Vol. III. Issue 57
10 Kislev 5781 /
November 27, 2020

LEHRHAUS Over Shabbos

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Vayetze

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Shades of White: A Fresh Look at Lavan's Relationship With Yaakov

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P*arashat Vayeitzei* (Bereishit 28:10-32:3) is one Masoretic parashah, one single story that traces Yaakov's years in exile. This story has two central characters—Yaakov and Lavan. Important as Rachel and Leah may be, they play secondary roles throughout much of the narrative. From Yaakov's first moments in Haran he is associated with Lavan, and their immediate relationship only concludes in the last verses of the *parashah*. His relationship with Lavan, more than with anyone else, defines Yaakov's time in Haran. Consider his words to Esav—*im Lavan garti…* "I have sojourned with Lavan" (Bereishit 32:5).

The Midrash has trained generations of Jews, from their first Passover Seders, to look at Lavan with a jaundiced eye, and as the "bad guy" in his relationship with Yaakov; he was, after all, "worse than Pharaoh." Not knowing of the moon-cult prevalent in those days in Haran (so that we could make the Lavan-Levana connection—see Loewenstamm in *Encyclopedia Mikrait* 4:421), sharper ears have noted the irony of such a deceptive man being named "white." The Midrash picks up on this irony and, already at the point of Lavan's first mention in the text, suggests an interpretation of his name as an adjective. R. Yitzchak reads "Lavan" as an adjective describing his physical beauty—*"paradoxus"*—a splendidly white man. Dissenting is R. Berekhya, who sees it as a description of his inner character: He was *meluban b'resha*, meaning that his evil was transparent and obvious (Bereishit R. 60:7).

As a result of how Lavan is developed Midrashically, making him the "Aramean who tried to destroy my father" (but see Rashbam and ibn Ezra at Devarim 26:5 for the "Peshat" reading), even his earliest actions are eisegetically viewed with cynicism. For example, when we first meet him, Lavan runs to greet Avraham's slave and we read this action as driven by his greed and venal interest rather than hospitality (cf. Rashi at Bereishit 24:29). Similarly, when Yaakov first arrives in Haran, Lavan's warm greeting and embrace is read as a surreptitious search for hidden gold and jewels (cf. Rashi at Bereishit 29:13, following Bereishit R. 70:13). We are, therefore, not surprised to find him turning on Yaakov at the end of their relationship, treating him as an arch-enemy.

However, if we take a straightforward look at the story as it unfolds, reading the text on its own terms (with a bit of help from period texts), a different picture may emerge—one that does not alter our final assessment of Lavan, but which may illuminate how his relationship with Yaakov unfolded. Although I have no interest in rehabilitating Lavan's reputation, we may be able to see his actions in a more favorable light and more clearly understand his motivations.

I. Yaakov's Arrival

When Yaakov first arrives in Haran, the first member of his extended family that he meets is Rachel, who is tending her

father's flock (29:6). Rachel is, at the time, a young girl; we could safely assume that she is seven years younger than marriageable age. After all, her father Lavan agrees to give her hand in betrothal to Yaakov, who would only marry her seven years later, having worked off this debt. That means that for the next seven years, Rachel would be unavailable to any other man, yet not married to Yaakov and unable to begin bearing children.

It is important to note that in the ancient world—and, in some parts of our world today—girls were married close to or at the onset of puberty. This is for several reasons, including the need to have as many children as possible to help with the household estate, as well as the relatively high mortality rate of both young children and mothers during childbirth. There was no good reason to "waste" childbearing years; perhaps, as a result, there was no place in society for a woman over the age of 12-13 outside of the context of her marriage. Adolescence was not recognized as a legitimate period of transition, and pursuit of both education and vocation were limited, for the most part, to the first few years of one's life (if at all, in the case of education).

According to the social norms of the time, it stands to reason that Lavan would not enter his daughter into a relationship in which she would be unable to contribute to the family for seven potentially productive years. It therefore seems that Rachel is, indeed, a young girl when Yaakov arrives in Haran and meets her. This is significant chiefly because it demonstrates that Lavan has neither sons nor wealth—each of which will change dramatically over the years in which Yaakov works with him. These changes will subsequently affect the relationship between Lavan and Yaakov.

Why is this young girl herding the flock? In Tanakh narratives, we are accustomed to seeing young girls as water-drawers (e.g. Bereishit 24, 1 Shmuel 9:11-13). They only appear as herders in a circumstance in which there are no boys in the family (e.g. Shemot 2). The reasonable conclusion is that Lavan has no sons at this point, so his daughter is tending his flock. In addition, we may conclude with fair certainty that Lavan's estate is not large and that the family is not wealthy. Living in a herding environment, if they were indeed wealthy they would have a large flock, with more sheep than one young girl could handle. It is also reasonable to posit that if they were of means the family would be able to hire herders to control the grazing, rather than use their own children for that task.

The picture of Lavan's household, as we see it now, is that of a man with two young daughters, living on a relatively small estate. From all appearances, it seems that at the time when Yaakov first arrives, there is no wife/mother in the family. When Yaakov's first meeting with Rachel ends (with that famous kiss), she runs to her *father's* house to report what happened. In contrast, in the parallel story one generation earlier, Rivkah ran to her *mother's* house to report about the wealthy, thirsty stranger with gold jewels. We never do hear about Lavan's spouse—but this appears to change at some later point, as we will see further on.

When Yaakov first arrives at the house, Lavan acts hospitably towards him, taking him in (Bereishit 29:14); it seems from Lavan's words to Yaakov that the latter immediately went to work herding Lavan's flock. (We would assume that, at this point, Rachel is relieved of these duties.) After the first month, Lavan says: "Indeed, you are my brother—shall you work for me for nothing? State your fee!" (v. 15). In other words, Yaakov has been working for Lavan without recompense (except for room and board). As stated above, a straightforward read of the verses (without prejudice regarding Lavan) presents him in a positive and somewhat charitable light. Yaakov's answer shifts the conversation from straight wages to marriage—"I will work for you for seven years for Rachel, your younger daughter" (v. 18). Lavan is agreeable and Yaakov goes back to work, and the seven years go by quickly—"they were as a few days in [Yaakov's] eyes, due to his love for her" (v. 20).

II. The Marriages

Even if we were ready to view Lavan with equanimity until this point, it is usually the marriage scene that sets our blood boiling against him. Yet again, however, a careful reading of the text presents Lavan in a positive light. In this case, it may even mar our view of Yaakov.

When the time is up, Yaakov approaches Lavan and says: "Give me my wife that I may come unto her (i.e. have relations with her)" (v. 21 – see Beresihit R. 70:18 re: this coarse wording). At no point in this brief demand (!) does Yaakov mention Rachel by name. Lavan gathers the people of the area and makes a feast. He gives Leah (with Zilpah as a handmaid) to Yaakov, who doesn't realize until morning!

Before going further, two points about that night must be explained. First of all, Yaakov's inability to recognize that he married Leah and not Rachel, in spite of the already noted physical differences between the sisters, tells us something about Yaakov's behavior during the intervening seven years. Evidently, Yaakov had little to do with either Leah or Rachel during that time, and wasn't familiar enough with Rachel to be able to tell that he married another woman. This seems a bit odd on the face of it, as seven years is a long time and, on a small estate, we would think that the people would see each other often. We will address this further on.

The second point is that the irony of Yaakov being fooled about a younger/older child in the dark was not lost on the *baalei ha-nidrash*. In Bereishit Rabbah (70:19), a long Midrashic passage telling the details of that fateful night concludes with a stinging statement: "Behold, she was Leah!: [Yaakov] said to her: 'Deceptive one, daughter of a deceptive one—all night, I called out "Rachel" and you responded to

me!' [Leah] answered back: 'Is there a barber without students? Wasn't your father calling out "Esav," and you responded to him?'"

This last question drives home a point which is a variation on the subtle rebuke Lavan delivers to Yaakov when he complains about the switched bride: "Such is not done in our place, to give the younger one before the older" (v. 26). On an overt level, Lavan is reprimanding Yaakov for not having paid attention to—or, perhaps, deliberately ignoring—the customs of a region where he has lived for seven years: younger daughters are not married off before their older sisters.

Parenthetically, this point can teach us a bit more about the family. Leah was not much older than Rachel, such that when Yaakov first arrived, they were both pre-marital age, and it was assumed that by the time the seven years were complete, Leah would have been married. Lavan is excoriating Yaakov for his insensitivity to local custom and, perhaps, to Leah herself. Underneath this rebuke is another, delivered through this pointed Midrash. "Perhaps in your place, you substitute the younger for the older and steal their rightful place in the family, but we don't do that here!" Note that Yaakov has no comeback to this rebuke. One way or the other, he accepts it.

Lavan's subsequent agreement, allowing Yaakov to marry Rachel after the seven-day celebration with Leah, seems a bit odd. Why would he want both of his daughters to be married to the same man? This is putting all of his eggs in one basket. What if something happens to that one son-in-law or if he proves to be less than trustworthy? In addition, as the story bears out, having two sisters married to the same man is a recipe for disharmony. We will revisit this issue below.

III. Departure

The text is silent about Yaakov's relationship with Lavan throughout the childbearing narratives until the birth of Yosef. At that point, Yaakov approaches Lavan and asks permission to return to his home, a strange request indeed. Why does Yaakov need Lavan's permission to leave at all? The result of this request is an interim agreement for Yaakov and Lavan to split the flock and to have all sheep born with specific markings go to Yaakov. The agreement is struck and Yaakov is successful in getting his spotted flock to out-reproduce Lavan's flock, and Yaakov becomes wealthy—all of which should be good news for Lavan, as this wealth will be enjoyed by his daughters and grandchildren.

The beginning of chapter 31 introduces heretofore unheard-from characters into our narrative—and that is the catalyst for the sea change in the relationship between Yaakov and Lavan.

And [Yaakov] heard the words of Lavan's sons saying: 'Yaakov has taken all that belongs to our father, and from our father's possessions has created all of this wealth. [Immediately:] And Yaakov saw that the face of Lavan was no longer with him as it was in the days before. (31:1-2)

This verse is enough, on its own, to support our basic thesis: the relationship between Yaakov and Lavan was a good one until now. But what changed things?

The answer is straightforward: the appearance of "*bnei Lavan*." In the intervening years, while Yaakov was becoming a mighty herder and father of a dozen children, Lavan was also blessed with sons (perhaps with a new wife). These sons had grown up and are now agitated that this outsider stands to inherit their estate. (I am working under the assumption that Yaakov spent significantly more than 20 years in Haran and that these boys were born after he married Leah and Rachel. See *Between The Lines of the Bible, vol. 1* chapter 16.) Blood being thicker than water, Lavan favors their position and no longer looks at Yaakov with a friendly eye. This leads to Yaakov, with God's explicit command (v. 3) and his wives' reluctant agreement (v. 16), to sneak his family out of Lavan's home and to head south to the Gilead mountains and to his own home.

Importantly, one odd event occurs just before the family sneaks away. Rachel steals her father's household gods (*teraphim)* (v. 19) and then hides them when her father catches up with Yaakov and inspects all of the tents to find these idols (v. 34). What motivates Rachel to steal them, and why is Lavan so angry about that theft that it becomes the focal point of his *riv* (dispute) with Yaakov?

One final point: During that dispute at Gilead, Lavan utters a seemingly odd declaration—"The girls are my daughters, the boys are my sons…" (v. 43). What is he claiming here about his daughters and grandsons? In addition, when he and Yaakov make their separation agreement, Lavan makes Yaakov swear that he will not marry any other women "in addition to my daughters" (v. 50). We understand his interest, but by what right does he make this demand?

IV. From The Archives

Over the past two centuries, numerous archives have been unearthed from ancient libraries and royal courts throughout the Middle East, chiefly in Iraq (Mesopotamia) and Egypt. These documents have revealed countless details about marriage and divorce, religious practices inheritance—every area of life as it was lived then. These archives, which famously include the Code of Hammurabi, the Sennacherib Prism and other "famous" finds, are of great interest to the student of Tanakh, as they have the potential to illuminate much about both narrative as well as legal texts in the canon.

In 1926, Professor Cyril John Gadd published a text found in the archives of Nuzi, an ancient city near Kirkuk, in modern-day Iraq (*Revue d' Assyriologie* XXIII, 1926, pp. 126-127). It is a

contract in which a man with no sons adopted another man as his heir. The contract stipulated that the new "heir" was to care for his new "father" for the duration of his life. If the "father" subsequently had sons, then they would divide the estate equally with the adopted heir—but only the natural son would inherit the father's household gods. One of the conditions of the "adoption" was that the heir was to marry the paterfamilias' daughter, and was forbidden from marrying any other woman; if he did so, he would forfeit the "father's" property. (see Prof. Cyrus Gordon's application of this find to our story in BASOR [the Bulletin of the American Schools of Oriental Research] #66, April 1937, pp. 25-27).

Taking this contract in hand and reading the story in a straightforward manner, the relationship takes on a very different hue and, perhaps, the *Biblical* Lavan (as opposed to the *Midrashic* Lavan) can be better understood. Let's trace the relationship through again, keeping the contractual background in mind:

When the two first meet, Lavan has no sons and sees Yaakov as his adopted "heir." Yaakov's desire to marry one of the daughters only makes that all the more convenient. When, seven years later, the older daughter remains unmarried, Lavan brings her to Yaakov and they are married. Yaakov's insistence on marrying Rachel may have been a request on his part to be able to divorce Leah, but from Lavan's perspective, this is a perfect solution. Both of his daughters – his only children – will marry his heir who will inherit the estate, which continues to grow through Yaakov's diligent work.

Although it may be Yaakov's desire to return to Canaan and rejoin his parents (and claim his Divinely promised land), that catalyzes a subtle change in the relationship (we might posit that, at this point in time, Lavan's sons have already been born and that Yaakov realizes that the terms of the contract will soon change). The full-blown conflict that comes to a head at the standoff at Gilead only comes when Lavan's sons come of age. In the meantime, Yaakov is still able to remain there comfortably. That all changes when Lavan's sons grow up and begin agitating for their portion in a future inheritance and complaining about Yaakov's portion. Lavan's claims, "the daughters are my daughters etc.," are actually anchored in Mesopotamian contracts, as we see from the Nuzi archives.

We can also understand Rachel's theft of the *teraphim* in this light and Lavan's great agitation about it; she was taking a token which served as a claim on the estate—a title deed, as it were. Perhaps she had hopes that the family or the next generation would return and be able to stake a claim to the now successful estate and wrest it from her younger brothers.

V. Back To Lavan

The *ba'alei ha-midrash* taught deep and enduring lessons, many of them by presenting Biblical characters in "caricature light," as completely pure and noble or completely devious and evil. A careful read of the Midrashic corpus reveals that nearly all Biblical characters are presented with greater nuance and shading than commonly thought. To bring two examples, Esav's honor for his father, expanded and detailed in the Midrashim, as well as rabbinic rebukes of Yaakov beyond what the text states, demonstrate that even the Aggadic tradition presents textured characters, heroes with flaws and fallen sons with redeeming and even exemplary qualities.

Nonetheless, the overwhelming approach of a traditional student is to read the stories with the caricature in mind. To paraphrase Rashbam (at Bereishit 37:2), we are so accustomed to reading text through the lens of the Midrashim, which teach the most important and enduring lessons, that we overlook "Peshat," the straightforward read of the text.

Stripping away the Midrashic overlay of Lavan's demonic personality and reading the story on its own terms, against a 2nd millenium BCE Near Eastern background, we see that the "good/evil" divide that is usually assigned to Yaakov and Lavan, respectively, may have to be reassessed. Is every move that Lavan makes clearly driven by greed and murderous intent? Hardly. Is every step that Yaakov takes motivated by altruism and honor? Perhaps, and perhaps not. As we watch our Bereishit heroes grow, we also see them adjusting after their errors and learning from their mistakes. And as we see our Midrashic villains develop, we have to be cognizant that the story that the Tanakh tells about them is far more nuanced and shaded.

In God We Trust or Do We? The Fears of Isaac and Jacob

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At the beginning of *Parashat Vayetze*, Jacob dreams about a ladder whose base rests upon the ground and whose top is in the Heavens. Angels ascend and descend the ladder and God looms above it. In the dream, God promises Jacob the land given to his forefathers and blesses him. God concludes with a promise to watch over Jacob wherever he goes and bring him back safely to the Land of Israel (Genesis 28:11-15). *Midrash Tanhuma* (*Parashat Vayetze*, 2) expands Jacob's dream in the following way:

> Rabbi Berakhiyah said in the name of Rabbi Helbo and R. S. ben Yosinah: This teaches us that God showed our forefather Jacob the minister [angel] of Babylonia ascending and descending, and of Medea ascending and descending, and of Greece ascending and descending, and of Edom ascending and descending.
>
> The Holy One, blessed be He, asked Jacob: "Jacob, why are you not ascending?"
>
> At this moment, Jacob became frightened and said, "Just as these descend, [perhaps] I too will descend."
>
> The Holy One, blessed be He, replied: "If you ascend, you will not descend."
>
> And he did not believe and he did not ascend (*ve-lo he'emin, ve-lo alah*)….
>
> The Holy One, blessed be He, said to him: "If you had ascended and had faith in me, you would have never had a descent, but since you did not have faith, your descendants will be enslaved by four kingdoms…
>
> Jacob replied: "Forever?"
>
> He replied [quoting a verse from Jeremiah]: "But you, have no fear, my servant Jacob; do not fear Israel for I will deliver you from far away and your seed from the lands of their captivity."[1]

The crux of this midrash is the conversation between the Holy One, blessed be He, and Jacob: God tells Jacob (representing the nation of Israel) to climb the ladder to Heaven and even promises that he will not fall like the other nations. Jacob is afraid, does not believe, and does not ascend. The angels in the dream, representing the other nations, go up and down the ladder—gaining and losing power over the course of history. God seems to be teaching Jacob that in the course of normal human history nations rise and fall. This should be the fate of the Jewish nation as well; however, if Jacob makes this leap of faith and climbs the ladder, the Jewish people will be able to circumvent the vicissitudes of history and always remain ascendant. God is, as it were, offering Jacob and his progeny a shortcut to obtaining eternal ascendancy—an opportunity to trick the norms of fate—without their having to go through the trials and tribulations, the ups and downs of normal history.[2] In the face of God's offer, Jacob is afraid; he refuses to ascend and he rejects God's reassurances, as "he does not believe."

This midrash has often troubled me. Firstly, why was Jacob afraid? Secondly, even if Jacob had misgivings about ascending the ladder, with God's reassurance that everything would be alright, how could he not climb? How could he "not believe"? How could the grandson of Abraham, who hastened to bind Isaac, whose belief was considered meritorious by God (Rashi on Genesis 15:6), not believe, not trust in God when he received an explicit command to ascend?

Rabbi Mordecai Kornfeld, a contemporary Israeli Torah scholar, was so troubled by Jacob's inexplicable refusal to ascend that he allegorizes the midrash itself. In his Weekly Parasha-Page on *Vayetze* 5758, he explains the midrash not to be referring to events that took place on the night of Jacob's dream. Rather, it is a prophecy allegorically referring to the events that transpired when Jacob eventually did return to Israel and met Esau. He legitimizes Jacob's fear in the midrash by claiming that it refers to Jacob's meeting with Esau, an event in which the Torah explicitly mentions Jacob's fear (Genesis 32:7). As Rabbi Kornfeld writes, "[Jacob] did not realize the meaning of his dream until too late. Instead of unabashedly returning to his homeland [safe in the knowledge of God's protection from Esau, because he is afraid,] he makes elaborate plans to flatter Esa[u] and to appease his anger." Rabbi Kornfeld is so shocked at the plain meaning of the midrash—that Jacob would be too fearful to climb the ladder despite God's reassurances—that he must claim that the story in the midrash was an allegory meant to prepare Jacob for his eventual homecoming.[3]

When a midrashic exposition appears surprising, it often pays to examine the text it is expanding upon. Perhaps, there is an anchor in the text which can supply a source or motivation for the midrashic idea. Indeed, in discussing Jacob's ladder dream and its aftermath, the classical commentators note that Jacob's reaction the following morning to God's promise to protect him seems less than enthusiastic. In the biblical text, Jacob responds to God's promise: "If [*im*] you will protect me... then You will be my God" (Genesis 28:20), seemingly indicating that he is not sure that God will be with him. Perhaps Jacob's apparent lack of belief in the Bible itself is reflected in and even compounded by the midrash.

However, before we get carried away by this hypothesis we should note that the midrash itself, in *Genesis Rabbah* 76:2, and later medieval commentators manage to resolve the issue of Jacob's apparent mistrust without damning him for unbelief. They explain that Jacob was right to be afraid because no Divine promise is inviolable—even a righteous man may sin and release God from His oath.[4]

So though at first glance Jacob's conditional response in the Bible seems to be the basis for the midrash, this need not be the case. Indeed, *Tanhuma*'s redactor would have been well aware of the exculpatory midrash in *Genesis Rabbah*—a canonical work by his period[5]—so his decision to impute a lack of belief to Jacob in order to expand upon or resolve the verse goes beyond the bounds of necessity and, perhaps, even plausibility (that is to say, beyond the bounds of what we think it plausible for Jacob to do or say).[6] Furthermore, even if this verse was the midrash's basis, Jacob's hedging his belief in the Divine promise to protect him found in the Bible is far less problematic than his fear, followed by his absolute refusal to follow an explicit Divine command, in the midrash. So the fear in the verse does not provide a solid enough justification for the midrash's audacious claim.

Another candidate for the midrash's textual anchor is the verse with which the *Tanhuma* midrash ends: "But you, have no fear, [*al tira ve-al tehat*] my servant Jacob…I will deliver you from far away" (Jer. 30:10). While any literal reader of this verse would identify "my servant Jacob" as a term of affection for "the people of Israel," the midrash, always attuned to other possible layers of interpretation, identifies "my servant Jacob" as the patriarch Jacob and even posits that this verse refers to his actions when he was at the foot of the ladder.

How does the midrash manage to relocate this verse to the foot of the ladder? Curiously, there is a very promising linguistic anchor in the verse for doing so. Jeremiah's advice, *al tira ve-al tehat*, seems repetitious, as it literally means "do not fear and do not fear." I would like to suggest that the midrash picks up on this superfluity. Furthermore, it also notices that the word *tehat* sounds very much like the Aramaic word *nahat*, to descend. The presence of fear and descent in this verse about Jacob echo strongly in the midrashic imagination. Where else in Jacob's life might we find these elements?

Ultimately, the Masters of the Midrash come up with an answer. The superfluity, the fear, and the phonological association of *tehat* with *nahat* prompt them to read this verse as hinting at what happened in Jacob's ladder dream. God told Jacob not to fear ascending as he would not descend, saying, quite literally, *al tira ve-al tehat*. "If you are not afraid of ascending, you will not descend," or, alternatively, "Do not fear ascending and then you will not have to fear descending." Rereading the verse in Jeremiah this way to expand the biblical story elsewhere is a time-honored, homiletical technique. However, knowing how the Masters of the Midrash accomplished their sleight-of-hand, does not explain how they could make the audacious claim they do regarding Jacob's unbelief!

On a personal note, my own experience on the Temple Mount may suggest a different resolution to our conundrum. Perhaps the midrash is using the word *yira* to denote "awe" and not "fear." When I first ascended the Temple Mount—the very place where tradition teaches us that Jacob had his ladder dream[7]—I was struck by a sense of holiness that prompted the very words Jacob had spoken when he awoke from his ladder dream to rise unbidden to my lips: "Surely the LORD is in this place; and I knew it not... How full of awe is this place! this is none other than the house of God, and this is the gate of heaven" (Genesis 28:16-17). The words perfectly expressed the surprise and awe I felt at suddenly being at the gate of heaven.

Tellingly, the words I skipped in the above verses describe Jacob's mood: "and he was afraid." Jacob's fear or awe, in this case, like Moses' when God speaks to him from the burning bush (Exodus 3:6), and like Manoah's when he realizes that the man he has spoken to is an angel (Judges 13:22), may have led him to recoil in surprise. Perhaps, his stubborn refusal to ascend reflects this awestruck backwards movement: his sense of his own personal unworthiness, and of any human-beings essential unworthiness. He quite simply cannot bring himself to accept God's words and ascend; the midrash recognizing this all-too-human reaction explains that Jacob "could not believe," no matter what the consequences might be.

While this explanation speaks to me, the rabbis elsewhere do seem to recognize an ongoing problematic pattern of Jacob's fearfulness giving rise to the lack of belief or trust that may be reflected in our midrash. For instance, even though the midrash in *Genesis Rabbah* does legitimize Jacob's fear following the ladder dream, the Gemara in *Berakhot* 4a questions another event in Jacob's life that seems to indicate his apparent lack of belief. The Gemara asks why after God has explicitly promised to protect Jacob wherever he goes (Genesis 28:15), Jacob is afraid before he meets Esau (Gen 32:7). In this case, the Gemara again explains Jacob's fear by citing the possibility that his sins subsequent to God's promise may have abrogated it. This Gemara uses the rabbinic phrase "*shema yigrom ha-het*" to explain this idea: Jacob might have lost the merit of miraculous Divine intervention if he sinned after the promise was made.[8]

Could this notion explain all the occasions on which Jacob is fearful? I think not. Jacob's fear at meeting Esau is unique because it reflects the depths to which he had sinned against Esau: "conscience makes cowards of us all." Even though God had promised to protect him *after* he had sinned against Esau, it was natural for him to fear that other subsequent sins might vitiate God's protection when it came to such grievous transgressions. Even more importantly, he might have been particularly afraid that a subsequent transgression he *knew* he

had committed against Esau—marrying Esau's intended, Leah[9]—could have abrogated God's gracious promise of protection. The midrash even relates that Jacob explicitly fears Esau's wrath over such a betrayal (*Tanhuma*, ed. Buber, *Vayetze* 12): "When I stole the blessings, Esau sought to kill me. Now, when I take his intended wife, he will leave Mahalath, the daughter of Ishmael [whom he had married], and he will come to me and say: 'Was it not enough for you, that you took my birthright and my blessing, you have also taken my intended?'" Even though, according to this midrash, Jacob tried to prevent this from happening by requesting Rachel's hand-in-marriage, Laban tricked Jacob into marrying Leah, and Jacob wound up marrying and, more problematically, remaining married to Esau's intended.[10]

Accepting that in Esau's case there might be a unique reason for concern, as reflected in *Berakhot* 4a, our original questions on the midrash regain their urgency: Why is Jacob afraid and why does he refuse to believe despite God's reassurance? I would like to suggest that the midrash feels comfortable in ascribing this fear and resultant refusal to ascend to Jacob because the Bible describes Jacob as an intrinsically fearful person on several occasions. Thus, in Gen. 31:31, we find Jacob telling Laban that he was afraid that Laban would "take his daughters by force"; in Gen. 32:7 we find Jacob "greatly frightened; in his anxiety…." of Esau, and even though Esau might be a special case, let's remember that God had just saved Jacob from Laban (Gen. 31:29, 42) and instructed angels to meet him at the borders of Canaan (Gen. 32:1)—actions that should have confirmed God's continued support;[11]and in Gen. 42:3 God reassures Jacob "Fear not to go down to Egypt…I Myself will also bring you back," thus implying that Jacob was afraid. Indeed, perhaps these verses form the context for the prophet Jeremiah's reassurances to the Jewish people, one of which the midrash already cited: "But you, have no fear, my servant Jacob…I will make an end of all the nations among which I have banished you" (Jer. 46:28); "But you, have no fear, my servant Jacob…I will deliver you from far away"(Jer. 30:10).

While the Bible does seem to characterize Jacob as fearful, the first time this occurs is following the ladder dream. Curiously, his fearfulness is not mentioned when he steals the blessing from Isaac. Surely Jacob must have been terrified when he walked into the tent and deceived his father! We must ask why this fear is only first mentioned in the Bible when Jacob reacts to his ladder dream and then several times later in his life? Did something happen when he stole the blessings that turned this apparently brave, stolid man into one prone to fear, and did the Bible picking up on this change, forevermore characterize him as a fearful man?

I would like to suggest that Jacob, like Isaac his father before him, suffered a very serious trauma, which led to this fear or anxiety. Isaac was traumatized by his father binding him to the altar on Mount Moriah,[12] with the midrash suggesting that his blindness was caused by the tears of the angels falling into his eyes.[13] Jacob, I would argue, was traumatized by his theft of the blessings and, in particular, by Isaac's reaction to this theft. As the Torah relates, at first, Jacob was only concerned about not getting caught and cursed for his troubles, but when Jacob, who barely made it out before Esau arrived (Gen. 27: 30, 33), heard Esau enter the tent and cry out in great pain, and then, quite possibly, heard Isaac's "very violent trembling"(Gen. 27:33) and painful declaration, "Your brother came with guile and took away your blessing" (Gen. 27:35), he could not fail to be traumatized by the emotion in his father's voice. Jacob became fearful both of what he had done and of others tricking him because he had tricked Isaac and Esau.

We are all familiar with the notion that certain character traits are passed on from father to son, thus a nervous father is likely to raise a nervous son. Turning to Abraham's family, as an example, let us look at intergenerational trust issues. Do these track from generation to generation? If so, might the parallel process of transmitting anxiety explain why Jacob's trauma at stealing the blessings is so immense? Would someone else have been less prone to be traumatized by the event?

According to the midrash Abraham was delivered into Nimrod's hands by none other than his father Terah. Nimrod than proceeded to throw Abraham into the fiery cauldron. Ishmael was exiled by his father Abraham (albeit at Sarah and God's behest). Isaac was bound on the altar by his father Abraham, and Jacob mistrusted his father to the degree that he felt compelled to trick him and steal the blessings. Jacob was repeatedly cheated by his proxy father figure, Laban. Jacob even expressed fear of his older brother Esau—the family breadwinner and seemingly destined heir. Any armchair psychologist would tell you that trusting one's father in these households was a loaded proposition; clearly this distrust was passed down from father to son. It would be no surprise if Isaac's anxiety and fearfulness at almost being slaughtered at the hands of his father was also transferred to Jacob over the course of their lives;[14] however, it took the trauma of Jacob's theft of the blessings to instill a full-blown case of anxiety in Jacob.

Recent scientific research—admittedly still in its infancy and some quite controversial[15]—on intergenerational and/or epigenetic transfer of trauma supports such a triggering of inborn or environmentally produced traits and suggests a number of ways it can occur. As *Lost in Transmission: Studies of Trauma Across Generations* summarizes: "what human beings cannot contain of their experience—what has been traumatically overwhelming, unbearable, unthinkable—falls out of social discourse, but very often on to and into the next generation as an *affective sensitivity* or a *chaotic urgency*."[16] As Dr. Mary Castelloe notes: "Psychic legacies are often passed on through unconscious cues or affective messages that flow between adult and child. Sometimes anxiety falls from one generation to the next through stories told."[17]

So whether the theft itself was the entire traumatic source of Jacob's fear (as the *Akedah* may have been Isaac's) or whether Jacob's fearfulness preceded his theft of the blessings, but was triggered into something much more devastating by this act,[18] following this event Jacob is characterized as fearful, in general, and especially fearful of engaging in further behavior that mimicked his theft of the blessing, in particular. Perhaps Francine Sharp, creator of Eye Movement Desensitization and Reprocessing (EMDR) Therapy, best expresses the two types of trauma Jacob may have undergone. He may have experienced small-"t" trauma—"an accumulation of lesser or less pronounced events that exceed our capacity to cope and cause a disruption in emotional functioning," or he may have experienced one big-"T" trauma—"a deeply disturbing or debilitating event" that leaves its psychological scar.[19] On the one hand, Jacob may have heard the the family story of the *Akedah* many times and/or implicitly intuited Isaac's abiding fear on a daily basis (both small-"t" traumas). On the other hand, he may have been radically traumatized in *Toldot* in the process of stealing the blessing (a big-"T" trauma). Either way, the small-"t" or big-"T" traumas may have triggered a genetically or epigenetically induced tendency to fear that became full-blown after the theft of the blessings.

The midrash, picking up on this characterization, seems to propose that Jacob's fear of taking a shortcut to success—avoiding the rocky road of life by engaging in trickery or guile, like stealing the blessings— is so extreme that he refuses to take any further dubious shortcuts, even if God guarantees that they are the right thing to do. He is no longer willing to listen to a future "Rebecca" commanding him to trick others and take shortcuts, and he is not willing to climb the ladder so he and his progeny can escape the vicissitudes of history and always remain ascendant. He prefers that he and his descendants gain their blessings through the appropriate, normative channels.

That Jacob's reluctance to engage in trickery or shortcuts even came into play when God spoke to him in the midrash, still seems difficult to understand. Perhaps it is related to the Abrahamic trust issues mentioned above. Perhaps Jacob was afraid to trust a God who was willing to allow him to skip the que. Perhaps, he feared that listening to God and ascending was failing the test. He must have been well aware of the test God gave Abraham at the *Akedah*, which seemed to have been cancelled at the very last second—where passing the test might have meant objecting to God's command, in the first place, or completing the task despite the angel's order to cease and desist. Jacob refers to God as "the God of my father...the Fear of Isaac" (Gen. 31:42). Perhaps, his intense fear of not doing the right thing ultimately stems from his relationship with an inscrutable God, who is similar to his inscrutable father.

As many have noted, the biblical story of Jacob's life seems to stress the punishment he received for tricking his father: His uncle Laban tricked him and gave him Leah, instead of Rachel—rubbing the salt in Jacob's wound by noting that "in our place" we do not give the younger before the older (Gen. 29:26), and ultimately this led to Jacob's ten sons tricking him and selling Joseph into slavery. The trick Laban played on him (and Rachel's apparent complicity) must have made it quite clear to Jacob that those who engage in dissembling and trickery will be punished in kind. So even if he had neither been fully traumatized by his theft of the blessing and Isaac's reaction nor developed a full-blown guilty conscience over stealing the blessing until he had dealings with Laban (though I have argued that he most probably did), Laban's trickery would have pierced any residual denial and forced him to face his problematic behavior. The secondary trauma of Laban's behavior would have reinforced the primary trauma of the theft of the blessing and increased his anxiety surrounding trickery and shortcuts.

Indeed, one might further postulate that when Jacob realized the culture of dissembling and trickery that his mother, Rebecca, had come from in Haran, he might have had an epiphany. Most commentators agree that he had never been overly keen on tricking Isaac, he had trusted his mother's advice and done so. Perhaps, when he met Laban and realized that his mother's instincts to cheat might have been based on the way matters had been handled in her father Betuel's household—and not solely on her prophetic insight into his need to receive the blessings—he suddenly, figuratively speaking, was seized with very violent trembling of his own, realizing that this mode of behavior was not Abrahamic at all.

Indeed, Jacob seems to have learned to abstain from trickery for his life can be read as an attempt to flee a life of trickery, to become a paragon of truth, of following the normative path. As Rabbi Jonathan Sacks masterfully demonstrates, Jacob comes clean and returns all three components of the blessing he stole to Esau (wealth, mastery, and land) when he meets him again (Jonathan Sacks, *Covenant and Conversation*, Toldot 5775). Jacob himself prays to God, stating that he is not worthy of "all the loving-kindness and all the truth" God had bestowed upon him (Gen. 32:11), while he sojourned in Laban's house. Jacob berates his sons for tricking the city of Shekhem and destroying Jacob's local reputation (Gen. 34:30). Jacob, ironically, rebukes Laban for constantly changing his wages (though he does reluctantly even the score by genetic manipulation, whose success he tellingly imputes to God, not to himself [Gen. 31:42]). Jacob maintains that he had no choice but to flee from Laban's house and certainly did not steal the household idols (Gen. 31:31-32). Finally, in Gen. 47:9, he tells Pharaoh the truth—he has had a hard and relatively short life—instead of praising the power and beneficence of his family God.[20] He even refuses to believe that the brothers harmed Joseph, preferring to turn a blind eye to their trickery.

Thus, perhaps Jacob did not climb the ladder in the midrash even though God told him to because he could not allow himself to trust God's reassurances or to take a shortcut, to cleverly bypass the normal course of human history *again*.

Having done so once and already perceived some of the evil such a course had wrought, he could not allow himself to repeat this mistake. He was traumatized, fearful of, and obsessed with not being Jacob the trickster again, no matter what his mother or father figures—Rebecca or God—might tell him to do. Indeed, he names his father's God—"the Fear of Isaac" (Gen. 31:42). Perhaps, in doing so, he is expressing his difficulty in trusting God and projecting his fear of the ever-looming punishment for tricking Isaac onto God.[21] Or, perhaps, he is labeling Isaac's God as the source of his trauma and anxiety, which led to these actions. [22]

[1] This article discusses the version of the midrash found in *Tanhuma*. Any differences in the parallel version in *Vayikra Rabbah* 29:2 do not impact upon the arguments made herein.

[2] Rabbi Yitzhak Hutner expands upon Jacob's fear that his progeny would sin and descend: Jacob feared that like any other nation, when the Jewish people became mighty, they would become divorced from their core values and fall. Hashem reassures him that since the Jews do not "finish off their fields"—over farm or overuse the material world— they will not fall into the trap of wealth and over-consumption. See a summary of this idea at http://torahdownunder.blogspot.co.il/2011/12/parshas-vayetze-dream-of-ladder.html.

[3] The Maharal of Prague (1520-1609) was also clearly disturbed by this midrash, so disturbed that he wrote a midrash on the midrash, wholly re-imagining Jacob's conversation with God. According to the Maharal, Jacob ultimately refused to ascend because he knew that his descendants would be unable to build and maintain the eternal, Divinely-inspired state, which God expected Jacob and the nation of Israel to build. In this reading, Jacob's fear is logical and the four enslavements or exiles are not a punishment but merely an opportunity for the children of Israel to ready themselves for this task. This reading is midrashic and not a literal interpretation of the midrash because the midrash does not state that Jacob disagreed with God's prognosis and then explained to God that He had "overlooked the fact" that Jacob's descendants were not yet ready. It says he did not believe.

[4] This logic is adopted by Rashi and Ibn Ezra. The rabbis employ the term *shema yigrom ha-het*. Nahmanides explains that the word "*im"*—translated as "if" above—is not introducing a condition, but making a declaration about the future, "when x happens, y will be the case."

[5] By the time *Tanhuma* was redacted in the medieval period, *Genesis Rabbah* was a canonical work. Though not every Master of the Midrash in Antiquity knew what every other one had said, it is extremely unlikely that the *Tanhuma* redactor would have been ignorant of this line of thinking.

[6] Rabbi Yehuda Herzl Henkin describes *peshat* commentary as restricting itself to "the necessary, the plausible, and the minimal." Midrash, in contrast, expands upon the verse unnecessarily, implausibly, and maximally. *Equality Lost: Essays in Torah Commentary, Halacha, and Jewish Thought* (Urim Publications, 1999). Our midrash here is a case in point since instead of resolving the problem linguistically as Nahmanides does by re-reading the word "*im,*" it chooses to present a dramatic interplay between God and Jacob that makes Jacob's lack of belief even more difficult to understand—though, perhaps, true to character, as we will see below.

[7] *Hullin* 91b, Rashi on Genesis 28:11.

[8] This concept is also utilized by the midrash to explain Avraham's fear after he won the battle against the four kings.

[9] See *Bava Batra* 123a; *Tanhuma*, ed. Buber, *Vayetze* 12. While this was not literally a sin, it was certainly another instance in which Jacob appropriated that which was meant for Esau.

[10] Although the Bible explicitly attributes Jacob's desire to marry Rachel to his love for her (Genesis 29:18), this midrash clarifies that he specifically asked to marry Rachel, the younger daughter, because he knew that Leah was promised to Esau. According to this midrash Jacob had initially intended to divorce Leah (*Gen. Rabbah* 96:31, [ed. Theodor-Albeck, MS. Vatican, p. 1241]). He ultimately chose not to because she was extremely fertile, forcing him to exclaim, "Will I divorce the mother of these?" (*Gen. Rabbah* 96:31 [ed. Theodor-Albeck, MS. Vatican, loc. cit.]). Curiously, God's decision to make Leah extremely fertile (Gen. 29:31-34) tested Jacob's resolve not to cross the line again where his brother was concerned. Jacob, for better or for worse, failed the test. The translation of *Tanhuma*, ed. Buber, above and the sources cited in this footnote are taken from Tamar Kadari "Leah: Midrash and Aggadah," *Jewish Women's Archives*, Encyclopedia. Accessed at https://jwa.org/encyclopedia/article/leah-midrash-and-aggadah, December 1, 2019.

[11] Of course, Jacob may have felt that God's recent salvation was precisely the reason for him to be concerned. Like Abraham following the battle against the four kings, he might have been afraid that he had used up all his merits (Rashi, Genesis 15:1), but even if this were the case, the angels meeting him do seem to imply that God is still on his side. Someone less prone to fear would have been reassured by this escort.

[12] Jewish tradition relates that the Temple was built on the cite of the *Akedah*, on Mount Moriah. Clearly, the Temple Mount is another gateway to the Heavens. Cf. *m. Ta'anit* 2:4

[13] *Genesis Rabbah* glossing Gen. 27:1. Avivah Gottlieb Zornberg artfully picks up on Isaac's trauma in A. Zornberg, *The Beginning of Desire: Reflections on Genesis* (Philadelphia/Jerusalem: JPS, 1995), 156 ff. She suggests that the *Akedah* triggered Isaac's "awareness of death," as demonstrated by his repeated references to death at the beginning of Gen. 27. This awareness henceforth fills every moment of his life. Following this exposition, Zornberg discusses the effect of the *Akedah* on Isaac's family, particularly Esau, who I might add would be termed "the identified patient," 160 ff.

[14] Indeed, Avivah Zornberg makes this claim, felicitously stating: "what cripples him [Jacob] is his sense of his father's crippling…[he] remains profoundly absorbed by his father's trauma" (Ibid., 238).

[15] The basic claim of epigenetics is that "trauma can leave a chemical mark on a person's genes, which then is passed down to subsequent generations. The mark doesn't directly damage the gene; there's no mutation. Instead it alters the mechanism by which the gene is converted into functioning proteins, or expressed. The alteration isn't genetic. It's epigenetic." Benedict Carey. "Can We Really Inherit Trauma," *New York Times* (December 10, 2018). Accessed online at https://www.nytimes.com/2018/12/10/health/mind-epigenetics-genes.html.

[16] *Lost in Transmission: Studies of Trauma Across Generations*, edited by M. Gerard Fromm (Karnac Books, 2012).

[17] Molly S. Castelloe. "How Trauma Is Carried Across Generations: Traumatic events can be passed onto the next generation." *Psychology Today Blog*, May 28, 2013. Accessed at https://www.psychologytoday.com/us/blog/the-me-in-we/201205/how-trauma-is-carried-across-generations.

[18] Jacob's description as a *yoshev ohalim*, a bookish type who did not go out hunting, may suggest a certain anxiety on his part about "biting off more than he could chew."

[19] Elyssa Barbash. "Different Types of Trauma: Small 't' versus Large 'T'" *Psychology Today* March 13, 2017. Accessed at https://www.psychologytoday.com/us/blog/trauma-and-hope/201703/different-types-trauma-small-t-versus-large-t on December 1, 2019.

[20] *Genesis Rabbah* 95:9 (ed. Theodor-Albeck) notes this faux pas and criticizes Jacob harshly. In the footnotes *ad locum* Theodor cites additional complementary midrashim.

[21] Curiously, it is Moses who is brutally straightforward with Pharaoh who could climb up the ladder at Sinai and climb back down and allow human history to continue in its course. Indeed, Moses is the quintessential man of truth who struck the Egyptian taskmaster, rebuked the fighting Hebrew slaves, and finally asked to see God's face, without any thought of the consequences to himself.

[22] In this essay, I have focused on the biblical antecedents and psychological dynamics supporting the midrash's reading. However, setting the midrash in its historical context or the history of contemporaneous ideas might also bear fruit. Some might suggest that this trope was ascribed to Jacob by the rabbis in order to berate the lack of faith or to bolster the faith of those in their own day who were afraid to "climb the ladder." Indeed, God's reaction to Jacob's refusal to ascend—dooming his descendants to exile—supports the notion that the midrash is rebuking those Jews who are living or who lived in the Holy Land who do not or did not try to take back the Temple Mount (where Jacob's dream occurs according to the midrash) and rebuild the Temple. In fact, the historical context of this midrash might be Bar Kokhba's rebellion, which Rabbi Akiva famously supported and others did not. *Vayikra Rabbah* goes out of its way to attribute the midrash to Rabbi Meir who was Rabbi Akiva's student. While we do not know R. Meir's politics, the connection is suggestive.

Alternately, one might suggest that the harshness of this midrashic indictment implies that it is polemicizing with another tradition: a mystical tradition, stemming from the *Hekhalot* literature that sees Jacob not only ascending to the Heavens but becoming like a god. Indeed, Elliot R. Wolfson in *Along the Path: Studies in Kabbalistic Myth, Symbolism and Hermeneutics* (SUNY, 1995) devotes an entire chapter, "The Image of Jacob," to a discussion of Jacob's iconic role in various mystical texts (including *Hekhalot Rabbati*) as "the link that connects heaven and earth... for he [Jacob] is in both places insofar as he is below but his image is engraved above" (18), as "a god in the lower entities" (22), and as a demiurge (30). From a mystical point of view, as Wolfson demonstrates, Jacob truly ascended the ladder and inhabits or spans the divine (and earthly) realms. Echoing this, Shamma Friedman has also remarked that "It is not surprising then that Jacob/Israel as God's chosen, was portrayed in rabbinic teachings as bearing the divine image in a unique sense, including exact facial features, the 'spit and image' of his Creator.... This is indeed the original meaning of the legend that Jacob's icon was engraved upon the Divine throne." (Overview of Shamma Friedman "Anthropomorphism and Its Eradication" in *Iconoclasm and Iconoclash,* edited by Willem van Asselt, Paul van Geest, Daniela Müller, and Theo Salemink [Oxford UP, 2007], pp. 157-178). So perhaps, our midrash is making a point: there is no way that Jacob would have even ascended to Heaven, let alone become god-like and stayed there.

Modern Technology Meets Tehum Shabbat

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Most Orthodox Jews today are largely unaware of their *tehum shabbat,* a critical aspect of Shabbat observance, roughly translated as the range of permitted walking for a Jew on the Shabbat day.[1] As part of the day of rest, Jews are enjoined to stay in one place, their city and its immediate outskirts, and may not leave the city beyond its immediate periphery. More specifically, one is permitted to transverse the entirety of one's own city, and also a maximum length of 2000 *amot* (a little more than half a mile)[2] outside their city. Someone who reaches the end of his *tehum*, even if he is in the center of another city, may not transverse the entirety of the second city. Two cities that are contiguous to one another, which contact each other directly, are halakhically considered to be one city for matters of the *tehum*, however, and consequently, determining where one city ends and another begins is more complicated than it seems. The Talmudic definition of a city includes any collection of homes with multiple houses all within 250 feet of one another (Rambam 28:1-2, 5, based on *Eiruvin* 57), even if technically they are parts of different municipalities. It is important to remember at the outset that the laws of *tehum shabbat* apply on Yom Tov as well, and so these laws also apply to Jews walking on Rosh Hashanah to hear the shofar, or on Pesah to a *Seder* as well.

Yet, although this law is a crucial one that applies each week, few Jewish communities have a publicly accessible online version of their *tehum shabbat* map for residents to use. The reason for the lack of public attention to the topic may be that until just recently, the laws of *tehum shabbat* were hard to apply practically in real world United States community living. *Tehum shabbat* requires the accurate measurement of large distances, at times over uneven terrain (see *Eiruvin* 57b-58b, Rambam *Laws of Shabbat* 28:11-16), and at times across others' private property, through safety fences, or over rivers. The Halakhah provides guidance on how to conduct these measurements, but it is only recently that modern technologies have enabled easy measurement of *tehum shabbat* distances. With online maps of the United States, satellite views of exact building sizes and shapes, and Google Maps' "distance measurement" tool, accurate *tehum shabbat* maps can now be prepared for each community, without having to rely upon estimation or the like. Additionally, the internet has allowed us to gain insight into the uses of buildings, which help determine if they can help extend the city limits. In light of these advances, it behooves every major Jewish community to harness these technologies in order to ensure accurate application of these laws in our contemporary period. Communities have already begun to make use of these new tools. For example, Rabbi Mordechai Millunchick has authored both a recent article "*Techum Shabbat* and the Airport" (*Journal of Halacha and Contemporary Society* LXXIV, 2017) and a somewhat older pamphlet *mi-Darkei ha-Tehum* (2007) establishing the boundaries of the *tehum* for much of the greater Chicago area. This essay uses the greater Boston area as a case study, describing how many of the same tools can be used in establishing the *tehum*.

In general, each community has its own unique *tehum* map and its own unique terrain. Yet, many large cities face similar conceptual questions, and so our discussion below of two topics in the *tehum* - crossing rivers and the "city that was shaped as a rainbow" - applies to other cities as well.

Can the *tehum* cross a river?

The problem of whether a Jew's range of permitted walking on Shabbat can cross a river is not a new one, yet it carries greater contemporary relevance as urban metropolises and suburban sprawl have increased the incidence of occasions when Jews wish to walk across a river on Shabbat. The Talmud discusses whether the *tehum shabbat* can cross a river or stream on two separate occasions, each time indicating that typically, halakhic city borders cannot cross rivers or streams.[3]

Eiruvin 57b describes two cities, Ctesiphon and Ardshir, which reside on opposite sides of the Tigris river.[4] Even if the river were very narrow, a mere 250 feet apart or so, the Talmud assumes that the two cities were broken into two different places for the laws of *tehum shabbat*. This seems to demonstrate fairly clearly that even narrow rivers can cleave cities into two and complicate a Jew's ability to walk long distances across those rivers on Shabbat. Netziv (*Meishiv Davar* 4:58) rules accordingly that rivers usually divide cities into two, unless the rivers are *very* narrow, and a bridge connects the two sides of the river. This is important since one is permitted to transverse the entirety of one's own city, but not a different city. Thus, if the river divides the area into two different cities, a Jew's path of travel could easily be cut in half.

A second discussion in the Talmud (61a, Rambam 28:9) may reach a similar conclusion according to many *Rishonim*, as a result of a more complicated fact pattern. The Talmud discusses a city that borders a stream, and at first glance gives two options for determining the limits of the city, which seem to debate our exact question: either one measures the city from the last row of *homes*, or one measures the city from the far side of the *river* bank, assuming that a barrier was constructed to include the river-bank as part of the city. Thus, initially it appears to be a Talmudic debate if rivers can be part of a city or not. Yet, Rashba and Ritva reject the view that a river could be part of a city, since in their view, a city is defined by its structures, something a river lacks. Perhaps for this reason, Rashi refuses to read the case as referring to a river, and says that it does not involve crossing water of any kind. Similarly, Rabad (*Katuv Sham*) limits the entire discussion to a very thin and narrow river, as large rivers cannot become parts of cities, as above. Though *Shulhan Arukh* is lenient (398:9) to

permit inclusion of a small river that dries up each summer in the city, *Mishnah Berurah* (398:46) warns that this case should not be expanded to other rivers since "many *Rishonim* disagree and argue that the river is [outside the city], and we should not add to this case!"

In summary, the presence of a river running through a city divides that city into two separate smaller cities, in most – if not all – cases. Any Jewish community of two neighboring towns with a river between them faces a problem limiting how far they can walk on Shabbat. Responsa *Minhat Yitzhak* was asked about the East River in the 1970s (7:24) and similarly struggled to find a solution.[5] Today, a similar question could be considered in other communities as well: the Hackensack River is a barrier between Teaneck, NJ, and Hackensack University Medical Center, the Potomac River is a barrier between Reagan National Airport and the Jewish community of Washington, D.C.

May a Jew Walk from Cambridge to Boston/Brookline on Shabbat? A Tale of One River and Two Cities

Boston and Cambridge are two separate municipalities located in the state of Massachusetts and have existed separately from one another for nearly 400 years since their founding in 1630. They have separate school systems, separate city governments, and are even located in two separate counties – Suffolk and Middlesex, respectively – even though some parts of Cambridge do share a Congressional District with the bulk of Boston. At the same time, the two cities do share an economy, and many Boston residents work in Cambridge and vice versa. The two cities also share a public transportation system, including both a subway and local buses. Even regarding the Jewish communities of Boston/Brookline and Cambridge, there is reason to question whether they should be considered one or two cities halakhically. The two cities have their own *eiruvin* which do not connect with each other.[6] On the other hand, the communities share the same schools, restaurants, and *mikvaot*, and the southern part of Cambridge, where the Jewish community is located, is within walking distance of the larger Jewish community located in the western parts of Boston and its suburbs. It is clear that all of the housing in Cambridge is halakhically defined as one city, as is all housing in Boston and its suburbs, since each home is within 250 feet of another home.[7] But Boston area residents and visitors are bound to ask whether Boston/Brookline and Cambridge are considered one combined city, such that one can cross from one to the other on Shabbat, or whether they are two cities, limiting the distance one can enter into the other city substantially.

At first glance, it seems that one would need to consider the two municipalities as separate cities on account of the river that passes between them, the Charles River. Much of the river is a half mile wide, and Cambridge walkers are likely to cross at one of five major bridges. Each of these bridges is *short* enough that a Jew residing in one city would be allowed to cross them on Shabbat (the lengths of two of the bridges are approximately 2000 feet, the length of one bridge is just shy of 1000 feet, and the lengths of the last two bridges are just under 500 feet[8]), yet they are all *long* enough that they should serve to separate Cambridge and Brookline into two cities, as they are all longer than the approximately 250 feet that the Talmud assumes would split a city into two. Thus, it seems a Jew would expend the majority of his or her permitted walking distance just by crossing the river – they could only walk a few feet in the other city upon entry. Moreover, it is clear that when leaving Cambridge on Shabbat, a Jew must leave the residential area; one would first leave the residential city of Cambridge, then cross a highway, a bike path, and public parkland, before reaching the bridge and crossing the river. Both of these factors indicate that a Jew should indeed be allowed to leave his or her home in the city of Cambridge and walk 2000 *amot* crossing the river and entering Boston – but would not be allowed to go substantially further upon entry to Boston, since someone who reaches the end of his or her *tehum* may not transverse the entirety of the second city.

Yet, there are reasons to doubt this determination. Three different *Gedolim* of the previous generation living in Brookline, a Boston suburb – Rabbi Joseph B. Soloveitchik (the Rav *zt"l*), Rabbi Levi Yitzchak Horowitz (the previous Bostoner Rebbe *zt"l*), and Rabbi Yitzchak Twersky (the previous Talner Rebbe, *zt"l*) – regularly hosted college students from Cambridge in Brookline on Shabbat and Yom Tov.[9] These *Gedolim* did not ask their students to avoid crossing the river because of a *tehum shabbat* issue.[10] Thus, it behooves us to clarify the laws of *tehum shabbat* and explain whether this long-standing practice of crossing the river is permissible or prohibited under Jewish law, and thereby determine whether there are permitted ways for the *tehum shabbat* to permissibly cross over a river.

Solutions Involving Artificially Combining the Cities

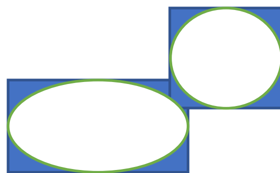
Two solutions are discussed in the responsa and commentaries as to how to combine two disjointed cities to allow walking from one to the other on Shabbat. Both of these two solutions are controversial, as they essentially combine two separate, distinct places using artificial criteria. The first solution – though still held widely in the popular imagination – is clearly unacceptable according to *poskim* who rule based on the Talmudic criteria. The second solution is subject to significant debate, and so it is best not to rely on that solution either to permit the crossing of a river on Shabbat.

Both solutions use a separate, artificial "city-expansion" to allow the two different cities to combine into one large, artificial city. This involves finding a point on the map that is accessible to both cities and using that commonly held space as the fulcrum to combine the two cities.

The first solution simply relies on the fact that there are areas which are common to both *tehumim* to combine the cities into one. If that solution were a valid one, it would clearly apply

here. Since the Charles River has a length of less than 2000 *amot* in many locations, it is self-evident that there are many places at the edges of both Cambridge and Boston that are included in the *tehumim* of both cities. Yet, it is clear from the *Rishonim* (Rambam 27:5-8) and later *Poskim* (*Mishnah Berurah* 408:11) that the existence of common spaces is irrelevant. Yes, when two cities are close to each other, residents near the borders may visit each other's houses, but it does not combine the two smaller cities into one larger city-unit. It is indeed clear that two distinct municipalities a mere 250 feet apart are considered two cities, and the fact that the *tehumim* of the two locations overlap does not combine the cities.

The situation is more complicated when considering two cities whose halakhic "squares" overlap. The Talmud (*Eiruvin* 52b-57a) and *Shulhan Arukh* (398:1-3, see also *Biur Halakhah* 399:10) rule that before measuring the location one may walk in on Shabbat, one first must square off the city to create a perfect rectangle whose sides each run parallel to the four compass directions (*Eiruvin* 56a), and whose corners face due Northeast, Northwest, Southeast, and Southwest.[11] Two irregularly shaped cities that are close to each other can be squared in such a way that the squares of the cities overlap with each other, even though the cities do not. Residents of New York city may be acquainted with another application of this question as the squares of Manhattan and the Bronx similarly overlap.



Cambridge and its attached suburbs run roughly the same distance from east to west as Boston and its suburbs. The two cities run from roughly 71.01 to the east and 71.15 in the west, as can be measured on Google Maps. However, rather than being shaped like a rectangle, the two cities are each shaped like a "U"; the southernmost part of Cambridge is further south than the northernmost part of Boston/Brookline/Newton. Thus, were we to assemble a box using the most extreme coordinates of Cambridge, that box would enter into parts of Brookline and Newton, and vice versa. Is that sufficient to combine the cities?

Using this leniency is a matter of controversy. The Talmud never writes that if the squarings off of the cities overlap then the two cities automatically become one, and to some the silence of the Talmud on the issue is enough to counsel stringency. Indeed, in our case, it is merely a legalistic, artificial connection; it is sheer coincidence that the meandering path of the river causes some parts of Cambridge to be further south than other parts of Boston, but it does not change the lived experience of the two locations. Many *Aharonim* are of the view that the squaring off of the city is a leniency provided to facilitate ease and efficiency of *tehum* measurement, and that there is no room to argue that the overlapping of the squares combines the two cities.[12] Considering the weight of opinions against the use of this solution, it is difficult to follow the lenient view on this issue.

Consequently, we remain with our original question. How can two separate cities be combined in such a way to allow individuals to walk from one to the other if a river runs between them?

The City that Was Shaped Like a Rainbow

The Talmud (*Eiruvin* 55a) has a lengthy discussion regarding cities which have unusual shapes, and the way to consider the footprint of the cities of those unusual shapes. Above, we discussed the squaring-off of a city which turns a city of irregular shape into a perfect rectangle. A different scenario addressed by the Talmud is a city which is shaped like a rainbow. This scenario applies even to a city in the wilderness with no city nearby or bodies of water in the area.

What is a city shaped like a rainbow? Imagine a city shaped like an arc. The two endpoints of the arc are far away from each other, and the city curves along the arc from those endpoints towards a vertex in the middle. It is obvious that on Shabbat one would be permitted to walk along and through the entire arc, from one endpoint to the other, even if doing so involved walking many miles, because one will have remained in the residential city for the entire time. This is because, as mentioned earlier, the Talmudic definition of a city is any collection of homes with multiple houses all within 250 feet of one another. As long as the houses remain within that distance of each other, one may traverse the entire arc.

Yet, what would happen if one were to take a shortcut by walking instead outside the city, using the straight line that connects the endpoints (i.e., the chord of the arc)? Practically, one has left the city. But conceptually, one has merely walked from one end of the city to another in the shortest way possible, albeit outside, and so perhaps one has been in the city the entire time.

The Talmud (*Eiruvin* 55a) rules:

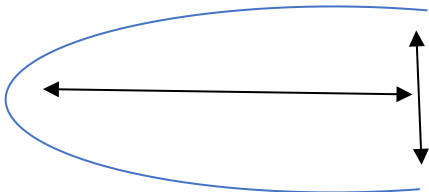
> If [a city] is shaped like a rainbow or like the letter Gamma, we imagine it is filled with houses and courtyards, and measure 2000 *amot* from there. Rav Huna said, if a city is shaped like a rainbow, if there is less than 4000 *amot* between the two endpoints of the arc – then we measure from the "extra" (the chord or base of the arc), and if not, we measure from the vertex…. And what is the maximum distance between the vertex to the base? Rabba bar Rav Hunah said 2000 *amot*, Rava his son said even more than 2000 *amot*. Abaye said, Rava is reasonable, because if he wanted to return to his origin, he can continue via the way of the homes.[13]

This confusing section of Talmud details three different measurements needed to evaluate the status of a city shaped like a rainbow.

(a) The chord connecting the two endpoints must be 4000 *amot* or less for the two endpoints to be connected into one city. If it is more than 4000 *amot*, the endpoints are not united.[14]

(b) The sagitta of the city (the distance between the vertex and the base) is limited to 2000 *amot* according to the view of Rabba. Yet, the halakhah follows the expansive view of his son Rava which places no limit on this distance (Rambam 28:8, *Shulhan Arukh* 398:4).[15]

(c) All homes within the arc must be close enough to each other such that while walking the arc all the homes are all considered to be part of the same city.[16]



It is unclear how many cities in the history of Jewish communal living have met the criteria of being shaped like a rainbow, but closer inspection of the map of Cambridge, Boston, Brighton, Brookline, and Newton indicates that, indeed, this city qualifies.

The Charles River, like many rivers, begins as a narrow waterway further inland, and widens at various degrees as it heads eastward out to sea. To this point, we have evaluated the width of the river *at the place of the Jew's crossing*, where the Jew traversing the river would wish to cross and have discovered that all of the river crossings far exceed the measurements needed to combine two cities. Yet, this Talmudic discussion demonstrates that so long as the two cities are connected at their vertex at some point, the two endpoints (in our case, the cities of "Cambridge" and "Boston") can be considered as one city, even if the sagitta is many miles, and even if the endpoints are 4000 *amot* apart.

In our case, the two cities are connected at a vertex in the far westernmost area of the two cities (the aptly named "Bridge Street" in Watertown).[17] Since the river is narrower at the vertex, the two cities on the two sides of the river are unified at the vertex (buildings on two sides of the river are roughly 150 feet apart, as can be measured using google maps satellite imagery and the "measure distance tool").[18] At the vertex, the Charles River models the conclusion of the Talmud regarding the Tigris river (57b) that there is no per se problem of including a river in the *tehum*, so long as the raw width requirements (<250 feet) are met. The chord between the endpoints is less than 4000 *amot* (even the longest river crossings are in the vicinity of only a half a mile). Thus, the two cities are one: Cambridge/Boston is considered halakhically to be one large city, shaped like a rainbow, or the English letter "C." The sagitta exceeds five miles, but that point is moot to our calculation, given Abaye's ruling. Now, once the entire region is considered one city, an individual may walk from one end point to the other, even via the gap of uninhabited space in the middle of the arc between the endpoints, as it is all one city. As Rashi puts it in his commentary on the Talmud: we imagine the inner space is "filled with homes," and so it is entirely part of the city in every way.

This determination is something that would have been virtually impossible prior to the easy access of modern technologies. To make this determination, we needed to make two assertions: 1. Boston and its suburbs are one contiguous city westward until Bridge Street, and Cambridge is one contiguous city westward until Bridge Street. 2. The bridge at Bridge Street is narrow enough to combine the cities. The first assertion requires us to be able to make precise measurements of the distances between houses across that whole area, and the second requires us to be able to precisely measure the distance between the buildings on the two sides of the bridge. Previously, the only way to measure how close to homes were to each other would have been to bring a team of individuals armed with tape measures onto the properties of other - often non-Jewish - people, and painstakingly measure the distance from the exterior wall of one home to the next. Alternatively, researchers could scour over pages of site plans in the town's registry of deeds, and hope they accurately captured the exact locations of the residential structures in the town. Today, satellite photos give accurate determinations of the locations of structures, and the Google Maps "measure distance" feature allows the community leaders to measure distance between structures from the comfort of their home, without driving out to multiple locations and measuring by hand.

Did the Coronavirus pandemic change the *tehum*?

Though we have identified a potential solution to this problem, one issue remains - making sure that the structures on both sides of the city meet the halakhic status of residential structures needed to be considered part of the city for measuring the *tehum*. Ideally, all the homes in one unified city would be residential structures – used by private individuals to live, eat, and sleep in. The Talmud refers to "homes" in its discussion of *tehumim*, and for much of Jewish history, one imagines that most structures would have at least some residential use. The Talmud explicitly excludes certain types of structures from the residential city because of their non-residential character, including a synagogue,[19] a bathhouse, a storage place, a bridge-house, and a cemetery, assuming those structures do not also have an apartment or living space for the individual who works there (Rambam 28:2-3, *Shulhan Arukh* 398:6). When considering the vital connection between the two sides of Bridge Street that span the Charles River, the two buildings on either side, which sit less than 150 feet apart,

are both commercial buildings. This begs the question of whether commercial buildings are sufficient to be considered residential structures for the laws of *tehum shabbat.* Are they analogous to homes, or comparable to storehouses or synagogues? This question is a common one when trying to span a river for the purposes of *tehum shabbat*, for commercial or industrial buildings are more frequently found near a river than are buildings that are purely residential. There are numerous views on this question:

(a) One could posit theoretically that any structure with four walls and a roof is residential space to create a city for the *tehum shabbat*. This is seemingly disproven on the basis of the synagogue being excluded (also rejected by *Shevet Ha-Levi* 4:40).

(b) Office space used for large portions of the day suffices even if it is not used for residential purposes (perhaps arguing on the basis of Ritva 61a and the stream in the city).

(c) Office spaces used for eating, a conventionally residential purpose, are considered residential structures for *tehum shabbat* (Responsa *Shevet Ha-Levi* 1:59).[20]

(d) Only homes where people usually eat and sleep suffice to combine a city for *tehum shabbat*.

The Hazon Ish (*Orah Hayyim* 110:28) argues that the criteria to be considered a residential structure should hinge on a different discussion in Tractate *Eiruvin* regarding the permissibility of carrying between multiple homes in one courtyard, "*eiruv hatzeirot*." The Talmud (*Eiruvin* 72b-73a) cites a debate whether one's home is defined primarily as the place one sleeps or the place that one eats, with *Shulhan Arukh* concluding that the place one eats is primary (370:5). The Talmud continues with an application to *tehum shabbat*, discussing whether a shepherd's primary residence is set by eating or sleeping. This might establish that the primary factor in defining whether a building is residential is whether people eat there regularly.

Because it is the building's specific uses which determines its status for *tehum shabbat*, and not merely its categorization of residential or commercial, it is important to be able to ascertain the uses of a given building. Here too, modern technology makes the job much easier. For *tehum shabbat*, most rabbis would recommend an on-site inspection of the building to determine its usage type and time, yet when this is not possible, online architectural portfolios provide insight of building uses much faster than site inspections. Such portfolios can be used in our scenario. One of the two buildings in our case, the "Riverworks" building, is a more than 100 year old structure that originally was used for industrial purposes as a mill.[21] Today, it is an office building used for most hours of the day, and as can be seen on its website, it includes a large cafeteria and participates in regular residential uses.

What is the halakhic status of the Riverworks building? If we use the argument of the Hazon Ish, that the primary factor in defining whether a building is residential is whether people eat there regularly, the presence of the cafeteria would indicate that the building could be considered residential. Yet, there are three reasons to question the applicability of Hazon Ish's argument. First, the laws of establishing *primary residence* or living space for *eiruv hatzeirot* may be different from the laws of defining a *structure* as residential space for the *tehum shabbat*. Second, Hazon Ish, himself, questions whether haphazard eating in an office space suffices as being considered real eating space. In this regard, the presence of the café in the building may be critical in establishing the building's residential status, as it signals formal eating and not merely haphazard consumption of lunch at a work-desk. Third, students who sleep and learn with their teacher but eat elsewhere (73a) have their primary residence set by the place they sleep and spend most of their daily hours; this complicates the question of whether eating in a structure is sufficient by itself to define the structure as a residence.

If we can consider the Riverworks building to be residential, then we may actually have less of a gap between the two cities than we initially thought. Inspection of the entire Riverworks property verifies that the entire property is surrounded by a fenced in yard, descending almost directly to the banks of the Charles River. Though not necessary in our case, this might also allow us to consider the entire campus as residential space (see *Shulhan Arukh* 396:2),[22] since the fence makes the riverbanks part of the larger residential campus. This in turn makes the gap between the towns north and south of the river even smaller.

The building on the other side of the river at Bridge Street is a conventional office building with a series of offices. Prior to the Coronavirus pandemic, it was used for large portions of the day, but not necessarily for the majority of daylight hours each day of the week. One wishing to walk from Cambridge to Brookline would need to adopt the view that any use of a building for extended hours suffices to consider it residential for purposes of *tehum shabbat*, even if eating is in a haphazard, on-the-run manner.[23] One wonders, however, whether the building would have lost its status while left vacant for three months of coronavirus shut-downs. Perhaps for that period of time, the building would not be considered a residential structure, and would not be able to bridge the two cities into one. This leads us to another advantage of having online community *tehum shabbat* maps: they allow for quick adjustment when key buildings are knocked down or shuttered. Published, written maps are not easily adaptable under changing circumstances.

Ancient Law and Contemporary Halakhah

We live at an exciting time for the exploration of the laws of *tehum shabbat*. The increased suburbanization of America and the spread of Jewish communities has created more and more scenarios of Jews in nearby communities wanting to walk long

distances, not through contiguous city space on Shabbat. Local communities, especially new ones, must prepare *tehum shabbat* maps for their communities to indicate where individuals may and may not walk on Shabbat. As challenging as the drafting of these maps may have been in the past, the current sprawl of cities make it that much harder for rabbis to determine precisely where one city ends and another begins, and new specialists in the laws of *tehum shabbat* must become experts in knowing how to measure the locations one may or may not walk. Yet, at the same time as our current time creates greater challenges, the internet and modern mapping technologies provide communities with the tools to analyze the reality more than ever before.

Tehum shabbat maps can also be variable, and not static. We have demonstrated that the ability of individuals to walk from thousands of Cambridge residences to thousands of Boston residences may hinge on the status of a handful of buildings. When those buildings are knocked down, or emptied for renovations, the entire map of permitted walking might change. Though generally left to the wayside, there is much analysis that can be done in the area of *tehum shabbat*, especially in our modern era and contemporary time.

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[1] There is a well-known debate whether the laws of *tehum shabbat* are Rabbinic, Biblical, or both. The key source text is *Shabbat* 69a, which implies it is only the unique view of Rabbi Akiva that believes it is Biblical. See *Sotah* 27b, Rambam, *Mishneh Torah: Laws of Shabbat* 27:1-2, Ramban *Eiruvin* 17b, *Arukh ha-Shulhan* 397:1.

Henceforth, all unmarked references to the Talmud are to *Talmud Eiruvin*, and all to Rambam are to Rambam, *Mishneh Torah: Laws of Shabbat*. All to *Shulhan Arukh* and its derivative works are to *Orah Hayyim*, in the Laws of *Eiruvin*. It is interesting that while the Talmud and *Shulhan Arukh* included the laws of *tehum* in the same section as the laws of establishing boundaries for permitted carrying (*eiruv hatzeirot*), Rambam did not, as the laws of the *tehum* generally share few common principles with the laws of carrying; rather, he included them in the laws of Shabbat more generally.

[2] 2000 *amot* is a measurement of a city's outskirts for other Biblical laws as well, see Numbers 35:1-5.

[3] The rule is likely different for small lakes as they can be surrounded entirely by homes of the city in all directions, and this makes crossing the lake on a bridge across the diameter less problematic; although that discussion is outside of the scope of this essay.

[4] The Tigris is called the "Diglath" in Aramaic and "Hidekel" in Hebrew. See *Targum* to Genesis 2:14, Rashi to *Bava Kama* 30a, and *Berakhot* 59b. The letters of the two names are similar, with "g" and "k" often swapping in Hebrew. Ctesiphon is an ancient city that was located in the general vicinity of modern-day Baghdad.

[5] Ritva gives a reply to defend how the *tehum* can cross the water, but he recognizes how difficult his reading is.

A river impacts the two different laws of *eiruv* differently. For the *tehum*, or walking distance, a river is a barrier that can almost definitely not be included as part of the city, because it lacks a residential *structure*. For carrying on Shabbat, however, a river that is used by the town can be included within the *eiruv* under certain circumstances, see *Shulhan Arukh* 358:11, since it has residential *usage*. The aforementioned responsum of Netziv similarly notes that the definition of a city for the laws of g*ittin* might depend on municipal boundaries, but the laws of *tehum* follow entirely different criteria.

[6] Should being in the same *eiruv* for the laws of carrying have any impact on *tehum shabbat*? *Eiruvin* 57b uses a wall to establish the end of the city, even if it is not, itself, a home, and this opens the possibility that a city's boundaries might be set by the theoretical boundaries of the *eiruv*. See Millunchick, "Airport" 47 and *Mi-Darkei* 7, citing Magen Avraham to *Shulhan Arukh* 401 and *Shut Shevet Ha-Levi* 6:46:1. *Minhat Shelomoh* 2:59 also adopts the view that a carrying *eiruv* can unify two cities for the purpose of the *tehum*. (That responsum is an important one as it also considers the Hadassah Ein Kerem hospital a vital residential space of the city even though it is not a usual residential home, see the final section of this essay.).

[7] A brief summary of this principle and its basic applications in English can be found in Rabbi Dovid Ribiat, *The 39 Melochos* (Lakewood, NJ: Misrad Hasefer, 2004) Vol. 4, 1386-1394. Each house is considered to be surrounded by 70 and 2/3 a*mot* of residential space around it. This space is doubled when two cities are near each other, and so long as there are 141 and 1/3 a*mot* between the two cities, they are considered contiguous and thus combine. Calculating an a*mah* as 21.25 inches as per Rabbi Moshe Feinstein (*Igrot Moshe* 1:136), this calculation gives us just over 250 feet as the maximum distance between two nearby towns to be considered one city. Obviously, if one took a view that an *amah* is less than this measurement, the towns would need to be closer. For example, if an a*mah* is 18 inches, then the two spaces could only be 212 feet apart.

Unlike Cambridge, the Boston suburbs south of the river including Brookline and Newton are contiguous with the city of Boston. Consequently, though they have separate representatives in congress, separate school systems, and

separate tax bases, they are clearly considered to be one city with Boston for *tehum shabbat*.

[8] There are a number of other bridges between 250 feet and 500 feet. For more on the many crossings of the Charles River, see Karl Haglund, *Inventing the Charles River* (Cambridge, MA: MIT Press, 2003), especially 380-427.

[9] See Sherry Israel, “Moving Apart and Growing Together: 1967-1994” in *The Jews of Boston* eds. Jonathan Sarna et al. (New Haven: Yale University Press, 2005), 107-120.

[10] Regarding *tehum* shabbat, past recollections bear significant weight, perhaps owing to the difficulty of measurement. See Rambam 28:17-19.

[11] In almost all cases. There are some exceptions to this rule, but they do not concern our case.

[12] See Millunchick, “Airport, ”49-51 and *Mi-Darkei,* 13-20 for further discussion. The Talmudic evidence and opinions of the early *Rishonim* support the stringent view, which is also taken by many prominent *Aharonim* and contemporary authorities. Among the proofs is the aforementioned discussion of the Tigris river, where a mere 250 feet gap is sufficient to divide the cities, though such a case would almost certainly also have involved some overlap of corners. *Minhat Yitzhak* 8:33 brings a proof from the city shaped like a rainbow, discussed below, although his conceptual understanding of the case (that it involves touching squares) could easily be rejected (as it may relate instead to the methodology of squaring *one* city and not *two* nearby cities). See also Michael Bleicher, *Zekher Yitzhak: Tehum Shabbat U-Medidato* (Jerusalem: Sha’ar Hamishpat, 2002), 21, who is also lenient.

[13] This appears to be a special rule regarding how one squares off a city. As we have seen, *Minhat Yitzhak* (8:30) understands this case as an example of two cities whose square’s touch, but this does not seem to be the criteria at use here from the context of the Talmud.

[14] It is for this reason that the U-shaped rainbow or arc formed by connecting Boston’s North End and the Brighton community is irrelevant to this discussion, because the two endpoints are more than 2 miles apart. Yet, the C-shaped arc connecting Cambridge’s East End through to Boston’s North End features end points that are less than 4000 *Amot* apart.
[As the rainbow expands, one can choose to apply the rule of the rainbow from the vertex until the endpoints are 4000 *amot* apart, even if the arc continues past that point, see *Mishnah Berurah* 398:16.]

[15] Millunchick, “Airport,” 49, limits this to 2000 *amot*, without further explanation, following the stringent view in the Talmud. Yet Rambam, Rama, *Arukh Ha-Shulhan*, and *Mishnah Berurah* all follow the lenient view that the sagitta can be even further than 2000, so long as the endpoints of the chord are within 4000 of each other.
Rama adds an additional leniency regarding spaces where the endpoints had already grown more than 4000 *amot* apart before the sagitta reached 2000 *amot*; this view is more controversial (see *Biur Halakhah*) and is also not relevant to our discussion. There is a major confusion as to how *Beit Yosef* and *Perishah* understood this halakhah, but since the general practice will follow Rama and the way the Rishonim understood the Gemara, we will refrain from the details of that debate.

[16] The establishment of the *tehum* when these criteria are not all met is far more complicated. See Ritva *loc. cit.*, and *Shulhan Arukh* 398:4.

[17] There are a number of crossings, which span the river in this area, when it is quite narrow. Yet, as we shall see, the span of the bridge is less critical than the measurement between buildings on either side of the span. It is for this reason that many of the bridges in the area cannot be used. The Newton Street Bridge might be a possible crossing, although its span is longer than that of the Bridge Street Bridge.

[18] The two parts of the two buildings that are closest to each other are 170 feet apart, as per the google maps distance calculator, well short of the 250 feet maximum between the two buildings to be considered essentially one city.

[19] Interestingly, a *Beit Midrash* is different because people eat and sleep there. One wonders whether this distinction is actionable today as people eat both in synagogues and study halls but sleep in neither. See *Arukh ha-Shulhan* 398:14.

[20] He offers one line of analysis: “And that which he asked about *tehumim* if a factory where people eat is considered residential space to leave an *eiruv* there, from the simple reading of the Talmud and authorities in *Siman* 398 it is considered residential space.”

[21] http://www.charlesrivermilldistrict.com/mill-buildings/riverworks.

[22] See *Mi-Darkei*, 11. Bridge Street is just outside the Boston *Eruv*, however, and so the *eiruv* alone does not suffice to combine the cities.

[23] Should one not wish to accept this leniency, one could also be lenient on the basis of the earlier discussion regarding the overlapping squares combining the cities.

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