



## Tikkun Leil Shavu'ot - 6 Sivan, 5771 - June 7/8, 2011

INTERNET EXTREMISM  
PROTESTS AT SOLDIERS' FUNERALS  
FACEBOOK INTIFADA GROUPS  
WIKILEAKS  
ARAB SPRING

### WHAT'S THE PRICE OF FREEDOM?

Our idea is to reckon with texts that present Jewish ideas on freedom and enslavement. We will try to get at a Jewish core concept of freedom from varied angles and see how it applies to the current events in our world, and to our own personal experiences and struggles with freedom and meaning. In lieu of an opening "plenary session," we decided to shake things up this year and start with an opening "Beit Midrash/Yeshiva" style presentation.

*In 1941 Dr. Erich Fromm (1900 - 1980), noted German social psychologist, psychoanalyst, [humanistic philosopher](#)--and also someone who grew up as a frum Jew--asked these questions in his incredible work, [Escape From Freedom](#). These are exactly the kinds of questions we hope our tradition can help you grapple with here tonight.*

**“What is freedom as a human experience?** Is the desire for freedom something inherent in human nature? Is it an identical experience regardless of what kind of culture a person lives in, or is it something different according to the degree of individualism reached in a particular society? Is freedom only the absence of external pressure or is it also the *presence* of something--and if so, of what? What are the social and economic factors in society that make for the striving for freedom? Can freedom become a burden, too heavy for man to bear, something he tries to escape from? Why then is it that freedom is for many a cherished goal and for others a threat?

Is there not also, perhaps, besides an innate desire for freedom, an instinctive wish for submission? If there is not, how can we account for the attraction which submission to a leader has for so many today? Is submission always to an overt authority, or is there also submission to internalized authorities, such as duty or conscience, to inner compulsions or to anonymous authorities like public opinion? Is there a hidden satisfaction in submitting, and what is its essence?”

# **Ma'or's Guide to Havruta Learning: How We Study Together**

Rubric #1: **Just open the book**

Rubric #2: **Your second step is always a question**

Rubric #3: **Your job is to push your hevruta to further refine his/her idea**

Rubric #4: **Leave your life in, not out of the hevruta**

Rubric #5: **Get help, all the time, but don't let difficulties keep you from moving on**

## **The Three Joys of Learning:**

- 1. The joy of learning, precisely, what someone else thinks**
- 2. The joy of learning, deeply, what you think**
- 3. The joy of adding Torah to the world**

**Break it. Make it.  
Yours.**

# The Power of Freedom

## Here's the stuff you're gonna need to know

*The Torah itself includes many verses that detail how one person can 'own' another. Rather than struggle with this very fact (which we all can, and at some point should, do), let's explore what's beneath the Torah's personal slavery narrative.*

### Required Reading

Verse Numero Uno

"But if the slave shall say, 'I love my master, my wife, and my children – I shall not go free,' then his master shall bring him to the court and shall bring him to the door or to the doorpost, and his master shall bore through his ear with the awl, and he shall serve him forever." (Exodus 21:5-6)

Verse Numero Dos

"To Me, the Children of Israel are servants; they are **My** servants, whom I brought out of Egypt. I am God, your God" (Lev. 25:55)

### Babylonian Talmud, Tractate Kiddushin, 22b

Rabban Johanan ben Zakkai used to expound this verse as **precious stone**. Why was the **ear** singled out from all the other limbs of the body? The Holy One, blessed be He, said: This **ear**, which heard my Voice on Mount Sinai when I proclaimed, "For unto me the children of Israel are servants" (Lev. 25:55), they are my servants, and not servants of servants, and yet this [man] went and acquired a master for himself— **let it be pierced!**

Rabbi Simeon ben Rabbi too expounded this verse as a precious stone. Why were the door and doorpost singled out from all other parts of the house? The Holy One, blessed be He, said: The door and the doorpost, which were witnesses in Egypt when I passed over the lintel and the doorposts and proclaimed, "For unto me the children of Israel are servants, they are my servants" (Lev. 25:55), and not servants of servants, and so I brought them forth from bondage to freedom, yet this [man] went and acquired a master for himself — **let [the ear] be pierced in their presence!**

### ANOTHER KIND OF SLAVE?

For Rav said: a **worker** is able to change his mind (and leave contracted work) even up to midday. For as long as he has not changed his mind it is like he is in the domain of the boss; however, when he changes his mind there is a different reasoning, as it is written, "for the children of Israel are **My** servants," and not servants to servants.

**Babylonian Talmud, Bava Kama, 116b**

בבא קמא דף קטזב,

דאמר רב פועל יכול לחזור בו אפילו בחצי היום וכמה דלא הדר ביה כברשותיה  
דבעל הבית דמי וכי הדר ביה טעמא אחרינא הוא דכתיב (ויקרא כה) כי לי בני  
ישראל עבדים ולא עבדים לעבדים

**RRDQ**  
**(Really Really Deep Questions)**

### **Eved ivri, Israelite Slave**

– a Jew who is sold as an indentured servant to another Jew. If a man steals and cannot afford to pay restitution, he is sold into slavery for up to 6 years. Alternatively, a man can voluntarily, because of severe poverty, choose to sell himself as a slave. After 6 years, he is freed but can choose to stay with his master and continue to be a slave. If he chooses not to go free, he is taken to the Jewish court of law where his ear is pierced, after which he remains a slave until the yovel (jubilee) year, which occurs every 50 years.

**precious stone** - don't you just love how the rabbis viewed verses of Torah. Gems... waiting for us to uncover, craft, shine, display, and artfully expound.

**let it be pierced!** - This text sounds pretty harsh. Punish the guy, right! What's the deep message here?

**their presence!** - what exactly are the doorposts witnessing and why? Think about this for a second... in your life, what are the objects that you surround yourself with and how do they bear witness to your choices?

**worker** - How is the worker expressing freedom here? Is it ethical freedom? Does it matter? How is the employer expressing freedom? What is the role of "the yoke of Torah and Law" here?

**My** - the text implies that serving God is categorically different from serving people. How?

## BURDEN OR BENEFIT? THE RABBIS DEBATE ABOUT THE PRICE OF FREEDOM

### Mishnah Kiddushin, 1:3

A Canaanite slave is acquired by money, deed, or by **possession**,

And can acquire himself (i.e. free himself)... through a deed that frees him, but only if it is written at his own instigation. **These are the words of Rabbi Meir.**

**The Sages say**...by deed, even if instigated by other people (i.e. without asking the slave first).

### משנה קידושין א:ג

עבד כנעני נקנה בכסף ובשטר ובחזקה וקונה את עצמו בכסף על ידי אחרים ובשטר על ידי עצמו דברי רבי מאיר וחכמים אומרים בכסף על ידי עצמו ובשטר על ידי אחרים ובלבד שיהא הכסף משל אחרים:

**These are the words of Rabbi Meir** – ...it is a **burden** to the slave to leave his master for freedom; And since one cannot act to the detriment of his fellow man without his consent the document of release can only be given to the servant himself. (Therefore Rabbi Meir requires his consent)

**The Sages say** – ...it is a **benefit** to the slave that he go out from being under his master's hand, and we act to the benefit of a person even without his consent.

– Pinchas Kehati

Any non-Jewish servant/slave is referred to in the Mishnah as a "Canaanite servant/slave," after Canaan the son of Ham. He is also referred to in the Mishnah simply as "servant" since he is a servant forever, and ceases to be a servant only if his master gives him a document of release...The law is that a non-Jew who is sold as a Canaanite servant is required to undergo circumcision and ritual immersion, and is **obligated** to perform the commandments also traditionally incumbent upon women.

– Pinchas Kehati

The central narrative of the Jew is Exodus, **achieving freedom from servitude**. In what way does it possibly jive with the Jewish view of things to suggest that a Canaanite slave/servant may not want to be free if given the choice? Given our narrative, wouldn't we always assume that living freely is preferred over being indentured?

**possession** - the presumption of ownership. Basically, if slave continuously performs duties that are normal for slaves to perform for their masters -like bathing or dressing him/her, that person is presumed to be acquired as a slave.

It's an interesting message - acting like a slave makes you a slave. Do you agree?

**burden** - really? To be set free? Can you explain this? Stockholm syndrome? Something else? The Hebrew word used, *hov*, implies some financial burden. What is Rabbi Meir thinking?

**The Sages say** - In what way do you think this mahloket/disagreement between Rabbi Meir and the Sages is still alive today, in Jewish society, in general society? Can you name a situation, or a circumstance, in which Rabbi Meir's assumption that some people may choose to remain in bondage, enslaved, limited, restrained...rather than being fully liberated?

**benefit** - right, this makes sense. Obviously it's a benefit not to be a slave. Only one question: if another person is making decisions about your freedom, is that a benefit to you?

**obligated** - So, they become triply enslaved? To God, the Rabbis, and his/her master?? Great news.

# The Peril of Freedom

Judges 17:6

In those days, there was no **king** in Israel. A person - what was **right** in his eyes, that's what he did.

שופטים פרק יז

(ו) בַּיָּמִים הָהֵם אִין מֶלֶךְ בְּיִשְׂרָאֵל אִישׁ הַיֵּשֶׁר בְּעֵינָיו יַעֲשֶׂה:

Tosefta Sotah 14:7

...and when "every person - what was right in his eyes, that's what he did" multiplied, the (socioeconomically) **lowly** were made high and the high were sunk low, and the entire kingdom went rotten, declining more and more.

תוספתא מסכת סוטה פרק יד:

...משרבו איש הישר בעיניו יעשה שפלים הגבהו וגבוהים השפלו  
סרחה כל המלכות כולה אזלא ונזלא...

**RRDQ**  
(Really Really Deep Questions)

**king** - the verse makes it clear that the fact that there was no king is what allowed for each person to do what s/he deemed right. What is the verse trying to teach? Do you agree?

**right** - what does it mean to do "what is right in your eyes?" Is the danger that the Bible claims real?

**lowly** - So the Tosefta makes a connection between rampant extreme individualism and social instability. True?

Dvarim (Deuteronomy) 12:8-9

Do not act as we now act here (before crossing the Jordan into Israel) every person [doing] anything that was right in his eyes, because you have not yet come to the refuge and the inheritance that HaShem your God is giving you.

דברים פרשת ראה פרק יב

(ח) לֹא תַעֲשׂוּן כְּכֹל אֲשֶׁר אָנַחְנוּ עֹשִׂים פֹּה הַיּוֹם אִישׁ כָּל הַיֵּשֶׁר בְּעֵינָיו:  
(ט) כִּי לֹא בָאתֶם עַד עֵתָה אֶל הַמְּנוּחָה וְאֶל הַנַּחֲלָה אֲשֶׁר יְקֹוֹק אֱלֹהֵיכֶם נָתַן לָכֶם:

**Rabbi Yekutiel Yehuda Teitelbaum (1818-1883) - Yitav Lev al haTorah**

It is as if the Torah is saying, "since your actions are directed only towards your own good - 'a person - anything that was right in his eyes' - they are only fleeting - 'as we act here today.' They have no **eternal existence**, rather they are **transient** and will pass as soon as the day does.

עשים פה היום איש כל הישר בעיניו -- מאחר שמעשיכם לטובת עצמכם - איש כל הישר בעיניו - לפיכך הם ארעיים - עשים פה הים - ואין להם המשך וקיום נצחי, אלא חולפים ועוברים יחד עם היום.

**eternal existence** - Is making sure that our actions have eternal worth...worth thinking about? (get it? we're funny.) Why would we strive for such a thing, and negatively value deeds that will be forgotten as soon as the day passes? Is this a good use of our life?

Mishnah Avot 6:2 (Pirkei Avot)

Rabbi Yehoshua ben Levi taught: ... it is further written: "And the tablets were the work of God, graven (*charut*) upon the tablets" (Exodus 32:16). Do not read '*charut*' (graven), rather '*cheirut*' (freedom). For the only free person is one who is immersed in and experiencing the study of Torah

משנה מסכת אבות פרק ו:משנה ב

אמר רבי יהושע בן לוי בכל יום ויום בת קול יוצאת מהר חורב ומכרזת ואומרת אוי להם לבריות מעלבונה של תורה שכל מי שאינו עוסק בתורה נקרא נזוף שנאמר נזם זהב באף חזיר אשה יפה וסרת טעם ואומר והלוחות מעשה אלהים המה והמכתב מכתב אלהים הוא חרות על הלוחות אל תקרא חרות אלא חירות שאין לך בן חורין אלא מי שעוסק בתלמוד תורה וכל מי שעוסק בתורה תדיר הרי זה מתעלה שנאמר + במדבר כ"א י"ט+ וממתנה נחליאל ומנחליאל במות:

Babylonian Talmud, Tractate Shabbat, 88a

**"And they stood under the mountain" (Exodus 19:17)**

Rav Abdimi bar Hama bar Hasa taught: This teaches that the Holy Blessed One overturned the mountain upon them like an inverted cask, and said to them: "If you accept the Torah, well and good. If not, there will be your **grave**."

Said Rav Acha bar Ya'akov: On this basis rests **a major protest against the Torah**.

Said Raba: Nonetheless, the generation during the time of Ahasuarus accepted it [the Torah], as it is written: "The Jews confirmed and accepted" (Esther 9:27). They **confirmed** what others had already accepted.

תלמוד בבלי מסכת שבת דף פח עמוד א

+ שמות יט+ וייתצבו בתחתית ההר, אמר רב אבדימי בר חמא בר חסא: מלמד שכפה הקדוש ברוך הוא עליהם את ההר כגיגית, ואמר להם: אם אתם מקבלים התורה - מוטב, ואם לאו - שם תהא קבורתכם. אמר רב אחא בר יעקב: מכאן מודעא רבה לאורייתא. אמר רבא: אף על פי כן, הדור קבלוה בימי אחשוורוש. דכתיב + אסתר ט+ קימו וקבלו היהודים, קיימו מה שקיבלו כבר.

**RRDQ  
(Really Really Deep  
Questions)**

- First make sure you get the drash - what is the midrashic (exegetical) wordplay R.Yehoshua b. Levi is making?

- According to this drash, how would you translate the verse in your own words? Hint - reinsert the words in the way Rabbi Yehoshua suggests

- Finally - is this freedom? Or, how can you understand this being "freedom"?

**grave** - Torah or death - lovely. Why did God, according this midrash, threaten us with Torah? What was God's concern? Was it valid?

**major protest against the Torah** - Why? What's the problem with simply making us do what we should?

**confirmed** - Why does Raba go out of his way to tell us that we later accepted Torah of our own free will. What is he teaching? Are there implications if we hadn't eventually accepted freely?

# You Kant Take My FREEDOM!!!

*Immanuel Kant (1724-1804) was one of the most influential philosophers in the whole of Europe, who transformed Western thought with his examination of reason and the nature of reality. In these writings he investigates human progress, civilization, morality and why, to be truly enlightened, we must all have the freedom and courage to use our own intellect.*

*This excerpt is from An Answer to the Question: What is Enlightenment? (pg. 1-6)*

Enlightenment is man's emergence from his self-incurred immaturity. **Immaturity** is the inability to use one's own understanding without the guidance of another. This immaturity is self-incurred; its cause is not lack of understanding, but lack of resolution and courage to use it without the guidance of another. The motto of enlightenment is therefore: Sapere aude! [Dare to be wise!] Have courage to use your own understanding!

**Laziness and cowardice** are the reasons why such a large proportion of men, even when nature has long emancipated them from alien guidance, nevertheless gladly remain immature for life. For the same reasons, it is all too easy for others to set themselves up as their guardians. It is so convenient to be immature! If I have a book to have understanding in place of me, a spiritual advisor to have a conscience for me, a doctor to judge my diet for me, and so on, I need not make any effort at all. **I need not think, so long as I can pay**; others will soon enough take the tiresome job over for me...

Thus it is difficult for each separate individual to work his way out of the immaturity which has become almost second nature to him. He has even grown fond of it and is really incapable for the time being of using his own understanding, because he was never allowed to make the attempt. Dogmas and formulas, those mechanical instruments for rational use (or rather misuse) of his natural endowments, are the ball and chain of his permanent immaturity. And if anyone did throw them off, he would still be uncertain about jumping over even the narrowest of trenches, for he would be **unaccustomed** to free movement of this kind...

The remarkable thing about this is that if the public, which was previously put under this yoke by the guardians, is suitably stirred up by some of the latter who are incapable of enlightenment, it may subsequently compel the guardians themselves to remain under the yoke. For it is very harmful to propagate prejudices, because they finally avenge themselves on the very people who first encouraged them (or whose predecessors did so). Thus a public can only achieve enlightenment slowly. A revolution may well put an end to autocratic despotism and to rapacious or power-seeking oppression, but it will never produce a true reform in ways of thinking. Instead, **new prejudices**, like the ones they replaced, will serve as a leash to control the great unthinking mass.

**RRDQ**  
**(Really Really Deep Questions)**

**Immaturity** - This isn't the definition of immaturity we are used to. Using other people's guidance is generally seen as prudent. Here it feels negative. Is it, though?

**laziness and cowardice** - Seriously, Kant, tell us what you really think. Another way to say this is that people do not seek their own freedom because they are tired and afraid. Tired from what? Afraid of what?

**so long as I can pay** - a damning indictment. How do we pay other people to manage our freedom for us? How can we change?

**unaccustomed** - if this is so, how can we help each other to navigate freedom, when it is newly found. What would it mean for society to have tolerance for fumbling that comes as a result of newfound freedom? To what extent should it have that tolerance?

**new prejudices** - Kant is speaking about cases in which one tyranny is overthrown just to be replaced by new kind of tyrannical rule. What examples, both contemporary and historical, confirm this? How can it be prevented?

For enlightenment of this kind, all that is needed is freedom. And the freedom in question is the most innocuous form of all – freedom to make **public use of one's reason in all matters**.... The public use of man's reason must always be free, and it alone can bring about enlightenment among men; the private use of reason may quite often be very narrowly restricted, however, without undue hindrance to the process of enlightenment. But by the public use of one's own reason I mean that use which anyone may make of it as a man of learning addressing the entire reading public. What I term the private use of reason is that which a person may make of it in a particular civil post or office with which he is entrusted.

Now in some affairs which affect the interests of the commonwealth, we require a certain mechanism whereby some members of the commonwealth must behave purely **passively**, so that they may, by an artificial common agreement, be employed by the government for public ends. It is, of course, impermissible to argue in such cases; obedience is imperative... Thus it would be very harmful if an officer receiving an order from his superiors were to quibble openly, while on duty, about the appropriateness or usefulness of the order in question. He must simply obey. But he cannot **reasonably be banned** from making observations as a man of learning on the errors in the military service, and from submitting these to his public for judgement. The citizen cannot refuse to pay the taxes imposed on him; presumptuous criticisms of such taxes, where someone is called upon to pay them, may be punished as an outrage which could lead to general insubordination. Nonetheless, the same citizen does not contravene his civil obligations if, as a learned individual, he publicly voices his thoughts on the impropriety or even injustice of such fiscal measures.

In the same way, a clergyperson is bound to instruct her pupils and his congregation in accordance with the doctrine of the church she serves, for she was employed by it on that condition. But as a scholar, she is completely free as well as obliged to impart to the public all her **carefully considered, well-intentioned** thoughts on the mistaken aspects of those doctrines, and to offer suggestions for a better arrangement of religious and ecclesiastical affairs. And there is nothing in this which need trouble the conscience. For what she teaches in pursuit of her duties as an active servant of the church is presented to her as something which she is not empowered to teach at her own discretion, but which she is employed to expound in a prescribed manner and in someone else's name... In view of this, she is not and cannot be free as a **priest**, since she is acting on a commission imposed from outside. Conversely, as a **scholar** addressing the real public (i.e., the world at large) through her writings, the clergyperson making public use of her own reason and to speak in her own person. For to maintain that the guardians of the people in spiritual matters should themselves be immature, is an absurdity which amounts to making absurdities permanent.

**public use of one's reason** - to what right, enshrined in our Constitution, is Kant referring? Extra credit for you eager beavers - in what amendment is it to be found?

**passively** - Kant now places restrictions upon freedoms. Is this reasonable? Is he contradicting himself?

**reasonably be banned** - Why not? The entire crux of the essay lies here. Why can't a person be reasonably banned from speaking her mind?

**carefully considered** - Right - we rabbis probably need some work on that "carefully considered," part.

**priest...scholar** - so therefore every clergy member acts in two, sometimes contradictory capacities. How does this work? What would have to happen for this paradox to be successful?

**Humanistic socialism** - before you get caught up on this... take a deep breath. This is not the socialism/communism that is China or Soviet Russia. It is Fromm's dream for what the world *could* look like with human dignity as its primary value. What do you think?

**Humanistic socialism** stands for freedom. It stands for freedom from fear, want, oppression, and violence. But freedom is not only *from*, but also freedom *to*; freedom to participate actively and responsibly in all decisions concerning the citizen, freedom to develop the individual's human potential to the fullest possible degree.

- Dr. Erich Fromm, *On Disobedience*, 69