

# DEGEL

תורה וחכמת ישראל מקהילת עלי ציון  
TORAH AND JEWISH STUDIES FROM ALEI TZION

תשרי תשע"ו  
TISHREI 5776

אפילו ריקים שבכס מלאים בצאת פרמין  
למשל מנצח



VOLUME 7 ISSUE 1



שנה טובה

David & Leslie Mirchin  
(Ra'anana)

Would like to thank  
Kehillat Alei Tzion  
for their hospitality  
over the summer

שנה טובה

**שנה טובה**

**RABBI DANIEL AND NA'AMAH ROSELAAR  
DEVORAH, ELISHEVA, NETANEL AND CHANANYA  
TOGETHER WITH KEHILLAT ALEI TZION  
WISH THE ENTIRE COMMUNITY A SHANA TOVA**

Personal Greetings  
from

**Anna-Leah and Raph Cooper**

**Lucinda, Martin, Azriella, Tsofia and Ashira Glasser**

**Susie, Eliot, Rina, Sara, Bentzi and Bayla Kaye**

**Saranne, Neil, Elicora, Elisha and Eliav Maurice**

**שנה טובה**

# DEGEL

## CONTENTS

<i>Editor</i> Elana Chesler	4	Notes from the editor ELANA CHESLER
<i>Design</i> Jonathan Levy	5	In Memorium – Rav Aharon Lichtenstein z’l RABBI DANIEL ROSELAAR
<i>Founding Editor</i> Ben Elton	8	Bearing bad news: illuminating a mysterious episode in Megillat Esther MOISHE DOVID SPITZER
<i>Front cover illustration</i> Yolanda Rosalki	10	Authority, Vernacular, and the Politics of Bible Translation: The Tanakh in English and Anglo-Jewish Culture BEN SAVERY
<i>Yolanda Rosalki is an artist and illustrator. For more information on how her designs can enhance your simha, or if you wish to purchase the original of the front cover artwork, email: yolros@googlemail.com</i>	20	Shaalei Tzion (IV) Questions and Answers from Alei Tzion RABBI DANIEL ROSELAAR
.	26	A Thought on Teshuva BENJY SINGER

*Degel is a publication of the Alei Tzion Community. Views expressed are not necessarily those of the Rav, community or editors. | [www.aleitzion.co.uk](http://www.aleitzion.co.uk)  
Schaller House, 44a Albert Road, London, NW4 2SJ | [degel@aleitzion.co.uk](mailto:degel@aleitzion.co.uk)*

## *Notes from the editor*

**A**lthough often referred to as New Year, the words “Rosh Hashana” literally translate as “Head [of] the Year”. And as indicated by this precise translation, Rosh Hashana is perhaps one of the most cerebral of all the Jewish festivals. The head, in contradistinction to all the other limbs, can contemplate the intangible. The head can consider the abstract, the complex and that which is removed from us in time and space. All other parts of our body are limited to interact with the immediately present and accessible. But our heads are not limited in that way.

On Rosh Hashana, our minds are set on the furthest conceptual horizons. On the sovereignty of God, on the uncertain future and what it holds for us personally and collectively and on our own human potential. It is through our heads that we can connect to the ideas that we need to fortify us throughout our lives and which will permeate and direct our behaviour.

This edition of Degel contains the eulogy that Rabbi Roselaar delivered for Rav Lichtenstein z”l. Rav Lichtenstein was a person who attained lofty levels of cerebral connection to Judaism and simultaneously was successful in translating this into an inspiring way of life. In some small way, the hope is that we can aspire to and indeed emulate aspects of that model in the days and years ahead.

With respect to this edition of Degel, we present a pot pourri of topics, ranging from an in depth look by Moishe Dovid Spitzer at an oft missed episode in Megillat Esther to an historic overview of the translation of Tanakh into English by Ben Savery. In addition we have a presentation by Rabbi Roselaar of Shaalei Tzion – a compendium of halachic questions that he has been asked as communal rabbi of Alei Tzion and to end, a thought on Teshuva by Benjy Singer.

I want to close by expressing a personal thanks to all the authors, our sponsors and the editorial team without whom Degel would simply not exist.

We welcome feedback and future submissions. Please contact us at [degel@aleitzion.co.uk](mailto:degel@aleitzion.co.uk)

With best wishes for a K’tiva v’Hatima Tova to one and all.

Shana Tova U’Metuka.

ELANA CHESLER

With special thanks to our sponsor  
who asked to remain anonymous

## *In memoriam*

# *Rav Aharon Lichtenstein z'l*

RABBI DANIEL ROSELAAR

**Rav Aharon Lichtenstein, Rosh Yeshiva of Yeshivat Har Etzion (Gush), passed away at the age of eighty one on Rosh Chodesh Iyar 5775 (20 April 2015). He had headed Yeshivat Har Etzion since 1971, had previously served as a Rosh Yeshiva and Rosh Kollel at Yeshiva University in New York, and concurrently served as a Rosh Kollel at the Gruss Kollel in Jerusalem.**

**Rabbi Daniel Roselaar studied in Yeshivat Har Etzion from 1987 – 1995 and is a talmid of Rav Lichtenstein. The following is the text of the eulogy that he delivered at a memorial gathering in London on the final day of the shiva for Rav Lichtenstein.**



*Rav Aharon Lichtenstein z'l*

**I**t is always difficult to eulogise an *adam gadol* (a great person) and to make sure that one does justice to all that they have achieved and the legacy that they have left behind. And the task is all the greater since the subject of our hesped is Mori v'Rebi Harav Aharon Lichtenstein z'l, who was not only an *adam gadol* but also a master *maspid*. I remember hearing the hespedim he gave for his own father, for R' Shlomo Zalman

Auerbach, for Rav Gustman, for the Lubavitcher Rebbe and for Rav Soloveitchik. Rather than cutting and pasting phrases and *maamrei chazal* (Rabbinic sayings) that could have been applied to any and many *gedolei yisrael* (sages), he always succeeded in conveying in very real terms how the deceased was unique, what their contribution had been, what we could learn from them, and what the world had lost with their passing. I can barely hope to do justice to Rav Lichtenstein today, but as a talmid who is indebted to him for so much of my own personal religious development, as well as for the Torah and hashkafot that I try to teach and communicate as a Rav, I want to do what so many others have already done, and pay tribute to him for the inspiration, guidance and leadership that he provided to his talmidim, and by extension to so many communities around the world.

The Mishna in Avot (1:2) says that *al shlosha devarim haolam omed, al hatorah v'al ha'avodah v'al gemilut chasadim* (the world rests on the three foundations of Torah, Divine service, and kindness to others) and I would like to briefly touch on these three aspects of Rav Lichtenstein's life.

### ***Al hatorah (on the Torah)***

Much has been said in the hespedim that have already been given in various other places about Rav Aharon's exceptional breadth and depth of learning, his ability to clarify complex *sugyot* and how at home he was with both the themes and details of all six sedarim of *shas* (the Talmud). I wish to highlight the following points:

i) Rav Lichtenstein didn't just teach material and didn't just dazzle us with his brilliance. He also taught a *derech ha-limmud* – he taught his talmidim how to analyse a *sugya*, how to ask the questions and where to find the answers, and how to organise our understanding of a passage or topic – he was a pedagogue.

ii) Other people and rebbeim taught me to enjoy Talmud Torah and the importance of Talmud

Torah. Rav Aharon taught me, by example, the urgency of Talmud Torah, the passion that one must have for it, the idea of *amelut batorah* (toiling in Torah), the unceasing quest and commitment that one must have for constant learning, the idea that there is never any rest or holiday from Talmud Torah and the idea that superficiality is an affront to serious learning.

iii) Rav Aharon also taught us the complex nature of Torah values and a Torah hashkafah. So many sichot highlighted the fact that the answers to life's problems aren't to be found in black and white – that often there are competing halachic and moral imperatives, that sometimes the circle can't be squared and that we need to feel dissatisfied with the conclusions that we might be compelled to reach. An example is his thoughts on the Heter Mechirah for Shmitta and how, whatever the halachic merits of whichever conclusion one reaches, it is impossible to feel that we have got it right and that we have fulfilled the objectives of the mitzvah. I consulted him on many issues over the years and rarely did he provide a simple answer, because his understanding of Torah and life were too finely nuanced and too complex for simplicity.

iv) Rav Lichtenstein's stature as a *gadol batorah* (Torah giant) is what gave contemporary Modern Orthodoxy its legitimacy. He wrote in an essay about Rav Soloveitchik observing that without the Rav, centrist orthodoxy would have had no gadol of consequence to rely on. What was true of the Rav in his day was true of Rav Aharon in our day. I'm often challenged – “which gedolim say that your hashkafot are valid, what gadol endorses general education, all the gedolim say that it is ossur to go to the army etc, etc.” Were it not for the fact that Rav Aharon had clearly articulated positions on all of these issues and more, we would often have no-one to look to for support and would be left wondering if our hashkafot are indeed legitimate.

### ***Al haavodah (Divine Service)***

Rav Lichtenstein was an inspirational model of *avodat hashem* (Service of Hashem). I remember the first time I heard him lein *Dirshu Hashem b'himatzo* (the haftarah) on a *taanit tzibbur* (fast day). Till then I had never heard it read in anything other than a garbled hurry and all of a sudden I realised that read properly one could hear the voice and the message of the navi. Listening to Rav Aharon say kaddish was inspirational, hearing his Or Zarua (at the beginning of Yom Kippur) inspired awe of Hakadosh Baruch Hu, watching him daven, so often oblivious to what was going on around him, was an educational lesson in itself. To watch his avodah on Yom Kippur, and his simcha on Simchat Torah and his stamina on Purim always

made me aware of the levels of *devekut Bashem* (closeness to G-d) that one could reach. He was very machmir, concerned about shitot in the Rishonim that weren't necessarily codified as halacha and assorted Brisker interpretations of various sugyas. But as time progressed and as I observed him, I realised that he wasn't machmir just because he saw an inherent value in tightly-defined frumkeit, but because he had a real and genuine sense of *yirat shamayim* (fear of heaven), a real sense of trepidation about what Hakadosh Baruch Hu demanded of him.

---

*He had a real and genuine sense of yirat shamayim (fear of heaven), a real sense of trepidation about what Hakadosh Baruch Hu demanded of him*

---

And I think that's why in general he didn't suggest that others had to abide by his chumras, because if you don't feel the demands of heaven in that way, the chumras aren't meaningful. And he was not just machmir in terms of *shemirat hamitzvot* (mitzvah observance), but also in terms of his *midot* (behaviour). I think that by nature he was measured and deliberate rather than fiery and impetuous. But his *anavah* (humility) was exceptional – he never imposed his opinion. Often if one asked him a shaila – particularly if it was of a sensitive nature and his answer demanded *mesirut nefesh* (great dedication) – he would indicate that there are other legitimate views out there as well. Until his illness he never allowed anyone to carry his books to shiur or carry his bags when they met him at the airport, he stood in the lunch queue and scraped his plate like everyone else, as he drove out of Alon Shevut he would stop at what used to be called the *Shin-Gimmel* (gate) and pick up hitchhikers. Some years ago he was here in London as the keynote speaker at the Chief Rabbi's Rabbinic Conference. I was in charge of his schedule and I asked him when he wanted to be back at the airport for the return flight. His answer was – “what time do they say we should get there?”. Many people just ignore the system and try to show up at the last minute, but he followed the instructions. He did not stand on his honour - in my day there was the story of someone in the back of his car who asked him to stop at the side of the road and wait whilst they could get out and daven mincha, and there were the parents of an American student at the yeshiva who sent a parcel for their son with him since he had responded to an inquiry by saying that he was on the staff and they were unaware of who they were speaking with. But

I think that the most important lesson in *Avodat Hashem* that I learned from Rav Lichtenstein was that there are so many ways in which we have to behave as *Ovdei Hashem* (servants of Hashem).

In his hesped in the yeshiva, his son R' Yitzchak Lichtenstein said that he had never seen his father speak *sichat chullin* (pointless conversation). One might wonder how you can say that about a man who had a doctorate in English literature, and who still quoted English literature, despite being immersed in the yeshiva world for so many years. Everyone knows stories about Rav Aharon playing basketball – only occasionally, but playing nonetheless. And there are wonderful photos of Rav Aharon playing chess with his children and rowing a boat somewhere with his wife, and his daughter, Esti Rosenberg spoke about how he would wash the dishes in the kitchen. No-one believes that any of those things are intrinsically wrong, but how can you square them with the concept of never speaking *sichat chullin*? I think the answer is simple – for Rav Aharon this was also a form of *avodat hashem*. Having a warm and normal relationship with your family is what Hakadosh Baruch wants of us. Spending time with your wife and helping in the kitchen is part of the mitzvah of being married. Being able to relate to those around us, deepening our appreciation of the world through art or literature is a way of serving Hakadosh Baruch Hu. Stam to read a trashy novel is bittul torah, stam to sit on the couch shmuzing is a bittul zman (waste of time), but meaningfully enhancing a human relationship is how Hakadosh Baruch Hu wants us to live in this world. I had friends who discussed their career options with him. If their goal was *le'ovdah u'leshomrah*, if their goal was to enhance the world in some meaningful way, to improve people's lives and make a meaningful contribution to society, then they always ended their discussions feeling that they were embarking on a *lechatchilah* (ideal) path to serving Hashem.

Rav Lichtenstein was an embodiment of the pasuk *bechol derachecha da'ehu* (know G-d in all your ways) and he adhered to the Rambam's admonition that a person should focus his emotions and all his actions exclusively towards the Almighty. For him there was a clear distinction between *kodesh* and *chol* but both demanded a form of *avodat hashem*.

### **Gemilut Chassadim (Consideration of Others)**

Finally, I want to consider an example of Rav Aharon's *gemilut chassadim* (consideration of others). Tzedakah is used as a classic example of *gemilut chassadim* and is classically understood as giving charity. It's clear that he gave charity and as others elsewhere have said, he always gave it

graciously and kindly. But tzedakah also means doing what is just and right – *tzedek tzedek tirdof*. And it is that aspect of Rav Aharon's *gemilut chassadim* that I am most in awe of. He was always willing to speak out about what he regarded as unjust and morally wrong, always remembering *lo taguru mipnei ish* (the injunction not to be afraid of anyone), even if others criticised him for it.

---

### *He was always willing to speak out about what he regarded as unjust and morally wrong*

---

When a Jew from Hebron committed indiscriminate murder in the Cave of Machpela in 1994 and the Roshe Yeshivot of other yeshivot hesder eulogised him publicly in their yeshivot, he broke with convention and publicly upbraided them for what he regarded as a *chilul hashem*. Whilst others were prevaricating or justifying what happened, Rav Aharon was not hesitant in proclaiming it a *tevach nora ve'ayom* (a horrendous act of savagery).

Rav Aharon's passing leaves a great void in the Jewish world – few people are able to combine such Talmudic erudition with a nuanced and sensitive approach to the Jewish world and the wider world as well. As I wrote in an email to my community the day after his petirah – his wide counsel, deep humility and brilliance in Torah will be sorely missed. The Torah that he taught lives on in the hundreds of talmidim that he influenced, and those of us who serve as rabbis and educators communicate it directly and indirectly to many more thousands of people. Whenever I needed guidance on a major issue, halachic or hashkafic, personal or communal, I would turn to him. Undoubtedly there are others who can provide counsel and guidance and answers, but it is like being in a room with lots of lights but the brightest light has suddenly gone out. You can still see, maybe even clearly, but the room is tangibly dimmer than it was before.

May his memory be a source of blessing.

*Yehi zichro baruch*

*Rabbi Daniel Roselaar is the Rav of Alei Tzion and the Rosh Kollel of the Kinloss Community Kollel, having previously served as the Rabbi of Watford and Belmont Synagogues. He learnt at Yeshivat Har Etzion, received semicha from the Israeli Chief Rabbinate and has an MA in Jewish Education from the University of London.*



# *Bearing bad news: illuminating a mysterious episode in Megillat Esther*

MOISHE DOVID SPITZER

*This piece is dedicated לעלוי נשמת Malka Shindler. It was first printed in ספר זכרון מזכרת מלכה – Torah essays dedicated to the memory of Malka Bayla Shindler – published by Rabbi Dr Julian Shindler, London, May 2015.*

## **Part 1 - The conundrum**

In the darkest days of the Babylonian Exile, King Achashverosh decrees death on the Jews. Mordechai turns to the nation's only hope. Esther, who has been taken as the new queen, must intercede with Achashverosh to try to have the decree repealed. But Esther is inside the palace – how can Mordechai communicate with her? We are told in the Megilla (chapter 4) that their conversation took place through a messenger, Esther's servant Hasach.

Hasach takes messages back and forth between the two. Esther sends him to ask Mordechai why he was sitting at the palace gate dressed in sackcloth. Mordechai sends Hasach back to Esther telling her of the decree and asking her to intercede with the king. Esther then instructs Hasach to reply: it is impossible for her to go into the king uninvited. But from this point we hear of Hasach no more. Esther's refusal is relayed back to Mordechai, but not by Hasach. As we read in the megilla: "ויגידו למרדכי את דברי אסתר" – *they told Mordechai the words of Esther*". Why did Hasach not take this message? Why are anonymous others left to tell Mordechai the bad news?<sup>1</sup>

This question is asked by the gemora (Megilla 15a). The gemora answers that Hasach did not want to be the bearer of bad news.

ויגידו למרדכי את דברי אסתר. ואילו איהו לא אזל לגביה? מכאן שאין משיבין על הקלקלה.  
*"They told Mordechai the words of Esther". Why did Hasach not go? We see from here that one should not be the bearer of bad news.*

But surely it was essential for Mordechai to be informed of Esther's refusal!<sup>2</sup> And if Hasach was so worried about

bearing bad news, why did he leave it to others to tell Mordechai the news?

And the main question: examining the words of the gemora, we notice something unusual. The gemora should just say "Hasach did not tell Mordechai, because one should not bear bad news". Why does it say "*we see from here* that one should not be the bearer of bad news"? In other words: *we* learn this concept from Hasach – but where did Hasach himself learn this from?

## **Part 2 – Gavriel and Daniel**

To answer this question, we must turn back the clock some years, to the time leading up to the destruction of the first Beit Hamikdash.



Depiction of Destruction of First Temple

In Yoma 76b/77a, the gemora explains a prophecy of Yechezkel. This tells of a mysterious series of events that occurred in heaven, leading to the angel Gavriel being punished and ejected from his position in heaven.

At this time, the Jews had turned to idol worship, and had even set up an idol in the Beit Hamikdash itself. Hashem plans to destroy the city of Jerusalem, and summons the angel Gavriel to carry this out. He tells Gavriel to approach the angelic beings, the keruvim in heaven, to take a flaming coal from amongst them and throw it on the city. However Gavriel deviated slightly from these instructions: instead of taking the coal directly, he took it from the hands of a keruv. This cooled the coal down a little, thereby lessening the destruction that would result in the coal being thrown on

Jerusalem. “Had the coals not cooled, no remnant or survivor would have been left.”

After throwing the flaming coal on to the city, Gavriel returns to heaven and reports: “I have done what I was commanded”. At this point, he is set upon by the heavenly court and punished – he is beaten “shitin pulsei denura” – sixty blows with rods of fire, and is ejected from his place in Heaven. What was the reason for this punishment? The gemora tells us: firstly, he had not carried out his instructions to the letter; and secondly, he should not have reported what he had done: *he should not have been the bearer of bad news.*

Fast forward some decades. After the destruction of the Beis Hamikdash, the Jews have been exiled to Babylonia. One of their leaders is Daniel. Daniel receives a prophecy and in it he sees the very same angel Gavriel. Gavriel tells him the story we have just learned: of how he was ejected from his position in heaven, and the reasons why – one of which was for bearing bad news. (The gemora continues to tell how Gavriel was later allowed back in to take his place in Heaven, but for our purposes we can stop at this point.)

### **Part 3 - Hasach**

Some years after Daniel’s prophecy, the events of the Purim story unfolded. Let us now return to the puzzling disappearance of Hasach. We have seen how Hasach acted as the messenger between Esther and Mordechai, and how he then disappeared rather than tell Mordechai the bad news that Esther could not approach the king. We asked several questions on this gemora – principally: how did Hasach know the principle that one

should not be the bearer of bad news? The gemora said that we learn this rule from Hasach – but how did Hasach know it?

To answer these questions, we need to see one more line of gemora, and all will become clear. Who was Hasach? The gemora teaches us (Megilla 15a): *Hasach was Daniel.*

So: at the time of the Purim story, it was not generally known that one should not bear bad news. The only person who was aware of this rule was Hasach/Daniel – who was told in a prophecy by the angel Gavriel how he was ejected from heaven for bearing bad news. So when Esther told Hasach/Daniel that she could not intercede with the king, Hasach/Daniel did not go and report this to Mordechai – for he could not bear bad news. But as he was the only person at that time who was aware of this concept, it only precluded him. It was not a problem for others to tell Mordechai the news.

After the event, it was recorded in the megilla that Hasach avoided being the bearer of bad news. Now the teaching would become generally applicable. The gemora therefore says “*from here we learn that one should not bear bad news*”.<sup>3</sup>

*Moishe Dovid Spitzer works as a GP and A&E doctor. Before graduating in neuroscience and medicine, he learned at the yeshivas of Gateshead and Mir. He has given the Monday night gemara shiur at Alei Zion since 2009.*

<sup>1</sup> Interestingly, the Targum answers by stating that Haman killed Hasach when he found out that he was relaying the messages between Mordechai and Esther

<sup>2</sup> See Sefer Chasidim (13<sup>th</sup> century Germany) section 802, who allows for the bearing of bad news where it is essential the information is relayed

<sup>3</sup> The Sefer Chasidim seems to reject this answer. As mentioned in note 2, he states that there is no problem to bear bad news where it is essential for the information to be relayed. As examples he quotes Avraham being told of the capture of Lot (Bereishis

14:13) and Yosef being told that his father was dying (Bereishis 48:1) – they needed to know for good reasons: Avraham so he could rescue Lot and Yosef so that he could visit his father before he died. But according to the answer I have suggested, these justifications are not necessary. Even if the information was not essential, it would still have been acceptable for Avraham and Yosef to have been told this information – for the rule did not come into general use until the time of Daniel

# *Authority, Vernacular and the Politics of Bible Translation: The Tanakh in English and Anglo-Jewish Culture*

BEN SAVERY

## *The Bible in Jacobean England*

The pearls of the gospel have been scattered and spread before swine.’<sup>1</sup> Henry Knighton’s unenthusiastic response to John Wycliffe’s late fourteenth-century English Bible betrays an irritation that the word of God – formerly available only to those in Christendom sufficiently learned to read the ancient languages – could now be heard by any literate person with a copy of the translation. Although this attitude seems foreign to Jewish tradition, Knighton, a canon and prominent chronicler, may have had good reason, along with many of the powerful religious elite – to fear this change in the *status quo*, and in 1407, a law was duly passed outlawing biblical translations<sup>2</sup>. God’s word was to be transmitted to the laity only by priests, even if these priests were the appointees of other men.

---

## *This essay will trace some of the many English translations of Tanakh over the centuries*

---

This essay will trace some of the many English translations of Tanakh over centuries and some varied and intriguing responses to Tanakh in English. Considering Knighton’s alarm, translating the Bible might be said to carry more gravity than translation of other texts because the work being translated is invested with religious, divine significance, the words are reckoned as the word of God and so the act of translating it is naturally deemed to be significant. Yet every act of translation is of course a traducement – the Latin word which gave English ‘translation’ has an alternative form which gives us to ‘traduce’ or speak falsely of, hence the modern French ‘traduction’. Yet

translation is also interpretation, and the ‘authority’ (in the literal sense of the word) on which any version rests will, inevitably, be weaker than that of the original.

A thousand years ago, the most common source for most non-Jews reading the Bible was the Latin version known as ‘Jerome’s Vulgate’<sup>3</sup>. Knowledge of the Bible in its original languages was rare, among clergy as well as literate laymen<sup>4</sup>. However, the authority of this translation came to be seriously questioned because of allegedly misleading inaccuracies; David Daniell has even claimed that it was Erasmus’s Bible of 1516 that was the beginning of what ‘should properly be called the Reformation’<sup>5</sup>. This is not the subject of this essay, but the example demonstrates how linguistic questions can have serious consequences, especially when they concern a document so powerful and prestigious as the Tanakh; Bible translations carry political pressures, meaning the process can act as a good ‘test of linguistic objectivity’<sup>6</sup>.

Of course, ‘authority’, ‘authorship’, and ‘authorisation’, are closely linked principles, and when dealing with Bible translation, they can have theological significance. Language is a major concern in any culture, and, to its speakers, the English language has been a matter of continued academic, cultural, political and, often, religious concern. In the case of the Bible, the English language has been of central importance. What were the motivations for retelling the Bible in the English vernacular of various translators at different times? We shall uncover surprisingly similar circumstances surrounding many translations of the last four centuries, from the King James Version (“KJV”) of 1611 to Artscroll editions of the twentieth century, and show how the (often propagandist) mindsets of translators have been remarkably similar<sup>7</sup>.

The enormous impact of the KJV on the English language is widely noted. Robert Lowth (1710-87) called it ‘the noblest monument of English prose’, Thomas Babington Macaulay (1800-59) felt it ‘would alone suffice to show the whole extent of beauty and power in our language’, and, in the words of Albert Stanburrough Cook (1853-1927), ‘no other book has so penetrated or permeated the hearts and speech of the English race as has the Bible’<sup>8</sup>. By ‘the Bible’, these writers of course meant both the sections known as the ‘Old’ and ‘New’ Testaments, but it is fair to say that the phenomenon is largely true of the Tanakh; the Tanakh is around three times longer than the New Testament, meaning that ‘the Bible’ in the Christian sense is around three quarters ‘Jewish’. Like the works of Shakespeare, the KJV was written at a time when English was maturing as a language. For three hundred years after the Norman Conquest, the language of the English elites had been the Anglo (Norman) French spoken by the invaders who ruled the country, and ‘English’ (now known to scholars as ‘Middle English’) was more likely to be spoken by the dispossessed Anglo-Saxons who served them. The language of officialdom was Latin, used by the Law and the Church<sup>9</sup>, and English did not become the parliamentary and legal language until 1362<sup>10</sup>, when Latin still continued to be used by the Church and in the universities<sup>11</sup>. By the late seventeenth century, however, English was the official language of all branches of government, and of the, relatively new, Church of England. *The Book of Common Prayer* was published (in English) in 1549<sup>12</sup>, and the ‘English Reformation’ had been completed.

James I succeeded to the throne in 1603. As the new king travelled from Edinburgh to London, a group of Puritan leaders presented him with a ‘Millenary Petition’, containing the signatures of reformist clergymen requesting a new translation of the Bible. They ‘mistakenly supposed that a Scottish king would have Calvinist sympathies’, and that any ‘King James’ translation would lend itself well to their theological position (or better, at least, than the existing Protestant translation, the ‘Bishops’ Bible’)<sup>13</sup>. James called a conference for 16<sup>th</sup> January 1604, at which it was decided that there would be a new translation, which was conceived as a theological exercise<sup>14</sup>. The extent to which the translation which finally appeared in 1611 has achieved pre-eminence among English Bibles, coupled with the linguistic uniqueness of the period in which it was created, makes the KJV of supreme importance to the historian of Tanakh in English. As will be seen, Anglo-Jewish bibles are enormously indebted to this momentous translation as well.

The KJV was translated by groups of scholars, known as ‘companies’, each one responsible for a different section of the Bible<sup>15</sup>. The preface from ‘The Translators to the Readers’, explains that the translators’ priority was never literary elegance, but accuracy. What they were trying to produce was an accurate, lectern Bible, one which was well-suited ‘to be read in Churches’ (as the title-page confidently declares) as well as at home. However, as the comments quoted above – from a bishop, a historian and a professor of English, respectively – show, the prose style of the KJV did indeed come to seem attractive and well-written. How did this achievement come about? An explanation can perhaps be found, as McGrath has suggested, in a wise decision made by the translators, outlined in the preface:

we have not tied ourselves to an uniformity of phrasing... if we translate the Hebrew word once by *purpose*, never to call it *intent*; if once, *journeying*, never *travelling*... For has the Kingdom of God become words and syllables? Why should we be slaves to them, if we could be free?<sup>16</sup>

The translators faced a dichotomy between consistency and shaded expression.

---

### *The translators faced a dichotomy between consistency and shaded expression*

---

By their choice, they demonstrated that they understood that no two languages are the same, and realised something crucial about the translation process. It is significant that they felt the need to justify this decision, which today seems scarcely a decision at all. Apparently, the translators were worried that a charge of inconsistency might be levelled against them, but they also reveal an understanding, if only implied, of the nature of English specifically, rather than translation in general. The English lexicon is larger than the vocabularies of Hebrew and Aramaic, and the translators probably realised this. Their reasoning in not employing slavish consistency would be wise in translation from any language to any other. But in the case of English, the argument is even more compelling, because of the lexical variety of that language.

So, this decision carried technical, theoretical weight, and contributed to the masterful literary quality of the final work, so that eventually, the KJV became fully accepted in churches, its readings heard every week.

There is reason to believe, however, that the translators did not necessarily translate exactly as they themselves spoke. The Bible has a distinct archaic feel, which, according to Partridge, gave rise to the impression that religious language almost *has* to be archaic<sup>17</sup>, something noted by those familiar with Anglo-Jewish literature. Daniell suggests that the KJV was ‘born archaic’<sup>18</sup>, rather than merely having come to seem so over centuries. The translators were given a list of instructions by the Bishop of London, governing the translation process, and the first rule stated that ‘the *Bishops’ Bible* [was] to be followed, and as little altered as the Truth of the original will permit’<sup>19</sup>. The translators were not, therefore, at liberty to translate entirely freely, but had to retain as much as possible from an older version, the *Bishops’ Bible*, published in 1568. This, however, was based on the Great Bible of 1540, a publication seventy years older than the KJV. In a period of such rapid linguistic change as the English Renaissance, this would indeed have made the KJV seem immediately archaic. However this would not have been seen as a drawback, as language change can sometimes seem threatening, especially to conservative-minded people, and this deliberate archaism was thought to bring the translation ‘the authority of the past’<sup>20</sup>.

There were, however, other reasons for the archaic feel of the translation less to do with previous versions, as with the peculiar linguistic circumstances of the time. One is the abundant use of the word ‘thereof’. To speakers of contemporary modern English, the phrase ‘a cubit shall be the length thereof’ (Shemot 30:2), seems strange. We would expect the word ‘its’; ‘a cubit shall be its length’. In fact, the KJV uses the word ‘its’ only once (Vayikra 25:5). The reason for this is the double meaning of the Middle English word ‘his’, which was used as both the third person masculine and neuter possessive pronouns. The word ‘its’ did not exist in Middle English, but by 1600:

the word ‘his’ was increasingly being used solely as the masculine possessive pronoun. Yet the same word was still used, even if increasingly rarely, to act as the neuter possessive pronoun... they [the KJV translators] were standing at a linguistic junction.<sup>21</sup>

For this reason, the translators chose to avoid using any neuter possessive pronoun at all, as one of the two alternatives might soon fall completely out of use, and the other could seem startlingly ‘modern’. The translators chose to circumvent the problem, by the ‘clumsy paraphrase’ using the word ‘thereof’<sup>22</sup>, a decision again indicating their conservative stance, and

reluctance to use the modern idiom, in favour of one which seems unnatural and peculiar.

Another striking linguistic feature is the use of the older forms of the second person singular pronouns, ‘thou’, ‘thee’ and ‘thy’ and the second person nominative plural form ‘ye’. The precise connotations of these forms at the time the KJV was written are difficult to ascertain, as they were also used to indicate the relative social status of speaker and listener, though by this time, they were certainly ‘falling out of use’<sup>23</sup>. Again, however, the KJV preserves the older forms. The same is true of the verbal endings on second and third person singular forms of the present tense. The Middle English forms were ‘-est’ and ‘-eth’, yet by 1600, the modern forms we use today were current as well. Unsurprisingly, the KJV uses the older forms, as in ‘With whomsoever thou findest thy gods’ (Bereishit 31:32), so it is not surprising that, as the version grew in authority, such archaic features became associated with religion.

The wide usage of the KJV may have been a factor in the creation of the idea of archaic religious English, something which has had a great impact on siddurim and chumashim in use in Anglo-Jewry, and in the standardisation of the language, but its impact was greater than this. One consequence was that it caused the incorporation of words, phrases and idioms from the original biblical languages.

---

### *The translation into English caused the incorporation of words, phrases and idioms from the original biblical language*

---

Lists of ‘coinages’ into English are well-known, and include: ‘to pour out one’s heart’ (Tehillim 62:8), ‘the land of the living’ (Iyov 28:13), ‘under the sun’ (Kohellet 1:4), ‘the skin of my teeth’ (Iyov 19:20), and ‘like a lamb to the slaughter’ (Yishayahu 53:7). These are not normal, idiomatic English, but their use in the KJV has made them current and completely accepted to this day. Interestingly however, these phrases should not properly be attributed to the KJV as coinages. All, as McGrath notes, are directly taken from the Geneva and Tyndale Bibles, and initially after the appearance of KJV, were regarded with amusement. ‘If I translate a French book into English’ wrote John Selden, an early reader:

I turn it into English phrase and not into French English. ‘Il fait froid’: I say ‘it is cold’, not ‘it

makes cold'. But the Bible is translated into English words rather than English phrases<sup>24</sup>.

However, while this criticism is true, these phrases have enriched the language. An indirect achievement of the KJV lies, therefore, in popularising these originally Hebrew expressions and making them so widely used and (eventually) accepted.

Acceptance of the KJV was challenged during the English Civil War and the Interregnum, but with the Restoration of Charles II and the strong political desire for national religious uniformity, came its 'final acceptance'<sup>25</sup>. Since then, the KJV has enjoyed unrivalled importance as a popular version, in Church and at home. In the many households which could only afford one book, this would have been a 'King James', from which countless children learned to read and write. However, we should not imagine that this era saw an end to translations; they have of course continued to be produced, though none so influential and significant. I shall now turn to some literary renderings of the Bible, where the translators' aims were not to create an English version of the entire canon, but to translate parts of it and draw artistic inspiration from them.

### *Tanakh in eighteenth-century artistic life*

In the eighteenth century and others, poets used biblical texts as a basis for poetry, the most common section chosen being Tehillim, presumably because of its own literary nature.



The psalter of the 1662 Book of Common Prayer

The Book of Psalms is an outstanding poetic oeuvre, which explains why, according to Donald Davie, 'through four centuries [until the Romantic era] there is hardly a poet of even modest ambition who does not feel the need to try his hand at paraphrasing some part of the Scripture, most often the Psalms':

We can say that as a classic of ancient literature, the psalms ought to be, like the *Iliad* or the *Aeneid*, translated afresh in every generation... this is what vindicates, for instance, the always resourceful and

sometimes brilliant translations into eighteenth-century idiom by Watts and Smart<sup>26</sup>.

Isaac Watts and Christopher Smart were two prolific eighteenth-century translators of Tehillim, and their translations are intriguing for their approaches to biblical translation itself, as well as for their poetic quality. Smart (1722-71) is a good example of how Christian poets have taken inspiration from the Psalms, seeing David Hamelech as a potential (monotheistic) alternative to the (Greco-mythic) poetic figure of Orpheus. He demonstrates this view in 'On the Goodness of the Supreme Being', and his masterpiece 'A Song to David'. Watts (1674 – 1748), in a headnote to his poem 'The Hebrew Poet' highlights the 'Difficulty of a just Translation of the Psalms of David', and the opening lines of the poem declare a refreshingly self-aware idea:

Shew me the Man that dares and sings  
Great *David's* Verse to *British* strings.

For all Watts' awareness of the shortcomings of translation, however, he, like Smart, does not seem reluctant to impose his own interpretation on the Psalms. Firstly, both of these poets Christologize extensively in their translations. Smart's version of Tehillim 74, for instance, begins with the words 'Lord Jesus', as a translation of the word Hashem, whereas the KJV, of course, shows much stricter principles of literalism by beginning the Psalm with 'O God'. Similarly, in his version of the same psalm, Watts uses the expression:

Think of the tribes, so dearly bought  
With their redeemer's blood. (11.5-6)

In fact, of course, there is no reference to the crucifixion, and the Hebrew expression to which this couplet refers is:

זכר עדתך קניית קדם גאלת שבט נחלתך

rendered in the KJV as 'Remember thy congregation, *which* thou hast purchased of old; the rod of thine inheritance, *which* thou hast redeemed'. There is no clear reference to a human redeemer, and certainly not to death, or 'blood'.

These examples reveal a very different approach to translation than that shown by the King James translators. Watts and Smart feel entirely comfortable giving the meaning of the Psalms as they see it, according to a Christian interpretation. The former, by contrast, rarely seek to Christianise the Old Testament as such ideas – even if Christian readers believe them

to be valid interpretations implied by the text – are not explicit in the Hebrew words. This is unsurprising, as they were writing poems, rather than strict translation, and it is important from a Jewish perspective to bear in mind that they were not trying to mislead. It is simply that their approach is to offer what they believe the verses fully mean. As religious Christians, Watts and Smart would certainly have agreed that the life and death of the Christian Messiah are one theme of the Psalms, and that a full translation should include that meaning – deliberately, therefore, embedding Christianity into their translations. In Davie's words, they tried to 'imagine another history', one in which the Old and New Testaments could somehow be anachronistically fused<sup>27</sup>.

Another consequence of the fact that Smart and Watts were writing poetic versions rather than strict translations, is the device they employ, taken from the KJV, of formally dividing each verse into two halves of a stanza. This choice is inspired by the principle of Biblical 'parallelism', described by Lowth as follows:

[E]very line of Hebrew poetry is divided into at least two parts, of which the second frequently repeats the thought of the first.<sup>28</sup>

This 'parallelism' is the palmist's principal device, and it was easily adapted to the strict formalism of the Augustan poetic idiom, in which couplets were a pervasive choice.

The Psalms may have lent themselves to the poetic versions by these two poets, but Charles Jennens's rendering of the biblical libretto of Handel's oratorio, *The Messiah*, has proved immensely more popular and successful, musically and religiously. However, for Jennens, the work was as much a political act as the KJV had been, if a far less influential one. It was also as religiously motivated as any other translation, and similar in some respects to the poetry discussed above (with which it is approximately contemporary). In this work, Jennens was partially motivated by anti-deist feeling. Deism was a fashionable philosophy of the time, which sought to understate Christianity's supernatural elements and which influenced the thinking of Moses Mendelssohn and hence the roots of Reform Judaism. By extension, the varied responses by Orthodox Judaism to that movement in the early modern period were also indirectly influenced by the Deism or by its equivalent modes of thought in other countries. Most of all, Deism sought to 'discredit the idea of... the fulfilment of Old Testament prophecies of the Messiah in the person of Christ'<sup>29</sup>. According to Tom Paine (1737-1809), a radical deist, 'The Jewish poets deserve a better fate than that of being bound

up... with the trash that accompanies them, under the abused name of the word of God'<sup>30</sup>.

Jennens was certainly opposed to Deism, and expressly challenged it in his choice of texts for *The Messiah*. Firstly, the 'title itself is an anti-deist banner'<sup>31</sup>, as it clearly refers to belief in the fulfilment of biblical prophecy – something uncontroversial from a Jewish perspective. Secondly, although it only holds together as a fairly loose narrative of Jesus' life, the work is replete with passages from the Old Testament, allegedly prophesying the life of Jesus. Passages, in particular from Yishayahu (and indeed the Psalms), are incorporated, which according to Christological interpretations predict events from the New Testament<sup>32</sup>. Astonishingly, given that it is about Jesus, almost the entire libretto is from Tanakh, and very little of it actually tells the story of the nativity or resurrection. Jennens's 'library contained enough examples of contemporary books representing the Anglican understanding'<sup>33</sup>, and his choice of epigraph for the title page of the original word-book also demonstrates this faith. It contains a quotation from I Timothy (3:16), 'great is the mystery of Godliness'. In addition to all of this, the libretto mostly contains passages which are also found in the Church of England's *Book of Common Prayer*, often in the same order. This again places the work firmly on the side of the prevailing religious establishment and the *status quo*, against attacks of reformists and free thinkers.

The biblical passages in *The Messiah* are selected from all over Tanakh, rather than being presented in the order in which they appear in the canon.

---

### *The biblical passages in The Messiah are selected from all over Tanakh*

---

What Jennens did was to create a (semi) contiguous whole from what are essentially diffuse fragments, a highly interpretive way of translating the Bible, using diverse sections to recreate the 'story' of the Messiah. But it is still a form of translation. Like Watts and Smart, Jennens displays a typological concern, linking the Old Testament with the New to claim that they mirror one another, and the libretto can switch from Old Testament to New without any indication that it is doing so. The first part of Number Eight, for instance, is from Yishayahu 7:14 – a verse I shall discuss later – and the second part from Matthew 1:23; 'Behold a virgin shall conceive and bear a son, and shall call His name Emmanuel, *God with us*' (my italics). Although this is disconcerting from a Jewish perspective, this is a





KJV translators do not usually attempt to inscribe Christian interpretations into the Old Testament, the brief marginal notes (to be found at the top of each page, and which usually give a summary), explain, above the verse from Isaiah, that ‘Christ is promised’ – an interpretation stated as fact. Arguably, this is a reasonable inference if *almah* does actually mean ‘virgin’, (which is how KJV translates it). However, I shall now consider how Jewish translators of the Old Testament have approached the task of rendering it into English, and see how they treat the Christianised readings.

### *Tanakh and the English-speaking Jews*

In 1917, the Jewish Publication Society of America (JPS) published *The Holy Scriptures*, with the Hebrew text of Tanakh, and an English translation on each facing page<sup>34</sup>. This volume was not the first Jewish publication of an English Bible, as previous versions had been produced in the nineteenth century by Michael Friedlander and Isaac Leeser<sup>35</sup>. However, the 1917 version was arguably the first of significance for the Jewish communities of English-speaking countries, especially in terms of the authority on which it rested, having been undertaken by some of the leading American rabbis and Jewish scholars of the day<sup>36</sup>. One of the editors of the translation, Max Margolis, wrote an account of the process of its creation, *The Story of Bible Translations*, in which he provides an interesting explanation as to why the JPS chose to translate the Jewish Bible. Apparently, they wished to promote and propagate ‘the happy blending of the double heritage which is the Jew’s in the... English Empire and United States’<sup>37</sup>. When the translation was begun in the late nineteenth century, America had just seen a large wave of immigration of Jews from Eastern Europe, and Margolis places the JPS translation as part of an attempt by the religious leadership to assimilate the arrivals to the English-speaking world.

Perhaps then it is unsurprising that the editors chose to remain so faithful to the KJV, taking the view expressed by Margolis that ‘no translation in the English tongue ... can be anything but a revision ... of the English Bible of 1611, itself a revision’<sup>38</sup>. At the time in the English-speaking world, many people thought of the KJV as though it were the Bible itself. As the English playwright George Bernard Shaw ironically reminds us in *Pygmalion* (which appeared in London only a year before the publication of the JPS translation), English ‘is the language of Shakespeare and Milton and The Bible’. It would not be fair to suggest that the *sole* reason for retaining so much of the KJV was to facilitate the assimilation of American Jews into American culture. Margolis also justifies this

as in keeping with Jewish scholarship, claiming that the 1611 translation tended to agree with Jewish tradition and was greatly indebted to research conducted by the ‘Jewish grammarians and commentators of the Middle Ages’<sup>39</sup>.

A brief comparison of the KJV and the JPS version will quickly demonstrate that the resemblance is extremely close. It is perhaps also interesting to consider an example in which the language of an eighteenth-century poetic translation is in fact similar to both of these. The KJV at Psalm 22:8, uses the phrase ‘shoot at the lip’ to describe the torment suffered by the speaker at the scorn of others. Smart actually preserves relatively little of the vocabulary of the KJV in his version of this psalm (Davie, p.231), but the poetry of this metaphor was sufficiently elegant to be included in the stanza representing verse twenty-two:

All with smiles of scorn exploding  
As with taunts their spite is fed  
And with ignominy loading,  
Shoot their lips and shake their head. (ll.25-8)

The KJV translation understands that the Hebrew *יפְטִירוּ בִשְׂפֵה* (literally, ‘they separate with the lip’) is idiomatic, and necessitates some form of interpretive translation<sup>40</sup>. It was the choice of the King James translators effectively to disregard the literal meaning here, giving instead an imaginative English version, which could be understood by an ordinary seventeenth-century person. Although the expression ‘they shoot out the lip’ is metaphorical, the sense and semantic content are easily grasped; it clearly implies that ‘they’ are angry and scornful. It was also sufficiently vivid and interesting for Smart to wish to include it, and it is probably this non-literal idea of ‘shooting’ which inspired Smart’s word ‘exploding’, earlier in the verse. Obviously, the JPS editors would have known how non-literal the phrase was (all of them being prominent Hebraists) but Margolis’ comment reveals an interesting linguistic notion, which, it seems, the editors applied. In their view, if a previous translation has been as good and successful as the KJV, it has some bearing on the original, so that if one comes to translate the text again, it is wrong to ignore that earlier translation. This is interesting, because the JPS version is not very far in date from the Revised Standard Version of 1885. There is insufficient scope to consider that translation fully, but its existence is evidence of a different view; that the words of the old translation can sometimes be changed in the name of modernisation. We should note that the JPS editors did not use one translation exclusively, but consulted the Revised Version and others<sup>41</sup>. Effectively, though, the editors of

the JPS version retained most of the words of the KJV, changing it only so as not to offend central tenets of Jewish theology (as we shall see), but not to make it more literal.

The example of Yishayahu 7:14 is one of the few, but inevitable, occasions of departure by the JPS version from the King James one, where its translation reads, ‘Behold the young woman shall conceive’<sup>42</sup>. Its editors reject the Christian notion that this predicts the birth of Jesus, following the Jewish tradition, that *almah* does not necessarily mean ‘virgin’. We should not conclude, however, that the JPS choice of wording is any less an interpretation of this verse than the King James decision was. *Almah* can mean ‘virgin’, and obviously, the two possibilities are closely linked, making it difficult to know – if not for the presence of a clear *mesorah* – which is intended. A choice may be necessary between the two, and the editors of each version chose the one which served their religious beliefs and those of their intended readership, making language subservient to politics.

It was perhaps in part due to this pragmatic approach, ‘blending the double heritage’, which assured the wide acceptance of the JPS Holy Scriptures.

---

### *In Britain, the five volumes of the Chumash in English began to appear in 1929*

---

In Britain, the five volumes of the Chumash in English began to appear in 1929, under the editorship of the then Chief Rabbi, J. H. Hertz, and, as the ‘Preface to the One Volume Edition of 1937’ makes clear, the translation is directly incorporated from ‘the version of the Holy Scriptures issued by the JPS of America in 1917’<sup>43</sup>. This meant that the Chumash was also able to retain the excellent style of the KJV, as well as the Jewish interpretations, where the KJV translations offended. The main distinguishing feature of this version was that each page of the scripture was accompanied by an extensive commentary by Hertz. The impetus behind this translation for Anglo-Jewry is made clear in the preface: ‘May it result in the placing of a Chumash [Pentateuch] in every English-speaking Jewish home’ (ibid.). This comment must partly have been inspired by the success of the KJV, mentioned above, of often being the one book owned by many households. The parallel is striking, and, indeed, the ‘Hertz Chumash’, as it was known, or even more simply, ‘the Hertz’, can be seen as almost an ‘authorised version’ for Anglo-Jewry, because of its association with the Chief Rabbinate.

This version was published by Soncino Press, but that publishing house later began a project of translating the entire Jewish Bible, rather than just the Pentateuch. Each volume included the following ‘Publisher’s Note’:

Thanks are due to the Jewish Publication Society of America for permission to use their very beautiful English text of the Scriptures.

However, as we have seen from Margolis’ comments, the JPS Holy Scriptures was scarcely ‘their’ version at all; it was essentially based on the KJV, so it is unsurprising that it was ‘very beautiful’; it was as ‘beautiful’ as the famous version of three centuries earlier. However, the Soncino Books of the Bible are distinct from both the JPS version and the KJV for having (like the earlier Pentateuch edited by Chief Rabbi Hertz) notes and commentary at the bottom of each page. The volume of *Tehillim* of this series, issued in 1945 and edited by Rev. Dr. A. Cohen, is useful for comparison with the psalm-translations of Smart and Watts<sup>44</sup>.

Rev. Dr. Cohen was aware of the type of interpretation the Psalms have undergone, such as the Christianising by Smart and Watts. We should bear in mind that at the time of publication, the Christian threat to Judaism was arguably greater than it is today, when the prevailing culture in England was more overtly Christian and conversion of Jews a more pressing phenomenon. ‘A Christological intention has long been read into this Psalm’ he notes on *Tehillim* 22 (Cohen, p.61), and indeed, if we look again at Smart’s version, we will find these strong Christian allusions. The KJV translation of Psalm 22:27, for instance, is incorporated unchanged in the Soncino version, and reads; ‘And all kindreds of the nations shall worship before thee’, but Smart’s version is:

All mankind shall be converted,  
And the Christian church attend. (Il.107-8)

Such decisions lead Davie to note, along the same lines as Cohen, that ‘Smart Christianises very strenuously indeed ... remarkable in that the original ... affords no toe-hold for such interpretations’<sup>45</sup>.

I have mentioned the Soncino volume of Yishayahu, and its departure from the KJV over the wording of 7:14. However, we should not think that the translation of *almah* in that verse as ‘young woman’ is the only alternative to ‘virgin’ to have been used by Jewish translators. The Orthodox American publishers, Mesorah Publications released a Hebrew and English edition of the Tanakh in 1996 (Artsroll), which is

interesting for a number of its principles of translation, including its approach to Christian translations<sup>46</sup>.

The 'Preface' gives no hint that the translation is based in any way on the KJV, or indeed on any other English translation, contradicting Margolis's claim that 'no translation of the Bible can be anything more than a revision' of the KJV. The Mesorah translators appear to have worked entirely on their own, from their knowledge of Hebrew and Jewish commentators, and indeed the rendering is strikingly different from that of the KJV. Here is its version of the opening of Genesis:

<sup>1</sup> In the beginning of God's creating the heavens and the earth – <sup>2</sup> when the earth was astonishingly empty, with darkness upon the surface of the deep, and the Divine Presence hovered upon the surface of the waters

This is typical of the version's style, using, of course, the modern idiom of the late twentieth century, and abandoning much of the famous phraseology. It is also generally more literal, but far less atmospheric and literary, than the KJV, or indeed the original. The translators explained:

Where a choice had to be made, we preferred fidelity to the text over inaccurate simplicity, but occasionally we had to stray from the literal translation or Hebrew syntax in order to capture the essence of a phrase or to make it intelligible in English. (p.xii)

So how, then, do the editors of this volume treat the important verse, Isaiah 7:14? As hinted, they actually do not translate the controversial word *almah* as 'virgin' or as 'young woman', but use a neutral term, 'maiden', which could imply someone who is either a virgin or just young. The reality is that both the KJV and the JPS translators may be exaggerating the evidence for their respective theological cases, avoiding the ambiguous choice of 'maiden'. The Mesorah version does not imply a Christian meaning, it is simply that the Hebrew word is genuinely ambiguous, like the word 'maiden'. This translation, not at all based on any Christian one, presumably does not feel the need to refute the Christian meaning, unlike the JPS version. It is assumed that none of its readers would imagine any equivalence or genuine linkage between the Old and New Testaments.

One further interesting feature of this edition, in common with all Mesorah versions, is its rendering of Hebrew names. Firstly, one of the names of God used in the Old Testament – the 'Tetragrammaton', usually rendered by the KJV as 'the Lord' – is given as

'HASHHEM', a transliteration of a Hebrew word which simply means 'the Name'. The editors decided not to give any English word as an equivalent for what they call 'the sacred Hebrew Name of God'<sup>47</sup>. For other personal names, the Mesorah version does not always use the Anglicised renderings of the KJV. Generally, the tendency is to simplify them for modern readers, except for very well-known names such as 'Isaac' or 'Joshua'. So, for example, in place of the list of names in Jeremiah 32:12, where KJV has: 'Maaseiah, in the sight of Hanameel', the Mesorah version has 'Mahseiah, in the sight of Hanamel'.

We have seen how policies of biblical translation often have striking similarities over long periods of time. Conservatism of style was adopted by the KJV, by eighteenth-century poets and by the JPS translation, but there has been even more prevalent conservatism of religious message. Something certainly shared by the different versions is the awareness of the theological significance occasioned by linguistic difference, and editors have often used their translations to propagate their own religious messages.

---

*There seems to be agreement that the words of Tanakh should be communicated in an attractive style*

---

Furthermore, there seems to be agreement that the words of Tanakh should be communicated in an attractive style, in every way from poetry, to music, to archaic grammar and modernised clarity. Perhaps this was started by the elegant mastery of the KJV, whose powerful words can serve as a Protestant replacement for the Catholic iconography abandoned in the sixteenth century. In any case, the overall power of language combined with that of the Bible, is something long recognised and agreed upon by learned translators.

### ***Endnote***

There is an interesting parallel, dating from centuries later, to the Christianising of the Psalms by Watts, Smart, Jennens and Handel, and indeed to the interpretation and commentary on Isaiah in the KJV. This can be found in the treatment by the Mesorah version of the Shir HaShirim. The publishers' name – the Hebrew word *מסורה* – means 'tradition', and refers to the traditional handing down through generations of Jewish Bible scholarship. Unlike The Holy Scriptures published by JPS, the Mesorah Tanakh, employs a

striking device for its version of this book of the Bible, unique within that volume. In its prefatory note to the book, it states that ‘the truth of the Song is to be found only in its allegory ... [and] that is why ... we translate the Song according to Rashi’s allegorical translation’ (p.1681). Shir HaShirim is a love poem, apparently addressed to a human, female loved one, but is viewed in Jewish tradition as a celebration of the love between Hashem and the chosen people. This is one traditional Jewish view adopted by Mesorah Publications, as outlined by Rashi. The pages of the Song in the Mesorah version are, therefore, divided in two, the upper half of each page labelled, ‘allegorical rendering following Rashi’, and the bottom, ‘notes including literal phrase-by-phrase translation’. The editors of this version therefore, evidently felt that an interpretive translation can be superior to a linguistically accurate one, and in this they share something with many of the translators whom we have considered throughout this essay. True, the Mesorah version is direct and open

about this decision, labelling it at the top of every page in capital letters, but the parallel, across the centuries, is striking nonetheless. To use the words, not of King Solomon himself who of course was writing in Hebrew, but of his many translators, ‘there is nothing new under the sun’.

*Ben Savery holds a BA in English and an MA in the History of Medicine, both from University College London, a Certificate of Medical Studies from St. George’s, University of London, the Graduate Diploma of Law from the University of Law and a Master of Laws in Professional Legal Practice (LPC). He also studied at the London College of Music and has taught piano and voice at many levels. He is now a trainee solicitor at DAC Beachcroft LLP.*

<sup>1</sup> Quoted, Alister McGrath, *In the Beginning: The Story of the King James Bible* (London: Doubleday, 2001), p.20

<sup>2</sup> *Ibid.* p.33

<sup>3</sup> See David Daniell, *The Bible in English* (New Haven and London: Yale University Press, 2003), p.26

<sup>4</sup> McGrath, p.56

<sup>5</sup> Daniell, p.113

<sup>6</sup> A. C. Partridge, *English Biblical Translation* (London: Andre Deutsch, 1973), p.1

<sup>7</sup> The Bible produced in English in the reign of James I is known by a number of names. The term ‘Authorised Version’ is somewhat misleading, as the translation was never actually ‘authorised’. The term ‘King James Bible’ is also misleading, as it wasn’t written by James. This essay will, therefore adopt the descriptive term ‘KJV’, following Daniell.

<sup>8</sup> McGrath, pp.278, 301 and 253

<sup>9</sup> *Ibid.* p.26

<sup>10</sup> G. A. Hughes, *A History of English Words* (London: Blackwell, 2000), p.xvii

<sup>11</sup> McGrath, p.28

<sup>12</sup> Daniell, p.123

<sup>13</sup> Partridge, *English Biblical Translation*, p.105

<sup>14</sup> *Ibid.*

<sup>15</sup> McGrath, p.178

<sup>16</sup> ‘The Translators to the Readers’ in *The Bible*, ed. Robert Carroll and Stephen Prickett (Oxford: Oxford University Press, 1997), p.lxxviii

<sup>17</sup> Partridge, p.115

<sup>18</sup> *Ibid.* p.441

<sup>19</sup> *Ibid.* p.439

<sup>20</sup> Daniell, p.441

<sup>21</sup> McGrath, p.274

<sup>22</sup> *Ibid.* p.275

<sup>23</sup> *Ibid.* p.269

<sup>24</sup> *Ibid.* p.265

<sup>25</sup> *Ibid.* p.278

<sup>26</sup> Introduction’, in *The Psalms in English*, ed. Donald Davie (Harmondsworth: Penguin Books, 1996), p.xxxii. References to ‘Davie’ are to this edition.

<sup>27</sup> Davie, p.xxviii

<sup>28</sup> *Ibid.* p.xli

<sup>29</sup> Daniell, p.563

<sup>30</sup> Quoted, Carroll and Prickett in their ‘Introduction’ to *The Bible*, p.xxxv.

<sup>31</sup> Daniell p.563

<sup>32</sup> The text and musical score used is *Messiah*, ed. Watkins Shaw (Sevenoaks: Novello and Co., 1959). References to ‘*The Messiah*’ are to this edition.

<sup>33</sup> *Ibid.* p.563.

<sup>34</sup> *The Holy Scriptures* (Philadelphia: The Jewish Publication Society of America, 1917). References to ‘the JPS version’ are to this edition.

<sup>35</sup> Max Margolis, *The Story of Bible Translations* (Philadelphia: The Jewish Publication Society of America, 1917), pp.93-4

<sup>36</sup> Margolis, pp100-1

<sup>37</sup> *Ibid.* p.104

<sup>38</sup> *Ibid.* p.104

<sup>39</sup> *Ibid.* p.105

<sup>40</sup> See note in *The Psalms*, ed. A. Cohen (London: Soncino Press, 1945), p.62. The prefix *ba* in Hebrew can mean ‘with’, ‘in’ or ‘by’.

<sup>41</sup> See Margolis, p.99-104

<sup>42</sup> *Isaiah*, ed. Israel Slotki (London: Soncino Press, 1949)

<sup>43</sup> *The Pentateuch and Haftorahs*, ed. J. H. Hertz (London: Soncino Press, 1937), p.vii

<sup>44</sup> *The Psalms*, ed. A. Cohen (London: Soncino Press, 1945).

References are to this edition. Many of the Psalms are versified differently in the KJV to the Jewish tradition, usually because the Jewish versions follow the Masorah to treat dedications (such as ‘Tehilla LeDavid’, ‘A Psalm of David’), as the first verse, and Christian translations see them as prefatory and not counted as a verse. For simplicity and ease of comparison, I will continue to give references to the Psalms according to the King James versification, though in the Jewish publications, the verses may be found one later.

<sup>45</sup> Davie, p.236

<sup>46</sup> *Tanach*, ed. Nosson Scherman, (New York: Mesorah Publications, 1996). References to ‘Mesorah’ are to this edition.

<sup>47</sup> Preface, p.xiii

# *Shaalei Tzion (IV) – Questions and Answers from Alei Tzion*

RABBI DANIEL ROSELAAR

Once again I am pleased to present some of the halachic issues that I have addressed in recent months. Sometimes the questions were presented to me verbally, and other times via email or various forms of social media and the answers given at the time were normally more concise and less detailed than presented here. As the reader will discern, the questions cover a wide range of halachic issues and reflect a kehillah that is halachically minded. In a few instances the people asking the questions may have been hoping for a different answer, but as one person told me when I presented him with an inconvenient answer – “that’s why we ask the questions.”

## **What bracha should we say over bread-and-butter pudding? Do we need to wash?**

The bracha for bread is hamotzi lechem min haaretz, but under certain circumstances the bracha can be “downgraded” to a bore minei mezonot. The Shulchan Aruch (OH 168:10) writes that small pieces of bread that are stuck together with a liquid (e.g. with oil, honey or egg) retain the bracha of hamotzi if the pieces are either at least a kezayit in size, or if they are still recognisable as bread. If they are subsequently cooked in a pot the bracha is reduced to mezonot if the individual pieces of bread are smaller than a kezayit, even if they are recognisable as bread. In the case of bread-and-butter pudding the mixture is baked rather than cooked (in a liquid) and thus the bracha remains hamotzi – it is usually made from full slices of bread or challah and they tend to remain recognisable as bread<sup>1</sup>.

These considerations are also relevant when eating French-toast or matza brei. In the former case the bracha will normally be hamotzi because of the size and recognisable nature of the pieces of bread. In the latter case, depending on exactly how it is prepared, the bracha will normally be mezonot. The matza is usually broken into very small pieces which are far less than a kezayit and then soaked in water. Once it is mixed with the egg and then fried those small pieces are no longer recognisable as matza so the bracha is “downgraded”.

Obviously, whenever the bracha before the food is hamotzi, there is a requirement of netilat yadayim before and bircat hamazon afterwards. Some people regard that as an irritating inconvenience, but in reality it is an opportunity to fulfil a mitzvah from the Torah.

## **I davened the Friday night amidah by mistake on Shabbat afternoon. Do I need to repeat the tefillah?**

The concluding paragraph of the central bracha of all the Shabbat amidot is the same – retze binnuchateinu ... mekadesh ha-Shabbat. Consequently, if any of the amidot are swapped round as you did they do not need to be repeated (SA OH 268:6). However the Mishnah Berurah does state that if one realises in the middle of reciting the central bracha that one is reciting the wrong text one should correct oneself and switch over to the correct one. Furthermore, if the musaf amidah is transposed with any of the other Shabbat amidot, or vica versa, the tefillah does need to be repeated<sup>2</sup>.

## **We have a buggy where you can take off the pram part and put a seat in. This is common in modern buggies and the parts just slip in and out. Is this an issue of boneh on Shabbat? Also, someone mentioned to me that a rain cover for a pram might be considered an “ohel”. Is that an issue?**

There is a general principle that the Shabbat rules of boneh (building / constructing) do not apply to small objects (OH 314:1). Exceptions exist in the case of items which are tightly fitted together, such as home assembly furniture (OH 313:6), but the type of buggy that you are describing is designed for regular and easy assembly, disassembly and reassembly and thus does not pose any halachic problem.

Placing a rain cover over a buggy or pram is problematic because there is a rabbinic prohibition against making a temporary canopy (ohel) on

Shabbat (OH 315:1). However, an already existing canopy may be extended. So once the hinged hood attached to the pram or buggy is open (and this may be opened even on Shabbat because it is like a door that is made to be regularly open and closed), then the rain cover can be placed over it as it is regarded as a temporary extension of the existing canopy.

**My shoelace snapped on Shabbat. Am I allowed to thread a new one on Shabbat?**

The Magen Avraham (OH 317 sk 7) rules that one is not allowed to thread a shoelace into a new shoe because of metaken mana – i.e. turning the shoe into a useable item. The Eliyah Rabbah commentary on the Shulchan Aruch maintains that this also applies to threading a new shoelace into an old shoe because this also makes the shoe wearable. Rav Ovadia Yosef rejected the stringency of the Eliyah Rabbah but it is endorsed by Shemirat Shabbat Kehilchata (15:59). The latter work offers the suggestion that a shoelace of a different colour than normal and that will definitely be replaced after Shabbat can be used as a temporary solution (i.e. it is not permanently making the shoe wearable).

**Our new kitchen has a tap with an integral water-filter attached to it. Are we allowed to use this tap on Shabbat?**

Separating debris from food or drink is generally prohibited because of the laws of borer and the issue is usually more severe when a purpose-made utensil is used to achieve this end. However in this case the restrictions of borer do not apply. The Shulchan Aruch (OH 319:10) rules that clear water or wine can be passed through a strainer since these liquids are perfectly potable even without being filtered and as such nothing significant is being achieved. Consequently regular water-filters jugs may also be used on Shabbat.

**We have a baby's bathmat and part of it changes colour to show us if the water is too hot. Are we allowed to use it when we bathe the baby on Shabbat?**

Colouring something is prohibited as an av melacha and even if the colouring is temporary – i.e. it will fade in a relatively short period of time – it is prohibited miderabanan (OH 320 MB sk 59). However, in this case we can reach a permissive conclusion based on a teshuvah of Rav Moshe Feinstein (OH 3:45) which discusses the use of photochromatic lenses in glasses on Shabbat. He opines that there is no problem of colouring the lenses since the melacha of colouring involves imposing one colour onto another material, as opposed to the molecular reaction which occurs

when the lenses are exposed to light. That understanding of the melacha is equally relevant with regards to the bathmat that we are discussing and we can thus conclude that it may be used on Shabbat.

It should be noted in the context of this question that there are other halachic concerns regarding bathing babies on Shabbat. One needs to ensure that the water has not been heated up on Shabbat, that liquid soap rather than solid soap is used, and that sponges and flannels are not used.

**Do we need new feeding bottles for the baby for Pesach? We only put milk into the regular bottles and we wash them separately from the other dishes in the kitchen.**

This is probably the most frequently asked question that I am asked in the run-up to Pesach. Min-hadin it is hard to demand that anyone should buy new bottles. They are not used for any chametz products and since they are washed separately from the rest of the dishes they are not likely to have absorbed any chametz either. But there is a well-established minhag to be stricter than usual for Pesach and to be concerned about even miniscule amounts of chametz that might have become absorbed. Since the bottles are kept in the kitchen, and sometimes handled when one has food residue on their hands, it is possible that they might have occasionally come into contact with chametz. My normal recommendation to people is that it is proper that they should have Pesachdik bottles – and that for eight days they don't need either the quantity or quality of bottles that they have during the year (3 or 4 Tesco bottles should be adequate instead of a full complement of Tommy-Tippee bottles). However, people who find themselves financially challenged do not need to be strict in this regard.

**We want to have a barbeque on Shavuot. Can we light the bag of charcoal even though it has writing on it?**

There is a well-known discussion in the poskim about cutting a cake on Shabbat if it has writing on it. The Rama (OH 340:3) writes that it is not permissible and the Mishnah Berurah and Chazon Ish endorse this position because even though the destruction of the letters on the cake is merely a by-product of cutting the cake and there is certainly no intention to write new letters in their place, it is nevertheless a pesik reisha (an unavoidable consequence) for a melacha derabbanan which is prohibited. However, a significant number of poskim challenge this ruling. Most prominently, the Noda Bihudah (Dagul Mervavah) maintains that since there are several factors each of which alone can reduce the potential prohibition to a rabbinic level, cutting the cake is permissible since there is

no intention to destroy the letters. Amongst his considerations is the fact that the “erasure” of the letters is being done in a non-normal manner. In practise, halachists are divided on this matter and Shemirat Shabbat Kehilchata rules stringently whilst Rav Ovadia Yosef ruled leniently<sup>3</sup>. I generally advise that people should not prepare such cakes for Shabbat, but that if such a scenario presents itself the lenient opinions can be relied on.

The case under consideration is very similar to the question regarding the cake as here also there is no intention to erase the writing even though it is an inevitable consequence. However, there are further grounds for leniency which will allow one to use such a packet of charcoal on yomtov – i) in this instance the erasing is taking place indirectly since the paper is lit and only subsequently are the letters being erased (and thus it is a case of grama for an unintended result with several derabanan reductions); ii) Rav Shlomo Zalman Auerbach<sup>4</sup> questions whether burning letters is considered erasing; iii) Rav Auerbach also notes that this is a side-effect of lighting a fire for purposes of cooking on yomtov (ochel nefesh) and generally side-effects of this nature are permitted.

**We are about to rent a new flat from a Jewish landlord and the tenancy agreement states that if we become overdue on our payments then interest will accrue on the money that we owe. We have no intention not to pay on time so we don't anticipate ever having to pay the interest, but are we allowed to sign such an agreement?**

Were you to default on the payments the Shulchan Aruch (YD 176:6) rules that you would not be permitted to pay interest on the money that you owe. Whether or not the rules against ribit (interest) are infringed by signing a document that could theoretically be used to collect ribit, but in practice won't be used for this purpose, is a point of machloket amongst the poskim. The Avnei Nezer (YD 144:1) writes that even though even the scribe and witnesses transgress when they prepare a document that demands interest, that only applies if the document is actually used. But Rav Moshe Feinstein (Igrot Moshe YD 2:65) indicates that entering into such an agreement is prohibited even though ribit will never actually be paid. Even though one could argue that this is a machloket poskim regarding (in this case) a rabbinic form of ribit and that one could adopt a lenient position, other poskim also rule like Rav Moshe Feinstein and thus I would normally advise against signing such a document.

**I've been asked by some friends (not frum and won't be aware of Tisha b'av) to be the Cohen on their son's Pidyon Ha'ben this Sunday**

**afternoon. Is there a problem with me being involved? I've not done one before but I'm pretty sure the Cohen is supposed to drink some wine - can I avoid that?**

You are correct that the officiating Cohen recites the bracha “Borei Peri Hagafen” and drinks wine at a pidyon haben. But this is to give the ceremony an extra sense of importance and is not an integral part of the mitzvah so it should be omitted when a pidyon haben takes place on Tisha B'Av<sup>5</sup>. This year the situation is somewhat different to normal in that Tisha B'Av is deferred from Shabbat to Sunday and certain leniencies exist. The Mishnah Berurah (559 sk 38) cites the view of authorities who maintain that in this instance the baalei mitzvah – i.e. the father of the baby and the Cohen – are not required to fast beyond midday because of the special yomtov nature of the occasion for them both, though before breaking their fast they must recite havdalah. Even if the pidyon takes place in the afternoon when you will no longer be fasting I would still advise against reciting the bracha on the wine since it is not appropriate that you should drink wine in a public context. It is also important for you to ascertain whether Sunday is actually the thirty-first day following the birth. If it is not, the pidyon should still take place but you will not be permitted to break your fast<sup>67</sup>.

**I have just had my ears pierced and the studs have to stay in for at least 6 weeks and ideally should not be removed for 12 months. Do they constitute a chatzitza for the mikvah?**

The Shulchan Aruch (YD 188:23) rules that earrings should be removed prior to tevilah. Despite the fact that a woman usually likes to wear her jewellery and doesn't normally regard it as a chatzitza, there is an assumption that sometimes she feels that it gets in the way and thus removes it, in which case it is always regarded as a chatzitza. In this case there are good grounds to be lenient and to allow you to immerse without removing them. Firstly, it is not clear to me that contemporary women's earrings are ever really a chatzitza since many women never remove them unless they are swapping them for a different pair and they wear them when they sleep at night, when they do sport and when they shower. Secondly, since you positively want to keep them in for a very prolonged period of time they can be regarded as a permanent fixture to your body which never constitutes a chatzitza<sup>8</sup>. You should of course make sure that you clean the surrounding area of the earlobe thoroughly to ensure that no dirt is hiding there, and if you wish to be stringent you could also twist the earring stud round whilst you are in the water.

**I went to the mikvah last night and then this morning I discovered a small amount of nail varnish was still on one of my nails which I then scraped off. Was my tevilah valid or do I have to go to the mikvah again?**

Biblically, the only chatzitza (barrier) that is an impediment to tevilah is one which covers most of the body and bothers the particular individual. But *miderabanan*, it is an impediment if it bothers the person, even if it only covers a very small part of the body<sup>9</sup>. A small amount of nail varnish is something that bothers a person and the fact that you scraped it off is a proof that you didn't want it to be there. The Shulchan Aruch (YD 199:8) rules that in such an instance the tevilah must be repeated.

In certain instances the fact that you have already been intimate with your husband could alter the ruling. The Taz (YD 198 sk 21) discusses the case of a woman who forgot to clean under her fingernails before immersing and didn't realise this until sometime the following day. In that case he reaches a lenient conclusion – if the tevilah were to be invalidated it would imply that any child that might have been conceived immediately afterwards would have been conceived in a state of *tumah*. Since we are obviously reluctant to imply that about a child we can rely on the fact that dirt under the fingernails is only a rabbinic impediment to tevilah. Since she didn't realise till a while later there is no way of knowing if the dirt got there before or after the immersion (or if there is no dirt, whether or not that was the case at the time of tevilah) and it is therefore a *safek derabanan* about which we may be lenient. However, this is not applicable to your case since there is no *safek* because you definitely found some varnish on your nails.

**We have just moved into a new house and are putting up the mezuzot. One of the doorways doesn't actually have a door but we intend installing one in due course. What should we do about a mezuzah on that doorway?**

There is a *machloket* about whether a doorway without a door requires a mezuzah. The Shulchan Aruch (YD 286:15) first cites the view of the Rosh and Tosafot that a mezuzah is required, but also cites the dissenting view of the Rambam. The normal practise where the two views are presented in this manner would be to affix a mezuzah, but without a *bracha*. However the Shach (sk 25) notes that if the mezuzah is fixed right away (as it should be) then a problem arises when the door is hung, because according to the Rambam (who did not initially require a mezuzah) this is an instance of *taaseh velo min he-asui*, that the mitzvah was put in

place before the halachic obligation existed. Consequently, the Shach rules that when the door is installed the mezuzah should then be removed and replaced again (without a *bracha*).<sup>10</sup>

**I was present at a pidyon haben where it transpired that the Cohen is married to a divorcee. Is the pidyon valid?**

The final Mishnah in the seventh chapter of *Massechet Bechorot* (45b) disqualifies a Cohen who is married to a divorcee from performing the *avodah* in the *Bet Hamikdash* until he has made a vow to divorce his wife. The *Bet Yosef* (OH 128) presents a divergence of views as to whether such a Cohen is also disqualified from other priestly acts and privileges. His conclusion, codified in the Shulchan Aruch (OH 128:40), is in accordance with the Rashba and he writes that he may not recite *Birkat Cohanim* or be called up for the first *aliyah* of the *leining*. The *Pri Megadim* (YD 61 sk 9) rules that he is also not allowed to receive priestly portions (*matnot kehuna*) and this would presumably include the money that is given to the Cohen for the *pidyon haben*.

Whether or not the *pidyon* is valid *post facto*, *bediavad*, if such a Cohen received the money will depend on what the nature of the disqualification is. The *gemara* states that if the Cohen makes the necessary vow to divorce his wife he may do the *avodah* even though he is still married to her, and Rambam (*Biat Mikdash* 6:9) rules that even if he does the *avodah* without making such a vow it is nonetheless valid. Consequently, the majority of *Acharonim*, including *Minchat Chinuch*, *Tiferet Yisrael*, *Magen Avraham* (sk 54) and *Mishnah Berurah* are of the opinion that the disqualification is *miderabanan* – as a *kenas* (penalty) to encourage him to end his forbidden marriage – otherwise the *avodah* should not be valid *bediavad* if he is still married to the divorcee. A dissenting view is presented by the *Chatam Sofer* (6:12) who maintains that the disqualification is *mideoraita*. He understands that the Cohen loses the sanctity of the priesthood whilst in a disqualifying marriage and that the reason why the *avodah* is valid is because *bediavad* the *avodah* is generally valid even if performed by a non-Cohen.

Accordingly, we can follow the majority opinion in the *Acharonim* and conclude that though the *pidyon haben* should not have been done with this Cohen, nonetheless it is valid *bediavad*. Even though there is a *kenas* that he should not receive such money, the father has ultimately given the money to a real Cohen.



**I work as a doctor and I have been asked to provide a cremation form for a deceased Jewish patient. Am I allowed to do so?**

There is a mitzvah in the Torah that a person should be buried after death – *ki kavor tikb'renu* (Devarim 21:23) – and cremation constitutes a disregard of this mitzvah. It would clearly be prohibited for you to cremate someone, but whether or not you are permitted to sign the certificate which allows a cremation to take place is really a question about the parameters of a different halacha, that of *lifnei iver*<sup>11</sup> which means that one must not facilitate someone else doing an aveirah.

In this case there are several reasons to allow you to sign such a certificate –

i) According to the gemara in Massechet Avodah Zarah (6b) the prohibition of *lifnei iver* only applies in circumstances where the transgressor would not be able to do the aveirah without assistance. Since you are not the only person who can provide the cremation certificate – it would be perfectly easy for another doctor in the practice to sign the relevant forms – this is not a classic case of *lifnei iver*.

ii) According to a number of Rishonim (e.g. Ran and Rosh) there is a rabbinic prohibition against aiding and abetting a transgressor even in an instance where the biblical prohibition does not apply. However, not all Rishonim (e.g. Mordechai) agree that such a rabbinic prohibition exists and there is considerable discussion amongst the Acharonim about the final halachic conclusion.

iii) Even if we follow the view that there is a rabbinic prohibition against aiding and abetting, the

Shach (YD 151 sk 6) opines that it does not apply to a *mumar* – one who has essentially abandoned the bulk of Jewish observance. It is impossible to know the exact particulars of the case in question, but my experience is that the majority of Jews who choose to be cremated are very distant from traditional Jewish observance and thus the prohibition would not apply to them. Furthermore, Rabbi Yaakov Ettlinger, a very prominent German halachist rules in a responsum (Binyan Tzion no. 15) that the rabbinic prohibition applies only if the assistance is being provided at the time when the transgression is happening, but not if it is a very separate act. Accordingly it would be permitted for you to sign the cremation certificate because that doesn't happen at the same time that the cremation actually takes place.

iv) A final reason (also referenced in the Binyan Tzion) to allow you to sign the certificate is because this is not a simple case of *lifnei iver* but rather a case of *lifnei d'lifnei* – meaning that you are not directly assisting the transgressor. You will be giving the form to a family member who will pass it on to a funeral director who will in turn instruct a crematory team to carry out the cremation. What you are doing is so far down the line from the final result that it does not have halachic significance in this case.

*Rabbi Daniel Roselaar is the Rav of Alei Tzion and the Rosh Kollel of the Kinloss Community Kollel, having previously served as the Rabbi of Watford and Belmont Synagogues. He learnt at Yeshivat Har Etzion and received semiha from the Israeli Chief Rabbinate and has an MA in Jewish Education from the University of London.*

<sup>1</sup> Subsequent to answering this question I was in one of the kosher bakeries and saw some rather delicious-looking bread-and-butter pudding on display. That particular example did in fact appear as if the pieces of bread might have been smaller than a *kezayit* and they were not particularly recognizable as being bread. Perhaps I should have purchased and consumed a piece in the interests of halachic research, but I fear that my conclusions would have been that a *safek bracha* was involved which would have necessitated me to make *hamotzi* on a piece of bread in any event.

<sup>2</sup> I believe that perhaps one of the reasons why there are distinctly different melodies for the *kaddishin* that introduce the various *amidot* of Shabbat is to remind the worshipper who might be praying without a *siddur* which *Amidah* they should now be reciting. The special melodies used on the *shalosh regalim* and *yamim noraim* also achieve this. I have in fact suggested that it might

be erroneous to sing the entire *kaddish* before the *maariv amidah* on Yom Haatzmaut evening with the *yomtov* melody in case worshippers accidentally recite a festival *Amidah* and that it would be more correct to at least conclude the *kaddish* in the normal weekday mode.

<sup>3</sup> The Aruch Hashulchan adds a further consideration, that there is no prohibition whatsoever when the writing is made of foodstuffs and he maintains that the Rama was addressing a case where the writing on the cake was made from ink. However this wouldn't be a relevant factor in the case of the charcoal bag.

<sup>4</sup> SSK chapter 13 footnote 34.

<sup>5</sup> In distinction to the *bracha* on the wine which is recited after a *brit milah* which is regarded as much more integral to the ceremony and subsequent blessing and is thus recited even on *Tisha B'Av* or *Yom Kippur*.

<sup>6</sup> Rav Shlomo Zalman Auerbach is cited to the effect that the minhag is not to perform a pidyon haben on Tisha B'Av. Putting to one side a general question about whether a minhag can exist for an infrequent occurrence such as this, as well as the question as to why it should be correct to delay the mitzvah, I think that in the case of a non-observant family the pidyon should definitely be permitted to take place on Tisha B'Av since they might find it difficult to find another convenient date and the mitzvah might never be performed.

<sup>7</sup> The Cohen subsequently asked if he was obliged to break his fast if it was the thirty-first day as he would feel bad about eating during the afternoon whilst his wife would be struggling through. I responded that he should eat because it is a sort of yomtov for him and he should help his wife through the rest of the fast by taking responsibility for preparing the post-fast meal as well as looking after their young children whilst she rests.

<sup>8</sup> Contemporary poskim discuss this principle in some detail with regard to temporary and semi-temporary tooth fillings.

<sup>9</sup> Likewise, it is a chatzizta miderabanan also if it covers most of the body even if it doesn't bother the person.

<sup>10</sup> It is worth noting that many people believe that when moving into a house in Chutz La'aretz there is a thirty-day window within which to affix the mezuzot. However this is only true if the property is being rented and even in that instance, if the rental period is for more than thirty days some poskim hold that the mezuzot must be affixed right away.

<sup>11</sup> Lifnei iver lo titen michshol (Vayikra 19:14) means that one must not put a stumbling block in front of the blind. Chazal explain that this also means that one must not an allegorical halachic stumbling block in front of someone who is blind to the rules of the Torah.

# *A Thought on Teshuva*

BENJY SINGER

In the weeks leading up to Rosh Hashanah, in 1967, Rav Soloveitchik was asked by his students what Teshuva is all about, what its purpose is and what difference it should make to our lives. The Rav didn't respond with a Rambam, a Reb Chayim or piece of Mishna or Gemarah. Instead he answered with a reflection from his own life experience.

Already an old man, the Rav described a scene that had taken place a few months earlier, in his home in Boston, during Chol Hamoed Pesach. It was the middle of the night and there was a storm raging outside. It was raining and very windy, everything seemed to be rattling and shaking in his house. The Rav got out of bed and shut all the windows upstairs.

Then he heard that the windows downstairs had blown open and he ran downstairs to close them, as he thought his wife, who was too ill and weak to walk upstairs, was sleeping there. When he closed the windows he went over to his wife's bed to check she was warm and comfortable. When he reached her bed and looked at the pillow she wasn't there.

Then the harsh reality hit him again, that she had died a month beforehand. In that moment between sleep and full alertness, he had been living a dream, an illusion.

Rav Soloveitchik explained that this is what Teshuva is all about. Teshuva has to make us jump out of the illusion that we create for ourselves based on our wants, desires and needs and to face the real, objective reality of life itself.

The purpose of the Shofar is to wake us up- yes, to literally wake us up from our slumber as the Rambam describes in Hilchot Teshuvah 3:4 'Uru Uru Yesheynim Mishinatchem' and to make us face reality and to deal with it in a responsible and mature way. Just like the Shofar during Biblical times was a tool used to warn people that war was about to break out, Teshuva is there to shake us up and warn us to stop fooling and deluding ourselves and to see things how they really are.

*Benjy Singer was a member of Alei Tzion before making Aliyah 10 years ago. He has a very popular website [www.israelk.org](http://www.israelk.org), which is a portal for what's happening Israel and the Jewish World*



Degel is a publication of the Alei Zion Community, part of the United Synagogue family.  
It is available to download at [www.aleitzion.co.uk/degel](http://www.aleitzion.co.uk/degel).

Kindly note that this edition may contain excerpts of holy texts and therefore please dispose of accordingly.