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SHABBAT HA-GADOL/PARSHAT TZAV

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### CONTAGIOUS DISEASE, MORAL BEHAVIOR, AND PRAYER: BAVA KAMA TODAY

**MIRIAM REISLER is a Ramit in Yeshivat Drisha, and a teacher of older women at Migdal Oz and Kulana.**

The spread of coronavirus is affecting everyone – individuals, families, cities, and countries. People all over the world are grappling with isolation, its economic and social repercussions, and the fear of facing the unknown. The news and bulletins from the Israeli health ministry are the major conduits through which updates are received and information is discussed in the public domain. As a *gemara* teacher focused on *Masekhet Bava Kama* this year, I would like to add another dimension to the discourse – the voice of our Sages. This voice is not whispering to me, but calling me loudly to pay attention to their eerily relevant discussions and advice.

The organization of the ideas which follow is inspired by R. Yitzhak Nafha ([Bava Kama 60b](#)), who divided his thoughts into two categories – *aggadata* (the study of homiletical ideas) and *shemayta* (the more rigorous study associated with precisely defining the rules of law). As R. Yitzhak Nafha did, I too aspire to use these relevant *sugyot* to offer insight, strength, and hope in these complicated times.

#### Contagious Disease in *Aggadata*: Home Quarantine and its Ramifications

One of the obvious references to the current situation is the statement the *gemara Bava Kama* makes that if there is a contagious disease in the city, one should shut himself in his home for fear of the Angel of Death, who is brazenly controlling the main roads. Unfortunately, this idea is only too comprehensible today, as the health ministry encourages people to rethink (or cancel) the routes of their international and daily travels, saying that movement should be limited to the periphery in order to prevent harm, because contagious diseases strike indiscriminately (*ibid.*, 60a).

In addition to describing the physical dangers inherent to contagious disease, the Sages of the *gemara* clearly recognized the significance of the emotional state of people living in fear. The *gemara* describes Rava's attempt to achieve a high level of quarantine during the spread of a contagious disease, something he described as an "*idan de-ritha*," time of God's wrath. Rava didn't just sit inside, but he also blocked up his windows for fear that death would seep through

them. It is unclear if Rava acted in this way because it was the logical and reasonable way to respond to the situation, or if he acted out of his deepest fears. The latter option is supported by the text quoted immediately prior to Rava's statement, which explicitly describes the emotional difficulty of quarantine: people try to justify their desire to be with others in moments of fear and uncertainty, even when isolation is clearly necessary to preserve their physical safety. These descriptions also highlight something inherent to the worldview of our sages: our experiences are seen through multifocal lenses which combine the physical, the emotional, and the spiritual.

Interspersed among the *derashot* about contagious disease are a number of ostensibly unrelated homilies and statements. The *sugya* mostly describes responses to contagious disease, but in the middle of its discussion it raises the spectre of famine - a different type of problem, as reflected in the Sages' call for the opposite response to that of plague – "run away." Why discuss famine in the midst of a discussion about plague? Our current situation sheds light on a phenomenon which our Sages apparently recognized: when there is a plague raging outside, people stay inside, which in turn causes a depression of the economy and food shortages. Even when the plague recedes, its after-effects on the supply chain may remain with us for some time. Our Sages seem to have been cognizant not only of the physical and emotional effects of contagious disease, but also of the additional shockwaves it can create which necessitate other, though equally complicated, responses.

#### Contagious Disease in *Shemayta*: Fire as Damage by your Possessions or by your Person

The ideas and advice described above regarding behavior in a time of contagious disease are discussed in the format of *aggadata*. The backdrop for the *aggadata* about plague is the legal discourse about man's responsibility for the damage done by a fire lit by him for personal needs. Here too there are significant lessons about how to behave in these complicated times. Importantly, we are presented with a communal opportunity to apply the dictum stated by Rav Yehudah, "He who wishes to be pious should scrupulously follow the laws of damages" ([Bava Kama 30a](#)). Our studies of these *sugyot* give us a deeper understanding of the responsibility of man to contain fires he has lit, and his resulting responsibility towards the damages done when he loses control over such a fire. Since contagious illness is akin to fire, we can all endeavor to behave in accordance with the value of preventing damage in the public domain.

Fire is very central to our lives. Lighting Shabbat candles is the last thing done before Shabbat is ushered in, and it is the first thing done when Shabbat is over, expressing the centrality of fire in our daily activities. Although we don't think of fire in essential terms in modern society, that is because it has conceptually and practically been replaced by electricity.

"When a fire is started and spreads to thorns... he who started the fire must make restitution" ([Exodus 22:5](#)). The verse which describes damages by fire begins with the inevitable - a person lights a fire in his own domain for warmth, cooking, agriculture, or some other essential need. Despite the fact that fire is necessary, if that fire causes damage to another person's property, the person who lit it is held responsible to pay.

In explaining the above verse, R. Yitzhak Nafha suggests two readings which dovetail with one another; in both, he connects the beginning of the verse to its concluding words. In his first reading, which falls under the category of *aggadata*, he explains the verse as one which offers comfort to the mourners of Zion: since the Holy One Blessed Be He allowed a fire to destroy the Temple, He must assume responsibility and fulfill His obligation to see to its rebuilding. The second reading has a more legal bent: the one who lights a fire is obligated as a person who caused damage and not as one whose possessions caused damage. He is called "the one who lit the fire" to emphasize this additional level of responsibility, despite the fact that the fire was lit without intention to cause harm ("*ki tetze eish*"). This is a very strong statement: man's responsibility vis-a-vis his fire is directly connected to him as the primary cause of damage, as opposed to being defined as a secondary damage, one caused by his property. This greater responsibility finds expression in the additional fines he must pay when he or his fire (but not when his pit or ox) cause damage to a fellow human being.

### Contagious Disease as Fire: From Theory to Practice

The level of responsibility one bears regarding the "wildfire" of contagious disease similarly demands our immediate attention. The issue deserves treatment not only from the health ministry, but also from our *batei midrash*. The phenomenon of people who don't take social distancing seriously, for any reason, must be denounced publicly and clearly. This is the time to strictly follow the dictum to distance oneself from causing damage, despite the difficulties posed by this injunction. Just as it is difficult for society to impose upon itself limitations in its use of fire (today electricity), so too are the challenges faced by us all, facing isolation and lockdown. A quarantined world poses a myriad of physical and emotional difficulties which include but are not limited to livelihood, access to food and essential services, taking care of members of one's household, extended family, and needy neighbors, and fear. Despite these significant hardships, one who does not follow explicit orders is personally responsible for any illness he causes to others, and cannot claim exceptions or exemptions.

In contrast to fire, in the matter of contagious disease, I would like to suggest that responsibility does not end with the individual, as it is also the domain of the community at large. This principle is suggested in another *sugya* about the damages of fire, but in a different context - that of Hanukkah candles. According to R. Yehudah (*ibid.*, 62b), during the time that *hanukkiyyot* are lit, and only during that time, the merchant on the road with his camel, and not the store owner who lit the candles, has a clear responsibility to make sure that the candles sitting outside do not cause a fire. In other words, there are times when the brunt of the responsibility is placed on the public, the passersby, and not on the individual.

The idea that the community must be concerned with its role in the damage that might begin from an unintended individual has great resonance during these difficult times. It is not enough to condemn individuals who are endangering the public health; we must work actively to create an environment, within the limits of our abilities, which supports the individuals who are in full compliance with the law, despite the difficulties imposed upon them. We need to reach out - by phone and other technologies - to all who need support. This group goes beyond those ill or isolated because of Corona, and includes those ill with other sicknesses, grandparents and the elderly, parents of children with special needs, mourners, dysfunctional families, and so many others. Those who can - need to think about those in need even though we no longer see those needs in person. It is the responsibility of all members of the community to marshal their efforts and creativity in order to show concern for the other, while simultaneously taking care of themselves.

### Pestilence and Prayer

As men and women who share a religious worldview, our struggle with a deep crisis such as this awakens within us the need for prayer. This need is poignantly discussed elsewhere in *Bava Kama* (80b). In this *sugya*, an occurrence of pestilence is cited as a legitimate reason to permit fervent prayer on Shabbat; if the disease is severe enough, even the blowing of horns is allowed. It seems that this permission is related to the next line in the *sugya*, that a door which is closed is not easily opened. It is critical to pray while the door of the possibility of salvation is open.

Given the importance of prayer in the face of a clear and present danger, the closing of our synagogues and houses of study seems an edict which is almost too hard to bear, despite the fact that on the technical level obviously *pikuah nefesh* overshadows the imperative of public prayer. Here too it is worthwhile to note that the Sages of the *gemara* were aware of this frightening possibility and offered a warning which is eerily familiar. The *gemara* (60b) says that when there is contagious disease spreading, one should not venture into the synagogue alone, because the Angel of Death leaves his tools there. The *gemara* then notes that this is true only if there is no *minyán* meeting regularly for prayer in the synagogue. When I first came across this piece, I wondered what kind of community had a person who wanted to come, during a plague, to a synagogue which was generally abandoned. Today, I am painfully aware of how such a situation could come about - and why it is indeed so dangerous to open the doors of this beloved place precisely when people most want to be there, when they are longing to open their aching hearts and pray. As was stated above, rationalizations to do what feels "right" and "good," like being in the company of others at a time of disease or praying together in a place of worship, sadly must be denied.

At a time when prayer is so necessary for the soul, but the synagogues are closed, we are presented with a seemingly impossible situation. However, this is not a time for despair, but for action, action which can be accomplished through prayer - for individual prayer which is heartfelt, for preparing for prayer mentally and emotionally for a few moments before we begin, for finding personal and communal meaning in each of the blessings in the *Shemoneh Esrei*, for adding your own words to *Shema Koleinu*. A few moments of intense prayer can help us reach deeper inside ourselves and find that there is a well of hope within our souls. Just knowing that hope is there can give us strength, strength which can help carry us through the current ordeal, and perhaps, when it is over, will continue to add light and luster to our lives.

My hope for the future is strengthened by the words and ideas preserved and resonating through the ages, from the time of the *gemara* to today. Elements of what we are experiencing now were recognized by our Sages two millennia ago. Their words remind us to preserve our commitment to being a community firmly committed to its traditional moral stance toward preventing damages, while simultaneously maintaining our belief that God can and ultimately will bring salvation.

## THE TRAGIC GAP: BIRKAT HA-ILANOT AMIDST COVID-19

SHMUEL HAIN is a pulpit rabbi and educator.

### I. *Shelo Hiser Be-Olam Kelum*

The world right now feels even more broken than usual. As the spouse of a healthcare worker on the front lines, I am terrified. As a community rabbi, I have already co-officiated at a funeral for a COVID-19 victim. The previously vibrant woman died alone and most of her family could not even attend the graveside service. Pop-up hospitals and temporary morgues in New York City and elsewhere are our unimaginable reality. At first glance, there is nothing more incongruous with this particular moment than the special blessing we recite during the month of *Nisan*—the *Birkat Ha-Ilanot*.

Once a year, beginning on *Rosh Hodesh Nisan*, upon first witnessing the budding of fruit trees, we affirm that God's world is perfect. The source for this Halakhah and for the text of this singular blessing is the Bavli in *Berakhot* (43b) which states:

One who goes out during the month of *Nisan* and sees (fruit) trees starting to blossom recites the blessing: "*Barukh Atah Hashem Elokeinu Melekh Ha-Olam Shelo Hiser Be-Olam Kelum* (alt. *Davar*) U'Varah Vo Beriyot Tovot Ve-Ilanot Tovot Le-hanot Bahem Benei Adam." Blessed are You, Lord our God, King of the universe, who has left nothing lacking in the world, and created in it goodly creatures and goodly trees to give mankind pleasure.<sup>1</sup>

Rabbi Norman Lamm noted<sup>2</sup> that the formulation of this blessing is bold, and highly problematic. One could even suggest that the blessing suffers from a fatal flaw. How can we in good conscience utter the words of this blessing - *shelo hiser be-olam kelum*- and praise God for a world with "nothing wanting?" In a world filled with so much suffering, with disease, tragedy, natural disasters, and evil, this is not just false praise, it is absolute fiction! When so much of society is broken, especially at this time of crisis, how can we have the audacity to make the outrageous claim *shelo hiser be-olam kelum*?

It indeed is a fiction, but, as Rabbi Lamm explained, "oh, what a glorious fiction it is!" The fiction is precisely the point. Once a year, at

the first signs of spring and renewal, we look at the world through rose-tinted glasses. We are hopelessly optimistic. And we proudly project that optimism with the blessing on budding fruit trees- *shelo hiser be-olam kelum*. During the month of *Nisan*, the time designated for past and future redemption, we momentarily overlook all of the imperfections of the world, maybe even ignore for a second all of the suffering during this horrific health crisis, and we unequivocally state- *she-lo hiser be-olam kelum*- what a flawless world you, God, have created.

This blessing, with its rich and challenging theological message, may also reflect a profound insight about our emotional well-being. When I was a Psychology major in college, one of the more controversial theories emerging at the time was the theory of Depressive Realism. Depressive realism argues that mildly depressed individuals may actually make more realistic inferences than do non-depressed individuals about the world around them and about contingent events, like the possibility of a tragedy occurring or a pandemic. Previously, depressed individuals were thought to have a skewed negative cognitive bias that resulted in distorted beliefs about the world. Depressive realism counters that this negativity may reflect a more accurate assessment of the world. Additional studies have revealed that non-depressed individuals' estimations are the ones that are actually biased- in an overly positive direction. It turns out our emotional health and well being may be aided by an overly optimistic perspective on the world; a positive cognitive bias promotes greater happiness, satisfaction, and an increased ability to cope with adversity. *Shelo hiser be-olam kelum*, indeed.

This blessing, then, represents Judaism's annual spring-time asseveration of a positive cognitive bias. Throughout our history, even and especially during times of peril, we have confidently proclaimed *shelo hiser be-olam kelum* to inspire us to remain optimistic about the future of our people and of the entire world.

Indeed, the most profound experience I had reciting this blessing was on a trip to Poland 25 years ago this week. Enunciating this blessing on some fruit trees at the entrance of Auschwitz, in the shadow of the *Shoah*, I felt the full power of proclaiming *shelo hiser be-olam kelum*. I hope to once again have the opportunity to recite this blessing, full throatedly, even this year during this global pandemic. I hope to see the possibility of a perfect world with nothing lacking, especially now when we are all reeling from COVID-19.

I hope.

### II. *Borei Nefashot Rabot Ve-Hhesronan*

There is another blessing of praise, one that is an everyday staple in Jewish liturgy, which seems to subvert *Birkat Ha-Ilanot* and its assertion of flawlessness. That blessing is *Borei Nefashot*, the baseline *berakhah achronah* we say all the time after snack foods. The text of this blessing praises God who is *borei nefashot rabot v-hesronan*- the Creator of a variety of souls and *hesronan*- their deficiencies, flaws, or lackings. Rather than declaring that creation is flawless, this blessing does the opposite. It thanks God for what we are lacking, affirming all of our imperfections.

How can we, in *Hodesh Nisan*, proclaim that the world God created is flawless, while simultaneously thanking God for creating flawed souls?

<sup>1</sup> See [https://www.halachipedia.com/index.php?title=Birchat\\_Ilanot](https://www.halachipedia.com/index.php?title=Birchat_Ilanot) for a review of a number of practical halakhic issues regarding this blessing.

<sup>2</sup> I heard this from Rabbi Lamm in a very memorable address at my RIETS *Hag Ha-Semikhah* in late March 2002.

There are a number of possible resolutions to this apparent contradiction,<sup>3</sup> but one meaningful explanation is to distinguish between the world God created and each individual *nefesh*- each being, each imperfect soul that God formed. Essentially, what we are acknowledging through *borei nefashot* is that God did not create people to be self-sufficient. Each one of us is incomplete and lacking. And **that's** a blessed thing. *Lo tov heyot ha-adam levado*. We each need the love and support of another- a spouse, a parent, a child, or a close friend. We each need our community to help complete us- to make us better people, to inspire us, to learn from others and also to support us in times of need and celebrate with us in times of joy. We need our community to shape and inspire our Jewish values and commitments, and to educate and transmit our traditions in a sophisticated, relevant way to our children.

*Borei Nefashot* reminds us that no individual is complete on their own. It teaches us that we need help and we need to reach out to one another. We need to form partnerships and covenantal communities- as families, as shuls, as Jews, and as citizens of the world. We acknowledge and bless God for creating us in need, because it challenges us to seek out others for help and to seek out ways to help one another.

According to this perspective, the blessings do not contradict each other. The world God created, in toto, lacks nothing. Part of that completeness are the very deficiencies of each individual creature. Built into creation are the vulnerabilities of each being necessitating the other and community. If anything, these last few weeks have taught us how much we are social beings and how vital it is to live in community with others.

### III. The Tragic Gap: Between *Borei Nefashot* and *Birkat Ha-Ilanot*

But there is an even more essential, even existential, dialectic presented by these two *berakhot*. Perhaps instead of resolving the tension between *birkat ha-ilanot* and *borei nefashot*, there is something particularly meaningful in holding on to these twin orientations, these dueling *berakhot* and their opposing formulations, simultaneously in our mind.

Holding both of these blessings at once demonstrates the capacity to stand and act in the space that Parker Palmer refers to as “the Tragic Gap.”<sup>4</sup> The Tragic Gap is the chasm between the reality of a given situation and an alternative reality we know to be possible because we have experienced it, albeit briefly. It is not called tragic because it is sad, but because (in the Greek myth and Shakespearian sense of the word) it is inevitable, inexorable. The form it takes changes over time, but there will always be a distance between what the world is and what it could and should be.

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<sup>3</sup> Tosafot in *Berakhot* (37a s.v. “Borei”) for example, explain that the *Hesronan* of *Borei Nefashot* actually blesses God for creating necessities (like water and bread) which human beings require and would be incomplete without. This is in contrast to “*Kol Ma She-Barah*” which includes non-essential items. According to Tosafot, *Borei Nefashot* does not affirm our imperfections. It praises God for embedding in creation solutions for our needs. This is not the plain sense of the blessing and may reflect discomfort with praising God for creating deficiencies. For an overview of rabbinic literature on this blessing and how it may have evolved from two different blessings, see Yissachar Yaakovson, *Netiv Binah*: Vol. III, (1973), 99-103.

<sup>4</sup> See, for example, <http://www.couragerenewal.org/the-tragic-gap/>.

Palmer explains that to truly live with purpose in this world, we must learn how to function in the gap between what **is** and what could and should be. We must do whatever we can to narrow the Tragic Gap by improving our flawed existence. This work can be very difficult. Palmer notes that it is tempting to try to run away from the gap. If we cannot abide that tension, we resolve it by collapsing into one pole or the other. Some give in to the reality of the world as it is and adopt a posture of corrosive cynicism. If the world is so flawed, my only recourse is to make sure I look out for myself and get mine. Others slide into the pure possibility of irrelevant idealism. They ignore reality and do harm by promoting misplaced optimism.

But these two blessings, taken together, demand that we not give in to either impulse. We must resist equally both cynical and Pollyannaish perspectives. Instead of sliding in one direction, these blessings invite us to fully inhabit the Tragic Gap. *Birkat Ha-Ilanot* allows us to experience, albeit briefly, a perfect world, even as *Borei Nefashot* affirms that living in a flawed world is an inescapable, and necessary, part of the human condition. These *berakhot* require us to hold the tension between reality and possibility in an active way, to take agency by standing in the gap and demonstrating with our own lives another way of creative living. Through these *berakhot* we broadcast our aspiration to bridge the gap, slowly working towards achieving a more perfect world.

During this *Nisan*, the Tragic Gap seems more like an untraversable gulf. In New York City, the latest epicenter of COVID-19, the numbers and images are horrifying and can be overwhelming. The instinct to give in to the dark reality of the present moment is natural. Stories about people running into hospitals to steal precious personal protective gear show how during dark times there are some who look out only for themselves. The attraction of overly optimistic or beautiful timelines that wish away the public health crisis in the near future is alluring. Let us, instead, take our cue from the people who are actively living in the Tragic Gap, in every sense of the phrase. The heroic health care workers on the front lines of this crisis are doing all they can to narrow the tragic gap and to bring about a better reality. Following their lead, we should all be inspired to fully actualize a world *she-lo hiser bo kelum*, right now when it is ravaged by disease and isolation, and beyond.<sup>5</sup>

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<sup>5</sup> This reflection is dedicated to all of the health care workers on the frontlines of the COVID-19 crisis.

## THINK PASSOVER GUIDES ARE GETTING STRICTER? THINK AGAIN

YOSEF LINDELL is a lawyer, writer, and lecturer living in Silver Spring, MD.

### Introduction: My How Those Guides Do Grow

In Egypt long ago, Moses told the Jews exactly how to prepare for Passover. In modern-day America, we've had Rabbi Avrohom Blumenkrantz to guide us instead.

A distinguished student of Rabbi Moshe Feinstein, Rabbi Blumenkrantz was the rabbi of Bais Medrash Ateres Yisroel in Far Rockaway, New York, for many years. Like many other synagogue rabbis, he prepared a Passover bulletin for his congregants each time the holiday came round. But his guide was always different. Already in 1977, it was remarkably comprehensive and specific, featuring not only basic Passover laws and synagogue prayer times, but also a painstakingly researched list of permissible medications and choreographed instructions for conducting Shabbat meals on *Erev Pesah*.

In 1981, Rabbi Blumenkrantz took his guide nationwide. From then on, each year before Passover he released a new and longer volume of [The Laws of Pesach: A Digest](#) carrying the disclaimer that "all previous issues must be disregarded." As the decades progressed, the 52-page manual grew into a 600-page tome that became a wide-ranging guide to life covering everything from appropriate *Hol ha-Moed* trips to tips for relieving constipation due to the Passover diet. Upon Rabbi Blumenkrantz's untimely passing in 2007, the *Jewish Press* [called the book](#) "a universal tool to prepare and observe Pesach properly" relied on by tens of thousands of families and "the single Halachah bestseller of all time." In fact, his death did little to deter the guide's popularity; his children continue to put out a new guide each year in his memory.

While the Blumenkrantz guide was growing in readership and size, other Passover materials were following a similar trend. The Star-K's 50-page handbook and medicine list debuted in 2002, and by 2018 had swelled to over 200 pages. The Orthodox Union's (OU) glossy magazine now runs over 100 pages. Since the year 2000, there has been a virtual explosion of frequently updated books and online resources about how to keep Passover from halakhic figures across the Orthodox spectrum and beyond.

As there's no reason to assume that Passover should be immune from the [well-documented slide to the right](#) in American Orthodoxy, one might suspect that the guidance in these handbooks is getting stricter by the year. Their burgeoning size alone would suggest it. One can certainly point to instances of growing stringency: [peanut oil](#), officially permitted by the OU for Passover use in 1948, was no longer deemed acceptable by the 1990s.

But as I'll explore below, bigger guides aren't necessarily stricter guides. As new materials and alternative guides proliferate in the new millennium, Passover guidance might actually be getting more lenient overall.

### The Guides Grow Up and Get Strict

American Orthodox Jews have long relied on [synagogue bulletins](#) and English-language guidance prepared by major *kashrut* organizations to help them prepare for Passover. [The Women's Branch of the OU](#) created a short guide to the *Seder* and some other holiday laws just a few years after [the OU got into the kosher certification business in](#)

[1924](#). By the 1930s, the Women's Branch was also issuing lists of foods certified by the OU as kosher for Passover. Around the mid-twentieth century, the OU put together a few lengthier Passover manuals that included information about *kashering* utensils and cleaning for the holiday. The Organized Kashrut (OK) Laboratories began publishing a monthly magazine called [The Jewish Homemaker](#) in 1969, which ran a Passover issue each year. But these materials were all relatively basic. You had to ask your rabbi for more detailed guidance.

This changed in the late 70s and early 80s with the publication of two important resources. The first was Rabbi Shimon Eider's [A Summary of Halachos of Pesach](#). Initially published in seven slim softcover volumes between 1977 and 1983 as a companion set to a cassette tape lecture series, Eider's guidance is precise and comprehensive. He suggests nearly 80 places around the house to check for *hametz*. He addresses many situations, including unlikely ones: if you drink four cups of wine right after *Kiddush* before reciting the *Haggadah*, you still need to drink three more cups in their appropriate places during the *Seder*. The guide is also quite strict at times. He recommends placing two *kezayit*-sized pieces of matzah in one's mouth at once at the *Seder*, chewing them simultaneously, and then swallowing one and then the other. This is hard to do, particularly since Eider considers the two *kezayitim* (ostensibly olive-sized pieces, although that is a longer discussion) to be about half of a handmade matzah. Eider's book was popular and went through several more editions. It's still [widely-available today](#).

Rabbi Blumenkrantz's guide, which, as noted, was published annually from 1981 on, took matters to the next level. Here are some examples of what he has said over the years. Starting early on, he recommended using an oral irrigator (Waterpik) to clean one's braces the day before the holiday or, alternatively, to go to the dentist. He suggested that one visually inspect each piece of matzah for folded portions or air bubbles that could render it *hametz* despite the already rigorous production methods and certification process in place, as "nothing contains so much *chometz* as *matzoh*." The guide also frequently opines on matters unrelated to Passover. Even in his 1977 synagogue bulletin, Blumenkrantz forbade using birth control without consulting a rabbinic authority, warning that otherwise, one "is in violation of daas torah and halocho." He also said that when cleaning for the holiday, a woman should find her *ketubah*, and if there are problems in the marriage, take it "to a competent *rov* to check it out." By the mid-90s, the guide included a lengthy section on checking for *sha'atnez* (forbidden mixtures of wool and linen in garments). In its most recent volumes, it suggests that [yoga could be idolatry](#).

The OU mostly stepped back during the 80s and 90s. In these years, it included virtually no information about *kashering* in its annual Passover product guide and handbook, instead instructing readers to consult with a "local Orthodox rabbi." And although in 1985 the National Conference of Synagogue Youth (NCSY), the OU's youth division, co-published [a step-by-step guide to the Seder](#) by Rabbi Label Sharfman, it sounded a lot like Blumenkrantz and Eider. It provided vigorous directions for checking romaine lettuce for bugs, recommended using only *shmurah* matzah the entire Passover, detailed how high to lift the wine cup for *Kiddush*, and said to chew as much matzah as possible before swallowing because the two-minute time-limit for its consumption only begins once one swallows. Notably, this 1985 guide was significantly more detailed and stringent than a 1960 NCSY Passover guide, which was similar to the OU guides of its time.

## The Guides Retreat Toward Leniency

But more guides appeared in the new millennium. The OU [introduced a kashering primer in 2005](#), and each successive year, it has added more information to its Passover guide. These days, one who wants a detailed manual might be satisfied with the OU guide alone, which was not true in earlier decades. Similarly, the Star-K created a Passover handbook in 2002 by partnering with Rabbi Gershon Bess of Los Angeles to make his list of approved medications available to a wider audience. Before, only Rabbi Blumenkrantz's medicine list was readily available. Nowadays, there are also extensive and widely-circulated guides from the [Chicago Rabbinical Council](#) (CRC) and other *kashrut* organizations.

Nearly every one of these newer resources is free of at least some of the stringencies Rabbi Blumenkrantz prescribes. To compare the Blumenkrantz guide with recent OU magazines: the OU allows one to purchase any paper towels; Blumenkrantz is concerned they might have *hametz* or *kitniyot* (legumes prohibited to Ashkenazi Jews on Passover). The OU permits an individual to use most medications on Passover (if they aren't liquid or chewable) without concern for any *hametz* contained in them, but Blumenkrantz does not. Both guides allow microwaves to be *kashered* for Passover (not all do), but while the OU only requires one to heat a glass of water in the microwave for 10 minutes, Blumenkrantz says that the water must be boiled for a full hour. Blumenkrantz requires one to *kasher* or replace stovetop knobs; the OU makes no mention of such practice. And these are just a few instances among many.

In the last couple of decades, several other rabbis from the Haredi community in the United States, such as [Yaakov Forchheimer](#), [David Ribiat](#), [Elazor Barclay & Yitzchok Jaeger](#), and [Pinchos Yehoshua Ellis](#) published English Passover Halakhah books. Each is overall less strict than Blumenkrantz and more in line with guides like the OU's. Most recently, in 2014, the [Laws of Pesah](#) volume of Rabbi Eliezer Melamed's *Peninei Halakha* series—one of the most popular halakhic works in the religious Zionist community in Israel—was translated into English. Melamed tends to be more lenient than his Haredi counterparts. For example, although many Passover guides state that a dishwasher cannot be *kashered*, Melamed lists more than one acceptable method. And he says that one who eats a *kezayit* of matzah at the *Seder* without wasting time will certainly finish within the appropriate time period, so there's no need to look at the clock or engage in the extreme eating practices recommended by other books.

## The Guides Go Online

Lenient trends may be accelerating in the internet era. Since anyone can publish material online at little expense, putting out Passover guides is no longer just the province of *kashrut* agencies and well-established players like Rabbi Blumenkrantz. Synagogue rabbis, for example, can put the guidance intended for their congregations on the internet. Some of these guides contain leniencies not found elsewhere. Rabbi Barry Dolinger of Providence, Rhode Island, for example, disagrees with nearly every other guide when he [writes](#) that although covering countertops that haven't been *kashered* "is certainly a valid custom," it's not required.

[The Beltway Vaad](#), a recently-created rabbinic group in the greater Washington, DC, area, also published an internet guide that's more lenient than most others. The Beltway Vaad says one can *kasher* a self-cleaning oven by turning it to the highest temperature and leaving it on for 40 minutes instead of using its self-clean cycle because the cycle "causes the oven to get dangerously hot, and has been known to cause fires." A plastic dishwasher and its racks can be

*kashered* by cleaning it, letting it sit unused for 24 hours, and running it with soap. Concerned for people's already strained budgets—and citing a host of other reasons to be lenient—the Vaad recommends purchasing *hametz* after Passover from all major supermarkets, even if they might use Jewish suppliers who did not sell their *hametz* over the holiday. And in 2018, Rabbi Haim Ovadia (a member of the Beltway Vaad) [provoked a strong reaction](#) by [suggesting in the digital pages of \*The Forward\*](#) something that goes against what nearly everyone else thinks: before Passover, one can cook food for the holiday in *hametz* pots because any flavor of *hametz* is nullified in a mixture as long as Passover has not yet begun.

The internet also provides a platform to contest stringencies, or *humrot*. So in 2014, when Rabbi Yair Hoffman, [writing in the \*Five Towns Jewish Times\*](#), revived the notion that one should place two *kezetim* of matzah in one's mouth at once at the *Seder*, [two articles](#) refuting him appeared online within days, calling out the practice as an unnecessary and potentially dangerous *humra*. When Rabbi Eider advocated just such a practice back in 1978, no one seems to have responded to him at all.

Finally, social media is becoming a new force to educate consumers about acceptable leniencies. Every year since 2015, Rabbi Efrem Goldberg of Boca Raton Synagogue in Florida has made an "annual public service reminder" [on Facebook](#) in February that excluding ground meat, "All unprocessed raw meat and chicken is automatically kosher for Pesach and just needs to be rinsed well before use" and that people could buy and freeze before prices rise for the holiday. His post is usually widely shared by several rabbis and other individuals.

## The Size of a *Kezayit* and Other Halakhic Flashpoints

Thus far I have highlighted a shift toward leniency by looking at Passover guides chronologically. When the Blumenkrantz and Eider manuals were the only materials on the market, stringency prevailed. Newer guides, however, tend to take a more moderate approach. In this section, I will consider three additional issues, each significant in its own right, where leniency is also on the rise.

### 1. How Big is Your *Kezayit*?

The minimum amount of matzah and *maror* that must be consumed at the *Seder* causes a lot of angst each year. I'm not here to wade into [well-trodden debates](#) about the size of a *kezayit*, which seems to have grown over the generations. However, it is interesting to note two things: first, that the English guides at least are not getting stricter—they've been relatively consistent about the measurements for half a century now; and second, that in recent years, alternative, more lenient positions are beginning to surface online.

Many may be familiar with the phenomenon of the [kezayit chart](#), a laminated piece of paper which allows one to check a portion of matzah or *maror* against an appropriately-sized graphic. According to the chart in wide circulation, each cup of wine at the *Seder* must be filled with 3.3 fluid ounces, the matzah (the first time it's eaten) must be 6.25 by 7 inches, and the romaine lettuce leaves used for *maror* must cover an area of 8 by 10 inches. Sometimes people point to the very existence of such a chart as a prime example of increased stringency, and perhaps it is. It's hard to imagine people always used to measure out their matzah so precisely. But the chart is older than one might think: it dates back to at least 1976.

Further, the measurements used by the chart have been widespread for even longer and have not changed recently. In 1970, Rabbi Dovid

Feinstein, son of Rav Moshe, published [Sefer Kol Dodi](#), a Hebrew halakhic guide to the *Seder*, in which he provides the *shiurim*, or sizes, that found their way to the *kezayit* chart. Sometime after the book's publication, Beth Medrash L'Torah V'Horoah—a *Kollel* directed by Rav Moshe in which his son Rav Dovid was also involved—created an English pamphlet titled, “Do It Right on Pesach Night! What? When? How Much?” containing *Kol Dodi's shiurim*. This short guide appeared in many places, such as the *Olomeinu* children's magazine from Torah Umesorah in 1974 and in Rabbi Blumenkrantz's synagogue bulletin in 1977. These *shiurim* spread rapidly; they are now mentioned or relied on by many English Passover guides, from Blumenkrantz to the OU. Although the OU only started including the *kezayit* chart in its guide in 2014, several of the *shiurim* from *Kol Dodi*—such as the one for romaine lettuce leaves—have been noted by the OU since at least the 1980s. And even though there are guides that provide alternate measurements, they tend not to differ substantially from the *shiurim* in *Kol Dodi*.

Thus, the size of a *kezayit* is one area where there's been little disagreement between the English guides. Certainly, there's no evidence that the guides have been promoting larger and larger *shiurim* as the years have gone on. Yet there are new trends afoot. People are growing dissatisfied with the sizes in the guides because actual olives are a good deal smaller. In 2010, Rabbi Natan Slifkin, known as the “Zoo Rabbi,” [published a monograph](#) tracing the evolution of the size of a *kezayit* and arguing that even according to several contemporary *poskim*, one need not consume as much as the guides recommend. Others—including [one writer](#) in the OU's 2020 Passover guide and even [a writer](#) in the Haredi community—have agreed. It's hard to say whether these ideas are gaining traction at *Seder* tables, but Slifkin has [noted](#) that his *kezayit* article “seems to be the most popular piece that I have ever published” online, which says a lot for someone whose [views on creation and evolution](#) have attracted attention throughout the Orthodox world. He's even come up with [his own kezayit chart](#), which—spoiler alert—is a picture of a single green olive.

## 2. Thinking About Those Tiny Crumbs

The images of Passover cleaning indelibly seared into my brain are those from Yeshara Gold's 1987 children's classic [Just a Week to Go](#) about a young boy Raffi's preparations in Jerusalem's Old City. On one page, Raffi is blowing “out the tiniest crumbs” from between the pages of every book his father owns. On another, his little sister is searching for *hametz* under the carpet. All told, the family is “working for weeks.” And then there's the song “[Pesach Blues](#),” from Abie Rotenberg's third *Journeys* album released in 1992. The stressed housewife in this somewhat irreverent lament (portrayed by a man, of course) is dreading Passover cleaning, particularly the miniscule size of the *hametz* pieces she must account for: “But my heart is pounding and my brain feels numb / Thinking about those tiny crumbs!”

At the time, the guides weren't all that encouraging. In 1980, Rabbi Eider suggested that one ought to move the refrigerator and stove to check for *hametz*. Rabbi Blumenkrantz disagreed and allowed such *hametz* to be sold, and also assured readers that the only concern was “visible” *hametz* and not “microscopic crumbs or moldy substances which are probably inedible.” Nevertheless, he still said that *hametz* baked onto cookie sheets had to be covered with tape or burnt off, even if the dish was being put away for the holiday. In fact, in guides from the 1950s and 60s, the OU also said that all *hametz* dishes must be “thoroughly scoured and cleansed” before being locked away for Passover. Eider similarly cautioned his readers.

Overall then, the fact that Blumenkrantz maintained that one need not inspect the carpet “strand by strand” was hardly heartening.

But in 1993, Rabbi Yosef Wikler's [Kashrus Magazine](#), an independent trade journal of sorts for the major *kashrut* agencies, which had been in circulation since 1980 and had an annual Passover issue, published an article titled “Clean for Pesach and Enjoy the Seder!” The article, based on the rulings of Rabbi Chaim Pinchas Scheinberg in Israel, advocated a different approach. It notes that because modern families have larger homes than in previous generations but not the servants that were once commonly employed, “the pressure of pre-Pesach cleaning has reached unnecessary and overwhelming levels.” Since the brunt of this burden falls on women, they are exhausted and unable to properly enjoy the *Seder*. The article therefore proposes several new guidelines, among them that “if the *chometz* is sold, then washing the pots, pans and dishes which are going to be locked away is not necessary.” And if a crumb of *hametz* is both less than a *kezayit* and too dirty to eat, it's of no concern. These are not new suggestions. The *Mishnah Berurah* [notes](#), for example, that some say that pieces of *hametz* less than the size of a *kezayit* are a non-issue when it comes to cleaning. (Such a crumb still can't be eaten on Passover, of course, so it would need to be removed from food areas.) Yet this article may be the first English resource that considers *kezayit* relevant to Passover cleaning. The piece was popular, and *Kashrus Magazine* reprinted it several times over the following years.

Rabbi Scheinberg's opinions spread to other guides as well, and are now nearly ubiquitous. Rabbi Pinchos Yehoshua Ellis wrote [a book](#) devoted to *bedikat hametz* (the search for *hametz*) in 2001, where he reprints a version of Scheinberg's article and adopts his views. Around the year 2000, Aish.com [published an article](#) by Rabbi Yitzchak Berkovits with a folksy tone to “make Passover cleaning a little easier” and get people “to stop being frightened” because “Passover is not a monster.” He too concludes that pieces of *hametz* smaller than a *kezayit* that one would consider “garbage” (such as crumbs on the floor) do not need to be cleaned up, and that inedible “gook” smaller than a *kezayit* remaining on *hametz* dishes is of no concern.

Recent resources from the Religious Zionist community suggest similar approaches. Rabbi Melamed's [book](#) makes clear that the Halakhah follows the lenient opinion that one need not look for crumbs smaller than a *kezayit*. Rabbi Shlomo Aviner [agrees](#), insisting that Passover cleaning can be done “in less than one day.” And the language about thoroughly cleaning one's *hametz* dishes before putting them away vanished from the OU guide years ago.

Women have also begun taking part in the conversation. In 2008, three women co-authored a self-help-style [companion guide](#) to Rabbi Ellis' book with the subtitle, “You really CAN make Pesach with a SMILE!” It carries Rabbi Scheinberg's approbation and incorporates his opinions. The book, “based on the successful positive experience of several Pesach preparation veterans,” is endlessly encouraging, noting that “Pesach cleaning can be a positive family experience” and “a wonderful time for a family to work together... and earn mitzvot to boot.” It contains a “personalized pre-Pesach calendar” and diagrams of the house where one can fill in the amount of time they plan to spend on cleaning each room. With the resources and charts in this book, one can schedule each day of preparations, make food shopping lists, and more.

The consistent message of these newer, more lenient materials is that it's time to bid farewell to those “Pesach blues.”

### 3. Is Quinoa *Kitniyot*? Why Worry About *Kitniyot* Anymore?

When I've spoken with people about how Passover has changed, they often mention that peanut oil, once a holiday staple, is now verboten. As I mentioned in the introduction, peanut oil's demise (it's now widely considered a forbidden *kitniyot* derivative) is a clear example of increasing stringency. Yet it's worth noting that quinoa, another product that could have easily been written off as *kitniyot*, is still alive and well. Not only that, but in recent years, there's been an uptick in those questioning whether Ashkenazi Jews in Israel ought to abstain from consuming *kitniyot* at all anymore.

Quinoa, a seed often substituted for grain, began being imported from South America during the 1980s. Some wanted to prohibit it as *kitniyot* because it is grown too close to grains, making cross-contamination with *hametz* a potential concern, or because it is too similar to a grain itself. Yet although the OU refused to permit it and Rabbi Blumenkrantz only recommended it to those with special dietary needs, the Star-K approved its use in 1997, which was enough for many people. It quickly became indispensable, to the point that when, in 2011, [the Star-K issued a warning](#) that the quinoa crop might have gotten mixed with other grains, and some stores relegated the product to the *kitniyot* section, the outcry was even covered by the [New York Times](#). Some feared that quinoa would go the way of peanut oil. Yet the quinoa controversy was short-lived, and before Passover 2014, after "an intensive, multi-year investigation and an internal debate," the OU changed its mind and decided to certify it for Passover too.

In some circles, the prohibition against *kitniyot* itself might be fading. It's somewhat well-known that in 2015, the Conservative movement's Committee on Jewish Law and Standards voted, [over a dissent](#), to [permit \*kitniyot\* entirely](#). In Israel, similar thinking exists even in Orthodox circles. In 2007, Rabbi David Bar-Hayim of Machon Shilo [permitted \*kitniyot\*](#) for *Ashkenazim* in an effort to standardize Jewish practice in Israel and eliminate Diaspora innovations in light of the modern-day ingathering of the exiles. Although his ruling [was widely criticized](#) (perhaps rightly so—he went as far [as to argue](#) that *kitniyot* might have been adopted from Karaite practices), a 2009 [article](#) reported that in part because of the large Sephardic presence in Israel and the ubiquity of *kitniyot* products on supermarket shelves, some *Ashkenazim* were choosing to consume it. To address this concern, Rabbi Zvi Leshem of Efrat [ruled](#) in 2011 that *Ashkenazim* could purchase supermarket products when the *kitniyot* in them constituted less than a majority of the mixture and was not directly recognizable. While it's highly unlikely that the prohibition against *kitniyot* in *Ashkenazi* Orthodox circles—particularly in the United States—will disappear anytime soon, these changes on the Israeli front are nonetheless remarkable.

#### Conclusion and Analysis: Texts and the Changing Face of Passover

Despite everything I've said, I don't want to make it sound like there's been a complete revolution in the Passover guides. There's still a good deal of consistency among different handbooks, and stringency has always been part of this holiday in particular. Consuming *hametz* on Passover carries the penalty of *karet*, or spiritual excision. Rabbis are understandably reticent to promote leniencies when the consequences are so serious. The notion of *humra de-hametz*—adopting stringencies on Passover that one might not apply to other areas of religious life—is [well-established in halakhic literature](#). Understandably then, one can also find counterexamples to the picture of increasing leniency I've sketched. The OU, for example, stopped providing a procedure for kashering a dishwasher in 2015,

and it now suggests not to sell *hametz gamur*—bread and the like—to a non-Jew before Passover.

And yet, the overall trend in the new millennium is toward greater leniency. This is surprising, because it runs counter to the shift documented by Dr. Haym Soloveitchik in his famous 1994 essay "[Rupture and Reconstruction](#)." There he suggests that in the wake of the Holocaust, Orthodox Jews' abandonment of mimetic tradition and embrace of halakhic texts has led to greater punctiliousness, as people feel the need to literally live by the book to connect with God. This theory easily explains Rabbi Blumenkrantz's popularity: his strict and comprehensive manual fed a burgeoning desire for new material written in the vernacular that could help nearly anyone, regardless of their level of Jewish education, achieve maximal halakhic compliance. But it does not explain more recent leniencies. The textual culture described by Soloveitchik remains ascendant, and yet, new texts and guides are relaxing some stringencies. How can we explain this change?

I'll sketch a few possibilities, although there's much more to be said.

In part, what's occurring may actually be a consequence of the value we've placed on texts. Blumenkrantz, who was among the first to publish a guide, just happened to be unusually strict. As the thirst for English halakhic texts continues unabated, it's no surprise that new and more moderate voices have joined the conversation too. And as [recent reflections](#) on Soloveitchik's essay note, one can turn to texts to justify leniency as easily as stringency, which is happening with increasing frequency in recent years. It's particularly true online, where, as Rabbi David Brofsky [recently pointed out](#), "anyone and everyone can be a *posek*." By providing accessibility to an astonishing variety of Jewish texts in multiple languages, the internet has [lowered the barrier](#) to entering the halakhic conversation. Leniency may thus just be another feature of textual engagement, not a bug.

Moreover, although newer guides sometimes propose more lenient approaches, this does not change the fact that these guides retain an element often associated with text-based *humra*: the notion that detail and precision matters. Modern Passover manuals are far more specific than their mid-twentieth century counterparts. In 1959, the OU said that a conventional oven and stove could be *kashered* if "thoroughly cleansed and scraped"—preferably with the assistance of a blowtorch—and then "heated to a glow." This concise position lacks the level of detail found in the OU's modern annual guides, which explain what surfaces need particular attention during cleaning, how long to heat the oven and stove, and the temperature required, among other things. (Nor does the OU mention anything about using a blowtorch anymore.) Greater specificity could itself be seen as a *humra*, as it more tightly scripts the range of acceptable behavior. On the other hand, comprehensive instructions can also draw attention to leniencies that one might otherwise have overlooked. The best example might be the recent popularization of the position that *hametz* less than the size of a *kezayit* is of little concern. It's a leniency which assumes that people expect detail and nuance in halakhic guidance. Only in a time when texts are king must everything have a standard and everything need a size. So perhaps, even when modern books are more lenient, they have not drifted too far from Soloveitchik's paradigm after all.

Recent moves toward leniency may also be related to the way in which the Passover experience itself is changing. For one, more women and men alike are working outside the home, while at the same time, modern work culture is placing increasing demands on one's time. Society is also beginning to realize the importance of



mental health, and self-care has become a byword. Perhaps that's why some guides have started to caution against stress-inducing practices. People ought to clean only what they must and no more, and they needn't put two *kezetim* in their mouth at once either.

On the other hand, it's also not your *bubby's* Passover anymore. Preparing for the holiday is getting a lot easier, and that itself may be driving leniency. Before I explain what I mean, I'll provide some examples of how getting ready for Passover requires less effort nowadays.

As I pointed out, in the 1950s and 60s, OU guides recommended using a blowtorch to *kasher* one's oven or purchasing an insert. This might be because the alternative was spending hours scrubbing every inch of the oven's surface with a caustic and malodorous chemical called Easy-Off, and [according to some opinions](#), even that was insufficient because the oven could not get hot enough on its own to properly *kasher* it. But, in 1963, General Electric invented the self-cleaning oven, which, in reaching nearly 1,000 degrees Fahrenheit during its self-cleaning cycle, reduces residue to ash and *kashers* the oven without the need for additional cleaning.

Or consider the Passover diet. [At one time](#), individuals subsisted on fresh food they prepared themselves or classics like [jellied fruit-slice-shaped candies](#) and sponge cake mix. The 1966 OU Passover products directory was 21 pages long, with only about 25 or 30 items listed on each page. The 2019 directory runs 43 pages, and there are around 250 items per page. Passover aisles and kosher stores throughout the United States are stocked to the brim with all kinds of products. In recent years, many restaurants even offer hamburgers or pizza on potato bread. In 1990, Rabbi Blumenkrantz noted that oat matzah "has become available in small quantities, from England" for those with gluten allergies. Now, the OU directory lists a host of low-gluten and gluten-free products.

And while kosher for Passover hotels [date back](#) to the early twentieth century, the OU supervised just 11 such resorts in 1966. In 2020, [according to one guide](#), there were over 140 Passover programs scheduled worldwide before the outbreak of the coronavirus, some in exotic locations like [Costa Rica](#) or [Thailand](#). Organizers stressed that participants will lack nothing; one email I received [advertises](#) a Florida resort "only minutes from Disney World" with a "shadchan on premises." In the modern era, Passover hotels and resorts are luxury vacations that promise a worry-free holiday where everything comes easy.

People I've spoken with recall a time when Passover felt markedly different than the rest of the year. But as preparations for Passover get easier, and as the holiday becomes a time of abundance, it seems less distinct a season. For many, excessive *humrot* and inconveniences might seem more a part of the Passover of times past than a reflection of their own lived experiences. Thus, perhaps the very expectation that Passover will present fewer challenges encourages a move away from halakhic stringencies.

As the decades go on, American Orthodox Jews are trading one peculiar Passover institution—the [Maxwell House Haggadah](#)—for another—the glossy halakhic handbook. These new guides tell a different kind of Passover story than the *Haggadah*, one that lives in the details. Yet I wonder if the *Haggadah* and the guides are really all that different from one another. In a way, the *Haggadah* is the first Passover guidebook. It gives the *Seder* a shape and structure, teaching that the great dramas of history survive when they can be transformed into rituals. In that sense, modern Passover guides are

merely the latest iteration of a living tradition. The ways in which we choose to interpret this ever-unfolding tradition—as well as how we react to forces that come to bear from the outside—will dictate how things change and stay the same in the years and decades to come.

## COULD IT HAVE BEEN DIFFERENT? HISTORY ACCORDING TO THE RABBIS JOSEPH SOLOVEITCHIK

DAVID CURWIN is a writer living in Efrat.

In Genesis 15:13-16, as part of the *brit bein ha-betarim* ("Covenant Between the Parts"), God informs Abraham what will happen to his descendants in the generations to come. He tells Abraham that his descendants will be "strangers in a land not theirs" and "enslaved and oppressed for four hundred years." In the end, they will "go free with great wealth" and the "fourth generation" will return to Canaan.

This prophecy is one of the most familiar in the Torah. It seems to clearly predict the slavery of Israel in Egypt and their subsequent redemption. Yet Egypt is not mentioned explicitly in the text of the verses.

Rabbi Joseph B. Soloveitchik (1903-1993), "the Rav," addressed this issue in his lecture, "*The Selling of Joseph and the Guilt of Shomron*."<sup>6</sup> He describes how events developed from God's promise that Jacob would return to Eretz Yisrael after the confrontations with Laban and Esau, to his family's eventual descent to exile in Egypt. The Rav wonders, could things have been different?

He begins by quoting Rashi on Genesis 37:1,<sup>7</sup> "Now Jacob was settled in the land where his father had sojourned, the land of Canaan." Rashi, quoting a *midrash*<sup>8</sup>, writes, "Jacob wished to live at ease, but the trouble in connection with Joseph suddenly came upon him."

The Rav writes:<sup>9</sup>

In order to understand these things, it is necessary to return to the issue of the *brit bein ha-betarim*.... In exchange for the land, they would be enslaved for several hundred years. Eretz Yisrael is not mentioned explicitly. Even Egypt is not mentioned, only "a land not theirs..."

But here a question can be raised: Haran was also a "land not theirs." Why was Eretz Yisrael not given to Jacob after he was enslaved for more than 20 years in Haran? In regard

<sup>6</sup> This sermon was published in Hebrew in the book *Divrei Hashkafah*, ed. Moshe Krone (Jerusalem: World Zionist Organization, 1994), 25-30. The Rav presented this idea on a number of occasions. Versions of it are quoted in essays by Rabbi Daniel Tropper (published in *Opening The Week*, ed. Naftali Rothenberg (Hebrew) (Tel Aviv: Yediot, 2001), 157-172) and Rabbi Ari Kahn (in his book *Explorations*, excerpted [here](#)), as well as in *Chumash Mesoras Harav*, ed. Arnold Lustiger (New York: OU Press, 2013), 273. It was also quoted by Rabbi David Fohrman in video 14 of his [series on the Joseph story](#) ("Rabbi Soloveitchik's Theory").

<sup>7</sup> Rashi's comment appears in most printed editions, but not all. In those where it does appear, it is on Genesis 37:2, but is discussing 37:1.

<sup>8</sup> *Bereishit Rabbah* 84:3

<sup>9</sup> The translation is mine.

to the slavery in Egypt, it is customary for us to say that God “calculated its end” (*Haggadah Shel Pesah*). So why did He not calculate the end regarding Haran? Why did the slavery have to be fulfilled specifically in Egypt? For Jacob dwelled in Haran, and it would have been possible to calculate the end, and shorten the years of slavery there, just like was later done in Egypt! What is the difference between 21 years in Haran and 210 years in Egypt? For God has, so to speak, his own special method of calculating years. (27)

According to the Rav, since the location of the exile of Abraham’s descendants is not made explicit in *brit bein ha-betarim*, it could have applied to Jacob’s time in Haran. Jacob was a stranger in a land not his own<sup>10</sup> and an indentured servant<sup>11</sup> to his uncle Laban who oppressed him,<sup>12</sup> and he left Haran with great wealth.<sup>13</sup> Jacob began his return to Canaan after the birth of Joseph, who was the fourth generation from Abraham.<sup>14</sup> And while the prophecy states that the oppression will last 400 years, even according to the understanding that the *brit bein ha-betarim* refers to the exile in Egypt, the 400 years were not to be taken as literal. The Rav references the opinion<sup>15</sup> that the actual amount of time the Children of Israel spent in Egypt was 210 years. Therefore, if 400 years in “God’s time” could be calculated as 210 years, they could also be counted as one tenth of that – the twenty-one years Jacob spent in Haran.

Why in the end did Israel go down to Egypt, become enslaved, and eventually redeemed? The Rav continues:

“Jacob wished to live at ease” – and he did not want to advance in accordance with the divine plan ... If Jacob had stayed in Eretz Yisrael, no nation in the world could have uprooted him from there, the exile would never had occurred, and there would have been no need for redemption. Providence would have woven a different fate for the Nation of Israel. But after Joseph was sold, the path to redemption became very long, and an entirely different tapestry was made... The sale of Joseph set Jewish history in a new direction. (28, 30)

According to the Rav, when Jacob chose not to follow the divine plan,<sup>16</sup> history was changed forever. Had that alternate timeline come to be, and had Joseph’s brothers not sold him to the traders who brought him to Egypt, the story of Israel would have been

radically different. There would be no further exile, and no need for later redemption.<sup>17</sup>

The Rav’s approach is fascinating and innovative. The premise that history could have unfolded differently may not appear to be theologically controversial.<sup>18</sup> The future is not yet written, and we can all choose our own path for good or for bad. However, there are concepts in Judaism such as predictive prophecy, supernatural miracles, and divine providence (*hashgahah peratit*) that indicate that there is a divine plan that must be followed. Some thinkers have expanded these ideas and proposed a theory that would limit human involvement in history.

Take, for example, the *Beit ha-Levi*, Rabbi Yosef Dov Soloveitchik (1820-1892), the Rav’s great-grandfather and eponym. He wrote a polemic against those who claimed to understand the historical context of the commandments and could therefore decide on their own whether they were still relevant. His *derashah* expounds Exodus 13:8, which records, “On that day, you must tell your child, ‘It is because of this that God acted for me when I left Egypt.’” After acknowledging the explanation in the *Haggadah* that we eat matzah because the dough of our ancestors had not fermented, he continues:<sup>19</sup>

But the foundational essence of this commandment, why the commandment is such, is not because of what happened in Egypt. For the Torah preceded the world, and even before the world existed there was the Torah, and written in it was the commandment of matzah. And Abraham our father, and all the patriarchs, kept the entire Torah before it was given. And therefore, on the night of 15 Nissan, Abraham ate matzah and maror, even though this was before the Egyptian exile. And therefore it must be that these commandments did not sprout from the redemption from Egypt, but rather the opposite. From the merit of the commandments of the Passover sacrifice, matzah, and maror, their redemption from Egypt sprouted on that very night.

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<sup>10</sup> In Genesis 32:5, Jacob says of his time with Laban – *garti*. This word uses the same root as the word for “stranger” (*ger*) in the prophecy.

<sup>11</sup> Genesis 31:41 – “I served you.”

<sup>12</sup> Genesis 31:42 – “God has seen my affliction.”

<sup>13</sup> Genesis 30:43 – “So the man grew exceedingly prosperous.”

<sup>14</sup> For an extensive linguistic and thematic comparison of Jacob’s stay in and escape from Haran with Israel’s slavery in Egypt and the Exodus, see Jonathan Grossman, *Jacob: The Story of a Family* (Hebrew) (Rishon Letzion: Yediot, 2019), 305-309.

<sup>15</sup> Rashi on Exodus 12:40.

<sup>16</sup> In the essay, the Rav implies that in the same way that Esau conquered Seir, Jacob should have conquered Eretz Yisrael. The message of the *midrash* that Rashi quotes, therefore, is that Jacob wanted to live in Eretz Yisrael in peace, but wasn’t willing to conquer it. While Jacob delayed the conquest, the strife between the brothers grew, which eventually led to a new descent into exile.

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<sup>17</sup> The Rav takes a similar approach to Jewish history in his famous *derashah* on *Parshat Beha’alotkha*, transcribed [here](#). Just as he describes above a hypothetical scenario in which the final redemption could have occurred in Jacob’s time, in this *derashah* he says that the same fate could have transpired in the generation after the Exodus. But the events in that *parshah* are “a tragic story which changes Jewish history completely, from top to bottom... If that march [into Eretz Yisrael] had been realized, the coming of Mashiach would have taken place then and Moshe would have been the *Melekh ha-Mashiach*. It was quite optional – the Jews could have reached it, they lost it so Moshe is not the *Melekh ha-Mashiach* and the distance between them in time is long and far.” The text of the Torah itself was changed: “there was no need for an inverted Nun at the beginning and for an inverted Nun at the end (see Numbers 10:35-36), it would have been the climax of the whole story. Had this come true, nothing had happened, the whole Jewish history would have taken a different turn.”

<sup>18</sup> For further discussion of this view, see Rabbi David Fohrman, “God, Moses and the Worst-Case Scenario” in [The Exodus You Almost Passed Over](#) (New York: Aleph Beta Press, 2016), 265-274. Rabbi Fohrman writes, “As a general matter, the notion that events in the Torah need not have occurred precisely as they did seems self-evidently true.”

<sup>19</sup> The following translation is mine.

The *Beit ha-Levi* is claiming that despite the simple assumption that we eat matzah because of the events of the Exodus, the essence of the commandment is the opposite: we left Egypt because of the pre-existing commandment of matzah. He brings proof from the *Haggadah's* understanding of "because of this" – because of the matzah, God acted for us.<sup>20</sup> He adds that we should not tell our children that

"Because I left Egypt, I perform this commandment" but rather the opposite: "Because of these commandments, the Exodus from Egypt came about."

He writes that this approach applies to all of the commandments. They are not historically contingent, dependent on how a particular event turned out. "Rather because of the commandment, came the reason." And since the commandment precedes the reason, no one can ever claim, "because the reason was invalidated, the commandment is no longer valid."

Not only were the commandments of Passover kept by the patriarchs, but the entire Torah was observed by them. How is this possible? Because the Torah existed before the world. It is completely independent of historical events – both those before and after the giving of the Torah at Sinai. This timeless, "pre-Creation" and "pre-Sinai" Torah was kept by the forefathers in Genesis. Abraham ate matzah on the 15<sup>th</sup> of Nissan, Passover eve, centuries before the Exodus. So eating matzah was not, as one might assume, a reaction to the historical circumstance of the bread not rising when Israel left Egypt. Rather, Israel left Egypt in such a way as to reflect the pre-existing commandment of eating matzah on Passover.

Therefore, the *Beit ha-Levi* would not agree with the Rav's approach that history could have taken a different path in Genesis. The events of the Torah, as embodied by the commandments, were carved in stone well before any human could make a choice that would have led to any change.<sup>21</sup> For is that not the essence of the prophecy

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<sup>20</sup> There is debate among the medieval commentaries as to the understanding of "because of this." Saadiah Gaon, Rashbam, and Ramban write that the verse should be understood as saying, "because of that [which] God did for me when I left Egypt" I keep the commandments. Rashi and Ibn Ezra, however, say it should be read as "because of *this*," with "this" referring either to the commandments of Passover kept in Egypt (Ibn Ezra) or those that will be kept in the future (Rashi). The *Beit ha-Levi* goes further than either Rashi or Ibn Ezra by saying that the redemption was not merely a response to Israel's actions, but was for the sake of the commandment itself. For further discussion of the interpretations of this phrase, see Nechama Leibowitz, *New Studies in Shemot* (Jerusalem: World Zionist Organization, 1996), 210-215.

<sup>21</sup> The *Beit ha-Levi* makes the same argument in his *derashah* on Exodus 31:13. After bringing a *midrash* that says that the commandment of the Red Heifer came to atone for the sin of the Golden Calf, he remarks that this *midrash* does not reflect the true reason for the commandment, since that commandment existed before the sin of the Golden Calf, and even before the world was created. In the *derashah* I quoted above (on Exodus 13:8), the *Beit ha-Levi* also makes reference to the Red Heifer. The Passover sacrifice, like the Red Heifer, is called a *hok*, indicating that its reason is unknown. Therefore, in the time of the patriarchs, Passover was observed, but was considered a *hok*, since its reason was not yet understood.

itself? God told Abraham what would happen in the future. That is the divine plan!

The disagreement between the Rav and the *Beit ha-Levi* is clear. The *Beit ha-Levi* believed that the commandments preceded the historical events. But according to the Rav, had the prophecy of the *brit bein ha-betarim* been fulfilled in Jacob's lifetime, there would presumably have been no need for the commandment of eating matzah, since that wasn't part of the experience of the historical event of leaving Egypt. If historical events are not predetermined, those events must precede the associated commandments.

One may argue that the *Beit ha-Levi* allowed for some degree of human involvement in the history that led to the commandments, but the details of the commandments were not set in advance. However, it seems clear to me from his words that the *Beit ha-Levi* believed that the Torah that existed before the world was the same literal Torah that Israel received at Sinai ("and written in it was the commandment of matzah").

The *Beit ha-Levi's* approach makes sense if the Torah – as a collection of commandments – literally preceded the world. But for the Rav, that option is untenable. Lighting candles on 25 Kislev during the First Temple period or singing Hallel on 5 Iyar in 1848 would be meaningless. The events being celebrated hadn't occurred yet.

However, following the logic of the *Beit ha-Levi*, events can be destined to happen all along – they must follow one path of history. If a prophet told someone in 1848 that there would be a State of Israel in 1948, it might seem strange to anyone on the outside, but it wouldn't be pointless from the point of view of the believer.

The idea that the Torah preceded the world (and served as the blueprint for the world),<sup>22</sup> and that the Patriarchs observed the entire Torah<sup>23</sup> is popularly accepted today. But Rambam did not adopt this approach,<sup>24</sup> First of all, it requires the belief that something existed before the world. Rambam maintains that only God and His name existed before the world,<sup>25</sup> excluding everything else - even the Torah. But additionally, it conflicts with the principle of free will, which is of prime significance for him.<sup>26</sup> If an event – the Exodus from Egypt or the establishment of the State of Israel – is destined to happen, there is no incentive for man to be involved with it. Removing the impetus that free will entails undercuts moral responsibility.

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<sup>22</sup> For example, *Genesis Rabbah* 1:1; *Pesachim* 54a.

<sup>23</sup> For example, *Mishnah Kiddushin* 4:14; *Yoma* 28b; Rashi on Genesis 26:5.

<sup>24</sup> Rambam's son, Avraham, in his commentary to Genesis 35:4, explicitly denies that the patriarchs kept Shabbat or ate matzah on Passover. For a detailed discussion of Rambam's approach to this issue, see Menachem Kellner, "Rashi and Maimonides on the Relationship between Torah and the Cosmos," in *Between Rashi and Maimonides: Themes in Medieval Jewish Thought, Literature and Exegesis*, ed. Ephraim Kanarfogel and Moshe Sokolow (New York: Yeshiva University Press, 2010), 23-58.

<sup>25</sup> *Guide for the Perplexed* 1:61; *Laws of Repentance* 3:7; and the fourth principle of his 13 principles of faith (Introduction to his commentary on Chapter 10 of *Sanhedrin*).

<sup>26</sup> In *Laws of Repentance* 5:3, Rambam writes that free will is "the great root, which is the pillar of the Torah and commandments." See also his introduction to his commentary on *Pirkei Avot* (*Shemonah Perakim*), chapter 8.

It seems that the *Beit ha-Levi* adopted the approach that emphasized the immutable divine plan, while the Rav stressed the importance of human agency and action in determining history.<sup>27</sup>

How did the Rav come to disagree with his distinguished great-grandfather? Why did he believe that man's actions can cancel, or confirm, a divine plan, when others in his family did not? Perhaps these beliefs persuaded him to identify with Zionism, a movement that championed the idea of human intervention in history. Therefore, an examination of the Rav's justifications for becoming a Zionist can help explain his approach in general to the question of the importance of human activism in history.

While the *Beit ha-Levi* died before the onset of the Zionist movement, he was a fierce opponent of the *Haskalah* and the nascent Reform movement. In his wake, his son R. Haim Soloveitchik, and many of their descendants became strongly opposed to the secular Zionist movement, and even to the Orthodox branch of Zionism. They believed that faith demanded total dependence on God. The Rav, however, believed that political redemption would arise from human choices and actions.

In the collection of his lectures, [\*The Rav Speaks: Five Addresses on Israel, History, and the Jewish People\*](#),<sup>28</sup> the Rav confronts the break with his family over support of Zionism in general, and the Religious Zionist movement, the Mizrahi, in particular. The first essay, "And Joseph Dreamt a Dream," and particularly the section, "Joseph and his Brothers" most strongly echoes the Rav's own life.<sup>29</sup> He describes how the Mizrahi was founded in the Hebrew year 5662, less than a year before the Rav was born. He then depicts the tension between the biblical Joseph and his brothers, and how it parallels that of "Joseph of 5662." While Joseph of 5662 certainly refers to the Mizrahi, we cannot avoid a comparison to the Rav himself, the "Joseph of 5663."

He writes:

The Biblical Joseph was not persuaded that "and Jacob dwelt in the land of his father's wanderings" (Gen. 37:1) would endure for long. The words "for your seed shall be a stranger in an alien land" (Gen. 15:13) kept tolling in his ears. (27)

Joseph was aware of the prophecy his great-grandfather Abraham had received. And yet he did not believe that the family could continue in the same path they had always followed. He anticipated economic and agricultural developments that were not compatible with the lifestyle of a tribe of shepherds. A change was needed. But he did not have the support of his family.

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<sup>27</sup> Certainly the Rav does not deny the existence of divine providence, and the *Beit ha-Levi* does not reject the concept of free will. But they both chose edge cases in their *derashot* that appear to negate the "opposing" tenet, presumably because they each felt that aspect deserved special emphasis.

<sup>28</sup> New York: Toras HoRav Foundation, 2002.

<sup>29</sup> "For he who joined the Mizrahi was virtually excluded from his birthplace, and ostracized from his spiritual paternal home. We were lonely, as Joseph the dreamer was lonely among his brothers who mocked him." (25)

Joseph's brothers, however, answered him: "Why do you meddle in the secrets of the All-Merciful? Why do you get involved with the secret plans of God? We do not know when God will execute His decree 'For a stranger will your seed be' (Gen. 15:13). (28)

The brothers felt that God's divine plan did not require human intervention. And yet Joseph argued and prevailed, "and the house of Jacob was saved from destruction only due to Joseph's dreams." (30)

And the same pattern applied to the Joseph of his time:

The Joseph of 5662 unconsciously sensed that it was forbidden to rely on a continuation of the status-quo, that great changes were about to occur in Jewish life for which we would have to be prepared. He sensed the advent of an era when there would be no yeshivot in Brisk, Vilna, and Minsk; when America would be turned into a place of Torah; and when Israel, the State of Israel, would become the core center of Torah. (31)

The Rav understood that for history to change, people must take decisive action. Jacob missed an opportunity to further the cause of redemption; his son Joseph took actions that saved the nation of Israel. Such action is not a rebellion against the divine plan; it is the fulfillment of that very plan.<sup>30</sup> This was not the view of his great-grandfather. However, the fourth generation would support the return to the Land.

## LEHRHAUS EDITORS:

Yehuda Fogel

David Fried

David Kollmar

Tzvi Sinensky

Mindy Schwartz Zolty

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<sup>30</sup> "The Rav's z.t.l. endorsement of Religious Zionism is also closely related to his belief that taking the initiative in ameliorating natural, economic, social or political conditions, far from being a usurpation of divine prerogatives, represents a religiously mandated activity of becoming partners with God in the process of Creation." Walter S. Wurzbeger, "Rav Joseph B. Soloveitchik as Posek of Post-Modern Orthodoxy", *Tradition* 29:1 (Fall 1994): 10.

