Kadesheinu beMitsvotekha – The Function of the Mitsva[1]

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Abstract:

The *mitsva* reflects one of the most pivotal concepts of Judaism. It sanctifies those who answer its calling, and the Jew and Judaism is unique and "chosen" because of it. In this article we highlight the various ways the *mitsvot* and *Halakha* transform us and mold the Jewish personality: (a) by converting the "ought" into a "must"; (b) by transforming daily prosaic acts of man into sacred deeds; (c) by converting simple chronological, linear time into special moments of *kedusha*. The *mitsva* involves the total personality - "head, heart and hand" and makes the body equally important with the soul in the service of Hashem. Sanctification is accomplished both through deed and thought. The Torah wants the Jew to build an environment which strengthens his religious values and has designated *Erets Yisrael* as the most fitting place for *kedusha*.

Sanctification through *Mitsvot*

One of the central themes of the Days of Awe is "*haMelekh haKadosh*" - that the Almighty is not only ruler of the universe, but also its source of holiness. Man for his part is bidden to imitate G-d and, hence, to be holy as well – "You shall be holy, for I your G-d is Holy" (Lev. 19:2). But how exactly is Man expected to become holy? What is the recipe for sanctification? The answer to this question is found in the Sabbath and Holiday prayers: "*Kadsheinu be-mitsvotekha* - Sanctify us through your Commandments." Similarly, before performing *mitsva* actions, we say: "...who has sanctified us through his commandments." If G-d is THE *Kadosh* – THE source of sanctity, we become sanctified by linking up with Him – specifically, by doing His will, by fulfilling His commandments.

Centrality of Mitsvot

R. Norman Lamm[2] notes that the term *mitsva* reflects one of the most pivotal concepts of Judaism: Firstly, the word *mitsva* implies a *Metsaveh*, One who commands. The divine *Metsaveh* must obviously be a personal G-d - for only a personal G-d is sufficiently concerned with men to care about them and command them into action. Secondly, *mitsva* implies that man lives under obligation to the *Metsaveh*, and that his life must be regulated in accordance

with G-d's will. Furthermore, the very existence of *mitsva* suggests that this personal G-d has made his will known to man through some form of revelation – such as *ma'amad Har Sinai*.

Uniqueness of the Jewish People

But more importantly, the *mitsva* is at the heart of our uniqueness as a people. When we talk about Israel as being the "chosen people" – what is it that makes us unique? In Jewish tradition there are essentially two basic approaches:[3]

The Mystical Approach suggests that, indeed, there is something about the Jewish *neshama* that makes it fundamentally different from that of the gentile. This is referred to as the *Pintele* Yid – the Jewish spark within us. As far as converts are concerned, this approach cites the Talmudic tradition that in addition to the Israelites who departed Egypt, all future souls who would be born or join *Klal Yisrael* were at Sinai (*Shevuot* 39a). Therefore, a convert was somehow born with a *Yiddishe neshama*, a Jewish soul. According to this approach, the Talmudic statement "A Jew, even should he sin, remains a Jew" (*Sanhedrin* 44a) is more than just a legal statement about personal status and obligation; it suggests that there is some inherent quality about being a Jew – and one can never opt out.

The Rational Approach, on the other hand, argues that a Jew is not intrinsically better. Rather, the People of Israel are a unique entity because of their special calling to do *mitsvot*. As we say in the *birkhot haTorah*: "You have chosen us, and given us Your Torah." And again in the holiday liturgy: "You have chosen us from all nations ... and sanctified us through your commandments." According to this latter approach, we are indeed the "Chosen People," but we were chosen for responsibility and obligation – not privilege. We become elevated and sanctified by answering this special calling – by doing *mitsvot*. One has the freedom of choice not to heed this calling. Furthermore, one not born a Jew may take this calling upon oneself by conversion. But those of us who opt to answer this calling affirmatively are sanctified through the fulfillment of the *mitsvot*. It is through the performance of *mitsvot* that we Jews become unique.

Uniqueness of Judaism

But the *mitsva* is also what makes Judaism as a religion unique. Most of the religions of the world are primarily spiritual or *neshama* religions. They are chiefly concerned with "other-worldliness." The emphasis is on feeling, will or thought. Salvation in Christianity is through faith; the *mitsvot* are, therefore, superfluous and even in the way.

Judaism, on the other hand, is a religion of **this** world – it is a religion of action. One does not become holy by withdrawing from life, but rather by living it fully under the Torah's direction.[4] All of life is guided by Torah which is a Jew's manual for living. Rabbis are generally famous for their Talmudic analysis and halakhic decisions, rather than their works of thought and theology. It is not at all surprising that Jewish action is codified in a *Shulkhan Arukh* entailing reams and reams of fine print on large pages. Yet the basic elements of faith are simply summarized in 13 principles – and many *Rishonim* dispute even these.[5]

Judaism is also a human religion and by that I mean that, while G-d is the source, it was given to humans for humans. This expresses itself in two ways. Firstly, from the verse "It is not in heaven" (Deut. 30:12), we learn that the Torah was given to Man to interpret, apply and resolve difficulties within given rules – without Divine intervention. Secondly, it teaches us that the purpose of the Torah was not to convert us into angels. The Creator intended the Torah for Man as he is, recognizing all his frailties and all his potential. And yet its goal is to sanctify us by guiding us in how to interact with world around us. This attitude resonates in the oft quoted statement: "The Torah was not given to angels" (*Lo nitna Torah le-malakhei ha-sharet; Berakhot* 25b). In this regard R. Adin Steinzalts writes: "If G-d had wanted Man to become an angel and do everything as such, He simply would have created more angels. But His wish was to create Man."[6]

In summary, then, the *mitsva* sanctifies those who answer its calling and the Jew and Judaism is unique because of the *mitsva*.

Mechanisms of Sanctification

A little over a decade and a half ago, Anthony Eitan Fiorino wrote insightfully about his conversion and spiritual growth through Judaism.[7] He cites testimony from over the ages indicating that simply behaving as a Traditional Jew leads to spiritual growth. But what, however, is the mechanism of this change? We highlight below the various ways the *mitsvot* and *Halakha* transform us and mold the Jewish personality.

1) Firstly, **the** *mitsvot* **convert the "ought" into a "must"** – relative morality into absolute morality. "Thou shalt not steal" is applicable even if the thief is an impoverished ambulance driver stealing \$100 from a deceased billionaire. Relative morality, the greater good, might well say the theft is acceptable – after all no one is really hurt. The Torah says "*Lo tignov*" with absolute authority. An ought is converted into a must – a relative value into an absolute one.[8]

2) Secondly, **the** *mitsva* **transforms daily prosaic acts of man into sacred deeds**. It takes simple actions and converts them into meaningful events. Let's look first at several examples.

(a) Eating is a neutral: it is neither good nor bad, just necessary. Yet in *halakaha* it is sanctified by a variety of required actions. First there is the simple act of reciting a *berakha*, which is an acknowledgement of the G-d of Creation. Ultimately, He is the source of all reality and making a *berakha* is an act of submission to His will. The sundry laws of *kashrut*, ritual slaughtering, blood removal, separation of milk and meat etc. - all make eating important, special and sacred. This is because now the neutral act of eating is part of *avodat Hashem* – Divine service.

(b) There is nothing more neutral, perhaps, than going to the washroom. Yet here, too, *halakha* requires us to stop and think. In the *Asher Yatsar* benediction recited following use of the lavatory, we acknowledge a Creator "who has formed man in wisdom and created in him a complex system of openings and cavities. It is well known before your glorious throne that if one of these (openings and cavities) be opened or closed improperly, it would be impossible to exist in Thy presence. Blessed art Thou Lord who heals all creatures and does wonders."

Halakha utilizes this commonplace experience to meditate on the wonders of creation, and ponder the miraculous nature of the body. Even this basic occurrence is elevated to the spiritual.

In this regard, R. Danny Levine recounts that prior to a shul board meeting, he went to use the amenities. The President of the *shul* caught him exiting the lavatory mumbling something. Upon being questioned, R. Levine explained all about *Birkhat Asher Yatsar* and its import. When they returned to the Board meeting, the President lightheartedly commented how holy their rabbi was! "After all, he even makes a *berakha* when he goes to the washroom." As fate would have it, six months later the Shul President was hospitalized and the Rabbi went to visit him in the hospital. As he entered, the Rabbi's eye caught sight of the catheter at the President's bedside. To this the President insightfully commented: "Forget about the annual *Kol Nidrei*, Rabbi - it's the daily *Asher Yatsars* that count!"[9]

(3) But the *mitsva* also transforms simple chronological, linear time into special moments of *kedusha* – what the ancient Greeks called the conversion of *chronos* into *chiros*. Thus, *halakha* takes 25 hour periods and converts them into what R. Abraham Joshua Heschel referred to as "Sanctuaries in Time"[10] - into a *Shabbos*, a *Yom Tov* or a *Yom Kippur*. On *Shabbat* and *Yom Tov* we attempt to bring down the spiritual and meld it with the physical. On a fast day, we attempt to raise the physical up to the spiritual. R. Joseph B. Soloveitchik zt"l, "The Rov," commented that, on the *Regalim* in Temple times, Jews were invited to visit G-d's home; on Shabbat, Hashem visits ours - if we will only invite him in.[11]

Ultimately, the goal of *Yiddishkeit* is to capture chunks of life and bring them *tahat kanfei haShekhina* – into the spiritual, sanctified realm. This what Hazal mean when they comment "Sanctify yourself in the neutral areas" (*Yevamot* 20a). Sanctify yourself by taking even those areas which are halakhically neutral and permissible, and dedicate them toward Divine service.[12] Ideally every action should be linked somehow and in some way with the divine will and divine service: eat so you have the strength to better serve Hashem; sleep so as to be awake and alert to better carry out the Divine will; go to museums and zoos, so as to better appreciate the wonderfully multifaceted world *Hashem* has created. In all these actions, there is nothing wrong with enjoying yourself. But it is the element of *kavana* – my intention and motivation - which sanctifies the act and makes it part of Divine service.[13]

One of the most important lessons in this regard I learned when I was in my early teens at Camp Munk in the Catskills. At that time, R. David Cohen *Shlita*, now one of the leading *Poskim* in New York, was head learning group teacher. One morning, while we were playing baseball, "Reb Dovid" came down to the field and asked if he could "hit a few out." We were, of course, thrilled to see this then budding *gadol* playing baseball. But after a short while, the third baseman called out: "Hey Rebbi, isn't this *bittul Torah* [Isn't this a waste of time, when you could be learning Torah]?"

Reb Dovid smiled and asked us all to gather at the pitchers mound. He explained to us that Divine service doesn't just mean to learn, learn or do, do, do. The Torah was given to a complete human being who has strengths and weakness, desires and needs. The Torah was not given to angels (*Berakhot* 25b). Even budding scholars need to play a little baseball or basketball! And then he taught us the important lesson of *kavanah* – intention and motivation. If you indulge in baseball to simply while away the time, because you think you have nothing better to do - yes this is most definitely *bittul Torah*. However, if you engage in sports and

exercise so that your body will be healthier to serve your creator; to clean out the cobwebs of your mind; or so that you will be more relaxed and have more stamina to learn Torah – this too is part of the complete picture of serving G-d.[14] Of course, everything must be done within good taste and reason.

Another important lesson in this regard I learned when I was 17. I spent the summer in Israel at Camp Daroma in Rehovot, Israel. One Shabbat afternoon, we were invited to the home of R. Elimelekh Bar-Shaul, then Chief Rabbi of the city. He asked us what we thought about the *Halakha* which instructed one to put on the right shoe first, but then tie the left shoe first (*Shulkhan Arukh, O.H., 2:4*). The younger campers giggled, but the older ones realized the import of the question: was this what the *halakha* had to occupy itself with? Are these the issues that need to preoccupy a Jew?

And then R. Bar-Shaul explained: "You see," he said softly, "*Yiddishkeit* is in a constant struggle to sanctify more and more of life. Putting on your shoes is a neutral action – how do I sanctify it? The answer is by linking it to the service of THE *Kadosh*. I put on my right shoe first, because right symbolizes strength and I begin my service of the Creator with strength. But I tie my left shoe first, because a male Jew ties his *Tefillen* on his left hand. Hence, with regard to tying, left is more sanctified. You see this is not at all silly or trivial," said the Chief Rabbi, "it's about *Kedoshim tihiyu* (Lev. 19:2). – our attempt to capture more and more neutral chunks of life and bring them under the wings of the *Shekhina*."

To summarize, then, the *mitsva* converts the "ought" to a "must"; it reshapes simple acts into sacred events; and similarly, it transforms simple time into sanctified moments.

4) We are continuing our discussion of <u>how</u> *mitsvot* sanctify. And in this regard it is important to note that the religions of the past were reserved either for intellectuals and philosophers, or for people capable of mystical depth, or for individuals with profound spiritual gifts. But full performance of the *mitsva* involves the total person - not just the head (thought and *kavana*), and not just the heart (sentiment or emotion), but also and primarily the hand – the body. Hence, even the simple Jew can serve *Hashem* - you don't have to be a philosopher or mystic. In a sense, then, the *mitsva*, democratizes living because all people, rich or poor, weak or powerful, learned or illiterate, low or high born, gifted or not – all serve G-d through the calling of the *mitsva*. Nevertheless, since **the** *mitsva* **involves the total personality** - "head, heart and hand" – and since each individual is unique, so is their *avodat Hashem* (Divine service).

5) This brings us to a crucial fifth point. Judaism makes the body equally important with the soul in the service of Hashem – by making the body the only real agent for the fulfillment of *mitsvot*. As the verse (Psalms 35:10) says: "All my limbs call out: Hashem who is like you."[15] In that visit I described above at the home of R. Bar-Shaul in 1964, the Rehovot Chief Rabbi noted that this verse is cited as the source for "*shokeling*" – swaying back in forth in prayer.[16] "You see," said R. Bar Shaul, "prayer is primarily service of the heart. The body too wants to be involved – so it *shokels*.

The critical point is that, in contradistinction to Christianity and the ascetics, mainstream Judaism does not consider the *neshama* as good and the body as bad. How could the body be

bad? It was made by *Hashem*! What's more, it is only through the body that we can reach out and serve the Almighty. In his *Iggeret haKodesh*, Nahmanides argues that the body is neutral, neither inherently good or bad. It all depends on how it is used. A hand that writes a *sefer Torah* is sanctified; while one that murders is defiled. The same is true for sexual relations. Not only is intimacy sanctified and sanctifying by the marriage ceremony, *Sheva Berakhot*, laws of family purity, procreation and *mitsvat onah* (conjugal relations) - but it also creates an emotional and physical bond between husband and wife. It is within this firm and warm relationship of sharing and love that children should be born and educated to serve as the next link in the chain of tradition. By contrast, Catholicism views celibacy as the true ideal. For Judaism, the body is the chief agent of *avodat Hashem*, and hence is to be protected and respected, and it will share in the heavenly rewards of the Messianic period and "the days to come."

Summarizing once more: the *mitsva* works on the total personality - head, heart and hand. In addition, the body is a full partner with the soul in the fulfillment of *mitsvot* and the attainment of spirituality.

Sanctification through Deed and Thought

There are two types of *mitsvot*. The specific commandments guide us through specific actions or prohibitions. But there are also the *mitsvot kelaliyyot*, the general *mitsvot* that provide a general blueprint of the Torah's vision and direction. These include actions required by the verses: "Thou shalt be holy" (Lev. 19:2); "Do what is just and good" (Deut 6:18); "Love thy neighbor as thyself" (Lev. 19:18); and "The Torah's ways are the ways of pleasantness" (Prov. 3:17).

The general commandments guide attitudes and motivation. They aid in the development of a Jewish *Weltanschaung* so that, firstly, one can cope with the gray areas – the ambiguities of life. But, secondly, general mitsvot open up the possibility of *lifnim me-shurat ha-din* – of supererogatory acts. They allow us to reach out towards an ideal vision of that which can, could, or ought to be. In short, the specific *mitsvot* sanctify the personality through the body, through the deed, through the experience. The general *mitsvot* sanctify the individual through the intellect, thought and attitudinal changes.

The Role of the Land of Israel

There is, however, one last issue regarding the role of *mitsvot* in the life of a Jew that we have yet to discuss. Is there a preferred site or location for the fulfillment of *mitsvot*? The answer is, of course, a resounding yes - and that place is the Land of Israel. I am reminded of it every time I return to the States for a sabbatical and am forced to eat in the *Sukkah* in the freezing cold, or try to burn my *hamets* in the snow! It's not how the Torah meant it to be! From a Jewish perspective "It simply ain't natural!" Indeed, Nahmanides, citing the *Sifri*, goes so far as to suggest that the only reason why the Torah commanded us to do *mitsvot* in the exile was so that we wouldn't forget them before we returned to Israel.[17]

But *Erets Yisrael* represents much more. It is ideally the location where Jews are meant to be in control of their cultural environment – where the surroundings strengthen the

values that a Torah-true Jew attempts to inculcate in his children and family members at home. As noted by Hazal time and again, in the *galut*, Jews suffer from dominion of the nations of the world (*shi'abud malkhuyot*). What troubled *Hazal* was not primarily the political dimension of this foreign control, rather its cultural aspects. In the diaspora, a traditional Jew cannot function completely naturally; he is always a minority and constantly apologizing. He is often at odds with many of the values of the world around him.

Talmud Berakhot (17a) recounts that R. Alexandri concluded his *Shemoneh Esrei* as follows: "Ruler of the world: You are well aware that our honest desire is to do Thy will. But what prevents us? The evil inclination and the dominion of the nations." The Yetser haRa erodes man's Torah values from within, while *shi'abud malkhuyot* does so from without. With such adversaries, it is little wonder that the battle to remain a committed Jew is not always easy. The Torah wants the Jew to build an environment which strengthens his religious values and has designated *Erets Yisrael* as the most fitting place for *kedusha*. It is for this reason it is referred to as *Erets haKodesh*. I'm not so naïve as to think that there isn't cultural - if not an element of political - *shi'abud malkhuyot* in modern day Israel. On the contrary, this is perhaps THE major challenge for religious Zionism in the next decade: to rebuild Israel spiritually.

Reciprocity between G-d and Israel

We began our presentation with a discussion of the meaning of "the Chosen People." Interestingly, in this regard, we find two famous yet seemingly contradictory Rabbinic traditions regarding the giving of the Torah (*Avodah Zara* 2a,b). One indicates that indeed <u>G-d chose Israel</u>. Actually what it says is that G-d held up Mt. Sinai over their heads threateningly and said "you either accept the Torah, or I will return the world to *tohu va-vohu* (chaos)." The second tradition maintains, however, that the <u>People of Israel chose G-d</u>. Actually, what the *Talmud* says is that G-d went around to the nations of the world trying to give them the Torah. But, when they heard its various restrictions, prohibitions and moral imperatives, they rejected it. Only *klal Yisrael* said "*Na'aseh ve-nishma*.".

R. Norman Lamm[18] indicates that these two traditions are not irreconcilable. Indeed, at Sinai, G-d chose us to receive the Torah and *mitsvot*. Each of us in *klal Yisrael*, for better or for worse, is born into a people who have a Divine calling. But revelation is of no value unless we willingly accept that calling, unless we willingly choose G-d by answering *Na'aseh veNishma*, unless we respond with *hineni*. I may be a Jew by virtue of G-d's choice, but only I can determine *what kind of Jew* I choose to be!

This reciprocal relationship between G-d and Israel[19] is an idea made famous in the form of two jingles – the first, is that of British Journalist William Norman Ewer (1885 - 1976), who wrote:

How odd of G-d, to choose the Jews.

To which Hebrew University philosopher Leon Roth (1896-1963) responded:

It's not so odd – The Jews chose G-d.

Indeed, there exists a mutual bond of love between G-d and the Jewish people. God chose Israel out of love, as we say prior to the morning recitation of *Shema: haBoher be-amo Yisrael be-ahava.*" We, in turn, reciprocate by declaring "And thou shalt love the Lord thy God."

The Call of the Shofar

During the course of the year we are dragged along by the ebb and flow of life. We have little time for *kavana*, less for renewal and rededication. But the *Shofar* of Elul and *Rosh HaShana* and the fasting of *Yom Kippur* are the clarion call to re-evaluate the purpose and message of our life. It is a call to consciously sanctify our thoughts, our deeds and our actions - to bring more and more of our individual and communal lives "*tahat kanfei haShekhina*."

May we be worthy this year to see the fulfillment of our prayers: "Sanctify us through Your commandments, and grant us a share in Your Torah, sustain us with Your kindness and rejoice us with Your salvation, and purify our hearts to serve You sincerely."

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[2] R. Norman Lamm, "Issues of Faith," Dimension, Winter 1967, pp. 5-9.

[3] R. Joseph B. Soloveitchik held a hybrid position, namely, that a Jew had two types of sanctity, one inherited from the *Avot*, and the other by fulfilling *mitsvot*. See: R. Joseph B. Soloveitchik, *Al haTeshuva*, ed. Pinchas Peli (Jerusalem: World Zionist Organization, 1975), pp. 132-133 (citing Rashi to Deut. 14:2); R. Joseph B. Soloveitchik, *Shiurim leZekher Aba Mori z"l*, Vol. II, "*beInyan Birkot haTorah*," pp. 13-14. See also Arnold Lustiger, *Derashot haRav* (New Jersey: Ohr Publishing, 2003), pp. 208-209.

[4] See the related comments of R. Yehuda Amital, "Human Holiness," available online at: <u>http://tinyurl.com/qmpv4k</u>.

[5] See: (a) R. Marc B. Shapiro, *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised* (Oxford: Oxford University Press, 2004). (b) **Menachem Kellner**, *Dogma In Medieval Jewish Thought: From Maimonides To Abravanel* (Oxford: Oxford University Press, 1986). [6] R. Adin Steinzalts, "Human Holiness," in *The Strife of the Spirit* (Northvale, New Jersey: Aronson, 1988), p. 38. For further discussion of "The Torah was not given to angels" principle and it's halakhic ramifications, see: R. Shlomo A. Glicksburg, "Lo Nitna Torah leMalakhei haSharet: Al Gevulot haDiyyuk haMada'i biPesikat Halakha," BD"D - Journal of Torah and Scholarship (In Press).

[7] Anthony Fiorino, "One Soul's Adventure: Spiritual Growth Through Halacha," *Jewish Action*, Winter 5753/1992-3, pp. 32, 84-93.

[8] See the comments of R, Joseph B. Soloveitchik, cited by Arnold Lustiger, *supra* note 3, Appendix B, esp. pp. 235-236.

[9] See the moving article of Kenneth M. Prager, "For Everything a Blessing," A Piece of My Mind column, *JAMA* 277, no. 20 (May 28, 1997), p. 1589; reprinted in *ASSIA* – *Jewish Medical Ethics*, III:2 (September 1998), pp. 34-35.

[10] R. Abraham Joshua Heschel, *The Sabbath: Its Meaning for Modern Man* (New York: Farrar, Straus and Giroux, 1951). The Kabbalistic work *Sefer Yetsira* (6:1) speaks of three dimensions in which holiness may be created: time, space and being (soul).

[11] R. Joseph B. Soloveitchik, *Shiurim leZekher Aba Mori z"l*, Vol. I, *"Kibbud veOneg Shabbat,"* pp. 50-68, at 67; R. Joseph B. Soloveitchik, *Exalted Evening*, R. Menachem Genack, ed. (New York: OU Press, 2009), pp. 88-89; R. Hershel Schechter, *Nefesh haRav*, p. 157.

[12] See: R. Joseph B. Soloveitchik, *Halakhic Man* (Philadelphia PA: Jewish Publication Society, 1983).

[13] See Shulhan Arukh, O.H. sec. 231, no. 1.

[14] Regarding exercise, see the comments of R. Abraham Isaac haKohen Kook, *Orot*, *Orot haTehiyya* (Jerusalem, 5753), Chap. 33, p. 80.

[15] See: R. Norman E. Frimer, A Jewish Quest for Religious Meaning (New Jersey: Ktav, 1993), p. 78.

[16] R. Hezekiah Da Silva, *Peri Hadash*, *O.H.*, sec. 95; R. Israel Meir haKohen, *Mishna Berura*, *ad. loc.* subsec. 7. See the extensive discussion of R. Eric Zimmer, *Olam keMinhago Noheg* (Jerusalem: Zalman Shazar Center, 1996), pp. 97-111.

[17] R. Moses ben Nahman, Commentary to Lev. 18:25; see also Rashi and Ramban to Deut. 11:18.

[18] *Supra*, note 2. See also R. Norman Lamm, in "Symposium: You have Chosen Us from Amongst the Nations," *Jewish Action*, Fall 5765/2004 (65:1).

[19] See: R. Jonathan Sacks, Covenant and Conversation, Ki Tavo, Sept. 9, 2006.