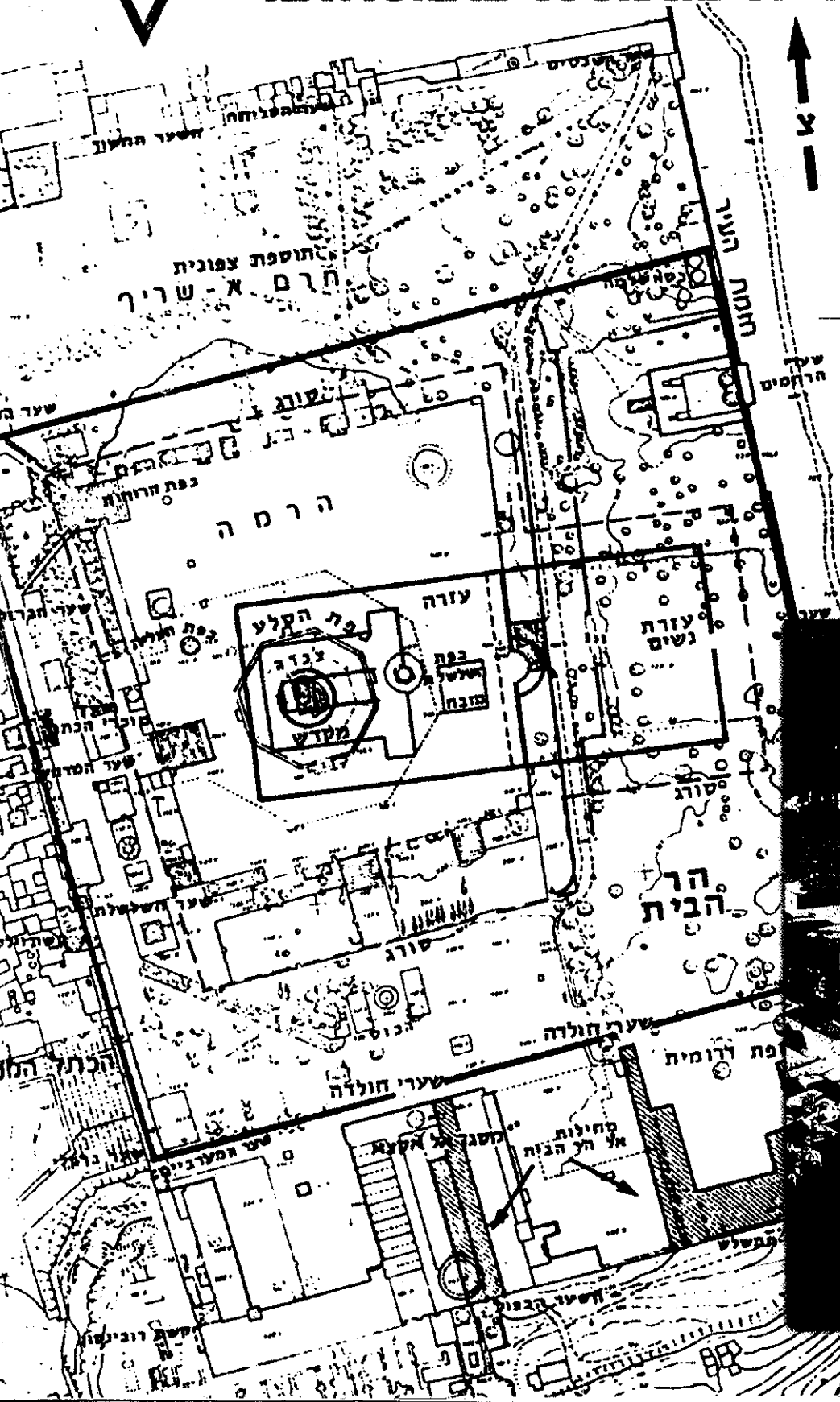
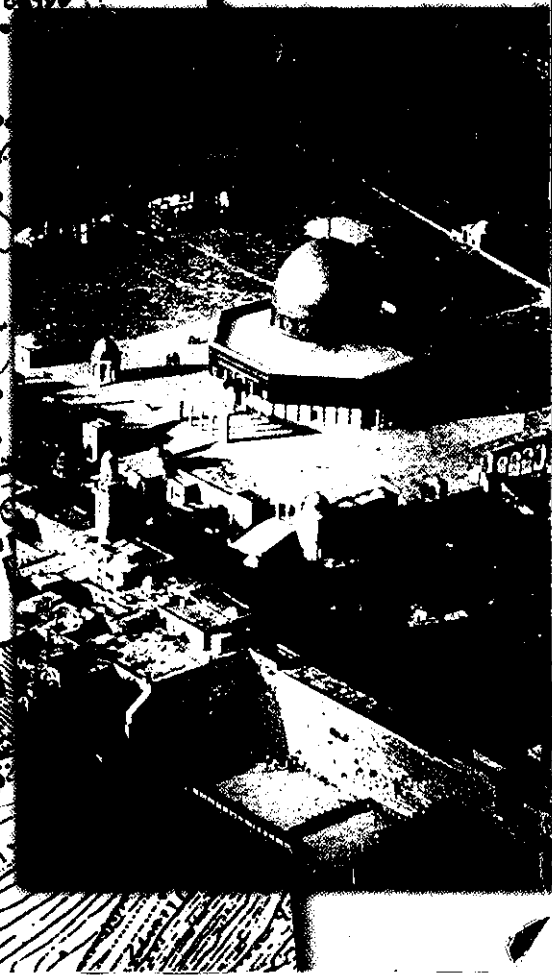


VIEWPOINT

NATIONAL COUNCIL OF YOUNG ISRAEL

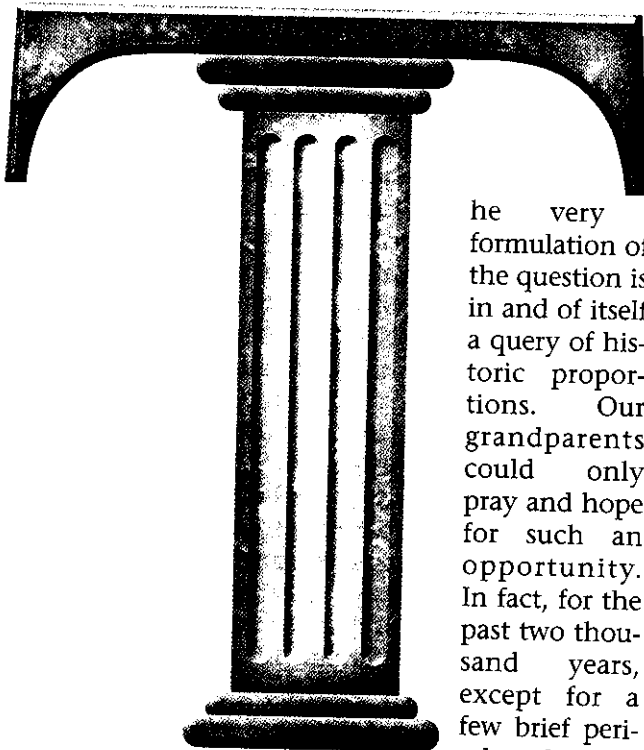


Aliyah To Har HaBayit



SHALL WE ASCEND THE MOUNTAIN?

BY RABBI DR. SHOLOM GOLD



he very formulation of the question is in and of itself a query of historic proportions. Our grandparents could only pray and hope for such an opportunity. In fact, for the past two thousand years, except for a few brief periods of time, the question

was essentially out of the question.

Well now — “Shall we ascend the Mountain?” I believe the answer is a resounding and reverent yes! Well, why? Because the mountain is there, and we can for the time being ascend by the good graces of the Moslem keepers of Har HaBayit (the Temple Mount), and because halacha permits it.

Flowing from the above we can go one step further and say, since it is possible, then ascending the Mountain may be more than optional. There may even be religious considerations that would make it obligatory.

I will explain.

As I began to go up the Mountain for the first time I was told by an Israeli policeman “Tizkor, al titpalel” — “Remember, don’t pray.” I wasn’t ready for that. I couldn’t believe what I was hearing. I was horrified. Moslems and Christians are permitted to pray there but not Jews. I was overcome with anger,

outrage and shame. Slowly, and then more intensely, the extent of the Chillul HaShem (the desecration of HaShem) began to invade and pervade my being. We, of all people, are prohibited from praying on our holiest site. I had naively thought that “Har HaBayit B’Yadeinu,” — “The Temple Mount is in our hands,” the historic announcement, on the 28th of Iyar 1967, that sent a thrill down the collective spine of Klal Yisrael, was in fact true. It was a crushing and humiliating experience to discover that it was not true. It could have been so — but a great opportunity was frittered away.

A recent letter to the editor of the Jerusalem Post brought home to me the consequences of our abandonment of Har HaBayit. Pam Goldstien of Windsor, Ontario, anchors a radio show on her city’s university campus. She writes about a victory party held by Arab students after Ariel Sharon’s announcement of the proposed pullout from Gaza. “According to one Arab political student, Israel’s destruction started in 1967 when Moshe Dayan returned to the Wakf the keys to the Temple Mount. ‘It was obvious to all of us that we wanted the land more than the Jews,’ this student said. ‘They returned their so-called most religious site. What fools! It was merely a matter of time before we weakened them even more.’ I replied that a lot of people viewed Dayan’s act as one of compassion. The students laughed.”

How sad it is that our enemies can so aptly focus in on our shame and identify our weakness. The failure of Israeli governments to stake our claim to the country on the evidence of Torah is another example of weakness that has cost us dearly.

A STATEMENT OF HALACHA

The nearly universal instinctive reaction to the question “Shall We Ascend The Mountain?” is an emphatic “but we can’t since we are all ‘Tamei-Met,’ spiritually unqualified to be on the mountain by reason of contact with a dead body. With no ash of the red heifer available, the process of purification is at present impossible.”

Before Shavuot I was part of a group gathering at the bottom of Rambam Gate in preparation to go up to Har HaBayit. A young man quite knowledgeable in Torah confronted us. He quoted the Rambam about the eternal sanctity of the Mountain and that since we are Tamei Met, we are prohibited from ascending the Mountain. I was going to quote the Rambam that says otherwise, and then it occurred to me that even if one doesn’t know a Rambam he should certainly know a Rashi in Chumash. In fact it’s a Rashi in Parshat Naso, the Sedrah to be read immediately after Shavuot. Rashi says, (Bamidbar 5-2) “They shall send away from the camp all who are impure. There were three camps there at the time of their encamping in the desert (1) with-

in the curtains of the courtyard, that is the camp of the Divine Presence; (2) the encampment of the Levites around the Tabernacle, that is the Levite camp; (3) from there to the end of the camp in all four directions is the Israelite camp."

After Rashi describes the three camps, he tells us of the halachic differences between them. "One who has Tzaraas (spiritual leprosy) is sent out of all the camps. One who has a Zav — emission is permitted in the Israelite camp but is sent out of the other two, and one impure by a corpse (Tamei-Met) is permitted to be also in that of the Levites and is sent away only from that of the Divine Presence."

There you have it. Now since a great portion of Har HaBayit is considered the Levite camp, Tamei Met is permitted there, except that one must immerse in a Mikva before ascending the mountain because of defilement through bodily emission.

The Rambam Hilchot Beit HaBchirah, Chapter 7, Halachot 11 and 15, describes clearly how the three camps of the desert correspond to three distinct geographic locations in Eretz Yisrael: the Temple compound itself is the camp of the Divine Presence, Har HaBayit is the Levite camp, and all of Jerusalem until Har HaBayit is the Israelite camp.

The Rambam also writes very clearly about Har HaBayit excluding the Temple area, "One is permitted to bring a corpse itself there and of course, a Tamei Met may enter there. The Talmud relates that Moshe, who was from the tribe of Levi, brought with him, out of Egypt, the bones of Joseph and they were in the Levite camp during the entire sojourn in the desert."

IT CAN BE DONE

Another factor that creates a resistance to ascending Har HaBayit is the fear that we don't

really know what to do; that we are unfamiliar with the halachot, that we simply cannot truly fulfill them properly, and that we may make serious errors. Suffice it to say that many years ago precisely these arguments were used to discourage Aliyah to Eretz Yisrael. There were those who said that there is no Mitzvah to live in Eretz Yisrael because we cannot fulfill the laws of Terumot and Ma'asrot (the tithing of agricultural produce) and a variety of other Mitzvot Hatluyot B'aaretz, commandments that are rooted in the land. The reaction of Rabbis to this concern was to reject it out of hand. Why, they asked, can't we fulfill the Mitzvot of the land?

We today of course, know that



WAQF ARGUING WITH ISRAELI POLICE ON THE TEMPLE MOUNT.

it can be done. The very wealth of halachic literature that has been devoted to Mitzvot Hatluyot B'aaretz bears ample testimony to our ability to deal with the unfamiliar. There are other halachot that one must know, such as: how to prepare for Tevila (immersion in a Mikva), the status of the Mikva, the prohibition of wearing leather shoes, proper conduct on the mountain and more. That is not in the purview of this article. I want only to deal with that near universal misconception that Tamei Met is prohibited from ascending the mountain. When that is clarified and the Tamei Met barrier is removed, it becomes easier to deal with the broader ramifications of

the subject. People are then ready to listen.

THE HISTORIC CONTEXT

Three great Torah scholars, a father, a son and a grandson provide a historic continuum that highlights the progress of Divinely ordained events.¹ **The Avnei Nezer, one of the giants of the nineteenth century in his lengthy response about Eretz Yisrael writes that if permission would be granted by the nations of the world for Jews to go on Aliyah, that would be considered "Pekuda," a sign that HaShem has remembered us and is sending a message that the process of return has begun.** In the lifetime of his son, the holy Shem Mi'Shmuel, when the League of Nations recognized Palestine as the homeland of the Jewish people, he gathered a number of community leaders and said to them, "As long as we did not see a sign from heaven that G-d wants us, and on the contrary we encountered obstacles at every turn, we did not press the issue of actively preparing for Aliyah but now that we see the fulfillment of Kol Dodi Dofek — A sound! My Beloved knocks.² ... but now that He has placed in the hearts of kingdoms to choose Eretz Yisrael for us... there is a holy responsibility that rests upon us to awaken and prepare our hearts for Him and do what we can both materially and spiritually"

The grandson of the Avnei Nezer, the son of the Shem Mi'Shmuel, Reb Dovid Borenstien, the Admor of Sochatchov, when he addressed the Fourth Knessiah Gedolah of Agudas Yisrael in Poland in 1934, reminded all assembled that for all his life his father had called for Jews to work toward building Eretz Yisrael, and that his grandfather had ruled that the Mitzvah to live in Eretz Yisrael applies in our time.

Reb Dovid quoted the Yid HaKadosh who said that though

every Jew must strive to fulfill all the commandments of Torah, there are commandments unique to each individual from the time of creation and for which he came into this world. How, asked the Yid HaKadosh, should one know what is the commandment destined for him? He replied, the Mitzvah toward which one feels drawn and longs to fulfill.

Reb Dovid concluded his remarks by saying that now that we see the longing for Eretz Yisrael by G-d fearing Jews that has developed and grown, and all Israel yearns to ascend to our Holy Land, this is a sign that now is the time specially designated to devote ourselves to this Mitzvah.

Here we have before us the stages in a great process going from the hope of the Avnei Nezer, which then becomes the "sign" of the Shem Mi'Shmuel and is translated by Reb Dovid into an imperative that calls on all Jews to act. **What was true then about Eretz Yisrael is rapidly becoming the reality with regard to the Temple Mount. At the establishment of the State we didn't have the Old City of Jerusalem and the Kotel. In the next stage, in 1967, in a moment of Divine kindness, we received those great gifts and we are now moving on to the next stage — to ascend Har HaBayit.**

There is a wealth of halachic responsa that has been written over the centuries about the possibility of ascending the mountain. It has now fallen to us to begin the climb in earnest and in fact. The awakened interest and the growing number of people going up to Har HaBayit seems to indicate that another opportunity has opened up for us that we dare not miss. Many are asking, questioning, debating and ascending. Books, pamphlets, instruction manuals are appearing with much greater frequency. The very fact that sovereignty over the mountain is in our hands beckons to us to take spiritual possession of it.

THE NEED TO ACT

The prophet Hoshea says (3-5), "Afterwards the Children of Israel will return and seek out HaShem their G-d and David their king and they will tremble for HaShem and His goodness in the end of days." Rashi makes a very powerful comment. He says, "The people of Israel were exiled because they rejected three things: the kingdom of Heaven, the kingdom of the House of David and the Beit HaMikdash. Rav Shimon ben Menassiya said, 'Israel will not be shown a good sign until they return and (Uvikshu) seek out these three things.'"

Rabbi Yissacher Shlomo Teichtahl in his classic work "Eim Habonim Semeichah" cites this Rashi a number of times as proof for two central ideas. Firstly, that by seeking out Eretz Yisrael one is in fact attempting to acquire all three because they all apply only there. His second point is that "seeking" of necessity means much more than prayer. One cannot fulfill the requirement "to seek" by prayer alone, regardless of its sincerity. King David prays "One thing (Shaalti) I asked of HaShem that shall I seek (Avakesh): would that I dwell in the house of HaShem all of the days of my life to behold the pleasantness of HaShem and to contemplate in His Sanctuary."³ What



CHILDREN FROM HEBRON LEARN ABOUT HAR HABA YIT WHILE STANDING NEXT TO ITS WESTERN WALL (WALL OF THE KOTEL)

is the difference between Shaalti — asked and Avakesh — seek. "I have asked and I will seek." The former refers to prayers while the latter indicates that David is ready to actively pursue his goal. So too the passage in Hoshea, "Afterwards the Children of Israel shall return and seek" means that they will follow up their prayer with action.⁴

Rav Teichtahl was writing in 1943 urging Jews to seek out Eretz Yisrael. We have, thank G-d, made great strides forward since those dark days. For us, the imperative is to "seek out" Har HaBayit.

THE URGENCY I

In the past fifty years the Orthodox community has made phenomenal strides forward. The reconstruction of Torah institutions following the Holocaust has been nothing less than miraculous. With single-minded zeal and superhuman effort, an infrastructure of Yeshivot, Shuls, chesed organizations and the like have come into being. The prophets of doom of the 40s and 50s of the last century had already eulogized Torah-observant Jewry as a relic of the past whose time was over. The amazing energy and vitality of Orthodoxy have proven wrong all who were ready to preside over its demise. When faced with the decimation of European Jewry we rallied, we marshaled our forces, gathered our resources and rose from the ashes. Yet, we didn't always respond to challenges with the same wisdom and sense of purpose. We made mistakes. We made big mistakes.

Our most tragic mistake, the one from which we suffer until today, is our abandonment of Eretz Yisrael at a crucial moment in history. Just think how different our Jewish world would look like today if in the first half of the twentieth century we would have come on Aliyah en masse. I begin to shudder when I contemplate the lives that would

have been saved and the Torah foundations that would have become the underpinnings of the State that was to be established. If only European Jewry would have heard and heeded the Great Call to Aliyah of Rav Kook in 1907, Rabbi Meir Simchah of Dvinsk in 1920 and many others.

There were of course a variety of religious reasons put forth to justify the position that opposed Aliyah. Ultimately granted that with the wisdom born of hindsight we have to realize that we made a terrible mistake. We turned "Shev v'al Taaseh — Sit and do nothing" into a calculated plan for justified inaction, and we continue to pay the price a hundred years later.

There is what, very well, may be called the Final Frontier and that is Har HaBayit. I am deeply concerned that we not make the same mistake again. It is not difficult to imagine and create religious concerns that would indicate that staying away from the Mountain is preferable. Many of the reasons for doing nothing with regard to Aliyah to Eretz Yisrael can also counsel a wait and see attitude with respect to the Mountain.

What would be our reaction if someday soon an energetic, creative, secular entrepreneur will begin to run Temple Mount tours of a non-religious or even anti-religious nature. What will we do then? You can use your imagination. Big posters will appear on the walls of Yerushalayim decrying the infidels who have desecrated the sanctuary, "Woe to the eyes that see such destruction, the very heavens tremble with anger." Isaiah will be mobilized in the shrill campaign against the destroyers, "When you come to appear before Me who sought this from your hand to trample My courtyard." "Woe they are a sinful nation, a people weighed down with iniquity, evil offspring, destructive children."

We need not permit such a replay of previous errors. There is



CHILDREN FROM HEBRON SINGING OUTSIDE THE GATES OF THE TEMPLE MOUNT

another way, and that calls for us to take the initiative now. **We should encourage religious Jews to ascend the Mountain after having made all the required halachic preparations. We should set the pattern and the mood for visits to Har HaBayit. We have to accentuate the sanctity and holiness of the place combined with a program to prepare people for the seriousness, care and reverence such a visit requires. We have to take the lead role in educating Klal Yisrael to know how to relate to the place "that HaShem has chosen."**

As more and more Jews ascend the Temple Mount the greater will become the pressure to permit open and free prayer. It should be our goal in the first stage to remove the frightening Chilul HaShem that racially discriminates against Jews on their own greatest holy site. At some later stage we may even reach the point of being able to build a Shul on the Mountain in an area that all can enter even without Mikvah immersion. **Parts of the Mountain that were added by Herod have no sanctity at all. There were periods in history when indeed there was a Beit Knesset on the Mountain. In the recent past, a number of rabbis have made just that suggestion.**

THE URGENCY II

In a recent article in "Haaretz" (May 11, 2004) Nadav Shragai

describes the ceaseless efforts of the Moslem world in general and the Palestinians in particular to erase any trace of Jewish ownership or presence on the Mountain. The intensified campaign combines two crucial elements. First of all, by physically removing tens of thousands of tons of earth that contain much evidence of Jewish ownership. Secondly, they have undertaken a massive rewriting of history to indicate that the Palestinians are in fact the descendants of the Jebusites and therefore owned the Mountain long before Jews ever arrived there. If anything, Jews stole the Mountain from the Palestinians. The new and revised fictional version of history has spread far and wide over the internet. While this lie has surfaced in the past, it was only at Camp David that Israeli officials first realized that the Palestinians are dead serious. They claimed that there is absolutely no Jewish connection to the Mountain at all. The lie has spread like a virus to Moslem communities world-wide.

A new study by Dr. Yitzhak Reiter conducted for the Jerusalem Institute for Israel Studies reports that Moslems now claim that there never were two Temples on the Mountain and their "so-called existence" is no more than lies fabricated by Jews. The Arabs now claim to have ruled Jerusalem for thousands of years before us. An Egyptian archeologist recently wrote that "the legend of the false Temples (Jewish) is the greatest criminal historic forgery of all." It is now common practice and absolutely routine when writing about the Temples to append the word "alleged." We who live in a world of Holocaust denial should have no difficulty realizing that many people out in the world will buy this Arab "big lie." Jews have always been the victims of the "big lie" syndrome. The first Rashi in Chumash already predicted long ago that we would be accused of theft — of having stolen the lands

of the seven nations.

Arthur Cohn writes in the Jerusalem Post June 1, 2004, "What an irony: No other people except the Jews had ever made Jerusalem its capital despite its conquest by many imperial powers, but now the facts are denied and history is rewritten." He further writes that **by denying the historical and religious bond between the Jewish people and its land the Arabs portray the Jewish settlement enterprise throughout Israel as theft. This includes even those lands on which Jews have lived for generations and those acquired at great cost and sacrifice.**

By ascending the mountain we can reassert our historic and religious claim to all of Eretz Yisrael. To remain silent in the face of the onslaught of falsehood casts us in the role of passive collaborators. "Shtikah k'hodaah — silence is acquiescence," says the Talmud. Would we remain silent if ownership over our personal property would be brought into question?

I fear the judgment of generations to come as I do the judgment of generations back into history all the way to Avrohom Avinu.

CONCLUSION

We live in a volatile and rapidly changing part of the world where what is true one day may not be so the next day. There is now a window of opportunity that permits us to visit Har HaBayit, and we should take advantage of it.

In the Neilah prayer on Yom Kippur we say "Ezkeroh" — "I shall remember, O, G-d, and I shall moan when I see every city built on its hilltop, while the city of G-d is degraded to the nethermost depth. But despite all this we are G-d's and our eyes look to G-d." Indeed a very moving prayer resounding with tragedy. Throughout history the degradation of Yerushalayim came from gentile sources. They defiled,

desecrated, and destroyed the city. I fear that if we don't grasp the moment to regain what is ours, "the place that HaShem has chosen," we may very well contribute, albeit indirectly, to the degradation of the city.

The Midrash says that as the destruction of the Beit HaMikdosh grew imminent HaShem cried out "My sons, where are you, My Kohanim, where are you, those who love Me, where are you..." and HaShem instructed Yirmiyahu, "Go and call Abraham, Isaac, Jacob, and Moshe from their graves for they know how to cry." Immediately Yirmiyahu went to the Maarat HaMachpela and said to the Patriarchs, "Stand up because the time has arrived that you are requested in the presence of HaShem." They said to him, "Why?" Yirmiyahu replied, "I don't know." The Midrash concludes by saying that Yirmiyahu did not tell them of the impending Churban, for fear that they would say to him, "In your days this has happened to our children."

The judgment of history is not far off in the future. It is now. All the generations that succeeded us are watching what action we will take at this crucial juncture in Jewish history. If Yirmiyahu was frightened of what the Avos would say, how much more so must we consider carefully the significance of the step we should take.

It was only recently revealed in a lecture at Princeton University given by Professor Matti Shenberg, advisor to Israeli intelligence in March, 2002, that the Camp David negotiations of the summer of 2000 between Arafat and Barak "failed" because of the Har HaBayit and not because of the "right of return," which, in fact, was hardly discussed. Arafat demanded full sovereignty over the Mountain and Barak knew that he could not deliver. That is, of course, not a failure but a victory. Yerushalayim and large parts of Eretz Yisrael were saved because of Har HaBayit. To

me this proves that while we feel helpless and frustrated with our inability to impact on events and policies, it does seem quite clear that a dramatic rise in visitors to Har HaBayit may tip the scales in our favor politically and spiritually. It is a Mitzvah to enforce our claim and demonstrate clearly our uninterrupted connection to the Mountain.

We look forward to the day soon when the prophecy of Isaiah will be fulfilled.

"It will happen in the end of days: The Mountain of the Temple of HaShem will be firmly established as the head of the mountains, and it will be exalted above the hills, and all the nations will stream to it. Many peoples will go and say, "Come, let us go up to the Mountain of HaShem, to the Temple of the G-d of Jacob, and He will teach us of His ways and we will walk in His paths." For from Zion will the Torah come forth, and the word of HaShem from Jerusalem." (Isaiah II, 3) ▲

1 See Rav Uzi Kalcheim - Shirat Umah L'Artza

2 Shir Hashirim 5-2

3 Tehillim 27-4

4 Esther 5:17. So Esther responded, "My request and my petition — She'aylasi Uvakhashi." Esther is telling the King that she has a request, but that she is also saying that she will go to all ends to achieve her goal. It is interesting to note that there are 167 sentences in the Megillah and this sentence is the 84th Pasuk, making it the exact center. There are 83 Psukim on one side and 83 on the other. Esther's request carries with it a clear message that she is ready to act. This point, therefore, becomes the pivotal one in the story. Henceforth Mordechai and Esther achieve ascendancy as Haman and his followers begin to decline.

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