

**PEER-REVIEWED ARTICLE**

**Some Aspects of Rabbinic Literature  
on Holy Land and Covenant<sup>1</sup>**

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In the biblical book of Deuteronomy 11:31-32, God commands the Israelites, “You are crossing the Jordan to inherit the Land which the Lord, your God, has given you. When you inherit it and settle in it; take care to observe the laws and ordinances which I have put before you today.” The earliest rabbinic commentary on Deuteronomy, dating from the third century of the Common Era, tells two tales to illustrate this commandment:

Once, Rabbis Yehuda ben Beteira, Mattiah ben Heresh, Hananiah..., and Rabbi Yonatan were leaving the Land. When they arrived at the border town of Platana, they recalled the Land of Israel. Their eyes brimmed with tears, they rent their garments, and they recited this verse of Deuteronomy. They said: Dwelling in the Land of Israel is equivalent to all the other commandments in the Torah.

Or again,

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<sup>1</sup> Two earlier versions of this essay were delivered orally. The first was at the Cathedral of St. John the Divine on October 16, 2012, by the kind invitation of Rabbi Leonard Schoolman. The second, which included references to the covenant, was given at the semi-annual consultation of delegates of the National Council of Synagogues and the Bishops' Committee on Ecumenical and Interreligious Affairs, U.S. Conference of Catholic Bishops on May 7, 2013, at the Jewish Theological Seminary, by invitation of Rabbi Gil Rosenthal.

Once Rabbi Elazar ben Shamua and Rabbi Yoḥanan the Cobbler were travelling to Nisibis in Mesopotamia to study Torah with Rabbi Yehuda ben Beteira. When they arrived at the border town of Sidon they recalled the land of Israel. Their eyes brimmed with tears, they rent their garments, and they recited this verse of Deuteronomy. They said: Dwelling in the Land of Israel is equivalent to all the other commandments in the Torah.

Both of these tales conclude with the statement: “They returned to the Land of Israel.”<sup>2</sup>

These stories are high rhetoric, to be sure. There are many such flourishes in which the rabbis of Late Antiquity declare this commandment or that commandment equal to all the other commandments—most notably that the commandment to study Torah is equivalent to all the other commandments—for Torah study leads to performance of all the other commandments. Here, the rabbis interpret Deuteronomy 11 to teach that the Land of Israel is the optimal place in which to perform God’s commandments and thus to fulfill the covenantal relationship among God, the people Israel, and the Land. Indeed, outside the Land, many of the 613 commandments that the rabbis enumerated simply cannot be performed. Sacrifices, agricultural laws, tithing and the like, all are dependent upon the Land of Israel. So to enact the covenant, nothing outranks being in the Land.

However, Torah study sits atop the rabbinic pyramid of values. In fact, even the Talmud of the Land of Israel teaches that it is permissible to leave the Land in order to study Torah.<sup>3</sup> While this comes as a relief to me, a professor of rabbinic literature in New York, Rabbi Elazar ben Shamua and Rabbi Yoḥanan the Cobbler took no solace. In tears, they

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<sup>2</sup> *Sifre on Deuteronomy*, # 80 ed. Louis Finkelstein (New York: JTS, 1969 reprint) p. 146.

<sup>3</sup> J. Berakhot 3:1 (6a).

found themselves unable to cross the border into the Diaspora, even for the sake of Torah study.

These rabbis flourished at a time when Rome ruled the Land of Israel with an iron fist—between the destruction of the Jerusalem Temple in the year 70 of the first century CE and the disastrous Bar Kokhba revolt of 132-135. In fact, Yehuda ben Beteira, who is reported weeping at the border in the first story, is matter of factly reported as living and teaching in Mesopotamia in the second story. His colleague Mattiah ben Heresh ultimately lived in Rome,<sup>4</sup> while Rabbi Hammaniah moved to the Babylonian town of Nehar Peqod. Indeed, and not surprisingly, the Babylonian Talmud privileges Torah study in rabbinic *Babylonia* over dwelling in the Land of Israel, even as it praises the Holy Land.<sup>5</sup>

Rhetoric and reality are not the same thing. These rabbinic stories do not teach us history, but from these narratives we *can* learn the rabbis' love of the land of Israel, its inextricable connection to Jewish theology, its central place in the covenantal system of commandments, most of all the centrality of the holy city of Jerusalem, and the constant yearning for the Land and for Jerusalem that provides the *continuo* to the baroque suites that are classical rabbinic literature.<sup>6</sup>

Let's turn for a moment to theology and the role of the Land. Mattiah ben Heresh famously taught about atonement

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<sup>4</sup> Or perhaps Laodicea in Asia Minor.

<sup>5</sup> See e.g., B. Ketubot 110b-111a, where the rabbis praise the Land of Israel, except when one of their own students wishes to leave Babylonia to go study there.

<sup>6</sup> What is provided here is a selective survey, by no means exhaustive of the vast literature on both the Land of Israel and covenant, spread throughout the "sea of the Talmud." See, e. g. Robert Wilken, *The Land Called Holy: Palestine in Christian History and Thought* (New Haven: Yale University Press, 1994) and the extensive bibliography referencing both Christian and Jewish secondary literature. See, too, Eugene Korn, *The Jewish Connection to Israel, The Promised Land: A Brief Introduction for Christians* (Woodstock: Jewish Lights, 2008) for a more popular survey of the subject.

when he was living in Rome.<sup>7</sup> He listed four means to expiate sin: 1) repentance, 2) the Day of Atonement, 3) suffering, and 4) death. A ninth-century Midrash on the book of Proverbs<sup>8</sup> commenting on this early tradition wonders,

Is it possible that death might *not* provide atonement? Scripture teaches, “Behold, I shall open your graves, I shall raise you from your graves, my people, and bring you to the Land of Israel” (Ez 37:12).

Rabbi Eliezer asked Rabbi Yehoshua, “What is this verse talking about? He replied, “It refers to those who died outside of the Land of Israel. Of those who died *in* the Land of Israel it tells us that your Land will atone for you, as it says in Deuteronomy, “His Land will cleanse His People” (32:43).

The Midrash on Proverbs is playing rather fast and loose with Scripture here, for while Ezekiel does promise that God will bring the exiles to the Land of Israel after resurrection, Deuteronomy does not quite say what the Midrash suggests.

The modern Jewish Publication Society translation of Deuteronomy 32:43 reads that God will “cleanse the land *of* His people.”<sup>9</sup> That itself would be a very different and most unhappy end—but even then it is not so simple. The translator’s note to that verse suggests: “Hebrew uncertain. Ugaritic...suggests the rendering ‘And wipe away His people’s

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<sup>7</sup> Here too, Laodicea is an alternate locale. See *Mechilta D’Rabbi Ismael*, ed. Horovitz and Rabin (Jerusalem: Wahrmann, 1970, reprint), *BaHodesh, Yitro* ch. 7, p. 228, cf. J. Z. Lauterbach, *Mekilta de-Rabbi Ismael* (Philadelphia: Jewish Publication Society, 1933) vol. 2, p. 249 ff. for an English translation, and cf. Tosefta Kippurim 4(5):8, ed. S. Lieberman (New York: JTS, 1962), p. 252 with Lieberman’s commentary *Tosefta Ki-Fshutah* (New York: JTS 1962) ad loc., pp. 824-25.

<sup>8</sup> *Midrash Mishle*, ch. 10, ed. B. Visotzky (New York: JTS, 1990), p. 79. For an alternative translation of these passages cf. idem., *The Midrash on Proverbs* (New Haven: Yale University, 1992), ad loc., passim.

<sup>9</sup> *The Torah* (Philadelphia: Jewish Publication Society, 1962), emphasis added, p. 389.

tears’.”<sup>10</sup> That is certainly a better end than being cleansed *from* the Land! Nevertheless, the ambiguities of Biblical Hebrew give the rabbis the liberty to insist that the Land itself has the ability to remit sin.

But is this really what they think? The ninth-century Midrash on Proverbs blithely forges ahead. In Chapter 17 we read:

Better a dry crust in quietude than a house full of feasting in strife (Prv 17:1).

Rabbi Yoḥanan interprets this verse: “Better a dry crust in quietude” refers to the Land of Israel, for if a person would eat but a dry crust with some salt while dwelling in the Land, he is assured of the World to Come! [The latter part of the Proverbs verse,] “a house full of feasting in strife” refers to the Diaspora which is rife with robbery and violence.

Rabbi Yoḥanan [then quantifies his theological observation explaining], “If one walks but four cubits in the Land of Israel he is assured of the World to Come.”

Rabbi Levi [seemingly ups the ante], saying, “If one dwells in the Land of Israel, even for an hour, and dies there, he is assured of the World to Come. Why so? As it is written in Deuteronomy, “His Land will cleanse His People” (Dt 32:43). Rabbi Nehemiah explains that the Land of Israel atones for the sins of those who die there.

This prompts Rabbi Zevidah to ask, “So what will you do about the righteous who die *outside* of the Land of Israel? We must conclude that while the Land atones for the sins of those who die there, **in the Messianic Future, the Blessed Holy One will command the**

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<sup>10</sup> Ibid., n. 1.

**ministering angels to bring them in underground tunnels from outside to inside the Land of Israel, and there shall their sins be remitted,** as it says ‘You shall be purified upon your Land’” (cf. Jer. 16:15).<sup>11</sup>

This is, I admit, a rather bizarre messianic vision of the covenantal power of the Holy Land. The rabbis’ faith in its ability to atone is so strong that they imagine celestial travel agents arranging a Chunnel voyage, as it were, from the Diaspora to the Land, when the end time comes. The rabbis not only exaggerate here, but they speculate on the end of time and other messianic concepts that they normally loathe describing. The rabbis usually take comfort in the vagueness of their apocalyptic vision, since they are quite content to fuss about the here and now. However, when it comes to an advertisement for the Holy Land, they will skate far out onto the thin ice of speculation about future redemption. Further, they can be secure in the ultimate ambiguity of Hebrew, for what I translated as “underground tunnels,” *meholot*, could just as well be translated as “dance-lines,” as in Texas two-step line dancing, or, if you prefer, a messianic conga-line, perhaps, originating at the 116<sup>th</sup> Street IRT stop.

In addition, that same word that can be translated as either subway or *sarabande*, can also be translated quite reasonably that the ministering angels will bring them from out- to inside the Land with *forgiveness*.<sup>12</sup> This allows too many possible meanings to be sure of our messianic future, to say the least. Yet no matter how we translate, it is clear that in the messianic era, the Land of Israel will be one very crowded place.

The problem of end-time overcrowding in the Land of Israel was anticipated as long ago as the second century. In the

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<sup>11</sup> Ed. Visotzky, p. 134, emphasis added. Text in square brackets is implied but not literally in the original.

<sup>12</sup> See ed. Visotzky, p. 134, line 10, for the reading מְהִילוֹת and scribal variants.

mishnaic tractate Pirke Avot, the rabbis taught that ten miracles took place in Jerusalem when the Temple still stood. Among them was that people stood together in the Temple court pressed up against one another, yet when the time came to bow down in prostration, a miracle occurred and there was plenty of space for everyone.<sup>13</sup> In the fifth century, the rabbis explained that each person had four square-cubits, one cubit on each side, so that a person could not eavesdrop on the prayers of his fellow. They then suggest that this will be the case again in the messianic future. When Rabbi Yoḥanan asked his teacher Rabbi Ḥaninah if this would really be so, he received the reply that God would command Jerusalem, saying: האריכי הרחיבי קבלי אוכלוסיד (Expand, grow long, receive your huddled masses).<sup>14</sup>

Even in their own day, assuredly well before the messianic era, the rabbis considered the land and especially Jerusalem, even while in ruins, to be exceptional places. Rabbi Zeira, a Babylonian Rabbi who moved to the Land of Israel, once said, perhaps as an explanation for his move, “The very air of the Land of Israel makes one wise.”<sup>15</sup> Conveying rabbinic romanticism, the Talmud instructs, “Ten measures of *wisdom* were bestowed upon the world. Nine were given to the Land of Israel and one to the remainder.” It continues, teaching, “Ten measures of *beauty* were bestowed upon the world. Nine were given to Jerusalem, and one to the remainder.”<sup>16</sup> Alternatively, not only this beauty, but even wisdom is focused on Jerusalem. Another later text teaches that “ten measures of *wisdom* were bestowed upon the world—and nine were given to Jerusalem.”<sup>17</sup>

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<sup>13</sup> M. Avot 5:5.

<sup>14</sup> Genesis Rabbah 5:7, ed. J. Theodor (Jerusalem: Wahrmann, 1965, reprint), vol 1, p. 37.

<sup>15</sup> B. Bava Batra 158b, and see R. Zeira as depicted above n. 5.

<sup>16</sup> B. Kiddushin 49b.

<sup>17</sup> Aboth de Rabbi Nathan, ed. S. Schechter (New York: Feldheim, 1967, reprint), version B, ch. 48, p. 132. Another tradition there has ten measures of Torah...nine in Jerusalem.

Jerusalem is singular in the eyes of the rabbis. Yet even that exceptionalism has its downsides, so this later text also teaches, “Ten portions of *suffering* were bestowed upon the world. Nine were given to Jerusalem...” and they further say, “Ten portions of *hypocrisy* were bestowed upon the world, nine were given to Jerusalem...”<sup>18</sup> So much for the joys of covenantal chosenness.

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Accusing my ancestors of hypocrisy is no small thing—however true it may be. In fact, this accusation of hypocrisy was leveled in the ninth century, more than eight-hundred years after the destruction of Jerusalem. Indeed, all of the rabbinic literature cited here dates from the third through the tenth centuries—from the period when Roman hegemony forced the Jewish population northwards into the Galilee, through the period of Christian-Byzantine occupation of the Holy Land, and including the Muslim conquest of the Land of Israel and the Islamification of al-Quds.

The yearning for return to Jerusalem never ceased in that near-millennium, and the vision of the rabbis—like those of St. Paul and St. Augustine in their Christian ideal—turned upward toward a heavenly Jerusalem.<sup>19</sup> If *heavenly* Jerusalem was pure and pristine, then it was safe to aver that the reason earthly Jerusalem had been destroyed for the Jews of yore was due to hypocritical piety and base hatred of one Jew for another. As the Talmud tells the story:

Following his public humiliation, during which the rabbis sat silent without protest, a Jew named Bar Kamtsa decided that the rabbis had condoned his

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<sup>18</sup> Ibid.

<sup>19</sup> See the essay by Ephraim E. Urbach, “Jerusalem Below and Jerusalem Above,” in *Jerusalem through the Ages*, ed. Y. Prawer (Jerusalem, 1969), pp. 156-171 [Hebrew]; and see the collected essays in Lee I. Levine, ed., *Jerusalem: Its Sanctity and Centrality to Judaism, Christianity, and Islam* (New York: Continuum, 1999).

humiliation. To get even, he devised a plan of revenge by wounding a calf designated for sacrifice by the Romans at the Temple in Jerusalem. Now the calf was wounded on the lip—which according to the talmudic understanding would have still allowed it to be sacrificed in a Roman pagan ritual, but *not* in the Jewish ritual. Bar Kamtza set the game afoot by informing the Romans that the Jews had rebelled!

“How can you prove it?” they asked him.

“Why, just see if they will offer this calf as a sacrifice for the welfare of the Roman Empire,” he disingenuously suggested.

Even though its wound disqualified the calf, the rabbis thought it better to offer the sacrifice for the sake of keeping peace with Rome. But an otherwise virtually unknown Rabbi named Zachariah ben Avkulos objected, saying. “That’s all well and good, but then people will say that we offer disqualified animals for sacrifice in the Temple!”

I should note that this ever so strict interpreter of the covenant has a father with a made-up-sounding Greek name. Avkulos would be *Eu Kalos* in Greek—which translates as “well and good.” Thus, we are reading story here, *not* history. But let us return to the story:

The rabbis then thought to murder Bar Kamtza to keep him from further collusion with the Roman enemy. Rabbi Zachariah ben Avkulos objected, “Shall we murder a man for inflicting a small wound on a sacrificial animal?”

Rabbi Yohanan commented that the (false) piety of Rabbi Zechariah ben Avkulos caused the destruction of the Temple, the burning of the sanctuary, and the exile of the Jews from Jerusalem.

Once the rebellion of 66 CE was in full-swing, the Romans besieged Jerusalem. The Talmud reports—again this is mythic memory, not historic fact—that there was enough food and supplies in Jerusalem to hold out against Rome for twenty-one years. In fact, the Jews held out until the year 70. Our talmudic narrative continues:

Within besieged Jerusalem were thugs called *Biryoni* who were spoiling for war. The rabbis said, Let us make peace with Rome; but the *Biryoni* would not permit it. They in turn said, “Let us make war with them.”

And the rabbis replied, “You will not have the support of Heaven in this battle.”

So what did the *Biryoni* do? They burned the storehouses of wheat and barley and a famine ensued.<sup>20</sup>

The war ended badly for the Jews. Jerusalem was destroyed, the Temple left in ashes, the altar of God reduced to rubble. Rome was triumphant and the Jews were, indeed, exiled to the Galilee.

From both the Galilee—where rabbinic Judaism grew, flourished, and produced a monumental civilization we today call Judaism—and throughout the Diaspora, especially in Jewish Babylonia or Iraq, where a parallel community complemented that of the Jews of the Land of Israel and fuelled the growth of rabbinic society—Jews yearned for the Land of Israel, their Holy Land, in a fit of nostalgia that lasted for two millennia. But every now and again, in the stories that formed rabbinic Jewish covenantal identity, there would come a narrator who had the antibody to nostalgia and could tell a tale of hypocrisy and internecine battles. In some of these stories, there was blood on the streets. In others, the battle for

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<sup>20</sup> B. Gittin 55b-56b, here summarized.

covenantal theology centered on acts of piety and institutional memory.

These tales limned the parameters of behavior in the Jewish community: what was right and what went too far; what might express identity and what became impossible as a standard of behavior. The telling of these tales about the Land of Israel served as a rhetoric of covenantal identity formation for rabbinic Jews. The stories we tell teach us who we are and to what we aspire.

Rabbi Ishmael said, “From the day the Temple was destroyed, by rights we Jews should no longer eat meat nor drink wine, as an expression of mourning for our lost Sanctuary. Yet it is our principle that the rabbinic court should not enact decrees upon the Jews that they will not observe.”

He also said, “Since the Romans have uprooted Torah from amongst us through their decrees, we no longer have a *raison d’être*. So we should decree an end to Judaism! Let no man marry a wife or bear children. Let there no longer be circumcision ceremonies, until the seed of Abraham runs its course and is no more.” They said to him, “It is better that the Jews continue in error, than that you make such decrees and they continue their behavior in defiance of rabbinic law.”<sup>21</sup>

This story tells us about a thwarted rabbi, a would-be law maker who understands that there are genuine constraints on decreeing perpetual mourning on the Jewish people over the loss of Jerusalem and the Temple cult. In his first statement, Rabbi Ishmael wistfully wishes he could command and all would obey his severe demand for asceticism as a response to Rome’s destruction of Jerusalem, but he is realistic. No one would obey such a rabbinic enactment. Folks like to eat a

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<sup>21</sup> Tosefta Sota 15:10, ed. S. Lieberman (New York: JTS, 1973) p. 241. See the treatment of this passage in B. Visotzky, *Sage Tales: Wisdom and Wonder from the Rabbis of the Talmud* (Woodstock, Vt.: Jewish Lights, 2011), pp. 196-203.

steak and drink a glass of wine now and then. So Rabbi Ishmael admits defeat. He and his colleagues are wise enough not to undermine their own power by demanding things that their Jewish followers will never do.

That did not mean that others would nonetheless try to persist in a foolish holier-than-thou attitude that could threaten the very existence of the Holy Land. I close with one final story of a rabbi confronting those ultra-orthodox ascetics.

When the last Temple was destroyed, separatists multiplied among the Jews, who would not eat meat or drink wine. Rabbi Yehoshua dealt with them. He said, "My children, why do you not eat meat?" They replied, "Shall we eat meat, which was offered daily as a perpetual sacrifice upon the altar, but it is no more?!"

He said, "Fine, we shall not eat meat. But why do you not drink wine?"

They replied, "Shall we drink wine, which was daily poured as a libation upon the altar, but it is no more?!"

He said to them, "Fine, we shall not drink it. But if so, perhaps we should not eat bread; for they brought two ceremonial loaves and the showbread in the Temple. And perhaps we should not drink water, which was also poured as a libation upon the altar. And then we should not eat figs or grapes which were brought as first fruit offerings at Pentecost."

They were silenced.<sup>22</sup>

We can be assured of the fantasy nature of this *reductio ad absurdum* encounter by the very silence of the separatists. Ultra-pious Jews do not, in my experience, lapse into silence. But let us indulge the rabbinic fantasy and give Rabbi Yehoshua the last word:

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<sup>22</sup> Tosefta Sotah 15:11.

He said to them, “My children, it is not permissible to mourn excessively. Yet neither is it permissible to not mourn at all. Rather, this is what our sages suggest, ‘One should paint his house with lime, but leave a small patch unpainted, as a remembrance of Jerusalem. One should prepare all the dishes for a banquet, yet refrain from serving one, as a remembrance of Jerusalem. And a woman should put on her jewelry, yet remove a piece, as a remembrance of Jerusalem.’ As it is said, ‘If I forget you Jerusalem, may my right hand wither, may my tongue stick to my palate if I do not remember you; if I do not place Jerusalem above my highest joy’ (Ps. 137:5-6).

For all who mourn Jerusalem will merit seeing her joy, as it is said, ‘Rejoice with Jerusalem and be glad for her, all who love her; all who mourned her will rejoice with her!’ (Isa. 66:10)”<sup>23</sup>

This story, and the ones we have shared in this brief survey, show the interplay of Holy Land and covenant in some aspects of rabbinic literature. Through their telling and reception over a millennium and more, they have helped Jews form an attachment to the Law, the Land, and the Holy City.

May all who love Jerusalem, al Quds, the Holy City, rejoice with her!

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<sup>23</sup> Tosefta Sotah 15:12-15.