

חבורת מהות היהדות

Weekly Newsletter

Vol. 1, Issue 51

פרשת ויצא
ו כסלו תשפ"ה

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From the Chabura (Chazarah)
By: Adam Friedmann

More Theories of Chumra

For the past several weeks, we've been considering the debate between Beit Hillel and Beit Shammai about the posture for reading the Shema. Beit Hillel holds that the Shema can be read in any position. Beit Shammai holds that it must be read lying down in the evening and standing up in the morning. Last week, we asked why the Mishnah and Gemara have such a harsh view of someone who is stringent and follows Beit Shammai. We looked at the position of the Ritva and Rosh, who hold that initiating a *chumra* can eventually undermine a more lenient fundamental halachah. This week we'll look at a few more explanations of why *chumra* is considered inappropriate in this case.

1: Disrespect for rabbinic authority and popular practice

The Ra'ah (*Chidushei Hara'ah*, *Berachot* 11b) explains that the problem with *chumra* is that it shows disdain for popular practice and the rabbinic authority that upholds that practice. Therefore, once a halachic position has become dominant either through general acceptance or a definitive ruling, one may not publicly oppose it by following a more *machmir* view. The Ra'ah adds that a scholar who himself arrives at a position that is more *machmir* may follow it, but only in private.

One place where this view applies is in shuls. If one is part of a community where the rabbi follows a certain practice, it may be disrespectful to act "frummer than the rabbi" by publicly following a more *machmir* position.

2: There is nothing gained by being *machmir*

The Vilna Gaon (*Mishnat Eliyahu*, *Berachot* chapter 1, *Ma'aseh Rav* 38) argues that there is no way that the Gemara is suggesting some kind of blanket ban on *chumra*. He notes that even among the debates between Beit Shammai and Beit Hillel, there are cases where we commend those who are *machmir* and follow Beit Shammai (see *Berachot* 53b). Therefore, there must be some kind of rule that differentiates between cases like the Shema and other cases where being *machmir* is a good thing. The Vilna Gaon suggests the following distinction. In some debates, the lenient position is a dispensation. The lenient side really agrees that being more stringent would be better, but ultimately holds that there



is no need to burden people with this stringency.

For example, the halachah is that one should recite *Birkat Hamazon* where they eat. What if they traveled away from where they ate and then realized they forgot *Birkat Hamazon*? In this case, Beit Shammai rules they must go back to where they ate to recite the blessing. Beit Hillel rules that in this case they can recite *Birkat Hamazon* where they are. According to the Vilna Gaon, in this case Beit Hillel agrees that it would be better for one to return to where they ate; they just aren't requiring this as the basic halachah. Therefore, in this case being *machmir* is a valuable and commendable act.

This is as opposed to cases like the Shema where the lenient authority believes the stringent view is simply wrong. According to Beit Hillel the Torah just never said anything about having a particular posture while reading the Shema. By their view, Beit Shammai's reading is wrong. In such a case, being *machmir* like Beit Shammai has no religious value.

3: Giving a false appearance of piety

The Mishnah Berurah (63:6) indicates that another concern about *chumra* is *yuhara*, a false appearance of piety. Someone who publicly observes a *chumra* may be doing so out of sincere religious conviction and *yir'at shamayim*. This kind of *chumra* is commendable. However, one may also observe a *chumra* in order to deceive others into thinking that they are sincerely religious. This kind of empty *frumkeit* (in the original sense of the term) is unacceptable. The poskim write that in certain cases, a person who engages in *yuhara* should be ostracized.

4: Chumrot usually include *kulot*

The Rema (*Shut Harema* 91) writes that halachic debates rarely include one view which is all-encompassingly more stringent than the other. Usually, each side has aspects of both stringency and leniency. As a result, trying to follow the more "*machmir*" position usually leads to accepting certain leniencies as well. In the case of the Shema, the Rema points to the fact that Beit Shammai obligates reading the evening Shema while lying down. As we will see in future weeks, lying down may not be the most respectful posture for prayer. Because Beit Hillel does not require one to lie down, one who follows Beit Hillel can be stringent and choose to sit or stand when reading the evening Shema. However, one attempting to be *machmir* and follow Beit Shammai is forced to be lenient regarding this concern.

Instinctively, we may sometimes feel that taking on a *machmir* position is a good thing because it makes our religious observance more challenging. But as these approaches show, there is a lot more to consider before one decides to be stringent.

Mishnah: A Philosophy of Life By: Dovid Campbell

Berachot 8:1 — Transcendent vs Immanent Spirituality

This week we begin a new chapter in tractate *Berachot*. Our mishnah records a debate between Beit Shammai and Beit Hillel regarding the blessings recited at a Shabbat meal. Beit Shammai rules that the blessing over the day's sanctity is recited first, followed by the blessing over the wine. Beit Hillel reverses the order, blessing the wine before the day's sanctity. Rambam explains that Beit Shammai views the day's holiness as primary—without its sanctity, there would be no need for wine. Beit Hillel, however, sees the wine as enabling the sanctification of the day—without wine, there is no *kiddush*.

Beneath this halachic disagreement lies a profound philosophical debate about the relationship between the physical and the spiritual. Beit Shammai prioritizes the spiritual realm, viewing physicality as a means to achieve higher, transcendent goals. The wine is significant only because it serves the sanctity of the day. The material is purely instrumental.

Beit Hillel, by contrast, integrates the physical into the spiritual process. For Beit Hillel, the wine is not merely a tool for sanctifying the day; it is a necessary partner. The act of drinking the wine and reciting the blessing is an integral expression of sanctity. Physicality is not subordinate to spirituality but is a critical substrate for its realization.

This debate touches on a perennial tension in Jewish thought. Is spirituality the “real” essence of life, with the physical world as a mere means to its end, or is the physical itself a sacred domain where spiritual truths find their fullest expression?

Beit Shammai's position aligns with a transcendent perspective, reminiscent of Plato's philosophy, which regards the material world as a shadow of higher, immaterial ideas. Holiness, in this view, resides in the spiritual realm, and the physical world holds value only as a conduit for that realm. This resonates with the ascetic impulse in religious life that seeks to transcend materiality in pursuit of the divine. Beit Hillel, however, reflects an immanent perspective akin to Aristotelian thought or later existentialist movements, which find meaning and significance in the concrete, lived realities of the world. Spirituality, in this view, is not confined to abstract realms but is deeply embedded in the tangible, everyday experiences of life. For Beit Hillel, the physical act of drinking wine is already suffused with spiritual significance, embodying the holiness of the day.

These perspectives offer a dialectic that remains deeply relevant. Beit Shammai reminds us to keep our physical acts subordinate to higher spiritual goals, ensuring that the material does not obscure the divine. Beit Hillel challenges us to find holiness within the mundane, affirming the sacred potential of our daily lives. While the halachah follows Beit Hillel, both views offer us valuable and timely lessons. Together, they form a complete picture of Jewish spirituality—a call to transcend and a call to be present.

Sforno on the Parsha By: Nochum Spiegel

The Other Side Of Ever

A straightforward reading of the last few *parshiot* would leave one with the impression that our *Avot* Avraham, Yitzchak, and Yaakov were the sole arbiters of preserving the knowledge and path of G-d in the world. However, Chazal record a tradition (*Bereishit Rabbah* 63:10, *Megillah* 17a) primarily in relation to the life of Yaakov, regarding the existence of a place described respectively as the house, tent, and *beit midrash* of Shem and Ever. What was the nature of this previously unknown institution, and what was its lasting legacy?

In Bereishit 10:21, while listing the genealogy of the sons of Noach, the *pasuk* uses a unique form indicating a connection between Shem and his great grandson Ever, additionally stating that Shem is the father of all the sons of Ever. This all appears superfluous. Sforno explains that of the direct descendants of Shem it was only Ever who shared the same lofty spiritual stature. In a world mired in idol worship, Ever sought to teach the people of his generation the existence of the true G-d, his control over the physical world, and the providential relationship he maintains with his creation. The group which formed, “the sons of **Ever**”, adopted this revolutionary worldview and were called “**Ivrim**” after their teacher and guide. Shem aided his descendant and was also a father, i.e. teacher, to the members of this spiritual movement.

Generations later, when a fugitive arrives informing Avram of the capture of his nephew Lot, he addresses “Avram Ha’Ivri” (*Bereishit* 14:13). Sforno explains that the fugitive was unaware of the familial connection between them. His motivation to help was predicated on the knowledge that Lot was a theological “**Ivri**.” Avraham, a prominent “**Ivri**” who had received instruction from Ever, (Sforno, *Ohr Amim*, Introduction), would not let a spiritual brother languish in captivity and would surely desire to come to his aid.

The “**Ivri**” identifier marks Yosef (39:17, 41:12) and his brothers (43:32) upon arrival in Egypt and is still used hundred of years later preceding the Exodus. Hashem instructs Moshe that when speaking to Pharaoh he should be referred to as “*Hashem Elokei **Ha’Ivrim***” (*Shemot* 3:18, 7:16). These people are the sole preservers of the true conception of G-d presented by Ever and will be redeemed in a fashion where G-d’s true power will be proven and manifest to all (*Ohr Amim*, Intro.).

The Torah describes Avraham and Yitzchak’s act of teaching the masses as “calling in the Name of Hashem” (Sforno *Bereishit* 21:33, 26:25). Surprisingly this term is not used when describing the lifetime activities of Yaakov. Sforno (26:5) explains that already from his youth Yaakov had been termed a “*Yoshev Obalim*”. Implicit in that is a lifetime identity as one studying and teaching to spread the path of Hashem in the world. The “Tents of Shem and Ever,” a beacon for spiritual pursuit, were a natural home for him to practice his craft.