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Witness to Infinity

Translated by Rabbi Kivi Greenbaum

General Editor: Rabbi Eliezer Robbins | Editor: Rabbi Y. Eliezer Danzinger

Content Editor: Rabbi Zalmy Avtzon

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1.

TWO TYPES OF WITNESSES

Concerning testimony {in court}, about which Scripture says,¹ “By the word of two witnesses... the case should be confirmed”— we find two types:

- a) “Corroborating witnesses,”² similar to witnesses for a loan. Their purpose is to verify that a loan took place, but the loan itself is not contingent on having witnesses. Even if the loan had taken place without witnesses, the borrower is still obligated to pay his debt. Accordingly, “(by the word of two witnesses...) the case should be **confirmed**” means that a “case” should be **ascertained** through the witnesses.
- b) “Ratifying witnesses,” similar to witnesses for marriage, where the testimony is **integral** to the marriage.³ The law is⁴ that even when (a man and woman admit) to having gone through the marriage process, if there were no witnesses, the law is, “we disregard his betrothal,” meaning that without witnesses, there is no marriage. For **this** kind of testimony, “the case should be confirmed” means that through them, the matter is **finalized**.⁵

2.

WHEN DOES TESTIMONY BEGIN

Based on the above distinction, it turns out there is another difference between corroborating witnesses and ratifying witnesses.

In regards to corroborating witnesses, since their function is to **verify** what happened, they become “witnesses” (primarily) at the time of verification,

¹ *Devarim* 19:15

² See *Kiddushin* 65b; witnesses were created only to stop liars.

³ See *Tumim*, ch. 90, subsec. 14.

⁴ *Kiddushin* 65b.

⁵ {In the Yiddish original, “*oifketan*.”}

when they come (to verify what happened by) **testifying** in court. However, with respect to ratifying witnesses, since their function is to finalize the act (of marriage), it follows that once they witness the act, the criterion for authoritative witnessing has been met.

On this basis, the Rogatchover explains⁶ why witnesses at a marriage do not need to be examined or interrogated.⁷

Examination and interrogation are necessary for witnesses so deemed (primarily) by virtue of giving official “testimony” in court. In such cases, what they testify that they witnessed is not considered as testimony unless the court first examines and interrogates them. However, in regards to witnesses for a marriage and so forth, who function as “ratifying witnesses,” the Torah has already considered what they observed as being witnessed when the act (of marriage) took place. The court need not examine or interrogate them in order to make them witnesses because they **have already become** witnesses once they observe the act.

3.

TESTIMONY CAN CREATE

On this basis, it turns out that witnesses are integral to the act of marriage, as they “finalize”⁸ the marriage. This can also explain why, with respect to marriage, we don’t apply the rule that “if one retracts his words immediately,⁹ {the retraction is valid, and} it is considered a single statement.” As the Talmud says,¹⁰ “The law is that if one retracts his words immediately, it is considered a single statement except in cases of marriage and divorce.” Why is marriage and divorce different from every other case?

⁶ *Tzafnas Paneiach*, vol. 1, *siman* 9.

⁷ *Beis Yosef* on the *Tur*, “*Even HaEzer*,” sec. 42; *Rama*, sec. 42, par. 4. {This refers to the questions which generally *Beis Din* must ask the witnesses. These questions pertain to the time and place of the event to which the witnesses testify, and other questions in regards to the event itself.}

⁸ {In the Hebrew original, “*meka’yem*.”}

⁹ {In the original, “תוך כדי דיבור”; without more than the slightest pause.}

¹⁰ *Nedarim* 87a; *Bava Basra* 129b ff.

Rabbeinu Nisim¹¹ explains that “for other cases that are not so serious,” a person enters into it thinking that he can always retract his words immediately if he needs to. However, since marriage and divorce are “so serious, a person doesn’t speak without complete resolve.” Therefore, his statement cannot be withdrawn.

This, however, requires clarification. If this is true, then we can never consider a person to have fully committed to a transaction until enough time for him to retract has elapsed without him doing so. This would mean that the action is not completed until then. If this is so, then in a case where one gives another a gift of food, the recipient may not eat his gift (at least, *lechatchila*)¹² until enough time has elapsed for the giver to retract. Yet, we don’t find such a novel teaching anywhere. We must say that even in other cases, the act is finalized immediately, but within a short period of time,¹³ a person has the power to **retract** and **cancel** his act, unlike marriage and divorce.

The explanation: With respect to marriage (and divorce), the act of marriage is finalized by means of being **witnessed**. Therefore, as soon as this takes place, it is no longer in the power of the man who is initiating the marriage (or divorce) to cancel the action, since it is the **witnessing** that formalizes the marriage. In all other cases, however, where the witnessing is not what creates the reality, and what is accomplished is accomplished by the person **alone**, in such a case, one may renege if done in short order.

¹¹ {Known as the *Ran*.} On *Nedarim* 87a.

¹² {In the first instance, or outset; in legal terminology, “*ab initio*.”}

¹³ {In the succinct, Hebrew legal terminology, “עד כדי דיבור.”}

4.

ISRAEL AND HEAVEN

All matters in the revealed aspect of Torah fit with the way they are found on a deeper level. Several ideas were discussed regarding witnesses: (a) The two categories of witnesses — “corroborating witnesses” and “ratifying witnesses”; (b) witnesses for marriage are “ratifying witnesses”; (c) “ratifying witnesses” qualify as such once they observe an act; and “corroborating witnesses” qualify as such when they testify in court; and (d) an act that is ratified by being witnessed, has more power. All these ideas exist on a deeper level, as well.

The verse says,¹⁴ “You are my witnesses, says Hashem.” In the Zohar, there are two interpretations:¹⁵ (a) “the witnesses are Israel”; and (b) “the witnesses are the heavens and the earth, as it says,¹⁶ ‘This day, I call the heavens and earth to bear witness against you.’”

We can say that the two types of witnesses — Israel, and the heavens and earth — correspond to the two categories of witnesses: corroborating witnesses and ratifying witnesses, as will be explained.

5.

JEWS ARE TESTIMONY FOR HASHEM

The Alter Rebbe¹⁷ explains at length that the testimony of witnesses only applies “to something that is hidden and concealed from the eyes of all.” But for “something revealed,” there is no need for witnesses (and any testimony is irrelevant). Furthermore, even for something that is presently not “revealed” but is “something which is likely to be revealed,”¹⁸ we also don’t need “complete

¹⁴ *Yeshayahu* 43:10.

¹⁵ *Zohar*, vol. 3, 86a.

¹⁶ *Devarim* 30:19.

¹⁷ *Likkutei Torah*, “*Pekudei*,” p. 4a.

¹⁸ *Rosh Hashanah* 22b.

testimony.”¹⁹ Testimony of witnesses is needed specifically “for something completely concealed.”

Spiritually speaking:

We don’t need to hear from witnesses that Hashem enlivens the worlds (“*memaleh kol almin*,” in the language of the Zohar and Chassidus) because it is a “revealed matter.”²⁰ When we notice the conduct of the world and the order according to which it runs, we can see that there is a G-dly force keeping the world alive, as it says,²¹ “From my flesh, I can see G-d” — and as our Sages say,²² “Just as the soul fills the body, so, too, Hashem fills His world.” Since it is intellectually **compelling** and “verifiable” by means of reason [to the extent that even the pious of other nations have this faith, as known], we do not need any testimony.

Additionally, we do not need “testimony” to have faith in Hashem transcending the world (in the language of Zohar and Chassidus, *sovev kol almin*). True, this level of G-dliness cannot be “grasped” by the mind, because one’s mind is confined by the limitations of this world. Nevertheless, reason itself dictates that there is a G-dly light that is beyond what the mind can grasp. Once the mind is compelled to conclude that there is a G-dly life force **immanent** in the world, a person comes to the recognition that “the main aspect of G-dliness is not that the worlds are vivified by Him,”²³ and that there are levels in G-dliness that are beyond the world (and intellectual comprehension).

Therefore, for **this** level as well, witnesses are unnecessary, because although it is not “a revealed matter” (because we cannot grasp it with our minds), it is, however, within the parameters of “something that is likely to be

¹⁹ *Maamar “Vayakam Eidus,”* 5700, sec 1. {In the original, “*edus gemurah*.”}

²⁰ See also *Likkutei Torah*, “*Va’eschanan*,” s.v., “*ve’yadata*” (the first discourse), and its “Explanation,” (6a, et passim); *ibid.*, “*Emor*,” 31b, et passim; *Sefer Hamitzvos* by Tzemach Tzedek, “*Mitzvas He’emanus Elokus*,” ch. 1; et al.

²¹ *Iyov* 19:26.

²² *Midrash Shochev Tov* on *Tehillim* 103:1.

²³ *Torah Or*, “*Megillas Esther*,” 99b.

revealed,” since it is something which is “beyond reason” which is compelled by **reason itself**.

“Testimony” is germane to His **Essence**, which is even beyond *sovev kol almin*, altogether outside the realm of reason at all. Since His Essence is a “completely concealed thing,” “testimony” is required to **reveal** it. (This is precisely like testimony in the usual sense, which serves to disclose “something hidden completely.”)

Such testimony is given by two types of witnesses mentioned above:

- a) “Corroborating witnesses”: “Witnesses,” namely, heaven and earth, are fixed within creation, and point to (and reveal) the power of the infinite which **exists within** creation. As known,²⁴ the timelessness of heaven (whereby {each celestial body} “individually continues to exist”) and earth (whereby “each species continues to exist”) is enabled only through the power of the infinite. Therefore, heaven and earth are (**corroborating**) witnesses to Hashem’s Essence.
- b) “Ratifying witnesses”: There are also “witnesses” that have been given the power to, so to speak, **elicit** Hashem’s Essence into the world, like the ratifying witnesses which **effectuate** the act. These are the souls of Israel that are rooted in Hashem’s Essence. Therefore, Jews have the power (through the *avodah*²⁵ of Torah and mitzvos)²⁶ to elicit {the revelation of} Hashem’s Essence in the world.

[This is also the deeper reason that witnesses for marriage are “ratifying witnesses”: The purpose of marriage is to “be fruitful and multiply, etc.”²⁷ And for childbirth to happen, there is an elicitation of the power of the infinite down below (the power for continual procreation).²⁸ This means that marriage causes

²⁴ *Moreh Nevuchim*, ch. 2

²⁵ {Divine service.}

²⁶ For, they too are rooted in Hashem’s essence and are, therefore, also termed “testimony.” See *Likkutei Torah*, “*Pekudei*,” 4b ff.

²⁷ *Bereishis* 1:28.

²⁸ See, at length, *Hemshech “Samach Tesamach,”* p. 5 ff. (*Sefer Hamaamorim* 5657, p. 177 ff.)

the infinite to be **drawn down** here in the world. This effect also expresses itself in simple terms — that witnesses for marriage are “ratifying witnesses.”]

6.

WHAT DOES ISRAEL ADD?

We need to clarify: Since heaven and earth uncover the power of the infinite within creation, what impact and innovation do Jewish souls — “the ratifying witnesses” — have in **drawing down** Hashem’s Essence down in this world?

The general explanation: Heaven and earth do actually “testify” to the power of the infinite in the world, but not in a way that shows that the world is entirely dependent on Hashem and is completely nullified to Him. The novel accomplishment of a Jew is to bring to light (through *mitzvos*) that “there is nothing else other than Him”²⁹ — that the world is completely one with Hashem’s Essence.

7.

DID TORAH WEAKEN THE WORLD?

To clarify, we need to first introduce a remark of our Sages³⁰ on the verse,³¹ “The earth feared and became calm”: “In the beginning, it was scared; and in the end, it was calm.” Prior to the Giving of the Torah, the world was fearful (for its existence), which shows that its existence was fragile. After the Jews received the Torah, it became settled. The Giving of the Torah lent permanence and strength to the world’s existence.

²⁹ *Devarim* 4:35.

³⁰ *Shabbos* 88a; *Avodah Zarah* 3a.

³¹ *Tehillim* 76:9.

Seemingly, this remark is unclear. The existence of the world is physical and material, and conceals G-dliness (the word “world, עוֹלָם” is etymologically related to the word “concealment, הֶעָלָם”).³² The Giving of the Torah **weakened** the {gross physicality and} concealment effected by the world and refined the world. As our Sages say about the Giving of the Torah:³³ A bird did not chirp... the world was **quiet...** That’s why specifically after the Giving of the Torah, we can make a physical object holy.³⁴ In light of this, how can we say that following the Giving of the Torah the existence of the world was strengthened?³⁵

It is true that Hashem established a condition “with Creation,” that “if the Jews accept the Torah, you will continue to exist, and if not I will return you to unformed chaos.”³⁶ However, this is seemingly only something additional to the world’s intrinsic existence. This is similar to someone who makes an act conditional (e.g., a gift), when the condition is supplemental to the act itself.

Even the idea that the purpose of creation is “for Torah and for Israel,”³⁷ is, ostensibly, {not intrinsic to creation. Rather, it is an} added {characteristic} to creation: Creation is “**for**” the sake of **something else**. The existence of creation, however, is **not** Torah and Israel itself.

Since this is the case, it should turn out that the Giving of Torah impaired the world’s **existence**, and not fortified it.

³² *Likkutei Torah*, “*Shelach*,” 37d.

³³ *Shemos Rabbah*, sec. 29, par. 9.

³⁴ See, at length, *Likkutei Sichos*, vol. 3, p. 887 ff.

³⁵ {If the existence of the world is dependent on Hashem concealing Himself, then how could less concealment mean more existence?}.

³⁶ *Shabbos* 88a

³⁷ *Osiyos d’Rabbi Akiva*, “*Beis*.”

8.

POTENTIAL VS ACTUAL

The explanation: Regarding human beings, an action's motive and purpose is distinct from the action itself. This is because for a person, potentiality lacks actuality. The "potentiality" of something is not the same thing as its "actuality." (Similarly, the motive behind an action is a different thing than the action.) Regarding Hashem, however, "potentiality does *not* lack actuality";³⁸ therefore, the entire being of an "action" is the "potential."³⁹ Similarly, regarding creation, since the intent of creation is "for the Torah and for Israel," **they** are its true existence, and **not** its physical and corporeal substance.

Therefore, we also find, in **the laws of Torah**, that we consider the intention of things and **not** the physical matter. For example {regarding the prohibition of transporting goods from one domain to another on Shabbos}, "if one transports food in a container on Shabbos, and the food measures less than the amount that determines liability, he is exempt even for the container because the container is secondary to the food."⁴⁰ Although the physical container is a size that is prohibited to be carried from one domain to another (and if one would carry it by itself, he would be liable for the prohibition of carrying), since the point of carrying out the container is for the food, the physical presence of the container is **battel** and secondary to the purpose, the food, as if the container becomes a "part" of the food. Since the food is less than the quantity required to make one liable, the **container** is also {considered} less than the prohibited amount (although the size of the **physical** reality of the container is the required measure).

³⁸ *Pardes*, "Gate 11," ch. 3

³⁹ {Hashem has no limitations. He is beyond time, space and any definition. Potential and actualized goals are separated by either time (the intention comes before the goal is achieved) or space (the intention takes place in thought, while the actual goal takes place in a physical space), or definition (the definition of potential would be different to the definition of actualized goals). From Hashem's perspective, there is no time, space or definition, so potential and the actual are the same.}

⁴⁰ *Shabbos* 93b, mishnah.

9.

THE PURPOSE IS REALITY

Every idea in the inner dimension of Torah is found, or at least hinted to, in the revealed part of Torah. Similarly, regarding the above idea (that Torah and mitzvos constitute the reality of the world) — this idea is found, or at least alluded to in many places of the revealed dimension of Torah. One example is in Tosafos:

The law is that just “one may not burn consecrated items⁴¹ on a festival”⁴² (because doing so would satisfy only necessities of the Temple service to Hashem,⁴³ and not human needs),⁴⁴ similarly, one may not burn impure *terumah* on a festival.⁴⁵ Tosafos⁴⁶ questions this: Since one may derive benefit from burning *terumah*, why can’t this {impure} *terumah* be used “as kindling under a food dish,” in which case, it “it is done for the purpose of eating” {and thus it could be burned on a festival legally}? Tosafos⁴⁷ answers: “Since it {the burning} also satisfies a requirement of the Temple service, the person’s needs are negated by the needs of the Temple service, and it is considered **entirely a necessity of the Temple service**.”

On the face of it, this answer requires explanation: Why do the necessities of the Temple service cancel out “human needs.”

From what we said above, it is understood that since the true reality of everything in this world is Torah and Israel; when we use something for its

⁴¹ {Consecrated sacrifices which are offered up on the altar and eaten, must be eaten on that day. If there are leftovers, they are usually burned the next day. However, if the next day is a Festival, they are not to be burned until after the festival; e.g., If the Paschal lamb is not fully eaten, it is not burned the next day because it is still Passover.}

⁴² *Shabbos* 24b.

⁴³ {In the succinct Hebrew original, “*tzorech gavoah*.”}

⁴⁴ {On a festival, one may only use fire if it serves the purpose of human consumption. Otherwise, using fire would be forbidden like on Shabbos.}

⁴⁵ {*Terumah* is a tithing that a farmer must give to a kohen and is considered sacred. If it becomes impure, e.g., it comes into contact with a corpse, then it must be burned. Here we learn that we may not burn it on a festival, but wait until the festival is over.}

⁴⁶ S.v., “*lephi*.”

⁴⁷ *Beitzah* 27b, s.v., “*ve’al*.”

proper intent and purpose, thus fulfilling a mitzvah with it, the external reality of it is faded and becomes nullified. All that is “left” is the reality of its purpose, the mitzvah. Therefore, since the intention and purpose of burning *terumah* is to satisfy “necessities of the Temple service,” the “human needs” are automatically nullified.

10.

WHAT WAS THE WORLD CALM?

On this basis, however, the converse question arises (like the question above in Section 6): Since the intention of creation, to begin with, was “for Torah and Israel,” then the beginning of this intent was not at the Giving of the Torah. Immediately, at the moment of creation, **this** intention constituted the whole reality of the world. So, what did the Giving of the Torah accomplish, that specifically then, the world was brought to a state of “calmness”?

The explanation: When we say that the whole reality of creation is only its “intention,” it is from Hashem’s perspective, since for Him, “potentiality does not lack actuality” (as mentioned in Section 8). From our perspective, however (for us, potentiality lacks actuality), we do not sense this (that G-dliness is the entire reality of the world).

The ultimate purpose is that this perspective should be revealed and drawn down into the realm of creation, so the **world** itself should see how its entire existence is Torah and Israel. When that happens, the world will be completely one with G-dliness in a revealed way (even from the world's perspective).

Therefore, it was specifically at the Giving of the Torah when “the earth... became calm.” From our perspective, before the Giving of the Torah, the world’s connection with Torah and Israel wasn’t transparent; therefore, the **physicality** of the world was intense. [This is like transporting the container by **itself**, where liability for transporting it on Shabbos is determined according to the container’s physical dimensions, as explained in Section 8]. At the time of the Giving of the

Torah, a power was given to reveal this reality in the world, on **its terms** — its true reality; therefore, the earth became “calm”.

11.

IT'S ALL ABOUT PERSPECTIVE

In light of all the above, we can also understand the difference between the testimony of heaven and earth and the testimony of the souls of Israel:

Since **Hashem desired** to have a home in the lowest realm⁴⁸ — the term “home” implies a place for **His Essence**⁴⁹ — it **is** in effect already actualized (in line with the discussion in Section 8), the Essence of Hashem has a “home” in the lowest realm. This is expressed (also) in the immutable nature of heaven and earth, which demonstrates the power of the infinite existing within creation (as discussed above at length).

On the other hand, since this actuality is only from Hashem’s perspective, it is in a manner that heaven and earth, and the power of the infinite, are two distinct entities.

In order to actualize the intent that the home for His Essence should be actualized also from the perspective of created beings, it is necessary for Jews to serve Hashem by fulfilling Torah and mitzvos. This **accomplishes** that Hashem’s “home in the lowest realm” is realized within the parameters of the lower realm itself.

[This is also the reason, according to Chassidus, why “ratifying witnesses” actually strengthens the act (as explained in Section 3). The “testimony” of a Jew strengthens creation, creating “calmness,” as explained above at length.]

⁴⁸ *Tanya*, ch. 36; *Tanchuma*, “*Naso*,” sec. 16.

⁴⁹ *Or HaTorah*, “*Balak*,” p. 997.

12.

JEWS CAN REVEAL THE ESSENCE

Additionally, we can now explain the difference (discussed above in Section 2) between “corroborating witnesses” and “ratifying witnesses” [that ratifying witnesses are considered witnesses when they observe an event, while corroborating witnesses only when they testify in court] according to Chassidus:

The witnessing of heaven and earth **themselves** do not reveal and draw down the Essence of Hashem into the world, because heaven and earth are part of the world, and world, עולם, is etymologically related to הַעֲלָם, concealment. [That one can perceive the power of the infinite in the heavens and the earth, is not because of **their** existence, but because of the **G-dliness**.]⁵⁰ Only Jews have the power to see in creation the power of the infinite, and therefore, even **after** the “testimony” is given, Hashem’s Essence remains a “completely hidden thing.”

The completion of this “verification” and revelation will specifically be in the Future Era, when the world approaches its complete fulfillment, and “the glory of Hashem will be revealed and all flesh will see...”⁵¹ The power of the infinite which is present in heaven and the earth will be revealed for **all flesh to see**.

This is the opposite of what happens as a result of the “testimony” from the souls of Israel. When Jews draw down Hashem’s Essence through their *avodah*, it is accomplished immediately, in its entirety, upon performance of a mitzvah. In the Future Era, it will just be revealed that **it had already been achieved** entirely during exile.

⁵⁰ See *Likkutei Sichos*, vol 5, p. 97, 98, and fn. 19, 21; et al. The power of the infinite that keeps created entities in existence eternally **is not** inwardly invested in them. Consequently, on their own, **they** deteriorate. Examine the referenced source.

⁵¹ *Yeshayah* 40:5.

13.

SERVING THE ESSENCE WITH THE ESSENCE

Just as the concept of “testimony” exists Above, so, too, it can be found in a person’s *avodah*.

Avodah that is rational is “a revealed thing,” and is obvious that the *avodah* must get done. Superrational *avodah* is higher than this, and is associated with self-sacrifice. However, even **this** type of *avodah* might not be done in a way of “testimony,” because it is associated with the limitations of reasoning. It is the sort of self-sacrifice that is determined according to the laws of *Shulchan Aruch*, {and therefore} for every situation, a calculation is made whether *Shulchan Aruch* mandates sacrifice or not.

The highest form of *avodah* is a result of the connection a Jew has with Hashem’s Essence (because of the essence of his soul). Such self-sacrifice has no limitation and is not based on any sort of calculation. Regarding **this** type of *avodah*, the verse says, “You are my witnesses.” By means of this type of *avodah*, Jews “testify” and draw down the Essence of The Infinite One into the world.

14.

JUST DO IT

Another point: Since the entire reality of the world is, as mentioned, its purpose — Torah and Israel — when this intention will be revealed openly, the external reality of the world will be nullified.

The lesson for us is that when a Jew goes to carry out a mitzvah, he shouldn’t take into consideration anything else — not his own existence, and not the existence of other things — because when it comes to a mitzvah, all external factors that can hinder the mitzvah become *battel*. The only remaining reality is the mitzvah.

This feeling {that reality is really Torah and Israel} derives from {the level of} “testimony” that is in the soul. From the perspective of the soul’s logical and rational level *memale kol almin*), and even from the level of the soul that is beyond reason but is still associated with reason (*sovev kol almin*), there is still room to believe that creations enjoy independent existence.

Only when divine service is influenced by the essence of one’s soul (which is connected with His Essence) can Jews palpably sense how the entire reality of the world is G-dliness (Torah and Israel).

— Based on talks delivered on the 3rd of Nissan, 5711 (1951); Shabbos, *parshas Shelach*, 5736 (1976); and Shabbos, *parshas Vayeishev*, 5737 (1977)