

# Chayai Sarah 5775

BS"D Parashat Chayai Sarah 5775

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## Jewish Sovereignty in Eretz Yisrael

Our rabbis have taught that Hashem put Avraham Avinu through ten challenging, painful and formidable tests. The ninth was the "binding of Yitzchak" (*akeidat Yitzchak*) and the tenth, the negotiations between Avraham and the Hittite Council of Elders for the purchase of *Ma'arat Ha'machpela* as a burial site for Sarah.

Logic dictates that every succeeding test increased in difficulty, so what was the focus of this last test set before Avraham which caused it to be more demanding than any of the previous nine?

Was it the necessity to deal with worldly matters of "real estate" while in the midst of a profound emotional crisis at the loss of his beloved Sarah? Was it Avraham's being taken advantage of by the unscrupulous Efron the Hittite, who charged 400 shekels for a burial site which was not worth nearly that much?

These were indeed aggravating realities, but the real hard core of the test was to impact profoundly upon Jewish history.

A fundamental principle appears in many of our classical commentaries and responsa:

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*The actions of the fathers (Avraham, Yitzchak and Ya'akov) will guide their children (the Jewish people) along the path to redemption*

The moment of truth came when Avraham, despite the ramifications of what he was presently going to do, stood before the Hittite council of elders and proclaimed:

אני אנוכי זר ודורש בכם

*I am a stranger and a resident among you*

Rashi quotes the midrash which explains Avraham's intention:

אם תרצה למכור את מקדש ה' אעשה זר ואתה תהיה רשע ואם לא תרצה למכור את מקדש ה' אעשה זר ואתה תהיה צדיק

אם תרצה למכור את מקדש ה' אעשה זר ואתה תהיה רשע ואם לא תרצה למכור את מקדש ה' אעשה זר ואתה תהיה צדיק

*If you wish [to sell the burial site], I will act as a stranger who recognizes your right of ownership over the area; but if you do not [sell me the burial site], I will implement my right of sovereignty and seize the land by virtue of G-d's promise to me, "And to your children will I give this land"*

Recall that Avraham was told by Hashem to leave his land, his birthplace and father's home to take up residence in a land which Hashem would identify later. At that time, Europe was desolate, as were most parts of Africa and Asia, not to speak of the Americas. But instead of sending Avraham to establish a Jewish State in an unpopulated area where there would be no protest, Avraham was directed to the most populous area in the world; a thin sliver of land at the eastern end of the Mediterranean Sea populated by 7 idolatrous nations numbering in the hundreds of thousands, perhaps even millions.

Each of these peoples, all descendants of Cham the son of Noach, arrived in the land much before Avraham. They

cultivated its fields, constructed buildings and established places of worship, which taken together served as a common civilization.

At this junction in their history, a stranger arrives from the east and declares that he is the true sovereign over all the land. Not just the area of Canaan, but of all the lands from the Euphrates in the north to the Nile in the south, and from the Mediterranean in the west to Mesopotamia in the east.

By his statement Avraham challenged the rights of countless peoples who considered themselves the owners of these lands by virtue of conquest and possession over 1000 years. This was an act of immense courage, because from that moment on, Avraham was perceived by all those people to be a threat to their way of life – to their very existence.

We were here before you! You are a foreign implant in the Middle East. You have no rights! Sounds strangely familiar? We hear it daily from Arab spokesmen, echoing the feelings of the ancient children of Cham when reacting to Avraham's declaration of sovereignty. These anti-G-d, latter-day advocates of denial spew their venom in the media, on campus, in the Security Council, on Capitol Hill and on the Temple Mount.

And we ask ourselves: where is the Avraham of our generation who will stand up before the world and declare that *Eretz Yisrael* is our G-d-given heritage?

This is obviously too huge a test for today's Jewish leaders; whether they be great *talmidei chachamim*, who almost to the man, advocate a low profile when dealing with Yishmael in the east and Esav in the west, and certainly the secular Jews who believe that our ties to the land are historic and do not stem from G-d's promise to our forefathers.

Were I to merit the opportunity to stand before an international forum, I would shout the words of Avraham Avinu:

that although we recognize individual rights of possession of non-Jews, G-d and His people Israel are the sovereigns over the entire land as demarcated by the boundaries set down in the Torah.

The rejection by the gentile world of our sovereignty over *Eretz Yisrael* as being G-d given together with the reluctance of our religious and political leaders to proclaim our sovereignty is the root cause of all our problems today in *Eretz Yisrael*.

In the wake of the 1967 Six Day War, when Hashem presented to *Am Yisrael* the entire area of *Eretz Yisrael* west of the Jordan river on a silver platter, the Jewish thing to do would have been to immediately:

1. Erase the two abominations standing on the Temple Mount;
2. Annex all the areas of *Shomron*, *Yehuda*, *Aza*, and the Golan Heights into the State of Israel;
3. Facilitate, assist, and inspire the hostile non-Jewish population to leave the country;
4. Resettle the newly acquired lands between the Ocean and the River;
5. Prepare for the millions of Jews who would have returned had the government acted according to the first four.

However, since our leaders lacked the Jewish pride which filled Avraham Avinu, we are witnessing the abandonment of everything which is right.

The Temple Mount has become the focal point for Moslems in *Eretz Yisrael*, when on a Friday in *Ramadan* 300,000 Moslems ascend the Mount and turn their backs on *Yerushalayim* and face Mecca.

Our government under pressure of the United States and others announced its willingness in principle to establish the 23rd Arab state in the area of *Shomron*, *Yehuda* and *Aza*, and are quite capable of giving the Golan Heights to the Syrians in

return for a piece of paper.

Instead of diminishing the Arab population, our government does all to increase it as they turn a blind eye to the multiple-wife Arab marriages, so that a Bedouin family can number from 50 to 75 and more children, and slowly take over the entire Negev.

The government creates multiple hardships for people wishing to settle in the liberated areas.

The long-awaited ingathering of all Jews to *Eretz Yisrael* did not crystallize because of the weakness of the “children” compared to the pride and strength of Avraham Avinu, when he declared our G-d-given sovereignty over every millimeter of this Holy Land.

Fortunately, as in past desperate periods in our history, HaShem will send a leader who will exhibit Jewish pride as exemplified by Avraham Avinu. At that time, Hamas, Hezbollah, Iran and all the other would-be Hitlers who slither around the planet, will be no more. And the banners of the twelve Jewish tribes will be raised by the people who have returned to take possession of all of *Eretz Yisrael*.

## **Jewish Sovereignty on the Temple Mount**

There is a vigorous debate among Halachic authorities regarding ascending Har HaBayit (the Temple Mount).

There is a saying: “If the answer is **war**, then you are asking the wrong question”.

The issue of Har Habayit is erroneously posed by the question:

Is it Halachically permitted to ascend the Temple Mount? When the true core issue is: To what degree are we required to enforce Jewish sovereignty over of all of the lands in our possession, first and foremost Har HaBayit?

Regarding the permissibility of ascending the Mount, the following general Halachic guidelines are agreed upon by all.

1- Halacha makes a clear distinction between the Temple Mount and the Temple compound (Azara, the area where the two Temples and their surrounding walls once stood) which covers only about one fifth of the Mount.

2- It is prohibited to enter the Temple compound, even after immersing in a mikveh, under severe penalty, which according to Rambam is Karet, but according to RaVaD the punishment today is not Karet.

3- One who is tamai by contact with a dead body (cemetery, hospital, etc.) may enter the Temple Mount, even without immersing in a mikveh.

4- One who is tamei through internal bodily reasons (nida, giving birth, etc.) must first immerse in a mikveh.

5- One may wear only foot apparel which is permissible on Yom Kippur.

6- We do not know where the Temple compound was, however we do know where it was not.

7- The Halachic masters who prohibit ascending the Mount agree to the above, but their major fear is that if one who is aware of the Halacha enters in the accepted manner, others who are ignorant of the Halacha will enter in a non-Halachic manner.

When one weighs the immediate necessity to exercise Jewish sovereignty on the holy Temple Mount vs. the concern that people who are ignorant of the Halacha will tread upon the prohibited areas, simple logic would dictate that the more

important determination of Jewish sovereignty is preferable.

In any event, it is essential that all acts of sovereignty be carried out within the legal framework of the government. Individual acts which have within them the potential for incitement of the enemy are self-defeating and eventually lead to anarchy, which is the destruction of society.

Although we cannot see the future, let no one doubt that the holy Temple will one day be built on the Temple Mount. The Kohanim will perform the Temple service and the Sanhedrin will be in session in the Lishkat Hagazit (a particular chamber) of the Temple and the Davidic monarchy will once again rule the land. And it is incumbent upon us to work toward these goals.

But it must be done with wisdom and patience under the guidance of rabbis who appreciate the need for Jewish sovereignty in Eretz Yisrael, and lead their adherents towards that crucial goal.

Shabbat Shalom,

Nachman Kahana

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