

Sicha Summary

Chelek 18 | Masei | Sicha 2

The Rambam:

"At all times, a person should dwell in *Eretz Yisrael* even in a city whose population is primarily gentile, rather than dwell in the Diaspora, even in a city whose population is primarily Jewish....

"Just as it is forbidden to leave the "land" for the Diaspora, it is also forbidden to leave Babylon for other lands as it says (*Yirmiyahu* 27:22): "They shall be brought to Babylon and there they shall be until I take heed of them... and restore them to this place." (*Hilchos Melachim* 5:12)

The Explanation:

Rashi explains that it is forbidden to leave Babylon because of "the *yeshivos* there, which spread Torah continuously." (*Kesubos* 110b) Rambam, however, grounds the prohibition in a scriptural verse, "They shall be brought to Babylon and there they shall be until I take heed of them..."

The practical difference between these two explanations is that according to Rashi, the law is dependent on a certain reality — if there are schools of Torah in Babylon, it is forbidden to leave, but if this is no longer the case, it is permitted to leave Babylon. According to Rambam, however, the law is a scriptural decree — "They shall be brought to Babylon and there they shall be" — implying that it is forbidden to leave Babylon no matter whether it is currently a center of Torah or not.

To understand Rambam's position, it is first necessary to understand the prohibition to leave the Land of Israel. There are two reasons for this prohibition: a) because of G-d's choice of the Land of Israel as His land; b)

because of the sanctity of the Land of Israel, in consequence of it being a place designated for *mitzvah* performance.

This distinction is reflected in the names used for the Land of Israel. When speaking of its sacredness, it is called "the Land of Israel," because its sanctity is tied to the sanctity of the Jewish people and their *mitzvos*. When speaking of its chosenness by G-d, it can be referred to as the "Land of Canaan," or simply "the Land," because it is chosen by G-d regardless of who lives there at any point in time.

The prohibition to leave the Land of Israel because of its sanctity cannot apply to any other land, because no other land is endowed with similar sanctity. But G-d's choice can apply to other lands as well. From the verse "They shall be brought to Babylon and there they shall be until I take heed of them," Rambam understands that G-d chose Babylon as the home for the Jewish people in exile; in this respect, it is equal to the Land of Israel. Thus, "just as it is forbidden to leave the "land" for the Diaspora, it is also forbidden to leave Babylon for other lands." This is also why Rambam refers to Israel as the "land" because he is referring to the prohibition to leave Israel stemming from G-d's choice of the "land," and not because of its sanctity.

This also explains why many Sages of the Talmud left Babylon for the Land of Israel. Just as one is permitted to leave the Land of Israel for the sake of pursuing a livelihood or to study Torah, one is also permitted to leave Babylon for the same reasons.

Rambam's Sequence:

We can now appreciate the sequence of laws in this chapter of Rambam's laws concerning the lands where a person can live:

First, Rambam writes that "it is permitted to dwell anywhere in the entire world with the exception of the land of Egypt," because "their behavior is more depraved than that of the peoples of other lands." (*Hilchos Melachim* 5:8) He then continues with the other extreme, "it is forbidden to leave

Eretz Yisrael for the Diaspora," because of its sacredness, as Rambam continues, "Great sages would kiss the borders of Eretz Yisrael, kiss its stones, and roll in its dust." (Ibid., 5:9-10) In his final law, Rambam intimates that the prohibition to leave the Land of Israel does not only stem from its sacredness, but also because of its chosenness:

"At all times, a person should dwell in Eretz Yisrael.... Whoever leaves Eretz Yisrael for the Diaspora is considered as if he worships idols as it says (*Shmuel I* 26:19): "They have driven me out today from dwelling in the heritage of God, saying, 'Go, serve other gods...."

Comparing leaving the land to idol worship highlights the sanctity of the Land of Israel, yet the verse cited as proof states that the Land is "the heritage of G-d," i.e., the land that He chose. Once introducing the element of Divine choice into the discussion, Rambam then concludes with a law that is based on G-d's choice of lands:

"Just as it is forbidden to leave the chosen land for the Diaspora, it is also forbidden to leave Babylon for other lands as it says (*Yirmiyahu* 27:22): "They shall be brought to Babylon and there they shall be until I take heed of them... and restore them to this place."

The Parallel:

Just as the Land of Israel is unique because of its sanctity and because of G-d's choice, so, too, the Jewish people are unique because of their sanctity, which is achieved through *mitzvos* and because of G-d choosing them. The difference between these two truths is that G-d's choice is essential; it is not dependent on any value or quality of the Jewish people — it just is. Thus, it is limitless, and it can never be weakened or changed. But being chosen does not mean that the person is changed or elevated. Becoming holy through actively performing *mitzvos* elevates the person and brings the inherent divinity that already existed within the Jew to the fore.