

Sources for “Building a Fence” - Shavuot Presentation by Adam Cole

1) Na’aseh v’Nishmah We Will Do and We Will “Hear” (Understand) Exodus 24 3-7

So Moses came and told the people all the words of the Lord and all the ordinances, and all the people answered in unison and said, "All the words that the Lord has spoken we will do."

גוֹיְבֵא מֹשֶׁה וַיְסַפֵּר
לְעַם אֶת כָּל־דִּבְרֵי
יְהוָה וְאֵת
כָּל־הַמִּשְׁפָּטִים וַיַּעַן
כָּל־הָעָם קוֹל אֶחָד
וַיֹּאמְרוּ כָּל־הַדְּבָרִים
אֲשֶׁר־דִּבֶּר יְהוָה
נַעֲשֶׂה:

4And Moses wrote all the words of the Lord, and he arose early in the morning and built an altar at the foot of the mountain and twelve monuments for the twelve tribes of Israel.

דוֹיְכָתֵב מֹשֶׁה אֶת
כָּל־דִּבְרֵי יְהוָה וַיִּשְׁכַּם
בַּבֹּקֶר וַיִּבֶן מִזְבֵּחַ
תַּחַת הָהָר וּשְׁתֵּי
עָשָׂר מִצֵּבָה לְשִׁנֵּי
עָשָׂר שְׁבֵטֵי יִשְׂרָאֵל:

<p>5And he sent the youths of the children of Israel, and they offered up burnt offerings, and they slaughtered peace offerings to the Lord, bulls.</p>	<p>הַיִּשְׁלַח אֶת־נְעָרֵי בְּנֵי יִשְׂרָאֵל וַיַּעֲלוּ עֹלֹת וַיִּזְבְּחוּ זִבְחֵי שְׁלָמִים לַיהוָה פָּרִים:</p>
<p>6And Moses took half the blood and put it into the basins, and half the blood he cast onto the altar.</p>	<p>וַיִּקַּח מֹשֶׁה חֲצֵי הַדָּם וַיִּשֶׂם בְּאֵגְנוֹת וְחֲצֵי הַדָּם זָרַק עַל־הַמִּזְבֵּחַ:</p>
<p>7And he took the Book of the Covenant and read it within the hearing of the people, and they said, "All that the Lord spoke we will do and we will hear."</p>	<p>זָוַיִּקַּח סֵפֶר הַבְּרִית וַיִּקְרָא בְּאָזְנֵי הָעָם וַיֹּאמְרוּ כָּל אֲשֶׁר־דִּבֶּר יְהוָה נַעֲשֶׂה וְנִשְׁמָע:</p>

nishmah -

HEAR(V): (שמע / *sh.m.ah*) To perceive or apprehend by the ear; to listen to with attention. To obey. *Alternate Translations:* listen (when followed by the preposition "TO" or the prefix "in~" or "to~"). *Strong's:* #8085

*Does the word **nishmah** here mean to listen, as in “I’ll listen to you from now on” or “listen” as in “I’ll listen with my ears?”*

Reuven Hammer’s comment that Judaism is about the redemption of a people, not a person. (Entering Jewish Prayer, © 1994, Schocken Books)

Rashbam, a medieval commentator on the Torah, understands the commitment of the Jews at Sinai to be something that reaches far into

the future as well. "Na'aseh V'Nishmah" indicates that we are all in this together, not only in that moment at Sinai, but also in terms of laws and events that will transpire in the future. *Does this idea resonate with you? Have you committed to your relationship with Judaism - or to some other relationship - regardless of what will come in the future?*

<https://www.rabbisacks.org/covenant-conversation/mishpatim/doing-and-hearing/>

One of the most famous phrases in the Torah makes its appearance in this week's parsha. It has often been used to characterise Jewish faith as a whole. It consists of two words: *na'aseh venishma*, literally, "we will do and we will hear" (Ex. 24:7). What does this mean and why does it matter?

2) But also, Strive With God - Jacob wrestles with angel, Abraham bargains with God

Genesis 32:28 - Saritah im Elohim - How Genesis explains the name Israel, which is not necessarily a literal translation of a word, but a combination of words.

And he said Thy name shall be called no more Jacob but Israel for as a prince hast thou power with God and with men and hast prevailed

32:28 בראשית Hebrew OT: Westminster Leningrad Codex

וַיֹּאמֶר לֹא יִעֲקֹב יֵאמָר עוֹד שְׁמִי כִּי אִם־יִשְׂרָאֵל
כִּי־שָׂרִיתָ עִם־אֱלֹהִים וְעִם־אֲנָשִׁים וְתוֹכֵל:

32:28 בראשית Hebrew OT: WLC (Consonants Only)

וַיֹּאמֶר לֹא יִעֲקֹב יֵאמָר עוֹד שְׁמִי כִּי אִם־יִשְׂרָאֵל
כִּי־שָׂרִיתָ עִם־אֱלֹהִים וְעִם־אֲנָשִׁים וְתוֹכֵל:

32:28 בראשית Paleo-Hebrew OT: WLC (Font Required)

וַיֹּאמֶר לֹא יֵעָקֵב יֶאֱמַר עוֹד שִׁמְךָ כִּי אִם־יִשְׂרָאֵל כִּי־שְׂרִית עִם־אֱלֹהִים
וְעִם־אֲנָשִׁים וְתוֹכֵל:

32:28 בראשית Hebrew Bible

וַיֹּאמֶר לֹא יֵעָקֵב יֶאֱמַר עוֹד שִׁמְךָ כִּי אִם־יִשְׂרָאֵל כִּי
שְׂרִית עִם־אֱלֹהִים וְעִם־אֲנָשִׁים וְתוֹכֵל:

“Sarah” is the root - to dwell, to rest, to reside > struggle, contend, wrestle, strive, defeat, conquer, rule, prevail, dominate, have control over, reign, regulate, control > strengthen, persist, persevere > free, release, loosen, send forth > act, as / make a (prince) > serve, minister to, wait on.

(Not to mention the possibility that it's Sharitah, from Sharah - to soak, steep/immerse in water, dip, saturate, drench, dissolve > permit, allow, save, extricate, rescue > induce, inspire, enact > maintain, support, validate)

3) Types of Judaism - as relates to rules - from the Wikipedia article

- [Orthodox Judaism](#) holds that both the Written and Oral Torah were divinely revealed to [Moses](#) and that the laws within it are binding and unchanging. Orthodox Jews generally consider commentaries on the [Shulchan Aruch](#) (a condensed codification of *halakha* that largely favored Sephardic traditions) to be the definitive codification of *halakha*. Orthodoxy places a high importance on [Maimonides' 13 principles](#) as a definition of Jewish faith.

Orthodoxy is often divided into [Haredi Judaism](#) and [Modern Orthodox Judaism](#). [Haredi](#) is less accommodating to modernity and has less interest in non-Jewish disciplines, and it may be distinguished from [Modern Orthodox Judaism](#) in practice by its styles of dress and more stringent practices. Subsets of Haredi Judaism include [Hasidic Judaism](#), which is rooted in the [Kabbalah](#) and distinguished by reliance on a [Rebbe](#) or religious teacher; their opponents [Misnagdim](#) (Lithuanian); and [Sephardic](#)

Haredi Judaism, which emerged among [Sephardic](#) and [Mizrahi](#) (Asian and North African) Jews in Israel.^[112] "Centrist" Orthodoxy ([Joseph B. Soloveitchik](#)) is sometimes also distinguished.^[113]

- [Conservative Judaism](#) is characterized by a commitment to traditional *halakha* and customs, including observance of [Shabbat](#) and [kashrut](#), a deliberately non-fundamentalist teaching of Jewish principles of faith, a positive attitude toward modern culture, and an acceptance of both traditional rabbinic and modern scholarship when considering Jewish religious texts. Conservative Judaism teaches that *halakha* is not static, but has always developed in response to changing conditions. It holds that the Torah is a divine document written by prophets inspired by God and reflecting his will, but rejects the Orthodox position that it was dictated by God to Moses.^{[114][115][116]} Conservative Judaism holds that the Oral Law is divine and normative, but holds that both the Written and Oral Law may be interpreted by the rabbis to reflect modern sensibilities and suit modern conditions.
- [Reform Judaism](#), called Liberal or Progressive Judaism in many countries, defines Judaism in relatively universalist terms, rejects most of the ritual and ceremonial laws of the [Torah](#) while observing moral laws, and emphasizes the ethical call of the [Prophets](#). Reform Judaism has developed an egalitarian prayer service in the vernacular (along with [Hebrew](#) in many cases) and emphasizes personal connection to Jewish tradition.
- [Reconstructionist Judaism](#), like Reform Judaism, does not hold that *halakha*, as such, requires observance, but unlike Reform, Reconstructionist thought emphasizes the role of the community in deciding what observances to follow.
- [Jewish Renewal](#) is a recent North American movement which focuses on spirituality and social justice but does not address issues of *halakha*. Men and women participate equally in prayer.^[117]
- [Humanistic Judaism](#) is a small non-theistic movement centered in North America and Israel that emphasizes [Jewish culture](#) and history as the sources of Jewish identity.
- [Subbotniks](#) (Sabbatarians) are a movement of Jews of [Russian](#) ethnic origin in the 18th–20th centuries, the majority of whom

belonged to Rabbinic and Karaite Judaism.^[118] Many settled in the Holy Land as part of the Zionist First Aliyah in order to escape oppression in the Russian Empire and later mostly intermarried with other Jews, their descendants included Alexander Zaïd, Major-General Alik Ron,^[119] and the mother of Ariel Sharon.^[120]

4) Building a fence - building a fence around a fence - what is the value? What is the cost?

(Deuteronomy 4:2): You shall not add to the word that I command you, neither shall you subtract from it.” This is problematical. We literally cannot follow every rule.

(Deuteronomy 4:2):

Ye shall not add unto the word which I command you neither shall ye diminish ought from it that ye may keep the commandments of the LORD your God which I command you

4:2 Hebrew OT: Westminster Leningrad Codex

לֹא תִסְפוּ עַל־הַדָּבָר אֲשֶׁר אֲנִי מְצַוֶּה אֶתְכֶם וְלֹא
תִּגְרְעוּ מִמֶּנּוּ לְשֹׁמֵר אֶת־מִצְוֹת יְהוָה אֱלֹהֵיכֶם אֲשֶׁר
אֲנִי מְצַוֶּה אֶתְכֶם:

4:2 Hebrew OT: WLC (Consonants Only)

לא תספו על־הדבר אשר אנכי מצוה אתכם ולא
תגרעו ממנו לשמר את־מצות יהוה אלהיכם אשר
אנכי מצוה אתכם:

4:2 Paleo-Hebrew OT: WLC (Font Required)

לא תספו על־הדבר אשר אנכי מצוה אתכם ולא תגרעו ממנו לשמר
את־מצות יהוה אלהיכם אשר אנכי מצוה אתכם:

לא תספו על הדבר אשר אנכי מצוה אתכם ולא
 תגרעו ממנו לשמר את מצות יהוה אלהיכם אשר
 אנכי מצוה אתכם:

If we build a fence so that we cannot err, do we gain the capacity to do, but at the cost of being able to understand? Are we really obeying if we are not making a choice?

[https://en.wikipedia.org/wiki/Chumra_\(Judaism\)](https://en.wikipedia.org/wiki/Chumra_(Judaism))

The rationale for a *chumra* comes from [Deuteronomy](#) 22:8, which states that when one builds a house, he must build a fence around the roof in order to avoid guilt should someone fall off the roof.^[1] This has been interpreted by many as a requirement to "build a fence around the [Torah](#)" in order to protect the [mitzvot](#).

<p>ח כִּי תִבְנֶה בַּיִת חֲדָשׁ, וְעָשִׂיתָ מַעֲקָה לַגֶּגֶר; וְלֹא-תָשִׂים דָּמַיִם בְּבֵיתְךָ, כִּי-יִפֹּל הַנֶּפֶל מִמֶּנּוּ.</p>	<p>8 When thou buildest a new house, then thou shalt make a parapet for thy roof, that thou bring not blood upon thy house, if any man fall from thence.</p>
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TY - BOOK

AU - Friedman, Hershey

PY - 2017/12/21

SP -

T1 - The Risks and Dangers of Chumras: A Guide to the Sources

ER -

<https://www.researchgate.net/publication/321979363> The Risks and Dangers of Chumras A Guide to the Sources

Putting Out Fires on Shabbat

Should we put out an uncontrolled fire if there is no danger to life?

<https://forward.com/community/391408/fire-safety-on-shabbat/>

<https://blogs.timesofisrael.com/an-analysis-of-the-chumra/>

There were instances where doubts arose in certain legal situations. The Rabbis formulated a system where if the doubt was of a rabbinic nature, then one could be lenient. This leniency was known as a “Koola”, in Hebrew. If the doubt was of a Torah origin, then one needed to take the more strict approach, or go L’ Chumra’ in Halachic jargon. This was the way a Chumra was originally viewed.

<https://coffeeshoprabbi.com/2019/04/02/a-fence-around-the-torah/>

At Passover, Ashkenazi Jews do not eat rice. Nowhere does it say in the Torah that rice is forbidden on Passover. In Ashkenazi tradition, rice, corn, and beans are not *chametz* but they might be mistaken for *chametz* (because cornmeal, for instance, looks similar to flour.) In that tradition, foods which might be mistaken for *chametz* that are therefore also forbidden, and they are classified as *kitniyot*. *Kitniyot* means “stuff that might be confused with chametz” and not eating it is a d’*rabbanan* rule for Ashkenazi Jews. Recently, some Conservative authorities have questioned the idea: of course we can tell the difference – so is this fence a silly fence that limits our diets but do not make us better Jews

5) The Torah is not in Heaven - Deuteronomy 30 -

<p>הַכְּתוּבָה בְּסֵפֶר הַתּוֹרָה הַזֶּה: כִּי תָשׁוּב אֶל-יְהוָה אֱלֹהֶיךָ, בְּכָל-לִבְבְּךָ וּבְכָל-נַפְשְׁךָ. {ס}</p>	<p>10 if thou shalt hearken to the voice of the LORD thy God, to keep His commandments and His statutes which are written in this book of the law; if thou turn unto the LORD thy God with all thy heart, and with all thy soul. {S}</p>
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<p> יא כִּי הַמְצֹוה הַזֹּאת, אֲשֶׁר אֲנֹכִי מְצִוְךָ הַיּוֹם-- לֹא-נִפְלֵאת הוּא מִמֶּךָ, וְלֹא רְחֹקָה הוּא. </p>	<p> 11 For this commandment which I command thee this day, it is not too hard for thee, neither is it far off. </p>
<p> יב לֹא בַשָּׁמַיִם, הוּא: לֵאמֹר, מִי יַעֲלֶה-לָנוּ הַשָּׁמַיִמָה וְיִקְחֶהָ לָנוּ, וְיִשְׁמַעֵנוּ אֹתָהּ, וְנַעֲשֶׂנָּה. </p>	<p> 12 It is not in heaven, that thou shouldest say: 'Who shall go up for us to heaven, and bring it unto us, and make us to hear it, that we may do it?' </p>
<p> יג וְלֹא-מֵעֵבֶר לַיָּם, הוּא: לֵאמֹר, מִי יַעֲבֹר-לָנוּ אֶל-עֵבֶר הַיָּם וְיִקְחֶהָ לָנוּ, וְיִשְׁמַעֵנוּ אֹתָהּ, וְנַעֲשֶׂנָּה. </p>	<p> 13 Neither is it beyond the sea, that thou shouldest say: 'Who shall go over the sea for us, and bring it unto us, and make us to hear it, that we may do it?' </p>

<p>יֵד כִּי-קָרוֹב אֵלֶיךָ הַדָּבָר, מְאֹד: בְּפִיךָ וּבְלִבְבְּךָ, לַעֲשׂוֹתוֹ. {ס}</p>	<p>14 But the word is very nigh unto thee, in thy mouth, and in thy heart, that thou mayest do it. {S}</p>
<p>טו רְאֵה נָתַתִּי לְפָנֶיךָ הַיּוֹם, אֶת-הַחַיִּים וְאֶת-הַטּוֹב, וְאֶת-הַמָּוֹת, וְאֶת-הָרָע.</p>	<p>15 See, I have set before thee this day life and good, and death and evil,</p>

טז אֲשֶׁר אֲנִי מְצִוְךָ,
הַיּוֹם, לְאַהֲבָה
אֶת־יְהוָה אֱלֹהֶיךָ,
לְלַכֵּת בְּדַרְכָּיו,
וּלְשָׁמֵר מִצְוֹתָיו
וְחֻקֹּתָיו וּמִשְׁפָּטָיו;
וְחַיִּיתָ וְרַבִּיתָ--וּבֵרַכְךָ
יְהוָה אֱלֹהֶיךָ, בְּאֶרֶץ
אֲשֶׁר-אַתָּה בָא-שָׁמָּה
לְרִשְׁתָּהּ.

16 in that I command thee
this day to love the LORD
thy God, to walk in His
ways, and to keep His
commandments and His
statutes and His ordinances;
then thou shalt live and
multiply, and the LORD thy
God shall bless thee in the
land whither thou goest in to
possess it.

יז וְאִם-יִפְּנֶה לְבָבְךָ,
וְלֹא תִשְׁמָע; וְנִדְחִיתָ,
וְהִשְׁתַּחֲוִיתָ לְאֱלֹהִים
אֲחֵרִים--וַעֲבַדְתָּם.

17 But if thy heart turn away,
and thou wilt not hear, but
shalt be drawn away, and
worship other gods, and
serve them;

יח הגדתי לכם
היום, כי אבד
תאבדון: לא-תאריכו
ימים, על-האדמה,
אשר אתה עבר
את-הירדן, לבוא
שמה לרשתה.

18 I declare unto you this day, that ye shall surely perish; ye shall not prolong your days upon the land, whither thou passest over the Jordan to go in to possess it.

יט העדתי בכם
היום, את-השמים
ואת-הארץ--החיים
והמות נתתי לפניך,
הברכה והקללה;
ובחרת, בחיים--
למען תחיה, אתה
וזרעך.

19 I call heaven and earth to witness against you this day, that I have set before thee life and death, the blessing and the curse; therefore choose life, that thou mayest live, thou and thy seed;

כ לֹא־הִבָּה אֶת-יְהוָה
 אֱלֹהֶיךָ, לִשְׁמַע בְּקוֹלוֹ
 וּלְדַבְּקָה-בוֹ: כִּי הוּא
 חַיִּיךָ, וְאַרְךָ יָמֶיךָ--
 לְשֵׁבֶת עַל-הָאָדָמָה
 אֲשֶׁר נִשְׁבַּע יְהוָה
 לְאַבְרָהָם לְאִצְחָק
 וּלְיַעֲקֹב, לָתֵת
 לָהֶם. {פ}

20 to love the LORD thy
 God, to hearken to His voice,
 and to cleave unto Him; for
 that is thy life, and the length
 of thy days; that thou mayest
 dwell in the land which the
 LORD swore unto thy
 fathers, to Abraham, to Isaac,
 and to Jacob, to give them.
 {P}

The Oven of Akhnai (wikipedia article)

https://en.wikipedia.org/wiki/The_Oven_of_Akhnai

The Torah is not in heaven. An amazing talmudic debate.

Another Torah is Not in Heaven story:

Shabbat 88b - 89a (Koren - Steinsalz)

https://www.sefaria.org/Shabbat.87b.6?ven=William_Davidson_Edition_-_English&vhe=William_Davidson_Edition_-_Vocalized_Aramaic&lang=bi

Moses argues with the angels that the Torah belongs to people on the Earth.

Extra:

- 6) Ruth accepts Judaism without questioning what it's like. Messiah is supposed to come from her bloodline.
- 7) Job - submits to not understanding, after long complaining that he should understand. He is ultimately re-instated. However, his torment is unjust, and God does not explain.
- 8) Jonah - must understand before he does. *Is he happier as a result?*