

Parsha Pearls

FROM THE WORDS OF THE GEDOLIM

Vayakhel-Pekudei 5769

And let all who are wise of heart among you come and make all that Hashem commanded (35:10).

The Rambam in Hilchos Beis Habechirah 1:1 states that it is a positive commandment to make a house for Hashem where sacrifices can be offered and the Jewish people can ascend three times a year. In his Hilchos Melachim 11:1 he writes specifically that regarding the future Temple, this mitzvah is the exclusive domain of moshiach: "The king moshiach will arise and restore the dynasty of David to its former state, build the Temple and gather in the exiles of Israel." Last year on Parshas Terumah, we brought many other sources to show that we ourselves may not build the Temple before the coming of moshiach.

The Zionists, however, have found one source that seems to say that the Temple will be built before moshiach. The Torah says that the fruits from the fourth year in the life of a fruit-bearing tree must be eaten in Jerusalem. But if the owner wishes, he may transfer the holiness of the fruits onto money, bring the money to Jerusalem, buy food and eat it there. The Rabbis enacted that within a one-day radius of Jerusalem, the fruits themselves and not their monetary equivalent must be brought, so as to beautify the streets of Jerusalem with fruit. When the Temple was destroyed and Jerusalem fell into the hands of the Romans, there was no longer any need to beautify it, so the Rabbis suspended their decree and allowed the redemption of the fruits with money. However, they stipulated that whenever the Temple would be rebuilt, the decree would automatically come back into force (Mishnah Maaser Sheini 5:2). The Talmud Yerushalmi says, "This means that the Temple will be rebuilt before the kingship of the house of David." The Ridbaz and the Tosafos Yom Tov explain that the Yerushalmi's proof was that if the Temple will only be built after moshiach comes, why did Chazal have to stipulate that the decree would automatically come back into force? Won't moshiach and his beis din be there to reenact it? So it must be that the Temple will precede the coming of moshiach.

However, the Yerushalmi does not have to mean that the Jewish people will build the Temple on their own before the coming of moshiach. Rather, it fits quite well with the Gemara in Bava Kama 60b, which says that Hashem Himself will rebuild the Temple in fire. A similar statement appears in the prayer "Nachem", recited on Tisha B'av afternoon. This is also stated by Rashi and Tosafos on Succah 41a. The Yerushalmi is telling us that this building by Hashem will take place before the coming of moshiach.

This solves an apparent problem with the Rashi and Tosafos in Succah. They say that the Temple may be built suddenly by Hashem on the first day of Pesach, and the Omer offering will be delayed until the second half of the following day. If the Temple can only be built after the coming of moshiach, and moshiach will not come on Yom Tov (Eiruvim 43a), how could the Temple be built on the first day of Pesach? But according to the Yerushalmi, the Temple will be built by Hashem before moshiach.

But the Zionists point to the Tosafos Yom Tov commentary on the Mishnah (Maaser Sheini 5:2), who quotes the Yerushalmi and explains, "Until the coming of the kingdom of the house of David, our enemies will have a little rulership over us, just like there was at the beginning of the Second Temple." If he understood the Yerushalmi to mean a Temple built by Hashem, why did he have to say the enemies will have a little rulership? Why couldn't he understand

simply that the exile will continue in full force, the enemies will have complete rulership over us, yet the Temple will be built by Hashem? So we see that he understood the Yerushalmi to mean Jews building the Temple on their own. Therefore he was bothered: how can Jews during exile build the Temple? Certainly the nations ruling Jerusalem would not permit it. To this he responds that the enemies will have only a little rulership over us at that time. It sounds as if the Jews will have some degree of sovereignty. How could that, combined with the building of the Temple, not constitute a violation of the oath against forcing the end of exile?

The Satmar Rav explains this Tosafos Yom Tov based on the Midrash in Parshas Toldos (Bereishis Rabbah 64:10): “In the days of Rabbi Yehoshua ben Chananya, the evil kingdom (Rome) decreed that the Beis Hamikdash be built...” It goes on to say that the Jews would have built the Beis Hamikdash, but the Cuthites spoke badly of the Jews to the emperor and the emperor retracted his decree. Again we have the question: doesn't building the beis hamikdash constitute forcing the end of exile? Why were the Jews ready to take this opportunity? The answer lies in the word “decreed.” The Romans were forcing the Jews to build the Temple. Since it would have been done completely under Roman orders, there was nothing inconsistent with exile here, and it would not have violated the oath. Here as well, the Yerushalmi means that Chazal feared that the Temple would be built under government orders before the coming of moshiach, and there would be no beis din at the time great enough to annul the previous decree (Vayoel Moshe, Chapter 61).

Seemingly, this is still not enough to explain the Tosafos Yom Tov's words, “Our enemies will have a little rulership over us, just like there was at the beginning of the Second Temple.” If he is talking about the government forcing the Jews to build the Temple, why did he say that they will have only a little rulership? Why not complete rulership?

To answer this, we have to know the context of the Tosafos Yom Tov's statement. He poses a question: the Torah allows the fruits to be redeemed in any location. Chazal originally decreed that they not be redeemed within a one-day radius. When the Temple was destroyed, they annulled their decree, but inserted a condition that it would automatically come back into effect when the Temple is build, lest there not be a greater beis din in existence at that time. Why will we need a greater beis din to re-enact this decree when the Temple is built? A greater beis din is only necessary when *annulling* an earlier decree. But here the old decree was already annulled, and a new beis din can make any new decree it wants. On this, the Tosafos Yom Tov answers that at the time of the Destruction, Chazal did not just say that one *may* redeem the fruits. They said that one must redeem them. The reason was that Jerusalem was now in enemy hands and Chazal did not want Jews to bring up fruit and beautify its markets. This itself was a decree and would need annulment.

Then he cites a dispute between the Rambam and the Raavad in Hilchos Mamrim 2:2. The Rambam says that if one beis din passes a decree, even if the reason for the decree is no longer there, a lesser beis din cannot annul the decree. The Raavad holds that when the reason is no longer there, any beis din, even a lesser one, could annul the decree. Seemingly, this Mishnah in Maaser Sheini is a proof to the Rambam. When the Temple is rebuilt, the reason for the decree not to bring fruits to Jerusalem will no longer be relevant, yet the Mishnah says that a new beis din will be not be able to annul it unless it is greater. How will the Raavad explain the Mishnah? The Tosafos Yom Tov says that although the Temple will be built, the enemies will still be in power over us, Jerusalem will not be completely Jewish, and thus the reason for the decree will not be completely null. He does not mean that the Jews will have any sovereignty at all. His focus is the nature of Jerusalem: how Jewish it will be. If the government forces us to build the Temple, then there will obviously have to be a Jewish community in Jerusalem. However, the government will still have “some” presence there.

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