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חירות ואחריות

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"Taking Responsibility for Torah"

WE TOLD YOU SO!

By Rabbi Aryeh Klapper

As the Egyptian army bore down on them, the Children of Israel resorted to poetic sarcasm:

They said to Mosheh:

Was it from lack of graves in Egypt that you took us to die in the desert?

What is this you have done to us, to take us out of Egypt?

Isn't this the very thing we said to you in Egypt, quote:

Leave us be, and we will slave for Egypt!

Because it is better for us slaving for Egypt than our dying in the wilderness!

The Torah seems IMHO to regard this complaint as unjustified. But why was it unjustified? Because they were not at risk of dying, owing to Hashem's protection, or rather because the risk of death should not have deterred them from seeking freedom?

Malbim is the only commentator I've found raising the question of whether Jews may and should pursue freedom even at risk of death.

"Some nations love liberty (*chofshiyut*) to the extent that they would choose death over being slaves slaving under grinding oppression (*perakh*), while some nations prefer a life of humiliation (*boz*) and slavery over death. "They said to Mosheh: If you thought that we prefer death to slavery, why did you find it necessary to take us out into the wilderness to die in battle? We could have rebelled and fought (Pharaoh) in Egypt and had him kill us there – was it because there were no graves in Egypt that you took us out to die here and find our graves?! There are graves in Egypt too! . . ."

All this assumes the side that we prefer death to slavery, but this is not true, because Is this not what we said - we told you that slaving for Egypt is better for us than death, and that we are not lovers of freedom to the point of death. Therefore, you have done evil to choose death on our behalf over oppression and slavery."

However, even in Malbim's version, the question remains unresolved. Mosheh Rabbeinu responds by assuring Bnei Yisroel that there is no risk.

"Hashem will war for you" – that which you think, that it will be necessary for you to go out to battle – Hashem will war on your behalf, because they are coming in order to war with Him, and the war is His and not yours".

Yetziat Mitzrayim therefore cannot provide an unambiguous mandate or model for how Jews should behave when their freedom is threatened in ways they cannot oppose without risking their lives. Yet as Zionists and as Americans, we are obligated to think about what Mosheh would have answered had G-d promised only a chance at escape or victory.

(In a broader sense, we must think about whether there are reverse situations in which we are obligated to war on G-d's behalf, and if there are, how to identify them.)

As a halakhist, my first reaction is that the question as stated is overbroad. Halakhah as I understand it tends to calibrate risks rather than going all Patrick Henry¹: we ask for a precise definition of liberty, and a best estimate of the odds of achieving what degree and sort of liberty at what degree of risk.

For example, one might suggest that a Jew is permitted to risk his or her life only to prevent being forced to commit one of the sins that are "*yehareg v'al ya'avur*", colloquially termed idolatry, adultery, and murder. Even this cautious suggestion can be challenged as going too far. Most likely halakhah does not obligate a Jew to risk his or her life in order to prevent being coerced into such a sin; the obligation is only to resist the coercion once it occurs, and even there, the obligation may only extend to not actively surrendering to the coercion.

On the other hand, the fourth *yehareg v'al ya'avur* is public desecration of the Name, and that can be defined very broadly. For example, is it a public *chillul Hashem* for a Jew to cooperate with an oppressive regime when members of other religious or nonreligious or antireligious groups are risking their lives for collective political and religious freedom? Does it matter whether the individual is identified by the public as a representative of G-d and Torah?

¹ At some point during debates in some Virginian context leading up to the Revolutionary War, Patrick Henry said something like "I know not what others may choose, but as for me, give me liberty or give me death!"

On yet another hand, should the question be asked in terms of the community, or in terms of individuals? I suspect that public *chillul Hashem*, if defined as public perception that Torah-committed Jews behave less virtuously than people who aren't Torah-committed, is often a matter of percentages. Apportioning dangerous communal duties fairly is a challenge that has no single solution, halakhic or otherwise.

The inverse of the possibility that halakhah obligated resistance only to extant coercion is the possibility that halakhah requires building the capacity for resistance if it is foreseeably necessary. For instance, a reasonable reading of the progression of Parshat Beshalach is that it moves from the moment when Mosheh tells Bnei Yisroel that their role is only to stand and wait (or, Deborah suggests, from G-d's decision to take them the long way around) to the moment when G-d tells Mosheh to send Yehoshua with a picked force to battle with Amalek. This suggests that willingness to assume risk is ultimately essential. Minchat Chinukh argues along those lines that any mitzvah that justifies war must in some sense be *yehareg v'al ya'avor*.

A somewhat more complicated model of the parshah notes that the standard pshat meaning of *vachamushim alu Bnei Yisrael me'eretz Mitzrayim*, which precedes the verses describing the Egyptian pursuit, is that the Jews armed themselves before leaving Egypt. This suggests that they understood that war, and therefore risk, would eventually be necessary, perhaps on arrival in Canaan. They reacted as they did to the Egyptian pursuit because they were not YET ready for such a confrontation. But they understood that becoming ready was an obligation.

Malbim suggests fascinatingly that the Egyptian pursuit made the Jews fear that Mosheh Rabbeinu had exaggerated his mission, which actually was to ease the terms of their indenture and not to free them. This reading is hard to square with the text. But by making the claim of Bnei Yisroel so nuanced, Malbim highlights another important issue: Should we share his assumption that Bnei Yisroel were accurate and truthful in claiming to have made the same objection back in Egypt?

Pa'aneiach Raza comments merely that "It's a little puzzling: Where did they say this?" But most commentaries feel the need to explain further.

Ibn Ezra (commentary A) writes:

"Although we do not find written when Israel said this to him, we know that it was so, because many things we know only afterward."

However, this argument at most establishes the possibility that it was so. Perhaps realizing this, Ibn Ezra offers a different formulation in commentary B:

"This is not found explicitly, but we know that it was so, because how would they say something to his face that was not so! Rather, this is included within "*They did not heed Mosheh*"

Abravanel cleverly suggests that only the first half of Bnei Yisroel's remonstrance to Mosheh is a self-quote.

They said to Mosheh: "Leave us be, and we will slave for Egypt"; the reason we told you that was because etc.

The abbreviated quote fits neatly into any of the earlier episodes in which the people reject Mosheh's promise of redemption.

Mekhilta by contrast expands the quote by inserting another element missing from the narrative.

"It would have been better for us to remain as slaves than to have four fifths of us die during the plague of Darkness; and if that was not an option, it would have been better for us all to die properly buried and eulogized in Egypt than left for scavengers here in the desert. What, were there not enough graves in Egypt?"

Mekhilta thus frames the Jews as PTSD sufferers rather than as cowards. 80% of them had already died in this attempt at freedom. Asking them to face war with faith in G-d's protection was a bridge too far.

Judaism has high expectations for its adherents, but Hashem also understands that we are often not yet in condition to meet them, let alone trust them. Unready human beings placed into difficult situations will often lie, deny, and claim to have expressed reservations all along.

However, we have an obligation to become ready for challenges that are foreseeable even if they aren't inevitable. After many years of astounding safety and security in the US, for which we owe Hashem immense gratitude, we may find ourselves forced to choose between maximizing (at least short-term) communal security and a grave risk of being *mechalel shem shomayim*. I suggest that Orthodox Jews in the United States, and the Modern Orthodox community in particular, must improve our ability to honestly, humbly, and courageously face political situations in which there are no genuinely safe choices.

Shabbat shalom!

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