



Hashem's Ongoing Involvement in the Halachic Process

By Rabbi Chaim Jachter

Are Poskim "on their own" when arriving at Halachic decisions or are they being subtly influenced by Hashem? I do not necessarily refer to the individual Posek's decisions but rather to the emergence of a Halachic consensus. Might Hashem continue to influence the Halachic consensus even today? The answer might hinge upon the harmonization of two major stories of the Mishna/Gemara.

In this exploration, we must bear in mind the great tension between Bechira Chofshit and Hashgacha Peratit – which (as understood by some Mefarshim such as the Rambam) is expressed in the Mishna (Avot 3:15) הכל צפוי והרשות נתונה, all is foreseen but free will is nonetheless granted.

Tannur Shel Achnai

On the one hand, the great story of the Tannur Shel Achnai (Bava Metzia 59b; translation from Sefaria) indicates that Hashem allows the Chachamim independence in the Halachic process:

And this is known as the oven of akhnai. The Gemara asks: What is the relevance of akhnai, a snake, in this context? Rav Yehuda said that Shmuel said: It is characterized in that manner due to the fact that the Rabbis surrounded it with their statements like this snake, which often forms a coil when at rest, and deemed it impure. The Sages taught: On that day, when they discussed this matter, Rabbi Eliezer answered all possible answers in the world to support his opinion, but the Rabbis did not accept his explanations from him.

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After failing to convince the Rabbis logically, Rabbi Eliezer said to them: If the halakha is in accordance with my opinion, this carob tree will prove it. The carob tree was uprooted from its place one hundred cubits, and some say four hundred cubits. The Rabbis said to him: One does not cite halakhic proof from the carob tree. Rabbi Eliezer then said to them: If the halakha is in accordance with my opinion, the stream will prove it. The water in the stream turned backward and began flowing in the opposite direction. They said to him: One does not cite halakhic proof from a stream.

Rabbi Eliezer then said to them: If the halakha is in accordance with my opinion, the walls of the study hall will prove it. The walls of the study hall leaned inward and began to fall. Rabbi Yehoshua scolded the walls and said to them: If Torah scholars are contending with each other in matters of halakha, what is the nature of your involvement in this dispute? The Gemara relates: The walls did not fall because of the deference due Rabbi Yehoshua, but they did not straighten because of the deference due Rabbi Eliezer, and they still remain leaning.

Rabbi Eliezer then said to them: If the halakha is in accordance with my opinion, Heaven will prove it. A Divine Voice emerged from Heaven and said: Why are you differing with Rabbi Eliezer, as the halakha is in accordance with his opinion in every place that he expresses an opinion?

Rabbi Yehoshua stood on his feet and said: It is written: "It is not in heaven" (Deuteronomy 30:12). The Gemara asks: What is the relevance of the phrase "It is not in heaven" in this context? Rabbi Yirmeya says: Since the Torah was already given at Mount Sinai, we do not regard a Divine Voice, as You already wrote at Mount Sinai, in the Torah: "After a majority to incline" (Exodus 23:2). Since the majority of Rabbis disagreed with Rabbi Eliezer's opinion, the halakha is not ruled in accordance with his opinion. The Gemara relates: Years after, Rabbi Natan encountered Elijah the prophet and said to him: What did the Holy One, Blessed be He, do at that time, when Rabbi Yehoshua issued his declaration? Elijah said to him: The Holy One, Blessed be He, smiled and said: My children have triumphed over Me; My children have triumphed over Me.

סוד ה' ליראיו וקרייתו להודיעם - Yadayim 4:3

On the other hand, the Mishna in Yadayim (4:3) indicates otherwise. This Mishna clearly communicates that Hashem influences the emergence of the consensus opinion after a very spirited debate among the Chachamim.

On that day they said: what is the law applying to Ammon and Moab in the seventh year? Rabbi Tarfon decreed tithe for the poor. And Rabbi Elazar ben Azariah decreed a second tithe. Rabbi Ishmael said: Elazar ben Azariah, you must produce your proof because you are expressing the stricter view and whoever expresses a stricter view has the burden to produce the proof. Rabbi Elazar ben Azariah said to him: Ishmael, my brother, I have not deviated from the sequence of years, Tarfon, my brother, has deviated from it and the burden is upon him to produce the proof. Rabbi Tarfon answered: Egypt is outside the land of Israel, Ammon and Moab are outside the land of Israel: just as Egypt must give tithe for the poor in the seventh year, so must Ammon and Moab give tithe for the poor in the seventh year. Rabbi Elazar ben Azariah answered: Babylon is outside the land of Israel, Ammon and Moab are outside the land of Israel: just as Babylon must give second tithe in the seventh year, so must Ammon and Moab give second tithe in the seventh year. Rabbi Tarfon said: on Egypt which is near, they imposed tithe for the poor so that the poor of Israel might be supported by it during the seventh year; so on Ammon and Moab which are near, we should impose tithe for the poor so that the poor of Israel may be supported by it during the seventh year. Rabbi Elazar ben Azariah said to him: Behold, you are like one who would benefit them with gain, yet you are really as one who causes them to perish. Would you rob the heavens so that dew or rain should not descend? As it is said, "Will a man rob God? Yet you rob me. But you: How have we robbed You? In tithes and heave-offerings" (Malachi 3:8). Rabbi Joshua said: Behold, I shall be as one who replies on behalf of Tarfon, my brother, but not in accordance with the substance of his arguments. The law regarding Egypt is a new act and the law regarding Babylon is an old act, and the law which is being argued before us is a new act. A new act should be argued from [another] new act, but a new act should not be argued from an old act. The law regarding Egypt is the act of the elders and the law regarding Babylon is the act of the prophets, and the law which is being argued before us is the act of the elders. Let one act of the elders be argued from [another] act of the elders, but let not an act of the elders be argued from an act of the prophets. The votes were counted and they decided that Ammon and Moab should give tithe for the poor in the seventh year. And when Rabbi Yose ben Durmaskit visited Rabbi Eliezer

in Lod he said to him: what new thing did you have in the house of study today? He said to him: their votes were counted and they decided that Ammon and Moab must give tithe for the poor in the seventh year. Rabbi Eliezer wept and said: "The counsel of the Lord is with them that fear him: and his covenant, to make them know it" (Psalms 25:14). Go and tell them: Don't worry about your voting. I received a tradition from Rabbi Yohanan ben Zakkai who heard it from his teacher, and his teacher from his teacher, and so back to a halachah given to Moses from Sinai, that Ammon and Moab must give tithe for the poor in the seventh year.

Other Examples of ליראיו וקרייתו להודיעם

I believe that we find a similar phenomenon of סוד ה' ליראיו וקרייתו להודיעם in regards to the following two cases: Rashi and Rabbenu Tam famously argue about 1) The order of the Parshiyot in Tefillin 2) Whether a Mezuzah is affixed vertically or on a slant (this Machloket is practice stems from a Machloket Rashi and Rabbeinu Tam).

In the twentieth century, archaeologists discovered, both in regards to Tefillin and Mezuzah, that in the time of Bayit Sheini, some Tefillin were arranged following Rashi's view and some Tefillin followed Rabbeinu Tam's opinion! Some homes had Mezuzot affixed in accordance with Rashi and others like Rabbeinu Tam (for further discussion and sources see my Gray Matter 3:250 and 260)!

Resolving the Contradiction - Hashem Subtly Influencing the Consensus

How might one resolve the seeming Setirah (contradiction) between Bava Metziah 59b and Mishna Yadayim 4:3 (especially since it is none other than Rabbi Eliezer who pronounces סוד ה' ליראיו וקרייתו להודיעם)?

My thought is that there is no Setirah: The Chachamim's ruling (i.e. the consensus view) in the Tanur Shel Achnai case reflects the subtle influence of Hashem - סוד ה' ליראיו וקרייתו להודיעם. The Bat Kol, as Tosafot to Bava Metziah 59b (d"h Lo BaShamayim Hi) say, was issued merely as Kavod to Rabi Eliezer.

Maharal (Be'air HaGolah 1:5; explicated in Rav Netanel Wiederblank's "Illuminating Jewish Thought" pages 242-247) adds that both Rabi Eliezer and the Chachamim reflect the Dvar Hashem in a stunning expression of epistemological pluralism (Eilu V'Eilu Divrei Elokim Chaim). However, the Maharal explains, more of the Emet lies with the Chachamim and the Halacha follows this view. I suggest that Hashem subtly influences the Halachic consensus to adopt the view which captures more Emet. I also suggest that in situations where no Halachic consensus emerges, both views capture equal shares of Emet and thus both views remain extant through the generations.

I believe that my approach can be supported by the Ramban to Devarim 17:11 explaining why we should follow the decisions of the Sanhedrin even if it appears incorrect to us כל שכן שיש לך לחשוב שהם אומרים על ימין שהוא ימין כי רוח השם על משרתי מקדשו ולא יעזוב את חסידיו לעולם נשמרו מן הטעות ומן המכשול ולשון ספרי (שופטים קנד) אפילו מראין בעיניך על הימין שהוא שמאל ועל שמאל שהוא ימין שמע להם:

The Chatam Sofer (cited by his grandson in his Chut HaMeshulash page 97; quoted by Dr. Abraham S. Abraham, Nishmat Avraham 4:15) similarly told his son the Ketav Sofer that a consensus view among fully observant Jews is an expression of divine influence. The Aruch HaShulchan (Orach Chaim 345:18) describes the Halachic consensus regarding relying on community Eruvin as if a Bat Kol (heavenly voice) rang out in favor of this view. Rav Asher Weiss (Teshuvot Minchat Asher 1:30) similarly describes the Halachic consensus regarding the prohibition to turn on electric appliances on Shabbat as if a Bat Kol (heavenly voice) rang out in favor of this view. We may in this vein understand Pesachim 66a, which while endorsing the validity of the view followed by the devout Jewish community, states “if they are not prophets, they are the children of prophets”.

Conclusion

The fact that for every new breakthrough in science, technology, medicine etc. Poskim find a precedent in Chazal to apply the Halacha fairly seamlessly to the contemporary context, indicates subtle divine influence in the works of Chazal. How else how we can explain why the Gemara contains perfect analogies (to cite but a few examples of this phenomena) for airplanes, in vitro fertilization, refrigerators, electric shavers and dishwashers? הכל צפוי והרשות נתונה, the Chachamim exercise their free will and exert every effort to master Torah and apply it properly, but it is Hashem who is subtly shaping the outcome. Perhaps this is why (Bava Metzia 59b) Eliyahu HaNavi reports Hashem smiles when He proclaims “Nitzchuni Banai”, my children have defeated Me. The victory of the Chachamim is an illusory defeat since ultimately their view has been quietly tilted by Hashem in the direction of the most truthful conclusion.

An Insightful Omission: Avraham's Early Years

By Rabbi Avraham Wein

Some of the most famous passages in all of Midrashic literature pertain to the early life of Avraham Avinu. The inspiring tales of Avraham becoming a believer in Hashem through philosophizing about the world, surviving a fiery oven, and destroying his father's idols provide context for Avraham's life. Ironically though, if one looks at the actual text of the Torah, there is very little background

information about young Avraham. (A strong contrast to Avraham is Moshe. For a fascinating discussion of an omission of many years later in Moshe's life, see the first chapter in Rabbi Mosheh Lichtenstein's *Moses: Envoy of God, Envoy of His People*.) There is a bit about his family's history, but that's it. The first time the Torah presents something substantial about Avraham Avinu is God's formidable command to him of “Lech Lecha Mei'Artzecha... El Ha'Aretz Asher Ar'ekha.” Avraham is challenged with –and accepts– this tremendous undertaking to leave his birthplace and family to go to an unknown land which Hashem will show him. Yet, we don't really know anything about Avraham: Who is he? Why is he chosen? Why does he listen to God's command? Why isn't there a more elaborate background? (Rambam's comments (*Hilkhot Avodat Kokhavim* 1:3) further bolster this question. Even though Mishneh Torah is a halakhic coda which rarely mentions narratives and especially Midrashim, he chooses to include these Midrashim in his treatment of core principles of faith. It is fascinating that Rambam attributes exceptional prominence to these Midrashim and highlights how surprising it is that the Torah omits them.)

Indeed, these questions are explicitly raised by Ramban (12:2) in his commentary on this passage. He proposes that the Torah avoids delving into these episodes because it would have entailed detailing the Avodah Zarah ideologies against whom Avraham Avinu was competing. Therefore, the Torah omits it.

However, it is possible the Torah's intentionally obscure presentation itself is meant to convey a critical lesson. I once heard Mori Ve-Rabbi Rav Michael Rosensweig (I heard a nearly identical suggestion from another one of my esteemed teachers, Rav Jacob J. Schacter when he visited Congregation Beth Sholom in 2019.) suggest that if the Torah had described Avraham's path towards faith, we'd be misled to believe that it is the only path a person can take towards becoming a believer in Hashem. Therefore, the Torah deliberately precludes that misconception. Though Avraham's path was wonderful and important for him and can serve as a model for those similarly inclined, we are all allowed and encouraged to have our own unique styles and personalities in our journey towards God. The important part is not how one becomes a person of faith, but that one does become a believer. Thus, the Torah omits the early biographical of Avraham.

I believe there may be another important interpretation. Perhaps the Torah left out Avraham's early life because what is important for the reader is to encounter him as being commanded by God and him accepting that command. That captures Avraham's essence and character because he is the person that

whenever God comes to him, be it during the worst times or most challenging moments, and God challenges him to do something, however difficult, he goes and fulfills that charge. The most dramatic example of this is the Akeidah where he is called upon to sacrifice his beloved, long-awaited son Yitzchak. However painful, had God not told Avraham to stop, he would have sacrificed Yitzchak! This is what Avraham's story teaches us in Parashat Lech Lecha as well. The Torah does not provide background because what we are supposed to learn from Avraham's life is that when God presents him with a challenging command, he listens. It doesn't matter where he is from but whether or not he will accept the challenge and go forth and follow God's will. With Avraham, time and time again the answer is yes. He is perpetually ready to accept God's commands.

This idea is deeply relevant to our lives. So often we are faced with times that we don't feel like it is the right moment to fulfill God's will (Mitzvot) because it is very challenging or inconvenient. Performing mitzvot can certainly be an exhausting experience. But the key is, when we do encounter these challenging and daunting moments, we must take the same proverbial leap of faith that our great forefather Avraham once took to follow God's will whatever the circumstances. This is the legacy of Avraham Avinu.

The Difference Between Torah and Science, a Lesson from Avraham Avinu

By Nachi Scheiner

Editor's note: The basis for this article is a shiur given by Rabbi Yitzzy Radner of Yeshiva university

For centuries, there has been a fiercely debated topic amongst the leaders of the Jewish community and the leading scholars of the non-Jewish world. From the sages of the Gemara vs. the scientists of that time to the leaders of our generation vs. modern-day archeologists, Torah and science have long been contradictory topics. When trying to discern who is correct, one must first understand what each of their perspectives is based upon.

What is science's perspective on problem-solving? To figure out the application of a word, one must first understand the meaning of the word. The word science comes from the Latin "scientia," meaning knowledge. Science bases itself on what humans perceive and know. When trying to understand how humans function or how the world orbits, science turns towards what we can understand. Science only believes that which can be seen.

The Torah perspective on many of these issues is rooted in Emunah, faith. Emunah is antithetical to the function of science. Emunah is the understanding of our

limitations and the recognition of Hashem's supreme control. Emunah dictates that when we do not understand something, it doesn't mean it is nonexistent.

One can comprehend the aforementioned idea in terms of the following parable. Yaakov's mother, Rivka, travels to a foreign country and stays there for the rest of her life (for the sake of the parable). Yaakov knows his mother and knows where she is. However, when Yaakov has a son named Reuven, the only reason Reuven knows that he has a grandmother named Rivka, is because his father told him. He doesn't know her and has never seen her before, yet he believes she exists because of what his father told him. Similarly, science dictates that anything that cannot be perceived by the world at large is nonexistent. Despite being told by an eyewitness, if humanity can't prove it, it never happened. On the contrary, Emunah dictates that we rely on what the previous generation has taught us. We place ourselves in something much larger than humanity.

With the above background, one can now fully understand a portion of the Sefer Ha'Ikarim related to Parashat Lech Lecha. The Sefer Ha'Ikarim explains that non-Jewish philosophers and scientists are missing an aspect of Ruchniyut that the Jewish sages and Nevi'im have. Non-Jewish scientists are stuck in the realm of human knowledge. However, Jewish Nevi'im and sages can break through the realm of human knowledge and, through the study of the Torah, achieve a connection to Hashem and to a power beyond this world. For this reason, Nevi'im, like Elisha, are able to perform acts that defy nature. Since nature is how scientists understand the world and no being can change it, having a miracle performed for them is unfathomable. When one realizes that nature is just the rules that Hashem set up and these rules can be changed at any moment, he/she is no longer restricted by those rules.

Although we may not be Nevi'im, we can still see the above principle in action all around us. One story to illustrate this is an occurrence told over by Rabbi Noiky Roberts. Rabbi Roberts had a congregant that, for over fifteen years, could not have children. Doctors from all around the world were giving up on them left and right. They felt hopeless. However, they never stopped connecting themselves to a power beyond this world and they continued to daven year after year. One Yom Kippur, the brother of the childless man had a vision. He saw himself going up to the ark and pulling out a precious child. He then turns around and hands the child to his desperate brother. That year the infertile couple had a child. When one connects himself/herself to the inexplicable, anything can happen.

When finding a precedent for this concept, Avraham Avinu immediately comes to mind. As a man who

discovered God and realized there is so much more to this world than what we can understand, the inexplicable happened to him: he survived a furnace, beat multiple kings in a battle, and had a child when he was one hundred years old. For good reason, the Torah says “V’He’emin Ba’Hashem Va’Yechshev Lo Tzedaka,” “And because he put his trust in the LORD, He reckoned it to his merit” (Genesis 15:6). With Hashem’s help, we should all be able to follow the precious path Avraham Avinu lays out for us in this week’s Parasha.

Figure n

By Eitan Barenholtz

In Parashat Lech Lecha, Avraham Avinu goes through trials and tribulations. Hashem tells Avraham to leave his homeland and go to Canaan which they then have to leave because of a famine. In Egypt, Avraham has to fend off one king from stealing Sarah from him and then four more to keep them from “looting” Lot. And we groan when our parents ask us to help around the house. At the end of all this traveling and struggling to survive, Avraham is rewarded for his great faith in Hashem with just a letter added to his name?

This seemingly small name change has huge consequences. Berachot 13b records a Machloket about whether calling Avraham (for non-Torah purposes) by the name Avram is a violation of a Mitzvah Asei or a Mitzvah Lo Ta’Asei . Why would the pitfalls of this commandment be so large?

Additionally, Avraham adds a letter to his name, as opposed to Sarah who only switched a letter. This seemingly reminds us of Avraham Avinu’s past in Aram (Avram means father of Aram) while also signifying a new chapter of Avraham’s life, the father of monotheism. What is with all of this confusion?

To answer, I cite a concept from Rav Fridman Shlita’s Gemara shiur. In the Kiddushin process, if a Rasha gets married on the condition that he is a Tzaddik, the Shulchan Aruch writes that the marriage might be valid because the Rasha might do Teshuva in order to be considered a Tzaddik. What’s the reason for this uncertainty? The Rasha says he will do Teshuva but we don’t know if he actually will. A parallel can be drawn to Avraham Avinu. Chizkuni says that Avraham travels to Egypt and he is a little doubtful about Hashem’s ability to protect him, which is why he tells Sarah Imeinu to say she is his sister. Similarly, Avraham is offered loot after defeating the four kings and suddenly Malkitzedek jumps in. He reminds Avraham that Hashem is the ruler of the earth, and then suddenly, Avraham refuses any of the spoils for himself.

These two examples do not imply that Avraham was not great; he was just getting into situations that require more trust in Hashem than all of us will ever have. Maybe he did fully trust Hashem in Egypt or would always have turned down the loot from the kings, but the critical point is the uncertainty. That is what the Hay in Avraham’s name comes to do: to help him make a concrete decision that going forward he will always trust in Hashem. Going back to the Rasha who says he is a Tzaddik, we consider him a Tzaddik if we see him giving up his evil lifestyle and doing good deeds instead of just saying he will. When Avraham receives Hashem’s name - the Hay - in his name, we see that not only does Avraham want to dedicate his life to Hashem, but he commits to doing so.

To answer the other questions is now simple. Hashem doesn’t drop any letters from Avraham’s original name because it reminds all of us that Avraham came from a family that worshipped idols and then morphed into perhaps the father of monotheism. That is why we can refer to Avraham as Avram when learning Torah but not otherwise: if we are saying it in a derogatory manner because we grew up in Torah households while his family was idol worshippers, it degrades the Torah and is anathema. However, if we are saying it out of respect for all the growth he achieved and the challenges he overcame, it is unquestionably permissible. Thus, we can learn from Avram turning into Avraham that we too can become great people with the help of Hashem.

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