

SEFER DANIEL
By Rav Yaakov Medan

Shiur #26: Chapter 14c
On the Resurrection of the Dead (continued)

Let us now consult the *Rishonim* concerning the question of who is included in the Resurrection. From their comments on the *sugya* in *Massekhet Rosh Ha-shana* and from the Ramban in *Sha'ar Ha-gemul*, it would appear that there are some wicked people who will be punished in *Gehennom* after death and this will be all the punishment that they need; they will then arise at the time of the Resurrection. The completely wicked, on the other hand, will be judged again on the great Day of Judgment, at the time of the Resurrection. For this purpose, they will arise momentarily, only to be sentenced to annihilation and to their eternal suffering; in Daniel's words, "some to shame and everlasting contempt."

Why is there a need for another day of judgment? When these people were judged upon their death, their entire life record was available, and it could already then be established whether their sins could be atoned for through a temporary stay in *Gehennom* or whether they were so wicked that they deserved "shame and everlasting contempt." Moreover, what is the reason for these two different sentences – one temporary, the other eternal? And why is there no intermediate sentence, lasting longer than the temporary wait until the Resurrection, but shorter than eternity? Can a person really commit such terrible sins during his short years in this world that the appropriate punishment for him is eternal suffering? Justice would seem to suggest that eternal suffering can only be for infinite evil. Is such a concept possible in our world? Finally, if there are people who will never merit resurrection, since the Resurrection is a special kindness bestowed by God, then those who are not worthy will not merit it. But if the Resurrection is a Day of Judgment for all, and the most wicked are sentenced then to eternal suffering, what is the nature of this justice?

Concerning the last question we might answer, in accordance with the Rambam's understanding of the punishment of "*karet*," that the fate of the wicked in the World to Come is their absolute severance and annihilation, like animals. In other words, the suffering to which they are sentenced is limited in time, but they do not merit the kindness bestowed by God on the righteous – the granting of eternal life in the World to Come:

And whoever does not merit this life is dead and does not merit eternal life, but rather is cut off in his wickedness, and annihilated, like an animal; this is the concept of *karet* which appears in the Torah, as it is written, "that soul shall surely be cut off (*hikaret tikaret*)" (*Bamidbar* 15:31). From God Himself they learned: "*hikaret*" – in this world, "*tikaret*" – in the World to Come. In other words,

that soul, when it separates from the body in this world, will not merit life in the World to Come, but will be cut off from there also. (*Hilkhot Teshuva* 8:1).^[1]

This would appear to fit with the Ramban's interpretation of the verses in *Malakhi*, which he understands as referring to the great Day of Judgment:

For behold, a day is coming that burns like a furnace, and all who are arrogant and all who act wickedly will be stubble, and the day that is coming will burn them up... But for those of you who fear My Name, the sun of righteousness shall rise, with healing in its wings... And you shall tread down the wicked, for they shall be ashes under the soles of your feet. (*Malakhi* 3:19-21)

In other words, the fate that awaits the wicked is not suffering, but rather turning into "ashes" – they are completely annihilated.^[2]

However, Ramban, at the end of his *Sha'ar ha-Gemul*, disagrees. He understands the punishment of the wicked to be their eternal suffering – implying that this is the result of their actions in this world. It seems that while the Rambam views the function of the suffering as cleansing a person of his sins, according to Ramban, there is also the matter of revenge against the sinner – for eternal suffering can have no other purpose. In any event, our question on Ramban remains, since justice would appear to attach eternal suffering only to an infinitely grave sin, and where could one find such wickedness in our world?

Before trying to answer the series of questions posed above, let us address another question concerning the Rambam's understanding of the purpose of the Resurrection.

The Rambam maintains throughout – in his *Hilkhot Teshuva*, in the introduction to *Perek Chelek*, and elsewhere – that the ultimate reward is the World to Come, which is for souls and not for bodies, which will ultimately be consumed:

In the World to Come, there are no bodies or corporeality, but only the souls of the righteous, devoid of any body, like the ministering angels. Since there is no corporeality, there is no eating there, nor drinking, nor any of the things that human bodies need in this world. (*Hilkhot Teshuva* 8:2)

Ra'avad (ad loc) and Ramban (end of *Sha'ar Ha-Gemul*) disagree. They view the purpose of the world after the Resurrection as entailing a joining of the body with the soul, a joining of the upper and lower worlds. To their view, the World to Come referred to by *Chazal* is the world of the Resurrection of the dead, souls that arise within bodies.

It seems that according to the Rambam, a person passes through four stations in his life: there is this world; followed by the world of reward or punishment for the soul (in the Garden of Eden or in *Gehennom*); the Resurrection; and the World to Come, which is the world of souls. It is not clear from the Rambam what need there is for the

Resurrection and for the return of the soul to the body, whether in the world of reward, which comes after death, or in the World to Come, which is the ultimate destiny – since in both these stages the soul exists without the body.

Our two main questions are therefore as follows:

1) What is the reason for the Day of Judgment in addition to the judgment that comes after death? The record of a person's life does not change after his death, so why is he judged on the great Day of Judgment at the time of the Resurrection for the same actions that he was already judged for upon his death?

2) According to the Rambam, who maintains that the Resurrection is a reward for the righteous rather than a Day of Judgment, what need is there for it? A person has already passed on to the world of the souls after his death, and the essence of the World to Come is a spiritual existence that involves no physical body. What, then, is the purpose of the "half-way station" of the Resurrection, in which the soul returns to the body?

In order to answer these questions, we shall make an assumption for which we have no clear proof and then go on to provide support for it. Our assumption is that upon death and the separation of the soul from the body at the end of a person's life in this world, free choice is not at an end. It continues to accompany a person and his soul in the next worlds. According to the Rambam and those who follow his view, free choice may exist also in the world of souls, in the Garden of Eden and in Gehennom. However, the fundamental difference between this world and the Garden of Eden means that the free choice there must be different from the free choice that exists in our world.

We might explain this in accordance with the Rambam's view^[3] of the choice made by Adam when he sinned and was expelled from the Garden of Eden, as a transition from choosing between truth and falsity to a choice between good and evil. The significance of the difference between the two choices is discussed by the *Acharonim*, and the crux of their interpretations is that in a choice between truth and falsehood, the subject is completely aware of the significance of his choice and the meaning of his rebellion against God when he chooses to defy His will. He is fully conscious of the weight of the sin that he performs, as opposed to avoiding it, and as opposed to the performance of a mitzvah which he could have done instead. In a choice between good and evil, on the other hand, a person's inclination is encumbered with numerous justifications and reasons for permitting an act, as well as the weight of his own desire and the weight of his own inertia, forgetfulness of God, and intellectual and emotional fuzziness in understanding the severity of his rebellion and his sin, along with the hope that he might easily be able to repair the damage or hide his misdeed, etc. The attempt by Adam and his wife to hide from God after their sin, to offer excuses, and to blame others for the sin when questioned about it is the model of the transition from one type of choice to the other. When the "serpent came to Chava," the evil inclination – which, until now, had been something external to them – now entered into man and

became part of him.^[4] However, even at the outset, man was forced to choose and to grapple; the very fact of his failure in this test represents proof of its difficulty.

Stated differently, the choice inside the Garden of Eden, the choice between “truth and falsehood,” is a choice between the “enjoyment” of the very fact of rebelling against God’s command, the “challenge” of freeing oneself of His yoke and of subservience to Him, versus the enjoyment of taking refuge under His wings and cleaving to Him, the challenge of accepting His path. The results of each option are completely clear to the subject. In contrast, the free choice that exists outside of the Garden of Eden – the choice between “good and evil” – is a choice between being drawn after limitless dispensations, the power of one’s desires and of one’s inertia, versus that which is good as judged by one’s pure intellect and conscience and the ability to control all of the above powers.

The lesser choice –between good and evil, the choice that exists outside of the Garden of Eden – usually also includes the consideration of the reward that God will give to whoever chooses good (the reward for those commandments in this world, as specified in the Torah, and awarded mainly on the national level when the nation chooses observance of the *mitzvot*) and the punishment for rebelling against Him. Considerations also include the good that awaits one in the Garden of Eden – especially of the sort set forth in the “*Akdamut*” for Shavuot, with its depiction of the wild ox, the leviathan, and the old wine for the righteous – as well as the punishment of *Gehennom*. The choice between truth and falsity entails the concept of proximity to God by virtue of observance of the commandments and distance from Him as a result of not observing them.

The choice between good and evil explains only the reward of the Garden of Eden for those who choose good and the punishment of *Gehennom* for those who choose evil. These are limited reward and punishment for limited choice. The choice between truth and falsity, on the other hand, justifies the unlimited reward of eternal life for those who follow the path of truth and the punishment of absolute *karet* for those who follow the path of falsity.

At the time of his sin, man is sentenced to death; it is only after death that he returns to the Garden of Eden. It is possible, then, that he returns there also to the mode of choice that existed prior to the sin – to the clear choice between truth and falsity. At the same time, this choice is what also faces those who are condemned to *Gehennom*. There, too, the choice is between truth and falsity. This is the real choice, the clear choice, the big choice. This choice justifies infinite reward and punishment – the sort of reward and punishment that become manifest on the great Day of Judgment that precedes the Resurrection.

This view may shed light on the simple meaning of *Chazal*’s teaching:

R. Chiya bar Ashi said in the name of Rav: Learned scholars have no rest, neither in this world nor in the World to Come, as it is written: “They shall go from

strength to strength, each appearing before God in Tzion” (*Tehillim* 84:8). (*Berakhot* 64a)

This “lack of rest” may express the inner struggle of free choice. A person at rest is one who is led and drawn and dragged; he is not forced to exercise his own will. He walks about in the Garden of Eden like a guest at a hotel; he studies Torah and enjoys the splendor of the Divine Presence without the need to exercise the power of decision that comes of free choice between good and evil. Learned Torah scholars, who have no rest even in the World to Come and who progress there “from strength to strength,” may have free choice in the Garden of Eden as well.

It is perhaps this same idea that is expressed in the *gemara* at the beginning of *Rosh Ha-Shana*, cited in a previous *shiur*, concerning those who “shriek and arise” – their shrieking is the recognition of their sin and the acceptance of the justice of their punishment, the result of their own free choice.^[5] This may also explain what the *gemara* means in teaching that an evil person accepts God's verdict for him after the day of judgment upon his death:

Moreover, he accepts the judgment and says to them: You have judged me well, fulfilling that which is written, “Such that You are justified in Your verdict” (*Tehillim* 51:6). (*Ta'anit* 11a)

In light of our discussion above, he has the option of denying the justice of his sentence. We find that *Datan* and *Aviram* accepted their sentence out of their free will, when they declared in *Gehennom*,

"Moshe and his Torah are true, while we were liars." (*Bava Batra* 74a)^[6]

It is only when a person has exhausted the process of choosing there between truth and falsity and has knowingly chosen his path in either direction, without endless small, local slips and stumbles owing to the small desires that are so common in our world – it is only then that he can present himself for the great Day of Judgment at the time of the Resurrection. There his fate is sealed for eternal life or for shame and eternal contempt.^[7]

However, according to the Rambam's view, it would seem that there can be no free choice in the world of the souls, either in the Garden of Eden or in *Gehennom*. He maintains that what obstructs a person from seeing the complete truth and following it is the body, one's physical existence; without it, we cannot speak of a choice to perform evil. Perhaps this is the role of the Resurrection; it therefore must occur in order to restore a person's body to him with his free choice on its true level, the level of choosing between truth and falsity, as Adam experienced it until it was removed from him at the time of his sin. Only after this is his verdict finally sealed for life in the World to Come or to be cut off, like an animal, from eternal life.^[8]

Still, we must ask: According to the Rambam, only the righteous will merit to rise at the time of the Resurrection, as he argues in his introduction to the tenth chapter of *Massekhet Sanhedrin (Perek Chelek)*. If so, we return to our original question: what need is there for a physical Resurrection, if the reward for the righteous is in the World to Come, which is a world of souls? Moreover, how would the Rambam understand the verses in *Daniel* and the *gemara* in *Rosh Ha-Shana*, which teach that the wicked, too, arise at the time of the Resurrection, “for shame and for eternal contempt”? Perhaps, according to the Rambam, it is only the completely wicked who will not be resurrected and who will have no further opportunity in the world of choosing between truth and falsity that comes after the Resurrection, because they failed in that choice already in this world.

It would seem that we might prove our view above concerning the two levels of choice from another topic that is related to life in the World to Come: the punishment of *karet*.

The *gemara* in *Sanhedrin* 64b (and elsewhere) teaches that *karet* is actually a double punishment; it is severance from this world as well as severance from the World to Come:

"*Hikaret tikaret*" ["the soul shall surely be cut off"]: "*hikaret*" – in this world; "*tikaret*" – from the World to Come; this is the view of R. Akiva. R. Yishmael said to him: But was it not previously written, "*ve-nikhreta*" ("it shall be cut off")? Are there then three worlds?! [Surely not;] rather, "*nikhreta*" – from this world; "*hikaret*" – from the World to Come; "*tikaret*" – the Torah speaks in human language.

Karet itself is annihilation, as we learn from the punishment meted out to a person who performs labor on Yom Kippur.^[9] Being “cut off” in this world includes the annihilation of one's offspring, as we learn from Rashi on *Bereishit* 17:14, *Vayikra* 17:9, and elsewhere, and as is largely apparent from the definition of *karet* in *Vayikra* 20:5, 20. In the Tosafot on *Shabbat* 25a, the Riba (R. Yitzchak ben Asher ha-Levi) and Rabbenu Tam are divided as to whether his offspring are cut off with a *karet* that includes no explicit punishment of childlessness.

The Rambam, both in his *Hilkhot Teshuva* (8:1, 5), and in his introduction to *Perek Chelek*, speaks at length about the non-existence of the souls of the wicked in the World to Come. According to his plain meaning, as discussed above, a wicked person is cut off, like an animal, from the eternal life of the soul in the World to Come. Ramban, in *Sha'ar Ha-Gemul*, adds the suffering and positive punishment for his sins. Ramban (*Sha'ar Ha-Gemul* and *Vayikra* 18:29) and many others who adopt his view discuss the question of when *karet* applies only to this world, and when it applies (also) to the World to Come. Ramban, based on a precise reading of the verses, draws a distinction between the punishment of *karet* formulated with the words, "*ve-nikhrat me-amav*" ("he shall be cut off from his people"), meaning this world, and *karet* formulated with the words, "*ve-nikhreta ha-nefesh ha-hi milfana*" ("that soul shall be cut off from

before Me"), where the verse is referring (also) to the World to Come. The Rambam, on the other hand, does not specify which *karet* applies only to this world and which includes also the World to Come.

Were it not for the Ramban's teaching, one might have concluded that *karet* means annihilation from this world, except for one instance in which *Chazal*, in the above *gemara* in *Sanhedrin*, applied it also to the World to Come:

But a person who acts arrogantly – whether native born or a stranger – he dishonors God, and that soul shall be cut off (*ve-nikhreta*) from among his people. For he has despised the word of God and has violated His command; that soul shall surely be cut off (*hikaret tikaret*), his sin shall be upon him. (*Bamidbar* 15:30-31)

According to the plain meaning, the verses are talking about a person who acts arrogantly – in other words, he sins deliberately, or contemptuously, rather than simply out of capitulation to his desires. Perhaps this is the reason for his being cut off from the World to Come.^[10] However, for any other person who sins knowingly, ceding to his desires, the punishment may be only *karet* in this world – a shortening of his life and/or the death of his children. It may also be that there are certain prohibitions which are treated, owing to what they entail, as belonging to the category of sinning out of contempt. It would seem that one who sins contemptuously or deliberately to anger God does so out of a choice that is very close to the level of the distinction between truth and falsity. This is the law that applies to a heretic ("*min*"), which the *gemara* (*Horayot* 11a) identifies as a person who converts out of defiance. Perhaps it is only these who are sentenced to complete *karet* from eternal life. A person who converts out of weakness, on the other hand, and who is on the level of choosing between good and evil, is punished for his sins in *Gehennom*, and once he acknowledges his sins and accepts his verdict with an acceptance of the yoke of Heaven and with his choice there, he is deserving of having his soul remain illuminated with life.

Translated by Kaeren Fish

[1] See also 8:5, as well as the Rambam's introduction to *Perek Chelek* in his *Perush Ha-Mishnayot* ("ve-ata").

[2] This is the Ritva's understanding of the word "ashes" in the above verse; see *Rosh Ha-Shana* 17a, "ve-ne'enashim efer." However, the *gemara* understands their burning into ashes, as depicted in these verses, as taking place after 12 months have lapsed since their death and after they have been punished in *Gehennom*, as Ramban himself writes elsewhere in *Sha'ar Ha-Gemul*. It is not clear to me whether he means that the scene described in *Malakhi* takes place after the judgment of the wicked for 12 months in *Gehennom* or after the great Day of Judgment. He appears to contradict himself in this matter.

[3] *Moreh Nevukhim* 1:2 See also R. Eliyahu Dessler, *Mikhtav Me-Eliyahu* (Jerusalem, 5723), vol. 2, pp. 137-145.

[4] R. Chayim of Volozhin uses this metaphor in his book *Nefesh Ha-Chayim* (*sha'ar* 1, chapter 6 in a note).

[5] The commentators understand their shrieking as a cry of pain (Rashi), or interpret the word “*metzaftzefim*” as being derived from “*tzafim*” (rising to the surface) from the depths of *Gehennom* (Ramban). However, the word *metzaftzefim* is used frequently in the *midrash* to describe a cry to God; see, for example, *Bereishit Rabba* 65 and *Petichta de-Rabbi Abba* on *Eikha Rabba*. Here, too, the *midrash* concerning the middle group is based on the verse in *Zekharia*: “And I shall bring a third of them through fire, and purify them as silver is purified, and test them as gold is tested; they shall call upon My Name and I shall answer them, I shall say, ‘They are My people’, and they shall say, ‘the Lord is our God’” (13:9). Here, too, the text seems to imply that the test of the “middle group” that is judged in *Gehennom* depends on free choice, and only when they call upon God from amidst the fire of *Gehennom* will He answer them.

[6] According to what we have said above, this *aggada* follows the opinion of R. Eliezer in his dispute with R. Akiva as to whether Korach's company is destined to rise up from Sheol to eternal life; see *Sanhedrin* 10:3.

[7] It is only after this pure free choice that it might perhaps be possible to speak of eternal suffering for the wicked, in keeping with the approach of Ramban and most of the *Rishonim*. We are not yet completely satisfied with any explanation of the Ramban's approach; we hope to still arrive at a full understanding of his view.

[8] As to the teaching in *Avot* (4:17), “Better one hour of repentance and good deeds in this world than all of the life of the World to Come,” which seems to say that there is no *teshuva* or good deeds in the World to Come because there is no free choice there, we might explain that the reference here is to the World to Come in the ultimate sense – the final world of souls, according to the Rambam, or the world of the Resurrection, according to Ramban. That is truly the world of complete reward and punishment, a world with no free choice, where there is nothing but enjoyment of the splendor of the Divine Presence.

[9] See *Vayikra* 23:30 and *Devarim* 14:4.

[10] A similar idea, although with slightly different content, is set forth by the Rambam in his *Moreh Nevukhim* III:41. For some reason, this escaped me when I prepared the first draft of these *shiurim*, and it was pointed out to me by my friend R. Chaim Navon. See also *Yoma* 36b.