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DECEMBER 2025 • KISLEV 5786

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Elu V'Elu Divrei Elokim Chayim — These and these are the words of the living God.

These words, which affirm the many valid ways in which God's will can be understood, establish Judaism as a tradition rooted in a rich plurality of ideas. It is through a healthy openness to the perspectives of others that we arrive at deeper and more refined conclusions, an approach reflected throughout the works of Chazal and the Torah scholarship that followed.

The Benjamin and Rose Berger Torah To-Go series has long served as such a forum for thoughtful Jewish dialogue. Across its pages, leading scholars and thinkers have shared their insights and explored the teachings of the great sages throughout our history.

In this edition, we consider how the diverse viewpoints and worldviews within the Jewish people ultimately coalesce. Through this convergence, we become one nation, unified by a shared mission and a collective set of values, guided always by the Torah. Although we live in a time when differences are often emphasized, this edition seeks to show that, when grounded in Torah and halachah, those differences are far smaller and far less significant than they may appear.

In recent years, we have also witnessed the extraordinary power of genuine Jewish unity. Throughout two years of war, our people came together to support our brothers and sisters in Israel. We thank God for the return of the surviving hostages, and we pray that the unity forged through suffering and shared responsibility will continue into calmer, more peaceful days.

In this edition, we also pay tribute to Rabbi Moshe Hauer zt"l, who served as the executive vice president of the OU until his tragic and untimely passing on Shemini Atzeret. Rabbi Hauer was a singular leader, one who respected and appreciated every individual's perspective and who consistently worked to bridge communal divides in the name of Jewish unity, a unity that strengthens our people immeasurably.

May this edition of Torah To-Go, like those that came before it, serve as a setting for healthy debate, deeper understanding, and renewed unity among the Jewish people.



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לעילוי נשמת הרב אברהם יוסף בן יצחק מאיר הלוי ז"ל
נפטר כ' כסלו תשע"ד

Rabbi Joseph Grunblatt z"l

Rabbi Joseph Grunblatt served as the Rabbi of the Queens Jewish Center in Forest Hills, NY, from 1967 until 2006.

Born in Leipzig, Germany, Rabbi Grunblatt relocated to London, where he studied under Rabbi Elyah Lopian. He immigrated to the United States and received semicha from Yeshiva Torah Vodaath, from the esteemed Rabbi Reuven Grozovsky.

A prolific thinker and educator, Rabbi Grunblatt taught Jewish Studies at Yeshiva University and Touro College. He authored *Exile and Redemption: Meditations on Jewish History* (1988), and contributed numerous articles to Jewish publications. He served as Vice President of the Rabbinical Council of America, and as President of the Vaad Harabonim of Queens. His legacy lives on through his students, congregants, and family.

Henna and David Grunblatt

A LIGHT FOR OTHERS

The lighting of the menorah encodes a distinctively Jewish conception of resilience: light that shines for others is light that no darkness can extinguish. The halakhic structure of the mitzvah, its historical origins, and its symbolic resonances all point toward this central idea.

The Talmud (*Shabbat* 21b) describes three ascending levels of observance: the basic mitzvah of *ner ish u'beito*, a single light for the household; the *mehadrin*, lighting one for each member; and the *mehadrin min hamehadrin*, in which the lights increase each day. This tripartite structure is unique in halakhic literature. It suggests that Chanukah is not designed around minimal compliance but around expanding illumination. The mitzvah is fulfilled most fully when the light grows—when it becomes a model for how spiritual influence ought to function: outward, increasing, and shared.

This is reinforced by the halakhic requirement of placement. The menorah must be set at the entrance or in a window “*lefarsem et ha-nes*,” to publicize the miracle. Unlike Shabbat candles, which create private tranquility, the Chanukah lights are inherently public. Their very purpose is relational: to illuminate not only the home but the street, the community, the passerby. In this sense, the mitzvah itself demands that our light be directed outward. We

do not kindle for ourselves alone; we kindle so that others may see.

Historically, this outward orientation responds to the Hellenistic program. The decrees against circumcision, Shabbat, and Temple service were intended to extinguish the distinctive covenantal light of Israel. The Maccabean revolt was not merely self-defensive. It was a struggle to preserve the Jewish capacity to serve as a source of moral and spiritual illumination in the broader world. The rededication of the Temple and the rekindling of the menorah were expressions of the belief that Jewish light is not for the Jews alone; its purpose is to radiate covenantal meaning outward.

Rabbinic sources describe the menorah as representing wisdom and the divine presence—light that flows from God into the world. Its illumination was not utilitarian but emblematic: Israel’s purpose is to model godly living in a world often dimmed by confusion or injustice. Chanukah democratizes this responsibility. With the destruction of the Temple, every Jewish home becomes a *mikdash me’at*, a miniature sanctuary whose light participates in the larger task of sanctification.

In our time, this legacy assigns contemporary Jews a new kind of Maccabean charge. Modern Maccabees understand that their task is not only to resist hatred or to insist that anti-Zionism



Rabbi Dr. Ari Berman

*Rosh Yeshiva and President,
Yeshiva University and RIETS*

is a modern form of antisemitism—though these tasks remain essential. The deeper, perennial charge is to model the character and values of the covenant, to embody the ethical and spiritual brightness that brings honor to God and generates light for the world. Courage is necessary, but so is *kiddush Hashem*: moral excellence, compassion, integrity, intellectual honesty, and a commitment to uplift others. When the Jewish people live these values visibly, they fulfill the ancient mandate of *pirsumei nisa*—public illumination—not only of a historical miracle but of a living covenant.

Chanukah thus teaches that the durability of Jewish light does not stem from power but from purpose. Light that shines for others persists. It cannot be smothered by cultural pressure, ideological darkness, or historical upheaval. When Jews illuminate the world through their character, their values, and their faith, they continue the legacy of the Maccabees—and ensure that the miracle of light endures.

Rabbi Moshe Hauer zt"l

An Appreciation



by Rabbi Aryeh Lebowitz

*Rosh Yeshiva and Abraham Arbesfeld Torah Dean, RIETS
Mara D'asra, Beis Knesses of North Woodmere*

There are individuals who lead communities, and there are those who hold communities together. Rabbi Moshe Hauer zt"l was both. His leadership was not defined by titles or positions, but by his rare ability to connect—with warmth, with respect, and with sincerity—to every type of Jew. In a fractured world, he was a builder of bridges: between individuals and institutions, between rabbanim and lay leaders, between the deeply observant and those still searching, and ultimately between Klal Yisrael and HaKadosh Baruch Hu.

A Leader Who Listened

Long before Rabbi Hauer became Executive Vice President of the Orthodox Union, he was already a quiet force for unity. When he first entered the national scene,

there was no fanfare—just a sense among those who knew him that someone special had arrived. He had a calm that invited conversation and a wisdom that inspired trust. Whether sitting across from gedolei Torah or grassroots activists, he listened deeply, validating each person's experience before offering his own perspective.

When COVID-19 upended Jewish life, Rabbi Hauer became the steady, thoughtful voice guiding the community through confusion and fear. While others grew defensive or divisive, he stayed calm—never dismissive, never reactive. He understood that leadership meant not only setting policy but maintaining shalom. Even when attacked or second-guessed, he reached out personally to those who disagreed, seeking not to win arguments but to preserve relationships. For Rabbi Hauer, unity was not a slogan; it was a sacred responsibility.

Seeing the Whole Picture

Rabbi Hauer's gift was his ability to see the gray—to

understand that Klal Yisrael is made up of shades, nuances, and complexities. In his eyes, there was no Jew who could be written off, no issue too complicated for Torah to address with compassion and depth. His Torah, steeped in Maharal and Ramchal, was not abstract philosophy. It was Torah that spoke to real life, to the pressing questions and moral tensions of our times. He believed that if rabbanim ignored the issues that weighed on people's hearts, they risked implying that Torah had nothing to say about them. To him, that would be a *chillul Hashem*.

This was the secret of his influence. People didn't just hear his words—they felt seen by them. His *derashos*, his emails before Yomim Tovim, his meetings large and small all shared that same quality: clarity without arrogance, conviction without divisiveness.

Loving Klal Yisrael, One Person at a Time

Rabbi Hauer's *ahavas Yisrael* was both sweeping and deeply personal. He gave himself fully not only to Klal Yisrael—the Jewish people as a whole—but to Reb Yisrael, the individual Jew standing before him. He would notice who in a room seemed withdrawn and quietly offered encouragement. He would remember details about a person's family or life and follow up, sometimes with a brief but heartfelt voice note that made one feel truly valued.

He was soft-spoken, yet his gentleness was never a weakness. As Rav Hershel Schachter once noted, he embodied *divrei chachamim b'nachas nishma'im*—the words of the wise are heard when spoken with calm. His humility did not preclude strength. In fact, as Rabbi Ezra Neuberger zt"l remarked, "He was the strongest person I know." Bold in thought yet self-effacing in manner, Rabbi Hauer showed that true leadership requires both courage and humility.

The Pain of His Absence, the Power of His Legacy

Rabbi Hauer's passing feels especially cruel because his work was not finished. The natural trajectory was that so many more would come to learn from him in the coming decades. His sudden loss leaves a void—one

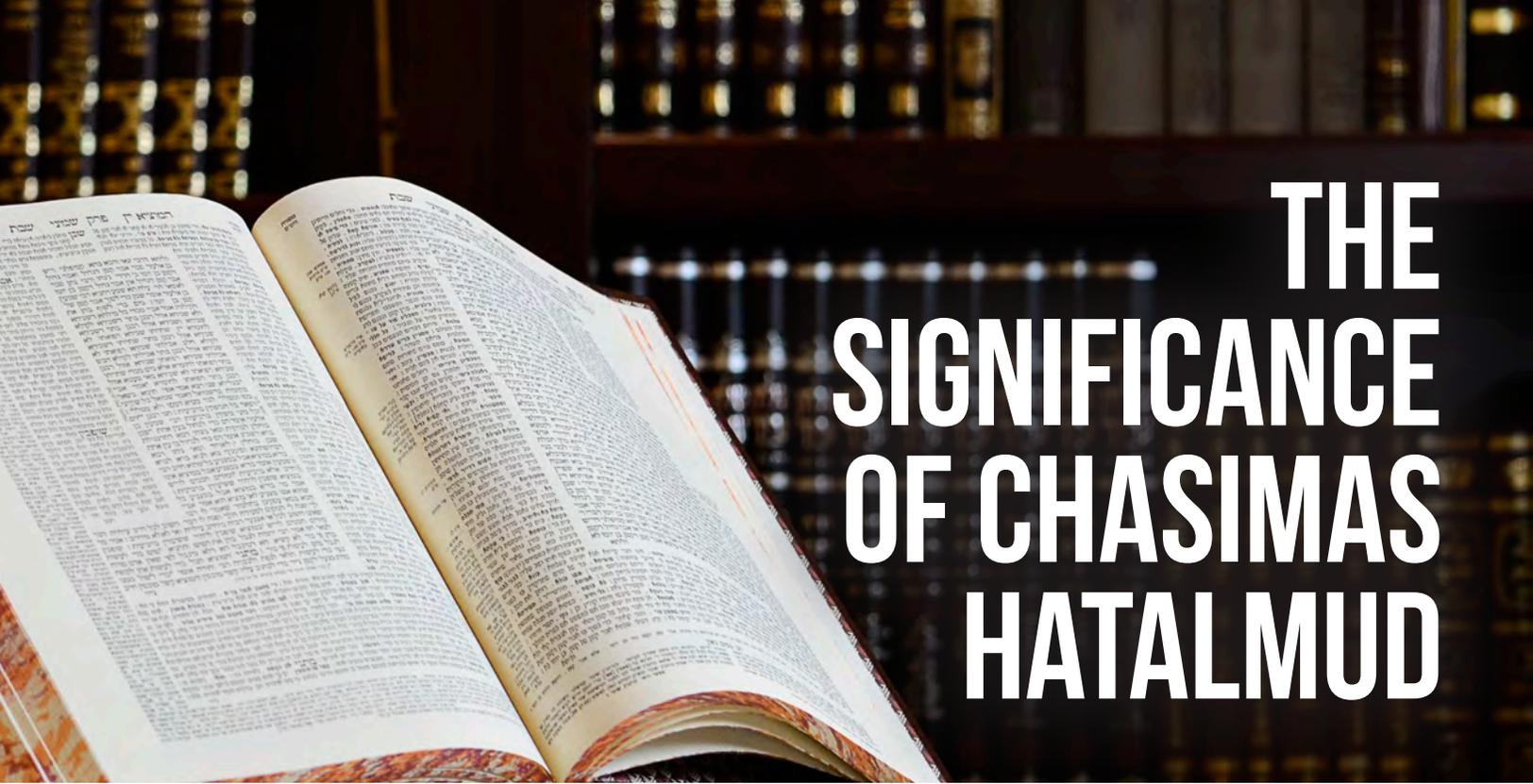
"If one were to ask, what did the world have too much of that Hashem decided we no longer need Rabbi Hauer?—the answer would be painful in its clarity."

measured not only in what he accomplished, but in what he inspired others to do.

Yet, as he himself once observed on the pasuk "*asher bara Elokim la'asos*"—even Hashem does not finish the work. Our task is to continue it. Rabbi Hauer began something enduring: a model of leadership rooted in Torah, empathy, and a belief in the inherent goodness of every Jew. His children and talmidim carry that torch, and through them, his gentle yet powerful voice continues to guide us.

If one were to ask, as Rabbi Daniel Rose (Rabbi Hauer's successor at Bnai Jacob Shaarei Zion in Baltimore) did, "What did the world have too much of that Hashem decided we no longer need Rabbi Hauer?"—the answer would be painful in its clarity. We did not have too much *achdus*. We did not have too much *ahavas Yisrael*. We did not have too much compassion, humility, or wisdom. Precisely those are the qualities we need most—and they are the gifts Rabbi Hauer bequeathed us.

May we honor his memory by following his example: seeing the good in every Jew, listening more than we speak, and building the bridges that hold our people together.



THE SIGNIFICANCE OF CHASIMAS HATALMUD

Later Generations Arguing on the Gemara

The Rema¹ writes that if someone living in his generation (16th century, in Cracow, Poland) works out a *pesak halakhah* on a certain issue, and in consulting the earlier literature of the *Geonim* finds a ruling against his own determination, if after discussion with other *rabbanim* he maintains the correctness of his view, he is obligated to disregard the earlier ruling and should rule in accordance with his own understanding.

Nevertheless, the Rema places a limitation on this license to disagree with earlier decisions – one may disagree only with *Rishonim* and *Geonim*, not with statements in the Gemara. As the source for the Rema, the Vilna Gaon, in his commentary on *Shulchan Arukh*, cites a phrase that appears in the Gemara:² “*Ravina v’Rav Ashi sof hora’ah.*” In other words, Ravina

and R. Ashi, the end of the period of the *Amora'im*, signified the completion of the process of *pesak halakhah* in *Torah Shebe’al Peh*, and as a result, later generations may not disagree with the *chakhmei haTalmud*. Why should this be so?

R. Moshe Soloveitchik gave the following interpretation. There is a famous letter by Rabbenu Sherira Gaon that contains a statement about R. Yehudah HaNasi’s editing of the *Mishnayos* into a written text, but it is unclear whether he meant that the Jewish people began studying the Mishnah from a written text at that time, or that they continued to transmit the *Torah Shebe’al Peh* orally as they had done until that point, and only began to teach from a written text in the days of Ravina and R. Ashi.³ The latter view has been the generally accepted one, both among *rabbanim* and historians, that *Torah Shebe’al Peh* continued to be transmitted orally even after R. Yehuda



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HaNasi edited the *Mishnayos*. The teaching of *Torah Shebe’al Peh mitokh haksav* (from a written text) began only later in the days of Ravina and R. Ashi.

When the *Torah Shebe’al Peh* was originally given to Moshe Rabbenu at Har Sinai, *HaKadosh Baruch Hu* instructed him:⁴ “*Kesav lekha es hadevarim ha’eileh ki al pi hadevarim ha’eileh karati itkha bris v’es Yisrael*” – Write down the *Torah Shebikhsav*, despite the fact⁵ that the primary

“kerias bris” (sealing of the covenant) between Hashem and the Jewish people is through the *Torah Shebe’al Peh*. In other words, the *Torah Shebikhsav* is to be written down, and the *Torah Shebe’al Peh* is to be conveyed orally.⁶

The first condition, that *Torah Shebikhsav* is to be transmitted *mitokh haksav*, is observed whenever a *ba’al koreh leins* the *kerias haTorah* in *shul*; he is not permitted to recite the *pesukim* by heart, but must read every word from the *sefer Torah*. The second condition, however, that *Torah Shebe’al Peh* must be transmitted *be’al peh*, is not observed; we study from printed texts of the Mishnah, Gemara, and *Shulchan Arukh*. The Gemara⁷ justifies our practice by citing the *pasuk*⁸ “*Eis la’asos laShem hefeiru torasekha*.” The simple reading of the Gemara is that in a great *she’as hadechak*, laws of the Torah must sometimes be violated. Thus, there was a special *heter* to violate the halakhah nowadays, and commit *Torah Shebe’al Peh* to writing, because of the fear that it would be forgotten.⁹

It is important to note, however, that the Rambam, throughout the entire *Yad HaChazakah*, never records the halakhah that *Torah Shebe’al Peh* must be transmitted *be’al peh*; he only writes it in the introduction to *Yad HaChazakah*, where he details the *sefer haMasorah* from Moshe through the generations. It would appear from the Rambam that transmitting *Torah Shebe’al Peh mitokh haksav* is actually **not** an *issur* that we currently violate due to the *she’as hadechak*.¹⁰ Rather, the understanding of the Rambam is that the primary *Masorah* of *Torah Shebe’al Peh* – in its fullest sense – occurs when it is transmitted *be’al peh*. *Torah Shebe’al Peh* taught *mitokh haksav*, by contrast, constitutes a lower level of *Masorah*, an incomplete fulfillment of the mitzvah of

teaching *Torah Shebe’al Peh*, but not the violation of an *aveirah*.

This explains why the Rambam, in describing the *sefer haMasorah* in the introduction to *Yad HaChazakah*, lists only the generations from Moshe Rabbenu until Ravina and R. Ashi, the time of *chasimas haTalmud*. By contrast, when the Meiri¹¹ details the *sefer haMasorah*, he continues past Ravina and R. Ashi all the way until himself. Certainly, the Rambam could have done the same, but his intent was to write halakhah, not history, and he holds that the complete form of the *sefer haMasorah* ended with Ravina and R. Ashi, when *Torah Shebe’al Peh* began to be taught from a written text.

Apparently, the Vilna Gaon understood the words in the Gemara “*Ravina v’Rav Ashi sof hora’ah*” as not just a historical statement, but as a halakhic statement, teaching that the cutoff point, after which later *Chakhamim* cannot disagree with earlier ones, was the period of Ravina and R. Ashi. The reason for this, R. Moshe Soloveitchik explained, is that until Ravina and R. Ashi, *Torah Shebe’al Peh* was transmitted *be’al peh*, thus constituting the fullest form of its *Masorah*, whereas afterward, the teaching *mitokh haksav* results in an incomplete form of its *Masorah*. Therefore, *Chakhamim* in later generations, who have a lower level of “*ba’alei Masorah*,” have no right to disagree with those of earlier generations who have a higher level of “*ba’alei Masorah*.” The *Chakhamim* from the days of Yehoshua bin Nun until Ravina and R. Ashi, and those from the days of Ravina and R. Ashi until today, are all considered *al pi halakhah* as being on the same level of “*chachmei Masorah*,” and therefore later generations are permitted to disagree with earlier ones. The only exception



Excerpted from Rabbi Schachter's Divrei Soferim

is the limitation specified by the Rema, regarding those who followed the *chasimas haTalmud*, who may not disagree with those who preceded the *chasimas haTalmud*.¹²

Why Torah Shebe’al Peh Was Committed to Writing

R. Moshe Glasner, in the aforementioned *sefer Dor Revi’i*,¹³ as part of his extensive discussion of the development of *Torah Shebe’al Peh*, elaborates on the question of why the *Torah Shebe’al Peh* was committed to writing. Given the explanation that writing down the *Torah Shebe’al Peh* brought an end to the era of “*hora’ah*,” why did the *Chakhamim* of that generation do so and thereby effectively tie their hands?¹⁴ As a result of *chasimas haTalmud*, later *Chakhamim* could not disagree with earlier ones, thus hampering the further development of *Torah Shebe’al Peh*.

We have mentioned the usual answer to the question, that it became necessary to write down the *Torah Shebe’al Peh* because of the fear that it would be forgotten, especially given the expected prolonged *galus* filled with persecutions and expulsions.¹⁵ The

sefer Dor Revi'i, however, advances a different suggestion. He focuses on the importance of the Jewish people living in *Eretz Yisrael*, which is the only environment in which the Torah can be properly developed. The concern, as he understood it, was that the Jews would remain in *galus* and be exposed to foreign cultures. Since the *Torah Shebe'al Peh* has been developed with much rabbinic input in each era, the *rabbanim* in *galus* might have a secular agenda and insert into the Torah foreign concepts that do not belong in it. Therefore, the *Chakhamim* in the days of Ravina and R. Ashi “tied the hands” of the later generations, to limit what the later *rabbanim* could introduce and thereby protect the integrity of the *Torah Shebe'al Peh*.

The *sefer Dor Revi'i*¹⁶ makes a similar comment regarding the *pasuk* in *Parashas Ha'azinu*,¹⁷ “*Hashem miSinai ba v'zarach miSe'ir lamo hofia meHar Paran v'atah merivevos kodesh.*” *Chazal*¹⁸ famously describe *Hashem* offering the Torah to the various nations of the world. Each one asks what the Torah contains, and is told, in turn: *lo sirtzach*, *lo sinaf*, and *lo sigzol*. Upon hearing what the Torah demands, each nation rejects the Torah, and, seemingly by default, it is given to the Jewish people.

Clearly, this presents many questions. First, we recite, in the *birkhos haTorah*, “*asher bachar banu mikol ha'amim v'nasan lanu es Toraso,*” emphasizing that *Hashem* chose the Jewish people to receive the Torah, while here

Chazal convey the impression that no other nation was willing to accept His Torah, and He had to give it to the Jews. Furthermore, the laws that the nations of the world rejected – murder, immorality, and theft – were in any event prohibited to them as part of the *sheva mitzvos bnei Noach*. What did they gain by not accepting the Torah if in any event they are bound by the *sheva mitzvos*?

In response to these questions, the *Dor Revi'i* suggests the following interpretation: The *Ribbono shel Olam* wanted to offer the Torah to the nations of the world, but the scholars of those nations advised Him against it. They did so in consideration of the role of Torah scholars in developing the halakhah. Their argument was that their nations are so involved in murder, immorality, and theft that they would force interpretations into the text that would effectively undo the *dinim* of *lo sirtzach*, *lo sinaf*, and *lo sigzol*. Their foreign attitudes were so ingrained that they would not be able to act objectively in interpreting the Torah.

In a related observation, the *Midrash Shmuel*, a commentary on *Pirkei Avos* written by R. Shmuel Uceda, comments on the opening mishnah in a very striking fashion. When the mishnah states “*umesarah liYehoshua*” (and Moshe gave [the Torah] over to Yehoshua), this means that Moshe gave the Torah over to Yehoshua and the *Chakhamim* in every generation, who have a right to *pasken* “in any way

they see fit.” The *Dor Revi'i* moderates this comment by noting that it is not accurate that the *Chakhamim* have **full** control over how they interpret the Torah. There are certain *hashkofos* and attitudes that are part of the *Torah Shebe'al Peh*, which must be transmitted by tradition and which affect rabbinic interpretation as well. Thus, all of the new *pesakim* of the *Torah Shebe'al Peh* have to be correct not only based on the rules and regulations of the *middos shehaTorah nidreshes bahen*, but must also be correct according to the traditions of attitudes that are supposed to be transmitted from one generation to the next.

The Importance of Pesak Independent of Personal Biases

R. Soloveitchik would frequently speak and write about this idea, that *Masorah*, the transmission of Torah from generation to generation, is not just a transmission of halakhos but the transmission of attitudes as well. He spoke of the warm “*rebbe-talmid*” relationship that should lead to a *talmid* absorbing much of his *rebbe's* personality, because a *rebbe* transmits his outlooks and perspectives to him as well.

This notion appears in the Gemara regarding the concept of an “*am ha'aretz.*” In contemporary usage, an *am ha'aretz* is an ignoramus, one who does not know how to learn Torah. However, the Gemara used the term differently, to mean a person who is insufficiently observant. The Gemara¹⁹ records an additional opinion, though, that an *am ha'aretz* is even one who was *karah v'shanah v'lo shimesh talmidei chakhamim* – he has learned both Tanakh and Mishnah but has not studied at the feet of *talmidei chakhamim*. Apparently, one



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Honest talmidei chakhamim develop their views based on what they think the halakhah should be, and not as a result of their personal biases.

who has acquired broad knowledge, but has not absorbed the attitudes of *talmidei chakhamim* is considered an *am ha'aretz*. R. Soloveitchik would sometimes use this expression to criticize younger rabbis who acted in a way that displayed that they did not take in the attitudes of their *rebbe'im*.²⁰

The concern regarding *talmidei chakhamim* introducing secular attitudes and foreign concepts into the Torah that reflect their personal agenda is discussed in the Gemara as well. The Gemara²¹ brings a *machlokes* as to whether the wife of a *ger* is excluded from the *sotah* procedure. In support of their view, the *Chakhamim* cite an incident that occurred in Yerushalayim, in which Shemayah and Avtalyon, who officiated as the *Nasi* and *Av Beis Din* in the generation preceding Hillel and Shammai, administered the water of the *sotah* in such a situation. To this, a certain individual disparagingly replied, "They [Shemayah and Avtalyon] gave her [the water of the *sotah*] to drink because they were similar [to her]," being descendants of *gerim* themselves.²² The Gemara describes that because of this comment, that Shemayah and Avtalyon decided the halakhah in favor of *gerim* to make a self-serving point about equality

for *gerim*, the person was placed in *nidui* (excommunication). According to the Mishnah, the punishment for expressing such an attitude is nothing less than *nidui*! Honest *talmidei chakhamim* develop their views based on what they think the halakhah should be, and not as a result of their personal biases.

Years ago, whenever Sukkos followed a *Shemittah* year, there would be two consecutive advertisements in the Yiddish newspapers. Satmar Chasidim would place an ad asserting that since the *heter mechirah* (the sale of parts of *Eretz Yisrael* to non-Jews in order to avoid the stringencies of *Shemittah*) is not reliable, one should be careful not to buy *esrogim* that grew in *Eretz Yisrael*. A second ad would be placed by the Mizrachi, quoting R. Soloveitchik, stating that despite the *Shemittah* issue, one should still purchase these *esrogim* and support the *yishuv* in *Eretz Yisrael* that year, just as in other years. There were always those who commented that they could have predicted the halakhic positions of these *rabbanim*. After all, the Satmar Rebbe, being an anti-Zionist, would certainly disqualify these *esrogim*, whereas R. Soloveitchik, the honorary president of the Mizrachi, would surely approve of their use!

The truth of the matter is, however, that the *pesakim* had nothing to do with political views, but were based on halakhic reasoning. Assuming that the Satmar Rebbe and R. Soloveitchik were honest *talmidei chakhamim*, one must believe that they were expressing their honest halakhic opinions, completely free of outside considerations, and a statement to the contrary is deserving of *nidui*.

The Role of *Siyata DiShemaya* in *pesak Halakhah*

The *Chumash* juxtaposes the *parashah* that deals with the obligation to establish a *beis din* (the beginning of *Parashas Mishpatim*²³) with the preceding passage that deals with the construction of the *mizbe'ach* (the end of *Parashas Yisro*²⁴). Rashi cites the *Mechilta's* comment that this placement teaches us that the offices of the Sanhedrin have to be in the *Beis HaMikdash* adjacent to the *mizbe'ach*.

This reflects the fact that the *Beis HaMikdash*, in addition to being the location of the offering of *korbanos*, occupies other important roles. It is the center of *tefillah*, as the *pasuk* says, "Ki *beisi beis tefillah yikarei l'khol ha'amim*."²⁵

When Shlomo HaMelekh built the First *Beis HaMikdash*, he offered a special *tefillah*,²⁶ in which he mentioned that everyone, the Jews and the non-Jews alike, should come to the *Beis HaMikdash* to *daven*. According to the *Kuzari*,²⁷ the *Beis HaMikdash* is also the main location of *hashra'as haShekhinah*, and, accordingly, *nevuah*. Further, he observes, it is the primary site for the Torah, both *Shebikhsav* and *Shebe'al Peh*.²⁸ Regarding the Written Torah, Moshe Rabbenu had written a special *sefer Torah* which he gave to the Levi'im to maintain in the *Beis HaMikdash* so that it may preserve the *Masorah* of the correct text.²⁹ In terms of the Oral Torah, the *Sanhedrei Gedolah*, the final authority on *Torah Shebe'al Peh*, convened in the *Beis HaMikdash*. Thus, as the *Kuzari* notes, the *Beis HaMikdash* is simultaneously the center of *korbanos*, of *tefillah*, of *nevuah*, and of Torah.

Why was it necessary for the central institution of *Torah Shebe'al Peh* to be housed in the *Beis HaMikdash*? The Ramban³⁰ explains that the Sanhedrin was to be located adjacent to the *mizbe'ach*, because it is assumed that the accompanying *hashra'as haShekhinah* would provide *siyata diShemaya*, supernatural divine assistance, so that the Sanhedrin would *pasken* properly. In fact, the Gemara³¹ cites the *pasuk* “*Elokim nitzav ba'adas Kel*,”³² to teach that whenever a *beis din* meets for a *din Torah* – not only the *Beis Din HaGadol* in the *Lishkas Hagazis* – the *Shekhinah* is present to help them *pasken* and ascertain the truth.³³ This is the basis for the *din*³⁴ that *dayanim* who sit for a *din Torah* should cover their heads, in deference to the *Shekhinah* that is present.

We assume that there is *siyata diShemaya* even when a *rav paskens* a *she'elah*. In this context, the Gemara

quotes the *pasuk*³⁵ “*Sod Hashem liyerei'av*” – The secrets of *Hashem* [are revealed] to those who fear Him,” indicating that *HaKadosh Baruch Hu* assists *talmidei chakhamim* in *paskening* the *she'elos* brought before them.³⁶ This is the reason that when a person asks his *rav* a *she'elah*, the *pesak* he receives is binding – **not** because it would be so even if it was an error, but because the assumption is that the divine assistance prevented any mistake. The Gemara³⁷ cites a *pasuk*³⁸ that describes the activities of David HaMelekh: “*vaHashem imo* – “and God was with him,” understanding it to mean that the halakhah was always in accordance with David in disputes he had with others. The success David enjoyed in *pesak halakhah* was related to “*vaHashem imo*,” the *hashra'as haShekhinah* that helped him. This is not limited to David HaMelekh; it is true in later generations as well. In his commentary on the Rambam, the Ra'avad³⁹ writes a very striking expression: “*Kvar hofia ruach hakodesh b'veis midrasheinu mikamah shanim* – The *ruach hakodesh* has appeared in our *beis midrash* for many years.” He was not referring to actual *ruach hakodesh*, but that he felt divine assistance in *pesak halakhah*.

There is such a story regarding R. Yechezkel Landau, known as the *Noda BiYehudah*, who was appointed to the prominent position of *rav* of Prague. As was often the case with such appointments, there were some who opposed choosing R. Landau. One such opponent approached R. Landau, early in his tenure, with a *she'elah* in the *dinim* of *treifos*. After examining the questionable *treifah* and pondering the *she'elah*, R. Landau found himself unable to come to a resolution, at which point he accused his questioner of fabricating the *she'elah* in order to embarrass him.

R. Landau explained how he had discovered the ruse. Whenever he would *pasken* a *she'elah*, he would have a very secure feeling that *min haShamayim* he had been assisted in *paskening* correctly. This time, however, he did not feel comfortable issuing a *pesak*, as if he had not received *siyata diShemaya*. He concluded that there must not have been any need for divine assistance not to err in this instance, since the *she'elah* was contrived.⁴⁰ We assume that such a phenomenon exists in all generations; the *Shekhinah* provides guidance to honest *talmidei chakhamim* to enable them to *pasken* properly.

The Torah prohibits a *dayan* from ruling in a monetary matter if he is *noge'ia badavar*, if he has a personal interest. However, in other areas of halakhah, such as *issur v'heter*, we allow the rabbi to rule even if he has some monetary interest – for example, with regard to *she'elos* that arise in his own butcher shop – because we assume an honest *talmid chakham* will *pasken* without regard to his personal interests. The Chazon Ish makes this assertion in his work *Emunah UVitachon*,⁴¹ in which he explains the concept of “*emunas Chakhamim*.” Contrary to the belief of some people, this term was not invented in Poland in the 1900s to advocate for the Agudah candidate in parliamentary elections. Rather, *emunas Chakhamim* is a fundamental concept of the entire Torah.

The eighth of the *Ikkarei HaEmunah* (Principles of Faith) of the Rambam is the belief in *Torah min haShamayim*. This does not mean that at one time in the history of the world, *Hashem* gave the Torah *min haShamayim*, and that subsequently, there was a breakdown in the *Masorah*. There were *maskilim* who thought this way, that the *Amora'im*



All of the new pesakim of the Torah Shebe'al Peh have to be correct not only based on the rules and regulations of the middos shehaTorah nidreshes bahen, but must also be correct according to the traditions of attitudes that are supposed to be transmitted from one generation to the next.

misunderstood the *Tanna'im*, and the *Rishonim* misunderstood the *Amora'im*, and the *Acharonim* misunderstood the *Rishonim*, and therefore none of the halakhos are binding. We do not subscribe to this view. When the Rambam formulates the *ikkar ha'emunah* of *Torah min haShamayim*, he asserts: “*Shekol haTorah hametzuyah atah beyadeinu hi hanesunah l'Moshe Rabbenu*” – the Torah that we have **today**, and the mitzvos as we observe them **today**, are the same as was given to Moshe. The reason for this belief is *emunas Chakhamim*.⁴² There may be occasional errors in *girsa* or misunderstandings due to human fallibility. Ultimately though, we believe that honest *talmidei chakhamim* throughout the generations were given divine assistance to *pasken* properly, and that they did not introduce mistakes or their personal agendas into their *pesakim*.

The Nature of the Divine Assistance in Torah Shebe'al Peh

This presents us with a question: If we are to assume that honest *talmidei chakhamim* have divine assistance in arriving at their conclusions, how are we to understand the multiplicity of opinions in a *machlokes*? Is it the case

that one rabbi had divine assistance to say one way, and another rabbi had divine assistance to say the opposite way? The answer is based on the principle we have already discussed: *eilu v'eilu divrei Elokim chaim*. In fact, *eilu v'eilu divrei Elokim chaim* is a corollary of the principle of “*sod Hashem liyerei'av*.” We assume that each honest *talmid chakham* will have divine assistance and will arrive at a ruling that is a valid halakhic perspective, even if it does not become the accepted ruling in practice.

The Netziv, in the introduction to his commentary on the *She'iltos*,⁴³ has a very interesting comment on the Gemara⁴⁴ that relates, based on a *pasuk* in *Divrei HaYamim*,⁴⁵ how Yoshiyahu HaMelekh removed the *aron* and the *luchos* from the *Kodesh HaKodashim* and placed them in a special underground vault, originally constructed for this purpose when Shlomo HaMelekh built the First *Beis HaMikdash*.⁴⁶ The *pesukim* are unclear though as to what prompted Yoshiyahu to do this at that time.

The Netziv explains that Yoshiyahu's decision was based on his recognition that the Sanhedrin during the period of the *Bayis Rishon*, situated adjacent to the *mizbe'ach*, was granted extraordinary *siyata diShemaya* in issuing halakhic rulings. It was almost comparable to what was said about Moshe Rabbenu,

that “*Shekkinah medaberes mitokh grono*,” the Divine Presence emanated from his throat.⁴⁷

Yoshiyahu knew, however, that the Jews were going into *galus* following the *churban*, and that they would have to develop a different methodology in learning. Absent the former level of divine assistance, they would be forced to exert themselves greatly in applying the *middos shehaTorah nidreshes bahen* in order to advance the *Torah Shebe'al Peh* further. Accordingly, Yoshiyahu felt it was necessary for the *rabbanim* to begin to practice and cultivate those skills in preparation for that eventuality. To that end, he removed the *luchos*, effectively reducing the divine assistance they had been receiving and forcing them to rely on their own *pilpula shel Torah*, the dialectic of Torah, to arrive at their decisions.

In this vein, the Netziv cites the Gemara⁴⁸ which discusses the *pasuk*⁴⁹ in *Sefer Zekharyah*, in which the *navi* takes two branches of wood, one which he calls “*noam*” (pleasantness) and one which he calls “*chovlim*” (assaulters). According to the Gemara, these two branches symbolize two styles of learning. The first represents the academies in *Eretz Yisrael*, where the *talmidei chakhamim* were gracious toward one another, “*manimim zeh lazeh*

b'halakhah.” Due to the assistance of the Divine Presence, which remained in *Eretz Yisrael* even after the destruction of the *Beis HaMikdash*, they were able to engage in pleasant, friendly discussions and arrive at the *pesak halakhah*.

By contrast, the *talmidei chakhamim* of Bavel are symbolized by “*chovlim,*” because “*mechablim zeh lazeh b'halakhah*” – they would constantly fight with each other in matters of halakhah, one vigorously refuting the explanation of the other. The Netziv explains that this approach was necessary because of their distance from the *Beis HaMikdash* and the *Shekhinah*. Yoshiyahu HaMelekh anticipated the need to prepare for such a shift, and thus removed the *luchos* so the *Chakhamim* would begin to practice this new *derekh halimud*, which would become necessary after the *churban*.

In the *tefillah* that we recite every day after *Shemoneh Esrei*, we state, “*Yehi ratzon milfanekha sheyibaneh Beis HaMikdash bimherah v'yameinu, v'sein chelkeinu b'sorasekha* – May it be Your will that the Temple be rebuilt speedily in our days and grant us a share in Your Torah.”⁵⁰ At first glance, the connection between learning Torah and rebuilding the *Beis HaMikdash* is difficult to understand. After all, Torah study continues to this day, even without the *Beis HaMikdash*. Apparently, there is a special relationship between the two. The Torah learning that takes place when there is a *Beis HaMikdash*, with the Sanhedrin seated adjacent to the *mizbe'ach*, and the assistance given to the *Chakhamim* in *pesak halakhah* by the accompanying *hashra'as haShekhinah*, are on an entirely different level.

This divine involvement plays a role in guiding the conclusions of the halakhah. The Gemara teaches that the intent of

the *pasuk* “*zeh sefer toldos Adam*”⁵¹ goes beyond the literal translation, “the book of the history of mankind.” Clearly, the Torah is not simply a book of history. In fact, the principle of “*ein mukdam umeuchar baTorah,*” which indicates that the Torah sometimes relates events out of chronological order,⁵² would make it quite a poor history text. Thus, *Chazal* had a tradition⁵³ in connection

Even when we say “*eilu v'eilu divrei Elokim chaim,*” and both opinions in a dispute have validity, Hashem sees to it that the *pesak* that He prefers will be accepted.

with this *pasuk* that there was a “*sefer shel Adam HaRishon.*” This was not a book authored by Adam HaRishon, but rather a book authored by *Hashem* which was shown to Adam HaRishon, indicating the leaders of every generation.

Chazal understood this to mean that there is *yad Hashem* in the history of the world, and specifically in the history of the Jewish people, including determining the direction of *pesak halakhah*. As we saw from the *pasuk* “*Sod Hashem liyerei'av,*” *Hashem* provides direction behind the scenes to ensure that honest *talmidei chakhamim* who are *yirei Shamayim* will be assisted in their *pesakim*. Likewise, even when we say “*eilu v'eilu divrei Elokim chaim,*” and both opinions in a dispute have validity, *Hashem* sees to it that the *pesak* that He prefers will be accepted.

The Gemara⁵⁴ tells of two famous *talmidim* of R. Yehudah HaNasi, Rav and Shmuel. Both were leaving *Eretz Yisrael* to establish yeshivos in Bavel

and requested *semikhah*, but due to certain circumstances only Rav was able to receive *semikhah* (and is therefore referred to as “Rav,” while his real name was Abba), whereas Shmuel did not. Nonetheless, the Gemara comments that this lack of ordination for Shmuel is not to be regarded as an unfortunate accident of history; the *sefer shel Adam HaRishon* had already mentioned that

in years to come there would be a great *talmid chakham* named Shmuel, who would be acknowledged as “*chakham*” but not as “*rebbe.*”

Commenting on this passage, the Maharsha addresses the significance of Shmuel not having received *semikhah*. Both Rav and Shmuel established major yeshivos with many *talmidim*, and each had a tremendous impact for all generations. Nonetheless, there is great significance to having it preordained that Shmuel would not receive *semikhah* like Rav. We know that whenever Rav and Shmuel differ, although the halakhah is usually like Shmuel in monetary matters, Rav’s opinions are usually accepted in issues of *issur v'heter*. The Maharsha attributes this to the fact that Shmuel did not receive *semikhah* like Rav. In other words, behind the scenes, *Hashem* arranged that Shmuel should remain without *semikhah* so that his opinions would not be accepted in the area of *issur v'heter*, since Rav’s opinions were deemed more correct.

To summarize, we have seen that over the generations there was much rabbinic input in the development of the *Torah Shebe'al Peh*. Later *talmidei chakhamim* are entitled and obligated to express their honest opinions, even in disagreement with those of earlier generations, and even if they are clearly not greater in scholarship than earlier ones. Nevertheless, we assume that “*sod Hashem liyirei'av*,” that there is a supernatural divine assistance to honest *talmidei chakhamim* to *pasken* properly, and whenever there is a dispute, *HaKadosh Baruch Hu* arranges it that the preferred opinion will be the one that will prevail. Even if a person were to attempt to force the acceptance of his opinion on *Klal Yisrael*, *HaKadosh Baruch Hu* will ultimately orchestrate events so that the halakhah will be adjusted according to His wishes.⁵⁵

Endnotes

1 CM 25:1.

2 *Bava Metzia* 86a.

3 See *Bava Metzia* 33b, and Rashi, s.v. *biyme* and s.v. *hadar*, along with the *Pesach Einayim* of the Chida. [See the introduction of *Darkhei HaMishnah* of the Ri Chagiz, as well as his *Sefer Techilas Chokhmah*, for discussions as to whether R. Yehudah HaNasi actually wrote down the Mishnah or only organized the *Torah Shebe'al Peh* into *sedarim* and chapters. It is clear from the Rambam's introduction to *Mishneh Torah* that he believed the R. Yehudah HaNasi actually wrote down the Mishnah – *Divrei Soferim* editors.]

4 *Shemos* 34:27.

5 The word *ki* has many different meanings in Biblical Hebrew (*Ta'anis* 9a); it sometimes means “despite.” See the commentary of Ibn Ezra to *Shemos* 34:9 (“*ki am keshei oref hu*”) and the commentary of the Meiri to *Tehillim* 119:66 (“*tuv ta'am v'da'as lamdeini ki b'mitzvosekha he'emanti*”).

6 *Gittin* 60a-b.

7 *Temurah* 14b.

8 *Tehillim* 119:126.

9 *Tosafos Yeshanim*, *Yoma* 70a, s.v. *v'asor*. R. Ovadiah Yosef, *Resp. Yechaveh Da'as*, III, 74, understands this to be premised on the assumption that the prohibition against transmitting the Written Torah orally (and, presumably, vice versa) to be

rabbinic in origin (and the scriptural reference an *asmakhta*); this is the view of the *Sefer Yere'im* (128; 168 in the full edition). [However, it is clear from the *Resp. Chasam Sofer* in many places that he assumed the prohibition to be *mid'Oraysa*; see *Otzar Mefarshai HaGemara*, *Gittin* 60b, for a listing of sources on both sides of the issue, and see also *Ara D'Rabbanan*, *ma'arekhes dalet*, no. 162. The question of whether oral study of the *Torah Shebikhsav* is a prohibition or an incomplete performance of the mitzvah is analyzed by R. Shlomo Wahrman, *She'eris Yosef*, V, pp. 35–39. Note as well the thematic analysis of R. Yitzchak Hutner, *Pachad Yitzchak*, *Chanukah*, *ma'amar* 1 – *Divrei Soferim* editors.] As will be explained in the coming paragraphs, one need not necessarily adopt the position that the prohibition against transmitting the Written Torah orally is only rabbinic in origin.

10 R. Aharon Lichtenstein has noted that a further indication that this is true can be seen in the words of Rashi (*Berachos* 54a, s.v. *v'omer*), where he describes the situation of “*es la'asos laShem hefeiru torasekha*” as the permitting of that which “appears prohibited,” in contrast to an actual prohibition.

11 In his introduction to *Pirkei Avos* known as *Seder HaKabbalah*.

12 See *Nefesh HaRav*, p. 36.

13 S.v. *umei'atah mi*

14 R. Glasner actually used the contemporary idiom in Hebrew: “*Madua kashru yedeihem?*”

15 *Temurah* 14b.

16 S.v. *vihen hen*.

17 *Devarim* 33:2.

18 *Avodah Zarah* 2b; *Sifrei*, *Devarim* 33:2.

19 *Berachos* 47b.

20 See *MiPninei HaRav*, p. 208, and see also R. Meir Twersky, *Tradition* 32:3 (Spring 1998) and “Recommitting Ourselves to the *Torah Shebe'al Peh*” (TorahWeb, 2013).

21 *Berachos* 19a.

22 *Gittin* 57b; *Yoma* 71b.

23 *Shemos* 21:1.

24 *Shemos* 20:22.

25 *Yeshayah* 56:7 [For alternative homiletic comments on this juxtaposition, see *Kli Yakar* and *Ba'al HaTurim* on *Shemos* and *Resp. Yashiv Yitzchak*, XXVIII, 94, p. 401 – *Divrei Soferim* editors.]

26 I *Melakhim*, ch. 8

27 2:14.

28 See also Rambam, *Hilkhos Mamrim* 1:1.

29 *Pesikta D'Rav Kahana*, beginning of *Parashas V'Zos HaBerakhah*, and Rashi, *Devarim* 29:3.

30 *Shemos*, *ibid*.

31 *Sanhedrin* 7a, and see *Avos* 3:6.

32 *Tehillim* 82:1.

33 See *Ginas Egoz*, pp. 46, 132.

34 CM 8:2. See *Shabbos* 6a and Rashi, s.v. *dayanim misatfim*.

35 *Tehillim* 25:14.

36 *Sotah* 4b; *Sanhedrin* 106b; *Niddah* 20b; see Ramban, *Bava Basra* 12b. See also *Pe'er HaDor*, III, p. 97 for a collection of many places where the Chazon Ish expands on this idea.

37 *Sanhedrin* 93b.

38 I *Shmuel* 16:18.

39 *Hilkhos Beis HaBechirah* 6:14 and *Hilkhos Lulav* 8:5; see the explanation of the Chasam Sofer, OC 208.

40 See R. Yekusiel Kamelhar, *Mofes HaDor* (1934 edition) p. 24.

41 3:30.

42 See “It's Just Plain Common Sense” (TorahWeb, 2007).

43 First introduction, ch. 8.

44 *Yoma* 52b.

45 II *Divrei HaYamim* 35:13.

46 Rambam, *Hilkhos Beis HaBechirah* 4:1. Not extant in our texts of the Gemara, although there is a reference to this in the *Baraisa Dimelekhes HaMishkan* 7:6. See the commentary of R. Chaim Kanievsky, *ibid*.

47 See the *Zohar Pinchas* 232b, *Shemos Rabbah* 3:15, *Vayikra Rabbah* 2:3, and *Mekhilta Yisro* 18:19.

48 *Sanhedrin* 24a.

49 *Zekharyah* 11:7.

50 A comparable statement appears in *Avos* 5:20. According to the Vilna Gaon this is the concluding line of *Avos*.

51 *Bereishis* 5:1.

52 *Pesachim* 6b.

53 See *Avodah Zarah* 5a and *Bereishis Rabbah* 24:2.

54 *Bava Metzia* 85b-86a.

55 A remarkable story that occurred may illustrate this phenomenon. In the 1970s, a Jew purchased an apartment in New York from a non-Jewish man, and inside the apartment was a Hebrew manuscript, which was eventually ascertained to be the original manuscript of the classic commentary of R. Shabsai HaKohen (1621–1662), *Sifsei Kohan* (*Shakh*) to *Choshen Mishpat*, which, more than three centuries later, finally clarified passages in the original published commentary that had not been understandable as printed. This manuscript was made available to R. Avraham Kabalkin just as he was readying a new edition of the *Shulchan Arukh*, and was thus utilized in the publication of this edition, entitled “*Morashah Lehanchil*.” (This story is related in a preface to the edition with the title “*HaKol Talui B'Mazal, Afilu Sefer SheBeHeikhal*”).



THE Beauty OF Difference

We live in a world that often pushes for sameness. It's subtle, but it's everywhere—from curated social media feeds to cultural trends and groupthink. The unspoken message is: fit in, align, and don't stand out too much. Within Jewish society this trend also exists—standardized clothing, expectations in celebrations, and “one size fits all” education. But the Torah, from its very roots, teaches something else entirely. It teaches us to *cherish difference*. Not merely to tolerate it—but to see it as sacred.

Rabbi Samson Raphael Hirsch picks up on a beautiful phrase in Bereshit when Yaakov blesses his descendants: “And let thee become a congregation of peoples.”¹ He writes:

“The nation is to represent agriculture as well as commerce, militarism as well as culture and learning. The Jewish people will be a nation of farmers, a nation of businessmen, a nation of soldiers and a nation of science. Thereby, as a model nation, factually to establish the truth that the one great

personal and national calling which G-d revealed in His Torah, is not dependent on any particular kind of calling or trait, but that the whole of mankind in all its shades of diversity, can equally find its calling in the one common spiritual and moral mission and outlook in life.”²

In other words, the Torah doesn't ask us to become the same. It calls us to serve Hashem through who we *already are*—in all our vocations, temperaments, and talents.

But doesn't unity sound like a good thing? After all, isn't peace what we all want?

Well, yes—but it depends on what kind of unity we're talking about. The Tower of Babel story challenges the assumption that unity is always good.

The Torah recounts the story of the tower:

וַיְהִי כָּל הָאָרֶץ שְׂפָה אַחַת וּדְבָרִים אַחָדִים. וַיְהִי בְּנִסְעָם מִקֵּדֶם וַיִּמְצְאוּ בְקִעָה בְּאֶרֶץ שִׁנְעָר וַיֵּשְׁבוּ שָׁם. וַיֹּאמְרוּ אִישׁ אֶל רֵעֵהוּ הֲבָה נִלְבְּנָה לְבָנִים וְנִשְׂרָפָה לְשָׂרָפָה וַתְּהִי לָהֶם הַלְּבָנָה לְאֲבָן וַהֲחִמֵּר הֵיחָם לְהֵם לְחֹמֶר. וַיֹּאמְרוּ הֲבָה נִבְנֶה



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לְנוֹ עִיר וּמִגְדָּל וְרֵאשׁוּ בְשָׁמַיִם וְנִגְעָה לָנוּ שָׁם כִּן נִפְוֵץ עַל פְּנֵי כָּל הָאָרֶץ. וַיֵּרֶד ה' לִרְאֹת אֶת הָעִיר וְאֶת הַמִּגְדָּל אֲשֶׁר בָּנוּ בְּנֵי הָאָדָם. וַיֹּאמֶר ה' הֵן עַם אֶחָד וְשָׂפָה אַחַת לְכֻלָּם וְזֶה הַחֲלֹם לַעֲשׂוֹת וְעַתָּה לֹא יִבְצֵר מֵהֶם כֹּל אֲשֶׁר יִזְמוּ לַעֲשׂוֹת. הֲבָה נֵרְדָה וְנַבְלָה שָׁם שְׂפָתָם אֲשֶׁר לֹא יִשְׁמְעוּ אִישׁ שְׂפַת רֵעֵהוּ. וַיִּפֶץ ה' אֹתָם מִשָּׁם עַל פְּנֵי כָּל הָאָרֶץ וַיַּחְדְּלוּ לְבַנֹּת הָעִיר. עַל כֵּן קָרָא שְׂמָהּ בָּבֶל כִּי שָׁם בָּלַל ה' שְׂפַת כָּל הָאָרֶץ וּמִשָּׁם הִפְצִים ה' עַל פְּנֵי כָּל הָאָרֶץ.

And the whole earth was of one language, and of one speech. And it came to pass, as they journeyed from the east, that they found a plain in the land of Shinar; and they lived there. And they said one to

another, Come, let us make bricks, and burn them thoroughly. And they had brick for stone, and tar had they for mortar. And they said, Come, let us build us a city and a tower, whose top may reach to heaven; and let us make us a name, lest we be scattered abroad upon the face of the whole earth. And the Lord came down to see the city and the tower, which the sons of men built. And the Lord said, Behold, the people are one, and they have all one language; and this they begin to do; and now nothing will be restrained from them, which they have schemed to do. Come, let us go down, and there confuse their language, that they may not understand one another's speech. So the Lord scattered them abroad from there upon the face of all the earth; and they left off the building of the city.

Rav Naftali Zvi Yehudah Berlin, in *HaEmek Davar*,³ explains Hashem's objection to the tower:

שפה אחת: זה גרם לחטא אחד, היינו שיסכימו לשבת כולן בקברץ אחד, וזהו נגד רצון ה' שאמר "שרצו בארץ ורבו בה" (לעיל טז), היינו להתהלך לארכה ולרחבה כי "לשבת יצרה".
One language—(safa achas)—this caused the first sin: that they all agreed to dwell together in one place as a single community. But this was against the will of Hashem, who had commanded that they should spread throughout the land and multiply upon it—meaning to travel

The Torah doesn't ask us to become the same. It calls us to serve Hashem through who we already are—in all our vocations, temperaments, and talents.

across its length and breadth, for "the land was created to be settled."

And he continues:

ודברים אחדים: לא ביאר הכתוב הדברים אלא ברמז, כמבואר במדרשים, אבל לא פירשן הכתוב, כי אם שהיו "דברים אחדים". וללמדנו דלא משום ה"דברים" התעורר הקב"ה, כי אם בשביל שהיו "אחדים", יהיו מה שיהיו. ודבר זה אם כי לפי הנראה אין בזה שום עון, ואדרבה חבור עצבים ג"כ ראוי להניח, אבל מכל מקום כאן גרם לחשוב שיצא מזה דבר לתקלת הישוב, כאשר יבואר ... נמצא שהיו "דברים אחדים" שביניהם לרועץ שהחליטו להרוג את מי שלא יחשוב כדעתם.

And unified words (devarim achadim)—The Torah does not specify what these words were, only hinting at them through what is explained in the Midrashim. But the verse itself does not elaborate, except to say that they were "unified words."

This teaches us that it was not necessarily because of the content of their words that Hashem was stirred to act, but rather because they were unified. Regardless of what they were united around, the very fact that they were unified in their cause was the issue... Thus, their "unified words" became their downfall—for they reached the conclusion that anyone who did not think like them should be killed.

That kind of unity suppresses truth and difference. And Hashem responds to it not by blessing, but by scattering the people and multiplying their languages, restoring the diversity they had tried to erase.

When our forefather Abraham complained to Hashem about his lack of offspring, he said, "What will You give me, seeing that I go childless, and the steward of my house is this *Damesek* Eliezer."⁴ The simple meaning of *Damesek* is that Eliezer was a native of Damascus. However the Sages, cited by Rashi, expounded that the word "*Damesek*" (קשמד) is an acronym

for "*doleh umashkeh mitoras rabbo le'acherim*"—"he draws the Torah of his master and gives it to others to drink."⁵

Rashi, citing the Sages, explains that Eliezer "drew and gave to others from his master's Torah"—passing on the spiritual lessons he absorbed from Avraham. However, this praise raises a question: why would Avraham express dissatisfaction over Eliezer inheriting him, if Eliezer was such a worthy disciple?

R. Kalonymos Kalman haLevi Epstein, in *Maor VaShemesh*,⁶ offers a beautiful interpretation. Avraham feared that Eliezer, who took exactly what Avraham said and conveyed that precise content to others, would, through his influence, promote rote imitation—teaching others to mimic external behaviors without internal comprehension. This concern is the foundation of a crucial lesson: spirituality cannot be sustained through mechanical replication of the other. Real Divine service requires a personal, internal connection—not just copying the other, even if the other is a *tsaddik*, a righteous person.

This fear extended to Abraham's own descendants. Avraham was concerned that even his children might fulfill commandments as mere habits, *mitzvos anashim melumada*, commandments learned by rote,⁷ devoid of heart and intention.

In response, Hashem reassured Abraham: "This one will not inherit you, but one who comes from your own body." Yet Abraham remained apprehensive. So Hashem took him outside and said, "Count the stars ... so shall your seed be."

This promise was not only about quantity, but quality: just as stars shine independently, **each of Abraham's descendants would reflect a unique**

spiritual light. They would serve Hashem not as clones of one another, but as individuals fulfilling a collective mission through distinct paths.

This concept finds strong resonance in the writings of Rav Samson Raphael Hirsch,⁸ who critiques the failure to differentiate between children in education. He suggests a reason why Jacob and Esau differed so widely, even though they were raised in the same home:

As long as they were little, no attention was paid to the slumbering differences in their natures... The great law of education—chanoch la'na'ar al pi darko, "bring up each child in accordance with its own way"⁹—was forgotten. The great Jewish task in life is basically simple, one and the same for all, but in its realization is as complicated and varied as human natures are varied...

Rav Hirsch argues that raising Jacob and Esau identically was a tragic mistake. Jacob thrived in the scholarly model, while Esau—full of strength, energy, and courage—was stifled. Had his nature been nurtured appropriately, his traits could have been sanctified in Divine service. Instead, the failure to differentiate alienated him from his purpose.

Rav Hirsch notes that when Jacob blessed his children, he saw before him a nation of priests, kings, merchants, farmers, and soldiers—all different, all vital. The shared goal of Divine service could be fulfilled through many means, provided each individual acted according to their nature.

In this light, Avraham's concern was not merely for a biological heir but for a spiritual legacy: that his descendants serve Hashem with depth, integrity, and individuality. The promise of "so shall your seed be" assures that each soul, like

a star, will shine uniquely—yet all will illuminate the same sacred mission.

This very principle is reflected in the Torah's instructions for constructing altars.

"You shall not set up for yourself a *matzeivah* (a pillar)"¹⁰—Rashi explains: "A single stone altar. A *mizbeach* (altar) is made of many stones. Even though a *matzeivah* was beloved in the days of the Patriarchs, it is now hated because it has become a statute for idol worship."

Other commentaries offer different explanations as to why the single pillar is now forbidden. The *Shem Mishmuel*¹¹ finds the answer in the verse in *Melachim I*:18:31:

וַיִּקַּח אֱלִיָּהוּ שְׁתֵּים עָשָׂר אֲבָנִים כְּמִסְפַּר שְׁבֵטֵי בְנֵי יִשְׂרָאֵל אֲשֶׁר הָיָה דָבָר ה' אֵלָיו לֵאמֹר יִשְׂרָאֵל יְהִיָּה שְׁמוֹךְ

Eliyahu took twelve stones, corresponding to the number of the tribes of the sons of Yaakov, to whom the word of the Lord had come, saying, "Israel shall be your name."

The stones of the altar represent a diverse people, coming together in one sacred act. The *Shem Mishmuel* explains:

אף שיש לכל אחד בחי' בפ"ע אעפ"כ נעשים כולם כאיש אחד דפרט לא יוכל בשום אופן לגשת אל השי"ת דכמו שהשי"ת מאיר לכל העולם כולו בהשוואה אחת כ"כ א"א לגשת אל עבודתו רק כלל לא פרט והוא שיהי' הכלל כולו כאחד לא נפרדין זה מזה.

Though each individual has their own unique spiritual quality, together they become one. An individual alone cannot truly approach Hashem—just as Hashem illuminates the entire world with equal light, so too, one can only approach His service as part of the collective, not as an isolated individual.

A *matzeivah*—one stone, one path—no longer speaks to the reality of a people made of many parts.

Rav Yitzchak of Vorka¹² picks up on this in a more personal way:

"And you shall not set up for yourself a pillar (matzeivah), which the Lord your God" hates. The plain meaning is this: if a person chooses for himself one path in which to always behave, and through this repetition the behavior becomes second nature so that he cannot deviate from this path in any way, even when he wants to—then the Torah warns: 'Do not set up a pillar'—that is, do not establish for yourself a fixed stance or unchanging mode of conduct, never shifting from it."

Hashem doesn't want rigidity, even in service of the sacred. He wants growth. As the text continues:

"For this specific intention may be desirable before Hashem today, but tomorrow it may not be desirable. Instead, a person must go from strength to strength, from level to level, and serve the Holy One, blessed be He, with all his might."

There is a surprising story told in Ohel Yitzchak that reflects the Kotzker Rebbe's extreme advocacy for authenticity and truth. [Although Rabbi Yitzchak of Vorka and the Kotzker Rebbe were close friends, their followers were in almost constant conflict with each other.] "Once, the holy Rabbi Yitzchak of Vorka said to the Kotzker Rebbe: 'Our chassidim have made peace among themselves!'"¹³ The Kotzker Rebbe stood trembling and said: 'If that is so, then the power of falsehood has already prevailed... for the point of truth has, Heaven forbid, been erased from the world.'"

The Kotzker Rebbe explained:

"When the Holy One, Blessed be He, wanted to create man, the angels formed into groups. Chesed, kindness, said: 'Let him be created.' Emet, truth, said: 'Let him not be created.' Shalom, peace, said: 'Let him not be created.' What did the

Holy One do? He took Truth and cast it to the earth."¹⁴

Then he added:

"Disputes for the sake of Heaven stem from the very source and root of Truth. And once Truth is cast down, then automatically, there is peace. For then it makes no difference at all whether this path is truly in the service of Hashem or the opposite."

That kind of peace—peace built on ignoring truth and silencing debate—is not a virtue. It's a danger.

In *Siach Sarfei Kodesh* we find a story about the Rebbe of Alexander praying loudly and passionately—even though his teacher, Rav Simcha Bunim of Peshischa, did not approve of such displays:

"In the midst of the prayer, the holy Rebbe of Peshischa entered. Immediately, the student ceased his loud voices and movements. But in the very next moment, he gathered his thoughts and said to himself: 'Why should I be concerned now with the Rebbe? Am I not currently standing before the Holy One, blessed be He? If so, what business do I have now with the Rebbe?' And he immediately resumed praying with voices and movements as he had at first."

Afterward, the teacher said:

"Today, I took pleasure in your prayer."

Truth is not found in imitation, but in authenticity. As the Kotzker Rebbe put it:

"If I am I, because he is he, and he is he, because I am I; then I am not I, and he is not he. However, if I am I, because I am I, and he is he, because he is he; then I am truly I and he is truly he."¹⁵

The first prayer we recite upon awakening is *Modeh Ani*: "I give thanks before You, living and eternal

King, that you have returned my soul to me in compassion, great is Your faithfulness." In the Hebrew, the first word is "Thanks" and only afterward comes "I." Rav Avraham Yitzchak Kook¹⁶ notes this ordering and explains its significance: "A person finds himself within himself through the light of the Divine life that appears within him, filling him with the good spirit of gratitude, of recognition of the Divine goodness and its expression. [One might ask]: of what consideration is man worthy, in the weakness of his power and his small nothingness, when compared to the mighty greatness of existence and the awesome powers of creation that crown it? Standing before them, filled with emptiness, a person can lose his self. But when the light of recognition of Divine goodness shines upon him—and all the holy offshoots, powerful in their holy might, are awakened within him—**then he attains awareness of the greatness of his worth, of his I-ness, and of its non-disappearance into the wholeness of existence. Then he finds himself filled with joy to say, wholeheartedly, "I."**

There is a profound recognition that when God grants us a soul and restores our consciousness each morning, He affirms that each of us has a distinct and purposeful role in His world.

A beautiful version of this idea comes from Isak Dinesen, who writes in *Out of Africa*:¹⁷

"Pride is faith in the idea that God had, when he made us. A proud man is conscious of the idea, and aspires to realize it. He does not strive towards happiness, or comfort, which may be irrelevant to God's idea of him. His success is the idea of God, successfully carried through, and he is in love with his destiny. As the good citizen finds his happiness in the fulfilment of his duty to the community, so does the proud

man find his happiness in the fulfilment of his fate.

People who have no pride are not aware of any idea of God in the making of them, and sometimes they make you doubt that there has ever been much of an idea, or else it has been lost, and who shall find it again? They have got to accept as success what others warrant to be so, and to take their happiness, and even their own selves, at the quotation of the day. They tremble, with reason, before their fate."

To honor our differences is to have pride in the idea that Hashem had when He made us.

So yes, differences are beautiful. Not just because they make life interesting, but because they make us whole. The Torah doesn't call for sameness. It calls for **many stones, one altar**. Not a pillar, cold and solitary, but a shared space built from many parts, all reaching upward.

Hashem doesn't ask us to be the same. He asks us to be *true*. True to ourselves. And true to Him.

Endnotes

- 1 Bereshis 48:4.
- 2 Commentary of R. Samson Raphael Hirsch ad loc.
- 3 Commentary on Bereshis 11:1-7.
- 4 Bereshis 15:2.
- 5 *Yoma* 28b.
- 6 Bereshis ad loc.
- 7 Isaiah 29:13.
- 8 R. Samson Raphael Hirsch, *Collected Writings*, Vol. VII, pp.322-323.
- 9 Proverbs 22:6.
- 10 Devarim 16:22.
- 11 Devarim ad loc.
- 12 Quoted in *Siach Sarfei Kodesh*, *Parshas Shoftim*.
- 13 Comment of author.
- 14 *Siach Sarfei Kodesh* 1:86:286.
- 15 *Emet Me-Kotzk Titzmach*, 176.
- 16 *Siddur Olat Reiyah*, Vol. 1, p. 1.
- 17 *Out of Africa*, Isak Denisen, Book IV, p. 279.

Experiencing the Sounds of the Living God

In his introduction to *Hoshen Mishpat*, the *Arukh HaShulhan* compares halakhic debate to an ensemble of voices that, together, create harmonious music:

וכל מחלוקת התנאים והאמוראים, והגאונים והפוסקים באמת, למבין דבר לאשורו – דברי אלקים חיים המה, ולכולם יש פנים בהלכה. ואדרבה: זאת היא תפארת תורתנו הקדושה והטהורה. וכל התורה כולה נקראת "שירה", ותפארת השיר היא כשהקולות משונים זה מזה, וזהו עיקר הנעימות. ומי שמשוטט בים התלמוד – יראה נעימות משונות בכל הקולות המשונות זה מזה.

The debates of the Tannaim and Amoraim and Geonim and Poskim about how to understand a matter [of Torah] correctly represent the truth of the living God. All

their views have merit from a halachic perspective. In fact, herein lie the beauty and splendor of our holy and pure Torah. The entire Torah is called a song, whose beauty emerges from the diversity of its voices. And this is the heart of the Torah's pleasantness. One who immerses himself in the sea of Talmud will experience the different forms of pleasantness that result from these different voices.¹

This beautiful metaphor links *mahlokes le-shem shamayim* (disagreement for the sake of heaven) with pleasant, harmonious music, suggesting that, no matter how intense the disagreement on matters of Torah, the overall effect is one of concordance and peace. In articulating this view, the *Arukh HaShulhan* marshals the passage in



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Devarim in which Moshe instructs the Jewish people, "Now, write down this song [*shirah*] for yourselves, and teach it to the Children of Israel; place it in their mouths, so that this song will be a witness among the Children of

This article has been dedicated by the Cypess family in memory of Moreinu v'Rabbeinu, Rabbi David Ebner, zt"l

Israel” (31:19). While a straightforward reading of this passage suggests that “this song” refers to what follows—namely, the poem in *Ha’azinu* (Devarim 32:1–43)—a long interpretive tradition indicates that “this song” points to the entire Torah.² The Netziv suggests that this description of the entire Torah as *shirah* is appropriate, since poetry can allude to multiple layers of meaning, none of which needs to be taken as definitive; multiple understandings can exist simultaneously and without negating the validity of one another.³ Indeed, the varied understandings of *shirah* in Devarim 31:19—with one interpretation pointing to the song in *Ha’azinu* and another pointing to the entire Torah—is a prime example of this proliferation of interpretations. We are comfortable with all of them.

The *Arukh HaShulhan* presents his musical metaphor to explain how Judaism can remain faithful to a single Torah and yet still tolerate and even encourage such wide variation in interpretation and practice. His invocation of debates among the Tannaim, Amoraim, Geonim, and Poskim calls to mind Rabbi Joseph B. Soloveitchik’s description of the *masorah* as “combining, uniting, merging many generations into one community.” While the Rav describes the argumentation among the great Torah leaders across thousands of years—from Rebbe Akiva to the Rambam to Reb Chaim Brisker to the Rav’s own students at the

Rabbi Isaac Elchanan Theological Seminary—he nevertheless describes the purpose of this argumentation as “*masorah* collegiality” and the pursuit of a common goal.⁴ Similarly, the first chapter of *Avos deRabbi Nassan* describes study partners arguing bitterly while engaged in learning, but caring for one another “like friends from youth” when the study session ends. The well-known characterization of Beis Hillel (*Eruvin* 13b) offers a rationale for the metaphor of musical harmony: by affording precedence to the opinions of Beis Shammai, Beis Hillel could incorporate their interlocutors’ views, thus sharpening and moderating their own arguments. This layering of ideas, akin to the simultaneous sounding of different pitches, results not in dissonance but in a stronger and more pleasant concord.⁵

And yet, I suggest, that while the end result may be understood metaphorically through the idea of musical harmony, the theme of sound can be developed in a different, more literal way. For the intensity of disagreement required for the pursuit of halakhic truth is reflected in the actual sounds, or sonic manifestations, of *mahlokes*—the noisy discord of the beis medrash. Both in study and in prayer, Ashkenazic Judaism has long cultivated a disorganized polyphony, with individual voices combining seemingly at random to create an overarching *kol Torah*. The result is decidedly not harmonious, but passionately, stubbornly discordant.

There is nothing wrong with discord. Quite the opposite: it reflects the intellectual and emotional investment of the learners in the material they are debating.

From an aesthetic standpoint, there is nothing wrong with this discord. Quite the opposite: it reflects the intellectual and emotional investment of the learners in the material they are debating. Ancient texts come to life in the sounds of learning. The practice of reading or chanting texts for study and prayer means that the texts live on, as they are more easily remembered and transmitted.⁶ The seemingly discordant sounds of the beis medrash are living markers of the continuity of tradition.

In this context, it is important to note that “harmony” is not a neutral aesthetic category, but one that has, for generations, often been marked as Christian and wielded against Jewish communities. Musicologist Ruth HaCohen has identified what she calls “the music libel against the Jews,” a millennia-old understanding of Jews as inherently noisy and incapable of making truly harmonious music.⁷ This was reflected in sources by Christian writers who visited synagogues; for example, the 18th-century German composer and historian Johann Nikolaus Forkel claimed that, “in the synagogue, modern Jewish music is nothing but a prayer that is more or less growled or muttered in a few tones, or (when a chorus joins in) a frightful shouting.”⁸ For Forkel, the Jews’ alleged unmusicality offered support for his accusation of their “inhuman barbarism.”⁹ Such slanderous characterizations of Jews as inherently unmusical contributed to the desire by leaders of the Reform movement to make the sounds of the synagogue more like those of churches by introducing choral music, sometimes even including the organ, into prayer.¹⁰ None of this is to say that Jews did not make music in the “classical” style—in fact, Jewish musicianship was robust and innovative throughout much of European history,

to the extent that Richard Wagner's screed *Judaism in Music* was devoted to delegitimizing Jewish composers—but those styles were largely absent from traditional centers of learning and prayer in the Ashkenazic world.¹¹

The extent to which the soundscape of Ashkenazic Jewish tradition deviates from this loaded aesthetic ideal of “harmony” is revealed by musicologist Judit Frigyesi, who has studied the sounds of *davenen* (davening or praying) in insular Ashkenazic communities. Rather than understanding the music of these communities as a finished musical repertoire, a “sonic object,” Frigyesi argues that it should be considered a “cognitive process.” Describing the practice of *davenen*, she writes,

It is less important how beautiful and musically precise the recitation sounds. Prayer chanting should reflect an intention, a spiritual need, a sense of longing and memory, and also the experience of a life lived. Curiously, when the intention is real, this is heard in the outcome, and however faulty the performance might be technically, it is accepted by the community. The sound of the prayer (its “melody”) is always in the process of just about to be created, in the moment of being almost ready, almost polished, and almost completed. In an ideal situation, one can hear in the imperfections of the chanting that they were brought about by an immense spiritual need.¹²

In Frigyesi's understanding of these communities, it is essential that the *sheliah tzibbur* (prayer leader) not be a trained *hazzan*, but a “simple” person with an untrained voice, whose knowledge of *nussah* (prayer melodies) has been gained from experience—from a life learning how

to pray. The sound of each person in the act of *davenen* combines to create, by turns, a sea of whispers, a cacophony of shouts and cries, and everything in between—whatever is required by the emotional needs of the individual, the community, and the moment in which they find themselves.

These are the not just the words of the living God, but His sounds, as well.

The same discord—messy but meaningful and fully alive—can be heard in the act of learning. Children who grow up in the yeshiva system learn the sing-song of Gemara from a young age, as they map the grammar and syntax of the Aramaic—its questions, answers, challenges, and ripostes—onto the melody often known as the “Gemara niggun.” How old this melody is may never be determined, since it has been passed down via oral tradition. A version using musical notation appears in a volume of melodies for the Passover Seder printed in Germany in 1884 (see above). There, the tune is used for the four questions, a passage meant to be “learned out” as a dialogue between the youngest child present and the adults around him; the piece bears the subtitle, in Hebrew letters, “Gemara Niggun.” (Audio recordings of a nearly identical version can be heard on the website of the Jewish

Music Research Centre at Hebrew University.¹³)

Despite the historical value of such notated musical evidence, it appears sterile on paper. That is because notated music, no matter how detailed, is only a pale sketch of a lived experience—it is not the experience itself. Learning requires a full immersion of the individual in the world of the Gemara, and the placement of the *shakla vetarya* (give-and-take) syntax within the melody is something that must be learned and internalized over time.¹⁴ Indeed, Frigyesi's observations about *davenen* apply to Gemara study as well; for both, authenticity and religious meaning lie in the sonic details and overall emotional sense of the experience: “in vocal fluctuations, placement of pauses, rhythmic transitions, melodic gestures, intonations, and more important, in the intensity and fire of the whole.”¹⁵

In both learning and *davenen*, individual recitation of texts can move easily between melody and speech, and these merge with the sounds of everyday life as the prayers or learning draw to an end. The sound of each individual comes together to create the overall heterophony of the beis medrash or the *shul*. The richer the heterophony, the greater the sense of *kavanah* (intention). The principle of *berov am hadras Melech* (the King is glorified through multitudes of the nation, Proverbs 14:28) comes to life through the sonic intensity created by many voices chanting, singing, and speaking the texts at the same time.

In this context, disagreement is essential—to sharpen arguments, to get to the truth, to reflect the intensity of religious passion and devotion—

and the glorious, heterophonic sounds of the *kol Torah* reflect that disagreement. An outside observer, uninitiated in the world of the yeshiva, might perceive these sounds as noise. To those who understand the context, they are a living manifestation of *makhlokes le-shem shamayim*. These are the not just the *words* of the living God, but His *sounds*, as well.

Endnotes

My sincere thanks to Dr. David Shatz for his comments on earlier drafts of this article.

1 *Arukh HaShulhan*, introduction to *Hoshen Mishpat*. Perspectives on the notion of competing positions as “words of the living God” can be found in Michael Rosensweig, “Elu Va’Elu Divre Elokim Hayyim: Halakhic Pluralism and Theories of Controversy,” *Tradition: A Journal of Orthodox Jewish Thought* 26, no. 3 (Spring 1992): 4–23; my translation of the *Arukh HaShulhan* is adapted from *Ibid.*, 21. David Shatz has offered a variety of theories to explain why many of Hazal viewed *makhlokes* as a positive feature of Torah rather than, simply, a breakdown in the chain of tradition, and why they sought to preserve minority opinions; see David Shatz, “Interpretive Pluralism,” in *The Jewish Political Tradition*, ed. Michael Walzer, Menachem Lorberbaum, and Noam J. Zohar (New Haven: Yale University Press, 2018), 1:339–44.

2 This interpretation is the source for the mitzvah to write a Sefer Torah; see *Nedarim* 38a and Rambam, *Hilchot Tefillin, Mezuzah, VeSefer Torah*, 7:1.

3 Netziv, “*Kidmas HaEmek*,” *Ha’amek Davar*, section 3.

4 Rabbi Joseph B. Soloveitchik, “The Rav’s Famous Description (From 1974) of How He Experienced the Mesorah,” audio recording at <https://www.yutorah.org/lectures/753994>.

5 The metaphor of a concordant musical whole is common, too, in descriptions of the methodology of the Ba’alei HaTosafos as “harmonizing” seemingly contradictory passages in the Gemara; see, for example, Jeffrey L. Rubenstein, *The Culture of the Babylonian Talmud* (Baltimore, MD: Johns Hopkins University Press, 2003), 145.

6 See, for example, Abarbanel, *Perush al HaTorah*, commentary on Shemot 15: “Most people forget plain texts, even if they study them day and night. But when [the texts] are set to melodies to which they can be sung and played, they will be remembered forever.”

№ 4. Mah nischtannah.

כִּי הָיָה גִּזְרָתָהּ גְּדוּלָהּ גְּדוּלָהּ

In der Regel von der jüngsten Person vorgetragen.

Solo. Recitativ.

Adolph Schönfeld, *Recitative und Gesänge, Lob- und Danklieder: zum Vortrage am ersten und zweiten Abende des Ueberschreitungs-festes / זמירות ומירות* (Posen: Selbstverlag; Leipzig: Röder, 1884), 14.

7 Ruth HaCohen, *The Musical Libel Against the Jews* (New Haven, CT: Yale University Press, 2011).

8 Johann Nikolaus Forkel, *Allgemeine Geschichte der Musik* (Leipzig: im Schwickertschen Verlage, 1788), 1:162. When Forkel writes about a “chorus joining in,” he is probably referring to either participatory congregational singing or the use of *meshorerim* (assistants who harmonize with the *hazzan*), as opposed to performances by a choir, which would not become widespread until the rise of the Reform movement in the nineteenth century.

9 *Ibid.*, 1:172

10 See Tina Frühauf, *The Organ and Its Music in German-Jewish Culture* (Oxford: Oxford University Press, 2012).

11 On Salamone Rossi, the one composer who introduced choral musical compositions into the synagogue before the Reform movement, see Rebecca Cypess, “Reclaiming the Musical Past: Leon Modena and Salamone Rossi in Context,” *The Lehrhaus*, March 12, 2023, <https://thelehrhaus.com/culture/reclaiming-the-musical-past-leon-modena-and-salamone-rossi-in-context/>. For the broader musical life among Jews in Rossi’s era, see Lynette Bowring, Rebecca Cypess, and Liza Malamut, ed., *Music and Jewish Culture in Early*

Modern Italy: New Perspectives (Bloomington: Indiana University Press, 2022). See also Richard Wagner, “Judaism in Music,” in *Richard Wagner’s Prose Works*, trans. William Ashton Ellis (London: Kegan Paul, Trench, Trübner, & Co., 1894), 3:79–100.

12 Judit Frigyesi, “The Unique Character of Prayer Chant Among the East European Jews: Part 1: System, Practice, and Aesthetics—A Preliminary View,” *Shofar: An Interdisciplinary Journal of Jewish Studies* 40, no. 2 (2022): 18.

13 Audio files by Eliyahu Schleifer, “Ma Nishtana Old Nusach” and “Ma Nishtana Old Nusach with Yiddish,” in Edwin Seroussi, “Four Melodies for Four Questions,” October 2018, <https://jewish-music.huji.ac.il/en/content/four-melodies-four-questions-some-new-findings>.

14 See the discussion of Gemara chant in Samuel C. Heilman, *The People of the Book: Drama, Fellowship, and Religion*, reprint edition (Abingdon: Routledge, 2017), 67–74.

15 Frigyesi, “The Unique Character,” 19.



FINDING COMMON PURPOSE & AVOIDING COMMUNAL STRIFE

Perspectives from Rabbi Jonathan Sacks

Chanukah today is a great unifier amongst Am Yisrael. Its straightforward rituals, story of our survival and tasty traditions of *levivot* and *sufganiyot*, amongst other oily foods, make it the time in our calendar when differences can most easily be set aside.

What a contrast to the early days of Chanukah observance, when, as the Gemara (*Shabbat* 21b) notes, Beit Hillel and Beit Shammai followed contrasting approaches to the mitzvah of *neiros* Chanukah, as is well-known. We can imagine arguments between the two communities, perhaps even divisively, as to who was right and whose view should prevail.

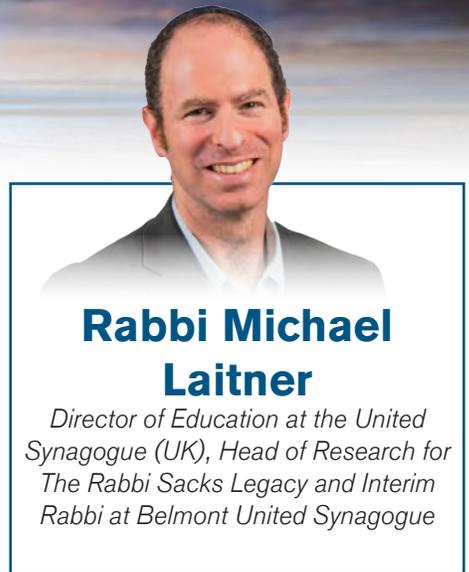
Yet we can also recall the statements in *Pirkei Avot* (5:21) and elsewhere in the Gemara (*Eruvin* 13b) teaching

about *machloket lesheim shamayim* and *eilu ve'eilu divrei Elohim chayim* respectively, which are attributed to Hillel and Shammai. These principles teach us about the importance of finding common ground and, just as importantly, how to do so, especially when a path ahead is not straightforward, either in terms of halacha or hashkafa.

For Rabbi Jonathan Sacks, applying these principles alongside other core Jewish beliefs became a bedrock of his approach to applied Torah study and to crisis management, as we shall explore below.

The Art of Biblical Interpretation

One of the great “what ifs” of the Torah



Rabbi Michael Laitner

Director of Education at the United Synagogue (UK), Head of Research for The Rabbi Sacks Legacy and Interim Rabbi at Belmont United Synagogue

occurs around the burial of Yaakov Avinu. After the passing of his father, Yosef approaches Pharaoh with a request:

אָבִי הַשְּׂבִיעֵנִי לְאֹמֶר הִנֵּה אָנֹכִי מֵת בְּקִבְרֵי
אֲשֶׁר כָּרִיתִי לִי בְּאֶרֶץ כְּנַעַן שְׂמָה תִקְבְּרֵנִי וְעַתָּה
אֲעֹלָה נָא וְאֶקְבְּרָה אֶת אָבִי וְאֶשׂוּבָה.

“My father made me swear an oath, saying, ‘I am about to die. Bury me in the grave I prepared for myself in the land of

Canaan. 'Now let me go up and bury my father; then I will return.'

Bereishit 50:5, with Rabbi Sacks' translation

Imagine how Jewish history might have developed had Yosef not included, "then I will return"? And then consider how people today might read this *pasuk* and its broader passage. Those who are concerned for Jewish communities in the Diaspora could read it and say that Jewish leaders in those communities must remain, just as Yosef did not abandon Bnei Yisrael in Egypt. This is a view with much merit, whose adherents might easily claim is correct according to the Torah.

Yet those who take an opposite view might argue that the import of Yosef's decision, especially when we read ahead in the Torah, was that we stayed in exile for far longer than we might otherwise have, and that the Canaanites may have thought we were giving up on our right to Eretz Yisrael by not returning when we had the opportunity after the passing of Yaakov. This view too has much merit and its adherents might also claim it is the correct position according to the Torah.

Such examples, suggested Rabbi Sacks, demonstrate that we need more than just the Torah itself when considering such questions. The initial step, alongside acknowledging the contrasting *pesakim* in the halachic process, is to apply *eilu ve'eilu divrei*

Elokim chayim and to ensure vigorously that such differences should not divide us.

We still though must decide what to do. To reach the correct practical applications, Rabbi Sacks presented another well-known principle, *Torah im Derech Eretz*, the life skills, tools and expertise, often found in secular study, which can help us in our quest to apply the right conclusions from the Torah, both in halacha and hashkafa.

"Without Torah," he wrote, "we have no vision, no ideals, no faith. But without Derech Eretz, we don't know how to read Torah and apply it to our present situation ... All that will be left will be twenty or fifty different groups of Orthodox Jews ... none of whom will talk to one another because each of them is convinced that it, and it alone, has the one true answer, the Torah answer."¹

Communal Crisis and Strife

In 1997, Rabbi Sacks faced a severe communal crisis after the leaking of a confidential letter that he had written. He was attacked from both the left and the right amidst great strife and significant, long-festering damage to community relations, some of it deliberately inflicted. In response, he strove to formulate a framework for robust but responsible community debate, based on the completion of the

Mishkan, a model which he often used to promote unity of purpose.²

וַיֵּרָא מֹשֶׁה אֶת כָּל הַמְּלָאכָה וְהִגִּיהָ עָשׂוּ אֹתָהּ
כַּאֲשֶׁר צִוָּה ה' בְּן עֲשׂוֹ וַיְבָרֶךְ אֹתָם מֹשֶׁה.

Moshe saw that all the work had been done just as the Lord had commanded—and Moshe blessed them.

Shemot 39:43

The Midrash says something remarkable about this.

ר' יוחנן אמר ... עד שלא הוקם המשכן היתה איבה וקנאה ותחרות ומצותא ומחלוקת בעולם, אבל משהוקם המשכן נתנה אהבה וחיבה וריעות וצדק ושלוה בעולם.

Rabbi Yochanan taught: before the Mishkan was created, there was animosity and hatred and envy and strife and dissension in the world. But once the Mishkan was created and the Divine presence came to rest in it, there was love and kinship and friendship and righteousness and peace in the world.

Pesikta D'Rav Kahana "Vayehi B'Yom K'lot" no. 1

Drawing on the verbal similarities between Mishkan and *shachen* (neighbour), Rabbi Sacks suggested that a key function of the Mishkan was to strengthen the bonds of neighbourliness amongst Am Yisrael. When we pray together, we can learn to live together. By speaking respectfully to God, we learn to speak respectfully to each other. A primary purpose therefore of the Mishkan was to end *machloket*, promote peace between Jews and by

Without Torah, we have no vision, no ideals, no faith. **But without Derech Eretz, we don't know how to read Torah and apply it to our present situation.**



extension to the world.³

In practical terms, seizing the moment, he proposed seven principles to promote and maintain communal harmony:⁴

1. We recognise a duty to the Jewish people as a whole, and we will act responsibly in light of that duty.
2. We will seek to promote peaceful relations throughout the community, exercising restraint to avoid confrontation.
3. We will emphasise what unites us as a people—our common past, our shared fate, our mutual responsibility.
4. We will work together, despite religious differences, on matters which affect us all regardless of religious differences.
5. We owe one another a duty of mutual respect, and we will not attack other Jews in public.
6. We will defend our beliefs without publicly denigrating others.
7. We will state clearly that those who sow dissension and dishonour Jewish values do not represent the community.

On this basis, as part of a symposium in *Jewish Action* (summer 2012), Rabbi Sacks concluded:

...No small people is more diverse—ethnically, culturally, attitudinally and

religiously—and the more religious, the more diverse. There was hardly a Jewish settlement in the Middle Ages without its own minhagim and piyyutim...

Diversity is a sign of strength—not weakness. As Rabbi Yechiel Michel Epstein notably said in the introduction of Aruch HaShulchan to Choshen Mishpat, about the very last of the 613 commandments, the mitzvah of writing a sefer Torah, Moses doesn't use the word Torah but rather shirah, because in this respect Torah is like music in that its greatest beauty lies in complex harmonies. Or as the Netziv writes in his commentary on the Tower of Babel, uniformity of thought is not a sign of freedom, but its opposite.

The Mishnah preserves the arguments of the sages even when it knows that the law is like one and not the other. The greatest work ever undertaken to eliminate argument from its pages was the Mishneh Torah, and it gave rise to more arguments than any other.

Differences, arguments, clashes of style and substance are signs not of unhealthy division but of health. The Judaism of Torah, emunah and halachah continues to do what it has done for so long—to defeat the law of entropy that states all systems lose energy over time. Not Judaism. Where you find argument, there you will find passion.

What, then, is the proper response to the current situation? First, not to take too seriously the fact that someone

delegitimizes you. When this happens, the only thing to do is remember Rabbi Yochanan ben Zakkai's dying words: "Halevai sheyehei morah Shamayim alecha kemorah bassar v'dam. Would that you worried about what God thinks instead of worrying about what another person thinks."

Second, to maintain your own position without criticizing others. There have been moments, thankfully few, when things I have said have been interpreted that way; if so, I apologize. The truth is, "Hamoser din al chaveiro hu ne'enash techilah. One who passes judgment on his fellow is judged first." It is not necessary to negate in order to affirm.

All that is necessary to achieve ahavat Yisrael is to remember daily that Hashem loves us—all of us—despite our differences, failings and disagreements.

Hashem loves and forgives. Let us love and forgive.⁵

Endnotes

1 Taken from "The Art of Biblical Interpretation", an unpublished essay written in the 1980s.

2 See for example <https://rabbisacks.org/covenant-conversation/terumah/the-home-we-build-together/>.

3 An essay sent to United Synagogue and other rabbis under Rabbi Sacks' aegis, March 1997.

4 Ibid.

5 Reprinted (and abbreviated) with permission from *Jewish Action*, the magazine of the Orthodox Union, vol. 72, no.4 (Summer, 2012).

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The Ethics of CONTROVERSY

Pace – personal, domestic, and communal peace – is considered in the Jewish tradition as the greatest of all blessings. It is regarded as חתימת כל הברכות, the seal or the climax of the priestly blessings: וישם לך שלום, the blessing of peace. However, peace should not be understood as unanimity of ideas and uniformity of opinion. It would be exceedingly difficult to establish peace in society if unanimity were a prerequisite. It would be utterly impossible in Jewish society, for Jews are especially not predisposed to uniformity of opinion. From the very beginning of time, our people have been characterized by an independence of thought. The Talmud itself is monumental testimony to the divergence of views and opinions. The Rabbis put it this way: just as the faces of people are dissimilar to each

other, so do their opinions differ. And one might add, that just as the variety in physiognomy adds to the aesthetics of living, so does the variety of opinions add to its intellectual stimulation and excitement.

Furthermore, controversy should not always disturb us. The great Maggid of Mezeritch, the leading theoretician of Hasidism and one who knew only too well the life of controversy, told us never to be discouraged when we face violent opposition. Sometimes we should accept it as a compliment: the highway robber attacks the man who bears jewels; he never bothers with a man who drives a wagon of straw or refuse.

It is in this sense that the Rabbis knew that controversy can be both bad and good. Sometimes it is constructive, sometimes destructive. In the fifth chapter of Avot, they said the following:



Rabbi Dr. Norman Lamm z"l

This sermon was originally delivered in The Jewish Center on June 21, 1969

כל מחלוקת שהיא לשם שמים, סופה להתקיים, ושאינה לשם שמים אין סופה להתקיים. איזוהי מחלוקת לשם שמים? זו מחלוקת הלל ושמאי, ושאינה לשם שמים? זו מחלוקת קורח וכל עדתו.

Every controversy which is for the sake of heaven, in the end it will endure. And a controversy which is not motivated by the demands of heaven, in the end it will not

endure. Which is a controversy for the sake of heaven? – the disputes between Hillel and Shammai. And which is a controversy not for the sake of heaven? – the dispute of Korah and his band against Moses and Aaron.”

The Rabbis thus considered controversy as sometimes advisable and of enduring value, (סופה להתקיים) and sometimes as destructive and to be shunned. In that case, the whole matter of dispute and contentiousness bears closer analysis, for we are dealing with the ethics of controversy, and must learn to determine when it is right and when it is wrong. In a generation such as ours, when the vicissitudes of social movement and political opinion have all but rent society apart, when daily life consists of nonnegotiable demands and violent confrontations, of sharp cleavages and loud dissension, it is vital for us to begin to consider at least the fundamentals of the ethics of controversy.

The first source for such an ethic is provided for us by Hillel and Shammai themselves. These two greatest of all the Tannaim were frequently in disagreement with each other. Their debates ranged over the whole of Halakhah. Normally we decide the Halakhah according to Hillel, and only in very few cases does the decision lie with Shammai.

Now, the Mishnah (Eduyot, Chap. I) asks: ולמה מזכירין את דברי שמאי והלל? לבטלן? “Why is it necessary to mention the opinion of either Shammai or Hillel

when that particular view is declared non-acceptable, and the Halakhah remains with his disputant?” Would it not have been wiser simply to codify the law according to the view we accept, and not to bother to mention the minority opinion? The Mishnah answers:

ללמד לדורות הבאים שלא יהא אדם עומד על דבריו, שהרי אבות העולם לא עמדו על דבריהם.

It comes to teach all future generations that a man should never be persistent in his views, for the ‘fathers of the world’ were not persistent in their views.

What the Mishnah means, is that Hillel and Shammai, the fathers of the Oral Torah, the chief channels for the transmission of the sacred Jewish tradition, were people who were constantly engaged in disputes and debates and polemics, but never without mutual respect between them. They were valiant advocates of differing opinions, but they were always intellectually honest, and when one saw that his opinion was weak and that of his opponent was more substantial, he did not hesitate to admit the truth and to yield.

Hillel and Shammai teach us that we must be vigorous in the pursuit of our ideas, but never stubborn; resolute, but never relentless; incorruptible, but never immovable.

In a מחלוקת לשם שמים, in any argument informed by higher ideals, we must have opinions, even strong ones, but we

must never be blind to an opponent's thinking. We must neither be closed-minded nor flabby-minded, but keep to the golden mean: open-mindedness. In that way, controversy becomes true dialogue, not merely the confrontation of two monologues.

A second guidepost in the ethics of controversy concerns the definition of לשם שמים, “for the sake of heaven.” When is a dissenting view motivated by such high ideals, and when is it really informed by ulterior and selfish motives? Unfortunately that is very hard to determine. I am no expert in the history of human controversy, but I should be surprised if there were more than half a dozen cases in all of history in which both sides did not lay complete and absolute claim to “sincerity,” “high-mindedness,” and “for the sake of heaven.” In a whimsical moment, the Rabbis tell us that Cain and Abel, in their dispute which ultimately ended in fratricide, also claimed, each for himself, the sanction of le-shem shamayim. They divided the world up between them, but fought over a small piece of territory on which the Temple was to be built in later generations. Each one argued: I really have no special hunger for more territory, all I want is this little piece, because on it will be built the Temple, and all I want is le-shem shamayim ...

How then are we to discriminate between the contention that is “for the sake of heaven” and the one that is not? A great and insightful commentator on the Torah of some 400 years ago,



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Rabbi Eliezer Ashkenazi (Maaseh Hashem) offers us a valuable criterion for deciding when an argument is truly genuine and when not. He refers back to the Mishnah which we quoted, but he reads it somewhat differently: כל מחלוקת שהיא לשם שמים, סופה להתקיים. This does not mean, he says, that a dispute which is for the sake of heaven will in the end endure. It means more than that. The word sof, “end,” has two meanings, even as the word “end” has two meanings in English: that of conclusion and that of purpose, as in “means and ends.” Now we read this clause as follows: how do we know if an argument is truly “for the sake of heaven?” – if its purpose is endurance and survival, le’hitkayem. An argument is “for the sake of heaven” when it strives to perpetuate the institution or ideal or principle which is in dispute.

Thus, when Hillel and Shammai argue about a specific halakhah, that is a mahloket le-shem shamayim, because each genuinely desires the perpetuation of Halakhah as such. But, when Korah and his coterie rebelled against Moses, they sought not the security of spiritual leadership, but the destruction of the priesthood and of Moses’ leadership: hence, this latter argument was not. Or,

for instance, when Zionists argue with non-Zionists about the advisability of the human upbuilding of the Land of Israel, if the non-Zionists are those who have abandoned the hope of Jewish redemption, it is a dispute which is not le-shem shamayim, for the non-Zionists in this case have no desire of preserving and enhancing the object of the debate, namely, the Land of Israel. But if the non-Zionists are those who passionately desire the welfare of the Land of Israel, but happen to believe that it should not be achieved by human means, but by Divine means, then even if we disagree with them we must grant that it is a mahloket le-shem shamayim. Similarly, if Democrats and Republicans, or Conservatives and Liberals argue about the nature of the American Government, then it is, in civic terms, a mahloket le-shem shamayim, because both wish the safety of the republic. When administration and students argue about the nature of the university, then no matter how violent the confrontation, it is a mahloket le-shem shamayim provided that both do want a stronger university, a place in which the free exchange and development of ideas can take place. But if the students arrange the confrontation because they want to tear down the university as the

weakest social institution which will invite the collapse of the rest of society, it is not sofah le-hitkayem and therefore not a mahloket le-shem shamayim.

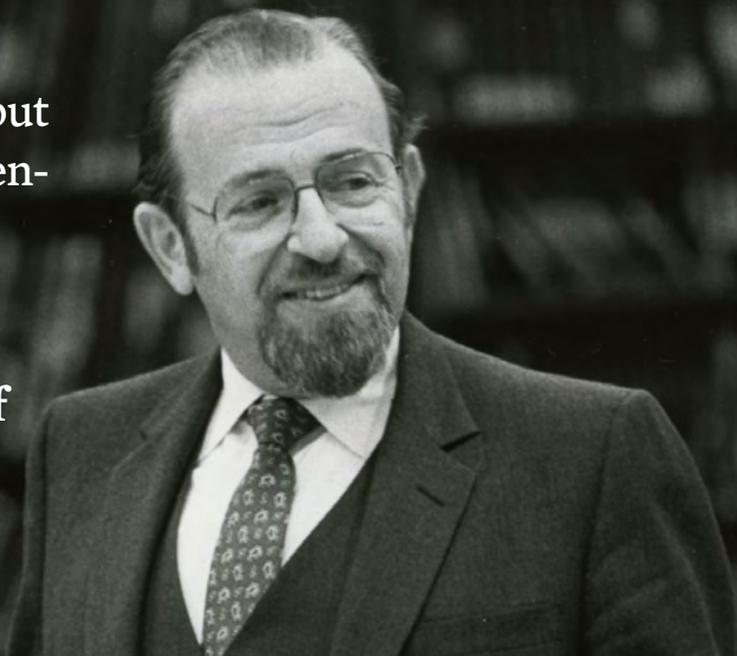
I submit that this is a criterion which can be used to good advantage in deciding the nature of many a contemporary public controversy.

A third insight for an ethic of controversy is a bit more subtle. Let us grant that two opinions in dispute with each other are both le-shem shamayim, that they are similar to the arguments of Hillel and Shammai, and not of Korah and Moses. In such a case, while the argument must for practical reasons sooner or later be resolved one way or another, nevertheless both opinions remain valid and endure in theory – סופה להתקיים – both survive and both remain. Whereas in a controversy which is not for the sake of heaven, such opinions which are not properly motivated fade away and cannot endure.

What is the difference if an opinion remains valid theoretically, if in practice we do not act on it? Simply this: that ultimately conditions may change, and then decisions may change too, and an opinion temporarily rejected may later be accepted as valid, whereas the one

We must neither be closed-minded nor flabby-minded, but keep to the golden mean: open-mindedness.

In that way, controversy becomes true dialogue, not merely the confrontation of two monologues.



now accepted may later go into eclipse.

This is the meaning of the passage in our literature which tells us that when Hillel and Shammai were engaged in their debates, a heavenly voice issued forth and proclaimed: אלו ואלו דברי אלוהים חיים, “Both these and these are the words of the living God.” It is true that for practical purposes we almost always accept the opinion of Hillel and not the opinion of Shammai; nevertheless, the opinions of Shammai remain valid opinions, they constitute the heart and the substance of Torah as such. If a man should decide to spend a lifetime studying only the rejected opinions of Shammai, he fulfills the commandment of the study of Torah to the same degree and extent as a man who studies only the opinions of Hillel which are accepted as Halakhah.

In a remarkable passage, the Zohar tells us that whereas in our times we accept the opinions of Hillel over Shammai, nevertheless, לעתיד תבוא, in the great future after the Messiah, הלכה כבית שמאי, the decisions will change, and the opinions of Shammai will prevail. This is precisely what the Zohar meant: כל מחלוקת שהיא לשם שמים, סופה להתקיים. An opinion may not be accepted in practice, but if it is “for the sake of

heaven,” it retains its very sanctity and its survival is secured.

Now this does not hold true for all controversies, but only those le-shem shamayim. The disagreement, for instance, by those who are true to the Torah tradition, and those who deny the validity of Torah in modern times, is not a mahloket le-shem shamayim. To apply to such disputes the facile sleight of hand of quoting the passage elu ve’elu divrei Elokim hayyim is intellectually dishonest. The words of those who deny the Torah of the living God, cannot be called divrei Elokim hayyim. However, if Torah is accepted, but there is a debate as to how it should be understood and how it should be effected, such as the dispute between the Hasidim and the Mitnagdim, that is a mahloket le-shem shamayim – and there both opinions endure, and we may choose a different answer for different circumstances. Or, the dispute between those who insist that Jewish education should consist of “Torah only,” against those who follow some version of the Torah im derekh erez school, insisting upon the combination of Torah with general culture – this too is a mahloket le-shem shamayim and of this too we may say sofah le-hitkayem. Therefore there are places and there are

times when we may opt for one answer, and places and times when another solution commends itself. Although immediately, for now, we may accept only one view, the other nevertheless remains a viable and living option, ready for adoption when the times permit.

What we have mentioned is but the beginning of a framework for the ethics of controversy. It is important to make such a beginning, in order to find our way through the contentions of our period of history.

ה' עוז לעמו יתן, ה' יברך את עמו בשלום, “The Lord will give His people strength, the Lord will bless His people with peace.” Oz, strength, is defined as “Torah,” or, in other words, moral strength. Why is it necessary? Because shalom or peace does not mean uniformity or unanimity of opinion. It means, rather, a state of friendship and love and mutual respect, even while differences of opinion are encouraged, even during controversy, even in the midst of dispute. And to achieve this equilibrium – argument and peace, dispute and respect, controversy and love – for this one needs wisdom and intelligence, and, above all, the kind of moral strength that comes from Torah: oz.

Hashem yevarekh et amo ba-shalom.

Have a conversation about Elu V'elu at your Shabbos Table

1. How can we practically distinguish between a disagreement motivated “for the sake of heaven” and one driven by personal interest?
2. What are some examples in your own community where opposing sides both genuinely seek to preserve a shared value or institution?
3. How might the principles of Hillel and Shammai’s disagreements be applied to everyday life?
4. What are some areas of conflict that you have witnessed that would have benefited from the parties applying the principles of Hillel and Shammai?
5. What responsibilities do individuals have during a disagreement to ensure the conversation remains respectful and productive?
6. When do protests, activism, or social movements cross the line from constructive disagreement into destructive confrontation?
7. What role does humility play in disagreements?
8. Have you been in a conversation or conflict where you felt the other side’s viewpoints were beyond the acceptable limits of “elu v’elu”? How did you handle it? Would you do the same if this happened again?



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CONVERSATIONS THAT CONNECT

HOW TO STAY CLOSE EVEN WHEN WE DISAGREE

Why is it so hard to accept a loved one who holds a very different view? Unlike other species, humans feel anger, bewilderment, even grief when family members adopt different political or religious beliefs. We experience these differences as personal rejections and a painful sense of separation and loss.

Often, it's not the differences themselves but how we perceive them that intensifies conflict. Cognitive distortions like catastrophizing and black-and-white thinking make things worse. A parent fears their newly religious child will never eat in their home again. A sibling feels completely shunned. Both assumptions are likely wrong—but the threat feels real.

The biggest obstacle to closeness is our inability to see the other person's perspective. Beneath the surface, we might discover the change has nothing to do with us, or that, despite different politics, we're still valued as a close

friend. Yet even when we recognize our differences aren't worth losing the relationship over, anger or negative feelings can bubble up during difficult conversations, bringing past conflicts back to life.

This article will focus on how conversations and heated discussions unfold—and how to navigate them while maintaining meaningful connections.

The Purpose and Complexity of Conversations

Conversations serve a purpose. They are not easy; they are a complex dance, a collaboration between two people. In her new book *Talk*, Alison Wood Brooks, a researcher at Harvard, breaks down the art of conversation. Human beings talk to one another to learn new information, to express opinions, and to persuade, but the most salient motivating factor is to connect. Conversations begin at a



surface level and become increasingly personal and meaningful. The strongest connections happen when people discuss ideas, thoughts, or emotions and become vulnerable. Because talking is so ubiquitous, we assume it should be easy. But in reality, most people feel anxious about their conversation skills, and most exchanges are full of awkward moments, pauses, and miscues, all of which are perfectly normal.

Good conversations don't just happen. Even the most social people can have awkward moments, and even the most skilled negotiators at work may shy away from conflict at home, and vice

How to have better conversations

1. Prepare
2. Ask questions
3. Humor
4. Kindness

versa. In her book, Brooks outlines a plan to make most conversations better. Her model, aptly named TALK, provides a four-step framework: Topics, Asking, Levity, and Kindness.

The first component is preparing topics for conversation. Brooks's research showed that even a little bit of **planning—simply thinking through possible topics in advance**—make conversations more enjoyable, even if the planned topics never came up. The next ingredient is **asking questions**. One of our greatest blind spots is how naturally we focus on ourselves rather than others. However, the more we treat conversations as opportunities to listen, show curiosity, and be on "being interested rather than being interesting," the better the quality of connection. Asking thoughtful questions helps clarify information, deepens the discussion, and signals caring and investment in each other.

The last two components of the model, **levity and kindness**, speak to the "how" of good conversations. Humor and lightness, never at another's expense, can reduce tension and increase trust and connection. This doesn't mean joking about heavy topics; rather, a good joke, self-deprecating humor, or general warmth can make a big difference. Most important is kindness. This refers to genuinely caring about the person you're speaking with, making space for them to express

emotions or fears, staying away from judgment, and mirroring and listening in ways that increase empathy. Fundamentally, people want to be seen and heard. While levity decreases tension, kindness increases connection.

The Risk and Reward of Deep Conversations

People generally crave conversations about ideas, feelings, and perspectives rather than just facts and logistics. If small talk and surface-level exchanges were enough to satisfy us, conversations would be easy and rarely lead to conflict. Most people naturally seek out mid-level conversations, which are personal and involve some self-disclosure about family, likes and dislikes, and opinions—but they're ultimately drawn to more personal, meaningful conversations that create a unique bond.

Here is where the tricky part comes in: the deeper a conversation is, the more it involves emotional content, self-disclosure, and sharing of perspectives, the riskier it becomes. On one hand, people feel lonely, and research shows that superficial conversations may actually make people feel more alone. On the other hand, when discussions about deeply held beliefs go badly, they can cause real harm to relationships and mental health.

In his book, *Supercommunicators*, Charles Duhigg calls this phenomenon an "**identity threat**." When people experience it, they become immediately defensive, highly emotional, less able to reason and use logic, and entering a fight-or-flight state instead. There are specific elements that trigger identity threat in conversation: when a person feels lumped into a group they don't identify with ("entitled college

students"), excluded from a group they thought they belonged to ("people who work hard understand this"), or when a group they do belong to is criticized ("most Modern Orthodox people, maybe not you..."). Each of these experiences threatens a person's sense of self and identity. When conversations reach this heightened emotional state, it's important to recognize that taking a break is not a failure, but a wise choice that can prevent lasting damage.

Identity threats are felt more acutely within a family context. Within friend groups and work environments, people discuss opinions and beliefs in order to further a relationship or to learn more about each other. Within families, the purpose of a deep conversation is to feel valued, seen, and understood in the most important setting that exists. The family relationship is sacred, separate from all others. When a child feels alienated or shamed for their views within the family, their entire identity is threatened.

Torah Wisdom on Difficult Conversations

The Torah seems to intuit this and teaches us important lessons. Throughout the Torah, there are many family conversations that are breathtakingly emotional and raw—whether it is Yosef's brothers telling their father that his son won't be coming home, Yehuda advocating for Binyamin, Yaakov confronting Lavan, or Avraham hinting to his son about the Akeidah. These conversations are often difficult and filled with conflict, yet they demonstrate profound closeness and connection. The very willingness to engage in hard conversations reflects the depth of familial bonds. It is in the home that character is built and trust is nurtured, and so it is where opinions

and identities need to be explored—even when those conversations are challenging.

The Torah does not instruct us to avoid difficult conversations and conflict. Rabbi Jonathan Sacks says quite the opposite: as history progressed and the Temple was destroyed, it was actually the ability to argue that saved us. The challenges between schools of thought and *machloket* became one of the main ways for learning to become personal and have lasting power. We know that not all *machloket* is equal. Twenty-four thousand students of Rabbi Akiva died due to their inability to argue with respect. *Pirkei Avot* (5:17) distinguishes between arguments: a *machloket l'shem Shamayim*, an argument for the sake of Heaven, will endure, while one that isn't, won't. Korach and his followers engaged in insincere argument, while Hillel and Shammai engaged in sincere, well-intentioned conflict.

What defines this characteristic of *l'shem shamayim*? Hillel and Shammai argued to bring about the truth and light of Hashem, and each had legitimacy. After three years of debate, a Heavenly voice proclaimed, *elu v'elu divrei Elokim chaim*, (*Eruvin* 13b)—“These and these are the words of the living God.” How can both be right? Because each contained elements of truth, and are both coming from a sincere place. That is what makes the argument worthy.

Internalizing the lessons of Elu V'elu

This is the essence of *machloket l'shem Shamayim*—a disagreement for the sake of Heaven. First, Hillel and Shammai's conflict was praised because they argued for the right reason, and never lost sight of

their goal: to seek truth and reveal Hashem's name. Within families and close friends, this same principle applies. The purpose of a difficult conversation is to connect, to grow, and to essentially to be seen and valued. It's important to keep this in mind when having such discussions. If the point is to be right, to put down a sibling, or to speak without listening, the exchange loses its worth and is sure to lead to failure and hurt.

Second, Hillel and Shammai's arguments withstood the test of time not only because of their content, but because of their delivery and approach. The Gemara in *Eruvin* 13b explains that Hillel was known to be humble and kind, and always quoted Shammai's opinion before his own.

Rabbi Sacks points out that after Moshe was punished for hitting the rock, the Torah lists places they visited in the desert, including one called *Suphah*. The Talmud in *Kiddushin* 30b teaches: “Even a teacher and disciple, even a father and son, when they sit to study Torah together become enemies to one another. But they do not move from there until they have become beloved to one another. Therefore, it says ‘*Vaheb in Suphah*,’ (והב בסופה)—meaning, there is love at the end.” This passage reveals an attitude of humility and love that always permeated these more difficult conversations.

This teaching is so relevant today. During the last two difficult years since October 7, within the pain and suffering, we have seen with our own eyes the deep love we have for each other, how people held one another and prayed and cried together. At the same time, there are divisions and differences of opinion, and since we are all one family, the stakes seem high all the time.

While there are times when it is best to avoid a conversation that will turn into a debate, there are also times when such discussions are both necessary and meaningful—deepening relationships and helping young people prepare to face the world. When engaging in discussions about identity, beliefs, values, and personal traits, employ the four-step model. Start by planning ahead—even with family members—so conversations flow more smoothly. Ask questions and show genuine curiosity. Bring in levity when appropriate, and always maintain an aura and attitude of kindness. Let kindness be your guide so you don't step over a line and unintentionally hurt someone in the place they are most vulnerable. Try to put yourself in the other person's shoes and really understand where they're coming from and why the issue matters to them, even if you see it differently. Keep in mind that the ultimate purpose of the conversation is to connect and to be seen without judgment, and that hard conversations should “end in love.” Last, if emotions start to run high, it's okay to take a break and switch to a more neutral topic for a bit.

Let us take the lessons of *elu v'elu*, of the how and why of conversations, and let us learn how to have conversations that bring us closer together, and help us have deeper relationships.

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CONSTRUCTIVE CONFLICT



Rabbi Dr. Mordechai Schiffman

Assistant Professor, Azrieli Graduate School of Jewish Education & Administration
Director of Leadership Scholars, Sack-Herenstein Center for Values and Leadership
Associate Rabbi, Kingsway Jewish Center

כל מחלוקת שהיא לשם שמים, סופה להתקיים ושאינה לשם שמים, אין סופה להתקיים. איזו היא מחלוקת שהיא לשם שמים, זו מחלוקת הלל ושמאי. ושאינה לשם שמים, זו מחלוקת קרח וכל עדתו.
Every dispute that is for the sake of Heaven, will in the end endure; But one that is not for the sake of Heaven, will not endure. Which is the controversy that is for the sake of Heaven? Such was the controversy of Hillel and Shammai. And which is the controversy that is not for the sake of Heaven? Such was the controversy of Korach and all his congregation.

Avot 5:17

Disputes are ubiquitous in rabbinic literature. Every page of Midrash and Talmud is filled with debates amongst colleagues and imagined arguments between sages living in different generations. Sometimes the arguments are resolved through debate, sometimes through consensus, and sometimes they are left unresolved.

Rabbi Dr. Richard Hidary explains in his *Rabbis and Classical Rhetoric Sophistic Education and Oratory in the Talmud and Midrash* why argumentation is constitutive of rabbinic texts. The rabbis, he writes,

recognize the inevitability of multiple interpretations and subjectivity of human reason. But rather than give up on the possibility of truth, and rather than relegate truth to heavenly forms and deny a place for persuasive speech, the rabbis take a brilliant third path. They teach that all possible legal outcomes and all of the ways of reasoning towards them are themselves parts of the Sinaitic revelation and contain truth. The thematization of polysemic revelation attested to across various works of rabbinic literature proves how fundamental it is to the rabbinic worldview... (p. 286).

Framed as such, argumentation is an essential and holy method of discussing and understanding the word and will of God.

Yet, this constructive aspect of disagreements is countered by the oft-experienced destructive conflicts. These ruin relationships, lead to animosity, and can leave devastation in their wake. This Mishna distinguishes between these two paradigms. Like the previous Mishna regarding two archetypes of love, this one too provides broad categories, and it is up to the commentaries to fill in the gaps.

The Mishna distinguishes between arguments for the sake of Heaven and those that are not for the sake of

Heaven. The former will “endure,” while the latter will not. The former is represented with a model of the disputes between Hillel and Shammai, the latter with Korach and his followers. What is the difference between arguments for the sake of Heaven and those not for the sake of Heaven?

Rabbi Menachem Meiri distinguishes as follows:

ואמר איזו היא מחלוקת שהיא לשם שמים [זו] של הלל ושמאי שהיה אחד מורה הוראה והשני חולק עליו להודעת האמת ולא לקנטר ולא לנצוח ולכן נתקיימו דברי החולק כשהיה האמת אתו ואיזו היא מחלוקת שלא לשם שמים זו של קרח ועדתו שבאו לקנטר על

משה רבינו ע"ה ועל הנהגתו מדרך קנאה
וקנטור ונצוח.

The argument between Hillel and Shammai: In their debates, one of them would render a decision and the other would argue against it, out of a desire to discover the truth, not out of cantankerousness or a wish to prevail over his fellow. An argument not for the sake of Heaven was that of Korach and his company, for they came to undermine Moses, our master, may he rest in peace, and his position, out of envy and contentiousness and ambition for victory.

Rabbi Jonathan Sacks dedicated one of his earliest books, *Arguments for the Sake of Heaven: Emerging Trends in Traditional Judaism*, to this topic. He revisited the theme in his last book *Morality: Restoring the Common Good in Divided Times*. Quoting Meiri, he distinguishes between arguments for the sake of truth versus those for the sake of victory.

In argument for the sake of truth, if you win, you win, but if you lose, you also win, because being defeated by the truth is the only defeat that is also a victory... In an argument for the sake of victory, if you lose, you lose, but if you win, you also lose, for by diminishing your opponents, you diminish yourself (pp. 191-192).

The distinction between the two types of arguments is not necessarily about the content, but in the process of dispute, as well as the underlying motivation. In his *Covenant & Conversations* essay on Parshat Korach, Rabbi Sacks elaborates on the process of how one argues:

In an argument for the sake of truth, both sides win, for each is willing to listen to the views of its opponents, and is thereby enlarged. In argument as the collaborative pursuit of truth, the participants use reason, logic, shared texts, and shared reverence for texts. They do not use ad hominem arguments, abuse, contempt, or disingenuous appeals to emotion. Each is willing, if refuted, to say, "I was wrong." There is no triumphalism in victory, no anger or anguish in defeat.

Arguments for the sake of Heaven are conducted with moral and intellectual virtues. These types of arguments are necessary and constructive for a healthy system of law, religion, and interpersonal relationships.

In analyzing the differences between the Jewish approach to constructive and destructive conflict to those in the contemporary conflict resolution literature, Rabbi Dr. Howard Kaminsky in his *Fundamentals of Jewish Conflict Resolution: Traditional Jewish Perspective*

on Resolving Interpersonal Conflicts identifies two main distinctions. While there is consensus and overlap in terms of the importance of intellectual and moral virtues within the process of debate, the modern conflict resolution literature does not focus on pursuit of truth, nor does it concern itself with the internal motivations of the debaters. The Jewish sages throughout the ages are concerned with pursuing truth and are also interested not just with how one acts, but with the development of virtuous intentions and motivations.

It is to this latter point that the Jewish ethicists, sensitive to the potential personal biases, caution that even when we are convinced that our particular argument is for the sake of Heaven, to be suspicious of our own motivations before engaging in a dispute. With the right rationalization, any petty personal argument can be justified as being for the greater good. Introspection, along with consultation with mentors and peers, can prevent us from falling into the pits of unnecessary and unjustified argumentations. However, as held up as a model in this Mishna, a collaborative argument for the sake of pursuing truth and goodness, done with intellectual rigor and infused with proper character, can yield invaluable results.

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Chanukah Tefillah Insights from The Rav:

Excerpted from Batei Yosef

Maseches Soferim (20:6) records that when lighting the Chanukah candles, we recite a prayer beginning with the words "HaNeiros Halalu" (These lights). In this prayer, we articulate the reason for kindling these lights:

הַנְּרוֹת הַלְלוּ אֲנֵנוּ מִדְּלִיקוֹן עַל הַנְּסִים וְעַל הַנִּפְלְאוֹת וְעַל הַתְּשׁוּעוֹת וְעַל הַמַּלְחָמוֹת שֶׁעָשִׂיתָ לְאַבוֹתֵינוּ בַּיָּמִים הָהֵם בְּזְמַן הַזֶּה, עַל יְדֵי כְּהֵנִיף קִדְשֵׁנוּ, וְכָל שְׂמוֹנֵת יָמֵי חֲנֻכָּה, הַנְּרוֹת הַלְלוּ קִדְשֵׁנוּ, וְאֵין לָנוּ רְשׁוּת לְהִשְׁתַּמֵּשׁ בָּהֶן, אֶלָּא לְרְאוּתָן בְּלִבְךָ כְּדֵי לְהוֹדוֹת וּלְהַלֵּל לְשִׁמְךָ הַגָּדוֹל עַל נִסֶּיךָ וְעַל נִפְלְאוֹתֶיךָ וְעַל יְשׁוּעָתְךָ.

These lights we kindle for the miracles, the wonders, the salvations and the battles that You performed for our forefathers in those days at this time, through Your holy Kohanim. And throughout all eight days of Chanukah, these lights are sacred, and we are not permitted to make use of them, but only to look at them, in order to give thanks and praise to Your great Name for Your miracles, for Your wonders, and for Your salvations.

The Shulchan Aruch (OC 676:4) codifies this practice, stating that after lighting the candles, we recite *HaNeiros Halalu* (though notably, the Rambam does not mention this prayer in *Hilchos Chanukah*).

Rav Soloveitchik explained that the reason for reciting this passage stems from the fundamental purpose of Chanukah candle-lighting: *pirsumei nisa*—publicizing the miracle. To properly publicize the miracle, it must be verbalized as well, not only through the visual display of the lights. We find this pattern elsewhere: the four cups of wine at the Passover Seder, which also publicize miracles, are accompanied by the reading of the Haggadah. Similarly, on Purim we fulfill *pirsumei nisa* through the reading of the Megillah. So too, on Chanukah, verbal expression is required; and according to *Maseches Soferim*, this prayer was recited even before all the candles were lit—underscoring that words, together with light, complete the act of publicizing the miracle.

Miracles versus Wonders

In *HaNeiros Halalu*, we thank God for many things, including both the “miracles” (*nissim*) and the “wonders” (*niflaos*). Rav Soloveitchik explained a crucial distinction between these two terms. A *nes* (miracle) is something understandable but uncommon—when it occurs, we see God's greatness



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manifest in the world. The very word *nes* means "banner" or "flag," something visible to all even from a distance, as in the verse, "When a banner is raised on the mountains, you shall see it" (Isaiah 18:3).

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A *peleh* (wonder), however, is something fundamentally incomprehensible, as suggested by the verse, "When a matter is beyond you" (*ki yipaleh mimcha davar*, Deuteronomy 17:8). The miracle of the oil flask on Chanukah was both a *nes* and a *peleh*—through it we saw God's hand, yet it was also something beyond comprehension. Therefore, in *HaNeiros Halalu* we offer thanksgiving for both the miracles and the wonders, referring specifically to the miracle of the oil flask.

Thanksgiving for Wars

Both in *HaNeiros Halalu* and in *Al HaNissim*, we thank God for "the wars" (*milchamos*). This seems puzzling: Why should we offer thanksgiving for wars? Wouldn't it be better if we didn't need to fight wars at all?

Rav Soloveitchik explained that there's an alternative textual version that reads "*al hateshuos al hamilchamos*" (for the salvations in the wars), without a conjunctive *vav* before "*al hamilchamos*." According to this reading, the mention of "wars" isn't a separate item; rather, we're thanking God for the salvations that He brought us in the wars.

However, many versions read "*v'al hamilchamos*" (and for the wars) with the conjunctive *vav*, as in our current text, making "wars" a separate matter for which we offer independent thanksgiving. The explanation is that we're thanking God for the wars *that He fought for us*—meaning that God made Himself, as it were, a party to these wars. For this reason, we indeed should thank Him for the wars themselves.

Wars as Preconditions for Salvation

Rav Soloveitchik offered another explanation: We may indeed thank

God for the wars in their literal sense. Although war is generally not considered something good, here the intention is that through the wars came the salvations—without war, there would be no context for salvation. Rav Soloveitchik cited the *Beis HaLevi* on Parashas Beshalach, who explains that the song sung at the Sea included thanksgiving not only for the salvation but also for the troubles themselves. There's an obligation to thank God even for the bondage, because without the bondage, the redemption would not have come in that particular manner.

Indeed, the *Beis HaLevi* adds that we say in Hallel:

אֲדָרָךְ כִּי עֲנִיתָנִי וַתְּהִי לִי לִישׁוּעָה.

I thank You because You afflicted me, and You have become my salvation.

Psalms 118:21

The Sages interpreted this to mean we thank God both for the affliction (reading *inisani* from the root of suffering) and subsequently for the salvation. Rav Soloveitchik pointed to the language of the Gemara in *Pesachim* (117b) regarding the general obligation to recite Hallel: The Sages instituted saying Hallel for every trouble—when we are later redeemed from it, we say Hallel for the redemption. From this it becomes clear that we are obligated to say Hallel for both the troubles and for the redemption. Similarly, in *HaNeiros Halalu* and in *Al HaNissim* we thank God for the wars as well, because through the wars God's name was glorified.

Trust Before Salvation

Rav Soloveitchik added that Psalms 13:6 states:

וְאֲנִי בַּחֲסָדֶךָ בְּטַחַתִּי יָגַל לִבִּי בִישׁוּעַתֶּךָ אֲשִׁירָה
לֵה' כִּי גָבַל עָלַי.

And I have trusted in Your kindness, my heart will rejoice in Your salvation; I will

sing to God because He has been good to me.

This suggests that there is, in fact, an obligation of "my heart will rejoice" even before the salvation, as implied by the phrase "And I have trusted in Your kindness." At that stage, salvation has not yet arrived; one cannot yet say in the past tense that He "has been good to me." Nevertheless, we must trust in God and thank Him even then—before the salvation—based on the strength of that trust. Accordingly, on Chanukah we thank God not only for the victory but for the wars themselves—for the sense of security that we felt by knowing that we could place our trust in Him during the time of the wars.

Rav Soloveitchik then noted that in fact, the position of *Beis Shammai* regarding the practice of *mehadrin min hamehadrin*—to decrease the number of candles each night—is rooted in this very principle. In his view, the primary obligation of the Chanukah lights corresponds to the attribute of trust in God. This dependence on God diminished each day because the problem (that they didn't have enough oil to light the candles) decreased daily—the oil shortage became less acute each day. *Beis Hillel*, however, held that the primary obligation is to recognize the miracle and salvation, and the miracle obviously grew greater each day, so we add one candle each night.

However, it's possible that *Beis Shammai* and *Beis Hillel* don't actually disagree about the fundamental need to thank God for both the trouble and the salvation. They only disputed which of these represents a stronger obligation. All agree that we must thank God for both the trouble and the salvation, and therefore we must mention the wars in both *HaNeiros Halalu* and *Al HaNissim*.

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Al HaNisim

Remembering Our Miracles,
Renewing Our Unity



Every year on Chanukah, we insert a short but powerful addition into our daily *tefillos* and *bentching*: *Al HaNisim*. We thank Hashem “for the miracles, for the redemption, for the mighty deeds, for the saving acts, and for the wars which You performed for our ancestors in those days, at this time.” It’s a paragraph so familiar that it often slips from our lips without a second thought. Yet, when we pause to reflect, the words of *Al HaNisim* become a profound lens through which to view not only the ancient story of Chanukah, but also the ongoing story of the Jewish people today.

The heart of *Al HaNisim* is gratitude—not only for the victory of the few over the many, but for the miraculous thread of Divine protection that runs through Jewish history. The Chashmonaim faced overwhelming odds, yet they acted with courage and faith. Their victory was not just military; it was spiritual. They

fought to preserve the soul of the Jewish people — the right to live a life of Torah and kedushah. When we recite *Al HaNisim*, we remember that their story is not frozen in history. It continues to unfold before our eyes.

In these most recent times, we have once again seen the hand of Hashem guiding and guarding Am Yisrael. Since the horrors of October 7th, the Jewish people have faced an ongoing war unlike any in recent memory. We have seen tragedy, pain, and loss—but also miracles that defy explanation. Stories of soldiers saved in impossible circumstances, of communities rising from devastation, of unity and resilience emerging from heartbreak. Each act of courage, each moment of survival, each spark of hope—these, too, are our *Al HaNisim*.

To recognize these modern miracles is not to minimize the suffering or complexity of our times, but to affirm



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that even in darkness, Hashem’s light still shines. Just as the small jug of oil burned beyond all natural limits, the light of Am Yisrael—our faith, our peoplehood, our connection to Hashem—continues to burn against all odds. Every moment of strength and solidarity in Israel and across the Jewish world echoes that original miracle of endurance.

But *Al HaNisim* is not only about gratitude; it is also about responsibility. When we thank Hashem for miracles,

we are called to respond—not just with words, but with unity. In the original *Al HaNisim*, the focus is not on individual heroes, but on the collective salvation of the Jewish people. The miracle of Chanukah was not just that the few defeated the many, but that they did so *together*, as one nation under Hashem.

Today, too, the greatest miracle we can cultivate may be our own achdus. Over the past two years, we have seen Jews of every background stand together—soldiers from across the spectrum fighting side by side, communities rallying to support displaced families, Jews from around the world praying, donating, volunteering, and comforting one another. In those moments of togetherness, we have experienced a glimpse of what true redemption feels like.

Perhaps this is what *Al HaNisim* truly means when it concludes with praise:

ואַחַר כֵּן בָּאוּ בְנֵיךָ לְדַבֵּיר בֵּיתְךָ וּפְנּוּ אֶת הַיְכָלְךָ
 וְשִׁהְרוּ אֶת מִקְדָּשְׁךָ וְהִדְלִיק גְּרוֹת בְּחִצְרוֹת
 קִדְשֶׁךָ וְקִבְּעוּ שְׁמוֹנֵת יָמֵי הַנֶּפֶחַ אֵלֶיךָ לְהוֹדוֹת
 וּלְהַלֵּל לְשִׁמְךָ הַגָּדוֹל.

And afterward, Your children came into the inner sanctum of Your house, cleared out Your Sanctuary, purified Your Mikdash, lit candles in the courtyards of Your holiness, and established these eight days of Chanukah to give thanks and praise to Your great Name.

The goal of a miracle is not merely survival, but sanctification—to transform gratitude into praise, and praise into unity.

When we say *Al HaNisim* this Chanukah, we can allow its words to become a mirror reflecting our

own times. We thank Hashem “in those days”—but also “at this time.” In *this* time of struggle and resilience, of faith and courage, we are called to see the Divine hand still at work. Each day that the Jewish people endure, protect, rebuild, and inspire is itself a continuation of that ancient miracle.

May our recitation of *Al HaNisim* awaken in us a deeper appreciation for the miracles unfolding in our generation—both the open and the hidden — and may that awareness draw us ever closer together as one people, united in gratitude, faith, and purpose. Because in the end, the miracle of Chanukah is not only that the light burned for eight days; it is that it continues to burn—within each of us, and within our nation—until this very day.

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A Prayer for Every Generation

The Message of Maoz Tzur

Each year, as the Chanukah candles flicker in the window, we sing the familiar words of Maoz Tzur. At first glance, it seems to be only a seasonal melody, but it is in fact a historical prayer that traces the journey of the Jewish people through centuries of exile and redemption.

Composed in medieval Germany by a poet named Mordechai, whose name is preserved in the acrostic of the opening stanzas, the poem emerged from the anguish of the Crusades and transforms that suffering into a song of faith and hope. The first verse begins with a plea, “*Maoz tzur yeshuati, lecha na’eh leshabe’ach*”—“Rock of my salvation, to You it is fitting to offer praise.” From the start, the poet makes clear that this is not merely a song of national victory but a call to Hashem to rebuild the Beit HaMikdash and redeem us again.

As explained in *Zemiroth Shabbat*

HaMeforash (Oz V’Hadar), “each stanza alludes to a redemption from a different exile: from Egypt, Babylon, Media, and Greece.” The poem begins with Mitzrayim, the Exodus that formed us into a nation; then Bavel, the Babylonian exile after the destruction of the first Beit HaMikdash; followed by Paras and Madai, the Persian threat of Haman’s plot and the miracle of Purim; and finally Yavan, the Greek oppression during the second Beit HaMikdash, overcome by the improbable victory of the Chashmonaim.

We would expect the song to end here, since Chanukah celebrates the defeat of the Greeks. But the song continues with a final plea: “*Chasof zero’a kodshecha—Bare Your holy arm,*” a cry for deliverance from Edom, the name our Sages used for Rome and its heirs. This stanza (scholars debate whether this was a later addition) reflects the reality of medieval Jewish life, marked by crusades, persecution, and suffering. Its



inclusion signals that the story of exile was not complete with the Maccabean triumph. Even as we recall miracles of the past, we acknowledge our continued need for redemption.

This shift gives the song its enduring depth. Maoz Tzur is not simply a historical review but a living testimony to the cycles of Jewish history: each empire rises to oppress us and ultimately falls, while the Jewish people

endure. The song remains unfinished, opening toward later chapters of suffering, including the trials we face today under the spiritual legacy of Yishmael. Its yearning for salvation still speaks as urgently as it did to its author, who wrote under the shadow of Edom.

By framing Chanukah within the broader span of our history, Maoz Tzur teaches us that even as history repeats, hope endures. Its melody carries the pain of exile alongside the confidence of

faith. Each Chanukah candle becomes more than a commemoration of an ancient miracle; it becomes a sign that we have endured and still look toward the day when Hashem will restore the Beit HaMikdash and bring the final redemption.

In every generation, the light of those candles shines against the darkness of our own age; from the ashes of the Holocaust to the challenges faced by Jews in Israel and around the world

today. Their glow reminds us that, despite hatred and exile, the Jewish story continues because it is sustained by divine promise and faith that does not fade. As it says in Tehillim, “For Hashem will not forsake His people, nor will He abandon His inheritance” (Tehillim 94:14). The candles of Chanukah thus illuminate not only our windows, but our future; a quiet, steadfast light declaring that even in exile, redemption is already beginning to glow.



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GUESTS AND TRAVELERS ON CHANUKAH

An earlier version of this article appeared in the cRc's *Divrei Torah for Chanukah 5780*. The present version also draws on material from Rabbi Reiss's forthcoming *Kanfei Yona Vol II* (RIETS Press).

The cornerstone of the celebration of the holiday of Chanukah is the lighting of the candles in commemoration of the miracle that took place when the Hasmoneans overcame the Yevanim (the Greek-Seleucids), reclaimed the Holy Temple in Jerusalem, and discovered a flask of pure oil at the site of the Temple that was only sufficient to light the Menorah for one night, and yet miraculously provided illumination for eight nights.

The Talmud (*Shabbos 21b*) codifies the rabbinic mitzvah of lighting candles in the following fashion:

תנו רבנן מצות חנוכה נר איש וביתו
Our Rabbis taught that the Mitzvah of lighting Chanukah candles is incumbent

upon each person and his house.

On the one hand, the mitzvah of lighting devolves upon the individual, but on the other hand it is a mitzvah upon the house. Commentators (see *Sefas Emes, Shabbos 21b*) question whether the main essence of the mitzvah pertains to the individual or to the house. Interestingly, the Rambam writes explicitly (*Laws of Chanukah 4:1*) מִצְוַת נֵר חֲנוּכָה שִׁיחָא כָּל בַּיִת וּבֵית מִדְּלִיק – that the mitzvah is fundamentally upon the house.

The rabbinic authorities explain the centrality of the house to the mitzvah of Chanukah in a variety of ways. One explanation (see *Halichos Shlomo, Laws of Chanukah, Orchos Halacha 2*) is that each house represents our personal connection to the Temple, as a place where we sanctify our existence in the service of Hashem. Therefore, since the miracle of the Chanukah candles took place in the Holy Temple,



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it is appropriate to replicate that event through our lighting specifically in our houses. According to this explanation, we understand why the custom developed to light Chanukah candles in our synagogues as well, since the Talmud (*Megillah 29a*) states clearly that the synagogue is viewed as a *mikdash me'at*, as a miniature Temple.

Another explanation (see Rabbi J. David Bleich, *Beis Yitzchak*, volume 36, pp. 228-233, citing the *Igeres Kiddush*

HaShem of the Rambam) is that the Greek-Seleucids effectively invaded the homes of the Jewish people, forcing us to leave the doors of our homes open to Greek society and Hellenization and to shut out Torah learning and Torah living. The ultimate victory of Chanukah is our ability to preserve the holiness of the Torah and the pristine observance of our traditions within our homes and family life. Thus, it is appropriate that the Chanukah candles be specifically lit in the homes where we live.

Finally, the *P'nei Yehoshua* (*Shabbos* 21b) explains that since the major purpose of lighting the Chanukah candles is *pirsumei nisa*, to publicize the miracle of Chanukah, the Rabbis established that it should be lit in a place that abuts the public thoroughfare, which would be at the entrance way of people's homes, and therefore the mitzvah was linked to people's homes in order to accomplish this purpose.

The question arises, however, as to whether individuals who are away from their homes, or who are temporarily homeless, have an obligation to light Chanukah candles altogether. There seem to be two potentially contradictory passages in the Talmud in this regard. One passage (*Shabbos* 23a) cites Rav Sheshes as ruling that an *achsenai*, a guest, is obligated in the mitzvah of lighting Chanukah candles. The Talmud then quotes Rabbi Zeira as noting that when he learned as a single fellow in Yeshiva and would be a guest in someone's home during Chanukah, he would contribute towards the purchase of the oil and the wicks (*mishtatef b'priti*) in order to be included in the mitzvah performed by the head of the household, but once he got married, he concluded that this practice was no longer necessary,

because he could fulfill the mitzvah through the lighting of the candles by his wife.

This passage indicates that a person who is a guest in someone else's home has an obligation to light, even if the person (like R. Zeira before he was married) does not have a house of their own.

Parenthetically, this passage also indicates that if one's spouse is lighting in their home, there would be no necessity for the person to light elsewhere even if the person is not going to be home. Some authorities (see *Minchos Yitzchak* 7:46) rule that this is true even if the lighting in one's home will take place during a different time zone, such as when one spouse lights in the United States and the other spouse is in Israel past the time of dawn when it would be too late to light. According to other authorities (see *Halichos Shlomo* id, 13:4, D'var Halacha, n.10), this rule would even apply when the spouse who is being exempted is still observing an earlier day of Chanukah (such as when the spouse who is lighting is in Israel and the other spouse is in the United States), or even if Chanukah has not yet arrived altogether where the other spouse is located.

On the other hand, a second passage in the Talmud (*Shabbos* 23a) indicates that for an individual who is only able to gaze at Chanukah candles, and not light them on his or her own, only makes the blessing (of *she'asa nissim la'avoseinu*) upon beholding someone else's candles. In explanation of that passage, Rashi quotes from his teachers that this blessing pertains to someone who is sitting in a boat. Rashi's comment indicates that a traveler, who is only sitting in a flimsy boat (presumably without the dimensions of a home, not like a cruise ship), but not located in a home, is exempt altogether from

lighting candles, and would only make a blessing upon seeing somebody else's candles (see also Tosafos, *Sukkah* 46a, s.v. "ha-roeh", who seems to write along similar lines). Indeed, this is the understanding and ruling of Rav Moshe Feinstein (*Igros Moshe*, Yoreh Deah 3:14(5) and Rav Tzvi Pesach Frank (*Mikroei Kodesh*, Laws of Chanukah, chapter 18).

On the basis of these passages, one might distinguish between a traveler, who has no home, and therefore is entirely exempt from lighting candles, and a guest, who is in a home, and therefore at least has the opportunity to participate in the mitzvah of lighting candles by contributing towards the homeowner's fulfillment of the mitzvah.

According to this approach, one might ask a further question. Can a guest in someone else's home choose to light his or her own candles, especially according to our practice, in accordance with the *mehadrin min hamehadrin*, of each member of the household lighting their own candle? According to the Rema (OC 677:3) this would be perfectly permissible. The only caveat mentioned by the *Mishna Berurah* (OC 677:16) is that if a married man who is a guest knows that his wife is lighting at home, he should only make the blessing on lighting the candles when he lights prior to the time that she is going to be lighting.

However, Rav Yosef Dov Soloveitchik (cited by R. Herschel Schachter, *B'Ikvei HaTzon*, page 120) ruled that a guest may not make a blessing on his or her own lighting of candles under any circumstances because the guest is not a member of the household, and thus has no actual obligation independent of the homeowners (similar to the traveler who has no home). This appears consistent with the comment of the

Rosh (*Shabbos* 2:18) who writes that a guest is not included in *ish uveiso* – in the members of the home's domicile. Rather, the only way for a guest to fulfill the mitzvah is by contributing towards the mitzvah performed by the head of the household (or through the head of the household having in mind that some of the oil or wicks are for the sake of the guest, according to the *Magen Avrohom* OC 677:1). Accordingly, some rabbinic authorities (see R. Mordechai Willig, *Am Mordechai* on the Moadim, chapter 24) recommend that the guest contribute towards the mitzvah of the lighting of the head of the household, answer "amen" to his blessings, and then light his or her own menorah without making any additional blessing.

Notwithstanding the above discussion, there is a diametrically different approach among some other rabbinic authorities, based in part upon the Ran's interpretation of the Talmudic passage concerning the guest (Ran on the Rif, *Shabbos* 10a). According to the Ran, the Talmudic case of the guest teaches the principle that even when a person has no house altogether, there is still an obligation to light Chanukah candles, unlike the obligation of mezuzah which only pertains to a person who has a home. Rashi's comment regarding the case of the person in a boat who can only make a blessing on seeing someone else's candles, could be understood as referring to a boat in stormy waters where it is practically impossible to light a viable candle. However, otherwise one would be obligated to light Chanukah

candles even when sleeping in an open field. This approach is followed by Rabbi Eliezer Yehuda Waldenburg (*Tzitz Eliezer* 15:29) and R. Binyomin Zilber (*Az Nidberu*, 7:67).

There are also intermediate cases, such as a situation (*Be'ur Halacha*, OC 677, s.v., "b'makom, quoting *Pri Chadash*) where a family re-locates to either the husband's parents' home or the wife's parents' home for the entirety of Chanukah, in which case the parents' home becomes their actual home for Chanukah based on establishing a *kevius* – an official change of residence during this period. Later authorities note that this would be true even if the relocation to the parents' home was for merely one night of Chanukah (see R. Gavriel Zinner, *Nitei Gavriel*, Laws of Chanukah 11:2). Similarly, the Maharsham (4:146) ruled that a traveler in an overnight train, who has paid for his or her own traveling compartment in which to sleep, is considered to have established temporary residence on the train, and therefore may fulfill the mitzvah of lighting Chanukah candles. It would follow that a person who rents space in a hotel, even for one night, would also be clearly obligated to light Chanukah candles. In all these cases, it appears that the individual is not treated as a guest, but rather as a temporary resident, who can certainly fulfill the mitzvah of lighting Chanukah candles with all the blessings.

However, it can get confusing as to where one draws the line. Is an airplane

for an overnight flight like the case of the Maharsham, so that the person on the plane is considered a temporary resident and therefore can fulfill the mitzvah of lighting Chanukah candles? According to the Ran and the opinion of Rabbi Waldenberg, it shouldn't make a difference, since even a person without a home can fulfill the mitzvah of lighting Chanukah candles. However, if there is a need for a residence, some authorities say that a plane is different from the Maharsham's case of the train, because passengers do not have their own separate residential compartments (see R. Bleich, *ibid*; however, R. Bleich notes that the Maharsham's main criterion for a "home" seems to be protection from the elements). Interestingly, Rav Shlomo Zalman Auerbach (*Halichos Shlomo*, *ibid*, 13:3) ruled that a passenger on a plane should light with a flashlight (if there is nobody to light for them at home), but without a blessing. However, Rav Auerbach (*ibid*, 13:4) added that ideally the person should fulfill their obligation with the candles that are lit on their behalf in their home.

If the entire family is on the airplane, and there is nobody to light the candles at home, and one would like to have the candles lit in optimal fashion, some authorities recommend appointing an agent to light the candles at home (see *Nitei Gavriel*, *id.*, 9:1). However, one could ask the question that if the mitzvah requires fulfillment by a resident, or temporary resident of the home, could an agent who is not a member of the household really be employed for this purpose?

Interestingly, there is no explicit discussion in the Talmud of lighting Chanukah candles through an agent (who is not a member of the household). The main source for



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While we may certainly want to visit with friends and attend Chanukah parties, ultimately what makes us strong as a people is cherishing and promoting the spiritual beauty of our places of residence.

appointing an agent appears to be the *Shiltei HaGiborim* (on the Mordechai, *Shabbos*, second chapter, note 14) who writes that a man who has lit Chanukah candles may light again on behalf of a woman who has not fulfilled her obligation provided that she is standing next to him (presumably in her home) at the time that he makes the blessing. The *Bach* (OC 676), citing this source, seems to indicate that the mitzvah of lighting Chanukah candles is a type of *mitzvah shebegufo* – a non-assignable personal obligation, like wearing tefillin, and therefore can only be performed with the requisite blessing when a member of the household is present (see *Tzitz Eliezer*, *ibid.*). Rabbi J. David Bleich (*id.*) further argues that if no member of the household is present, effectively there is no house, and therefore an agent cannot be utilized altogether. Thus, while appointing an agent has become common practice, it may not represent an ideal fulfillment of the mitzvah. This is particularly true given the general principle of *mitzvah bo yosef mibeshlucho* – that it is always better to fulfill the mitzvah oneself.

Another question is how far one can extend the principle of *kevius* – of establishing a temporary residence. The *Mishna Berurah* (OC 677:11) notes that if a man is only visiting friends or family for the evening, but then intends to return to their home afterwards, he would not be deemed to establish a temporary residence. Therefore, he would need to return home to light or rely upon his wife's lighting at

home. By the same token, Rav Moshe Feinstein (*id.*) rules that if one's entire family is visiting friends or family for the evening, they would need to light Chanukah candles in their home before departing, or if this is not feasible, they would need to hurry back home afterwards in order to light Chanukah candles.

However, Rabbi Avrohom Dovid Horowitz, the Strassburger Rov, ruled (*Kinyan Torah* OC 5:72) that if the entire household travels together so that there is nobody left at home to light Chanukah candles in a timely fashion, it is akin to the case of the overnight train of the Maharsham, and therefore the family is deemed to have established a "temporary dwelling" and may light candles in the place where they are eating. Although his opinion has not been generally accepted, some are lenient (see *Nitei Gavriel*, *id.*, 11:5) when lighting at home would otherwise create a great inconvenience.

Does that mean that sleeping over for a night solves the problem? If so, when do we ever employ the rule of *achsenai*? Rabbi Dovid Zucker, Rosh Kollel of Kollel Zichron Shneur in Chicago provides a practical and conceptually satisfying framework for understanding when a person is considered a "guest" requiring participation in the host's candles versus a "household member" who lights independently. If the guests feel comfortable walking around in their pajamas in the middle of the night in the house where they are staying, and feel free to go to the kitchen to take

food and drink from the refrigerator like any family member—such as adult children staying at their parents' home—they are considered a member of the household who does not need to be *mishtatef b'priti*. If not, they are considered mere guests who must be *mishtatef b'priti* (and according to the Rav's view mentioned above, fulfill the mitzvah of candle lighting specifically through the host).

This distinction appears very reasonable for halachah l'ma'aseh. It provides a clear, practical criterion that can be applied to the variety of situations that arise in contemporary life. It also captures an important conceptual truth: that the mitzvah of Ner Chanukah is fundamentally about the relationship between a person and their dwelling place, and that this relationship can exist in varying degrees and forms.

The bottom line from this analysis is what Rabbi Mordechai Willig once cited when discussing these issues: "be ever so humble, there's no place like home" (John Howard Payne, 1791-1852). The Chanukah lights exemplify the sanctity of the Jewish home, and our ability to perpetuate the Jewish home with the everlasting illumination of Torah and Mitzvot. The Rambam (*Laws of Chanukah*, 4:12) writes:

מצות נר חנוכה חביבה היא עד מאד
The mitzvah of lighting Chanukah candles is something that we cherish tremendously.

While we may certainly want to visit with friends and attend Chanukah parties, ultimately what makes us strong as a people is cherishing and promoting the spiritual beauty of our places of residence and inculcating the timeless values of Chanukah and our gratitude to Hashem for the Chanukah miracle into the hearts and minds of our children and future generations.



Understanding Miracles ▪ Why Do We Eat Fried Foods

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