

Parshat HaShavua
Yeshivat Har Etzion

Jerusalem PARSHAT RE'AY

by Rabbi Menachem Leibtag

When we speak of Jerusalem, we relate to two aspects:

- a) its geographic location
- b) its function as the national center of the Jewish Nation.

Surprisingly enough, Chumash never mentions its specific name nor its precise location. However, its concept - the national center of the Jewish Nation - unfolds as a fundamental theme in Sefer Dvarim.

This week, in our analysis of the CHUKIM & MISHPATIM section of the main speech of Sefer Dvarim, we discuss this theme.

INTRODUCTION / BACKGROUND

Recall from our introductory shiur on Sefer Dvarim that the main speech of Sefer Dvarim (chaps. 5->26), containing the mitzvot which Bnei Yisrael are to keep when they enter the land (6:1), is divided into two distinct sections:

I - "Ha'MITZVA" (6:4 -> 11:31)

II- "Ha'CHUKIM v'ha'MISHPATIM (12:1 -> 26:19)

The MITZVA section, we explained, contains primarily mitzvot and repeated reminders ("tochaychot") regarding the proper ATTITUDE towards God ("ahavat Hashem"/ e.g. 6:5,10:12,11:22), while the CHUKIM & MISHPATIM section contains the more PRACTICAL laws which Bnei Yisrael must keep when setting up their nation in the Land.

These practical laws, beginning in Parshat Re'ay (12:1) and continuing until Parshat Ki-tavo (26:16), are presented in a very structured manner. Therefore, their order and presentation are significant. We begin our discussion with the first topic of this section - "ha'makom asher yivchar Hashem" - for it emerges as a primary theme within this section.

HA'MAKOM ASHER YIVCHAR HASHEM

Let's read the opening psukim of the CHUKIM & MISHPATIM section, noting the progression of the commandments and the development of its main topic - "ha'makom asher yivchar Hashem:"

"THESE are the 'chukim & mishpatim' which you must observe in the LAND WHICH HASHEM IS GIVING YOU TO CONQUER... (12:1:(

You must totally destroy all the sites where the nations worshiped their idols... on the high hills and mountains... you must ERADICATE THEIR NAMES from this place. (12:2-3(

DO NOT WORSHIP YOUR GOD IN THIS MANNER (in multiple places of worship/ read carefully! / see Further Iyun.(

Rather, at the SITE WHICH GOD WILL CHOOSE - HA'MAKOM ASHER YIVCHAR HASHEM - amongst all your tribes, to establish HIS NAME there - L'SHAKEYN SHMO SHAM; -SEEK HIS DIVINE PRESENCE and go there. "l'shichno ti'DRSHU u'ba'ta shama" (12:5(

THERE you must bring all of your offerings and tithes etc. Eat and rejoice there in front of your Lord... (12:6-7(

After you cross the Jordan and enter the Land and find rest from your enemies and enjoy security, then - HA'MAKOM ASHER YIVCHAR HASHEM L'SHAKEYN SHMO SHAM - bring THERE everything which I command you.... (12:8-12(

Be careful not to offer your sacrifices anywhere that you want, rather at HA'MAKOM ASHER YIVCHAR HASHEM, only THERE may you bring your offerings... (12:13-14)

Note that the first commandment - to destroy all places of idol worship in order to eradicate the NAMES of other gods from your land - serves as a 'pre-requisite' for the commandments which follow - to establish a central SITE IN WHICH GOD'S NAME WILL DWELL.

Thus, the primary topic of this opening parsha is Bnei Yisrael's obligation to transform Eretz Canaan into a land in which God's Name (i.e. reputation) becomes known. This is accomplished not only by ridding the land of the names of OTHER gods (12:2-3), but also by establishing a national religious center - HAMAKOM ASHER YIVCHAR HASHEM L'SHAKEYN SHMO SHAM - through which this goal can be realized.

In light of our understanding of the framework of the main speech, this opening commandment is quite appropriate, for Bnei Yisrael are about to enter and conquer the Promised Land IN ORDER to establish God's special nation. Therefore, it is only logical that the opening commandment be to RID the land from the NAME of other gods, while establishing a site in which God's NAME will become known.

A RECURRING THEME

Not only is - HAMAKOM ASHER YIVCHAR HASHEM - repeated several times in the opening parsha (chapter 12), this phrase is mentioned some FIFTEEN times throughout the entire CHUKIM & MISHPATIM section of the main speech (chapters 12->26)! As illustrated in the following table, not only is it the FIRST topic of this section, it also develops as a recurring theme.

The table below summarizes each mention of the phrase "ha'makom asher yivchar Hashem" together with its related topic:

PEREK:pasuk TOPIC

12:5,11,14,21 The place to bring all "korbanot"

14:23,24 The place to eat "maaser sheni"

15:20 The place to eat "bchor b'heyma"

16:2,6,7,11,15,16 The site for "aliya l'regel" on the holidays

17:8 The seat of the Supreme Court

26:2 The place to bring one's 'first fruits'

A NATIONAL CENTER

A quick glance at this table immediately shows us that this location emerges not only as a site to offer 'korbanot', but also as a National Religious Center. These mitzvot in Sefer Dvarim help 'create' this Center, for in order to fulfill them, one must frequent this site on numerous occasions during the course of the year!

First and foremost, every individual is obligated to make a pilgrimage to the site on the three agricultural holidays ("aliyah l'regel" / chapter 16). Moreover, he must go to this site each time that he wishes to bring a voluntary offering ("korban n'dava") or is obligated to bring an atonement offering ("korban chovah.")

The farmer must bring there not only his first fruits ("bikurim"), but also 10% of his harvest to eat and share at this site ("maaser sheni"). Likewise, the shepherd must bring not only the first born animals ("bchor"), but also 10% of his entire flock ("maaser b'heyma")! Furthermore, the Supreme Court, for all judicial and halachic judgement, is located at this site.

Thus, this site - HAMAKOM ASHER YIVCHAR HASHEM - is much more than a location to bring "korbanot". It unfolds as the National Center of the Jewish people.

What is the purpose of this center? How does it function?

These mitzvot which are to be kept at this site, when performed properly, help shape our national character as God's special nation. The establishment of this center, and the obligation of every individual to frequent this site, ensures the unity of the people and of the religion. Without such a center, within several generations we would more likely find twelve different religions rather than twelve tribes.

This center becomes more than a site to offer korbanot. It serves as a center for justice, judgement, Torah education, and culture, as well as a place of national gathering.

Not only is this site to become a national center, it also serves to enhance the spirituality of each individual, as explained in the mitzva of "maaser sheni:"

"You shall set aside every year a tenth of the yield of your field. And you should eat this tithe in the presence of your Lord "baMakom asher yivchar Hashem l'shakeyn shmo sham"... IN ORDER THAT YOU LEARN TO FEAR GOD forever..." (14:22-23:(

Why should simply 'eating food' at this site cause one to fear God? To understand why, we must conjecture as to how this site was to develop.

THE SITE / THE TEMPLE / AND JERUSALEM

Clearly, the Mishkan (and later the Bet Ha'Mikdash) is to become the focal point of this national center. Even though Sefer Dvarim does not mention this explicitly, it is implicit, for the Torah commands us to bring our "korbanot" there. These are obviously the same korbanot as described in Sefer Vayikra.

Yet, the obligation to eat our "maaser sheni" at this site, which is simproduce (not an animal offering), implies that there needs to be an area surrounding the Mikdash. This site is defined by halacha as the area within the walls of the CITY which surrounds the Bet HaMikdash (later to become the city of Jerusalem). Within the walls of this city one can eat his "maasrot" as well as the meat of his "shlamim" offerings.

The Torah even designates 'civil servants' who are to officiate and administer the Bet Ha'Mikdash - the "kohanim" and "leviim" - whose entire lives are dedicated to the service of God. They, together with the judges and scholars of the supreme court system, will populate this 'holy city' surrounding the Temple, infusing it with an atmosphere of "kedusha" (sanctity.)

Therefore, the experience of eating "maaser sheni" in this 'holy' city, mingling there with the kohanim, leviim, and Torah scholars, while sharing one's food together with family and the needy (see 14:25-27), should create an environment which will enhance one's "yirat shamayim" - the fear of God.

RE-LIVING HAR SINAI

This obligation to frequent HAMAKOM ASHER YIVCHAR HASHEM culminates every seven years with the "Hakhel" ceremony, where the entire nation including the women and children gather to hear the Torah at this very same site. Here, once again, we find "yirat Hashem" - the fear of God - as the primary purpose:

..."every seventh year... when all Israel gathers before Hashem "ba'Makom asher yivchar", you shall read this Torah (Sefer Dvarim) in the presence of all Israel. Gather ("hakhel") the people, men, women and children and the strangers, that they may hear and so learn TO FEAR THE LORD and to observe... Their children too ... shall hear and learn TO FEAR GOD as long as they live on the Land..." (Dvarim 31:10-13)

]Note the similarities to Ma'amad Har Sinai[.

JERUSALEM / SEEK AND FIND

Sefer Dvarim never specifies the precise geographic location of where this site is to be, i.e. where the permanent Bet HaMikdash is to be constructed. The site is only referred to as "the one which God will choose" ("HaMakom asher yivchar Hashem.")

In Parshat Reay we find a very obscure hint regarding how we are to find this site:

"I'shichno ti'drshu, u'bata shama- "

"You must SEEK out the Divine Presence and go there." (12:5)

God will only show us the site if WE look for it. This 'hide and seek' type relationship is reflective of every Divine encounter. God is found by those who SEARCH for him. Just as this principle applies on the individual level ["karov Hashem l'chol kor'av" - God is close to those who call out to Him], so too on the national level. Only when Am Yisrael as a nation, begins a serious search for God, will God show them the proper location.

The generation of Yehoshua did not succeed in establishing the permanent Mikdash after conquering the Land. Instead, they erected the temporary structure, the Mishkan, in Shilo. There it remained, quite neglected, during the entire time period of the Judges. Shilo itself was destroyed by the Philistim during the time of Eli and Shmuel. In the meantime, the Mishkan and the "aron" wandered from site to site. It was only in the time period of David and Shlomo that Bnei Yisrael actively aspired to build the Mikdash.

When David became king, one of his first acts was to gather the nation in order to bring the "aron" (the holy ark) to the capital city. Note carefully how David describes his plan to the nation:

"David said to the entire congregation of Israel: If you approve, and this is from God (the events of David's rise to power), let us go forward and invite all our brethren in the land of Israel, together with the KOHANIM and LEVIIM and gather together, IN ORDER TO BRING BACK to us God's HOLY ARK - 'ki lo DRASH'NU'HU b'yemei Shaul' - for during the time of Shaul WE DID NOT SEEK IT" (I Divrei Hayamim 13:2-3)

]Note the use of the shresh "d.r.sh." here and in Dvarim 12:5[

David Ha'melech notes that during the generation of Shaul, the "aron" was neglected at the national level. To King David, bringing the "aron" to Yerushalayim is the highest national priority. After the "aron" finally settles in his capital city, David's next request is to build a permanent house for the "aron", i.e. the Bet Ha'Mikdash:

"When the King was settled in his palace and God has granted him safety from his enemies [he'niach lo m'kol oyvav m'saviv], the King said to Natan the prophet: Here I am dwelling in a HOUSE of cedar wood, while the 'aron' is dwelling only in a TENT!" (II Shmuel 7:1-2)

]Note again the textual parallel to Dvarim 12:10-11[

Even though the Temple itself is only built by his son Shlomo (a topic for a separate shiur), its precise site is designated in David's own lifetime (see I Divrei Ha'yamim 22:1 and context.) At that time, Har Ha'Moriah, the site of "Akeidat Yitzchak", was chosen to be the permanent location of the Temple for all times (see II Divrei Ha'yamim 3:1 and ibid.)

JERUSALEM TODAY

According to the guidelines of Sefer Dvarim, 'Jerusalem' is destined to become more than just the city which houses the Temple. Ideally, Jerusalem should become the National Cultural and Religious Center of the Jewish people, including all the qualities required by Sefer Dvarim. This aspiration is found in the prophecies of most of the later prophets. For example:

"For Jerusalem will be called the city of Truth ("ir ha'emet"), and the mountain of the Lord of Hosts - "har ha'Kodesh" (Zecharya 8:3.)

"For out of Zion will come forth Torah and the word of the Lord from Jerusalem" (Isaiah 2:3.)

Today, be it for halachic, technical, or political reasons, we are not permitted to rebuild the Bet HaMikdash. Until the proper time comes, this aspiration remains our national dream and an everlasting prayer. Nonetheless, to rebuild the city of Jerusalem as our National Center - a city of Truth, Justice, and Sanctity, the unified capital of the Jewish people - is not only permitted, it is our duty. In our own generation, God has opened for us a historic opportunity. Reaching this goal has become our national responsibility.

=====

FOR FURTHER IYUN

A. The mitzvot recorded in Parshat Mishpatim also reflect the situation at Ma'amad Har Sinai, prior to Chet Ha'egel.

.1Find similarities between Parshat Mishpatim and Reay in regard to the Mikdash and the type of conquest. [If you are stuck, try 23:14-19, 23:22-24, 23:28 - also 20:21-22] 2. Compare these psukim carefully to Dvarim chap 12, and chap 16.

B. Although the chagim have already been presented in Parshiot Mishpatim, Emor, and Pinchas, they are repeated again in Dvarim chap 16. Read this chapter carefully.

.1What laws are added which we did not already learn from the earlier sources?

.2What would you say is the primary topic of this perek? (which key phrase repeats itself many times?)

.3Attempt to explain this perek as an expansion of Shmot 23:14-17!

.4How does all this relate to the above shiur? 5. Why aren't Rosh Hashana and Yom Kippur mentioned in this parsha?

C. "LO TA'ASUN KEYN L'HASHEM ELOKEICHEM"

DO NOT WORSHIP YOUR GOD IN THIS MANNER (12:4)

In the above shiur, we explained that this pasuk implies that we are commanded not to worship God in multiple places of worship. This is "pshat" of the pasuk based on 12:2 and 12:5, For just as they worshiped their gods on the high places and under mighty trees etc. (12:2) you should not, rather - only in the place which God chooses ("ha'makom..."). That is, at ONE place and not at many places.

Note the two explanations given by Rashi. The first follows this reading according to "pshat". The second is a Midrash Halacha. Do these two pirushim contradict each other, or can both be correct. Use your answer to explain the nature of Midrashei Halacha.

D. BACK TO SEFER BREISHIT

Note the use of the word "MAKOM" in Parshat Ha'akeyda (Br. chapter 22/ see psukim 2,3,4,9,14) and by Yaakov's Dream in Bet-el (Br. chapter 28/ see psukim 11->22.†)

.1Which of these two sites finally become the site of the Mikdash?

.2Do you think the extensive use of this word in these two parshiot, and its use in Parshat Reay, are reflected in Chazal's understanding that they are referring to the same location?

E. MIKRA BIKURIM - THE FINALE

Note that the final mitzva (or almost the last mitzva) of the chukim & mishpatim section again focuses on HA'MAKOM ASHER YIVCHAR HASHEM - the mitzva to bring "bikurim" there, and recite the proclamation of "arami oved avi" (see 26:1-10.)

.1Does this parsha belong in Parshat Ki-tavo, or do you think that it would be more fitting to Parshat Reay? In your answer relate to the parsha of maaser sheni in Reay (14:22-29) and viduuy maaser in 26:12-15 (right after bikurim!)

.2Why do you think it was chosen to conclude the main speech? [Note that chapter 26:16-19 is the conclusion of this speech/ see 27:1]

.3Relate your answer to the purpose of this speech, and the content of "mikra bikurim". Relate your answer to "brit bein ha'tarim" (Breishit 15), and Dvarim 11:22-25.

F. THE MISHKAN AND SEFER DVARIM

It is rather puzzling that the Mishkan, which is mentioned so often in Shmot, Vayikra, and Bamidbar, finds no mention at all in Sefer Dvarim. This absence, so striking, led many bible critics to suggest (chas v'shalom) that the author of Shmot could not be the author of Dvarim! Based on this week's shiur, one could suggest the following answer.

As we explained in the previous shiurim, Sefer Dvarim is NOT a repeat nor a summary of Chumash. Rather, it contains those mitzvot which were given to Moshe Rabeinu to convey to Bnei Yisrael at Ma'amad Har Sinai, immediately after the Ten Commandments. These mitzvot form a 'guidebook' for Bnei Yisrael to follow as they enter the Promised Land.

These mitzvot do include the establishment of a National Center, the site of the permanent Mikdash. Now, had Bnei Yisrael not sinned at Har Sinai, there would have been no need at all to build the TEMPORARY Mishkan. Rather, the PERMANENT Mikdash could have been constructed almost immediately, as soon as the conquest of the Land was complete. According to this ideal scenario, Bnei Yisrael would have continued their journey to Eretz Yisrael immediately after receiving the 'luchot' at Har Sinai (see Shmot 23:20-24:12). As the conquest of the Land should have taken only a short time, there would have been no need to build a temporary sanctuary in the Land at all. Construction of the permanent Mikdash, "ba'makom asher yivchar Hashem" could have commenced almost immediately.

Recall now that the mitzvot of the main speech in Sefer Dvarim were given at Ma'amad Har Sinai, PRIOR to Chet Ha'egel. Therefore, they reflect this ideal scenario of 'the

permanent Mikdash' as described above. Although these mitzvot are only being recorded forty years later, they still reflect this ideal. As the new generation is now preparing to cross the Jordan and conquer the Land (see 12:10-11), they are receiving the mitzvot in the same manner as the previous generation had received them at Har Sinai.

Therefore, there is no need for Dvarim to mention the Mishkan, i.e. the temporary structure. Dvarim focuses on conquering the land and setting up its institutions according to the ideal scenario. 1. Relate this discussion to the "machloket" concerning whether the commandment to build the "Mishkan" (Parshiot Trumah/ Tzaveh) was given PRIOR to Chet Ha'egel (Ramban) or afterward (Rashi). [See previous shiur on Parshat Trumah which explained this machloket].