

Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash
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PARASHAT HASHAVUA

PARASHAT RE'EH

IN LOVING MEMORY OF

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לע"נ

יהודה פנחס בן הרב שרגא פיינעל

כ"ב אב תשכ"ח – י אב תשע"ב

ת.נ.צ.ב.ה

Where is “the place which God shall choose”?
By Rav Yoel Bin-Nun

When reading *Parashat Re'eh*, Torah scholars and biblical researchers alike generally understand the phrase, “the place which God shall choose” as referring solely to Jerusalem (Mount Moriah), which, according to the Midrash, is designated at Creation as the site of pilgrimage for the Chosen Nation¹ and as the “mountain of God’s house” which all of the world will recognize and visit at the End of Days, in accordance with Yeshayahu’s prophecy (chapter 2).

This understanding makes it exceedingly difficult to explain the sacrifices offered to God upon *bamot*, literally “high places,” the ad hoc altars described in several places in the Books of *Shoftim*, *Shemuel* and *Melakhim* – whether during the period when this was forbidden, but nevertheless practiced (including during the time of David and Shelomo, Asa and Yehoshafat, Amatzya and Uziyahu); or during the period when the Jews themselves did “every man whatever is right in his eyes” (*Devarim* 12:8), regarding the practice as permissible.²

The problem is stated by R. Meir Simcha Ha-Kohen of Dvinsk in his *Meshekh Chokhma*, at the beginning of *Parashat Re'eh*. He cites *Shoftim* 2:5:

“And they called the name of that place Bokhim, and they sacrificed there to God” – but this was after the death of Yehoshua... and the *Mishkan* was in Shilo... and so at this stage the *bamot* were forbidden (*Mishna*, *Zevachim* 14:5). How, then, could they have sacrificed to God in Bokhim? This is very difficult to understand.

In an attempt to resolve the difficulty, he offers an innovative idea that I believe represents the *peshat* of the verse: that the Jews bring the Holy Ark to Bokhim, just as they bring it, inter alia, to Shekhem (*Yehoshua* 24:26, according to Rashi) and to Beit El (*Shoftim* 20:27). This is the meaning of the verse, “And the house of Yosef – they, too, went up against Beit El, and God was with them” (*Shoftim* 1:22). Further on in his explanation, R. Meir Simcha relies on the *Tosefta* (*Zevachim* 13) and the *Yerushalmi* (*Megilla* 1:11), which suggest that the departure of the Ark from its place creates a license for *bamot*, allowing individuals to offer sacrifices on their own *bamot*, “every man whatever is right in his eyes.”

However, more important for our purposes than the halakhic explanation is the idea that bringing the Ark to Beit El, to Shekhem, to Mitzpa or to Bokhim effectively makes these sites the “place of the Divine Presence” for that time, like a sort of mobile *Mishkan* inside *Eretz Yisrael*,³ so long as they had not yet reached “the rest and the inheritance which the Lord your God gives you” (*Devarim* 12:9). Indeed, this is exactly what the prophet Natan tells David:

For I have not dwelled in any house since the time that I brought up the Israelites out of Egypt, even to this day, but I have walked in a tent and in a tabernacle. In all the places where I have walked with the Israelites... Moreover I have appointed a place for My people, Israel, and planted them, that they may dwell in a place of their own... But I will give you rest from all your enemies... (*Shemuel* II 7:6-11)

When we read *Sefer Devarim* with a readiness in principle to accept different possible manifestations of “the place which God shall choose” in different places, at different times, and in different situations, the entire *sefer* becomes clearer and easier to understand – especially in the complex situations anticipated in the Land prior to the selection of Jerusalem, representing the form of divine service practiced during the time of the Judges and at the beginning of the monarchy.

Let us review the chapter that establishes the principle of divine service in a single place, and the units flowing from it.

In *Devarim* 12 (and later on, in *Devarim* 14-18 and 26), we find the prohibition of sacrificing “in any place that you see” and the directive to limit such service to “the place which God shall choose”. This principle is defined using four or five formulations that differ slightly from one another:

1. “But to the place which the Lord your God shall choose out of all of your tribes to put His Name there...” (12:5, 14:24)
2. “Then there shall be a place which the Lord your God shall choose to cause His Name to dwell there...” (12:11, 14:23, 16:6, 16:11, 26:2)
3. “But only in the place which God shall choose in one of your tribes...” (12:14)

¹ See Rambam, *Laws of the Temple*, 2:1-2, and *Kesef Mishneh* ad loc.

² This is one of the reasons for the general consensus among biblical scholars that *Sefer Devarim* was “composed” towards the end of the period of the monarchy.

³ See the opinion of my father and teacher, Dr. Yechiel Bin-Nun z"l, and my additions, in his book *Eretz Ha-Moriah: Pirkei Mikra Ve-lashon*, Alon Shevut 5766, pp. 26-33.

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4. "But [you must eat them] in the place which the Lord your God shall choose..." (12:18, 14:25-26, 15:20, 16:16)
5. "To the place which God shall choose" (12:26, 16:15, 17:8-10, 18:6)

Indeed, *Chazal* are sensitive to the difference between a place described as one in which God will "cause His Name to dwell there" (such as the *Mishkan* in Shilo) and a place that is chosen "out of all of your tribes" (such as Mount Carmel for Eliyahu, as per Rashi's first explanation).

Places where the Holy Ark is brought for public gatherings (such as Beit El, see *Shoftim* 20:26-28), or where the people gather at the prophet's command (such as Mitzpa, Shemuel I 7:5-10), can be called "before God"/ "the place which God shall choose", at least temporarily, for the duration of the gathering (such as in Shekhem, see *Yehoshua* 24). The same applies to places where an angel of God is revealed (e.g., to Gidon – *Shoftim* 6:20-24; to Manoach's wife – *ibid.* 13:16-20).

Apparently, this is how the directives were understood at the time of the Judges, and it is quite possible that even during the period of the monarchy some of the people who offered sacrifices on *bamot* understood the situation in this way, at least in those places that were known for previous revelations of angels or appearances of prophets who spoke in God's Name.

This reading of *Parashat Re'eh* is further supported by the fact that the five verses (above) which speak of "the place which God shall choose" in different ways, actually belong to five parallel units that include all the elements of the prohibitions of sacrificing "in any place which you see," with some repetitions:

- Introductory prohibition
- Twice "You shall not do..." (12:4, 8)
- "Guard yourself" (12:13)
- "You may not..." (12:17)

In each of these units we find "the place," along with a list of sacrifices, rejoicing and sharing the celebration with servants and Levites.

This dramatic repetition of the same principles and details clearly proves that the text is presenting different definitions of the chosen place. Jerusalem is merely the last of them. Rashi, following in *Chazal's* footsteps, explains:

"For you have not as yet come to the rest and to the inheritance which the Lord your God gives you" (12:0): "the rest" refers to Shilo; "the inheritance" refers to Jerusalem.

It is even possible that there could be a "place which God shall choose in one of your tribes," for instance, at the command of a prophet for a particular time, "like Eliyahu on Mount Carmel" (Rashi on 12:9, 13).

This reading is entirely consistent with the *peshat* of the text, as well as with *Chazal's* teachings, and it completely disproves the conventional interpretation of

critical biblical scholarship.⁴ The only holy place that is explicitly mentioned in *Devarim* (chapter 27) as a place for building an altar to God and for burnt sacrifices and offerings "before God" is actually Mount Eival. Jerusalem is not mentioned by name even once in *Sefer Devarim*, nor, for that matter, anywhere else in the Torah.

This, however, is not the only surprising discovery we make in *Sefer Devarim*, if we read it simply and without preconceived notions.

In *Parashat Shoftim* there is clear attention to the laws of sacrificing on *bamot* located at the gates of justice. Can the court at the gates of the city also be considered a place worthy of the Divine Presence?

In *Parashat Mishpatim* (*Shemot* 21-22) the judges are called "*elohim*," a term usually reserved for God, because God is with them in judgment – certainly in relation to oaths taken, but also in relation to ruling: "Then his master shall bring him to the *elohim*" (21:6); "then the master of the house shall be brought to the *elohim* [to swear] that he has not put his hand to his neighbor's goods" (22:7); "the cause of both parties shall come before the *elohim*, and whom the *elohim* shall condemn, he shall pay double to his neighbor" (22:8).⁵

This gives rise to the question of whether the grave prohibition, "He who sacrifices to any *elohim* except to the Lord alone, shall be utterly destroyed", comes to prevent sacrificing only to other gods (as Ibn Ezra understands it). Perhaps the prohibition means to forbid the offering of sacrifices at the place of judgment – even if that place is sanctified to the God of Justice, the One and Only "Judge of all the earth" – since such sacrifices court the danger of sliding into idolatry or some other forbidden worship. Perhaps it is for this reason that the text adds, for emphasis, "except to the Lord alone". Ramban understands thusly.⁶

We find that the verses in *Sefer Devarim*, at the beginning of *Parashat Shoftim* (16:18–17:1, following immediately the mitzva of pilgrimage to "the place which God shall choose"), include both the command concerning justice and the laws of sacrifice "in all your gates," for only Divine justice exists in the place "which the Lord your God shall choose" (see 17:2-12):

Judges and officers shall you put for yourself in all your gates, which the Lord your God gives you, throughout your tribes, and they shall judge the people with righteous judgment. You shall not twist judgment; you shall not favor anyone; nor take a bribe, for a bribe blinds the eyes of the wise and perverts the words of the righteous.

⁴ In contravention of the *peshat*, biblical scholars read all the units in the *parasha* as referring to Jerusalem and the time when Yoshiyahu outlaws all *bamot* and renews the covenant with the Book of the Torah (*Melakhim* II 22-23). However, the fact that Yoshiyahu goes to great effort to bring the nation back to Torah does not tell us anything about writing the Book or about its interpretation.

⁵ Cf. also 22:10 – "An oath of the Lord shall be between them both, that he has not put his hand to his neighbor's goods."

⁶ He rejects Ibn Ezra's contention that the prohibition relates to idolatrous offerings, proving from the next clause that it is forbidden to sacrifice even to the One and Only God Who reveals Himself there through the attribute of justice – hence, "except to the Lord [Tetragrammaton]."

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Justice, only justice shall you pursue, that you may live and inherit the land which the Lord your God gives you.

You shall not plant yourself an *ashera* of any tree near the altar of the Lord your God, which you shall make for yourself.

You shall not set yourself up any pillar, which the Lord your God hates.

You shall not sacrifice to the Lord your God any bullock, or sheep, in which there is a blemish, or anything evil, for that is an abomination to the Lord your God. (16:18 – 17:1)

These verses speak explicitly of the altar to God “which you shall make for yourself,” but there is no stipulation “which God shall choose.” Rather, it is close to the judges “throughout your gates” – but it is forbidden to plant an *ashera*, or to set up a pillar, or to offer any sacrifice that has a blemish.

Further on, following the laws pertaining to the altar and sacrifice, the text comes back to the subject of justice, with the command to go up “to the place which God shall choose” to the place of “the *Kohen*” and “the judge who will be in those days”. This return to the subject of justice testifies to the connection between the place of sacrifice upon the altar, and the place of justice – at the gates of the cities “throughout your tribes”, for it is all one single unit.

This interpretation sits well with the message in *Parashat Re'eh* that “the place which God shall choose” is still hidden in the future:

You shall not do as we do here today, every man whatever is right in his eyes, for you have not as yet come to the rest and to the inheritance.

Therefore the license to sacrifice upon *bamot*⁷ is practiced until the time of “the rest” and “the inheritance.”

However, it is also possible that the altars at the gates, and the offering of sacrifices at the place of justice, do not necessarily contradict the fundamental idea of avoiding sacrifice “in any place that you see,” since sacrifice at these sites might perhaps be included among the candidates for “the place which God shall choose to cause His Name to dwell there”, insofar as the judges rule in accordance with God’s word, and “God (*Elohim*) stands in the congregation of the Almighty; He judges among the judges (*elohim*)” (*Tehillim* 82:1).⁸

The disagreement between Ibn Ezra and Ramban may reflect an ancient disagreement. The priests of the gate-altars maintained that such service was permissible as worship of the One God Who is present at the place of judgment, while Judean kings such as Chizkiyahu and Yoshiyahu uprooted and eradicated such sites. Indeed, archaeologists have found *bamot*, altars, and pillars at gates; some were found hidden, suggesting their

controversial nature. These discoveries match the biblical description of Yoshiyahu:

He brought all the priests from the towns of Judea and desecrated the *bamot*, from Geva to Beer Sheva, which the priests had made smoke. He broke down the *bamot ha-she'arim* at the entrance of the Gate of Yehoshua, the city governor, which was on the left of the city gate. (*Melakhim* II 23:8)

On the one hand, *bamot ha-she'arim* seem to be referred to as a general phenomenon; on the other, this verse pinpoints a specific location and city.⁹

In any event, the units pertaining to “the place which God shall choose” in *Sefer Devarim* describe different situations for a selected site for pilgrimage. The history of the land, from conquest to the Judges to the monarchy, gives expression to this variety, in accordance with the *peshat* of the text, as *Chazal* and Rashi understand.

Here again we see *Sefer Devarim* offering an expansion, explanation, and definition for fundamental directions set forth in the text of *Sefer Shemot*, in the same way that the many statutes and judgments that appear in *Shemot* (especially in *Parashat Mishpatim*)¹⁰ are expanded upon and explicated in *Devarim*.

*

At Khirbet Qeiyafa, on the northern side of the Elah Valley, two identical impressive gates¹¹ were discovered, along with monument stones on the left side of the entrance to the city gates – one of which was placed in such a way as to conceal it. This fortified city with its two gates has been dated to the period of King David (10th century B.C.E.). This discovery brings us back to the verses in *Sefer Devarim* prohibiting the setting up of “an *ashera* of any tree near the altar of the Lord your God, which you shall make for yourself,” along with the units concerning the judicial system on the tribal/ regional level “in all of your gates.”

A single monument stone was found hidden near the western gate of Qeiyafa, while the base of the

⁹ The description seems to be taken from a specific city, perhaps as an example. However, it is important to point out that a similar gate, with a small site of worship on the left side of anyone entering the gate, was found at Tel Sheva; see below, n. 15. The discoveries at Khirbet Qeiyafa, from the period of King David (10th century B.C.E.) prove that *bamot ha-she'arim* were a general phenomenon in Judea throughout the period of the monarchy.

¹⁰ See Ramban’s introduction to *Sefer Devarim*.

¹¹ See Y. Garfinkel, S. Ganor and M. Hazel, *Footsteps of King David in the Valley of Elah* (Tel Aviv: Yedioth Ahronoth Books and Chemed Books), pp. 73-84. The western gate faces Tel Azeka and the road westward to Philistia; the southern gate faces toward Tel Sokho and has been reconstructed in accordance with the two entrances in the wall, their breadth identical to the western gate; and also based on the drainage canal. On the basis of the two gates, archaeologists identify the citadel with the city of Sha’arayim (literally, “two gates”), mentioned as being located in the portion of Yehuda, close to “Adullam, Sokho and Azeka” (*Yehoshua* 15:35-36), as well as in the description of the flight of the Pelishtim following the fall of Golyat in the Elah Valley (*Shemuel* I 17:52).

⁷ *Mishna, Zevachim* 14.

⁸ This chapter (*Tehillim* 82) in fact comes to describe the collapse of the idea that God forever stands with the judges in judgment: “I had said, You are *elohim*, sons of the Most High; nevertheless, you shall die like a man, and fall as one of the princes. Arise, God, judge the earth...”

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southern gate was found complete. The description of the *bamot ha-she'arim* in the story of Yoshiyahu (*Melakhim* II 23:8) locates them to the left of those entering the gates of the city, and that is exactly where the hidden monument stone was found at the western gate of Qeiyafa¹² – dating to a period around 350 years earlier than Yoshiyahu.

Near the hidden stone, adjacent to the western gate, an ostrakon¹³ was discovered with an inscription in proto-Canaanite (the Israelite script that preceded Phoenician¹⁴). Despite the lack of clarity and the dispute surrounding the proper meaning of the text, it seems clear that its content is related to the sphere of justice. The first line features instructions and warnings: "Do not do," "Serve," and the second line includes "Judge" – possibly twice. Near the end of the ostrakon inscription we find political terms such as "king."

The description of the discovery of the hidden monument near the western gate amplifies the significance of the possible encounter between an archaeological artifact from the period of King David and the verses from *Sefer Devarim*. The monument was found dislodged from its original place, integrated and hidden as part of a secondary construction. The archaeological team removed it from the wall in which it had been deliberately hidden.¹⁵ They cautiously proposed the possibility that the stone was hidden in the wall for theological reasons, and they mentioned the dismantled altar whose carved stones *were found hidden in a storage area from the time of Chizkiyahu, in Tel Sheva.¹⁶

To this we might add the *devir* found hidden under the wall at the citadel of Tel Arad,¹⁷ and the altar¹⁸ that

was found hidden in the floor, apparently having been placed there in the time of Chizkiyahu.

A monument stone was considered no less holy for those who set it up than a Holy Ark is for Jews today. Its removal from its place and its deliberate concealment in a secondary wall has far-reaching theological significance, even if some administrative or other need is part of the explanation.¹⁹ Only great and unusual pressure could have led to the removal of this sacred stone and its concealment within the wall.

The monument stone hidden on the northern side of the western gate at Qeiyafa opens a window onto a fascinating possibility: it may be that as early as the 10th century B.C.E., some 350 years prior to King Yoshiyahu, a halakhic debate raged in Judea as to whether a monument stone may be set up next to the place of judgment at the gates of the city. This would explain the removal and concealment of the stone. Admittedly, *Tanakh* offers no testimony of any royal initiative aimed against *bamot* prior to Chizkiyahu and Yoshiyahu.

At the same time, the monument stone adjacent to the southern gate remained in its place,²⁰ and additional monument stones, found in cultic rooms at some distance from the two gates, remained functional.²¹ Had there been a clear, unequivocal decision of the governor and elders of the city, or a royal decision by the king, against monument stones (as in the days of Chizkiyahu and Yoshiyahu), these would all have been hidden away – or, at least, the monument that is at the southern gate, visible to all. Perhaps some external body (possibly from Jerusalem?) had the stone from the western gate hidden away, while the city inhabitants were only minimally committed to this project and removed only the stone that caused controversy.

In any event, the very fact of the dismantling and concealment of the holy monument stone found near the gate of a Judean city²² in the Elah Valley dating to the period of King David may be outstanding testimony to the early roots of a theological, halakhic debate among loyal servants of God as to the boundaries of what is permitted and forbidden in divine service, out of a surprising and fascinating encounter between the verses of *Shemot* and *Devarim*.

Appendix: Pictures²³

in *Shemot* 20:20), with measurements almost identical (based on the "short cubit") to those of the sacrificial altar in the *Mishkan* (*Shemot* 27:1): five cubits long and five cubits wide, three cubits high. The step at the foot of the altar, in front, is the foundation of the altar, mentioned explicitly in the laws of sacrifices in *Sefer Vayikra*.

¹⁹ It suffices to think of the concealment of the Holy Ark in a wall, as Jews were forced to do in difficult circumstances.

²⁰ The monument stone discovered near the southern gate is described in *Footsteps* (see n. 10), pp. 135, 147.

²¹ See *Footsteps*, pp. 137-147.

²² A city in the Judean plain where no pig bones were found and whose cultic rooms contained no figurines, nor any remains of pagan worship, could only be a Jewish city. See *Footsteps*, p. 122. One exceptional figurine was found at Qeiyafa, but not in the cultic rooms; it appears to have come from outside; see *ibid.* pp. 136, 163-166.

²³ Courtesy of Dr. Haggai Misgav.

¹² See *Footsteps* (above, n. 10), pp. 135-149.

¹³ H. Misgav, Y. Garfinkel, and S. Ganor, "The Khirbet Qeiyafa Ostrakon," in D. Amit, G. D. Stiebel, O. Peleg-Barkat (eds.), *New Studies in the Archaeology of Jerusalem and Its Region* 3:111-123 and in the book about the Elah Valley (see n. 14), pp. 123-132. I toured Khirbet Qeiyafa with Dr. Haggai Misgav, who also helped me in preparing this article and offered his comments; I thank him warmly.

¹⁴ For more on the nature of the inscription and its dating, see Haggai Misgav (et al, n. 12), pp. 112-116; see also *Footsteps* (n. 10), pp. 126-128.

¹⁵ See Y. Garfinkel & S. Ganor, *Khirbet Qeiyafa Vol. I: Excavation Report 2007-2008* (Jerusalem: 2009), pp. 195-199; *Footsteps* (n. 10), pp. 135-136. The team placed a reconstructed monument stone, found near the entrance to the gate, in the (estimated) original location, based on the parallel stone in the southern wall.

¹⁶ Tel Sheva, a fortified city from the time of David to the time of Chizkiyahu (and destroyed during Sancheriv's campaign) was built about 11km north-east of Beer Sheva. In the *Tanakh* we find mention of "Beer Sheva and Sheva" (*Yehoshua* 19:2), and thus the tradition of the names was preserved among the Bedouins to this day. Only scholars who cast doubt on Jewish tradition could argue that Tel Sheva is the biblical Beer Sheva. For more on the dismantled altar, see Y. Aharoni, "The Horned Altar of Beer-Sheva", *The Biblical Archaeologist* 37 (March 1974), pp. 2-6; Z. Zevit, *The Religions of Ancient Israel: A Synthesis of Parallelic Approaches* (2001), pp. 171-174, fig. 3.22.

¹⁷ See Z. Herzog, "Ha-mikdash Be-Arad U-makbilotav", in *Arad* (Tel Aviv: *Hakibbutz Hameuchad*), 1997, pp. 182-209; and the response of Yehuda Elitzur, "Pulmus Aron Ha-brit Bi-yemei Yoshiyahu," *World Congress of Jewish Studies* XII, I (1997), pp. 109-113.

¹⁸ Described for the first time by Y. Aharoni in "The Second Season of Excavations at Tell Arad," *BIES (Yediot)* 28 (1964), pp. 153-175. The altar is made out of red earthen bricks (this would seem to be the meaning of the expression "earthen altar"

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Translated by Kaeren Fish

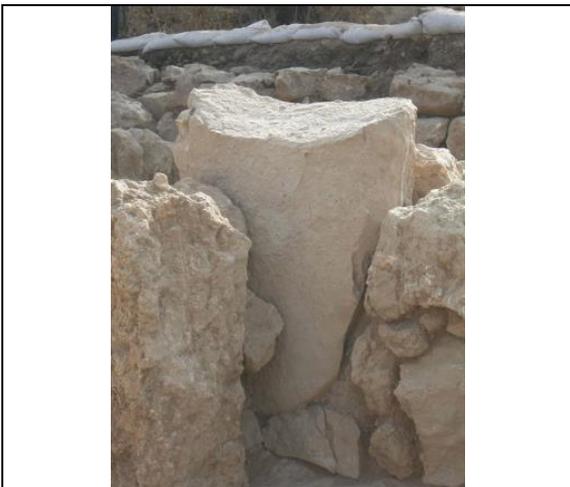


Khirbet Qeiyafa – Aerial View

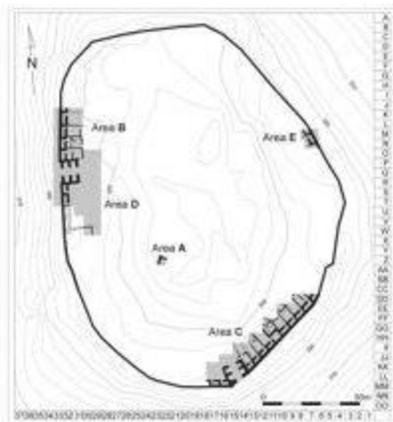


Monument stone hidden in the wall

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Monument stone hidden in the wall



Khirbet Qeiyafa – Site Map