

Commandment and Choice:

How should Post-Modern Jews Relate to Jewish Law?

Portion: **Mishpatim**; Prayer: **Ahava Rabbah**

TBE Stamford 5774

How does one cleave to commandments?

What is the relationship between Law and Love?

While the chapters of the Torah that comprise Mishpatim contain many laws - and the portion's name even means "laws" - the Israelites were not afraid to commit to them, even before knowing specifically what the laws were and how this decision would impact their lives. They said, "*Na'aseh v'nishma*," "We will do -- and THEN, we will understand."

The commentators differed on how to interpret this verse. Rashi interprets the word "*nishma*" to mean not "to understand" but rather, "to obey." In his view, the Israelites pledged what amounts to blind obedience to God in accepting the commandments sight unseen. Rava in the Talmud sees this not as an example of blind obedience, but rather of a deep trust in God.

If the word "*nishma*" means understand, the verse is telling us that only after you perform a mitzvah can you begin to understand its true meaning. Reb Nachman of Bratzlav said that for the Jew it is not enough to simply accept the commandments - that was the "*na'aseh*" part. By also saying "*nishma*," we are demonstrating a willingness to go above and beyond them, to continue to grow every moment of every day.

I find it so fitting then, that "*na'aseh v'nishma*" is found in none other than chapter 24, verse 7 of Exodus. To be a Jew who just says "*Na'aseh*," "I will do," is to be a Jew only when it is absolutely necessary. But to be a Jew who says, "*Na'aseh v'Nishma*," is to be a Jew 24/7. And to be a Jew 24/7 means to go above and beyond the call in everything that we do.

For if you shall diligently keep all these commandments which I command you, to do them, to love the Lord your God, to walk in all his ways and to cleave unto Him... Deut. 11:22

DEVEKUT (Heb. דְּבִקּוּת; lit. "cleaving"). The verb *dvk* occurs frequently in Deuteronomy (4:4, 10:20, 11:22, 13:5, 30:20) in the context of cleaving to God. The Talmud asks how it is possible for man to "cleave to God" Who is a "devouring fire" (Deut. 4:24) and answers that it is fulfilled by marrying the daughter of a scholar or assisting scholars materially (Ket. 111b). Elsewhere in answer to the same question, it answers that this is fulfilled by imitation of God, and emulating His attributes (the passage in Sotah 14a should obviously be based on the phrase "and cleave unto Him" in the verse quoted, and not on the words "Ye shall walk after the Lord your God"). Both the noun *devekut* and its verb *davok* have several theological and mystical meanings in kabbalistic literature. Sometimes it means no more than "being near to" or "to cleave." However, the most usual meaning of this term, if it can be said to have a usual meaning, is "communion with God," which is achieved mainly during the time of *prayer

Today's Torah Portion: *Mishpatim*

Synopsis:

In this portion, Moses sets before the Israelites a self-contained code of laws often referred to as the "Book of the Covenant" (see 24:7). These laws bear great resemblance to codes of other nations of the ancient Near East, including the famous Code of Hamurabi, but there are many differences, both obvious and subtle. Among the categories are the following:

- Laws of slavery. Israelites are permitted to retain slaves but must always bear the dignity of the slave in mind.
- Capital crimes (among them murder, kidnapping, insulting one's parents).
- Rules and penalties of theft and lending.
- Prohibitions designed to make the Israelites a "holy" people; e.g., dedicating the first born and first fruits to God, prohibitions against eating flesh torn apart by wild beasts, and against boiling a kid in its mother's milk.
- In a Sabbatical year, the land is to lie fallow, and on the seventh day, we are instructed to rest.
- The observance of the three festivals - The Feast of Unleavened Bread (Passover), the Feast of the Harvest (Shavuot) and the Feast of the Ingathering (Sukkot) - is prescribed.
- The principle of just restitution is stated (an eye for an eye, etc.). Israel is reminded to treat widows, orphans and strangers kindly because they were strangers in Egypt.

Moses repeats all the rules to the people and then writes them down. Offerings are made to seal the covenant, and the people say, "All the things the Lord has commanded, we will do."

The mountain is covered by the presence of God (in the form of a cloud) for six days. On the seventh day, God calls Moses to ascend, and Moses goes up the mountain and remains there for forty days and nights.

Issues for Discussion:

1) The word "*mishpatim*" means "judgments." Rabbinic interpretation distinguished between "*mishpatim*" and "*chukim*." "*Mishpatim*" were those laws in the Torah that could be arrived at by human reason. "*Chukim*" were the laws that were beyond the grasp of human understanding, and had to be obeyed solely because God had so demanded. The laws we read here are diverse, but many deal with moral values and are, therefore, easy to conceptualize. The laws of slavery and treatment of the stranger, for instance, are easily understood in light of the fresh memories Israel had of the experience of slavery in Egypt. By the way, the admonition not to wrong a stranger is repeated 36 times in the Torah.

- Why is this commandment given such emphasis?
- How do the experiences of an individual/nation influence their ethical and legal expectations and standards?
- Are these raised expectations part of the reason Israel is now held up to what some call a "double standard" for its behavior?

- 2) The Hebrew word for slave, "*eved*," is also utilized in describing free people. Moses, for instance, is called "*eved Adonai*," God's servant.
 - Does this loose usage of the term indicate that even those who are supposedly free may, in fact, be an "*eved*" to something?
 - What are you an "*eved*" to?

- 2) According to the text, one who insults his parents or is a kidnapper is to be put to death. The rabbis later concluded that when the Torah's phrase ends "*Mot Yumat*" ("put to death"), instead of the simplified "*Yumat*," it means that the penalty will come from God and should not be applied by a human judge.
 - How does this change the intent and meaning of these laws? (Check to see which ones in Chapter 21 end in "*Mot Yumat*.")
 - From Hamurabi's code (Babylonian): "If a son has struck his father, they shall cut off his hand."
 - From Hittite law: "If anyone kills a man or woman in a quarrel, he shall give four persons and pledge his estate as security. If he kills a slave in a quarrel, he shall give two persons and pledge his estate in security."

- 3) Jewish law prohibits punishment by body mutilation, so the rabbis reinterpreted the famous verse, "Eye for an eye, tooth for a tooth ..." (Chapter 21) to mean that the value of the eye (tooth, foot, etc.) should be compensated for. They used a complicated formula to figure out the monetary value, taking into account a person's profession, medical expenses, disability losses and social embarrassment.
 - Does the penalty of monetary retribution (or "*talion*" as it is called) achieve something that physical retribution cannot?
 - What kind of retribution would you want if someone hurt you?
 - Does this law (as interpreted) not go to great lengths to protect the weak in the face of the strong since the strong would be much better able to exact physical retribution?

- 4) From Page 312, Verse 15, what to you think is the Torah's attitude toward pre-marital sex?

- 5) Chapter 22, Verses 6 and 9, speaks of the responsibilities of one who guards another's possessions. Jewish law states that one who guards for pay must reimburse, while one who does it for free is not responsible. The matter is actually more complicated than that (if negligence is involved), but as it is simply stated, do you feel this is a good principle?
 - If you bring your dog to the kennel, and the dog runs away, is the kennel responsible? If your friend volunteers to watch the dog, and the dog runs away, is that friend responsible? Should each reimburse you equally? The Torah says no.

CODE OF HAMMURABI (BABYLONIAN) VS TORAH

Between the Code and the Law of Moses, especially in the so-called Book of the Covenant (Ex 20:22-23:33), there are indeed extraordinary parallels. We might mention here the following examples:

Ex 21:2: "If thou buy a Hebrew servant, six years he shall serve: and in the seventh he shall go out free for nothing." Similarly, Code of Hammurabi, section 117: "If a man become involved in debt, and give his wife, his son or his daughter for silver or for labor, they shall serve three years in the house of their purchaser or bondmaster: in the fourth year they shall regain their freedom."

Ex 21:15: "And he that smiteth his father, or his mother, shall be surely put to death." Compare Code of Hammurabi, section 195: "If a son strike his father, his hand shall be cut off."

Ex 21:18 f: "And if men contend, and one smite the other with a stone, or with his fist, and he die not, but keep his bed; if he rise again, and walk abroad upon his staff, then shall he that smote him be quit: only he shall pay for the loss of his time, and shall cause him to be thoroughly healed." Compare Code of Hammurabi, section 206: "If a man strike another man in a noisy dispute and wound him, that man shall swear, 'I did not strike him knowingly'; and he shall pay for the physician."

Ex 21:22: "If men strive together, and hurt a woman with child, so that her fruit depart, and yet no harm follow; he shall surely be fined, according as the woman's husband shall lay upon him; and he shall pay as the judges determine." Compare Code of Hammurabi, section 209: "If a man strike a free woman and cause her fruit to depart, he shall pay ten shekels of silver for her fruit."

Ex 21:24: "Eye for eye, tooth for tooth, hand for hand, foot for foot." Compare Code of Hammurabi, section 196: "If a man destroy the eye of a free man, his eye shall be destroyed." section 197: "If he break the bone of a free man, his bone shall be broken." section 200: "If a man knock out the teeth of a man of the same rank, his teeth shall be knocked out."

Ex 21:28-32: "If an ox gore a man or a woman to death, the ox shall be surely stoned, and its flesh shall not be eaten; but the owner of the ox shall be quit. But if the ox was wont to gore in time past, and it hath been testified to its owner, and he hath not kept it in, but it hath killed a man or a woman; the ox shall be stoned, and its owner also shall be put to death. If the ox gore a man-servant or a maid-servant, there shall be given unto their master 30 shekels of silver, and the ox shall be stoned." Compare Code of Hammurabi, sections 250 ff: "If an ox, while going along the street, gore a man and cause his death, no claims of any kind can be made. If a man's ox be addicted to goring and have manifested to him his failing, that it is addicted to goring, and, nevertheless, he have neither blunted his horns, nor fastened up his ox; then if his ox gore a free man and cause his death, he shall give 30 shekels of silver. If it be a man's slave, he shall

give 20 shekels of silver."

Ex 22:7 ff reminds one of Code of Hammurabi, sections 124 ff; Ex 22:10 ff of Code of Hammurabi, sections 244 ff and 266 f.

The resemblances between the other parts of the Pentateuch and the Code are not so striking as those between the Code and the Book of the Covenant; nevertheless one may compare Le 19:35 f with Code of Hammurabi, section 5; Le 20:10 with Code of Hammurabi, section 129; Le 24:19 f with Code of Hammurabi, sections 196 ff; Le 25:39 ff with Code of Hammurabi, section 117; De 19:16 ff with Code of Hammurabi, sections 3 f; De 22:22 with Code of Hammurabi, section 129; De 24:1 with Code of Hammurabi, sections 137 ff and sections 148 f; De 24:7 with Code of Hammurabi, section 14; especially De 21:15 ff, 18 ff, with Code of Hammurabi, sections 167, 168 f, where, in both cases, there is a transition from regulations concerning the property left by a man, married several times, to provisions referring to the punishment of a disobedient son, certainly a remarkable agreement in sequence.

One can hardly assert that the parallels quoted are accidental, but just as little could one say that they are directly taken from the Code; for they bear quite a definite impression due to the Israelite culture, and numerous marked divergences also exist. As we have already mentioned, the land Amurru was for a time Babylonian territory, so that Babylonian law must have found entrance there. When the Israelites came into contact with Babylonian culture, on taking possession of the land of Canaan (a part of the old Amurru), it was natural that they should employ the results of that culture as far as they found them of use for themselves. Under no circumstances may one suppose here direct quotation. Single parts of the Laws of Moses, especially the Decalogue (Ex 20), with its particularly pointed conciseness, have no parallel in Code of Hammurabi.

Sfat Emet

LANGUAGE OF TRUTH

TRANS. ARTUR GREEN

משפטים

MISHPATIM

1

"And these are the statutes that you shall place before them" (Ex. 21:1). The Midrash comments that "and" means that these were in addition to what had been said previously (cf. Ex. 15:25 and 18:22). It brings a parable of "a lady who went out walking with armed soldiers on either side of her, while she walked in the middle. Thus is the [giving of the] Torah preceded by laws and followed by laws, while she walks between them."

RaSHI notes that "just as those preceding are Torah [so too are those that follow]." In fact everything comes from Torah, and she is the one who blesses both that which comes before her and that which follows her, since all the world was created for the sake of Torah. It was the generation that received the

Torah who brought this potential into realization, but the work of the preceding generations served as preparation for Torah.

The same is true for every individual of Israel. First we have to straighten our ways, as we are taught: "Prepare yourself to study Torah." This refers to the judgments that precede Torah. Thus it says [before the giving of the Torah]: "They shall judge the people at all times" (Ex. 18:22). These were not judgments specific to Moses, but such as had existed before Torah. Afterwards it says: "And these are the statutes"—specifically these after the giving of Torah.

These rungs are always present in everyone who serves God. It is as we straighten our paths that we come to attain Torah. Afterwards, by the power of Torah we are able to straighten our ways even more properly. And thus it is forever. When Israel said "we shall do" before "we shall listen," they did not do so just for that moment, but forever. First we set right our actions; then we listen. After we hear, there comes the time to correct our deeds even more, by the power of that Torah. Then we deserve to hear yet more of the inward Torah.

The main thing is that this process has to be directed for the sake of heaven. Work to straighten your heart as a way of preparing to receive Torah and to serve God, then Torah will help you to complete the task. Of this Scripture says: "You shall be people of holiness unto Me" (Ex. 22:30)—a person has to seek out holiness in order to serve God, not just in order to be a holy person. For holiness is above nature. How can it be found within this world? Only by the power of Torah and the blessed Holy One, who has made us holy by means of His commandments. Thus: "people of holiness unto Me. . ."

2:116f.

This eternal cycle of doing and hearing is deeply characteristic of the Jewish spiritual life. Here the Sefat Emet joins such diverse Jewish teachers as Nahman of Bratslav and Franz Rosenzweig: each of the three has his own version of this cyclical process. This reading is one that insists on constant growth as the model for true religious living and a dialectical relationship between "life" and Torah. Only the angels stand

still, we humans are constantly on the ladder, the rungs of which include our life in the world as well as our encounter with divinity.

The cycle begins not with Torah itself but with that which we bring with us when we come to study Torah. "Prepare yourself to study Torah" here means that everything that precedes Torah in your life is a part of your path; bring it with you as you turn to Torah. The "judgments" that preceded Sinai are in the category of derekh erets—those universal norms that make a person into a mensch. You have to bring these with you when you come to Torah.

But another point is being made here as well. Sometimes, especially in religious societies, the quest for sanctity becomes an end in itself. The rebbe here warns his Hasidim—including ourselves—that the saintly and the sanctimonious are only a hairbreadth apart. Remember that it is for God, the Life of all worlds and all creatures, that you are to be holy, not for yourself.

2

"You shall be people of holiness unto Me"—*Tihyun* ("You shall be") means a new being. It is within the power of every Jew to bring about constant renewal, to cause a garment of holiness to dwell upon him, by means of the Torah and commandments. Now it says: "Come up to Me upon the mountain and be there" (Ex. 24:12)—this means that Moses was transformed into a new being, like one of the ministering angels. Our sages taught that he entered the cloud and was garbed in cloud, to make him like one of the angels. That is why he was there for forty days, the amount of time it takes for a fetus to be formed. He received that form in fullness. The Zohar says that "be there" (*sham*) can be read as "be a name" (*shem*), meaning that Moses became the Holy Name.

All of Israel have a part in that form. Before the sin [of the Golden Calf] it says: "I said, 'You are God'" (Ps. 82:6). And it is taught that on the holy Sabbath Moses restores that light to

every Jew. This is the "extra soul," and that is why "the light of a person's face on the Sabbath is not the same as it is during the week." We come to merit this form through the 613 commandments, which are our own limbs and sinews. In this world it seems that the body is primary and that the 613 commandments are known only by a hint. But really it is the other way around. The true essence of the human form is the 613 spiritual limbs, the root of the commandments. The bodily limbs are pointers to that which is within.

In Moses our Teacher this inner garment was revealed. The farther we distance ourselves from the corporeal, the more we merit inwardness. On weekdays our struggle is to distance ourselves from the physical. On the holy Sabbath we have no work at receiving the inner light and spirit.

2:117

The Judaism of the mystics has long asserted that all of Israel were there in Moses' soul as he stood atop the mountain—even as he entered the cloud. We are participants in Moses' journey, not mere followers who stood at the mountain's base and waited for him to return. And yet those same mystics also knew full well that we were indeed back there at the base of the mountain—impatient, childish, frightened—prepared to block our own transformation into divinity by worshipping the Golden Calf. Both of those selves are still present within us.

3

In the name of the holy rabbi of Kotsk, on the verse: "You shall be *people* of holiness unto Me" (Ex. 22:30). The guarding of holiness has to be within the realm of human deeds and activities. God has no lack of sublime angels, seraphim, or holy beings. But God longs for the holiness of people; it was for that reason that He caused sparks of holiness to enter this world, in measured and reduced form. Therefore, "meat that is torn by beasts of the field you shall not eat" (ibid.); from this the rabbis derived the principle that anything taken out of its proper place is forbidden. This means that the flow of holiness is in

all things, but in a measured way. We have to guard the corporeal, that it not transgress the border of holiness.

But "you shall be" can also be read as a promise [rather than as a commandment]. In the end Israel are to be "holy unto the Lord." That is why we have to guard ourselves now, so that we are ready to be placed upon the King's head. The Midrash says in a parable, [referring to one making a crown], "as many precious stones and pearls as you can put unto it, do so, for it is going to be placed upon the King's own head."

2:111

Here we see how Ger has taken the legacy of Kotsk and transformed it. The Kotsker's reading of the verse was ultimately an earthly one: "God wants this-worldly holiness; that is why He made us human!" "Make your humanity holy" was his message. The Gerer has taken this reading and turned it right back to heaven: "Be holy because you are the crown of God! We live somewhere between these two."

4

"And these are the statutes"—adding to what had come before. The Ten Commandments refer to matters between person and God, but these statutes are between person and person. They are placed here to remind us that we merit Torah in accordance with the peace that exists among Israel when we are united. Of this the rabbis said: "Love your neighbor as yourself" (Lev. 19:29)—that is the basic rule of Torah. "The psalmist (29:11) says: 'The Lord will give strength to His people,' referring to Torah, right next to 'the Lord will bless His people with peace,' referring to the well of oral Torah, about which we say: 'He has implanted eternal life in our midst.'" This well is opened by the peace wrought by these statutes. For this reason the Midrash quotes here: "You have established uprightness" (Ps. 99:4), because these statutes lead people to love one another.

A person has to set aright his conduct in matters concerning the relationship with God in order to merit the written Torah.

But to merit oral Torah, we have to concern ourselves with the relationship with others. And this latter is the higher rung for it says: "He declares His words unto Jacob, His laws and statutes unto Israel" (Ps. 147:19), and we know that the name Israel is higher than the name Jacob. It is of greater merit to repair one's ways with regard to fellow humans. That is the "straightness" of the name Israel, which can be derived from *YaSHaR EL* (godly straightness). "For God made man straight" (Eccles. 7:29), and so forth. But after the sin we became involved with "multiple accounts" (ibid.); now we have crookedness, jealousy, and hatred, all of which need to be straightened out. It is the statutes that can help us to do this.

That is why it says: "These are the statutes which you shall place before them." This is reminiscent of [the verse:] "They shall place My name upon the children of Israel" (Num. 6:27)—putting it in order before them. This well of oral Torah that is within the children of Israel needs to be brought out into reality; truth has to be drawn forth from the midst of falsehood. Of this it is written: "The paths of the Lord are straight; the righteous walk in them" (Hos. 14:10). This is the meaning of "before them."

2:117

From the very minute written Torah is given, it is in need of oral interpretation to make it work. The wellspring of this oral Torah is found within Israel; it is we who are given the power to read, understand, and apply the teaching. But this power can be exercised only when Israel are at peace with one another. That is why *Mishpatim*, containing the rule of law, has to follow *Sinai* immediately; only this rule of law will bring about peace in the human community, allowing us to receive Torah. The statutes can only be placed "before" us; it is we who

have to choose to walk in their ways. In our day it seems harder than ever to find out how to walk in a way that will lead us all to peace with one another. But the message here is one we need to take to heart: there is no path to God's teachings, no way to open the divine wellsprings that lie within us except that of peace.

תרומה

TERUMAH

1

The Midrash quotes the verse: "You went up to the heights and took a captive, you took gifts for humans [lit.: 'in man'], given for sinners, so that God might dwell" (Ps. 68:19). This teaches that it was because of Torah that Israel merited having the Shekinah dwell in their midst. The Zohar says that at Sinai Israel were prepared to have God bring down the Temple from above for them, just as will happen in the future. Only because their sin caused them to fall from this rung did the dwelling of the Shekinah have to be in reduced form, in the earthly *mishkan* and Temple.

"You took gifts in man" means that they were ready to have the Shekinah dwell in the person, without any intermediary. This is also the meaning of [the verse:] "A foundation for Your

MARC BRETTLER

"You have loved us most lovingly"
This, the second blessing, bridges the gap between the last blessing's final request for deliverance, to the *Sh'ma*, which accents love of God. The deliverance theme recurs in the request to "Bring us to peace" (p. 70)

ELLIOT N. DORFF

"You have loved us most lovingly"
The second blessing moves from God as awesome creator of all being to God as compassionate lover of Israel, from a God concerned with the universal to a God who cares specially for a particular people, from an impressively transcendent God to a warmly immanent one. That is a (p. 70)

DAVID ELLENSON

"For the sake of our ancestors who trusted in You" While all liberal liturgies have affirmed our gratitude for the gift of revelation, Isaac Mayer Wise found this particular phrase so problematic that he omitted the Hebrew word *ba'avur*, "for the" (p. 71)

JOEL M. HOFFMAN

"You have loved us most lovingly" It is difficult to capture the beauty of the opening, *ahavah rabbah ahavtanu*. Others: "With a great love hast thou loved us" (Birnbbaum), "Deep is your love for us" (GOP; SSS), and "With an abounding love You love us" (KH). (p. 72)

LAWRENCE A. HOFFMAN

THE BLESSING OF CREATION (YOTSER) IS FOLLOWED BY THE BLESSING OF REVELATION (BIRKAT HATORAH) WHICH AFFIRMS GOD'S GIFT OF TORAH TO ISRAEL.

"You have loved us most lovingly"
The two Talmuds maintain that originally, the Ten Commandments were recited here, but were dropped when heretics charged that they alone (not the entire Torah) were given at Sinai. We are unsure of the identity of these (p. 72)

LAWRENCE KUSHNER
NEHEMIA POLEN

"Enlighten our eyes with your Torah and draw our minds near to You with your commandments"
Literally, "Enlighten our eyes with your Torah and cause our

heart to cleave (*dabek*) to your commandments." The second blessing commences with *ahavah rabbah*, "great love." The primary symbol in Judaism for this love is, of course, our study of and devotion to God's Torah, the way of all creation. This (p. 73)

Book
Commei

25

s diverse
aditiona
ost respe
perspec

d semia
s, *My Pec*
ranslatic
commer
argy.
mpower
of our ti
nnectio
wish pr
i worshi
ower ac

editor of
ades as I
few Un
gion in N
gist, he
ial, wors
or the sp
daism.

numer
blic Pra
ationally
ok for lit
agogue
?, the b
the m
daism e
also the
el Guide
ish Pilgr

Synagog
project
at the id
st centu

, Rte. 4

BIRKAT HATORAH

father, show us mercy and inspire us to understand and to consider; to listen, learn and teach, to keep and do and perpetuate all the teachings of your Torah in love. ⁴ Enlighten our eyes with your Torah and draw our minds near to You with your commandments and unite our hearts to love and revere your name, that we will never be shamed. ⁵ Because we have trusted your great and awesome name, we will rejoice and celebrate with your salvation.

MARC BRETTLER

from the four corners of the earth" — which is itself based partly on the description of restoration in Isa. 11:12. But the new theme (love) brackets the old one here, first, in the initial phrase, "You have loved us," and second, in the conclusion, "who chooses his people with love." God's love for us will evoke, in the *Sh'ma*, our obligation to love God in return. The love is reciprocal.

But how does God love Israel? As a husband loves a wife? Or a parent a child (e.g. Prov. 3:12)? Evoking God here as "our father" and "our father, merciful father" makes it quite clear that parental love is intended. More specifically, fatherly love is what the writer has in mind, a theme that is underscored by the oral play on words between the similar sounding *av* ("father") and *ahav* ("loves").

But the image of fatherly love is complex. One strand likens it simply to natural fatherly compassion, following Ps. 103:13, "Just as a father has compassion upon his children, so Adonai has compassion upon those who fear him." Another model is educational, evoking imagery of "father (and mother) as teacher," as in Prov. 1:8, "Heed, my son, the instruction of your father and do not abandon the teaching of your mother." Yet a third tier of meaning presumes a natural link between God as heavenly Father and Israel's earthly fathers, whom God by nature is expected to remember sympathetically. The last-named idea arises especially in Moses' pleas to God in the wilderness, when God considers destroying his people, or in Exod. 32:13, where God the father is expressly asked to recall Israel's ancestral fathers.

ELLIOT N. DORFF

hard philosophical jump, for experience leads us to think it improbable that an overpowering being who inspires awe and even fear can also be so loving as to care deeply for human beings, and for a particular group of them at that.

The Rabbis, however, insist that God is both transcendent and immanent, awesome and caring. Their way of thinking typically prefers truth to consistency, describing

וְלִהְיוֹתָ לָנוּ לְשֹׁמֵעַ לְלִמּוֹד וּלְלַמֵּד, לְשֹׁמֵר
וְלַעֲשׂוֹת וְלִקְיִים אֶת-כָּל-דְּבָרֵי תִּלְ-
מוֹד תּוֹרַתְךָ בְּאַהֲבָה. ⁴ וְהָאֵל עֵינֵינוּ
בְּתוֹרַתְךָ, וְדִבֵּק לִבֵּנוּ בְּמִצְוֹתֶיךָ, וְיִחַד
לְבָבֵנוּ לְאַהֲבָה וּלְיִרְאָה אֶת-שְׁמֶךָ.
וְלֹא-יָבוֹשׁ לְעוֹלָם וָעֶד, ⁵ כִּי בְשֵׁם קִדְשְׁךָ
הִגְדֹּל וְהַנּוֹרָא בְּטַחָנוּ. נִגִּילָה וְנִשְׂמַחָה
בִּישׁוּעָתְךָ.

experience in
erately juxtapose
the transcendence
for us, and not
to Jewish belief

"Our father,
Another reading
us to understand
just by giving
tuitive, since
highest regard
sometimes per
least to remain
then, can God

The easiest
grow up in a
takes consider
Though rules
they may also
prior. In like man
sion of God's
fulfilling its p

DAVID ELLEN
sake of," from
z'khut avot, it
rewarded "for
saintly Abraham
Immanuel Kant
The notion that
even one's an
judged individual
"Our ancestors

Interestingly
avotenu, literally
Hebrew text b
ing the Recon
gender equality

experience in all its fullness even if the facts do not fit neatly together. They thus deliberately juxtapose two blessings that force the worshipper to go without warning from the transcendent, powerful creator to the immanent, compassionate lover. God is both for us, and no view of God that ignores either one is adequate to our experience of, or to Jewish belief about, the Holy One.

"Our father, merciful father, show us mercy and inspire us to understand and to consider . . ."

Another reading of this sentence is: "Our father, merciful father, show us mercy *by* enabling us to understand and consider. . . ." That is, one of the ways God manifests love for us is just by giving us the Torah in the first place. For American Jews, this may sound counterintuitive, since Americans are imbued with the value of freedom, whereas this prayer has the highest regard for rules that prompt obedience. Moreover, the majority (Christian) tradition sometimes perceives Jewish law as perverse and legalistic (at best), teaching us to sin or at least to remain ignorant of the spirit that motivated the formation of the law originally. How, then, can God's giving us rules be a manifestation of God's love?

The easiest analogy is the relationship between parents and children. Children who grow up in a home without rules experience apathy, not love. As any parent knows, it takes considerable commitment and energy to frame and enforce reasonable rules. Though rules may become an expression of parental power exerted over the children, they may also be an act of love, demanded by parents to teach children proper behavior. In like manner, this prayer asks God to enable us to experience Torah as an expression of God's love, that we may value learning it ourselves, teaching it to others, and fulfilling its precepts in our own lives.

DAVID ELLENSON

sake of," from his prayer book. The doctrine in question is a rabbinic notion called *z'khut avot*, meaning "the merit of the ancestors." It held that any given Jew might be rewarded "for the sake of our ancestors," that is, because of the merit stored away by the saintly Abraham, Isaac and Jacob. Wise was a staunch follower of philosopher Immanuel Kant, however, and believed firmly in Kant's doctrine of moral autonomy. The notion that an individual could acquire merit on account of the deeds of another, even one's ancestors, was morally repugnant to him. All persons were, instead, to be judged individually on their own merits. So Wise rewrote the English to say, simply, "Our ancestors trusted in you."

Interestingly, the Reconstructionist *Kol Han'shamah* takes note of the Hebrew word *avotenu*, literally "our fathers," but translated here as "ancestors," and supplements the Hebrew text by adding (in the Hebrew) *ve'imotenu*, "and our mothers," thereby reflecting the Reconstructionist Movement's longstanding sensitivity to and affirmation of gender equality. The translation of *avotenu ve'imotenu* remains, however, "ancestors."

BIRKAT HATORAH

JOEL M. HOFFMAN

"Cared for us greatly" Hebrew, *chemlah*. Others: "mercy" or "compassion."

"Even exceedingly" "Even" is required only to make the English readable.

"Whom You therefore taught" Hebrew prefers conjunction over subordination, and so the Hebrew "and," used for many of our more specific conjunctions, is translated here as "therefore."

"Teach them to us" "Them" is absent in the Hebrew, but English requires explicit objects even where Hebrew does not.

"Inspire us to understand" Following Birnbaum. KH provides "place in our hearts" thereby retaining "heart" as a literal equivalent for the Hebrew *lev*. *Lev* does mean "heart," but its metaphoric function is not the same in English as it is in Hebrew (see below, "Your mind and body and strength"). Also, as it stands, the phrase is semantically obtuse, literally, "Let in our hearts to understand" (*ten b'libenu l'havin*).

"In love" It is not clear what "in love" (or perhaps "with love") modifies. It might be how we are to keep etc. the teachings of Torah, or it might be how God might let us do so. The Hebrew is ambiguous, and so the English is too.

"With your Torah" Or, "in your Torah."

"Draw our minds near to You" For "mind" the Hebrew has *lev*, literally, heart. Birnbaum translates, "attach our heart," while GOP suggests "hold fast." But "commandments" seems to be an adverbial phrase, not an object of the verb, and so we must infer the omitted "You" as object. Though it is not unusual to omit objects in Hebrew, the meaning remains unclear.

"Never be shamed" "Never" is too weak to capture the force of the Hebrew *l'olam va'ed*, which is often translated as "forever and ever." The proper meaning here is "never, ever!" but that expression sounds childish, and the original Hebrew does not.

"Rejoice and celebrate" Birnbaum offers the more poetic, "thrill with joy"; GOP: "rejoice and be glad."

LAWRENCE A. HOFFMAN

heretics, but apparently, some time in the second century (probably), the Decalogue was replaced with a blessing known as *Birkat Hatorah*, "The blessing over Torah," emphasizing the gift of the entire Torah to Israel.

Many "blessings over Torah" are still extant, scattered throughout the liturgy. A different blessing introduces the evening *Sh'ma* (not *Ahavah rabbah* — "You have loved us most lovingly" — but *Ahavat olam* — "With eternal love"). This allotment goes back to our first prayer book (*Seder Rav Amram*, c. 860). The Sefardi morning blessing follows an

alternative pre-blessing (*Ahar*

Many beat instance, read eternal life on a vine uprooted a vine from E streams from

ם מחורב

LAWRENCE F. NEHEMIA PC

yearning is ex cause our hea understandin instruction.

In Chasidi ing close. It c goal and the macy," or "ste self in the env we temporari One(ness) of

Yechiel Mi d'vekut loses : drop which h of the sea, nc

Such a reli Richard L. R we are the w as a somewh which is its s

In this ligh hearts to clea ituality than the comman into the divi

Ze'ev Wo. Hal'vavot (D a pious Jew

alternative precedent set by Saadiah Gaon (d. 942). It starts out like the Ashkenazi evening blessing (*Ahavat olam*) but then reverts to words typical of the Ashkenazi morning prayer.

Many beautiful alternatives can be found in the Genizah fragments. One, for instance, reads, in part, "Blessed are You . . . who provides Torah from the heavens and eternal life on high." Another draws on imagery from Psalm 80, which likens Israel to a vine uprooted from Egypt, and transplanted in the Land of Israel. "God brought forth a vine from Egypt . . . and planted it / Nurturing it with Sinai's waters / With flowing streams from Horeb."

גִּפְּן מִמִּצְרַיִם הָעֵלָה אֱלֹהֵינוּ . . . וַיְטַעָה מִיָּם מִסִּינַי הַשָּׁקָה אוֹתָם וְנוֹזְלִים מִחוּרֵב.

LAWRENCE KUSHNER
NEHEMIA POLEN

DABEK - CLEAVE - FUSION WITH GOD / DVEKUT

yearning is expressed elegantly in the phrase, "Enlighten our eyes with your Torah and cause our hearts to cleave (*dabek*) to your commandments." The sequence begins with understanding, ascends through enlightenment and culminates with cleaving to God's instruction.

In Chasidism, however, the word *dabek* ("cleave") means more than simply remaining close. It comes from the same root letters that give us the noun *d'vekut*, arguably the goal and the fulfillment of Chasidic spirituality. Usually translated as "cleaving," "intimacy," or "staying attached to," *d'vekut* is nothing less than a fusion with God, a loss of self in the enveloping waters of the divine, the *unio mystica*, a kind of amnesia in which we temporarily lose consciousness of where we end and begin, a merging with the Holy One(ness) of all being.

Yechiel Michel of Zlotchov (1731–1786) explained that a person who experiences *d'vekut* loses all self-awareness and considers him or herself to be nothing (*ayin*), like a drop which has fallen into the sea and returned to its source, now one with the waters of the sea, no longer recognizable as a separate entity.

Such a religious loss of self is also described by the contemporary American theologian Richard L. Rubenstein in an "oceanic" metaphor. He suggests that "God is the ocean and we are the waves. In some sense each wave has a moment in which it is distinguishable as a somewhat separate entity. Nevertheless, no wave is entirely distinct from the ocean which is its substantial ground."

In this light we can understand how the phrase *dabek libenu b'mitzvotekha*, "cause our hearts to cleave to, or, unite with, your commandments," means more in Chasidic spirituality than a mere wish to live in accord with God's Torah. Through the observance of the commandments, the worshipper prays to be rewarded with a loss of self, melding into the divine, an experience of the ultimate unity.

Ze'ev Wolf of Zhitomir (d. 1800), in his *Or Hame'ir*, cites a passage in *Chovot Hal'avot* (*Duties of the Heart*, by Bachya ibn Pakuda, c. 1080, Spain). There we read of a pious Jew who prayed that he be saved from *pizur hanefesh*, literally, "scattering of

BIRKAT HATORAH

soul," becoming unfocused, fragmented, not being centered, being "all over the place." Such is the inescapable outcome of trying to own too many things in too many places all at the same time.

But Ze'ev Wolf pushes the notion even further, suggesting that the main idea of having a "scattered soul" goes beyond being "scattered," to the sadness of having a "broken heart." He teaches that the root of our depression is the "dis-unity" of our soul, our inability to be at one, our inability to serve the One God.

Now if you direct your heart toward constantly cleaving to God, then surely your heart will no longer be scattered or fragmented. The power of the cleaving to the One God will necessarily re-unify your broken soul. The world may appear disorganized and broken into pieces, but in truth it conceals the Holy One who sustains and unifies it continually. Everything in creation is but clothing for the divine which animates and nourishes it. It may, in other words, *seem* as if things are unrelated, contradictory, fragmented, "all over the place," but in truth everything is a manifestation of God and therefore the ultimate unity.

Martin Buber calls this "resolution." He teaches the same idea but focuses on the inner fragmentation that afflicts our souls. The person with a "divided, complicated, contradictory soul is not helpless: the core of the soul, the divine force in its depths, is capable of acting upon it, changing it, binding the conflicting forces together, amalgamating the diverging elements — is capable of unifying it."

So it is possible for the scattered soul to cleave to its Creator. And, since God's oneness is the root of all being, then to join oneself with God is to unify oneself. When you feel like you are drowning in a torrent of physical pleasures, dismayed by the multiplicity of your possessions and their demands, you return to the unity of God and heal yourself.

Thus, through Ze'ev Wolf of Zhitomir's deliberate and creative "misreading" of *dabek libenu* ("Cause our hearts to cleave"), we are invited to consider that the source of our alienation from God's commandments and even from God, lies in our personal dis-integration, our fragmentation. In the *Sh'ma*, which this blessing introduces, the reason we are unable to realize God's unity, and therefore the unity of all creation, is on account of our own brokenness. Before we can utter God's unity, then, we must recover our own. What more appropriate introduction to the *Sh'ma*, the declaration of God's unity, could we hope to find?

MARC BRETTLER

"You have chosen the peoples" The biblical notion of a people (see esp. fully compatible as father (see above most lovingly) : God's son (also

ELLIOT N. DOR

"Blessed are you, Adonai, who have chosen your people Israel" God is here : edged ("blessed" choosing the Israel. The Chos concept originates

SUSAN L. EINE

"Blessed are you, Adonai, who have chosen your people Israel" The writer and scholar C.S. Lewis that the twelfth "invented" the concept of "love

DAVID ELLEN

"Bring us to the land of the earth" land. . . . You, all peoples and have found the two reasons. R. poran Jews live being anti-Zion

JOEL M. HOI

"Bring us to the place. Eilat to peace, or w