

והיית לנו לעינים

“...and you shall be as eyes for us...”

a view from a GER

יונתן נח בן אברהם

yonason noach BEN AVRAHAM

Parashas RE'EH, Kitzur Version

In our *parasha* we have the *passuk* that the Rambam utilizes to show that HaShem's Torah is Eternal, and will never be altered. The Rambam states (*Hilchos Yesodei HaTorah* 9:1): ‘It is clear and explicit in the Torah that it is [G-d's] commandment, remaining forever (לעולם ולעולמי עולמים) without change, addition, or diminishment, as [*Devarim* 13:1] states: “Whatever I command you, take care to do it; *you shall not add to it, nor diminish from it,*” and [*Devarim* 29:28] states: “The secret things belong to the Lord our God; but those things which are revealed belong to us and to our children forever, that we may do all the words of this Torah.” This teaches that we are commanded to fulfill all the Torah's directives forever.’

In this *D'var* Torah we will examine the Rambam's Principle regarding the Immutability of HaShem's Torah, the ramifications of the Principle, plus examine a “seeming” challenge to that Principle.

### The 9<sup>th</sup> of the Rambam's Thirteen Principles,

(“*The Immutability of HaShem's Torah*”)

### The Or HaChayim, Bereshis 49:28, Bamidbar 3:45,

(“...the privileges of the firstborn will be restored to them in the future”)

(“*Even though Chazal say that the avodah is destined to return to the firstborn....*”)

**And the natural inclination to understand a phrase literally, even when to do so presents *Yiddishkeit* with an “Apparent” *Machlocus Gedolah***

We have quoted the Rambam regarding the Immutability of the Torah above, below we quote the applicable offerings from the Or HaChayim that seemingly suggest a change to the Torah in *L'asid Lavo*:

*Or HaChayim, Bereshis 49:28* “When we look at the way Jacob censured Reuben, we are reminded of the *Sifri* in *Beha'aloscha*, according to which, the privileges of the firstborn will be restored to them in the future. Inasmuch as Jacob called Reuben his firstborn, this was an encouragement for all the firstborn to look forward to the future when they would again be allowed to function as priests. It was on account of that future that Jacob was so intent to acquire the birthright from Esau at the time. The idea that there would come a time when Esau would perform the service in the Holy Temple was anathema to Jacob. **This does not mean that in the future these privileges will be denied to the Levites. At the time envisioned both the firstborn and the Levites will share equally in those functions that were performed by the Levites when the Temple was standing....**”

*Or HaChayim, Bamidbar 3:45* “...and the Levites will belong to Me, I am the Lord.” The reason the Torah adds the words “I am the Lord,” is to tell us that **although according to *Yalkut Shimoni* 364 there will come a time when the firstborn will once again be performing the priestly functions in the Holy Temple,** the Levites will not therefore be demoted and cease to belong to G-d. The very

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expression “והייר-לי” indicates that just as G-d’s name is eternal, so is the appointment of the Levites to their task.”

The apparent *machlokes* is identified by the Torah offerings below:

**Bamidbar 8:17.** For all the firstborn of the people of Israel *were* mine, both man and beast; on the day that I struck every firstborn in the land of Egypt I sanctified them for myself. 18. And **I [now] have taken the Levites instead of all the firstborn of the people of Israel.**

**Rashi, Bamidbar 8:17 – For all the firstborn... were Mine** – The firstborn were Mine by right, for I protected them among the Egyptian firstborn, and I took them for Myself—**until they erred through the golden calf**, so **now** “I have taken the Levites” [**Bamidbar 8:18.** And **I have taken the Levites instead of all the firstborn of the people of Israel.**].

**Sefer HaMitzvos, Mitzvah Aseh #23** (Upon the Levites alone) **To perform specific services in the sanctuary** – (*Bamidbar* 18:23. But **the Levites shall do the service of the Tent of Meeting**, and they shall bear their iniquity; **it shall be a statute forever throughout your generations, that among the people of Israel they have no inheritance.**) See *Arachin* 11: Only the Levites sing the *Tehillim* in the Temple (*Devarim* 18:7. Then he shall minister in the name of the Lord his God, as all his brothers *the Levites* do, who stand there before the Lord.)]

**Sefer HaMitzvos, Mitzvah Lo Sa’aseh #74** The exhortation against any *zar* [“stranger”] performing the [priestly] service (The Rambam writes: “**By “zar” I mean all who are not of the seed of Aaron.**”) – *Bamidbar* 18:4. And they shall be joined to you, and keep the charge of the Tent of Meeting, for all the service of the Tent; and ***a stranger shall not come near you.*** 18:7. Therefore you and your sons with you shall keep your priest’s office for everything that concerns the altar, and inside the veil; and you shall serve. I have given your priest’s office to you as a service of gift; and ***the stranger who comes near shall be put to death.*** 18:22. ***Neither must the people of Israel henceforth come near the Tent of Meeting, lest they bear sin, and die.*** [The Rambam cites *Yoma* 24a as defining exactly what parts of the *avodah* a non-Kohain is liable for the death penalty for performing.]

The Rambam teaches that the Torah’s *Mitzvos* are forever, and he lists commandments that place a permanent separation between the *Levi'im* and the remaining *shavatim*, as well as separating the *Kohanim*, the sons of Aaron, from the remainder of the *Levi'im*. The *Or HaChayim* “seems” to say that the firstborn will return to doing that which they were precluded from doing due to the Sin of the Golden Calf. Thus we seem to have a *machlokes*, but can we understand the *Or HaChayim* in a way that resolves this apparent difference of opinion?

## Our Chiddush

We posit the following understanding of the *Or HaChayim* on ***Bereshis* 49:28** and ***Bamidbar* 3:45** with our understanding contained within the “glosses”:

***Or HaChayim, Bereshis 49:28*** – “When we look at the way Jacob censured Reuben [*Gloss: his “first born son”*], we are reminded of the *Sifri* in *Beha’aloscha*, according to which, **the privileges of the firstborn will be restored to them in the future.** Inasmuch as Jacob called Reuben **his firstborn**, this was an encouragement for **all the firstborn** to look forward to the future when they would again be allowed to function as **priests**. [*Gloss: The Or HaChayim here is alluding, with a *mashal*, to Israel as HaShem’s “firstborn son,” as we know from *Shemos* 4:22, “And you shall say to Pharaoh, Thus said the Lord, Israel is My son, My firstborn.” And we know that we are currently in exile and disfavor with HaShem, due to our sins (the *Tochachah Perakim*, *Vayikra* 26, *Devarim* 28, et al), much as Reuven was in*

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disfavor with Ya'akov Avinu due to the situation with Bilhah. But the Or HaChayim alludes to the return of His “first born son,” Israel, to their place of prominence as His emissaries to the world as we know was their intended avodah from Shemos 19:6. And you [Israel] shall be to me a kingdom of Kohanim.] **It was on account of that future that Jacob was so intent to acquire the birthright from Esau at the time. The idea that there would come a time when Esau would perform the service in the Holy Temple was anathema to Jacob.** [Gloss: Again, through a mashal, the Or HaChayim alludes to present day, when Israel is in exile, and when the nations are (l’havdil) “learning” about HaShem’s Torah through the descendants of Esav, the Christians. To Ya’akov and his descendants – the true purveyors of HaShem’s Torah, HaShem’s Truth – this is intolerable; thus just as Ya’akov was determined to acquire the status of being “firstborn” from Esav, we must do everything in our power to reassume the mantle of being the true firstborn, the true teachers of HaShem’s Torah, which include learning and teaching the true lessons of the Bais HaMikdash and the animal sacrificial system which have been so misinterpreted by Esav’s spiritual descendants. (See Rambam, Hilchos Melachim 11:4)] **This does not mean that in the future these privileges will be denied to the Levites. At the time envisioned both the firstborn and the Levites will share equally in those functions that were performed by the Levites when the Temple was standing....**” [Gloss: We know that the Levi’im were separated away from the remainder of the shavatim after the Sin of the Golden Calf and were assigned tasks associated with the Mishkan that were unique to them; we also know that the Kohanim (Aaron and his sons) were separated away from the remainder of the Levi’im, and given tasks in the Mishkan also unique to them. We also know that there are several mitzvos lo sa’aseh that precludes any non-Levi from performing their tasks, as well as any non-Kohain from performing their tasks. Thus the “privileges/functions” that the Or HaChayim is referring to must be tasks that are available to both the Levi’im, as well as the firstborn of the other shavatim (we are to understand through the Or HaChayim’s mashal that those firstborn are ALL of HaShem’s “firstborn”), and the task that was special to the Levi’im and Kohanim, which will become common to all of Israel, is to take our place as a Mamleches Kohanim, a Kingdom of Priests, a Kingdom of Teachers to whom the nations will turn in the End of Days to learn about HaShem and His Torah. This vision of L’asid Lavo is made clear to us in Zechariah 8:23 “...In those days it shall come to pass, that ten men from the nations of every language, shall take hold of the robe of a Jew, saying, We will go with you; for we have heard that God is with you.” (Cf. Or HaChayim, Vayikra 26:5. Cf. Yishayahu 60:10)(See Rav Hirsch, Vayikra 4:3)]

The Or HaChayim, Bamidbar 3:45 “...and the Levites will belong to Me, I am the Lord.” The reason the Torah adds the words “I am the Lord,” is to tell us that although according to Yalkut Shimoni 364 there will come a time when the firstborn will once again be performing the priestly functions in the Holy Temple, [Gloss (See our glosses to Bereshis 49:28, but also): Our Sages teach us (Menachos 110) that if one has learned the halachos regarding a particular korban, it is as if he had actually brought that korban. (Cf. Or HaChayim, Vayikra 26:3; Bamidbar 4:3, 8:24 with Rashi) Thus when we are in the midst of the End of Days, when the nations will gladly perform the mundane actions of life that support Klal Yisroel, we will be free as a nation to perform our primary avodah, learning and teaching HaShem’s Torah. And as for the performance of the “functions in the Holy Temple,” this has been clarified before the Or HaChayim even before he wrote this comment by our Sages in the Mussaf Shemoneh Esrei of Pesach/Shevuos/Succos, “Restore the Kohanim to their avodah and the Levites to their song and music; and restore Israel to their dwellings...” We must not understand the Or HaChayim “literally,” in that if he were understood to be advocating the actual firstborn of each household being restored to the role explicitly given to Aaron and his sons by HaShem in His Torah, that would place the Or HaChayim (chas v’shalom) in the category of (Yoma 85b) He who interprets Torah contrary to the Mesorah has no share in the World to Come, and this cannot be. (Cf. Rambam, Introduction to Perek Cheilek; Hilchos Melachim 11:3-4; Hilchos Yesodei HaTorah 9:1.)] **the Levites will not therefore be**

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**demoted and cease to belong to G-d. The very expression “והיו־לי” indicates that just as G-d’s name is eternal, so is the appointment of the Levites to their task.** [Gloss: The Or HaChayim is teaching us here that even though HaShem’s “firstborn,” Klal Yisroel, will all share in the main avodah of learning and teaching Torah, that the Levi’im (including the Kohanim) will still be separated from the remainder when it comes to their specifically assigned tasks in the Bais HaMikdash Shelishi. And why do the Levi’im (including the Kohanim) deserve to be eternally appointed to their tasks, eternally separated from the rest of Klal Yisroel? Because they stood up for HaShem at the Incident of the Golden Calf (Shemos 32:26-29), and as the Or HaChayim himself says (Shemos 38:21) “The reason the Torah adds, **עבודת הלוים** ‘the service of the Levites’ is, that we are to remember what happened for all times (regarding the Golden Calf).”]

If the reader is in agreement with this non-literal, but absolutely necessary eisegesis of these two teachings of the *Or HaChayim*, great! But if there are doubts about any part of this author’s *chiddush* regarding these two pieces of Torah, please feel free to read the Extended Version.

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