

Rebuilding the Temple and Restoring Sacrifices: Rav Kook, Rabbi Hayyim Hirschensohn, and Theodore Herzl

RAV KOOK

In 1918, Menasheh Grossberg, a Russian-born rabbi living in London, sent a letter to Rav Kook — who was residing in London at that time (on account of WWI, he could not return to Palestine) — asking, inter alia, whether it was permissible to rebuild the Temple, even if no sacrifices would be offered.

Rav Kook's reply split a halakhic hair. Based on Maimonides's stipulation that the purpose in rebuilding the Temple was to renew the sacrificial order, he denied that it would fulfill a mitzvah, but that rebuilding it, per se, even without sacrifices, was permissible.

In response to the question is it permissible to build the temple on condition that sacrifices are not offered, I can't see the picture. If it is on account of impurity, that is nullified in public as has already been written ...

Therefore it should be permissible to offer regular, additional, and all public sacrifices. Truthfully, if we reach the point of building a temple, we could also prepare the red heifer which would purify us from impurity and enable us to offer all manner of sacrifices. And even if we do not have kohanim with impeccable genealogies, that is not such a concern because we may still rely upon status quo, because a pedigree was required only in such time as it was maintained, and those who sought such pedigrees were at a disadvantage when they were unavailable. However, over the course of time, when the loss of a pedigree is not a detriment, we may say that it is not at all an impediment. It is also possible that there are individual kohanim who have preserved such pedigrees.

In any event, to the best of my knowledge, if it will be God's will that we will rebuild the Temple even before the Messiah comes and prophecy is renewed and wonders will be observed, and there will be no impediment in this matter. However, the mitzvah is to build the Temple in order to sacrifice there, and to celebrate the festivals whose essence is also the offering of the festive sacrifices. However, to say that if sacrifices are not offered is a transgression of “do not act thus with me” by building a purposeless building, is not at all reasonable. Rather, it is the performance of an incomplete mitzvah to build a temple and not offer sacrifices, if they are available. But if we are unable to offer sacrifices at all, we must say that there is no mitzvah because that is the form of the mitzvah as stipulated by Maimonides in the Laws of the Temple and in his Book of the Commandments. However, if we offer even a single sacrifice at some time this would definitely be the proper performance of the mitzvah, even if other sacrifices might be withheld, and it does not constitute a prohibition of building a purposeless building.

Some three years later, Rav Kook wrote a longer and more detailed halakhic monograph entitled “The Contemporary Sanctity of the Temple Site” (קדושת מקום במקדש בזמן הזה), which dealt with access to the Temple site, an obvious precondition for its rebuilding. Here are the texts central to that argument.

הלכות בית הבחירה ו:יד-טו

כָּל מְקוֹם שֶׁלֹא נֶעֱשָׂה בְּכָל אֵלוֹ וּבִסְדֵר הַזֶּה, אִין קָדוֹשׁ גָּמוֹר. וְזֶה שֶׁעָשָׂה עֲזָרָא שְׁתִּי תוֹדוֹת זָכְרוֹן הוּא שֶׁעָשָׂה, לֹא בְּמַעֲשָׂיו נִתְקַדֵּשׁ הַמְּקוֹם, שֶׁלֹא הָיָה שָׁם לֹא מֶלֶךְ וְלֹא אוֹרִים וְתַמִּים. וּבְמֵה נִתְקַדֵּשׁ? בְּקִדְשָׁהּ רֵאשׁוֹנָה שֶׁקִּדְשָׁהּ שְׁלֵמָה שֶׁהוּא קִדְשׁ הָעֲזָרָה וִירוּשָׁלַיִם לְשַׁעֲתוֹ וְקִדְשׁוֹ לְעֵתִיד לְבוֹא:

Any place that is not done as above and according to this order, is not completely holy. The fact that Ezra offered two thanksgiving offerings, was only a remembrance; the site was not consecrated because there was no king and no *urim v'tumim*. And how was consecrated? With the initial consecration of Solomon, who consecrated the courtyard and Jerusalem for then and forever.

לְפִיכֵךְ מְקַרְיָבִין הַקְּרִבְנוֹת כֵּלָן אֵף עַל פִּי שְׂאִין שָׁם בֵּית בְּנוֹי. וְאוֹכְלִין קִדְשֵׁי קִדְשִׁים בְּכָל הָעֲזָרָה אֵף עַל פִּי שֶׁהִיא חֲרֻבָּה וְאִינָה מְקַפֵּת בְּמַחְצָה, וְאוֹכְלִין קִדְשִׁים קְלִים

וּמַעֲשֵׂר שְׁנֵי בְּכָל יְרוּשָׁלַיִם אֲף עַל פִּי שְׂאִין שָׁם חוּמוֹת; שֶׁהַקֹּדֶשׁה רֵאשׁוֹנָה קֹדֶשׁה
לְשַׁעֲתָהּ וְקֹדֶשׁה לְעֵתִיד לְבוֹא:

Therefore, all the sacrifices may be brought even though the Temple has not been built. The holiest sacrifices may be eaten throughout the courtyard, even though it is destroyed and there are no walls surrounding it. And sacrifices of lesser holiness and second tithe may be eaten in all of Jerusalem, even though there are no walls, because the initial consecration sanctified it for its time and for the future..

השגת הראב"ד

בקדושה ראשונה שקדשה שלמה. א"א [אמר אברהם] סברת עצמו היא זו ולא ידעתי מאין לו ובכמה מקומות במשנה אם אין מקדש ירקב ובגמ' אמרו דנפול מחיצות אלמא למ"ד קדושה ראשונה לא קדשה לעתיד לבא לא חלק בין מקדש לירושלים לשאר א"י ולא עוד אלא שאני אומר שאפילו לרבי יוסי דאמר קדושה שנייה קדשה לעתיד לבא לא אמר אלא לשאר א"י אבל לירושלים ולמקדש לא אמר לפי שהיה יודע עזרא שהמקדש וירושלים עתידים להשתנות ולהתקדש קידוש אחר עולמי בכבוד י"י לעולם כך נגלה לי מסוד ה' ליראיו לפיכך הנכנס עתה שם אין בו כרת.

This is his individual opinion I do not know whence he received it, and in several places in the Mishnah and in the Talmud, it says otherwise... Therefore, to one who holds that the initial consecration did not sanctify it for the future, there is no difference between the Temple and Jerusalem and the rest of the Land of Israel. Moreover, I maintain that even according to Rabbi Yossi, who said that the second sanctification consecrated it for the future, he meant only the balance of the Land of Israel, but did not apply it to Jerusalem and to the Temple, because Ezra knew that the Temple in Jerusalem would change in the future and would be consecrated eternally on account of God's presence. Thus, it appears to me, in the manner of "Gods secret to those who fear him." Therefore, one who enters there today will not suffer excision.

Did Raabad intend to permit entry entirely? Rav Kook's answer (עמ' רי"ח) was he was just saying that while there is no איסור כרת (because the sanctity was nullified by the Temple's destruction), but there remains either a Torah prohibition, or, at least, a rabbinic one.

In any event, there remains a contemporary prohibition even according to Raabad. Even if we were to say that Raabad came to say that, halakhically, this does not incur excision nowadays, we might yet say that there remains [the transgression of] both a prohibition and a positive commandment... it remains prohibited for an Israelite because all consecrations remain in force, along with their accompanying prohibitions.	
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And yet, Rav Kook concluded this responsum with the following words:

When a semblance of the illumination of salvation has begun to appear, through God's generous graces, so will the rock of Israel add the light of His goodness and His truth and will reveal to us the light of complete salvation. He will bring us quickly our true Redeemer the righteous Redeemer the righteous Messiah, and quickly fulfill all the words of his servants the prophets. The temple will speedily be built in our day in all its glory and splendor and sanctity when he dispatches to us Elijah the prophet to notify us of the impending redemption. He will raise the horn of his Messiah through the revelation of His presence in the sight of all flesh, and then His temple will be built on high and remain on earth forever.

The reversal in his attitude towards the rebuilding (between 1918 and 1921) may have resulted from his appointment, in the interim, as Chief Ashkenazic Rabbi of Mandatory Palestine, an appointment that may have forced him to adopt a more conservative public posture. (It has been noted that he similarly retreated from earlier positions on the renewal of *semikhah* and the Sanhedrin.)

וְלָמָּה אֲנִי אוֹמֵר בְּמִקְדָּשׁ וִירוּשָׁלַיִם קִדְשָׁהּ רֵאשׁוֹנָה קִדְשָׁהּ לְעֵתִיד לָבוֹא. וּבְקִדְשַׁת שְׂאֵר אֶרֶץ יִשְׂרָאֵל לְעֵנֶינּוּ שְׁבִיעִית וּמַעֲשָׂרוֹת וּכְיוֹצֵא בָהֶן לֹא קִדְשָׁהּ לְעֵתִיד לָבוֹא. לְפִי שְׁקִדְשַׁת הַמִּקְדָּשׁ וִירוּשָׁלַיִם מִפְּנֵי הַשְּׂכִינָה וְשְׂכִינָה אֵינָה בְּטָלָה. וְהֵרִי הוּא אוֹמֵר (וַיִּקְרָא כֹּה לֹא) "וְהַשְּׂמוֹתַי אֵת מִקְדְּשֵׁיכֶם" וְאָמְרוּ חֲכָמִים אִף עַל פִּי שְׂשׂוּמָמִין בְּקִדְשֶׁתּוֹ הוּ עוֹמְדִים אֲבָל חַיִּיב הָאֶרֶץ בְּשְׁבִיעִית וּבְמַעֲשָׂרוֹת אֵינוֹ אֶלָּא מִפְּנֵי שֶׁהוּא כְּבוֹשׁ רַבִּים וְכִיּוֹן שְׁנִלְקָחָהּ הָאֶרֶץ מִיַּדֵּיהֶם בְּטַל הַכְּבוֹשׁ וְנִפְטָרָה מִן הַתּוֹרָה מִמַּעֲשָׂרוֹת וּמִשְׁבִּיעִית שֶׁהִרִי אֵינָה מִן אֶרֶץ יִשְׂרָאֵל. וְכִיּוֹן שֶׁעָלָה עֲזָרָא וְקִדְשָׁהּ לֹא קִדְשָׁהּ בְּכְבוֹשׁ אֶלָּא בְּחִזְקָה שֶׁהַחֲזִיקוּ בָּהּ וּלְפִיכֵךְ כָּל מְקוֹם שֶׁהַחֲזִיקוּ בָּהּ עוֹלֵי בָּבֶל וְנִתְקַדְּשׁ בְּקִדְשַׁת עֲזָרָא הַשְּׁנִיָּה הוּא מִקְדָּשׁ הַיּוֹם וְאִף עַל פִּי שְׁנִלְקָחָהּ הָאֶרֶץ מִמֶּנּוּ וְחַיִּיב בְּשְׁבִיעִית וּבְמַעֲשָׂרוֹת עַל הַדֶּרֶךְ שֶׁבָּאֵרְנוּ בְּהַלְכוֹת תְּרוּמָה:

RABBI HAYYIM HIRSCHENSOHN

Rabbi Hayyim Hirschensohn (RHH) was born in Tzefat in 1857 to a religious family that had come to Palestine in 1848 as part of the חובבי ציון movement. He studied first with a *melammed* and later at the yeshiva שנות אליהו in Jerusalem that was established by his father and named after R. Eliyahu Guttmacher, a relative and one of the foremost spiritual progenitors of religious Zionism.

Committed to both Torah and Avodah (as opposed to the חלוקה), RHH founded a factory to

manufacture beds, and after its bankruptcy tried his hand at printing and manufacturing soap. Committed to social action as well, he was among the founders, in 1893, of נאמני ארץ, a society of Jerusalem intellectuals that undertook several of the responsibilities that would later characterize the Jewish Agency for Palestine: improving relations with the government, aiding the settlement of Jewish immigrants, and providing for their security and protection from Arab brigands. RHH himself was also among the first members of the *Yishuv* to organize land purchases to promote Jewish settlement.

In 1887, after an extended visit to Frankfurt, Germany, RHH began a Hebrew journal (המסדרונה), which published articles by R. Azriel Hildesheimer, R. David Zvi Hoffman, Dr. Abraham Berliner and Michah Yosef Berdichevsky, *inter. alia*. His intellectual and Zionist activism, however, aroused the ire of the Old Yishuv and he soon found himself a victim of an “ultra-Orthodox” ban (חרם) in the company of Eliezer ben Yehudah, with whom (along with David Yellin and Yehiel Michael Pines) he had established the שפה ברורה society to promote the use of Hebrew as a medium of everyday communication. (The Hirschensohn and Ben Yehudah families also shared the experience of raising their children in Hebrew.)

In 1896, the combination of financial and social distress forced him to leave Palestine. He took up residence in Istanbul where he became the principal of two schools, אור and תפארת צבי, לתורה, and began to address the challenges of modern Jewish education. Both schools taught in Hebrew and RHH also prepared Hebrew textbooks and even composed Hebrew songs for their use. During this time, he became one of the earliest members of the Mizrahi movement and was a delegate to the 6th Zionist Congress in Basle in 1903, where he broke ranks with the movement and opposed the Uganda plan. Later that year, he immigrated to America and assumed the post of Chief Rabbi of Hoboken, NJ, a position he felt (correctly) would allow him adequate leisure for study and publication. RHH remained in Hoboken until his death, in 1935.

When the Balfour Declaration was issued in November of 1917, RHH was elated at the prospect of the renewal of Jewish sovereignty over the Land of Israel. He proceeded to devote his vast erudition in both Jewish and secular sources, and his prodigious intellectual energies, to formulating halakhic guidelines for the merger of the two causes to which he was devoted: the Jewish tradition, to which he had been committed from birth, and the American tradition of Democracy, under whose spell he had fallen since his arrival in the United States. His efforts resulted in the publication of מלכי בקדש, six volumes of responsa devoted to the clarification of such issues as: the rights of women, non-Orthodox, non-Jews, etc. This work has been popularized by Eliezer Schweid in דמוקרטיה והלכה, English: Democracy and Halakhah (Lanham: University Press, 1994).

The first two responsa deal with the questions of monarchy and sacrifices, respectively. In the former case, he ruled that monarchy had been replaced by ממשלת עם, democracy (p.8).

In the latter case, he considered animal sacrifice to be something that Jewish (and general) philosophy had long-since rejected.

The third responsum, entitled הכניסה למקום המקדש, proposed a Temple that was to be a universal spiritual center, devoid of sacrifice (11), calling it (12) היכל השלום.

Hirschensohn also saw practical, political, purpose to a prompt rebuilding, lest international efforts restrict Jewish access to the Temple Mount, allowing the Muslims to establish their presence there. (13-14)

BINYAMIN ZE'EV (THEODORE) HERZL

Herzl wrote of his Temple in *Altneuland*, in the chapter (5) on Jerusalem. As a secular Jew, he was aghast at he thought that religious Jews might build a Temple in which sacrifices would be offered—something he saw as primitive—hence he recommended one that was more like a Reform synagogue from which universal ethics and morality would emanate.

Friedrich sits in the Temple and has an epiphany:

Suddenly, as Friedrich listened to the music and meditated on the thoughts it inspired, the significance of the Temple flashed upon him. In the days of King Solomon, it had been a gorgeous symbol, adorned with gold and precious stones, attesting to the might and the pride of Israel . . . Yet, however splendid it might have been, the Jew could not have grieved it for eighteen centuries long . . . No, they sighed for an invisible something of which the stones had been a symbol. It had come to rest in the rebuilt Temple, where stood the home-returning sons of Israel who lifted up their souls to the invisible God as their fathers had done on Mount Moriah. The words of Solomon glowed with new vitality: 'The Lord hath said that he would dwell in the thick darkness./ I have surely built Thee a house of habitation,/A place for Thee to dwell in forever. (253)

Steven Fine: *The Temple of Jerusalem: From Moses to the Messiah*: In Honor of Professor Louis H. Feldman. Brill, 2011.

In fact, Herzl's familiarity with the symbolism and mythology of the Temple stones seems to have been quite sophisticated. The title of the book itself, *Altneuland*, was explicitly borrowed from the German name of the medieval synagogue of Prague, the *Altneushul*. One classic story of the *Altneushul* describes the origins of the shul's cornerstone as being a stone from the destroyed Temple, carried into exile and used to construct the synagogue. With the coming of the Messiah, the story goes, the stone would be miraculously transported back to Jerusalem to take its place in the rebuilt Temple. Ahad Ha'am elaborates on this tale in his review of *Altneuland*, seemingly convinced that Herzl was not aware of it

Herzl made no reference to sacrifices, neither did he indicate just where his Temple would be built, two things for which Achad Ha'am criticized him.

כל כתבי אחד העם, שי"ט.

In general, the old city has changed little. The ancient prayer houses of all the religions still stand on their sites, even the Muslim temple named for Omar still stands on the Temple Mount as before. Within the new buildings of the old city, the Temple will arise gloriously. Yes, the Temple; with the Yakhin and Boaz columns, Solomon's pool, and with an altar in its courtyard. Why an altar? We cannot know, because not a word is mentioned in the book about sacrifices. All we know is that on the Sabbath eve a chorus sings *L'kha Dodi* to musical

accompaniment—just like in the “Temple” in Vienna; no more.

And why an altar? But if we come to ask, an even more serious question arises. Where shall the Temple be built? As we have noted, the Mosque of Omar still stands on the site of the Chosen Edifice; did Rabbi Shmuel, friend to the Liberals, permit the building of the Temple elsewhere?

However, one may not question *Altneuland*, which is entirely miraculous.

While Hirschensohn made no overt mention of Herzl, perhaps for political reasons, his plan for the Temple was clearly influenced by *Altneuland*.

RAV KOOK’S REACTION TO HIRSCHENSOHN

Hirschensohn, as was his wont, circulated his work widely and invited responses, which he published. Rav Kook, while agreeing with his position on democracy—at least tentatively—too sharp issue with his view on the Temple and sacrifice. (*Malki baKodesh* 4, 1922, 4)

As long as the Messiah has not appeared ... there is no prohibition to conduct our government in whatever form we see proper

However, regarding the site of the Temple, my opinion is quite distant from that of yours... It makes more sense to say that even according to the Raabad there is a Torah prohibition ... or at the very least a rabbinical prohibition, and we cannot allow masses of impure people to approach the site of the glorious throne, the elevated site of our temple.

As far as our national pride is concerned, in my opinion it would be more respectful if we would acquire possession of the courtyards adjacent to the holy Kotel and on that site, in proximity to the Kotel, build a great and glorious synagogue. And all those innovations that you have recommended, for song and religious poetry, will be conducted there... This is consistent with the vision of Herzl in *Altneuland* about the temple, even if it does not stand literally on the site of the Temple...

Regarding sacrifices, it would be more proper to believe that everything will return to its previous status and that and we will no longer be influenced by the philosophies of European civilization... It is unworthy of us to imagine that sacrifices rest entirely on the base idea of anthropomorphic worship... But I agree with you that we cannot approach the matter of sacrifices without the appearance of the Holy Spirit; something that is in itself not a very distant or unimaginable expectation because the Lord can appear suddenly...

It must be noted that in his siddur commentary, *עולת ראיה* (p. 296), Rav Kook took a decidedly different approach to animal sacrifice, one consistent with his known advocacy for vegetarianism.

HIRSCHENSOHN’S REPLY TO RAV KOOK

Having published Rav Kook’s reply to his position, Hirschensohn proceeded to reject Rav Kook’s suggestion about a synagogue built near the Kotel, going as far as to compare its ingenuousness to the Uganda plan. (*Malki BaKodesh* 4, 8)

