YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Halakha and Israeli History**

**Rav Aviad Tabory**

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Dedicated by Rav Yitzchak and Stefanie Etshalom

in memory of Rabbi Aaron Wise z"l,

Rav Etshalom's father, on the occasion of his 20th yahrzeit - 21 Tammuz

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**Shiur #33:**

**17 August 1949:**

**Binyamin Ze’ev Herzl’s Burial in Jerusalem**

**Biography**

Theodor (Binyamin Ze’ev) Herzl was only 44 when he died in 1904 (20 Tamuz 5664). During his short life, he became the most important leader of the Zionist movement, which paved the way for the establishment of the State of Israel in 1948.

Born in Budapest, Herzl came from an assimilated family with no connection to Jewish tradition, but was intrigued by the future of the Jewish people. Early on, he considered assimilation as a solution to the antisemitism which he encountered; however, he soon came to the conclusion that the only real solution to for the survival of the Jewish people would be establishing a homeland.

Working as a journalist, Herzl wrote articles, plays and a book discussing his Zionist vision of a Jewish State in the Land of Israel. One of his greatest achievement was to contact heads of state, including the Sultan of the Ottoman Empire and Kaiser Wilhelm II. In 1897, he inaugurated the First Zionist Congress in Basel, Switzerland.

In his writings, he asked to be buried in the Jewish State of which he dreamt. His wish came true in August 1949 with an official ceremony conducted by the Israeli government on a desolate mountaintop in Jerusalem, capital of the new Jewish State. Mount Herzl become the official cemetery for the leaders of the State of Israel as well as the main military cemetery of the IDF.

**Orthodox Attitudes**

The religious world was ambivalent in its attitude towards the Zionist movement and particularly towards its secular leaders. As Herzl was the face of modern Zionism, much of the criticism was targeted towards him.

In today’s *shiur*, we will examine the different approaches in the Orthodox community towards secular Jews, specifically of those who are part of the Zionist community. We will do this by studying the responses and eulogies delivered after Herzl’s death.[[1]](#footnote-1)

**How to Relate to Secular Jews**

The question of how the Torah relates to secular Jews has been around for a very long time.[[2]](#footnote-2) The original fundamental halakhic attitude towards secular Jews is very harsh and strict, without much room for understanding or tolerance.[[3]](#footnote-3)

Rav Yehuda Amital explains that there is a gap between the Written and the Oral Torah.[[4]](#footnote-4) While the Written Torah talks in the language of *middat ha-din,* the attribute of justice, the Oral Torah speaks the language of *middat ha-rachamim*, the attribute of mercy. This might explain why how we relate to secular Jews in practice is very different from the written law.

**Historical Evolution**

Since the 19th century, some rabbis like Rav Ya’akov Ettlinger (Germany, 1798-1871) suggested that the Orthodox approach to secular Jews should change due to the unique circumstances of the time. His main argument was, that in the past, Jews who did not practice their religion were leaving the Jewish nation. In current times, he argued, secular Jews were still connected in other ways to tradition and Judaism.[[5]](#footnote-5)

Some, like Rav Avraham Yeshaya Karelitz (the *Chazon Ish*, 1878–1953), argued that in our times a more sensitive and tolerant attitude towards secular Jews should be taken.[[6]](#footnote-6) He modeled his approach on the well-known halakhic concept of *tinok she-nishba,* which literally translates to “a child taken captive*.”* This idea is mentioned by the Rambam:[[7]](#footnote-7)

The children of these errant people and their grandchildren whose parents led them away and they were born among these Karaites and raised according to their conception, they are considered as children captured and raised by them. Such a child may not be eager to follow the path of *mitzvot*, for it is as if he was compelled not to. Even if later, he hears that he is Jewish and saw Jews and their faith, he is still considered as one who was compelled against observance, for he was raised according to their mistaken path.

This applies to those who we mentioned who follow the erroneous Karaite path of their ancestors. **Therefore, it is appropriate to motivate them to repent and draw them to the power of the Torah with words of peace.**

Accordingly, Rav Karelitz instructs his students:

And it seems that this law (a harsh rule against secular Jews) applies only in those times when His supervision is clear, like in the time when there were miracles and a Heavenly voice and the righteous of the generation were under clear personal supervision. Heretics were then especially perverse in swaying the impulses towards lust and lawlessness, and at that time clearing out the evildoers was protection of the world, for all knew that pushing the generation away [from the ways of the Torah] brings punishment to the world and causes pestilence, war, and hunger to come upon the world.

But when Divine supervision is hidden, and faith has been uprooted from the doorways of the nation, such acts do not build a fence against lawlessness but add to the lawlessness, for they will see it as an act of destruction and violence, God forbid. Since we are supposed to fix things, we should not apply this law when it does not lead to correction. Rather, we must bring them back through ties of love and put them in the rays of light as much as we can.

**Secular Jews in the Zionist Age**

In today’s *shiur,* we attempt to approach the question of how to react to secular Jews in our generation from a different angle. Our focus will be on the religious attitude towards the Zionist movement.

The Zionist ideology creates a dilemma for many of the Orthodox, and much confusion. On the one hand, the roots of this ideology are from the Torah and from Jewish tradition. On the other hand, many of its leaders distance themselves from the Torah and its values.

The different approaches of Orthodox Judaism towards Herzl and the Zionist movement are reflected in the current attitudes towards the State of Israel and more specifically towards secular Jews in Israel.

**Rav Elchanan Wasserman**

Rav Elchanan Wasserman (1874–1941), considered to be one of the greatest Torah leaders of the 20th century, was radically opposed to the Zionist movement. A martyr who was killed by the Nazis, Rav Elchanan opposed those who chose to emigrate to Israel or even the USA because of the spiritual dangers he believed existed in both countries.

In a booklet dedicated to his reading into the difficult times of the Holocaust, he claims that his time is that of *ikveta di-mshicha,* the footsteps of the messiah. He rejects all modern ideologies like socialism and Zionism, then sweeping through the Jewish communities of Europe. It is his opinion that God-fearing Jews must immerse themselves completely in Torah studies; all other philosophies and ideologies are modern forms of idolatry. I believe he is referring directly to Theodore Herzl when he writes:

The father of the modern national idea in Israel… who lived sixty years ago and fought all his life with great bitterness against the Torah.

He then goes on to explain that Zionism sees itself as an alternative to the Torah:

Apparently, he thought that the Torah had lost its significance and that he was to succeed it; for this reason, he created an alternative to Torah in the shape of the national idea.

Rav Wasserman points out that the source of Herzl’s inspiration was not the Torah but rather the historical events of the times, specifically the Balkan revolutions:

In fact, this was not the absolute origin of the national idea. At that time, the era of the Balkan revolutions, all the small Balkan people thought in terms of nationalism, seeking to throw the yoke of the Turks from their necks. The opportunity presented itself for him to take the finished article and replant it on Jewish soil. The main feature of this idea is that to be a Jew means to subscribe to the national idea and nothing more. His successors bring "their rabbi's Torah" to perfection by their pronouncement that even an apostate is to be reckoned equal to any Jewish nationalist.

He then questions:

What is the opinion of the Torah regarding such an idea? There are clear laws for such a concept. In thirty-six places the Torah warns that the convert is to be pampered as a father pampers his only son. What must be the convert's origin? Even if he is a descendant of Haman, the law of the convert applies to him. On the other hand, an Israelite that proves disloyal to his faith, even if he is the son of the greatest, comes under the ruling "We lower them into the pit and do not raise them out of it." He is worse than the dog to which the law of "We lower" does not apply.

He then concludes that:

We see, therefore, that one's origin alone without Torah is valueless, so that the nationalist idea is nothing but a modern idol, not recognized by the Torah. It is fundamentally idolatry.[[8]](#footnote-8)

This extreme opposition to Zionism was also expressed by other great rabbis of the 20th century and lay the foundation to the claim that secular Zionism has nothing different, new or positive for the traditional Jewish community. Thus, the classic rejection of secular Jews, in Rav Wasserman’s view, should be applied in our days as well.

**Religious Zionism**

The religious Zionist philosophy towards the secular community has two main approaches which reflect the different interpretations it holds of Zionism.[[9]](#footnote-9) One is pragmatic, while the other is filled with messianic leanings.

A common attitude in the early 20th century was a pragmatic and practical approach which believed that Zionism was the best solution to save the Jewish people from assimilation and from antisemitism. Rav Yitzchak Ya’akov Reines (1839-1915), founder of the Mizrachi Religious Zionist Movement, was a believer in this approach.

We will quote from a eulogy written by Rav Avraham Eliyahu (Elya) Kaplan (1890-1924) for Theodor Herzl. Rav Kaplan, who died tragically at a very young age, was the [*rosh yeshiva*](https://en.wikipedia.org/wiki/Rosh_Yeshiva) of the [Hildesheimer Rabbinical Seminary](https://en.wikipedia.org/wiki/Hildesheimer_Rabbinical_Seminary) in [Berlin](https://en.wikipedia.org/wiki/Berlin).

# In 1919 he delivered the following tribute in Telz (Telšiai), Lithuania[[10]](#footnote-10):

He did not teach us Torah; he did not teach us Halakha or Aggada. He did not teach us any Jewish studies nor Mussar (Jewish ethics), as he was never taught these subjects. He was raised in surroundings where this knowledge did not exist.

However, he taught us two words, words that we never dared to pronounce (*Yona* 1:9): “*Ivri anokhi,”* “I am a Hebrew man!” In our *beit midrash* we could make this claim, we could even write it in our newspapers; but there was one place in which we could not, in the international arena…

Herzl taught us what we know today: to stand tall and proud before the world and demand our right to return to our homeland.

Similar thoughts and ideas focusing on the great impact Herzl’s life had on the Jewish nation were raised by other religious Zionist rabbis and leaders. These approaches and understandings allowed the religious world to distinguish between the negative secular side of the Zionist leaders and the positive side of the Zionist movement which they believed would bring safety, peace and prosperity to the Jewish people.

**Rav Avraham Yitzchak Kook**

Rav Kook’s eulogy for Herzl, the Lamentation in Jerusalem, was as original as it was daring, and it received much attention in the Jewish world, not necessarily in a positive way.[[11]](#footnote-11)

In it, Rav Kook discusses the struggle between the tribe of Yehuda and the tribe of Yosef. He explains that each of the tribes symbolize separate characteristics of leadership that are needed to lead the nation:

So, it came about that throughout the Exile there is a see-saw effect of these two opposing forces. At times, there is exhibited a drive toward material, worldly success that flows primarily from the foundation of Joseph and Ephraim; other times there is a stirring of the spiritual drive for observance of Torah and spiritual development, for awe and love of God. Since it is impossible for our nation to attain its lofty destiny other than by actualizing these two components — the universal symbolized by Joseph, and the distinctive symbolized by Judah — there arise in the nation proponents of each aspect. Those who would enhance spirituality prepare the way for Messiah son of David, whose focus is the final destiny. Truly the focus of life is spiritual attainment, except that the spiritual can only develop properly if it is accompanied by all the material acquisitions of which a full-bodied nation is in need. Those who redress the material, general aspects of life prepare the way for Messiah son of Joseph.

When these two forces work at cross purposes as a result of the calamity of exile, shortsightedness and disarray, these are the “birth pangs of Messiah,” or to be more exact, the “birth pangs of Messiahs” (plural).

He indirectly refers to Herzl as the messiah from the tribe of Yosef, as his responsibility is to maintain the physical existence of the nation (emphasis mine):

The Zionist vision manifest in our generation might best be symbolized as the “footstep of Messiah son of Joseph” (‘ikva de-Mashiah ben Yosef). Zionism tends to universalism (as opposed to Jewish particularism). It is unequipped to realize that the development of Israel’s general aspect is but the foundation for Israel’s singularity. The leadership of the Zionist movement must be greatly influenced by the gifted few of the generation, the righteous and the sages of Israel. On the other hand, the ideal of Israel’s national renascence, including all the material accouterment—which is a proper thing when joined to the spiritual goal—to date has not succeeded, and the lack of success has brought on infighting, until finally, **the leader of the movement has fallen**, a victim of frustration.

This radical approach led way to a unique attitude towards the secular side of the Zionist movement. Rav Kook’s understanding explained why he valued the pioneer Jews in his time although they did not keep Torah and *mitzvot*. He believed that their intentions were good and that they were part of the redemption plan to bring the Jewish people back to their homeland.

In fact, Rav Kook writes that many of the actions and the ideals of these secular Jews do not contradict Judaism; rather, in certain aspects, these “rebels” are more “religious” than many religious practicing Jews:

The soul of Israel's transgressors, who, in the footsteps of the Messiah, are lovingly connected to the affairs of all of Israel, to the land of Israel and to the renewal of the nation, is more amenable than the soul of those who have no faith in Israel.[[12]](#footnote-12)

We have studied today different approaches within the religious world towards the ideology of modern Zionism, which posed a challenge to the Orthodox world. These approaches lead to different attitudes towards the secular Jews living today in Israel.

1. In 2018 a collection of eulogies for Herzl in Hebrew, delivered by rabbis throughout the Jewish world, was published. This book*, Lev Ha-umma,* was edited by Moshe Nachmani. It serves as proof that Herzl was greatly admired and adored by the religious communities. [↑](#footnote-ref-1)
2. See the article in Hebrew at <https://www.etzion.org.il/כו-מעמדו-של-מי-שאינו-שומר-תורה-ומצוות> and in English at [https://www.etzion.org.il/en/status-chilonim-halakha-part-1](https://www.etzion.org.il/en/status-chilonim-halakha-part-12) and <https://www.etzion.org.il/en/status-chilonim-halakha-part-2>. [↑](#footnote-ref-2)
3. See Rambam, *Hilkhot Eidut 11:10* and *Hilkhot Rotze’ach* 4:10. [↑](#footnote-ref-3)
4. For a Torah perspective on the status of secular Jews today, see: *Tradition* 23:4 (Summer 1988), which can be found online at: <https://traditiononline.org/a-torah-perspective-on-the-status-of-secular-jews-today/>. [↑](#footnote-ref-4)
5. *Binyan Tziyon* 23. [↑](#footnote-ref-5)
6. *Chazon Ish, YD, Hilkhot Shechita* 2:16. [↑](#footnote-ref-6)
7. *Hilkhot Mamrim* 3:3. [↑](#footnote-ref-7)
8. The entire article can be found today on line. In Hebrew at <http://www.daat.ac.il/daat/ezrachut/tsiyonut/ikveta.pdf> and in English at <https://www.truetorahjews.org/images/Epoch_of_the_Messiah.pdf>. [↑](#footnote-ref-8)
9. See *Ha-Rav Reines Ve-HaRav Kook: Shtei Gishot Le-Tziyonut* by Michael Tzvi Nehorai in: *Yovel Orot,* pp. 209-220. [↑](#footnote-ref-9)
10. *Be-ikkevot Ha-yira* (Mossad HaRav Kook, 1988), pp. 85-91. [↑](#footnote-ref-10)
11. The entire eulogy can be found online in Hebrew at: <https://he.wikisource.org/wiki/מאמרי_הראיה/המספד_בירושלים> and in English at <https://www.machonso.org/uploads/images/13-D-10-lamentation.pdf> [↑](#footnote-ref-11)
12. *Orot Ha-techiya*, Ch. 43. [↑](#footnote-ref-12)