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Bearing Witness

The giving of the Torah to the Jewish nation was a once-in-the-history-of-the-world event. Even the splitting of the sea occurred at other times in history. The Torah states, “You have been shown [everything] in order to know that Hashem is the One, and there is none besides Him.” Rashi (*Devarim* 4:35) explains that when Hashem gave the Torah, He opened the seven heavens above and the nether regions below, so that it was absolutely clear to every Jew that there is only one God.

Rav Shmuel Yaakov Borenstein offers a profound insight that helps us appreciate the awe of this “opening of the heavens” and the enduring lesson it carries for us today.

The *passuk* states, “You are my witness, said Hashem: I am Hashem,” (*Yeshaya* 43:12). The Midrash quotes the Rashbi as saying words

that are not meant to be stated lightly: “If you, the Jewish nation, are My witnesses, then I am Hashem. But if you are not My witnesses, it is as if I am no longer Hashem.”

This means that part of the role of the Jewish nation is to bear witness to the existence of Hashem.



How do we bear witness?

On the simplest level, it means that we cannot be destroyed. Throughout millennia, many antisemitic nations deliberately set out to annihilate us—yet we are still here, alive and thriving. This proves His protection is all that is needed. He exists and He protects the Jewish people.

On a personal level, it means that when we act appropriately and become shining examples of how a Jew should live, we reflect the Godliness within us and testify to His existence.

Rav Shmuel Yaakov explains that there are two critical stages for every witness. The first is witnessing the event itself. The second is later testifying before the court.

The Jewish nation became witnesses at the moment when “He opened the seven heavens above and the nether regions below.” From that point forward, the second stage began—the ongoing testimony that continues until this very day. How we survive and live is a continuation of that original testimony, which began when we witnessed the absolute reality of One God.

ר' שמואל יעקב ב"ר יששכר דב בורנסטיין

R. Shmuel Yaakov Bornstein (29 Elul 1946- 18 Iyar 2017). Born in Jerusalem. At the age of 17, R. Shmuel Yaakov enrolled in the Chevron Yeshiva, where he drew close to the Rosh Yeshiva, R. Yechezkel Sarna (1890-1969); following R. Sarna's passing, R. Bornstein would serve as co editor of a 3 volume series of the former's teachings, entitled *Daliyos Yechezkel*. He would concurrently attend the *shiurim* at the Mirrer Yeshiva of R. Chaim Shmuelevitz (1902-1979) and R. Nachum Partzovitz (1923-1986), ultimately joining the *Kollel* of the Mirrer Yeshiva following his marriage to Sarah Rasiah Kleiner (1947-2013) in 1969. Sarah Rasiah's mother, Miriam (1929-2010), was a daughter of R. Avraham Yitzchok Bloch (1891-1941) of Telz. During the 1970s and 1980s, R. Shmuel Yaakov served on the faculty of various Yeshivos in Israel (with the exception of a 3 year stint at Telz in Cleveland), until 1987, when he joined R. Chaim Sarna (1929-2011) at the helm of the Chevron Yeshiva in the Geula section of Jerusalem. During this period, he served as the editor of R. Chaim Shmuelevitz's published *shiurim* on *Gittin* and *Kedushin*, entitled *Shaarei Chaim* (Jerusalem, 1989). In 2003, he moved to Benai Berak to assume the leadership of Yeshivas Kiryas Melech (opened as a higher division of Yeshivas Tiferes Tzion). Following the passing of Rebbetzin Sarah Rasiah in 2013, R. Shmuel Yaakov remarried Rebbetzin Rachel Kaplan/Geffen. R. Shmuel Yaakov published a multivolume series of his own novellae on *Shas* and *Chumash* under the title *Zos L'Yaakov*. Other works, on the *Yamim Tovim*, are named *Ora V'Simcha* (*Chanuka*, *Purim*), *Birkas Geula* (*Pesach*), and *Shai L'Mora* (*Yamim Noraim*).

DAYEINU

Rav Shmuel Yaakov uses this idea to answer a well-known question about one of the lines in the song of Dayeinu:

אלו קרבנו לפני ה' סיני ולא נתן לנו את התורה – דינו

Had we been brought to Har Sinai and not received the Torah, it still would have been enough.

The obvious question is: what would have been the point of arriving at Sinai if we had not received the Torah?

The answer is: When we arrived at Sinai and Hashem “opened the seven heavens above and the nether regions below,” we saw with absolute clarity that there is only one Hashem. At that moment, we became eternal witnesses to this truth. Becoming witnesses alone would have been sufficient to justify our arrival—even if we had not received the Torah.

HEALED

Returning to the question of Dayeinu, Rav Shmuel Yaakov cites Rishonim who explain that when the Jewish nation stood at Har Sinai, they were healed of all physical ailments (see the last Rashi in *Avodah Zara* 22b). It is possible that this healing occurred upon arriving at Sinai, even before receiving the Torah. That, too, would have been sufficient to justify our arrival—even if we had not received the Torah.

Rav Shmuel Yaakov adds that this healing was also necessary, because had they remained physically impaired, they would have been disqualified from serving as witnesses.

OUR TORAH

Rav Shmuel Yaakov offers yet another explanation. Along with the Torah itself, the Jewish nation was given an extraordinary gift: the authority to decide practical halachah. Whatever the Jewish people determine, Heaven follows.

This extra detail is noted in the wording “נתן לנו”

– He gave *us* the Torah,” implying ownership and authority, not merely transmission, meaning for us to decide. Otherwise, the phrase could have simply been “He gave the Torah.”

The Gemara (*Berachos* 5a) points out that we should see how Hashem’s behavior is unlike human behavior. When a human sells a cherished object, he is upset about the loss. But when Hashem gave us the [cherished] Torah He was happy. The Vilna Gaon asks: how does this comparison make sense? A human seller loses access to the object, but Hashem still retains the Torah.

The Gaon answers that there is one aspect of the Torah that Hashem truly handed over—the authority to decide. The power of halachic determination was given to mankind, and Heaven abides by those rulings, and is happy about it.

The song of Dayeinu is teaching that we were always destined to receive the Torah. But it would not necessarily have been given to us—meaning, with full decisional authority. Even without that power, it would have been sufficient. We thank Hashem not only for the Torah itself, but for granting us power to interpret the law and for His will to abide by our man-made rulings.

We are not merely followers of the Torah. We are entrusted with shaping its application.

And with that great power comes great responsibility—as witnesses, and as guardians of Hashem’s word.



Rabbi Tzvi
(Herman)
Eisner

was born in 1918 in Kusnice, Czechoslovakia, to Rav Shlomo, H”yd (1878-26 Iyar 1944), who was a close student of the Keren L’ Dovid. Rabbi Eisner’s mother, H”yd, was a descendant of the Tosafos Yom Tov. Four of their children along with their families were murdered. Rabbi Tzvi first learned in Orsheva under the Satmar Rebbe and then became a talmid of the Chakal Yitzchak, H”yd, in Seilish, and of Rav Asher Anshel Katz, H”yd, in Serdohel. He married before the war (see photo). After the war, Reb Tzvi married Miriam Gerlich, all of her relatives on her father’s side — aunts, uncles, cousins, and her eight brothers and sisters — were murdered. In America he became Rav in Ellenville and served his congregation and community with distinction. Among his many great accomplishments was being instrumental in opening up Yeshiva Gedolah Zichron Moshe in South Fallsburg, *Yehi zichro Baruch*.

Mazel Tov

THIS ISSUE IS DEDICATED TO
YOELY AND MICHAL STUHL;
SHMUEL AND RAQUI GREENBAUM;
DANIEL AND AHAVA MIZRACHI
IN HONOR OF THEIR WEDDINGS