YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Before Sinai: Jewish Values and Jewish Law**

**By Rav Dr. Judah Goldberg**

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**In loving memory of Rabbi Dr. Barrett (Chaim Dov) Broyde ztz"l**

**הוֹלֵךְ תָּמִים וּפֹעֵל צֶדֶק וְדֹבֵר אֱמֶת בִּלְבָבוֹ​**

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**Shiur #29: The Land of Israel (12)**

**Visiting and Prioritizing the Land of Israel**

This *shiur* continues our discussion of a Jew’s responsibility towards the Land of Israel, particularly from the Diaspora. Although the most dominant question facing him or her may be whether to make *aliya*, it is not the only issue at stake. As we have stressed frequently, the need for active, earnest engagement with the values of *berit Avot* never lapses, and thus a deferral of *aliya*, for the best of reasons, only challenges a Jew to explore anew how else he or she can respond to the calling of *berit Avot*, vis-à-vis our beloved land.

While almost any positive gesture towards the Land of Israel is certainly welcome and meaningful, we are most interested, in keeping with the overall methodology of this series, in signals that a particular activity might be recognized by Halakha. Specifically, this *shiur* will consider possible legal standing to tourism to the Land of Israel. After then discussing commitment and connection to the Land more generally, we will offer some concluding remarks to this entire unit about the Land of Israel in *berit Avot* and *berit Sinai*.

**Visiting Israel**

Visiting the Land of Israel, as Jewish communal organizations know well, can be a profound, bonding experience for all Jews, regardless of observance or affiliation. However, whether a pilgrimage to the Land carries any halakhic weight is debated by sixteenth- and seventeenth-century scholars. Even though a vow to perform a mitzva cannot be nullified, R. Yehoshua Boaz argues that a vow to visit the Land of Israel is cancellable, as visiting does not in any way constitute a mitzva (*Shiltei Ha-gibborim, Shavuot* 7b-8a [Alfasi]).[[1]](#footnote-1) R. Yosef Trani (Maharit) agrees with this ruling but at the same time addresses the possible value of a temporary stay:

One who travels to see [the Land] and then return — we do not find in this regard an explicit mitzva. **And even if you will say that there is merit for him** from that which [our Sages] said, “One who walks four cubits in the Land of Israel is guaranteed a share in the World to Come, for it says, ‘And spirit to those who walk in it’ (*Yeshayahu* 42:5)” (*Ketubot* 111a), in any case it is not a positive commandment.[[2]](#footnote-2) (2[*YD*]:28)

The Maharit himself subsequently downplays this possible “merit.”[[3]](#footnote-3) However, his student R. Chaim Benveniste seizes upon it and, in light of the Rivash’s leniency regarding *aliya* (discussed in the [previous *shiur*](https://etzion.org.il/en/shiur-28-land-israel-11)), concludes that even a visit to the Land of Israel overrides the prohibition against travel before Shabbat.[[4]](#footnote-4) His opinion is cited by the Magen Avraham (*OC* 248:15) and the Mishna Berura (248:28) (together with a more stringent one),[[5]](#footnote-5) as well as by the Arukh Ha-shulchan (248:14).

These scholars, perhaps following the responsum of the Rivash, specifically relate to the spiritual merit of “a walk” in the Land of Israel. They set a precedent, however, of honoring extralegal dimensions of the Jewish experience in the Land of Israel, and therefore I take the liberty to broaden the canvas. A visitor to the Land not only basks in the shadow of the Divine Presence (categories #3-4), but he or she is also linking himself or herself to the Jewish national story, past and present (categories #1-2), through its geographic focal point.[[6]](#footnote-6) None of this amounts to a formal mitzva of Sinai, but it is a “*devar mitzva*” — perhaps as a reflection of *berit Avot* — nonetheless. Moreover, the very fact that the law accommodates the value of the Land of Israel means that we, too, must live in perpetual response to it. The license to leave for a journey on Thursday or Friday implies the duty to aspire to one in the first place.

***Derishat Tziyyon***

More broadly, the overarching values of *berit Avot* call upon Jews everywhere to pursue what *mori ve*-*rabbi* R. Aharon Lichtenstein terms “*derishat Tziyyon*” (seeking out Zion), following the Sages’ comment on a verse in *Yirmeyahu*: “‘It is Zion; no one seeks it’ (30:17) — apparently it requires seeking” (*Rosh Hashana* 30a).[[7]](#footnote-7) *Derishat Tziyyon*, as R. Lichtenstein notes, has both spiritual and practical elements. First, it asks a Jew to orient himself or herself towards the Land of Israel, both technically, as in the direction of prayer (see *Berakhot* 30a), and existentially, regarding spiritual aspirations and a sense of personal and collective destiny. R. Lichtenstein writes:

Beyond flag-waving and beyond merely exuding emotion, [*derishat Tziyyon*] is all about search and relation; about bonding and linkage; about developing a thirst for Zion and all that it represents and about seeking avenues to quench that thirst—by remembrance and reenactment of things past in conjunction with anticipation of things future. (312)

Of course, as in all of Judaism, sentiment must translate into action, and vice versa. *Derishat Tziyyon* should not remain an abstract yearning, I would suggest, but should tangibly influence the lives of Diaspora Jews. It should determine, for instance, how a family speaks around their Shabbat table about the Land, where they send their children for summer programs, where they direct their philanthropic efforts, with what fervor they pray for their brethren in Zion and how deeply they are animated by a profound vision for national and spiritual redemption.

Second — though lower in priority for R. Lichtenstein — is the pragmatic dimension of *derishat Tziyyon*. Zionist activism cannot be traced to a paragraph in the *Shulchan Arukh*, but it is a natural outgrowth, I believe, of genuine commitment to *berit Avot*. The State of Israel remains politically and militarily vulnerable, and the support of Diaspora Jewry is critical to advancing its interests. This aspect of *derishat Tziyyon*, at its most basic, means caring about the Land and its inhabitants — following developments, devoting interest and emotional energy, and praying deeply for the Land. Beyond that, it means taking an active role, privately and communally, in promoting the wellbeing of the Land and of those who reside within. Every Jew, whether outside of Zion or inside its borders, shares collective responsibility for the Land of Israel and must continually challenge himself or herself “to develop it and to safeguard it” (*Bereishit* 2:15) in whatever ways possible.

While none of these elements are completely foreign to *berit Sinai*, I would suggest that the range and depth of responsibility are more fully captured by the broad framework of *berit Avot*. In the context of the law, *derishat Tziyyon* makes rather modest demands, but from the perspective of *berit Avot*, it asks, paradoxically, for nothing and for everything simultaneously. As with all values, there is neither a floor nor a ceiling to one’s quest for Zion. The only articulable obligation is the seeking itself, the unrelenting pursuit of and engagement in God’s covenant with enthusiasm and creativity: “For the sake of Zion I will not be silent” (*Yeshayahu* 62:1).

**Conclusion to “The Land of Israel” Unit**

In the last several *shiurim*, we have tried to highlight the full complexity of our relationship with the Land of Israel. It is both the locus of national Jewish destiny and the pinnacle of terrestrial sanctity; it lies at the heart of *berit Avot* and is critical to the full realization of *berit Sinai*. Its array of unique halakhic and spiritual features is without parallel, and the full scope of responsibilities it thus engenders can be daunting.

Indeed, the complexity itself presents a challenge. God’s lament, “They divided My Land” (*Yoel* 4:2) — bitterly invoked by R. Tzvi Yehuda Kook regarding the 1947 Partition Plan[[8]](#footnote-8) — can also be used to describe how different segments of the Jewish community sometimes latch on to certain aspects of the Land of Israel only. Some seek out its spirituality or its *mitzvot* but live almost as strangers within its modern political revival. Others champion its rebirth as the Jewish national home but lack commitment to the full splendor of *berit Sinai*. Yet others focus upon the physical Land itself and its resettlement, but with some disconnect from the broader national experience and at the expense of other priorities. Finally, there are those who acknowledge the Land as an abstract concept or halakhic category but harbor little active connection to it of any sort.

What we seek, of course, is the “wholeness of the Land,” in every sense. We yearn for the simultaneous realization of *berit Avot* and *berit Sinai*, in all of their manifestations, in the Land of Israel. We aspire for a strong, vibrant nation rehabilitated in and through the Land, allegiant to the minutiae of Sinai and intoxicated by Divine encounter, overflowing the Land’s borders and delighting in every speck of its dirt; and the fact that our current reality necessitates certain tradeoffs between these elements does not distract our gaze away from the composite ideal. We cannot champion just one facet of the Land at the expense of all others (or none at all!), and specifically in compromising we must maintain a steady vision for the Land’s full glory. Focusing singularly upon the integrity of the physical land or upon public adherence to Torah law, for example, amounts to giving up on large parts of the Land in other senses, and that price may be too steep to pay.

To the extent that we must concede something of our dreams, it should be with forethought, careful deliberation, and measure. The Jewish nation, around the globe, cannot lose its footing in either covenant as it inches towards eternity. At every step, we must calibrate our choices, personal and communal, against the sweeping, multifaceted vision for the Land and the people of Israel that the Master of the Universe Himself articulates for us:

For He remembered His sacred word, His servant Avraham. He took His nation out [of Egypt] with delight, with joy His chosen ones. He gave them the lands of peoples, and the wealth of nations they inherited, so that they will observe His laws, and His teachings they will protect. (*Tehillim* 105:42-45)

**For Further Thought:**

1. In looking for echoes of *derishat Tziyyon* in Halakha, at least two other common practices deserve consideration:
	* Many Jewish communities in the Diaspora direct a disproportionate amount of their philanthropic efforts towards causes in the Land of Israel. What connection does this phenomenon have to the *Sifrei*’s statement (codified in *Shulchan Arukh,* *YD* 251:3) that the poor of the Land of Israel take priority over the poor of the Diaspora? See *mori ve-rabbi* R. Aharon Lichtenstein, “*Tzedaka Ba-Aretz U-vchutz La-Aretz*,” *Minchat Aviv*, pp. 107-114.
	* Jewish burial in the Land of Israel is featured prominently in *Sefer Bereishit*, starting with the burial of Sara (Chapter 23). Thus, regarding the practice of bringing the deceased to the Land of Israel for burial, the Rambam cites the precedents of Yaakov and Yosef (*Hilkhot Melakhim* 5:11). While the Rambam, following *Chazal*, highlights the unique atonement that such burial achieves, could there be other layers of meaning — positive and negative (see *Talmud Yerushalmi, Ketubot* 12:3) — to burial in the Land of Israel? Also see our previous discussion in [*shiur* #7](https://etzion.org.il/en/shiur-07-independence-berit-avot-and-its-interaction-berit-sinai-%E2%80%93-part-2).

**Questions or Comments?**

Please email me directly with your feedback at judahlgoldberg@gmail.com!

1. For R. Boaz, in fact, traveling to the Land of Israel with the intent of leaving is not merely neutral, but actually misguided. He states that such a trip is “something that God does not desire” or derive satisfaction from and invokes *Yeshayahu* 1:12 — “Who requested this of you, to trample My courtyard?” — in this context. [↑](#footnote-ref-1)
2. Also see 1:134 and *Teshuvot Radvaz* 1:454. [↑](#footnote-ref-2)
3. The Maharit suggests that *Chazal*’s statement refers to one who immigrates to Israel but tragically dies immediately after arriving. Even though he or she only “walk[ed] four cubits in the Land of Israel,” the reward for *aliya* has already accrued. [↑](#footnote-ref-3)
4. “I seem to recall that I saw in the book *Shiltei Ha-gibborim*, though right now I do not remember where, that one who walks four cubits in the Land of Israel performs a mitzva. According to his words, even to travel [to the Land] with the intent to return is called a mitzva” (*Kenesset Ha-gedola* on *Beit Yosef*, *OC* 248). The relationship between this attribution and the earlier ruling of the *Shiltei Ha-gibborim* is unclear. [↑](#footnote-ref-4)
5. The Mishna Berura, following the Peri Megadim, combines this logic with other reasons to be lenient. [↑](#footnote-ref-5)
6. Of course, a visitor also has the opportunity to fulfill the unique *mitzvot* of the Land’s soil (category #5). [↑](#footnote-ref-6)
7. “Diaspora Religious Zionism: Some Current Reflections,” *Varieties of Jewish Experience* (Jersey City, 2011), pp. 291-317. [↑](#footnote-ref-7)
8. *Eretz* *Ha-tzevi* (Beit El, 1995), 2. [↑](#footnote-ref-8)