



Ha-Atzmaut and Yom Yerushalayim, talk for Yom Yerushalayim p. 90 and Tal Chermon - Moadim, p. 218). Our Rabbi wrote, additionally, that we should also be concerned about ripping our garments when we are not obligated and thus violating "Bal Tashchit" (wanton destruction of items) when the whole prohibition for tearing when seeing the Temple in a destroyed state is a Rabbinic prohibition.

In the book, "Mekor Chaim" (2:95 #1), Ha-Rav Chaim David Halevy - Chief Rabbi of Tel Aviv-Yafo for 25 years - wrote that he agrees with our Rabbi's opinion. He explained that when a close relative dies, we tear our garments when the "dead is before us." After the mourning, we observe an annual Yahrzeit. Similarly, when our "dead was before us" – the Temple Mount was under non-Jewish control – we had the obligation to tear our garments. Now that we have control, the dead is no longer before us, and we observe an annual Yahrzeit: Tisha Be-Av. Despite his agreement, Rav Halevy concluded that in order to exempt us from this obligation, the Chief Rabbinate of Israel must make this decision.

It is related what our Rabbi, Ha-Rav Tzvi Yehudah, did on the day when the Temple Mount was liberated: "On the day of the liberation of Jerusalem, our Rabbi and "The Nazir," Rav David Cohain, were together at the Kotel, and the next day our Rabbi went to him to bring him his book "Le-Netivot Yisrael" volume 1 which was published on that very 28th of Iyar 5727. Our Rabbi said that while standing facing the Kotel, he did not tear his garment upon his seeing the place of the Temple since "it is only considered in a destroyed state when the non-Jews rule over it" (Shulchan Aruch, Orach Chaim 561 and Mishnah Berurah #2), and this fundamental principle which was stated regarding the cities of Yehudah also applies to the spot of the Temple. "The Nazir" responded in agreement and added: "Is it not also true that his honor saw that our Master the Rav was there in his Shabbat clothing and he did not tear?" (He had seen a vision of Maran Rav Kook). All were astounded and all eyes turned to our Rabbi, who nodded his head approvingly: "Yes, certainly" ("Rabbenu" - On the Life of Ha-Rav Tzvi Yehudah p. 211). [Note: In the book "Peninei Halachah" (end of vol. 1 in the second edition), Ha-Rav Eliezer Melamed - Rav of Har Berachah - writes that our Rabbi, Ha-Rav Tzvi Yehudah, would agree today that one should tear his garment upon seeing the spot of the Temple, after the horrible desecration of Hashem's Name which have occurred there. When asked about this, Rav Aviner responded: "Baruch Hashem, the Temple Mount is still in our hands, and with Hashem's help it will remain so," i.e. our Rabbi's ruling still stands that we are exempt from tearing our garments upon seeing the spot of the Temple – M.T.]

Rav Aviner on...  
The Holiness of the Western Wall

1. When we speak of the “Kotel”, the Western Wall, we must speak with great reverence. We must follow the example of Rabbi Yehoshua Leib Diskin, who never dared to approach it at all, or of Rabbenu Ha-Rav Tzvi Yehudah Kook, who prayed there only on special, sacred occasions, at which time he would tremble with reverence, and he would keep on trembling for about two hours after he returned home.
2. All the more so that we don't insult the Western Wall by saying that it is less holy than the Temple Mount. The Kotel, today, is like the Temple was in its time. Presently, the Western Wall is our Temple.
3. The Kotel, besides constituting the retaining wall of the Temple Mount, was also sanctified through Israel's prayers, self-sacrifice and pristine longing, such that it constitutes the holiest synagogue of the Jewish people.
4. When our Sages said that "the Divine Presence has never left the Western Wall," they were not talking about the wall of the Temple, but about the Kotel, as the Sages of Israel have proven. A strident debate over historical/national issues need not spill over into matters of Jewish law and faith. Rather, it should remain humbly in its place. Otherwise, even the Kotel's special value will be lost.
5. The Temple Mount was never a place of prayer or a place of various religious ceremonies, and it was forbidden to go there for any other purpose than the Temple worship or building the temple. Maran Ha-Rav Kook saw with his prophetic spirit, as is mentioned in Shut Malki Bakodesh, a great vision of a single synagogue shared by the entire Nation, near the Temple Mount at the Western Wall.
6. Laws regarding the Temple Mount are not within the domain of the rulings of Rabbi X or Rabbi Y, but rather, they belong to the Israeli Chief Rabbinate, serving the entire Jewish People. Moreover, the decision that one should not enter the Temple Mount is not just anybody's opinion, open to rejection. Rather, it is a final decision of whichever Judge “will be in those times” (Vayikra 17:9).
7. The site of the Temple Mount and of the Temple is not a matter of national conquest, that we need to maintain a presence or a settlement there, the way all other parts of the Land of Israel are. Rather, as its name clearly states, it is the place and the mountain of the Temple. Its entire essence is the supreme holiness of G-d letting His Divine Presence rest upon us.
8. The Western Wall is the lobby and the Temple is the banquet hall, and there is no way to reach the banquet hall but through the lobby. Millions of lights from the banquet hall shed their light upon it.

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