviyim* were excluded from the standard census because they did not participate in battle.⁸

The *Or Samei'ach* also cites a second source for the Rambam's ruling — namely, the view of Rabbi Akiva cited by the *Sifrei* (*Matos*, 157) that the tribe of *Levi* did not participate in the war against Midyan. Commenting on the words *לְכָל מַטּוֹת יִשְׂרָאֵל תִּשְׁלַח לְצִבָּא* ("you shall send from among all the tribes of Israel to the army" — *Bamidbar* 31:4), Rabbi Akiva says, *לְהוֹצִיא אֶת שְׁבִטוֹ שֶׁל לֵוִי* ("to the exclusion of the tribe of *Levi*"). It should be noted, however, that although this is the text of Rabbi Akiva's comment according to the Vilna Gaon's version of the *Sifrei*, in the standard editions, the precise opposite comment is made: *לְהַבִּיא* ("including the tribe of *Levi*"). This is also the text Rashi cites in his Torah commentary. It thus appears that Rashi disagrees with the Rambam's ruling and maintains that the tribe of *Levi* was not exempt from warfare.⁹

situations of danger, when war is waged even without a *Sanhedrin* or *urim ve-tumim*, such as in the times of the *Chashmonaim*.

7. See *Shu"t Yad Efrayim* 11.

8. See also Ibn Ezra to *Bamidbar* 1:50.

9. Indeed, Rabbenu Eliyahu Mizrahi, in his work to Rashi's commentary, notes that the

In any event, if, indeed, the Rambam based his ruling on the version of the *Sifrei* stating that the *Leviyim* were exempt from taking part in the war against Midyan, this would indicate that the *Leviyim*'s exemption applies even in a מלחמת מצוה, as the war against Midyan was explicitly commanded by God and thus clearly constituted a מלחמת מצוה.

Many questions have been raised regarding the Rambam's position. Some note the Mishna's discussion (*Sota* 44a) concerning soldiers who are excused from battle because of their fear of sins which they had committed, where the Mishna gives the example of a *Kohen* who married a divorcee and a *Kohen Gadol* who married a widow. This clearly assumes that *Kohanim* (who obviously belonged to the tribe of *Levi*) participated in battle. Similarly, the Gemara in *Kiddushin* (21b) raises the question of whether a *Kohen* is permitted to marry an אשת יפת תואר (a gentile woman captured during war), a question which obviously works off the assumption that *Kohanim* served as soldiers.¹⁰

In truth, however, these sources can easily be reconciled with the Rambam's view, as the Rambam likely referred only to *Levi*'s exemption from war, not to their mandatory exclusion from battle. It stands to reason that even according to the Rambam, *Kohanim* and *Leviyim* were allowed to participate in warfare if they chose to, and it is thus perhaps to these volunteer soldiers that the aforementioned sources refer.¹¹

Torah had to specifically indicate the inclusion of the *Leviyim* because one might have thought to exempt them since they are not given a share in *Eretz Yisrael*.

It should be noted that earlier in *Sefer Bamidbar*, in explaining why the *Leviyim* were counted separately, Rashi writes, כדאי הוא לגיון של מלך להיות נמנה לבדו — “It is worthy for the king's legion to be counted by itself.” He then proceeds to offer a different reason, suggesting that they were counted separately so they would be excluded from the decree issued to that generation after the sin of the spies, which was issued against those counted from the age of twenty. As opposed to the Rashbam, cited above, who explained that the *Leviyim* were counted separately because they did not participate in battle, Rashi attributes this to their general status of distinction or to the concern to protect them from the decree that followed *cheit ha-meragelim*. Rashi is consistent with his view that the *Leviyim* were not exempt from participating in battle, and he thus had to resort to other reasons to explain their exclusion from the general census.

10. Indeed, the Mordechai (*Gittin*, chapter 7) draws proof from this discussion that *Kohanim* went out to battle.
11. This answer was suggested by the Chida in *Birkei Yosef*, E.H. 6:6. This answer, however, assumes that those who were exempted from war because of fear were not just exempt, but were dismissed and not permitted to participate. After all, if this *halacha* applies to *Kohanim*, who, according to the Rambam, are never forced to wage war, then we cannot speak of just an “exemption,” since they are in any event going to battle as volunteers. Necessarily, then, soldiers in the category of הירא ורך הלבב were not just excused from battle, but were excluded from battle. This is indeed the implication of the

Tosfos in *Megilla* (3a) appears to follow the Rambam's view that the *Leviyim* did not wage war. The Gemara there comments that during the battle against Yericho, both Torah study and the offering of the daily *tamid* sacrifices were suspended. Tosfos asks, "It is understandable why Torah study was suspended, as all Israel was besieging a city, but why did the *Kohanim* not offer the *tamid*?" This question works off the assumption that the *Kohanim* did not participate in the siege and were thus available to offer the *tamid*, seemingly reflecting the Rambam's view that the tribe of Levi did not go to battle.¹²

B. Extending the Exemption to Torah Scholars

In the next paragraph, the Rambam famously applies the status of the tribe of Levi to anyone who chooses to devote himself exclusively to the service of God:

ולא שבט לוי בלבד אלא כל איש ואיש מכל באי העולם אשר נדבה רוחו אותו והבינו מדעו להבדל לעמוד לפני ה' לשרתו ולעבדו לדעה את ה' והלך ישר כמו שעשהו האלקים ופרק מעל צוארו עול החשבונות הרבים אשר בקשו בני האדם הרי זה נתקדש קדש קדשים ויהיה ה' חלקו ונחלתו לעולם ולעולמי עולמים ויזכה לו בעוה"ז דבר המספיק לו כמו שזכה לכהנים ללוים.

And not only the tribe of *Levi* — but any person from all who walk the earth, whose spirit drives him, and whose intellect led him to the decision to separate himself and stand before God, to minister before Him and to serve Him, to know God and to walk upright as God had made him, removing from his shoulder the yoke of the many concerns that people pursue — such a person is sanctified as the holiest of holies. God shall be his portion and lot forever and ever, and shall grant him in this world enough for his needs just as He provided for the *Kohanim* and *Leviyim*.

The question arises as to which aspects of the tribe of Levi the Rambam applied to "any person" who wishes to "separate himself and stand before God," and if he truly, as a matter of practical Halacha, attains the formal status of a member of the Levite tribe.

The *Or Samei'ach*, in the aforementioned responsum, cites as a source for the Rambam's comments the list of people who came to support David in Chevron after the death of Shaul (*Divrei Ha-Yamim I* 12:24–41). All these supporters are

¹² Torah's presentation of this *halacha*: מי האיש הירא ורך הלבב ילך וישב לביתו ולא ימס את לבב אחיו כלבבו ("Whoever is fearful and faint of heart should go and return home, rather than weaken his brethren's heart like his heart" — *Devarim* 20:8). See *Minchas Chinuch*, 526.

described as חלוצי צבא (warriors), with the exception of those representing the tribes of *Levi* and *Yissachar*, indicating that the men of *Yissachar* were exempt from battle like the *Leviyim*, because they devoted themselves to Torah study. According to the *Or Samei'ach*, then, the Rambam indeed intended to establish a practical halachic exemption which excuses from battle anyone who chooses to devote himself to Torah learning.

Numerous *Acharonim*¹³ cite another source for the Rambam's comments, namely, the Gemara's ruling in *Nedarim* (62a) entitling Torah scholars to ask a judge to hear their case before others. The Gemara bases this *halacha* on a verse that describes David's sons as *Kohanim* (ובני דוד כהנים היו — *Shmuel II* 8:18). David's sons were Torah scholars, and the Gemara thus deduces that the special privileges granted to *Kohanim*¹⁴ are given to *talmidei chachamim*, as well. The *Yad Efrayim* also cites other sources for the halachic equation drawn between *Kohanim* and Torah scholars, such as the Gemara in *Chulin* (134) which establishes the requirement to give wealth to Torah scholars on the basis of the *pasuk* והכהן הגדול מאחיו, the same source used to require giving wealth to a *Kohen Gadol* (*Yoma* 18a).¹⁵ Additionally, the *Yad Efrayim* notes that the Gemara in several places (*Mo'ed Katan* 17a, *Chagiga* 15b) understands the verse כי שפתי כהן ישמרו דעת, which explicitly speaks about *Kohanim*, as referring also to all teachers of Torah, suggesting that Torah scholars are to be regarded as *Kohanim*.

Another possible source for this equation is the Gemara's comment in *Kesuvos* (105b), כל המביא דורון לתלמיד חכם כאילו מקריב ביכורים — “Whoever brings a gift to a Torah scholar is considered like he offered *bikkurim*.” Supporting a Torah scholar is thus likened to supporting the *Kohanim* by offering the priestly gifts.

It should be noted, however, that in describing the special status of the tribe of *Levi*, the Rambam mentions both the tribe's exemption from war and its having been denied a portion of *Eretz Yisrael* (לא עורכין מלחמה... ולא נוחלין ולא זוכין) (לעצמן). Accordingly, if we assume that the Rambam indeed allows anybody to attain the formal halachic status of *Levi* and thereby exempt himself from battle, we must necessarily conclude that such a person also forfeits rights to a portion of *Eretz Yisrael*. Clearly, this is very difficult to imagine.

Moreover, we should note that the *Keren Ora* (*Sota* 44b) clearly understands

13. *Peri Tzadik*, *Parashas Balak*; *Shu"t Yad Efrayim* 11; *Kiryas Melech*. See also *Peri Tzadik*, *Parashas Teztaveh*, where he cites the famous *pasuk*, ואתם תהיו לי ממלכת כהנים וגוי קדוש (*Shemos* 19:6), which suggests that all members of *Am Yisrael* have the potential to become *Kohanim*.

14. As the Gemara notes, *Kohanim* are assigned special privileges by force of the *pasuk*, וקדשתו כי את לחם אלקיך הוא אוכל (*Vayikra* 21:8).

15. See also Rashi, *Ta'anis* 21a, ד"ה מלך ר' יוחנן.

that Torah scholars were required to participate in a מלחמת מצוה. The *Keren Ora* questions the Rambam's view that a war of self-defense constitutes a מלחמת מצוה on the basis of statements in the Talmud indicating that Torah scholars were excused (or should have been excused) from defensive wars. In *Sota* (10a), the Gemara criticizes Assa, king of Yehuda, for enlisting Torah scholars during his battle against the Northern Kingdom of Israel (המלך אסא השמיע את כל יהודה אין) — *Melachim I* 15:22), and in *Sanhedrin* (49a), the Gemara relates that during the rebellion waged by Sheva ben Bichri against King David, Torah scholars were excluded from the king's draft. At first glance, the *Keren Ora* notes, these comments indicate that wars of self-defense do not qualify as a מלחמת מצוה. The *Keren Ora* answers that the wars in question were not actually wars of self-defense, and for this reason, Torah scholars were exempt. His underlying assumption is clearly that Torah scholars are not absolved from a מלחמת מצוה, and it thus seems that he did not understand the Rambam as actually conferring upon Torah scholars the halachic status of *Leviyim* with respect to the exemption from battle.

III. רבנן לא צריכי נטירותא

The Gemara in *Bava Basra* (7b) establishes that Torah scholars are exempt from taxes levied upon a town's residents to fund its fortification because רבנן לא צריכי נטירותא, "Rabbis do not need protection," adding that the merit of their good deeds suffices as their source of protection. Later (8a), the Gemara records an incident in which Rav Nachman bar Rav Chisda included Torah scholars in a tax that he imposed and was sharply criticized by Rav Nachman bar Yitzchak, who cited several Biblical sources indicating that scholars should be exempt from taxes.

Accordingly, the Rambam rules (*Hilchos Shecheinim* 6:6): "Everything that is needed for the city's protection is taken from all the townspeople, even from orphans, except Torah scholars because Torah scholars do not require protection, as the Torah protects them." Similarly, in *Hilchos Talmud Torah* (6:10), the Rambam writes:

Torah scholars do not go out to work together with the rest of the community in building and digging in the country, and the like, in order that they will not be subject to the scorn of the ignoramuses. And [taxes] are not collected from them for building the wall, installing the gates and paying the watchmen, and the like, or for the king's gratuity, and they are not required to pay tax — neither a tax levied upon the townspeople altogether, nor a tax levied upon each individual... Similarly, if a Torah scholar has merchandise, he is allowed to sell first, and no one in the

market is allowed to sell until he sells. Likewise, if he has a court hearing and he is standing together with many other litigants, he is given precedence and brought to trial.

These rulings are codified in the *Shulchan Aruch* (Y.D. 243:2), which then adds:

The townspeople are required to pay on their [the scholars'] behalf, even the fixed [taxes] charged to each individual. Even if the governor said that the Torah scholars must themselves give, the community is required to give on their behalf. And if the community issued a *cherem* upon the Torah scholar that he should give, their *cherem* is void; but a Torah scholar can issue a *cherem* and excommunication upon a community so they pay money on his behalf. It makes no difference whether the Torah scholar is wealthy or poor.

Many *poskim* ruled that yeshiva students are exempt from military service on the basis of this *halacha*, noting that רבנן לא צריכי נטירותא — Torah scholars do not require protection, and just as they are not required to participate in the construction of a city's fortification, they are similarly exempt from participating in battle to protect the city. Rav Moshe Feinstein (*Iggeros Moshe*, Y.D. 4:33), for example, invokes this *halacha* in addressing the question of whether yeshiva students in Israel should enlist in the IDF:

Although the defense force is a significant matter, for Torah students learning Torah is an even more significant matter, even more so than protecting the state, as stated explicitly in the first chapter of *Bava Basra*. And it seems that the state also recognizes this, and one who studies in a yeshiva gedola and involves himself in Torah is exempt from the obligations of the army. Certainly, then, one who desires to study Torah and become a giant in Torah, in halachic instruction, and in *yir'as Shamayim* should go to the yeshivos gedolos, and this will be a source of blessing for *Klal Yisrael* and a source of protection for all Israel.

The question, however, arises as to the definition of “*talmid chacham*” with respect to this exemption. Does any yeshiva student qualify for this exemption from military service, or must certain credentials be met to qualify?

The *Yad Ramah* (*Bava Basra*, 82) writes that when the Gemara exempts Torah scholars from paying towards the city's defense, it refers to “Torah scholars who involve themselves in Torah at all times, each according to his capability, and fulfill the *mitzva* of וְהָגִיתָ בּוֹ יוֹמָם וּלְיָלֵילָה [“You shall engage in it day and night”] according to their capabilities.” He draws proof from the fact that the Gemara in this context describes *talmidei chachamim* as those who מְעִיר לְעִיר רְגִלֵיהֶם

לישא וליתן בדבורו של מקום (travel about to study), suggesting that it refers to scholars who devote themselves assiduously to the accumulation of Torah knowledge.

According to the *Yad Ramah*, then, this provision is not limited to rabbis or leaders. Rather, it applies to any diligent Torah student, as long as he is sincerely committed to the ideal of והגית בו יומם ולילה and devotes all his time and energies to Torah learning. Similarly, the Ritva writes that this *halacha* applies to all those about whom it can be said תורתם אומנותם — “their Torah is their occupation.” He adds, “Even if they are students who ‘wear out their feet from city to city to learn Torah.’ But those whose Torah is not their occupation, and they have occupations and deal in business, are not exempt from anything.” Like the *Yad Ramah*, the Ritva applies this exemption to any student of Torah who devotes himself exclusively to learning, even if he is not a rabbi or leading scholar. This point is also made by the Maharlbach (140), who cites the Ritva’s comments and adds that the Gemara in *Bava Basra* criticizes one who levies a tax upon the רבנן, a term used by the Talmud in reference to yeshiva students, and not specifically to rabbis. The Maharlbach thus concludes, “Anyone who is involved in studying Torah, even if he is a student, is exempt from tax if Torah is his occupation and he stops learning only to earn his basic livelihood, but only if he conducts himself properly and all his actions are לשם שמיים, for if not, he is not considered a scholar whose Torah is his occupation.”

The Rama, in his glosses to the *Shulchan Aruch*, likewise notes that the exemption is not restricted to rabbis, although he adds, “as long as he has established himself as a scholar in his generation who is capable of engaging in Torah discourse and can understand on his own most of the Talmud and its commentaries, and the rulings of the *Geonim*, and Torah is his occupation.” According to the Rama, then, the exemption applies only to accomplished scholars who have acquired proficiency in the Talmud and halachic literature. This ruling is based upon the comments of the *Terumas Ha-Deshen* (342).

Many later *poskim*, however, dispute the Rama’s qualification. The *Chikrei Lev* (*Ma’archei Lev*, *derush* 25) notes the aforementioned comments of the Maharlbach and those of the Mabit (2:25), and writes that even students who are still studying under the tutelage of a scholar are included in this exemption. Similarly, the Maharit (59) writes explicitly that students who learn full-time and are engaged primarily in the study of the Talmud and *poskim* are exempt from taxes even if they have not yet become halachic authorities. The Maharshdam (C.M. 361), based on a responsum of the Rosh, writes that to earn this exemption, one does not need to have acquired proficiency in the entire Talmud, and he then adds:

Any Torah scholar who engages in Torah, each according to his

capabilities — this one in monetary law, this one in laws of *berachos*, this one in *aggadeta* — each according to his level of understanding, since each one fulfills *והגית בו יומם ולילה* according to his ability, he is exempt from all kinds of taxes according to all views, and one does not have to be a halachic authority.

Likewise, the *Binyamin Ze'ev* (252) concludes his discussion of this topic by stating:

Thus, in light of all the aforementioned authorities, it is proper for every community to eliminate all taxes and levies for every Torah scholar who is known among them as a Torah scholar, even if he is not especially distinguished among Torah scholars who do not live in the town. Nevertheless, since he is regarded among them [the townspeople] as a Torah scholar, it is proper to absolve him from all taxes because his Torah protects him. And even when taxes are collected for guarding the town, Torah scholars are exempt because their Torah protects them, like I explained earlier, and even if Torah is not their entire occupation.

The *Pischei Teshuva* (ס"ק ד) also cites several authorities who dispute the Rama's ruling and apply this exemption to all full-time students. These include the *Darchei Noam* (C.M. 57), who writes that even scholars who work to support themselves and their families are included in the exemption, as long as they immediately return to their studies upon completing their work. The *Pischei Teshuva* also cites the Maharam Alshaker (19) as commenting, "If this applied in earlier generations, when there were tens of thousands of Torah scholars, then all the more so now, when Torah and its students have been diminished, it is proper for them to be exempt." Earlier (ס"ק ג), the *Pischei Teshuva* cites the *Kenesses Yechezkel* (C.M. 95) as commenting that it is up to the community leaders to decide which Torah students should be exempted from taxes, although "a scholar who is widely accepted as the rabbi and establishes a place of study and a yeshiva is certainly considered a Torah scholar."

We should also note the *Chasam Sofer's* comments (*Teshuvos*, vol. 6, *likutim* 29) regarding a government draft order, where he writes that everyone eligible for the draft should obey the order, which is binding by force of governmental authority, except for Torah students, who are exempt according to Torah law. He cites the aforementioned discussion in *Bava Basra* as the basis for his ruling. And, as we saw earlier, Rav Moshe Feinstein explicitly applied the Gemara's ruling of *לא צריכי נטירותא* to all serious, committed yeshiva students, and not merely to accomplished scholars.

Selected emails from our listeners

I was looking forward to your shows on Zionism and the draft and enjoyed it. However I feel one thing was missing, you had on the Litvishe view and the Satmar view but did not have on the view of the religious Zionists. Rav kook was also a Gadol Biyisroel and if we're having a Torah discussion we should be able to hear that view too.

Hi thanks for your weekly show. I normally agree with most of your opinons but this week i thought it rather ridiculous to bring on Moshe Yalon. Regardless if there is a so called "melting pot" going on in the IDF he would obviously not admit to it.

Furthermore he is unlikely to say anything that would further discourage chareidim in going into the army. Finally referring to him as the future Prime Minister was totally unnecessary and could be in violation of the Torahs prohibition of chanufa/flattery.

Thanks,
Sam Laber

I extremely enjoy your show. I listen weekly on apple podcasts from Yerushalayim.

In terms on the latest shows about Zionism, I understand there are manyHhashkafic disputes between the sides. However, can anyone defend the position of Satmar on a Halachik basis?

Furthermore, I think it is clear that Rav Shmuel Auerbach and Satmar are two very different approaches to the current issues. Although, they both may make Hafganos but they are representing different approaches. Yasher Koach and a Kseeva V'chasima Tova.

Hi Mr. Lichtenstein,

Its a pleasure to listen to your show on Motzai Shabbos. Btw, I listen while I drive. Nice to hear a successful businessman who is a Talmid Chacham as well and well versed in many topics that many in the non-chassidish people are not familiar with.

A few points about past Motzei Shabbos with Chaim Lefkowitz:

You said something like how ironic that the Satmar Rebbe was rescued by the Zionist being נהנה מעבודה זרה

- a. So one is not allowed to go to a doctor who is non-religious mechlal shabbos?
- b. it is known as the Kastner train and he had to do with it alot. But fact is it was in a big part founded by orthodox frum askonim in Budapest. One of them was Chaim Roth (think he was one of the founders of Yad Lachim). Also,when the train was at the border with Switzerland the Germans demanded more money and a frum askon from Switzerland Rubinfeld i think came up with the sum.

You were questioning C Lefkowitz how silly it is to think that Hitler Yemach shomi wouldn't of killed the Jews hadn't they called a boycott on Germany.

The mad animal would of killed anyways but without a doubt the Jewish establishment ignited more flames. In Sefer Min Hameitzar from rabbi Weismandel and lately in Sefer איש חמודות he tells of an episode that Slovakia SS officer Wisliceny told him after the 1933 boycott led by Stephen Weisz in NY called against Germany Hitler Y'M throw himself to the floor screaming "now i will show them what i can do".

PS i think you should get more familiar with the rescue of the Satmar rebbe. There is loads of cables and telegrams from that time that tells much a different story then the Zionist propaganda machine is pushing.

Thanks for reading my long Magilah,

Meir Lebow

I am an avid fan of your program. However, on a recent broadcast about Zionism and Satmar, you did not give the speaker an opportunity to explain his position. Instead, you argued his position, before it was explained. Your agenda was clear, and while I appreciate your point of view, I would have liked to hear the point of view of the interviewee.

Thank you,

rhp@shearim.com

If I can just add my two cents about the discussions concerning the draft in the medina, and Zionism:

1) The haredi activists fighting the draft are living in a fantasy world. Do they really believe they can live in the hundreds of thousands in the state, benefit from all aspects of living there, including police, fire departments and the army, receive financial benefits, and not be subject to what everyone else is? Do they believe there are two classes of Jews: those allowed to risk their lives in an army, and those who sit back and watch them do their dirty work for them, without risking anything? This is irrational and illogical. Do they really believe the leaders of the medina will bow to them, and say, "Oh, you are sooooo holy, shame on us, we should know that you should benefit in every way from living here, but we'll risk our necks for you!"

If they truly oppose the state and its army, they should proclaim their intentions of trying to LEAVE THE COUNTRY RATHER THAN LIVE UNDER RESHA'IM.....

2) The discussion about Zionism in general is very disappointing from both sides. They ignore fundamental facts:

a) Several million Palestinians are not without a say in their own fate. To suggest giving back the medina to the UN is childish and idiotic. How is it possible that indigenous people everywhere have a right to their own future except Palestinians?

b) The discussion ignores the fact that Zionism itself is structured as an ethnocracy whereby certain people have more rights than others, which is of course not based on the ideas of the US Constitution. Zionism was and is a colonial enterprise, either to displace the millions of indigenous people or to subject them to second or third class status. Thus, it is essentially racist, and views the Palestinians no differently than the the White Americans viewed the native American Indians. And to maintain loyalty to Zionism, it is necessary to promote an ideology of paranoia, hysteria, and dehumanization of the Arabs to justify the policies of racism. This is a related aspect of whether Jews are allowed to do these things and thereby to desecrate Judaism and to cause non-Jews to view us as selfish, racist, neurotic, paranoid extremists.

From the words of the Mashgiach of Torah Vadas Rabbi Moshe Wolfson Shlita Zionism is fading out, see page 19 of the Inyan which is attached ([click here](#))

It's very important to point out that Rabbi Moshe Wolfson Shlita's view is that the Satmar Rebbi was the Gadol hador and that he holds himself a Talmid from him. (He holds himself a Talmid from the lubavitcher Rebbi also, but the Satmar Rebbi was the Gadol Hador in his eyes).

I happen to be more Modern Orthodox and generally agree with your views about the State of Israel. But I have one question in my head that I didn't get clarity on and I don't think was responded to.

You kept making the point "how many Kollels, Yeshivas, Jewish marriages" have been accomplished because of the State of Israel. All that is true.

I think that Rabbi Brown was saying was that we can't make these types of calculations. For example, how would you respond if, Chas V'shalom, the State of Israel was destroyed tomorrow, and because of the State of Israel, Jews were attacked and killed and all the yeshivas destroyed. Had we not had a state that wouldn't have happened and the yeshivas around the world would continue to grow and reach the same levels as today.. Anti-semitism has risen because of the state. We may have been safer without a state. Who knows.....the point is that I don't know and nobody knows and what Rabbi Brown was saying is that we have to do what is right and whatever happens is up to Hashem. The ends don't justify the means, not only because it doesn't, but we aren't in control of the end result. We are only looking at a small segment of time, fifty years is a very short amount of time and we have no idea what tomorrow will bring. I listened to how you responded and didn't see a clear answer to this.

Also, the UN wouldn't be so anti-Semitic if the Arabs were control of the Land of Israel. The Arabs wouldn't care about us if we weren't in power. The Jews lived for many years in peace under Arab countries and the hatred is due to the rise of power that the Jews have.

With the most utmost respect,

Joseph Oppenheimer, CPA

Selected audio from our listeners

Satmar and Zionism- A place for Kanous [click here](#)

Satmar and Zionism- Israeli army [click here](#)

Satmar and Zionism- Kastner train [click here](#)

Satmar and Zionism- Zionist in WWII [click here](#)

Satmar and Zionism- Taking money from the Medina 1 [click here](#)

Satmar and Zionism- Taking money from the Medina 2 [click here](#)

Satmar and Zionism- Zionism in contemporary times 1 [click here](#)

Satmar and Zionism- Zionism in contemporary times 2 [click here](#)

Satmar and Zionism- General Yalon 1 [click here](#)

Satmar and Zionism- General Yalon 2 [click here](#)

Satmar and Zionism- General Yalon 3 [click here](#)

Satmar and Zionism- comments on the show 1 [click here](#)

Satmar and Zionism- comments on the show 2 [click here](#)

Satmar and Zionism- comments on the show 3 [click here](#)

Satmar and Zionism- comments on the show 4 [click here](#)

Satmar and Zionism- comments on the show 5 [click here](#)

Satmar and Zionism- comments on the show 6 [click here](#)

Satmar and Zionism- comments on the show 7 [click here](#)

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Satmar and Zionism- comments on the show 9 [click here](#)

How to do Kiruv [click here](#)

Satmar and Zionism- Paskening from Aggadatah Gemoros [click here](#)

Satmar and Zionism- Biased [click here](#)

Satmar and Zionism- Is Zionism Amalek- The Satmar ideology [click here](#)

Satmar and Zionism- the way to look at it [click here](#)

Satmar and Zionism- the danger of the draft was never discussed- do follow up show [click here](#)

Satmar and Zionism- Additional comments on the show (1) [click here](#)

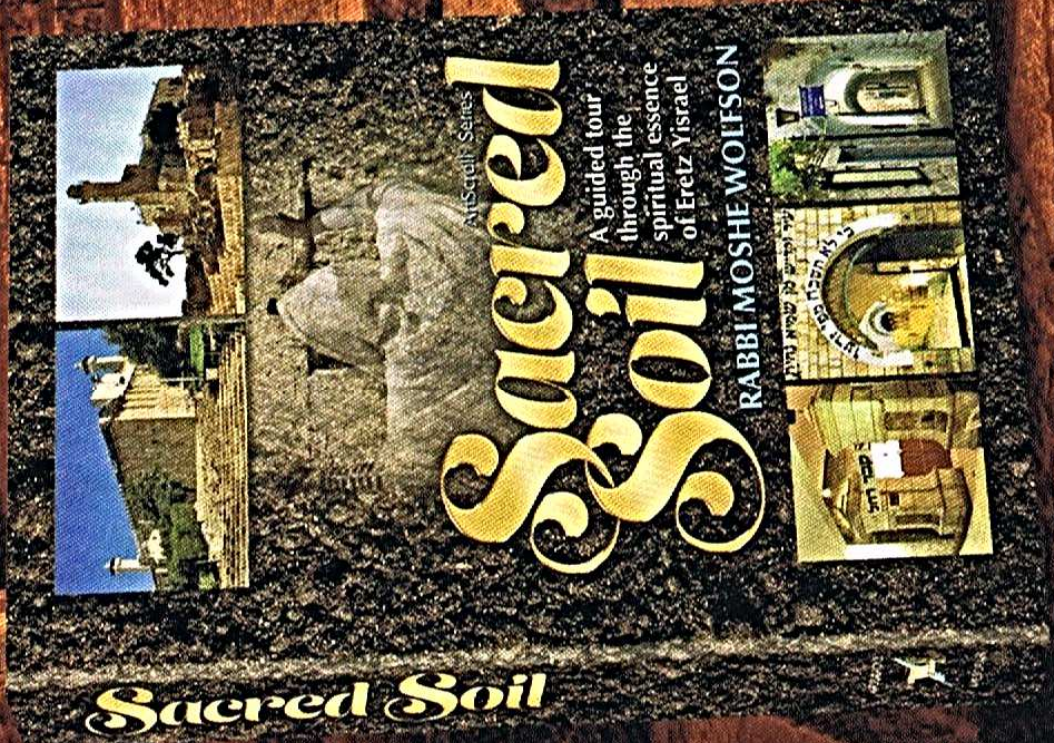
Satmar and Zionism- Additional comments on the show (2) [click here](#)

EXCLUSIVE INTERVIEW

Sacred Soil

A Conversation with
Harav Moshe Wolfson about his
Book on Kedushas Eretz Yisroel

BY YOCHONON DONN



16-111988-September 6, 2017

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Harav Moshe Wolfson, shlita, Rav of Bais Medrash Emunas Yisroel in Boro Park and Mashgiach of Yeshivah Torah Vodaath, has been talking about Eretz Yisrael for many years, using language that paints a picture similar to the majestic vision previous generations beheld of its twisted alleyways and heavenly inhabitants.

“Send regards to the shtetler — the stones — of Eretz Yisrael,” a talmid recalls Rav Wolfson telling him when he said goodbye before a trip to Eretz Yisrael. And now, the Mashgiach’s passion for the holy stones is revealed in a new book, written by Mrs. Baila Vorhand and published by ArtScroll/Mesorah.

“Sacred Soil: A guided tour through the spiritual essence of Eretz Yisrael,” is the work of Mrs. Vorhand, who has for years documented Rav Wolfson’s weekly divrei Torah and distributed them widely.

Mrs. Vorhand said that as a member of Emunas Yisroel’s kehillah, her aspiration with the book was to make Klal Yisrael aware of kedushas Eretz Yisrael along the Mashgiach’s unique train of thought.

“When someone has a certain knowledge and other people don’t have that knowledge, they want to share it with others,” she says. “What I have is knowledge of the Mashgiach’s Torah — I was exposed to it from a young age. This is not a regular Torah; it lifts you to a much

higher level of ruchniyus. And I want everyone to have that same knowledge.”

Eretz Yisrael, the Mashgiach says in the book, is more than just the inheritance of every Yid; it is the heart of Klal Yisrael. A heart’s vessels are narrow and winding; so too are the passageways of Yerushalayim.

A heart pumps life-giving blood throughout the body; so too Yidden across the world are connected to the Torah through their portion in Eretz Yisrael. Even when they are in New York or Melbourne, they are similar to a wealthy man who is traveling and can easily access his bank account from anywhere with the swipe of a card.

The world is covered in dark spiritual clouds that prevent tefillos from rising to Heaven. In Eretz Yisrael, the clouds are much sparser; in Yerushalayim, even more so. By connecting to Eretz Yisrael — by facing the Makom HaMikdash — every Yid can allow his tefillos to easily puncture the thick haze.

“Sacred Soil” is exceptional in that it provides a practical guide to preparing for a trip to the Holy Land. It contains chapters on the mekomos hakedoshim and how each ancient sage relates directly to our generation.

In an exclusive interview, Inyan was privileged to speak with Rav Wolfson about the concepts revealed in “Sacred Soil.”

The Mashgiach was a talmid of Rav Shraga Feivel Mendlowitz, zt"l, and was able to feel the chibas haAretz of Reb Shraga Feivel. Is this from where the Mashgiach took the regesh that is apparent in the sefer?

Of course. He was a tremendous *ohav Eretz Yisrael*. He always cried when saying “*V’li’Yerushalayim*” every Tishah B’Av. He would later teach — make an attempt to teach — *Eichah*. But it didn’t last three minutes. He just broke down in tears and had to leave.

But every Yid loves Eretz Yisrael. What’s *Chumash* and *Rashi* about if not *ahavas Eretz Yisrael*? Especially *sefer Bereishis*, and our *sefer* now — *Devarim*, *Va’eschanan*, *Eikev*. It’s all about Eretz Yisrael.

Now it is Elul and we’re turning to a new point of Eretz Yisrael, to *Yerushalayim*, “*hamakom asher yivchar Hashem*.”

If somebody learns *Chumash* and *Rashi*, if somebody learns *Gemara*, if someone learns *Midrash*, *Rishonim*, *Acharonim*, *Ramban* — of course he’s going to love Eretz Yisrael.

The Mashgiach told me once that the impetus for the founding of Emunas Yisroel started off in Camp Torah Vodaath.

Right.

Is it true that the Mashgiach was in Eretz Yisrael and afterwards wanted to continue the same type of elevated tefillos of Eretz Yisrael in chutz laAretz?

That’s not accurate. The original tefillos were in Camp Torah Vodaath. We made several collective trips to Eretz Yisrael, and there we continued our *davening*. Right now, in Eretz Yisrael there are two [Emunas Yisroel] *batei midrash*, one in *Yerushalayim* and one in *Beitar*, where [the tefillos are] exactly the way they are by us.

Was that the first time the Mashgiach was in Eretz Yisrael?

The first time I was in Eretz Yisrael, I went by myself. But there were many times when I went with over 100-150 people, *bachurim* and *yungeleit*, and we rented a large *beis medrash*. When *Purim* came out on *Shabbos*, and we had *Purim Hameshulash*, over a thousand people came.

The Mashgiach talks a lot in the book about chibas haAretz. What does a Yid need to love about Eretz Yisrael? Does he have to love the

stones of Eretz Yisrael? The neshamah of Eretz Yisrael?

You have it — the *neshamah* of Eretz Yisrael. “*Chayei neshamos avir artzeich*” (the life of souls is the air of your Land), said Rav Yehudah HaLevi. We say it on Tishah B’Av, in the *kinnah* of *Tzion*, *HaLo Sishali*. Eretz Yisrael has a *neshamah*. Eretz Yisrael has a *neshamah yeseirah*. When a Yid comes to Eretz Yisrael, he is elevated — that is, if he makes the proper preparations. It’s just like *Shabbos*. You can’t just fall into the *Shabbos*, but if you prepare before *Shabbos*, and you learn before *Shabbos*, and you go to the *mikveh*, say *Shir Hashirim*, and look into a *chassidishe sefer*, it’s a different *Shabbos*.

It’s the same thing with Eretz Yisrael. You need to prepare — with *Chazal*, with *Gemaros* and *Midrashim*, and *Chumash* and *Rashi*, and the *pesukim* in *Chumash*. We just finished the *parshiyos* of *Eikev* and *Va’eschanan* — every *pasuk* talks about Eretz Yisrael and *chibas Eretz Yisrael*.

Somebody who loves the *Ribono shel Olam*, loves what the *Ribono shel Olam* loves. That’s what *ahavas Yisrael* is built upon, that’s what *ahavas haTorah* is built upon, and that’s what *ahavas Eretz Yisrael* is built upon. It’s very unfortunate — this is in the *sefer* — that *Zionism* robbed *ehrliche Yidden* of *chibas Eretz Yisrael*, because the *Tziyonim* embraced Eretz Yisrael as a national homeland without any *keshet* to *Torah* or *emunah*.

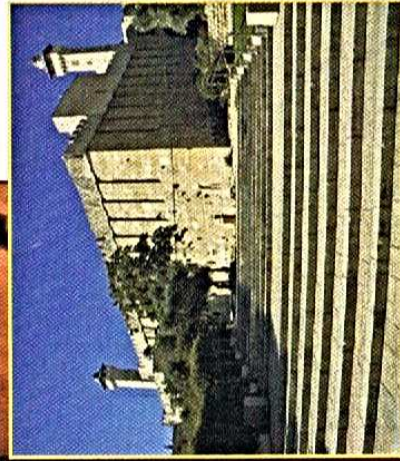
Because of that, the *tzaddikim* basically stopped putting a focus on Eretz Yisrael since they were afraid that [their followers] would be attracted to *Zionist* ideas or ideologies. But Eretz Yisrael is still Eretz Yisrael.

The Mashgiach says in the book that maybe now we can once again focus on chibas haAretz.

It’s true. *Zionism* is fading out. As we saw, they’re ready to sell Eretz Yisrael for a bowl of lentils.

There’s one thread that runs through the sefer, that Eretz Yisrael is in place what Shabbos is in time. The Mashgiach goes through a lot of examples of how Shabbos is parallel to Eretz Yisrael. So, if hotza’os Shabbos *eino min hacheshbon* — the expenses of Shabbos are not deducted from a person’s allotted livelihood — why does living in Eretz Yisrael today entail such financial difficulty?

Three things are attained only through hardship: *Olam Haba*, *Torah* and Eretz Yisrael. Nobody can be *zocheh* to *Torah* without making sacrifices.



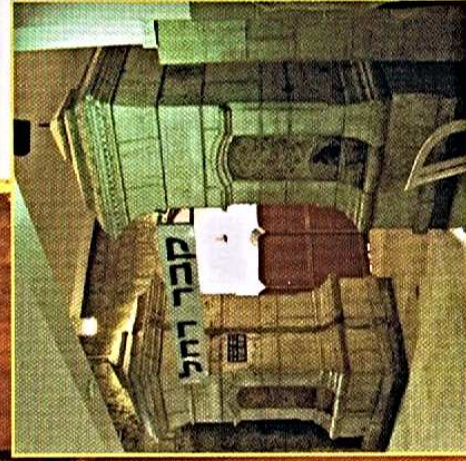
There are people who come to Eretz Yisrael who don't feel anything for Eretz Yisrael, just as there are people who come to Shabbos who don't feel anything for Shabbos. They stand by the window and wait for three stars so that Shabbos will be over already. Today, you don't need three stars, you look in the *luach*, but that's how it is.

If somebody loves Eretz Yisrael, then every moment in Eretz Yisrael is very precious to him, just as every moment of Shabbos is very precious. And he adds on to the Shabbos.

What's the best way for somebody going to Eretz Yisrael to make full use of his time there?

He should utilize his time as he does on Shabbos. On Shabbos, you spend more time *davening* than doing other things. We have *Nishmas*, we have a special *nusach*, we sing *Lechah Dodi*. That's how it should be in Eretz Yisrael — you should be busy with *tefillah*.

Of course, a visitor to Eretz Yisrael should take time to become acquainted with it. It's also important to form a *keshet* with Eretz Yisrael through *talmud Torah*. Just as when somebody learns, his *tefilos* will be elevated, they'll gain a higher *madreigah*. Like it says in the *Beis Aharon*, "*tzelosa ba'ei shmaatsa*" and "*shmaatsa ba'ei tzelosa*" — *tefillah* relies on Torah study and Torah study relies on *tefillah*. Each one fortifies the other.



There's a large section in the book on mekomos hakedoshim. It is well known that the Mashgiach doesn't go to mekomos hakedoshim...

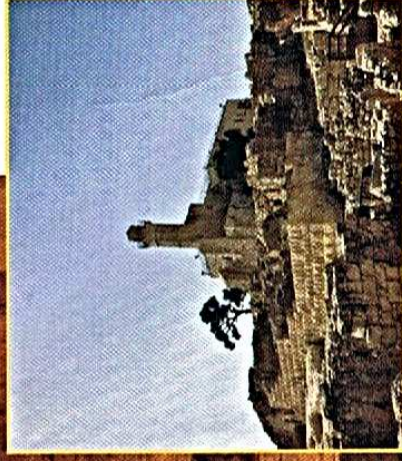
(The Mashgiach says emphatically) I do go.

I don't waste time going to *kevarim*. I go to one place at a time, and I spend some time there. But I don't make a career out of it. Because, *baruch Hashem*, in Eretz Yisrael there is what to do. You have to learn, you know. Traveling isn't such a big *segulah* in Eretz Yisrael. It takes your time; it knocks you out. I don't go visit all the big *kevarim* in the Galil because it's so time-consuming. But, of course, I always go to Me'aras Hamachpelah, Kever Rochel, Shmuel HaNavi and Shimon Hatzaddik.



Some people say, "I was at the Kosel already. I was at Me'aras Hamachpelah ten times in the last ten years. Now I want to go to the kevarim of Abaye and Rava..." Some people want to go to a place where you can see Moshe Rabbeinu's footprint. Is that something worthwhile?

(Laughs) I don't buy that. These places aren't mentioned explicitly in the Torah or by the Ari Hakadosh — so I don't go to them.



Eretz Yisrael is such a small country, but everything that goes on there is reported on front pages across the world. Where does this obsession with Eretz Yisrael come from? The same things happen in large countries elsewhere and they go unreported.

"*Af al pi d'lo chazi, mazleihu chazi*" — even though the other nations don't see, their *mazal* sees. They understand subconsciously that Eretz Yisrael is the focal point of the entire Creation — there the Creation began, with the *Even Shestah*. As the *Gemara* says in

Chagigah: Nivre'u Eretz v'chutzos — first Eretz Yisrael was created and then every other place.

Even the nations know that Eretz Yisrael is the center of the world. They call the sea whose eastern point reaches Eretz Yisrael the Mediterranean — *medi-terran* literally means “the center of the earth.”

Eretz Yisrael is a major connection between three continents: Europe, Asia and Africa. It's the center of the world. Everything revolves around Eretz Yisrael.

What is an ehrliche Yid supposed to think when, for instance, the United Nations votes that Yerushalayim or Me'aras Hamachpelah does not belong to the Yidden? What is an ehrliche Yid supposed to think when all the governments in the world deny our connection to Eretz Yisrael?

He's not supposed to think; he's just supposed to yawn.

We have the Torah that tells us Eretz Yisrael is ours. The very first line tells us this. In the very first *Rashi* in the Torah it says that Eretz Yisrael belongs to *Am Yisrael*. So, what do we need to care about the U.N.?

It's already self-evident that if all *kedushah* comes from Eretz Yisrael, and all *emes* comes from Eretz Yisrael, then all *sheker* comes from the U.N. So why are we interested? We yawn. That's all. They're going to tell us we stole the land? (He laughs.)

The Mashgiach writes throughout the sefer that there are a lot of things the Torah is very clear about, but when it comes to Eretz Yisrael the Torah is ambiguous — for example, Hashem didn't tell Avraham Avinu where it was. And the Mashgiach writes that Eretz Yisrael is something you have to search for; you have to long for Eretz Yisrael. Can the Mashgiach explain in practical terms how a Yid is able to be koneh Eretz Yisrael as Avraham Avinu was, through this longing for Eretz Yisrael?

Through learning Torah, and through *tefillah* with *kavanah*, and through giving *tzedakah* for those in Eretz Yisrael, one connects himself to Eretz Yisrael.

In previous generations, before the *Medinah* was established, the Yidden in Europe were *moser nefesh* to give *tzedakah* for the *talmidei chachamim* in Eretz Yisrael so that they could learn Torah in *kedushah* and *taharah* there, since through that, *shefa* comes to the whole world.

There's a Gemara in Kesubos that all the Poskim struggle to explain — that someone

who lives in Eretz Yisrael is likened to someone who has a G-d, while someone who doesn't live in Eretz Yisrael is likened to someone who does not have a G-d. What does this mean, both for someone who wants to move to Eretz Yisrael and for a person who lives outside Eretz Yisrael?

Eretz Yisrael is not for everybody. Now there's a *gezeirah* of *galus*, just as there can be a *gezeirah*, *lo aleinu*, on a certain Yid that he should be poor.

The *gezeirah* on Yidden, because of the *Meraglim*, is that they should be in *galus*. When a Yid is in *galus* he should understand that this is the *gezeirah* of the *Ribbono shel Olam*. He should long, he should yearn, to be able to live in Eretz Yisrael and have his *parnassah* in Eretz Yisrael. But the *Acharonim* write in many *teshuvos* that one shouldn't go to Eretz Yisrael and rely on getting *tzedakah*. If you want to go to Eretz Yisrael, you should have a livelihood there.

But, in answer to the question that you're asking, “*domeh sheyesh lo Eloka*” means that he has a bond with Eretz Yisrael. Somebody can be in *chutz laAretz* and be in Eretz Yisrael, if he has *kavanos* about Eretz Yisrael.

The Baal Shem Tov says that a person is where his thoughts are. When we *daven*, we turn toward Eretz Yisrael so that our thoughts should be in Eretz Yisrael, at the Beis Hamikdash. When we *daven* like that, it's as though we're actually there at the Beis Hamikdash, because that's where our thoughts are. That's “*yesh lo Eloka*.”

“Someone who lives in Eretz Yisrael” can be explained as meaning that even if one is in *chutz laAretz*, he is living in Eretz Yisrael if his thoughts are of Eretz Yisrael. In the past, for the Yidden in *galus*, their every breath was Eretz Yisrael; even though they were in *chutz laAretz*, they were living in Eretz Yisrael.

The Mashgiach has been speaking about Eretz Yisrael for many decades, but there are very few practical sefarim from a contemporary gadol about the kedushah of Eretz Yisrael out there today. What does it mean personally for the Mashgiach that this sefer is being published?

Why are we in *galus*? The *Meraglim* spoke negatively about Eretz Yisrael, so there was a *gezeirah*, as it says in *Tehillim*, “They rejected the Eretz Chemdah.” A *middah tovah* is 500 times greater [and more powerful than a *middah raah*]. If people speak positively about Eretz Yisrael [through this sefer], as Moshe Rabbeinu does in the Torah by speaking about its beauty, that will bring the *Geulah*. ■