

SEFER DANIEL
By Rav Yaakov Medan
Translated by Kaeren Fish

Shiur #11: Chapter 6c:
On Kiddush Hashem and Self-Sacrifice (continued)

4. Yechezkel's Position

A different *midrash* describes Yechezkel's position in even more extreme terms:

R. Natan said: At first, they went to Yechezkel, as it is written, "Certain of the elders of Israel came to me and they sat before me" (*Yechezkel* 20:1). Who were they? They were Chanania, Mishael, and Azarya, who came to seek Yechezkel's advice. They said to him, "The wicked king has decreed that we must worship idolatry; what do you say? Shall we worship or not?" He said to them, "'Which a person shall do, and live by them' – and not die by them." They said to him, "But the Torah says, 'One who offers sacrifices to [foreign] gods shall be utterly destroyed,' while the king has decreed that anyone who disobeys will be thrown into the fiery furnace. If we accept upon ourselves the words of the Torah, we will be sentenced to death by the king. And if we accept the decree of the king, we will be sentenced to death by God... Better that we die sanctifying the Name of God, and not serve idols." Yechezkel began to beat his face and said, "The remnant of Yehuda is lost." (*Midrash ha-Gadol* on *Shemot* 9:8; Mossad ha-Rav Kook edition, p. 122)

According to R. Natan, Yechezkel actually ruled that they should bow down to the idol and not be put to death. We find no such opinion in Halakha (even R. Yishmael, who leaves room for leniency, would permit only an act performed in private, not in public). It appears from the end of the *midrash* ("Yechezkel began to beat his face and said, 'The remnant of Yehuda is lost'") that his lenient ruling arose not from the danger to the lives of Chanania, Mishael, and Azarya, but from the fear that if they were to refuse, Nevukhadnetzar might persecute the entire nation, as we see happened later in the case of Haman and Mordechai. Indeed, this interpretation is supported by the midrashic understanding of Yechezkel's prophecy. R. Natan narrates the above exchange between Yechezkel and Chanania, Mishael, and Azarya on the basis of Yechezkel's own testimony in chapter 20 that "elders of Israel" came to consult with him. The prophet himself offers no details as to the subject of the consultation,^[1] but in the extensive historical review which he undertakes in that chapter, he repeats mainly the idea of God's judgments "which a person shall do, and live by them."^[2] From this R. Natan deduces that Yechezkel's main point was that the commandments of the Torah were given in order for man to live by them, not to die for them.

This does not necessarily imply that there are no commandments in the Torah for which a person is required to give up his life rather than transgress. However, in the same prophecy Yechezkel recounts occasions when *Bnei Yisrael* rebelled against God's word and even worshipped idolatry, and how God had thought to destroy them for their sins even while they were still in Egypt. The prophecy opens with the words:

And it came to pass in the seventh year, in the fifth month, on the tenth day of the month, that certain of the elders of Israel came to inquire of God, and they sat before me. And God's word came to me, saying: "Son of man, speak to the elders of Israel and say to them: So says the Lord God: Have you come to inquire of Me? As I live, says the Lord God, I shall not be inquired of by you. Will you judge them? Will you judge them, son of man? Make known to them the abominations of their fathers. (*Yechezkel* 20:1-4)

According to the *midrash*, as noted, the "elders of Israel" here were Chanania, Mishael and Azarya. Yechezkel goes on to provide them with a review of history:

On that day, I lifted My hand to them, to bring them out of the land of Egypt, to a land which I had sought out for them, flowing with milk and honey; the beauty of all lands. And I said to them: Let each man cast out the detestable things of his eyes, and do not defile yourselves with the idols of Egypt; I am the Lord your God. But they rebelled against Me, and would not listen to Me; they did not cast away the detestable things of their eyes, nor did they forsake the idols of Egypt. Then I meant to pour My fury upon them, to spend My anger upon them in the midst of the land of Egypt. But I acted for My Name's sake, so it would not be profaned in the sight of the nations among whom they were, in whose sight I made Myself known to them, in order to bring them forth out of the land of Egypt. So I brought them forth out of the land of Egypt, and brought them into the wilderness. And I gave them My statutes, and taught them My judgments, which a man shall do, and live by them. Also I gave them My *shabbatot*, to be a sign between Me and them, that they might know that I am God Who sanctifies them. But the House of Israel rebelled against Me in the wilderness; they did not follow My statutes, and they rejected My judgments, which a man shall do, and live by them, and they desecrated My *shabbatot*, and I meant to pour out My fury upon them in the wilderness, to consume them. But I acted for My Name's sake, so it would not be profaned in the sight of the nations, in whose sight I brought them out. (verses 6-14).

Yechezkel repeatedly refers to the same idea that we find following the episode of the Golden Calf – that God did not annihilate *Bnei Yisrael* for the sin of idolatry only because it would profane His Name:

"Why should the Egyptians speak, saying, 'It was for evil that He brought them out, to kill them in the mountains, and to destroy them from upon the face of the earth?'" (*Shemot* 32:12)

R. Natan's conclusion from Yechezkel's words is that the desecration of God's Name that would accompany the annihilation of *Am Yisrael* from the face of the earth is worse than their worship of idolatry. This leads to the conclusion that if there is a chance of a backlash against *Am Yisrael*, as indeed was the situation in the time of Nevukhadnetzar, then it would be preferable to acquiesce to bow down and not to endanger the nation. Hence, when Chanania, Mishael, and Azarya refused to accept his advice, Yechezkel beat his face and said, "The remnant of Yehuda is lost."

Although the opinion of R. Natan, as recorded in the *midrash*, is not accepted in Halakha, there are other *halakhot* which reflect the same thinking. We find that sexual immorality was permitted to Esther (and to Yael) so as to save *Am Yisrael*.^[3] If it is possible to engage in forbidden sexual unions for the salvation of the nation, then there is room to suggest that external worship of idolatry could also be permitted under similar circumstances.^[4]

The question raised by the *Midrash ha-Gadol* in the name of R. Natan concerning the disagreement between Yechezkel and Chanania, Mishael, and Azarya is an existential question for all generations. Yechezkel's argument was that a realistic assessment of reality pointed to the conclusion that by refusing to bow before the idol, Chanania, Mishael, and Azarya were endangering the existence of *Am Yisrael* in exile. While it may be permissible for them to endanger themselves and even to give up their lives for *Kiddush Hashem*, what license did they have to endanger the existence of the entire nation? Is it conceivable that the prohibition of idolatry in the case of three individuals could be more important than the existence of *Klal Yisrael*?

Perhaps the discussion between the three men and Yechezkel proceeded as follows: Yechezkel argued that "a judge can rely only on what his eyes can see," even concerning as severe a prohibition as idolatry. If, in the estimation of a human judge, there is some danger of *Am Yisrael* being annihilated, then this concern overrides any other consideration. Chanania, Mishael, and Azarya might have argued in response that the Torah categorically forbids idolatry, even in the event of a clear danger to life, and even when certain death is the alternative. Although it is not logical that the prohibition of idolatry concerning individuals should carry more weight than the survival of *Am Yisrael*, the responsibility for the nation's existence rests with God, and God's plans are none of our business. Our responsibility is to fulfill His commandments wholeheartedly, not to worry about the survival of *Am Yisrael*. A person must do what is incumbent upon him, and God will take care of *Am Yisrael*. Yechezkel's response to this argument is that a person is not exempt from responsibility for anything that man has the power to influence; he must not rely on miracles.

I found only one source addressing this issue on the halakhic level, and even there the debate is indirect. The discussion concerns the possibility of distorting words of Torah and making untrue statements about *halakhot* or matters of Jewish faith out of concern that if one were to present the truth, *Am Yisrael* might suffer. The Maharshal rules in *Yam Shel Shlomo (Bava Kama, chapter 4, siman 9)* that changing even a single point of *halakha* and representing this as Torah is a prohibition that falls under the

category of "*yehareg ve-al ya'avov*." From his discussion and from the proof that he brings, it seems that the prohibition applies even where there is danger to all of *Am Yisrael* and to the Torah itself.^[5] In other words, a person must perform his duty according to *halakha*, while concerning *Am Yisrael*, God will do as He sees fit. This parallels what we explained above concerning the view of Chanania, Mishael, and Azarya.

However, there is evidence that some of the sages over the course of the generations acted contrary to the view of Maharshal, following Yechezkel's thinking instead.^[6] Finding no possibility of saving *Am Yisrael* without lying regarding the Torah's intention, they chose to adopt this path. Perhaps they would rule in a similar way concerning idolatry in order to save *Am Yisrael*, but I am aware of no such recorded instance, aside from the *midrash* citing the disagreement between Yechezkel and Chanania, Mishael, and Azarya.

From the language of the *midrash* it would seem that their disagreement goes beyond this halakhic question. Let us go back to the argument presented by Chanania, Mishael, and Azarya:

They said to him, "But the Torah says, 'One who offers sacrifices to [foreign] gods shall be utterly destroyed,' while the king has decreed that anyone who disobeys will be thrown into the fiery furnace. If we accept upon ourselves the words of the Torah, we will be sentenced to death by the king. And if we accept the decree of the king, we will be sentenced to death by God... Better that we die sanctifying the Name of God, and not serve idols."

Yechezkel, according to R. Natan, addresses himself directly and solely to the halakhic issue. Chanania, Mishael, and Azarya address themselves to the logic behind our regard for God as Sovereign and how we view the power of a human king in relation to Him. Indeed, if we consider the prohibition of bowing before an idol not just from the halakhic perspective, but first and foremost from the point of view of our loyalty to God as our King and out of faith that there is no king more powerful than Him, then it makes no sense to fear the threats of a human king and grant them greater weight than the prohibition imposed on us by the King of kings in His Torah. This view is reflected in the story recorded in the *gemara* of a certain "*chassid*" (pious individual) who refused to respond to the greeting of a Roman general while he was praying, even though, owing to the danger that this presented to his life, there would be room for license to interrupt his prayer. The *gemara* records his explanation to the general as follows:

"If you were standing before a mortal king and your friend came and greeted you, would you respond?" He [the general] answered, "No." "And if you responded, what would be done with you?" He answered, "They would behead me." [The Jew] then said, "Is this not all the more true in this case? If you say what you say concerning a mortal king, who today is here and tomorrow in the grave, then I am far more justified in saying the same when I stand before the King of kings, Who

lives eternally and forever!" The general was then appeased, and the man returned home in peace. (*Berakhot* 32b–33a)

In terms of *halakha*, the general's status was sufficient reason to permit an interruption to his prayer. But the man felt that his prayer was not just the fulfillment of *halakha*, but truly a matter of speaking before God. How, then, could he interrupt and respond to the greeting of the Roman general?

*

We have given extensive attention to the *Kiddush Hashem* of Chanania, Mishael, and Azarya, even though this episode appears, at a superficial glance, extraneous to the rest of the Book of Daniel. However, this impression is not accurate. To our view, this subject represents the backbone of the Book, but this thesis will be developed further only later on, after we have discussed the episode of Daniel in the lions' den.

[1] From the plain sense of the prophecy, it would seem that the elders asked Yechezkel about the possibility of establishing some sort of Sanctuary in Babylon to replace the Temple in Jerusalem. Cf. the letter by R. Sherira Gaon (Levin Edition, pp. 72-73) concerning the "Shaf ve-Yativ" synagogue built by the exiles in the time of Yehoyakhin with earth from the Temple, which housed the Divine Presence. This precedent is treated in the letter as a positive phenomenon, but it is possible that the elders of Israel wanted to go so far as to offer sacrifices there, and to this Yechezkel objected. See especially verse 40.

[2] See verses 11,13,21. It seems that it was in reference to these verses that R. Natan recounts Yechezkel's reponse to Chanania, Mishael, and Azarya, and not according to the opinion of the editor of the *midrash* (Ha-Rav Margalio), who refers to Vayikra 18:5.

[3] See *Sanhedrin* 74b; *Yoma* 82; *Nazir* 21; and the *Rishonim* and *Posekim* in each instance.

[4] R. Kook (*Mishpat Kohen*, *siman* 143) argues that for the sake of saving *Am Yisrael*, license was given under extraordinary circumstances for forbidden sexual relations and for taking a life, but not for idolatry – as proven by the example of Eliyahu at Mount Carmel. (Here R. Kook equates the one-time "*hora'at sha'ah*" issued by a prophet to transgress the words of the Torah with a "*hora'at sha'ah*" in the absence of a prophet for the purposes of saving *Am Yisrael*.) However, it is possible that according to the view of R. Natan in the *midrash*, even idolatry would be possible for this purpose.

[5] The Maharshah discusses two emissaries of the Roman Empire who were dispatched to study Torah. They found it all quite worthy, except for the law that if an ox belonging to a Jew gores an ox belonging to a gentile, the Jew is exempt from paying damages, while in the opposite scenario, the gentile is obligated to pay in full. To their view, this *halakha* represented unjust discrimination. Since they had great respect for the Torah and its scholars, these two emissaries decided not to inform the authorities of this *halakha*, and the episode ended without incident (see *Bava Kama* 38a). The Maharshah asks: How is it possible that the sages who taught Torah to these emissaries did not exercise greater discretion, avoiding mention of this *halakha*? He concludes, from their example, that a *halakha* from the Torah must not be distorted, no matter what the price might be for an accurate representation. (In this instance, the Roman authorities might have decreed that the Torah be burned, or that observance of the commandments was henceforth forbidden, or even the annihilation of *Am Yisrael*, Heaven forefend.)

[6] The most striking example known to me concerns R. Yosef David Zinzheim. Appointed by Napoleon to head the "Sanhedrin" in Paris, he was asked, along with his colleagues, to formulate the Torah position – in terms of both theory and halakhic practice – on various subjects and to set them down as religious law for the Jews of France and Italy. The compilation that he issued contradicts the Torah view

completely in certain areas (such as the ruling that service in Napoleon's army exempted a soldier from fulfilling *mitzvot* whose observance was not possible in accordance with military orders; the assertion that "You shall love your neighbor as yourself" and other *mitzvot* referring to "brothers" applies to Christians, too, since they believe in God; etc.). Clearly, R. Zinzheim affirmed these distortions out of fear that if the French ruler were to place someone else at the head of the Sanhedrin, the results would be considerably worse. From the eulogy which the Chatam Sofer delivered upon R. Zinzheim's death, it seems that he was inclined to accept this decision *be-di'avad* ("after the fact"), although it is doubtful that this is the guidance he would have given at the outset.