



לקוטי שיחות  
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## Conquering with Truth

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## INHERITANCE AND GIFT

Throughout *parshas Lech Lecha*, Hashem promises numerous times to give the land of Israel to Avraham and his descendants:

At the beginning of the *parshah*, Scripture states:<sup>1</sup> “Hashem appeared to Avram and promised, ‘To your descendants, I will give this land.’” Subsequently, in the context of the narrative of Avraham leaving Egypt, when Lot and Avraham parted ways, Hashem said to Avraham,<sup>2</sup> “For all the land that you see, to you, I will give it, and to your descendants forever.” “Arise, walk about the land through its length and breadth, for to you will I give it.”<sup>3</sup> Then, in the “Covenant Between the Parts,” it says,<sup>4</sup> “On that day Hashem made a covenant with Avram, saying, ‘To your descendants have I given this land, from the river of Egypt to the great river, the Euphrates River.’” (Scripture then goes on to enumerate the “ten nations” {whose lands would be given to the Jewish people}).

The general difference between these promises made by Hashem is as follows: The first two promises (“to your descendants, I will give this land,” and “to you, I will give it,” both in future tense) were not in response to something Avraham said or did. In contrast, the promise “to your descendants have I given this land” (in past tense)<sup>5</sup> was in response to Avraham traveling the length and breadth of the land. And Hashem had said this as a continuation of His previous statement,<sup>6</sup> “{I am Hashem who brought you out of Ur Kasdim} to give you this land to inherit it,” and in response to Avraham’s question, “Whereby shall I know that I am to inherit it?”<sup>7</sup>

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<sup>1</sup> Bereishis 12:7.

<sup>2</sup> Bereishis 13:15.

<sup>3</sup> Bereishis 13:17.

<sup>4</sup> Bereishis 15:18.

<sup>5</sup> See the *Jerusalem Talmud*, *Challah* 2:1, cited below in the text, which states, “I have already given.” See *Bereishis Rabbah*, ch. 44, par. 22; Rashi on Bereishis 15:18.

<sup>6</sup> Bereishis 15:7.

<sup>7</sup> Bereishis 15:8.

The Rogatchover Gaon<sup>8</sup> explains<sup>9</sup> the differences in the wording used in the various promises: In the third promise, Hashem uses the expression, “to inherit it” (and Avraham also asked using this expression, “Whereby... I am to **inherit** it?”). In contrast, the wording in the earlier verses is: “To your descendants, I will **give**,” “to you, I will **give** it.” The two different verbs correspond to the two ways Hashem gave the land to the Jewish people: as a gift and as an inheritance.<sup>10</sup> This, in general, constitutes the distinction between the first and second conquests.<sup>11</sup> The first conquest had the halachic status of a gift (“the entire land of Israel was viewed as a single {indivisible} unit... {so obtaining just} a part of it was considered nothing {inconsequential, in terms of a change in status}”). In contrast, the second conquest “had the halachic status of an inheritance” (“and also {obtaining} a part {would consecrate it and give it the status of the land of Israel}”).

On this basis, we can appreciate the difference above between the first two promises and the third promise made at the “Covenant Between the Parts”:

The second conquest and entry into the land of Israel occurred following the events described as, “Due to our sins, we were exiled from our land.”<sup>12</sup> This second entry into the land is alluded to in the promise of the “Covenant Between the Parts” — “To your descendants have I given this land.” This promise followed Avraham’s question, “Whereby shall I know that I am to **inherit** it?”<sup>13</sup> which our Rabbis say was a sin relative to Avraham’s great spiritual heights.<sup>14</sup> (In this respect, the second entry and this promise are similar.) [Furthermore, we see that during the “Covenant Between the Parts,” Hashem also informed Avraham about the future exiles: “Know with certainty that your descendants will be

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<sup>8</sup> {Rabbi Yosef Rosen of Rogatchov (Belarus) 1858-1936.}

<sup>9</sup> *Tzafnas Paneach* on Chumash, loc. cit.

<sup>10</sup> See the *Jerusalem Talmud, Bava Basra*, 8:2: “If it was a gift, why an inheritance? And if it is an inheritance, why a gift? However, after He gave them as a gift, He gave it as an inheritance.

<sup>11</sup> {The first conquest refers to the first time the Jewish people conquered the land of Israel under the leadership of Yehoshua. The second conquest occurred when the Babylonian exiles returned under the leadership of Ezra and took possession of the land.}

<sup>12</sup> {*Siddur*, “*Musaf amidah*.”}

<sup>13</sup> See Rashi on *Bereishis* 15:6.

<sup>14</sup> *Nedarim* 32a.

sojourners...”<sup>15</sup> — this refers to the Egyptian exile, the Babylonian exile, and the other exiles.]<sup>16</sup>

In contrast, the first conquest by Yehoshua, which was the first time the Jewish people settled the land of Israel, is alluded to in Hashem’s first two promises. These promises were given not in response to Avraham questioning Hashem but rather on Hashem’s initiative.

The same idea can be applied to the second matter — the promise, “To your descendants have I given this land,” followed Avraham as he traveled the length and breadth of the land. *Targum Yonasan*<sup>17</sup> explains that this verse means, “He made a *chazakah*”<sup>18</sup> {whereby he acquired the land through which he traveled for his descendants}. This was also the distinctive accomplishment of Ezra when he sanctified the land for the second time. As Rambam explains:<sup>19</sup>

{In contrast, the original obligation to keep the laws of the Sabbatical year and tithes on the Land} stemmed from the fact that it was conquered by {the Jewish people as} a community. Therefore, their original conquest was nullified when the land was taken from their hands. Thus, according to Torah law, the land was freed from the Sabbatical year's obligations and tithes because it was no longer the land of Israel. When Ezra returned and consecrated it, it was not sanctified through conquest but rather through ***chazakah***. Therefore, every place repossessed by the exiles returning from Babylon and consecrated when Ezra consecrated the land the second time is sacred today.

Thus, it is necessary to keep the laws of the Sabbatical years and the tithes on this land even though it was later taken from the Jewish people.

But we need to clarify:

What is the connection between the first conquest (when the land was sanctified through “conquest”) and the idea of a **gift**? Also, what is the

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<sup>15</sup> *Bereishis* 15:13.

<sup>16</sup> *Bereishis Rabbah*, ch. 44, sec. 15, 17; see sources listed there; and see Rashi on *Bereishis* 15:12, 14.

<sup>17</sup> *Bereishis* 13:17.

<sup>18</sup> {*Chazakah* is a legal term in Jewish law whose precise meaning depends on the context. Here, it denotes an act manifesting property ownership. Thus, “He made a *chazakah*” could be translated loosely, in our context, as “he did an act of acquisition on the land.”}

<sup>19</sup> *Mishneh Torah*, “*Hilchos Beis Habechirah*,” ch. 6, par. 16; “*Hilchos Terumos*,” ch. 1, par. 5.

connection between the second conquest (when the land was sanctified by *chazakah*) and the idea of an **inheritance**?

## 2.

### QUESTIONS ON RAMBAM

Perhaps<sup>20</sup> we can explain this by prefacing it with an explanation of the teaching of Rambam mentioned above. *Kesef Mishnah*<sup>21</sup> asks two questions regarding Rambam's statements:

- a) I do not know how the strength of a *chazakah* is greater than that of conquest. Why do we not apply the same reasoning to a *chazakah* that once the land was taken from our hand, the *chazakah* was nullified?
- b) Furthermore, during the first conquest, did they not make a *chazakah* on the land?! Can we suggest that a *chazakah*, without conquest, is superior to a *chazakah* in conjunction with conquest?

There are many well-known explanations for Rambam's view here:

- a) *Radbaz* says:<sup>22</sup> "It seems to me that Rambam maintains that the distinction lies in the fact that during the initial conquest, they did not verbally sanctify the land, whereas in the times of Ezra they verbally sanctified the land."

But this answer is difficult, firstly, because we find no mention that "in the times of Ezra, they verbally sanctified the land"; and secondly, Rambam does not even hint at this rationale. On the contrary, Rambam explains quite clearly that the second Sanctity was never nullified (not because it was done verbally, but) because "it was not sanctified through conquest but through *chazakah*." In contrast, the first Sanctity was accomplished through conquest.<sup>23</sup>

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<sup>20</sup> For the foregoing, see *Encyclopedia Talmudis*, "Eretz Yisrael" (p. 217 ff.) and the sources listed there.

<sup>21</sup> *Mishneh Torah*, "Hilchos Beis Habechirah," *ibid*.

<sup>22</sup> *Mishneh Torah*, "Hilchos Terumos," *ibid*.

<sup>23</sup> As the commentators ask, see *Responso of Chaim Shaal (Chidah)*, vol. 2, ch. 39, s.v., "Vachazeh."

b) *Tosfos Yom Tov*<sup>24</sup> answers *Kesef Mishnah*'s questions: "Rambam maintains that the Gentiles' subsequent conquest nullified the Jewish people's earlier conquest. In contrast, the Jewish people made a *chazakah* on the land, acquiring it from the Persian king of the time. The king permitted them to acquire it. Thus, a later conquest could not come and nullify the effects of the *chazakah* done with the consent of the giver {the Persian king}.

Nevertheless, apparently, this explanation does not satisfactorily answer both of *Kesef Mishnah*'s questions.

Regarding his first question: If the Gentiles' (military) conquest constitutes a genuine acquisition<sup>25</sup> that would nullify the Jewish people's original ownership, why would this fact change if the original ownership was affected (not as a result of conquest, but rather) as a result of a "*chazakah* that was done with the consent of the giver"? Since the Gentiles' military conquest produced an acquisition, the question stands: (In *Kesef Mishnah*'s words,) "Why do we not apply the same reasoning to *chazakah*, that once the land was taken from our hand, the *chazakah* was nullified?"

Similarly, the second question remains unanswered: During Yehoshua's times, the Jewish people also acquired {parts of} the land "with the consent of the giver." The Givonim surrendered their cities to the Jewish people.<sup>26</sup> Nevertheless, Rambam does not differentiate between various places within the land of Israel. Rather, he says regarding the **entire** land of Israel: "Therefore, when the land was taken from their hands, their original conquest was nullified. Thus, according to Torah law, the land was freed from the obligations of the Sabbatical year and tithes."

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<sup>24</sup> *Eiduyos*, ch. 8, mishnah 6.

<sup>25</sup> *Gittin 38a*, and *Tosfaos*, *Rashbah* and *Ritva*, *loc cit*; *Alter Rebbe's Shulchan Aruch*, "Choshen Mishpat," "Hilchos Hefker," sub-sec. 3; "Orach Chaim," sec. 649, sub-sec. 10.

<sup>26</sup> *Yehoshua* ch. 9.

### 3.

#### *TOSFOS YOM TOV'S ATTEMPT*

The commentary of *Tosfos Yom Tov* discussed above continues:

Do not counter that Hashem gave the land to the Jewish people with their first conquest because we can respond: The same way Hashem gave the land to the Jewish people, His prophets also prophesied that the “destroyers” would ascend and take it from them. Similarly, His prophets also prophesied that Koresh, King of Persia, would return it to them. But we do not find any explicit prophecy about this nation {Edom, i.e., the Romans}, taking the land from our hand; therefore, they did so illegitimately, and land cannot be stolen.

But this matter still seems difficult to understand:

If we presume that the military conquest constituted an acquisition that can displace the original owner — a complete acquisition<sup>27</sup> according to the law — what difference does it make whether we find a prophecy about their conquest? At the end of the day, they performed an action that constituted a legitimate acquisition.

{On the flip side;} Perhaps his intention is<sup>28</sup> that a non-Jew cannot acquire land through military conquest, and since there was no prophecy about the Gentiles' conquest (following the second conquest), “they did so unlawfully,” and the whole notion of military conquest is illegitimate. This is in contrast to Nevuchadnezzar and Koresh, who conquered the land “by Hashem’s word,” and “it was an exceptional {Divinely sanctioned} act enabling them to acquire the land through conquest.”<sup>29</sup> But this explanation does not align with Rambam’s explanation:

Rambam explains that the reason for the difference is that the first Sanctity of the land was brought about through conquest, and the second Sanctity was brought about through *chazakah*. Based on the above explanation,

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<sup>27</sup> Alter Rebbe’s *Shulchan Aruch*, “*Orach Chaim*,” sec. 649, subsec. 10.

<sup>28</sup> As stated in *Responsa of Chasam Sofer*, “*Yoreh Deah*,” sec. 233 (although he does not quote the *Tosfos Yom Tov*’s commentary).

<sup>29</sup> *Responsa of Chasam Sofer*, *ibid*.

this difference is not dependent on the Jewish people's method of acquisition. Instead, the difference hinges on the Gentiles' method of conquest. In the case of the Babylonian exile, the sanctity of the land was nullified (and this would have been true even if the Jewish people had initially taken ownership of the land through *chazakah*) because Nevuchadnezzar's conquest was halachically legitimate, in contrast to the second exile. In that case, since the nations unlawfully conquered the land, the sanctity did not dissipate (meaning, it would not have dissipated even if the Jewish people had initially taken ownership of the land by conquest alone).

#### 4.

##### INTENTIONS IN THE *CHAZAKAH*

We could answer the second question raised above (based on the way some other commentators<sup>30</sup> explain Rambam's words): Indeed, during the times of Yehoshua, the Jewish people did make a *chazakah* on the land. However, they did not acquire the land through their *chazakah* since they intended to obtain it through conquest. Therefore, their *chazakah* did not take effect. This law is derived by a logical deduction, based on the law that "one who tills the property of a {deceased} convert thinking that the land was his own has not acquired the land."<sup>31</sup>

However, we need to clarify whether this rationale applies. [In our case, the Jewish people intended to acquire the land (albeit with a different type of act of acquisition {conquest}). Thus, they would acquire legal possession even without intention {to acquire it through this act of acquisition (*chazakah*)}<sup>32</sup> (especially because *chazakah* is a biblical form of acquisition {and so according to some commentaries,<sup>33</sup> it takes effect even against one's will in such a

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<sup>30</sup> *Responsa of Chaim Shaal (Chidah)*, vol. 2, ch. 39, s.v., *Vachazeh; Tzlach*, "Berachos" 4a; et al.

<sup>31</sup> *Yevamos* 52b; *Mishneh Torah*, "Hilchos Zechiyah Umatanah," ch. 2, par. 13. {Although the property in this instance is ownerless (because a childless convert has no inheritors), and any person who comes and performs an act of acquisition on the land becomes its rightful owner, this person's incorrect intentions invalidate his acquisition.}

<sup>32</sup> See *Tesponsa of the Tzemach Tzedek*, "Yoreh Deah," sec. 230; "Even Haezer," sec. 159, sub-sec. 1.

<sup>33</sup> See *Nimukei Yosef* on *Bava Metziah* 10a.



circumstance}).] Additionally, this answer is, in general, difficult, as mentioned above: In the end, the Jewish people did not acquire the Givoni cities by military conquest because the Givonim had, by their own will, relinquished their cities to the Jewish people. Why did the Jewish people's acquisition using *chazakah* not take effect in these cities?

## 5.

### SANCTITY AND OWNERSHIP

The following is the suggested explanation:

When Hashem gave the land of Israel to the Jewish people, two things happened: (a) a financial acquisition, meaning the Jewish people gained ownership over the land of Israel; and (b) the land became sanctified.

The first of these — the Jewish people's ownership over the land of Israel — came about when Hashem gave the land of Israel to Avraham. As the *Jerusalem Talmud*<sup>34</sup> infers from the verse, “To your descendants **have I given** this land” ([being in past tense,] it is not a promise; instead) — “**I have already given it.**” From then on (even before the Jewish people conquered the land of Israel), the land (always) belonged to the Jewish people. This fact is also relevant halachically, as the Gemara<sup>35</sup> says regarding the daughters of Tzelafchad — they took their father's double portion (since he was a firstborn). Even though “a firstborn does not take (a double portion in) property that will accrue to the deceased in the future as he does in the property the deceased possessed,” they still took the double portion because “the land of Israel **is** already considered to be ***muchzak*** {in possession}.”

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<sup>34</sup> *Talmud Yerushalmi, Challah*, ch. 2, sec. 1.

<sup>35</sup> *Bava Basra* 119a, ff.; *Avodah Zara* 53b, see Rashi, *ibid*, s.v., “*Va'ashereihem.*”

However, the second phenomenon — the sanctity of the land of Israel (specifically regarding the resultant mitzvah obligations) — only occurred when the Jewish people entered the land of Israel.<sup>36</sup>

## 6.

### HASHEM'S DIFFERING INSTRUCTIONS

There is a difference in how the Jewish people's entries into the land transpired: Their first entry was by Hashem's will and **instruction**.<sup>37</sup> "You shall cross over armed,"<sup>38</sup> "and you shall cross over, armed, before your brothers — all the mighty warriors,"<sup>39</sup> "and the land is conquered before you."<sup>40</sup> Meaning, He instructed them to enter {and acquire} the land by military conquest. Therefore, the sanctity of the land was (also) brought about in this manner — through conquest.

On this basis, we can also appreciate why an acquisition by *chazakah* would have been ineffective at that point (even in the case of the Givoni cities where the *chazakah* was with the giver's full consent): The sanctity of the land could be brought about only by Hashem's instructions. *Chazakah* could not sanctify the land since Hashem had instructed and obligated them to enter {and acquire} the land by military conquest.

Furthermore, since Hashem instructed regarding the entry (and sanctification) of the land, "and **the land** is conquered before you" — it refers to "the land," without specifying — we can posit that immediately after the Jewish people conquered the city of Yericho, they completed the process of sanctifying the land of Israel after they entered the land by way of military conquest, since

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<sup>36</sup> See, at length, *Likkutei Sichos*, vol. 15, p. 206 ff.

<sup>37</sup> As our Sages state (*Midrash Tanchuma*, according to Rashi's commentary on *Bereishis* 1:1, and similarly in *Bereishis Rabbah*, ch. 1 par. 1): "For should the peoples of the world say to Israel, 'You are robbers....' {Israel may reply to them} '...When He willed... He gave it to us.'"

<sup>38</sup> *Devarim* 3:18.

<sup>39</sup> *Yehoshua* 1:14.

<sup>40</sup> *Bamidbar* 32:29.

Yericho was called “the portal into the land of Israel.”<sup>41</sup> (For this reason, “seven nations gathered in Yericho {to defend it when the Jews began their conquest. They said,} ‘If Yericho is conquered, the whole land will be conquered straight away.’”)<sup>42</sup>

[Nevertheless, an additional condition was necessary for many of the mitzvos<sup>43</sup> to become obligatory: They had to conquer and divide the land among the tribes, etc. This condition needed to be met for these mitzvos to become obligatory. (For example, the mitzvah of the *yovel*<sup>44</sup> year only takes effect when “all the inhabitants<sup>45</sup> are upon it.”)<sup>46</sup> However, this did not affect the land’s sanctity, which reached its optimal state as soon as the Jewish people conquered Yericho.]

On this basis, we can suggest another reason that *chazakah* (even in the case of the Givoni cities) did not affect the sanctity of the land. Namely, the sanctity of the entire land of Israel was already brought about as soon as the Jewish people conquered Yericho.

The entire process was different when the Jewish people entered the land under the leadership of Ezra. Hashem alluded to this difference when He said, “I will attend to you... to return you to this place.”<sup>47</sup> Hashem’s desire and instruction in “attending” to the Jewish people was (not for them to conquer the entire land of Israel but) for them to ascend to the land and settle there.<sup>48</sup> Therefore, the sanctity took effect, at that time, through the *chazakah* they manifested.

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<sup>41</sup> {Yalkut Shimoni, Yehoshua, remez 32.}

<sup>42</sup> Bamidbar Rabbah, ch. 15, sec. 15; Midrash Tanchuma, “parshas Behaaloscha,” sec. 10.

<sup>43</sup> See *Encyclopedia Talmudis*, “Eretz Yisrael,” p. 219 ff., and the sources listed there.

<sup>44</sup> {Every 50 years, the land was to lie fallow, similar to *shemita*; ancestral lands were to return to their original owners; among other obligations.}

<sup>45</sup> {This means that all Jews must be in the land of Israel; the Talmud gives further definition as to the requirement for each of the tribes to inhabit their tribal portions.}

<sup>46</sup> *Arachin* 32b.

<sup>47</sup> *Yirmiyahu* 29:10.

<sup>48</sup> As the verse (*Yirmiyahu* 40:10) states, “And dwell in your cities that you have taken.”

## REMOVING OTHERS OR NOT

On this basis, we can also answer the (*Kesef Mishneh's*) first question: When Yehoshua and the Jewish people entered the land, they **sanctified** it by entering it in the way **Hashem had commanded** — by conquest. Conquest (as the simple definition of the word denotes,) means taking something from another person against his will. Thus, from the perspective of Hashem's commandment, the land (previously) belonged to the nations, and the sanctification of the land was associated with overpowering the nations (by military conquest). Therefore, “when the land was taken from their hands, their original conquest was nullified.” In other words, once the Jewish people's dominion over the nations ended, the resultant sanctity also ended.

This contrasts with the Jewish people's second entry into the land: “When Ezra returned and consecrated it, it was not sanctified through conquest, but rather through *chazakah*.” The nature of *chazakah* (in its simplest sense) is that the one making the *chazakah* takes complete ownership — the object **is** his — instead of the item **becoming** his by **removing** someone else's **ownership** (by conquering it). We can apply this same idea to the sanctity of the land that was brought about through the *chazakah*. The sanctification of the land, then, was brought about by their returning to the land (which belonged to them even before Yehoshua conquered it). Therefore, this sanctity will never be nullified.

In other words, when Ezra ascended, the (financial) ownership of the land also affected the land's sanctity. Thus, just like “the land of Israel is considered already *muchzak*,” and this is never nullified, even after the destruction of the Temple, and it remains “our land,” the same applies concerning the (second) Sanctity of the land, which is associated with the *chazakah*.

## 8.

### TZADIK AND BAAL TESHUVAH

The explanation mentioned above correlates well with the explanation of the difference between the land's first Sanctity and second Sanctity, according to the inner dimension of the Torah. That is, during the first Sanctity, the Jewish people (as a whole) were on the level of a *tzaddik*, and during the second Sanctity, the Jewish people were on the level of a *baal teshuvah*.<sup>49</sup>

One of the differences between the two levels is as follows: A *tzaddik* performs his *avodah*<sup>50</sup> (primarily) by bringing what is Above down below. A *tzaddik* elevates and purifies the lower realms by bringing sanctity — G-dliness from On High — into these lower realms (using the power of **Hashem's** Torah). Since the driving force in this *avodah* comes from Above, the effect is not (so) enmeshed with the lower realms. Consequently, the effect may fluctuate or cease.

This is similar to the first Sanctity, which was brought about through conquest by overpowering the opposing forces. The opposing forces, however, remained {albeit subdued}, and later they could arise and reverse the conquest.

The same holds true concerning a person's *avodah*. If a Jewish person's *avodah* is done while he is disengaged from the world, and he is never challenged by a test<sup>51</sup> from oppositional forces, we cannot be sure of his success when confronted by a challenge.

This is in contrast to a *baal teshuvah*. A *baal teshuvah* performs his *avodah* by raising what is below — Above. Put differently, he refines and purifies the lower realms, making them a vessel for G-dliness. In this way, the G-dly revelation that enters the lower realms lasts and does not dissipate. The same holds true in his general *avodah* of his Master: Being that after he was already

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<sup>49</sup> See *Likkutei Sichos*, vol. 9, p. 27, ff; p. 67, ff; and the sources cited there.

<sup>50</sup> {Divine service.}

<sup>51</sup> See Rambam's *Shemonah Perakim*, ch. 6.

involved in worldly matters (and even after he has failed, G-d forbid, and committed sins that are at odds with Hashem's will), he pivots back toward Hashem, His Torah, and His mitzvos; this demonstrates that the lifestyle of Torah and mitzvos has so intensely become part of his life that even his failures cannot disconnect him from Hashem. Meaning, his connection to Hashem is constant and does not have limitations.

This is similar to the second Sanctity of the land accomplished through *chazakah*. Even after enduring exile on account of sins, the Jewish people turned back toward the land of Israel. They returned not as if they were going to a place (that did not belong to them,) that they must conquer. Rather, they retraced their steps to the land that was always theirs.

## 9.

### INHERITANCE AND GIFT EXPLAINED

Based on all the above, we can appreciate the connection between the first Sanctity and a gift; and between the second Sanctity and an inheritance.

As known,<sup>52</sup> an inheritance can never be reversed, whereas a gift can be. The reason a gift can “cease” is the following: Although a person never gives a gift to his friend unless the friend gave him some benefit,<sup>53</sup> nonetheless, the gift is given (not so much as a result of the recipient's virtues, but) primarily on the initiative of the giver. The recipient has no (claim or) connection with the gift. Therefore, the gift can “cease” even after it has been given.

Therefore, the idea of a **gift** (the land of Israel being gifted to the Jewish people) applied primarily during the first entry (Yehoshua's conquest). Just as the process of the Jewish people entering the land was done in the manner of conquest (influence from On High to the lower realms) — literally, and also in

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<sup>52</sup> *Bava Basra* 129b, 133a.

<sup>53</sup> Quoted in many places (*Hemshech VeKachah* 5637, ch. 68; *Hemshech* 5666, p. 131; et al); see *Megillah* 26b; *Gittin* 50b; *Bava Metzia* 16a; *Bava Basra* 156a.

the corresponding *avodah* of each individual, as discussed — the same applies to how the land of Israel was given to the Jewish people — it was given as a **gift**. A gift comes based on the initiative of the giver (the “higher” one) and not as a result of the recipient (the “lower” one) claiming it or having some connection with the gift.

This is in contrast to an **inheritance**, which works in the opposite way. As a result of the inheritor being **related** to the one giving the inheritance,<sup>54</sup> the inheritor has a right and a claim to the inheritance as his own to the extent that in truth, the essence of inheritance is that the inheritor is actually “one with the one giving the inheritance.” (Meaning, the property is not considered to have changed ownership.)<sup>55</sup>

Therefore, Hashem giving of the land by way of inheritance applied when the land was sanctified for the second time — when the Jewish people’s entry into the land was also brought about in the manner of *chazakah*. This was true in the simple sense and also in the context of a person’s *avodah*. This means, as discussed, that they had an intrinsic connection with the land of Israel; they were always the owners of the land.

We can posit that this idea is alluded to in the verses: Regarding the gift of the first Sanctity, the verse uses the expressions, “To your descendants, I will give this land,” “to you, I will give it” — future tense. And regarding the second Sanctity, the verse uses the expression, “To your descendants have I given this land” — past tense (as discussed in Section 1).

The first Sanctity was associated with the Jewish people’s connection with the land that would only come about in the future after the Jewish people conquered the land from the domain of others not in the domain of holiness.

In contrast, the second Sanctity was brought about in a manner by which the Jewish people’s actions (*chazakah*) only revealed their existing connection

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<sup>54</sup> See *Hemshech VeKachah* 5637, ch. 68.

<sup>55</sup> *Tzafnas Paaneach*, *HaShleimah* p. 13a; *Mahadura Tinyana*, p. 19a; *Sheeilos Uteshuvos Tzafnas Paaneach* (Warsaw print) vol. 2, ch. 118.

with the land. The land of Israel belonged to them **previously** (because Hashem gave it to our forefathers).

## 10.

### CONFIDENCE IN OUR RIGHTS TO THE LAND

Concerning the land of Israel, the difference between a gift and an inheritance is, as discussed, only in terms of the sanctity of the land that came about when the Jewish people entered the land. The first **Sanctity** was bestowed as a gift, and the second **Sanctity** also had the quality of an inheritance that never ceases.

However, the Jewish people's ownership of the land remains complete and intact since Hashem gave the land to Avraham as an "eternal inheritance" when the "Covenant Between the Parts" occurred, because a covenant never changes or ceases.

Consequently, the Jewish people's {spiritual} condition makes no difference with respect to their ownership of the land. Even during times described as, "Due to our **sins**, we were exiled from our land and driven far away from our soil," the land of Israel remains "**our** land... **our** soil." As the Gemara says, and as discussed above, "The land of Israel is considered *muchzak* already"; "it is an inheritance for you from your forefathers," from Avraham, although many sins occurred in the interim — the sin of the Golden Calf and the sin of the Spies, etc.

[This is especially significant based on the above explanation regarding Rambam's ruling. Namely, the benefit associated with an inheritance extends to and is implanted into the **sanctity** of the land such that even the (second) Sanctity is never nullified. It is "sanctified for eternity."]

This indicates that there can be no debates or "deals" regarding this issue. Firstly, the entire land of Israel within its borders "from the river of Egypt to the



great river, the Euphrates River” is an inheritance to all Jewish people and to every Jewish person. Therefore, no individual can, G-d forbid, relinquish a portion of the land of Israel. The desire to give away some of the land is against the will of Hashem, who “**by His will**, gave it to us”<sup>56</sup> as an eternal inheritance.

When the Jewish people stand firmly regarding this matter — not because of “my power and the might of my hand,”<sup>57</sup> but because the land is an eternal inheritance from Hashem, the G-d of the world, to His eternal nation —

eventually, we will see the fulfillment of the prophecy,<sup>58</sup> “Kings will be your nurturers and their princesses your wetnurses.” The nations of the world will help the Jewish people carry out Hashem’s will, in general, and specifically regarding the issue above during the era in which we remain in exile. This will hasten the coming of Moshiach. The Jewish nation will possess the entire land of Israel in the era of Moshiach, even the territories of the nations of Keini, Kenizi, and Kadmoni.<sup>59</sup> Regarding that time, Scripture says,<sup>60</sup> “For then I will change the nations to speak a pure language, so that they will all proclaim the name of Hashem, to worship Him with a united resolve.” May this happen speedily in our days!

— From talks delivered on Chof Av and Motzaei Shabbos, *parshas Re’eh* 5738 (1978)  
and *Simchas Beis Hashoeivah* 5724 (1963)

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<sup>56</sup> Rashi on *Bereishis* 1:1.

<sup>57</sup> *Devarim* 8:17.

<sup>58</sup> *Yeshayahu* 49:23.

<sup>59</sup> As promised to Avraham in the “Covenant Between the Parts”: “I have given this land... the Keini...” {*Bereishis* 15:18-19.}

<sup>60</sup> *Tzefanyah* 3:9.