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AS ONE PERSON WITH ONE HEART: MISUNDERSTOOD IN UNISON

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If there was ever an idealized version of Jewish unity, it would have to be the description of the Israelites at Mount Sinai.[1] The verse which describes the encampment (Exodus 19:2) uses the singular term " [Israel] encamped" (*va-yihan*), instead of the plural "[they] encamped" (*va-yahanu*). Citing the Midrash's explanation of this discrepancy,[2] Rashi famously comments that the Israelites were at that time united "as one person with one heart." Yet while Rashi's comments, rooted in the midrash, are familiar, their precise meaning is ambiguous. What exactly does ahdut mean in this context? Is this equivalent to the unity (*ahdut*) commonly understood as seeing everyone as being part of a larger whole, which is often how Rashi is understood; or, might there be another meaning and significance of the unity described by the *midrash*?[3]

In order to answer this question, we will first identify the types of unity that are found in Greek thought, which, broadly speaking, is the intellectual environment wherein the midrash is composed. I will then study the relevant *midrashim*, with a particular focus on the contrast between the earlier strife and the unity at Sinai, the duration of the unity, and the reason it is juxtaposed with the reception of the Torah. These insights will help us define the nature and scope of the unity at Sinai, revealing a new understanding that cuts against the conventional understanding of Rashi's gloss.

In his book, *The Unity of Mankind in Greek Thought*, H.C. Baldry traces the idea of unity from its roots in Homer up to and including Menander. As Baldry notes almost immediately, from this wide range

[1] This article is based on a lecture I delivered at Shaarei Shomayim Synagogue in Toronto, Canada, as part of the Scholars Among Us program. I thank Rabbi Elliot Diamond for arranging this lecture series. Regarding the unity at Sinai, see, for example, Shlomo Ephraim Luntschitz, Kli Yakar: Exodus 19:2, Hamishah Humshei Torah: Rav Peninim (Jerusalem: Friedman Levin-Epstein, 1977), 333; and R. Tzadok Ha-Kohen, Peri Tzadik: Re'eh (Lublin, Shneidmesser & Herschenhorn, 1901-1934), 70.

[2] The best known version of this *midrash* is in *Mekhilta de-Rabbi Yishmael,* dating to the fourth century: "And they encamped there: Any time is says 'and they journeyed' and 'they encamped,' they journeyed with strife and encamped with strife; but here they all equated their hearts as one. That is why it says, 'and [Israel] encamped in front of the mountain'" (*Masekhta de-Bahodesh*, *Parshah* 1, ed. Meir Ish Shalom: Om Publishing, 1948, 62).

[3] In his commentary on Exodus 19:2, Meir Leibush Malbim uses a variation of that term: he writes that before Mount Sinai, the Israelites "did not yet become united (*hitahdu*) as one person." See also Yosef ben Shimshon Stadthagen, who writes that that unity exceeded the love between brothers, adding that it was "great love and eternal love" (Stadthagen, *Divrei Zicharon*, Amsterdam: E. Etias, 1705, 71).

of thinkers, we do not encounter a wholesale idea of unity. In the works of Homer, for instance, people are united in "misery and feebleness," which Baldry notes is true of Greek poetry in general.[4] But this shared characteristic is not substantial enough to replace other divisions among human beings, such when Homer underscores physical differences between nobles and the multitudes.[5]

To cite another example, Gorgias, a sophist who died in 380 BCE, sees a difference between Greeks and barbarians.[6] It is also in his writings that the term *homonoia*, a reference to a shared point of view, appears. The same word can also be found in a prayer of Alexander the Great, as recounted by Arrian. It is also significant that, as Baldry notes, the term there is likely not referring to humanity as a whole, but just a small group of people.[7] This word will play an important role when we analyze the *midrashim*.

Before doing so, let us look at some more developed notions of unity. In the works of Menander, a late-third century BCE Greek dramatist, human beings are only divided along the lines of good and bad, regardless of their place of origin or financial standing.[8] In the writings of Eratosthenes, we find a concept of a multi-racial and multi-lingual civilised humanity; and from Polybius we learn about the notion of the unity of human affairs.[9] However, even in its most developed form in Greek thought, the concept of unity does not mean being part of a larger whole.[10] In this way, Baldry's book is useful in tracing the development of the concept of unity, highlighting its variations, and identifying its limits.

We now turn to the *midrashim* upon which Rashi's statement is based. To help characterize the nature of that unity, we will look at its duration, the source of the disunity that precedes it, and the reason unity is a necessary precondition to the reception of the Torah.

The Duration of the Unity

In several of the *midrashim*, it is said that any time the Israelites travelled, they did so in strife. Here is one example:

> Hizkiya says in the name of another: great is peace, that in all the journeys it says and "they journeyed" and "they encamped" (Numbers 33)—they journey with strife and encamp with strife; once they all arrived in front of Mount Sinai, they all became one encampment...the Holy One, blessed be He said, this is the time that I give [the] Torah to My sons.[11]

By implication, the unity only took hold immediately prior to the reception of the Torah. This idea gains support from some of the other terminology employed in this teaching. For example, from the fact that this unity was not of their doing—the word and they became (*na'asu*) is in the form of *nifal*, which is an intransitive construct, implying that the Israelites passively became unified—it seems that this was not an ordinary occurrence.[12]

Moreover, God seems to jump at the opportunity, rather than wait any longer, which also seems to suggest that this unity was unlikely to last. It stands to reason that if the unity was temporary, it was not a recognition of a shared characteristic, since that knowledge would not simply disappear after they left. It is also reasonable to suggest that the unity in question does not relate to shared experiences because, had that been the case, the Israelites would have been united right after the experience of the Exodus, or shortly thereafter, not at this one arbitrary location. All this is consistent with the view that the Jews were not united in the greater sense of the word, but that they simply achieved a moment of national harmony.

Defining the Disunity

In virtually all of the *midrashim*, the unity at Sinai is contrasted with the disharmony that preceded it. It follows that an understanding of what was at the heart of the strife can provide a clearer idea of the subsequent unity. Some insight comes from the *Midrash Tanhuma*. Based on Proverbs 3:17, the Midrash states that God wanted to give the Torah to the Israelites at the time that they exited Egypt. The only reason He did not do so, however, was that "they were arguing with one another and saying at all times, let us redirect our heads and return to Egypt."[13]

What emerges from this statement is that the different groups within the nation had very different notions of where they were headed, both geographically and metaphorically. You might even say they acted as sects. Indeed, in the *Mekhilta*, the connection to sects is made explicit: the groups at *Yam Suf*, some of whom wanted to return to Egypt, are described using the word *kitin*.[14] Based on this idea, it would seem that the unity at Sinai related to an agreement among the various groups. In other words, despite being at odds with each other at earlier points in the journey, as it related to the

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[4] H.C. Baldry, *The Unity of Mankind in Greek Thought* (Cambridge: Cambridge University Press, 1965), 13.

[5] Ibid., 15.

[6] ibid., 43.

[7] Ibid., 119.

[8] Ibid., 140.

[9] Ibid., 173.

[10] Compare with I Corinthians 12:12-27. There appears to be no equivalent of this concept in rabbinic texts.

[11] *Vayikra Rabbah* 9:9, in *Vayikra Rabbah: Yefeh To'ar* (Vilhelmsdorf: P Ernstes, 1714), 35.

[12] In another source, it appears that God is the source of the unity. In *Mekhilta de-Rabbi Shimon Bar Yohai*, the unity is described as being imposed upon the Israelites. The words used are "one encampment was placed in their heart" (19:2).

[13] *Tanhuma Yashan ve-Hadash*, ed. Buber (Vilna, 1985), cited by Ginzberg, *Legends of the Jews*, 592. Interestingly enough, this particular *midrash* goes on to say that it was at Refidim that the Israelites became united.

[14] *Mekhilta de-Rabbi Yishmael*: *Va-yehi Beshalah*, *Masekhta* 2, *Parsha* 2, 29.

acceptance of the Torah, there was harmony between the various groups.[15]

The Connection to the Torah

Further, that shared objective must relate to the acceptance of the Torah's laws. While it is not the case in every Midrash, several of the rabbinic texts link the unity of the Israelites to the reception of the Torah.[16] One very clear example can be seen in *Pesikta Rabbati*:

> And they become one group, as it says, and Israel encamped. It does not say here anything but and Israel encamped [in singular form]. The Holy One, blessed be He, said, "The Torah is all peace; to whom will I give it? To a nation that is holding onto peace." And that is what it says, "And all its ways are peaceful" (Proverbs 3:17).[17]

In this version of the teaching, the giving of the Torah is framed as a reward for the unity that precedes it.[18] But why is unity a necessary condition for the Torah? A statement in *Pirkei de-Rabbi Eliezer* helps us answer this question. The Midrash says that the Israelites traveled with division, but when God asked the Israelites whether they will accept the Torah, they answered "with one mouth: 'We are guarding the Torah, and are prepared to do and keep all that it says therein, as it says, all that the Lord has spoken we will do.'"[19]

In this case, the word used for division is *halaklakot*, a term closely related to the term for argument (*mahloket*); and the unity is identified with speaking with one mouth, implying that, unlike the journey leading up to it, there was a common understanding at Sinai that the Torah was being accepted by all. Seen in this way, the unity was a concurrence of views. Indeed, one Midrash makes this point explicitly. Based on the verse, "I lie awake; I am like a lone bird upon a roof" (Psalms 102:8), a teaching in *Eikha Rabbati*[20] compares the Israelites to a bird, and says that, just as the bird goes from roof to roof,

> in this way, when the Israelites went out Egypt, they would travel with strife and encamp with strife. And when they reached Mount Sinai, they became *homonoia*. It does not say "[they] encamped" but "[Israel] encamped." At that time, God said this is the time that I will give the Torah to My sons.[21]

Here we finally have a concrete idea of the type of unity achieved at Sinai. By reference to the word *homonoia* pointed out earlier in the work of Gorgias, we know that the Midrash has in mind a form of agreement. We can also understand why such an agreement is necessary. Had the Torah only been accepted by a few groups, rather than by everyone, it would not be binding on the Israelites as a whole.[22] Therefore, God gave the Torah to the Israelites when there was agreement between them.

Some might challenge this view, based on a statement in *Tanhuma* which says that the Israelites wanted to serve as "collateral" for one another.[23] This point seems to imply that there was a deeper level of unity among them. Nevertheless, the wider context shows that the Israelites simply wanted the law to be binding on some of them and not all of them, but to nevertheless be included in the covenant. Seen in this light, this was simply an extension of the negotiation among the various groups about the acceptance of the law.

Returning to Rashi, we can see that he takes the Midrash out of context. From the fact that the Midrash contrasts the unity of the Israelites with the disagreements they had earlier, but also given the transient nature of this unity and its connection to the acceptance of the law, we can see that it must be a matter of agreement. But Rashi makes much more of it: he sees this unity as a profound sense of being one nation.

This interpretation can be supported from a comment Rashi makes earlier. On Exodus 14:10, he states that Egypt as a whole was chasing the Israelites, "as one heart and one person." [24] This formulation is the exact opposite of the expression he uses to describe the Israelites at Sinai. What is the significance of this reversal?

The point that Rashi seems to be getting at is that the unity of the Israelites at Sinai was not driven so much by purpose as it was by identity, whereas the reverse was true for the Egyptians. That is to say, the Egyptians came together in their mission to catch up with the nation of slaves that had just left, while the Israelites felt like one person when they camped and as a result felt united in their purpose

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[15] In light of this background, we can understand why the disagreement at *Yam Suf* is juxtaposed in *Pirkei d-Rabbi Eliezer* to the acceptance of the commandments of the Torah. It is because, unlike at the Sea, at the reception of the Torah there was no group that refused to accept the God's laws. Therefore, the reception of the Torah was binding on everyone.

[16] See also Vayikra Rabbah 9:9, in *Vayikra Rabbah: Yefeh To'ar* (Vilhelmsdorf: P Ernstes, 1714), 35.

[17] *Pesikta Rabbati* 12:106b, ed. Friedmann (Vienna, 1880), cited by Louis Ginzberg, *Legends of the Jews* (Philadelphia: Jewish Publication Society, 2003), 592. Ginzberg quite astutely translates the unity as harmony.
An almost identical formulation is found in Derekh Eretz Zuta, which is post-Talmudic. See Derekh Eretz Zuta: On Peace, 5, in Babylonian Talmud, Romm, vol. 15 (Vilna: Romm, 1898), 118.

[18] This formulation obviously implies that the Israelites achieved this unity on their own.
Another midrash reads, "they all equated [their hearts] together" (*hishvu kulam be'ehad*), but this is a late source. See *Pesikta Hadta* 11, cited in *Otzar ha-Midrashim*, vol. 2, ed. Y.D. Eisenstein (New York: Y.D. Eisenstein, 1915), 489.

[19] *Pirkei de-Rabbbi Eliezer* (Antwerp: I. Menczer, 1957), 41.

[20] Dating to the end of the fifth century CE.

[21] *Eikha Rabbati*, *Petihta* 20 (Vilna and Grodno: M. Mann and S. Zimel, 1829), 7.

[22] See *Shabbat* 88a, which implies that the the Torah is only binding if it is willingly accepted by the Jewish people.

[23] *Midrash Tanhuma: Yitro* 13:3 (Venice,1545), 36.

[24] Rashi bases his statement on the *Mekhilta de-Rabbi Yishmael*, *Masekhta* 2, *Parshah* 2, 28, where the Egyptians are described as traveling in squadrons as "one person." The mention of their heart seems to be an addition by Rashi.

as well.[25] This interpretation further reinforces the argument that Rashi's description of unity is not consonant with that of the midrash. A more accurate portrayal would be of an Israelite nation comprised of different groups, who had fundamental disagreements with one another but who nevertheless saw eye to eye on the reception of the Torah.

The Giving of the Torah and the Beginning of Eternity: Reflections on Revelation, Innovation, and the Meaning of History

ELI RUBIN is co-author of *Social Vision: The Lubavitcher Rebbe's Transformative Paradigm for the World* (with Philip Wexler and Michael Wexler, Herder and Herder, July 2019).

"each day they shall be in your eyes like new"[26]
"literally new"[27]

The passage of time seems to be a perennial problem for anyone who seeks to cling to unchanging truths, for time is nothing more than the demarcation of change.

It is this problem that brings many people to the conclusion that to be religious one must also be a conservative. To be religious, it is thought, is to militate against the intractable march of history, not only to conserve what one has in the present but also to seek the restoration of pieties lost to the past.

In the Jewish tradition this line of thinking has even been enshrined in the notion of *yeridat hadorot*, "the decline of the generations," in support of which a well known Talmudic passage is often cited:

> Rabbi Zeira said that Rava bar Zimuna said: If the early generations are characterized as sons of angels, we are the sons of men. And if the early generations are characterized as the sons of men, we are akin to donkeys … (Shabbat, 112b)

This is more than a self-deprecating witticism. It undoubtedly implies that we should look to the achievements and stature of earlier sages and pietists with admiration, even veneration. Yet the assumption that this should transmute into a paradigmatic dogma, into an axiom that lends a fundamentally conservative bent to the religious worldview *in toto*, should not pass without question.

To let the synonymy of religiosity and conservatism stand unchallenged is to rob time and history of their significance. If the eternity of truth means that truth is unchanging then we are left to conclude that all change is untrue. It follows that the demarcation of change, i.e. time itself, has no true meaning.

Such a conclusion seems untenable. The passage of time is even more fundamental to our reality than the air we breath. Are we simply to ignore it? Can the march of history really be so inconsequential?

Enter the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, whose 25th yahrtzeit will be marked this summer, on the 3rd of Tammuz.

In a *New York Times* profile dating from 1972, Israel Shenker records the Rebbe's response when it was suggested that his orthodoxy marked him as a conservative:

> I don't believe that Reform Judaism is liberal and Orthodox is conservative. My explanation of conservative is someone who is so petrified he cannot accept something new. For me, Judaism, or halacha [Jewish religious law], or Torah encompasses all the universe, and it encompasses every new invention, every new theory, every new piece of knowledge or thought or action. Everything that happens in 1972 has a place in the Torah, and it must be interpreted, it must be explained, it must be evaluated from the point of view of Torah even if it happened for the first time in March of 1972.[28]

The Rebbe's rejection of the conservative label is stark, and his elaboration of its connotation is scathing: "***My explanation of conservative is someone who is so petrified he cannot accept something new.***"

In the same breath he articulates an alternative conception of Torah's eternity, a conception of such capacious breadth that it also encompases a new theorization of the meaning of history: "***Torah encompasses all the universe.***"

Torah does not merely ***endure*** for all time. Torah actually ***ecompasses*** all time. Every temporal moment, every new contribution to human knowledge and activity is essentially enfolded within the eternal Torah, and it is only through the medium of historical time that the unarticulated essence of the Torah can be fully unfolded and revealed. On one occasion the Rebbe commented that "the decline of the generations" is only operative within the bounds of nature. Torah, by contrast, is the portal via which we transcend the bounds of nature.[29]

The conflation of religiosity with conservatism, from this perspective, rests on a metaphysical misconception: The conservative believes that the eternal is unchanging. The Rebbe believes that every change is already encompassed in eternity. To move through time is not to lose touch with eternity but rather to participate in the unfolding of eternity. From this perspective, the quest for eternal truth does not devalue history, but rather vests it with ultimate meaning. Historic change is not a threat to the Torah, it is the ultimate vehicle for the revelation of Torah. Without history, without time, the full plentitude of the eternal Torah can never be discovered.

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[25] So Bachya ben Asher, *Rabbeinu Bachya al ha-Torah* 14:3 (New York: A.Y. Friedman, 1975), 47.
[26] Rashi's commentary to Deuteronomy 6:6, paraphrasing the comment of the *Sifre* ad loc..

[27] Rabbi Schneur Zalman of Liadi, *Likutei Torah*, *Devarim*, 1b.

[28] Israel Shenker, "Lubavitch Rabbi Marks His 70th Year With Call for 'Kindness'," The New York Times, March 27, 1972, Page 39.

[29] Rabbi Menachem Mendel Schneerson, Torat Menachem—Hitvaduyot, Vol. 29 (Brooklyn, NY: Kehot Publication Society, 2004), 207-8.

The Rebbe had elaborated this point far more explicitly in 1962, on the last day of Passover. On that occasion he invoked the two modes of messianic redemption adduced in a Talmudic gloss to the prophetic utterance "I, the Lord, in its time I will hasten it" (*be-itah ahishenah*, Isaiah 60:22):

> It is written: "In its time," [indicating that there is a designated time for the redemption], and it is written: "I will hasten it," [indicating that there is no set time for the redemption.] If they merit redemption, I will hasten the coming of the messiah (*ahishenah*). If they do not merit it, the messiah will come in its designated time (*be-itah*). (Sanhedrin, 98a.)

On the conventional reading, the hastened coming of the redemption (*ahishenah*) is seen to be more desirable. Yet on this occasion, the Rebbe pointed out that, in addition to signifying extraordinary merit, the coming of the redemption before its designated time would also entail a momentous disadvantage. To arrive at the appointed time of the messianic advent (*be-itah*) would require the traversal of a far greater length of time, and this duration actually contains an extraordinary advantage over the swift arrival of a hastened messiah.

In his own words:

> When the redemption comes in a mode of *achishenah* this is not simply a hastening of time; many aspects of Torah are also hastened and skipped over. It is specifically when the redemption is *be-itah*—after the long stretch of exile—that many elements of Torah are supplemented. As the sages said, "if the Jewish people would not have sinned they would not have been given anything more than the five books of the Torah and the book Joshuah alone" (Nedarim, 22b).
>
> … Each and every Jew has a portion in the Torah that can only be revealed by that individual alone, and specifically as an embodied soul (as it is known that the Torah is revealed specifically to embodied souls), and even as an embodied soul one's portion in Torah cannot be revealed without first reaching the station of intelligence, for the Torah is given specifically via understanding and comprehension.
>
> It is accordingly understood that if the redemption would be in a mode of *achishenah*, with temporal haste, then through skipping over many, many historic generations, many, many elements of Torah would also be skipped over, too, for they cannot be revealed except over the span of many many generations.[30]

This is a rich and challenging passage. To grasp the Rebbe's concept of exile and redemption demands the realization that these categories cannot be thought of in simple binary terms. Exile and redemption do not stand in diametrical opposition to one another. Neither do decline and growth, sin and Torah revelation, temporality and eternity.

On the contrary, without decline there can be no growth, without sin we would be left with a truncated Torah, and without temporality eternity remains foreclosed. As Rabbi Schneur Zalman of Liadi wrote: "The ultimate fulfillment of the messianic era … depends on our actions and worship throughout the duration of the exile." (*Tanya*, Part 1, Chapter 37.) This doesn't simply mean that the messianic redemption is a reward for our actions and worship during exile, but rather that the exilic duration itself is the fabric from which the messianic era is constructed.

This is a dynamic that plays out not only in the grand sweep of history, but also in the intimate ups and downs of each and every Jew's personal life. Torah is not merely something that we must preserve from the past. Torah is something that we must unfold in the future, and we must unfold it for ourselves through the passage of our own embodied lives.

The Rebbe is unafraid of change because the eternal Torah already anticipates, requires, and calls forth change. In Kohelet (1:9) King Solomon proclaims that "there is nothing new under the sun." Ostensibly this might be taken as a statement of pessimism, even nihilism, emptying the novelty marked by time of all significance. But read through the Rebbe's eyes it communicates a sense of security, of expectancy, of progressive openness and hope.

Progress is not a threat to the Torah but rather the imperative realization of the full potential that the Torah already encompasses. To cite R. Schneur Zalman of Liadi again, "a human being is called a progressive (*mehalech*) … and must advance from one station to the next, and must not remain immobile at one station for ever." (*Tanya*, Part 2, Introduction.)

One of the Rebbe's clearest articulations of the paradoxical dynamic of Torah revelation, and of the meaning of religious progress, is found in an edited talk first published in 1984:

> The service of God in its totality is founded upon the principle that both of these attitudes must be maintained, 1) "upstanding," standing strong, without change, and 2) "walking," progressing "from strength to strength" to the point that "they have no rest" (cf. *Talmud bavli*, Brakhot, 64a), constant change …
>
> In the unchanging nature of Torah and the commandments it is underscored that the nature of the giver of the Torah and the commandments, the Almighty, is unchanging, "I, God, am unchanged." (Malakhi, 3:6.) But on account of Torah and the commandments being the service of the Jewish people … [and considering that] the definition of a creation entails being subject to change and being a progressive (*a mehalekh*) …, the work of Torah and the commandments is set up in such a manner that there is progress "from strength to strength" in the service of God; change (and ascent) constantly …[31]

"The service of God in its totality," the Rebbe continued, "demands both elements." More importantly, it demands that both elements constantly be held together: "In every change, the foundation must

[30] Rabbi Menachem Mendel Schneerson, Torat Menachem—Hitvaduyot, Vol. 33 (Brooklyn, NY: Kehot Publication Society, 2006), 331.

[31] Rabbi Menachem Mendel Schneerson, Likutei sichot, Vol. 29 (Brooklyn, NY: Kehot Publication Society, 2000), 175-178.

be in the aspect of Torah and the commandments that is 'upstanding' (*nitsavim*), in the aspect of … 'I, God, am unchanged.'"

In a word, the Torah demands unchanging change. The greatest mistake is to imagine that the Torah and its commandments need to react defensively—or worse, retreat—in order to contend with the fresh circumstances that each new moment brings. The contrary is true. Each new moment carries within it a unique opportunity for the Torah and its commandments to be advanced.

To put it another way, Torah's fundamental orientation is not conservative, but rather progressive. Yet the Rebbe's progressivism was not defined—or borrowed—from without; it was not a derivative or apologetic response to general social trends. It was rather an inherent expression of the eternal tradition of Torah Yiddishkeit, of its messianic impulse not only to repair the world, but to re-enchant the world. In my view, the application of the term "progressive" as a characterization of the Rebbe's Torah orientation should not be seen as a misappropriation from without, but rather as a direct translation of the term "*mehalekh*," which is native to the Chabad lexicon and which was invoked by the Rebbe literally hundreds of times:

> "The ultimate purpose of the creation of a person and the descent of one's soul below is that through one's worship below one becomes a *mehalech*."[32] "Of a Jew it is demanded that one be a *mehalech*."[33] "The definitive purpose of a person is to be a *mehalech* … One must never make do with the station that one has attained."[34]

It is only "below," the Rebbe repeatedly emphasized, "within the dimensions of space and time" (see *Tanya*, Part 2, Chapter 7), that progress can be made, and this is the definitive purpose for which our souls came down to earth.

In a forthcoming book, *Social Vision: The Lubavitcher Rebbe's Transformative Paradigm for the World*—co-authored by Philip Wexler, Michael Wexler, and myself—we make a broader argument about the ways that the Rebbe upended conventional polarizations between tradition and progress, religion and science, mysticism and society. Among other things, we also take a closer look at his engagement with the American counterculture of the 1960s, his advocacy for criminal justice reform, and how his notion of reciprocity might bear on questions of economic and ecological policy. These can all be seen as manifestations of his progressive orientation, but for now I will leave those topics aside and return to the more essential question of the relationship between Torah and time.

What does it mean to learn Torah in the present? What does it mean to receive the eternal Torah each day anew?

For the Rebbe, this tension—between the unchanging foundation of the God given Torah, and its constantly changing application in the transient lives of its recipients—is negotiated through the very serious business of Torah study within the rigorous framework of the rabbinic legal tradition. This calls, on the one hand, for extreme faithfulness to the received texts and the rules that govern their interpretation. On the other hand, it calls for extreme intellectual innovation in the discovery of new lines of reasoning and new rulings that apply to new situations. Lest anyone make a mistake, this certainly does not mean that any area of Halacha should be in anyway compromised. On the contrary, Torah progress strengthens Halacha and unapologetically advances its all-encompassing relevance.

Our sages state that "everything that a veteran student will innovate in the future was already given to Moses at Sinai" (*Talmud Bavli*, Megillah, 19b; *Talmud Yerushalmi*, Pe'ah, 2:4; *Shemot R'abbah*, 47:1). The novel interpretation of Torah adduced by "a veteran scholar" (*talmid vatik*) is a true novelty, a truly original product of a particular mind negotiating a particular nexus of textual and circumstantial problems. Accordingly, the innovative progress made is historically and temporally situated. Even such an innovation, however, is understood to be a disclosure of the very Torah that was "given to Moses at Sinai" thousands of years before history would give rise to its origination.

As the Rebbe explained:

> These innovations come from the Jewish people, but are nevertheless encompassed in God's thought even before they are innovated by the Jewish people, because on the part of God the past and future are one.[35]

This is the true meaning of eternity. Eternity is not endless duration. Eternity encompasses the entire duration of time as a single entity.

On this score, the giving of the Torah is the entry of the eternal into the temporal dimension. It is the beginning of the process by which eternity is unfolded. Each subsequent moment of Torah revelation enacts a further intrusion of eternity upon the temporal scene.

From the Rebbe's perspective, moreover, the giving of the Torah and its subsequent revelation cannot be construed as unilateral. Enfolded within the God given Torah are the manifold innovations originated by the Jewish people throughout the duration of history. We do not merely receive the Torah from God, but also carry the tremendous merit and responsibility to give God the gift of Torah. Elliot Wolfson, whose appraisal of the Rebbe's mystical thought remains unrivalled, has described this as "a temporal configuration that is circular in its linearity and linear in its circularity."[36] As the Rebbe wrote in a different context, "even regarding the Creator and manager of the

[32]Rabbi Menachem Mendel Schneerson, Torat Menachem—Hitvaduyot, Vol. 2 (Brooklyn, NY: Kehot Publication Society,1994), 58.

[33]Rabbi Menachem Mendel Schneerson, Torat Menachem—Hitvaduyot, Vol. 5 (Brooklyn, NY: Kehot Publication Society, 1997), 56.

[34] Rabbi Menachem Mendel Schneerson, Torat Menachem—Hitvaduyot, Vol. 14 (Brooklyn, NY: Kehot Publication Society, 1999), 228.

[35] Rabbi Menachem Mendel Schneerson, Torat menachem—hitvaduyot 5752, Vol. 2 (Brooklyn, NY: Kehot Publication Society, 1994), 242.

[36] Elliot R. Wolfson, Open Secret: Postmessianic Messianism and the Mystical Revision of Menaḥem Mendel Schneerson (New York: Columbia University Press, 2009), 23.

world our Torah tells us that it is as if He is sometimes a recipient and not only a provider."[37]

To study Torah is not merely to be receptive to eternity, but rather to participate in a temporal ***dialogue*** with eternity. The very fact of being situated in a particular nexus of historical circumstances, and of being engaged in a particular Torah topic, calls the "veteran scholar" to craft the particular Torah innovation that can only be discovered by that person and at that time. It is the march of historic change that grants each of us the wherewithal to make our own original contribution to God's eternal wisdom.

Shavuot: Zeman Mattan Torateinu?

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When it comes to the holiday of Shavuot, few questions are as famous as the one posed by *Magen Avraham* (494:1) on the problem of associating the holiday with the date of the Sinai revelation, the giving of the Torah. Based on his reading of a talmudic discussion in *Shabbat* (86b), the author of *Magen Avraham,* R. Avraham Gombiner, believes that the accepted opinion is that historically, the giving of the Torah at Mount Sinai occurred not on the holiday of Shavuot, which is the sixth day of the third month (Sivan), but on the seventh day. Even more troublingly, if we accept both Talmudic statements in that section that the historic Exodus from Egypt occurred on a Wednesday night, yet "all agree that [the Torah] was given on Shabbat," then no matter what the date was the Torah must have been given fifty-one days after the first of Pesach, instead of the fifty days between Pesach and Shavuot mandated by the counting of the Omer. Thus, whether we are following the calendar date or counting a set amount of days from Pesach, the holiday of Shavuot does not coincide with the giving of the Torah.

Solutions to this double-question can be found in sources as varied as the philosophical sermons of R. Jacob Anatoli, (predating *Magen Avraham* by several centuries)[38] to the halakhic commentary of R. Yonatan Eybeschütz on the laws of menstrual purity.[39] Like the question of R. Yosef Karo regarding the eight days of Chanukah, this problem raised by R. Avraham Gombiner has spawned enough responses to fill an entire book.[40] Instead of focusing on the issue of the date of Shavuot, however, I would like to highlight what seems to me an even more glaring problem, which is side-stepped by the comment of *Magen Avraham*: why is Shavuot associated with the giving of the Torah at all? The difficulty of determining the date of the Sinai revelation only underscores the Torah's mysterious silence in making any connection between the giving of the Torah and the holiday of Shavuot.

Shavuot is unique among the *shalosh regalim* in its biblical presentation: although Pesach and Sukkot are linked to the annual agricultural cycle, they also serve as monuments to events in Israel's historical origins. The holiday of Shavuot, however, is described purely as a celebration of the harvest, and unlike the other holidays, is not said to commemorate any historical event. Yet, contemporary celebrations of the holiday of Shavuot--from the prayer book's designating it as "*zeman mattan torateinu*" [the time of the giving of our Torah] to the recent but widespread custom for communities to engage in late-night Torah study--center around a theme which is entirely absent from the Torah's discussion of the holiday, and is not even mentioned explicitly in rabbinic literature until the Talmud (*Pesahim* 68b). The gap between the Torah's focus and today's practices presents us with a twofold question: firstly, why would the all-important date of the Sinai revelation, "the day on which you stood before Hashem your God at Horeb" about which the Torah says to "guard yourself well lest you forget" (Deuteronomy 4:9-10) not be commemorated through a yearly holiday? Second, even assuming that this event really did happen on the date of Shavuot, what motivated the rabbis to celebrate it as such when the Torah itself does not?

As with the question of *Magen Avraham* regarding the dating of revelation, commentators have not ignored the conspicuous biblical absence of any holiday celebrating the giving of the Torah, Shavuot or otherwise. Abarbanel (to LeviticusLeviticus 23) writes emphatically that the holiday of Shavuot is to be understood as a harvest celebration, and that the Torah pointedly does not command a holiday celebrating its own revelation. His explanation for this lacuna, "because the divine Torah which was in our possession and the prophec(ies) still in our possession are witnesses to themselves and do not need the dedication of a day to remember them," is somewhat cryptic, but appears to be similar to a passage in *Akeidat Yitzhak* (LeviticusLeviticus no. 67) by Abarbanel's older contemporary, R. Yitzhak Arama. R. Arama provides two answers to the question of why no holiday is identified with the giving of the Torah. First of all, such an obligation would be logically incoherent; "how could the Torah command that we celebrate the day of its giving and its beginning if we are not [yet] required to obey it, unless this was already accepted as a prior truth?" Just as many medieval rabbis were opposed to counting "belief in God" as one of the 613 mitzvot because it is already presupposed by the entire enterprise of the commandments,[41] any obligation to celebrate the giving of the Torah presupposes the Torah's having been given.

A second answer given by R. Arama as to why there is no holiday for the giving of the Torah is that "its acceptance is not [limited] to a specific time… every day we are commanded that [the Torah and its laws] should be as new and dear to our eyes as the day when it was given." Many others have expressed similar ideas to explain the lack of biblical references to a holiday commemorating the day the Torah was given to Israel.[42] An entirely different approach is taken by R. Ovadiah Seforno (to LeviticusLeviticus 23:36), who writes that there is no such holiday because the first ceremony at Sinai was essentially undone by the calamity of the golden calf. Why celebrate the giving

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[37] Rabbi Menachem Mendel Schneerson, Igrot kodesh, Vol. 13 (Brooklyn, NY: Kehot Publication Society, 1989), 234.

[38] *Malmad ha-Talmidim,* "Sermon for the Day of the Giving of the Torah."

[39] *Kreiti* to *Shulhan Arukh: Yoreh De'ah* 182:4.

[40] Rachmiel Zelcer, *Ner Le-Meah: Hag ha-Shavuot* (Brooklyn, 1981).

[41] See Ramban, *Hasagot le-Sefer ha-Mitzvot shel Rambam, Aseh* 1, and R. Hasdai Crescas, *Ohr Adonai*, preface.

[42] R. Moshe di Trani, *Beit Elohim, "Sha'ar ha-Yesodot,"* Ch. 37; R. Shelomo Ephraim Luntschitz, *Kli Yakar* to Leviticus 23:16; R. Joseph Shaul Nathanson, *Divrei Shaul* to Leviticus 23:16; R. Yehiel Mikhel Epstein, *Arukh Hashulhan, Orah Hayyim* 494:2.

of tablets that were shattered, a covenant that did not last? Yet another explanation is offered by Maharal (*Gevurot Hashem* Ch. 27), who writes that it would be inappropriate for God to obligate rejoicing at receiving "a yoke upon our necks," and so did not make the Shavuot-Torah connection explicit.

Some of these explanations for the biblical absence of a holiday for *mattan Torah* only exacerbate an opposite problem: if the Torah says nothing about commemorating the Torah's revelation, why would we? After all, Abarbanel insists that if we are to read the Torah closely, we should in fact *not* observe Shavuot as a holiday of the giving of the Torah![43] The opinions of the other commentators, however, can perhaps explain not only why the Torah ignores the holiday of *mattan Torah*, but also why contemporary Judaism does celebrate Shavuot as such a holiday. If the reason for this biblical omission is as Maharal writes (that it would simply be inappropriate for the Torah to command such a celebration), it is reasonable to suggest that the rabbis and Jewish people are at liberty and perhaps even encouraged to initiate such a holiday on their own in appreciation of the Torah. This explanation is given by R. Moshe Sofer (*Hatam Sofer, "Torat Moshe"* to *Parashat Va-Yehi*) not only to the 'invention' of Shavuot as the holiday of the Torah, but also to the much newer custom of celebrating when a child becomes a "bar mitzvah." Although there is no biblical obligation to celebrate this occasion, that is due to the fact that the Torah cannot require a person to rejoice at being subjected to obligations, but we as subjects can and should voluntarily express our appreciation for that fact. *Hatam Sofer* even goes so far as to say that our current perspective on Shavuot is loftier, more ideal than the mere material rejoicing of the harvest which the Torah prescribes for that day, the exact opposite perspective from that of Abarbanel.

Other opinions referenced above as to why the Torah says nothing about Shavuot's historical origins can still account for how the holiday has become centered around what is not mentioned in the Torah at all. R. Moshe Alshich (to Leviticus 23:6) and R. Zadok Ha-Kohen of Lublin (*Pri Tzaddik, Pesah* no. 5) both believe, like Seforno, that the Torah records no holiday for the giving of the tablets and the covenant they embody because Israel's sin turned this joyous event into a tragedy. Nevertheless, Alshich explains that because God Himself was ready to give the Torah on this day,[44] He essentially provides another chance each year to accept the Torah anew, and R. Zadok alludes to a similar idea. If we accept the message of R. Arama that every day one should consider it as if receiving the Torah anew, perhaps we can explain that although the Torah as written represents such an ideal, in practice we would appreciate the Torah more if we designate a holiday celebrating its revelation. This would be in line with a trend of some commentators who see some laws of the 'Oral Torah' which appear to deviate from the 'Written Torah' as translating an ideal into how it is manifest practically.[45]

Despite the dearth of biblical textual evidence, numerous apocryphal works surviving from the Second Temple period and succeeding centuries attest to an ancient tradition connecting Sinai with the holiday of Shavuot.[46] Given this evidence for such a tradition, it is somewhat surprising that in no place does the Mishnah recognize the Shavuot holiday as a celebration of Sinai.[47] In fact, the Mishnah (*Taanit* 4:8) appears to identify the day of *mattan Torah* as being on Yom Kippur (see R. Ovadiah Bartenoro *ad. loc.*), and the Tosefta contains only a single reference (*Megillah 3:3*) indicating that the rabbis were even aware of such a tradition. Before the closing of Mishnaic canon, the rabbis were essentially silent on the holiday that so engrossed their contemporaries, and said nothing about the many rich traditions regarding Shavuot's historical meaning. Such silence indicates that, as Abarbanel insists, the Mishnaic rabbis too thought that the Torah does not actually intend for us to commemorate the occasion of its revelation. If so, what caused this change among rabbinic Judaism to the extent that today the *mattan Torah* tradition is the center focus of our Shavuot experience?

All of the explanations quoted earlier for the Torah's lack of any holiday celebrating *mattan Torah* are, seemingly, equally relevant at all times throughout Jewish history. Whether the reason is due to Israel's having sinned and forfeited the Torah given on this day, or that celebrating *mattan Torah* as an annual holiday is in some way inappropriate, this would be true whether considering a holiday one year after Sinai or a thousand years later. Yet, the passage in *Magen Avraham* quoted at the opening of this essay appears to entertain the possibility that Shavuot can only be considered *zeman mattan Torateinu* when it falls out on the correct date, implying that in earlier times when it could have coincided with either the fifth, sixth, or seventh of Sivan, Shavuot was not, in fact, associated with *mattan Torah*. Ribash (*Shu"T Ribash*, 96 referenced in *Magen Avraham*) does indeed posit such a view, writing that it is only now that we use a fixed calendar that we can refer to Shavuot as *zeman mattan Torateinu*.[48] Ribash definitely indicates that for as long as the new months were determined by witness testimony, the holiday was not associated with any historical event. R. Yechezkel Landau (*Tz.L.H.* to *Pesahim* 67a) rejects this possibility due to evidence that even before the rabbinic calendar was fixed, the talmudic sages considered Shavuot to be *zeman mattan Torah*, but he seems to have no difficulty with the essential claim that it was only in a much later era that Shavuot took on this meaning as the major focus of the holiday.

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[43] Shlomo Pick, *Mo'adei HaRav* (Ramat Gan: Bar Ilan University, 2013), 159 ascribes to R. Soloveitchik the idea that Shavuot should indeed not be thought of primarily as the day of *mattan Torah*, and therefore during the Torah reading, the Decalogue should be read as broken up by the *pesukim*, as if it were any other passage, and not broken up into ten segments (the *ta'am 'elyon*). However, see R. Zvi Schachter, *Mi-Penini Harav* (Jerusalem: Beit Midrash deFlatbush, 2001), 300-302, *Nefesh Harav* (Jerusalem: Reishit Yerushalayim, 1994), 293-4, and R. Michael Shurkin, *Harerei Kedem* vol. 2 (Jerusalem: 2010), 250.

[44] Many commentators emphasize God's readiness to give the Torah, instead of the day it was actually revealed, as the primary "*zeman mattan Torateinu*," in order to answer the question of *Magen Avraham* mentioned earlier. See *Kedushat Levi, "Shavuot;" Shem Mi-Shmuel, "Parashat Emor;"* R. Samson Raphael Hirsch to Leviticus 23.

[45] For one well-known example, see Rambam, *Mishneh Torah: Hilkhot Hovel u-Mazik* 1:1; R. Ovadiah Seforno to Exodus 21:24; Maharal, *Gur Aryeh* to Leviticus 24:20.

[46] Sejin Park, *Pentecost and Sinai: The Festival of Weeks as a Celebration of the Sinai Event* (New York, 2008).

[47] Rachel Elior, "The Disappearing Holiday of Shavuot," [Hebrew] in "*Vezot Li-Yehudah*: *Collection of Articles Dedicated to Our Friend Yehudah Liebes*" (Mosad Bialik: 2012), 70-92.

[48] Ribash's view also seems to be shared by R. Yom Tov al-Asevilli (or "Ritva"), *Hidushei ha-Ritva* to *Shabbat* 87b.

Proposing that there might have been such a dramatic change in how to celebrate Shavuot may sound like a radical suggestion, but understanding why this transformation took place could provide an explanation for the Written Torah's omission of Shavuot's Sinai connection while also explaining why the talmud and our prayer book place this at the center of the holiday.[49] To that end, I would like to build upon an idea from the recently deceased R. Leib Mintzberg,[50] a Haredi thinker whose works connecting close readings of biblical texts to Jewish thought deserve a wider audience.[51] In order to explain the connection between Shavuot as described in the Torah and Shavuot as it is observed today, R. Mintzberg contends that the Torah presents the holiday as a celebration of the land given by God, which in turn was given to Israel "in order that they keep His statutes and guard His teachings" (Psalms 105:44). Elaborating upon this core idea that Shavuot is the holiday of the Land can perhaps better allow for coherence between the Shavuot holiday's different iterations.

Prima facie, it is not obvious why Shavuot should be a time of celebration for the God-given land any more than the other two pilgrimage festivals, as all three of them are associated with the yearly agricultural cycle. Pesach is the spring holiday, marking the ripening of the grain, then comes Shavuot celebrating the harvest, and finally Sukkot marks the ingathering, the joyous conclusion of the harvesting process when the storehouses are full. However, a closer look at the Torah's description of Shavuot and its context (Leviticus 23) indicates that, unlike the other two holidays, which signal the beginning and end of the harvest, Shavuot is more of a celebration of the actual harvesting *process* and thus more closely tied to the land than any other holiday. Instead of starting with the date and delineating the laws of the festival as it does for the other holidays, the Torah's presentation of Shavuot begins with the farmer in the field, "when you come to the land which I give to you and reap its harvest, you shall bring an *'omer*, the first of your reapings, to the kohen" (23:10). Thus commences the sacrifice which triggers the forty-nine day count, culminating with the fiftieth day, on which "from your settlements you shall bring waving loaves," (23:17) the bread offering and its associated animal sacrifices.

The '*omer* count of seven weeks of seven days is concurrent with the actual harvest itself, and so the impression made by the Torah is that the entire counting and its festival finale of Shavuot are celebrations meant to transform the harvesting process into a semi-religious ritual. By counting the fifty days from one grain offering to another the message is reinforced that by reaping what he has sown, the Israelite is not enjoying the fruits of an agricultural product, but he is collecting what is being given to Him by God, through His land. As the *Shema* passages remind us twice a day, the land will allow you "to gather your grain, oil, and wine" only if "you listen to My commands" (Deuteronomy 12:12). So much of *Tanakh* reemphasizes this link between the land's bounty and loyalty to God. It therefore seems reasonable to say that while all of the holidays enjoin the Israelite to remember and thank God at key agricultural intervals, it is only during the holiday of Shavuot, at the time of harvesting process itself, that working the land is itself seen as an expression of Israel's continued relationship with God. It is in the context of Shavuot that the Torah reminds the farmer, "when you reap the harvest of your land do not consume the corners of your field as you harvest, nor gather your harvest's gatherings; for the poor and the stranger abandon them--I am the Lord Your God" (23:22). The entire harvest is an encounter with the product of God's blessing, and so with every swing of the sickle one is reminded of the duty due to the source of this bounty.

Perhaps no biblical story better reflects this relationship with God and the land's harvest than the account of Ruth. Abudraham writes that the book of Ruth is traditionally read on Shavuot because it takes place during this time of year, but "the time of the harvest" is much more than the story's seasonal context; it is the conduit through which the characters interact with God. Naomi's family abandons the land at a time when its bounty is blocked by famine, but by deserting the divine land God responds in kind, leaving the women bereft of their husbands. When Ruth collects her share of grain, Boaz blesses her that "God repay your efforts and your wages be paid in full by the God of Israel" (Ruth 2:12), and when the crop is brought to Naomi, she blesses God for the news. Ruth's personal dedication to the God of Israel is answered by Him with a plentiful harvest, a sign that He will indeed repay her for her losses with the family she deserves. It is the land's harvest which speaks for God's providence; the drama of Ruth's integration into the tribes of Israel takes place amongst the grain (3:7) and is tied to the redemption of land (4:3).

All of this--when Israel was living on its land, each tribal family recognizing its ancestral plot, and the Temple and its kohanim awaited the grain harvest. With the desolation of the land and the exile of its people, Pesach could still be celebrated as the festival of Exodus, and Sukkot can continue to commemorate the divinely guided encampments through the wilderness, but what of Shavuot? How could we reap the harvest of God on foreign land? Israel's relationship with God continued through the exile, but surely it took a new form, one unanchored from the land itself and its agricultural cycles. Only the Jew of the land can live all the laws of the Torah, but no matter where he is, the Jew can always learn the laws of the Torah.[52] Through this transformation, the ancient tradition regarding the holiday of Shavuot was ready to be dusted off by the sages of the era to breathe new life into the harvest festival. This would not have happened immediately after the Second Temple's destruction; instead, slowly, as the national center moved from Judea to Babylonia, the theme of Shavuot would be refocused. The holiday which was always a celebration of God's continued dialogue with His people, a rejoicing at encountering God out in the fields and on the threshing floor, became instead a holiday celebrating the new-but-timeless continued encounter with God through His original revelation at Sinai.[53]

[49] To be clear, I am not suggesting that the rabbis "invented" the connection between Shavuot and the giving of
the Torah, only explaining why what was previously known but not worth celebrating later became the focal point of a biblical festival.

[50] *Ben Melekh: Sefirat ha-'Omer ve-Hag Shavuot*, p. 127.

[51] An example similar to the one presented here (in that it deals with another discrepancy between the Torah's description of a holiday and how it is celebrated in practice) can be found in *Ben Melekh: Hag ha-Matzot*, p. 37-47.

[52] This is not the place to elaborate upon changes to Judaism with the destruction of the temple, but for one Rosh Yeshiva's take on the matter see R. Yaakov Kamenetsky, *Emet Le-Yaakov* to Exodus 12:2.

[53] See also R. Yehoshua ibn Shu'eib, *Dershot Ri ibn Shu'eib*, "Sermon for Shavuot" who writes that the holiday of Shavuot was sanctified independently of the giving of the Torah, and implies that this event is merely one expression of the holiday's central meaning.

Something is surely lost when a celebration of the present becomes focused on the past, but if this understanding is correct, Shavuot recognizes the events at Sinai not so much as a historical past, but as a "great sound which does not cease" (Deuteronomy 5:19), the way in which we continue to hear God's voice in the present. The primary, ideal form of this continuous encounter with God as described in the Torah is through living in the land "which your God's eyes are always upon it" (Deuteronomy 11:12), but there was always another vehicle for this relationship: the Torah. Shavuot is indeed *zeman mattan torateinu*, because when God gave Israel the Torah, He provided them with a way to continue to hear His voice, to perpetually probe His words and deepen their relationship with God regardless of where they were dwelling and how many commandments they would be able to put into practice. Just as the original Shavuot involved a sacrifice honoring a relationship that was not specific to this one day, but represented the culmination of a harvesting process lasting a full season, our holiday of Sinai is an annual recognition of an event whose relevance continues throughout the year and in every generation.

Good Flies Out of Prison

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1

The Moabites refused us *bread & water* in the Desert
& so now they may not marry us.

Moses failed to sanctify God
—he shouted at the thirsty people
as he took water from the rock—
& so he may not enter the Land;
he dies in Moab.

Moab is food & water never given
a kind word left unsaid
love that cannot happen
a traveler locked in the desert
longing for his Land.

2

Ruth the Moabite
loves Naomi like a mother
follows Naomi in her love
leaves her people, her life in Moab
journeys with Naomi to the Land
all the way to *Beth Lehem*: *The House of Bread*
and she *does kindness* for Naomi there
and she marries Boaz, Naomi's kinsman, there.

Ruth is the bread, the water, the love, the journey,
shared at last
freed from Moab at last
arrived in the Land at last.

3

David,
king of Israel,
is the great-grandson of Ruth.

What family will reign in Israel?
One that frees the good trapped within.

Numbers 20:1-13; Deuteronomy 23:4-5, 32:48-52; The Book of Ruth