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The Role of the Prophet in Determining the Future Location of the Temple.¹

A. Preface—Presenting the Halachic Question.

There is a common assumption, in fact, a strong traditional view, that there is a fixed location for *Beit HaMikdash* (the Temple) on Mount Moriah, even though, today, this precise location is not known to certainty,² despite a preponderance of historical indications that the First and Second Temples were situated at the current place of the Dome of the Rock. According to this convention, which implicitly emerged as a result of several rabbinical rulings,³ the future Temple could be built only after determining the previous location of the two former Temples.

Our goal in this paper is to consider whether the Temple must be built on the assumed location of the first two Temples, which would require an absolute determination of the original location as a prerequisite for the Temple's re-establishment, or whether, alternatively, the Temple could be built anywhere on Mount Moriah.

This question will be examined through the hypothetical situation of a prophet who issues a prophecy to rebuild the Temple, while specifying a location on Mount Moriah that is different from what is widely considered its original location. This method of examination is appropriate given the special halachic authority of the prophet in the of the Temple's establishment, as opposed to the prophet's authority on other halachic issues, to the degree, according to some views,⁴ that only a prophet can provide the final authorization to establish the Temple.

In particular, the halachic situation to be examined is as follows. A prophet who has been confirmed as a true prophet stands before the Sages. This prophet states that he was commanded, via prophecy from God, to order the building of the Temple at a location on Mount Moriah different from the traditionally assumed spot. The difficulty facing the Sages is whether to obey this order, as it has been issued by a true prophet, or not, if this order were to violate any Torah commands.

¹ This paper is a more detailed version of a paper by the same author, published in *Tehumin* (Frankel, Y. (2007). "The Role of the Prophet in Determining the Future Location of the Temple." *Tehumin* (27), Machon Zomet, Alon Shevut, pages 471-9. This Hebrew version could be found at www.godsholymountain.org/tehumim.html

² There are four main assumptions to the exact location of the Temple on today's Temple Mount. The main view is that the Holy of Holies, the holiest section of the Temple, was situated on the place of the Dome of the Rock. Another view considers that place to be the former location of the Temple's altar. Two additional views locate the Temple north (kaufman) or south (Sagiv) of the Dome of the Rock. See more about the different views in T. Sagiv, "the Temple is in the South", *Techumin* (14), Alon Shevut 1984.

³ This assumption is based on rabbinical rulings concerning the possibility of offering sacrifice in modern times and the prohibition to ascend to the Temple Mount even in the absence of the Temple.

⁴ See Responsa *Binyan Zion* 1 stating that it is forbidden to build the Altar and make sacrifices until an authoritative determination by a prophet.

Prior to commencing this discussion, it should be emphasized that this paper does not presume to give halachic guidance or a halachic ruling and furthermore, this paper does not deal at all with any practical matter concerning any actual future building of the Temple.

B. The Authority of a Prophet in General Halachic Rulings and in Temple Matters.

The prophet has a special status in the life of the Jewish nation, as he is authorized, after being declared a true prophet,⁵ to change, alter or innovate, however temporarily, a mitzvah of the Torah.⁶ Yet, according to Maimonides, the prophet is not authorized to rule in *halachic* issues or scriptural exegesis—"to add or subtract a mitzvah, or to introduce a new commentary for one of the mitzvot which we did not hear from Moses . . ."⁷ These issues exclusively are subject to the wisdom and discernment of the sages; as the Torah determined, "it is not in heaven."⁸ The prophet's role is not to rule in halachic issues: "The prophet . . . does not come to start a [new] religion, but to reiterate the commandments of the Torah and to warn the people not to transgress them . . ."⁹ It should be added that it is possible to "use" prophecy to clarify an uncertain reality even if this will change the *halachah* eventually.¹⁰

However, while Maimonides prohibits any ruling of a prophet in general halachic issues, he allows for prophetic rulings concerning Temple issues. The first of Maimonides' discourses of interest on this matter is this: "and three prophets returned with the Israelites from the Exile."¹¹ One of them testified as to the exact site of the Altar. Another testified as to its prescribed dimensions. And the third testified that all the sacrifices might be offered upon this Altar even though the Temple was not yet rebuilt."

In this case, it is clear that the prophet did not merely clarify an uncertain reality (in those cases, as explained, even Maimonides permits seeking out for prophetic assistance), but the prophet ruled on a *halachah* aided with a heavenly message from God.¹² Furthermore, these are not merely "earthly" testimonies ("one of them testified") because the Talmud¹³ binds these three "testimonies" together, and the

⁵ Concerning the process of verifying the authenticity of a prophet, see Maimonides, *Mishneh Torah Hilchot Yesode HaTorah*, chapter 10.

⁶ Maimonides, *Sefer HaMitzvot*, Mitzvah Aseh 172.

⁷ *Mishneh Torah, Hilchot Yesode HaTorah* 9:1.

⁸ Deut. 30:12. The meaning, according to Talmud Baba Metzia 59a, is that the whole Torah has already been given unto human hands from heaven and the primary way to interpret it is primarily by intellectual reasoning and study and not through prophecy from heaven. It should be noted that other Sages permit a prophet to rule in *halachah* issues such as Rabbi Yehudah HaLevi, Ra'avad, Rabbi Jacob from Meroysh. See E.U. Urbach, *The World of the Sages*, The Magnes Press, Jerusalem 1988, pg. 21. For an intermediate view see Tosafot on Talmud Yevamot 14a.

⁹ Maimonides, *Hilchot Yesode HaTorah*, 9:2.

¹⁰ See Responsa *Torah Lishma* 491, Responsa *Yabia-Omer A, Orach Haim* 41.

¹¹ Maimonides is referring to the construction of the Second Temple that began after the people of Israel partially returned to the Land of Israel from the Babylonian Exile as described in Ezra-Nehemiah.

¹² It could be argued that the first *halachah* is about clarifying an uncertain reality, but the two following "testimonies"—the Altar's dimensions (that were changed) and the possibility to sacrifice in the absence of the Temple—these are definitely not about reality clarification.

¹³ Maimonides is quoting Zevachim 62a.

first *halachah* is an explicit prophecy on the location of the Altar and the second *halachah* is not about the Altar's past dimensions but about a prophecy to allow a change of those dimensions.¹⁴

Secondly, we find, according to Maimonides, that the prophet rules using direct prophecy in the case of the special ceremony that commemorates an addition to the hallowed area of the Temple courts or to the City of Jerusalem. When the parade (which includes the King, the Prophet and the *Sanhedrin*) reaches the end of the area that is being hallowed, it is required to choose from one of the two loaves of the thanksgiving-offerings while the other should be burned. Maimonides rules that a prophet decides which of these loaves will be consumed by fire and which will be consumed by man. In this case, there is no halachic reasoning at all as this choice is dictated exclusively by the divine spirit.¹⁵

The involvement of the prophet in the Temple's construction can also be deduced from the changes in the Temple's description as found in Ezekiel's prophecy. As noted above, in general, Maimonides restricts the prophet even from introducing a new commentary to a mitzvah of the Torah. If this general principle were to apply to matters of the Temple, no significant changes could be made in the Temple by a prophet. However, Ezekiel's prophecy about the Third Temple¹⁶ makes clear that this general principle does not in fact apply to matters of the Temple. Even though considerable parts of Ezekiel's prophecy are as yet unclear to us,¹⁷ it is apparent that there are great changes between the Temple depicted in great detail there and the previous Temples.¹⁸ The changes include the augmentation of the Temple's area, a change in the Temple's shape and the shape of the courts and even changes in the Temple's vessels.¹⁹ Thus, it is possible to conclude that even following the constraints set out by Maimonides, a prophet can rule in matters that concern the Temple.

It could be that the prophet's authority in establishing the Temple is, in fact, reflected in Maimonides' rulings, where he points out the things that are "essential in the construction of the Temple." Although Maimonides describes the shape of the Temple in great detail, from the width of the walls to the measurements of the courts, he writes, "These are the things that were *essential in the construction of the Temple*: A Holy Place and a Holy of Holies were to be made. In front of the Holy Place there was to be a specific place called the Porch (*ulam*). Together, these three structures were called the Temple The Sanctuary was to be equipped with the following

¹⁴ Mishnah Midot 3:1.

¹⁵ Maimonides, *Hilchot Bet HaBechira* 6:11-12. As Rashi commented in Talmud Shevuot 16a, on the same ritual that was made by the Jews who returned from Babylon and established the Second Temple: "Haggai, Zechariah and Malachi were there and according to them, by the Divine Spirit, it was done [choosing the loaves] and there is no reasoning to it".

¹⁶ Ezekiel, chapters 40-48.

¹⁷ "Furthermore, the building to be erected in the future even though it is discussed in the Book of Ezekiel, it is not fully described and defined therein." *Mishneh Torah, Hilchot Bet HaBechira* 1:4.

¹⁸ See more at part E.

¹⁹ Rashi describes the "table" in the Temple as being double in height of the "table" in the Second Temple (See Rashi's commentary on Ezekiel 41:22). Other commentators (Radak) consider the future Altar of Incense to be higher by one cubit than the one in the *Mishkan* (Tabernacle).

appurtenances: an Altar . . . and a Ramp . . . it was placed in front of the Porch and the Altar, toward the south . . . a Laver and its base"²⁰ That is, Maimonides differentiates between fundamental parts of the Temple, so that it can be deduced further that there is considerable latitude in the final structure of the Temple. A prophet can change the actual measurements of the Temple, keeping the general, schematic shape of what is "essential in the construction of the Temple."

Therefore, it appears that Maimonides' approach, while denouncing any prophetic intervention in general halachic rulings, accepts such prophetic authority in dealing with more specific Temple matters. Indeed, there is a broad agreement among rabbis that the prophet can introduce new rulings concerning the establishment of the Temple. According to some key rabbinic thinkers, the role of the prophet is so crucial that they conclude that it is impossible to re-build the Temple without the presence of a prophet.²¹ For instance, the Rabbi from Karlin (HaGrad MeKarlin)²² questions the ability to use regular methods of *halachah*²³ in the establishment of the Temple. To him, the entire method of halachic ruling changes completely when applied to the Temple and is accomplished, moreover, using the "Command of the Prophet!"²⁴ Why, one may ask, is the prophet not considered as ruling on new things when addressing Temple issues, when these things are not written in the Torah, and, therefore, generally forbidden to him?²⁵

The Hatam Sofer explained,

I wrote in another place about the difficulty that is found in the Temples' structure, the First, Second and Third, soon in our days, that not one of them looks like its former, and all [built by orders of prophets]: [the First] by King David and the prophet Samuel . . . the Second by [prophets] Haggai, Zachariah and Malachi, and the Third by Ezekiel (chapters 40-44). The problem is that the prophet can not recommence anything, and they [establishers of the First Temple] should have made [the Temple] in the measurements of the Court of the Tabernacle in the desert. And there I said that this is the meaning of the verse in *Parashat Terumah*: 'According to all that I show you, the pattern of the Tabernacle, and the pattern of all the furniture thereof, even so shall you make it.' (Exodus 25:9). Talmud Shevuot 15a explains further, "even so shall you make it"—in all generations," and to my humble opinion this applies also to the opening of the verse 'According to all that I show you'—meaning that *in all times I will show you the structure of the Temple*, and because God stipulated initially that the [Temple] will be built as 'show you' [the prophet is not introducing new rulings] . . . the establishment of the Temple should be according to a prophet"²⁶

²⁰ *Mishneh Torah, Hilchot Bet HaBechira* 1:5-7.

²¹ Responsa *Binyan Zion* 1. Responsa *Tzitz Eliezer* Vol. 10, 2.

²² In "*Kuntres Drishat Zion VeYerushalim*."

²³ The methods regularly used in the Talmud— "*Ahare Rabim Le'hatot*", "*halachah ke'stam Mishnah*" etc.

²⁴ That is, commands possessing no obvious logical explanation.

²⁵ See Talmud Yoma 80a, Megilah 2b, Temurah 16a and Maimonides, *Mishneh Torah, Hilchot Yesode HaTorah* 9:1.

²⁶ Responsa Hatam Sofer Vol. 1 (*Orach Haim*) 208, Vol. 2 (*Yoreh Deah*) 236.

The Hatam Sofer is stating, in contrast to other issues of *halachah* in which the prophet has no authority to rule, that in regard to the establishment of the Temple the prophet's authority to introduce new rules *is structured in the command of the Torah*. And indeed, throughout Jewish history, whenever a Temple was built, it was done so under the supervision of prophets involved in different issues of the Temple such as determining the very location of the First Temple,²⁷ and determining the plan of the Temple and the holy vessels.²⁸ Moreover, there is an obligation to consult with a prophet prior to the establishment of the Temple²⁹ and the prophet determines the relevant halachic conditions required.³⁰

Concerning the distinction between the authority of the prophet in Temple matters as opposed to general halachic issues, Rabbi Kook wrote,

In any case, all the above [restrictions on prophetic rulings in general *halachah* issues] do not apply to Temple establishment matters, as we learned from the *Midrash Sifre* . . . The Torah introduced that matters that concern the Altar are subject to the prophecy . . . and that is a significant new learning because in any other issue in the Torah . . . it is forbidden to seek heavenly assistance . . . but concerning the Altar, *and the same applies to all the matters concerning the plan and building of the Temple*, these issues are subject to the prophet's ruling, also to explicitly ask from him for heavenly assistance, and that does not fall into the rule of 'These are the commandments' (Numbers 36:13)—implying [that since the promulgation of these commandments] no prophet has the authority to introduce anything new [concerning general *halachah* issues] and does not fall under the rule of 'it is not in heaven' (Deut. 30:12).³¹

C. Determining the Location of the Temple.

The question addressed here is whether the prophet's broad authority to rule concerning Temple matters includes an authority to fix the location of the Temple even if not in its presumed traditional place. In other words: Is the location of the Temple different from the other issues mentioned above, such as the shape of the Temple's holy vessels, or is it exactly like these other issues and a prophet can rule concerning them?

We will not deal at all with the question of whether a prophet can rule on building the Temple in a place other than Mount Moriah. Various sources suggest that this option

²⁷ *Sifre Devarim* (Midrash on the Book of Deuteronomy) 62.

²⁸ "And there is no good basis for a question as to why [King] Solomon made the *cheruvim* different, not like the former ones, as we should not inquire into why didn't he make another Ark but made different Altars and candlesticks and tables and other vessels. Because all he did was following prophecy, as was given to him by his father [King] David." (Radak on Kings 1, 8:6). See also Rashbam on Numbers 25:9 and Responsa *Hatam Sofer* part 2, 236.

²⁹ See Responsa *Tzitz Eliezer*, 10:5, on Hatam Sofer's commentary on Deut., *Parashat Re'eh*.

³⁰ The Jews that returned from the Babylonian Exile built the Temple despite the fact that they didn't meet the condition of "all the inhabitants thereof dwell upon" (See *Sefer HaChinuch*, Mitzvah 95). Later commentators concluded that this was done according to a prophetic order. See '*Kuntres Drishat Zion Veyerushalim*'. See also Responsa *Tzitz Eliezer* Vol. 10:5.

³¹ Responsa *Mishpat Cohen* 92.

is halachically impossible. Also, it is obvious that a prophet can change the Temple's location as a "temporary command" even if this is for a considerable amount of time (hundred of years) as the prophet can define a specific time-frame and therefore not change the original mitzvah.³²

However, a differentiation should be made between different functional parts of the Temple. Most of the holy vessels are not obligated to be situated on a specific and defined location on the Mount, and their place is defined only after the location of the Temple is determined and in relation to it, as, for instance, the *menorah*, that should be situated the south side of the *hechal* (The Sanctuary) and the *shulchan* (The Table) to its north.³³ Yet, the position of the Altar and the Ark of the Covenant (hereinafter: the Ark) are on an absolute location in relation to the Mount, and moreover they determine the location of the Temple in relation to Mount Moriah. The Altar was situated in front of the entrance to the Temple in the "Court of Priests," and the Ark was placed in the Holy of Holies on the *shetiyah* stone. The question, therefore, is whether a prophet can permanently fix the location of these vessels (and thus fix the location of the Temple) in a place that is not their presumed traditional location on Mount Moriah.

Sources Indicating a Specific Permanent Location of Vessels.

1. The Altar.

The place of the Temple is not revealed explicitly in the Torah. However, Mount Moriah, where the First and Second Temples were built, is specifically described when God commands Abraham to take his son, Isaac "and get yourself to the Land of Moriah; and offer him up there for a burnt-offering upon *one of the mountains* which I will indicate to you."³⁴ Commentators explain that the place of "the Land of Moriah" is Jerusalem, and the meaning of "one of the mountains" is today's Temple Mount.³⁵ The place of the Binding of Isaac was chosen to be Mount Moriah, thereby serving as divine sign, a permanent indication for the people of Israel that this is to be the ultimate holy site to offer sacrifices to God.³⁶ This implies that the place of making sacrifice (the Altar) was chosen before the place of the Temple, and it is the first absolute mark on the Mount.

Various Midrashic writings link the place of the Binding of Isaac to an ancient tradition that holds that this was the Altar where Cain and Abel, and later Noah and his sons offered sacrifice,³⁷ and, further, that Moriah was the place where Adam was created "from the place of his atonement."³⁸ Later on, King David determines the place of the Temple, "Then David said 'This is the house of the Lord God, and this is the Altar of burnt-offering for Israel.'"³⁹ Following that, King Solomon builds the Temple on that same historical spot.⁴⁰

³² Maimonides, *Mishneh Torah, Hilchot Yeshode HaTorah* 9:3.

³³ Ex. 26:35. See Talmud Menachot 98b.

³⁴ Gen. 22:2.

³⁵ See Rashi and Ibn Ezra's commentary, *Ibid.*

³⁶ See Ramban, *Ibid.*

³⁷ *Pirke De Rabbi Eliezer*, chapter 30.

³⁸ The Altar atones for human beings, descendants of Adam. Midrash Bereshit Rabbah, 14.

³⁹ 1 Chronicles, 22:1.

⁴⁰ 2 Chronicles, 3:1.

The Second Temple was also built on the same location. The Talmud specifically emphasizes that the Altar was built in its original place, according to a prophet.⁴¹ Following the above, Maimonides ruled that the site of the Altar “was defined very specifically and was never to be changed.” He cites the traditions regarding the Altar and concludes that “the dimensions of the Altar were very precise . . . it was therefore forbidden to add to, or subtract from, its prescribed dimensions.”⁴²

Additionally, the Talmud notes that the Southeast corner of the Altar had no *yesod* ('the base' of the Altar). The reason for that was because this corner wasn't in the “the portion of the 'ravener’” (i.e., the portion of Tribe of Benjamin that is symbolized as “ravener,” or wolf). “For Rabbi Samuel son of Rabbi Isaac said: the Altar occupied a cubit in Judah's portion. Rabbi Chamah son of Rabbi Chaninah said: A strip issued from Judah's portion and entered Benjamin's portion⁴³. . . .”⁴⁴ This could indicate, as well, that the location of the Altar is fixed, as there is a requirement to locate the Altar in a specific location so that one cubit of it will be situated on the portion of Judah.

2. The Ark of the Covenant.

The Ark stood in the Holy of Holies and was situated on the *shetiyah* stone. In the Second Temple, which lacked the Ark, so that only the stone remained—“A stone was there [at the Holy of Holies] from the days of the earlier prophets,⁴⁵ called the *shetiyah*,⁴⁶ three fingers above the ground and on it the Ark was situated . . . Rabbi Yose said: from it the world was founded”⁴⁷ Three explanations are given to name *shetiyah* (Foundation⁴⁸):

- a. The world was created from the stone.⁴⁹
- b. This stone was created when Jacob gathered several stones to put them under his head and they became one.⁵⁰ After that “the Holy One, Blessed Be He . . . sank the stone to the bottom of the depths, and He made it the keystone of the earth . . . therefore it is called the foundation stone . . . and God's Temple stands on it”⁵¹
- c. Because of the sacrifices that are considered the foundation of the world.⁵²

Other opinions combine these strands of tradition, such as the opinion of Responsa *Tzitz Eliezer* which holds that the stone erected by Jacob was on the place from which the world was created.⁵³ In any case, the traditions considered the *shetiyah* stone to be the center of the world “as this navel is placed in the center of a man, so the Land of Israel is placed in the center of the world . . . and Jerusalem is in the center of the Land of Israel, and the Temple is in the center of Jerusalem, and the

⁴¹ Zevachim 62a.

⁴² *Hilchot Bet HaBechira* 2:1-4.

⁴³ And on this strip was situated part of the Temple, including a portion of the Altar.

⁴⁴ Zevachim 53b. (See footnotes 103-105 in Epstein edition).

⁴⁵ According to Talmud Sota 48b this term includes Samuel, David and Solomon.

⁴⁶ Root: *Shata* – to lay a foundation, thus the *foundation* stone. From it, as the Talmud states, the world was founded or established.

⁴⁷ Tosefta Yoma, chapter 2:4. See the Mishnah at Talmud Yoma 53b.

⁴⁸ See the Bartenura commentary on Mishnah Midot 5:2.

⁴⁹ See the Sage's dispute in Talmud Yoma 54b.

⁵⁰ See Rashi's commentary on Gen. 28:11.

⁵¹ Friedlander, *Pirke De Rabbi Eliezer*, pg. 266.

⁵² Talmudic Encyclopedia, entry “Even HaShetiyah”.

⁵³ Responsa *Tzitz Eliezer*, 10:2. See also The Zohar Vol.1, on *Parashat Vayechi*, 231a.

hechal [the Sanctuary] is in the center of the Temple, and the Ark is in the center of the *hechal*, and the *shetiyah* stone [was] before the Ark that from it the world was founded"⁵⁴ And indeed, many consider that the Ark has a significant role in determining the place of the Temple, even more than the Altar, since from the *shetiyah* stone the sanctity spreads to all the Temple's corners, and from there to the Land of Israel.⁵⁵

D. Discussion on the Sources Above.

From the above review, it appears that the Altar and the Ark are the vessels which ultimately determine the place of the Temple, as they represent two reference points on the Temple's east-west axis. Thus, the claim could be made that even though the prophet can change the Temple structure and even to expand it, he cannot change the holy focal point of the Temple, which will remain fixed forever. The question to be examined is whether the Altar and the Ark are an integral part of the Temple plan, and as such, subject to be fixed again by a prophet, or are they determined prior to the establishment of the Temple and their place is eternally fixed.

We shall show that despite the traditions that seemingly indicate that the Altar and the Ark fix the Temple location in relation to the Mount, other sources show the very opposite—that the place of the Temple was chosen before determining the place of the vessels.

1. The Altar.

- a. The way of determining the Temple's location.

Rava lectured: What is meant by the verse, [And he asked and said: 'Where are Samuel and David?'] And one said: 'Behold, they are at Naioth in Ramah' (1 Sam. 19:22): What connection then has Naioth with Ramah? It means, however, that they sat at Ramah and were engaged with the glory [beauty] of the world.⁵⁶ Said they, It is written, 'Then shall you arise, and ascend unto the place [which the Lord thy God shall choose⁵⁷]: this teaches that the Temple was higher than the whole of the Land of Israel,⁵⁸ while the Land of Israel is higher than all other nations.

They did not know where that place was. Thereupon they brought the Book of Joshua.⁵⁹ In the case of all [tribal territories] it is written, 'and the border went down' 'and the border went up' ... 'and the border passed along',⁶⁰ whereas in reference to the tribe of Benjamin 'and it went up' is written, but not 'and it went down'. Said they: This proves that this is its site.

⁵⁴ Midrash *Tanchuma Parashat Kedoshim* 10, Rashi on Talmud Megilah 15b and others.

⁵⁵ See Responsa *Hatam Sofer*, Vol. 2 (Yoreh De'ah) 233.

⁵⁶ "Connecting Naioth with *Na'eh*, which translates as lovely, beautiful, glorious. The reference is to the Temple: "...they sought to determine its exact site." From footnotes in Epstein, Talmud Zevachim 54b

⁵⁷ Deut. 17:8

⁵⁸ Since one had to 'ascend' to it from wherever he might be.

⁵⁹ In order to study the topography of Land of Israel.

⁶⁰ Cf. Josh. 15-18.

They intended building it at the well of Etam, which is raised, but [then] they said: Let us build it slightly lower, as it is written, 'And He dwells between his shoulders'⁶¹.⁶²

The significance of this source to our matter is not in what is written in it, but in what is *not* addressed. It is important to note that the traditions concerning the Altar and the Ark do not appear! Rava doesn't mention the traditions about the Binding of Isaac on the place of the Altar, or that Adam was created "from the place of his atonement" while he describes Samuel and David's search of the place to build the Temple.

If Rava would have held that it is an *obligation* to build the Altar on Mount Moriah by virtue of the above stated traditions, he would have explicitly mentioned them. As he did not mention these traditions, we can simply conclude that Rava does not consider these traditions essential to determine the Temple's place, and when Samuel and David searched the Temple place "in the Torah" (Rashi), they did not rely on the traditions about the Altar.

This is the opinion of the *Kaftor VaPerach*⁶³—"The Temple's place is unrevealed in the Torah, and was discovered in the way presented in Talmud Zevachim (53b) 'Rava lectured' . . ."⁶⁴ Thus, also in his opinion, the identification of the Temple's location was done by the reading of Samuel and David, with no other traditions as references.

b. The Altar's place possessing no special holiness compared to other places in the Temple. The Mishnah ranked the holy places in the Temple Mount from the least to the most. Along this continuum we find the Court of the Israelites, the Court of the Priests (which contains the Altar) and then "between the Porch (*ulam*) and the Altar" then the *hechal* (the Temple itself), and then in it—the Holy of Hollies.⁶⁵ Thus, the place of the Altar itself has no special holiness and even the area between the Altar and Porch has greater holiness than the Altar's place. In other words, despite the traditions that imply that the Altar's place was sanctified in early times, this place possesses no special holiness and the traditions are not expressed *de facto* in *halachah*.⁶⁶

C. The Altar's dimensions are subject to change, having no absolute position on the Mount. Maimonides' words mentioned above, that the site of the Altar "was defined very specifically . . ." and that "the dimensions of the Altar were very precise . . . it was therefore forbidden to add to, or subtract from, its prescribed dimensions,"⁶⁷

⁶¹ See Moses' Blessing to the Tribe of Benjamin in Deut. 33:12. The term, 'Shoulders' but not 'head' in the text implies that it should not be at the very highest point.

⁶² Talmud Zevachim 54b.

⁶³ Written by Rabbi Eshtori HaParhi in Israel at the beginning of the 14th century. This book is considered highly influential on *halachah* issues that concern the Land of Israel.

⁶⁴ Sefer *Kaftor VaPerach*, chapter 6 (*ma'alot ha'mikdash ve'yerushalaim*).

⁶⁵ Mishnah Kelim 1:9. The translations of the Mishnah are from H. Danby, *The Mishnah*, Oxford University press, London 1933.

⁶⁶ See, for example Responsa *Mishpat Kohen* 96 where Rabbi Kook explains the Tosafot in Talmud Megilah 10a. Although this paper will not elaborate on the subject here, we shall simply cite him here: "and of course there isn't any option to explain their word [Tosafot] as there is a differentiation . . . *between the place of the Altar and other holinesses of the Temple – that has no reason at all* as there is no difference between the place of the Altar . . . and the place of the *ulam*, *hechal* and Holy of Hollies, that are holier from the Altar's holiness . . ."

⁶⁷ *Hilchot Bet HaBechira* 2:1-4.

seemingly stand against the possibility to fix the Temple's location in a place that is not its original location. However, rabbis (*Achronim*⁶⁸) referred to another *halachah* in the continuation of the same chapter, in which Maimonides rules that "The four horns of the Altar, its Base, and its squareness were prerequisite conditions for its use . . . However, the prescribed dimensions of its length and breadth and height *were not indispensable requirements*; except that it could by no means be less than one cubit square and three cubits high . . ."69 That is, despite explicit phrasing that no slight change is permitted in the Altar's dimensions, Maimonides writes that these dimensions are not indispensable.⁷⁰

In fact, it is difficult to assume that, even according to Maimonides, it is forbidden to change the Altar's dimensions. Responsa *Seride Aish* determines that there is no prohibition to change the dimensions of the Altar, and indeed, King Solomon added a full twenty cubits to the Altar which was used previously in the Tabernacle, and also the Jews of Ezra's generation who returned from the Babylonian Exile added to the dimensions of King's Solomon Altar.⁷¹

The simple fact remains that the dimensions of the Altar are subject to reduction or expansion. The Talmud⁷² learns from a verse that it is possible to expand the Altar's sides even to sixty cubits in length (It should be noted that even in its greatest dimensions, in the Second Temple, the Altar was only thirty-two cubits in length!) On the other hand, it is possible to reduce the dimension of the Altar according to the Talmud.⁷³ Further, Responsa *Tzitz Eliezer* writes that "it was absolutely clear from the Talmud that it is possible to reduce from the dimensions of the Altar, and only its squareness is an indispensable requirement, and that is what Maimonides himself ruled in *halachah* 17."⁷⁴

As, apparently, all do agree that it is possible to change the Altar's dimension, it is possible, in practice, to build it in a large area in the Court of the Priests, with no fixed focal point! This conclusion derives from the Talmudic passage⁷⁵ that brings forth the option to shorten considerably the measures of the Altar and to "take off" the northern side of the Altar and, on the other hand, in a different case, to "take off" the south part of the Altar and leave the north one, and thus there isn't a focal point to maintain.

Moreover, in no place does the Talmud limit the location of the Altar because of these traditions, and the only limit is therefore the location of the Altar *in relation* to the *hechal*—should it stand exactly in front of the entrance of the *hechal*—to its south or to its north? However, within that area the Altar can be located in different

⁶⁸ Rabbis from the 16th century onwards.

⁶⁹ *Ibid.*, 17.

⁷⁰ See, for example, *Minchat Hinuch* on Mitzvah 95 and another explanation in *Even HaEzel* that explains that *halacha* 3 is about the dimensions of the Altar from the outset, and *halacha* 17 is about what can invalidate the Altar even in a post-factum manner (i.e. what are the minimal requirements?).

⁷¹ Vol. 1, 170. See there his explanation to above mentioned contradiction in Maimonides.

⁷² Zevachim 62a. See commentary of Tosafot, therein, that finds it obvious to add to the Altar.

⁷³ Zevachim 58a.

⁷⁴ Responsa *Tzitz Eliezer* Vol. 12, 47.

⁷⁵ *Ibid.*

places.⁷⁶ That is, the Altar's location is determined *in relation* to the Temple and not vice versa.

Concerning the possible obligation to situate a part of the Altar on a strip from Judah's portion,⁷⁷ it should be noted that this source does not directly concern our issue. The reason is that the "obligation" on the Altar to be situated on the "portion of the ravener" follows an argument in the Mishnah whether Jerusalem was "divided amongst the tribes": "What principle are they disputing?—The first Tanna holds Jerusalem was not divided amongst the tribes and Rabbi Yehudah holds Jerusalem was divided among the tribes, the basis of their difference being the principle on which these Tannaim differ, for it has been taught: What lay in the lot of Judah? The Temple Mount, the Storehouses, the Courts. And what lay in the lot of Benjamin? The Hall, the Temple, and the Holy of Holies. And a strip of land went forth from Judah's lot and went into Benjamin's territory, and on this the Temple was built . . . The following Tanna holds that Jerusalem was not divided amongst the tribes"⁷⁸

That is, the passage in the Talmud that describes the Altar as in the "portion of the ravener" follows the sages that hold that Jerusalem was divided "amongst the tribes" (and therefore is on the border of tribes Judah and Benjamin). However, according to the opinion that Jerusalem wasn't divided "amongst the tribes," this Talmudic passage does not receive a halachic expression.⁷⁹

The *halachah* is that Jerusalem "was not divided amongst the tribes."⁸⁰ The conclusion is, therefore, that the Temple and the Altar were not situated on the portion of the two tribes but on land that belonged to all of Israel equally, and hence there is no need to meet the requirement of "The portion of the 'ravener.'"⁸¹

In light of the above, the traditions cited concerning the Altar need to be re-examined. As opposed to the view that the Altar is fixed prior to the Temple, it seems that the Temple's place is determined according to certain rules and *only then* the Altar's place is found and not vice versa. Certainly, our intention is not to lessen the importance of the traditions, but rather to emphasize that despite their significance, and despite the fact that they belonged to an array of considerations determining the place of the First Temple, they are not halachically binding. That is, they surely do not possess halachic power that can stand up against an explicit prophecy that will fix the Temple's location not on its presumed original location.

Finally, all the above does not contradict the rabbis that stipulated the building of the Altar only after finding its original location. We shall show later that, in the absence of

⁷⁶ See, for example, Talmud Zevachim 58-59.

⁷⁷ See Responsa *Magid Me'reshit* in section *Derech Hakodesh*. There he writes that a prophet was required concerning the Second Temple to testify on the place of the Altar, as it should stand on the portion of "ravener".

⁷⁸ Talmud Yoma 12a. See also *Yalkut Shimoni, Parashat Re'eh 887*.

⁷⁹ Talmudic Encyclopedia Vol. 3, entry: The Temple, pg. 226 row 2.

⁸⁰ See Maimonides, *Mishneh Torah: Hilchot Bet HaBechira 7:14, Hilchot Tumat Tsara'at 14:11, Hilchot Avodat Kochavim 4:4*.

⁸¹ This is why the Tosafot on Talmud Yoma 12a had to explain why the Altar lacked a base (*yesod*) according to the halachic opinion, that there is no meaning to the portion of Judah and Benjamin in situating the Temple and the Altar.

a prophet, it is reasonable to assume that it is obligatory to find the original place, but a prophet has the authority to fix it even not in its presumed original location.

2. Ark of the Covenant.

As stated above, the traditions concerning the *shetiyah* stone are not consistent. One tradition attributes the stone to the creation of the world, and another holds that it existed initially from the time of Jacob. It could be that there is a third tradition as found in the Mishnah: "After the Ark had been taken away, there was a stone *from the days of the earlier prophets*, called the *shetiyah*" ⁸² meaning that the stone was there from the establishment of the First Temple or slightly before that. ⁸³

Indeed, the broadest and most profound accepted tradition is that the world was created from the *shetiyah* stone. Therefore, commentators explain the Mishnah above by saying that the stone was *found* in the time of early prophets but it is the stone from which the world was created (or created in the time of Jacob, according to the second tradition).

It is important to refer again to Rava's words cited above, concerning the way Samuel and David (i.e., the 'earlier prophets'⁸⁴) found the Temple's place. It should be reiterated that Rava did not hold that in order to find the Temple's place, one should refer to the traditions about the *shetiyah* stone. Yet another aspect is important: Whichever option were to be held—that the stone existed from the days of creation or from the time of Jacob, or that the stone was brought there some time later—its significance emerged as a result of the prophets' actions! That is, even to those who hold that prophets only "discovered" the stone, the fact remains that the prophets determined the stone to be situated in the Holy of Holies. Had it not been for the prophecy that sanctified the stone and determined that the Ark will be placed thereon, this stone would not receive its special significance.

In this context, we can cite the *Hatam Sofer*, who also claims that only an explicit process can sanctify a place. In a response to a rabbi who held that the Altar's place was sanctified by Adam and Noah, he writes that "this view is not found [in the Scriptures] but [Adam and Noah] built an Altar and sacrificed there, but obviously the place was not sanctified until Abraham said 'On the mountain where HaShem is seen' and thereby named the place 'Yireh'" ⁸⁵ That is, the erecting of the Altar by Adam and Noah, does not inevitably sanctify the place; this sanctification was accomplished through Abraham. The same goes for the *shetiyah* stone—it received its significance only when prophets sanctified it through their speech and/or action.

Once the Temple's place was chosen by "earlier prophets," they also determined the exact place of every vessel of the Temple, and thereby the *shetiyah* stone became significant. If so, the prophets who gave the stone its significance can sanctify a place for the Holy of Holies that is not on its presumed original location.

⁸² Mishnah Yoma 5:2.

⁸³ This could be considered the view of Maimonides which explains why he doesn't mention the traditions about the *shetiyah* stone when he refers to it (e.g. *Hilchot Bet HaBechira* 4:1), and he doesn't determine that its place is "very exact" as he determined concerning the Altar.

⁸⁴ "Who are the former prophets? R. Huna said: They are David, Samuel and Solomon." Talmud Sotah 48b.

⁸⁵ Responsa *Hatam Sofer* Vol. 2 (Yoreh De'ah) 235.

Another issue is the *nature* of the obligation to situate the Ark on the *shetiyah* stone. Is the meaning of the obligation to situate the Ark on the stone found in the significance of the stone itself or in the stone's place? There is a lively debate on this issue. For instance, the *Tiferet Yisrael* holds that the obligation is to situate the Ark on the stone itself.⁸⁶ However, other rabbis consider the place of the stone as significant for fulfilling the obligation.⁸⁷

The importance of this differentiation is obvious. If the obligation is to situate the Ark on the stone itself, and the stone is removable, it may come about that a prophet could rule that it is possible to move the stone to another place on the Mount, and as such maintaining the obligation to situate the Ark on the stone. The second possibility is, that the *shetiyah* stone is just the *visible* part of the whole bedrock of the Temple Mount and therefore a prophet can rule that the meaning of the words "from it the world was founded" applies to the entire bedrock of the Mount and as such there is no prohibition to fix the Ark even if this is not in its presumed original location.⁸⁸ Even if the obligation is to situate the Ark on the place of the stone (meaning that only the stone indicated the holy place), the prophet will decide whether the indicated place includes the whole area of the Mount or only the specific location.

It could be assumed that this will, in fact, be the eventual role of the prophet—to reveal the meaning of the *shetiyah* stone and the nature of the requirement to situate the Ark on it. As the obligation of those traditions is unclear, surely the prophet of God has the authority to weigh and interpret the *shetiyah* stone's various traditions, make a determination of their relative importance and then to fix the location of the Temple based, ultimately, on his revelation.

Another significant issue, concerning the *shetiyah* stone and the Ark, reveals the importance of the prophet in rulings that concern the Temple. The mitzvah of the Torah is to situate the Ark in the Holy of Holies as it was prescribed for the Tabernacle⁸⁹ and the First Temple,⁹⁰ and as it was intended to be in the Second Temple had it not been previously taken away.⁹¹ However, the Ark's absence didn't hinder the Second Temple's establishment. The *halachah* refers explicitly to the Ark's absence there and deals with it in practice.⁹²

⁸⁶ *Tiferet Yisrael* on Mishnah Yoma 5:2.

⁸⁷ See Responsa *Tzitz Eliezer* Vol.10, 2. Seemingly, these differing views can be associated with the different interpretive traditions. In regard to the tradition that holds that this is the stone from which the world was created—the stone itself is significant, but by the tradition that Jacob erected the stone, it seems that the place is significant and the stone was erected more as a commemoration.

⁸⁸ This approach will explain the third explanation to the meaning of "*shetiyah*"—that its name refers to the sacrificial worship, which is the foundation of the world. Accordingly, there is no apparent connection between the *shetiyah* stone that the Ark was situated on, and the sacrifice worship that was carried out on the Altar. However, according to this approach the explanation is that the *shetiyah* stone is a visible part of the Mount Moriah's bedrock and therefore represents the whole sacred area of the Temple Mount and so the *shetiyah* stone represents the sacrifice worship, the offering of *korban*—that according to some rabbis, Maimonides among them, is the main function and essence of the Temple.

⁸⁹ Exodus 26:34.

⁹⁰ 1 Kings, 8:6.

⁹¹ Talmud Yoma 21b.

⁹² Talmud Yoma 52b.

The great question remains: How was it possible to build the Second Temple without the Ark? This question is emphasized in some of the *Rishonim*⁹³ who consider the main essence of the Temple to be the place of the revelation of the *shechinah*⁹⁴, and thus, the Ark, from which the holy voice is heard,⁹⁵ is the Temple's most significant vessel.⁹⁶ However, in spite of the Ark's importance, the Temple was built without it!

Also concerning this matter, writes the *Hatam Sofer*, a prophet ruled (as in the other matters of the Second Temple) that it is possible to build the Temple without this central vessel. The reason that a prophet permitted the Temple's establishment without the Ark (and it is not considered here to be a ruling against an explicit command of the Torah) is that the Ark's purpose is to dedicate a place where God delivers his messages. However "when there isn't a prophet as [in the stature of] Moses that is worthy to meet with him [receive God's revelation] between the two cherubim . . . [then] the Ark is not indispensable."⁹⁷

From the *Hatam Sofer's* words, we can learn about the prophet's great power to introduce new rulings concerning the Temple. Despite the fact that the Ark is an explicit mitzvah in the Torah, the prophet ruled that it is possible to build the Second Temple without it. Now, If the power of the prophet was sufficient to rule that it is permitted to establish the Second Temple without the Ark (and to be "satisfied" worshipping there simply with its *place*), how much more so concerning the future Temple will it be in his power to rule that it is possible to worship there, *with* the existence of the Ark, even if the Ark is not in its presumed original location. In such a case, the mitzvah of the Ark is unquestionably and utterly fulfilled.

E. "All this do I give you in writing"—The Nature of the Prohibition to Make Changes to the Temple.

When King David ordered his son Solomon to build the Temple, he gives him a very detailed plan of the structure, also referred to as "The Scroll of the Temple's Construction,"⁹⁸: Then David gave to Solomon his son the pattern of the porch [of the Temple], its buildings, its storehouses, its upper rooms, and of the inner rooms. . . and for all the vessels of service in the house of the Lord."⁹⁹ The description in the scroll was very detailed, from the building's general outline to the exact weight of gold and silver in the smallest vessels. The chapter ends with the verse: "All this [do I give you] in writing, as the Lord made me understand in writing by His hand upon me, even all the details of this pattern."¹⁰⁰

⁹³ The Medieval Biblical commentators.

⁹⁴ "and the secret [essence] of the *mishkan* [tabernacle] is that the glory that dwelled on Mount Sinai will dwell on it hidden . . ." Ramban on Ex. 25:2.

⁹⁵ Numbers 7:89.

⁹⁶ "and the main purpose of the *Mishkan* [Tabernacle] is that it is the place of the dwelling of the Divine spirit that is the Ark . . ." Ramban on Ex. 25:2 and Deut. 10:1.

⁹⁷ Responsa *Hatam Sofer* Vol. 2 (Yoreh De'ah) 236.

⁹⁸ Agadat *Bereshit* (Bober) chapter 38. More on the history of the Scroll can be found in Rashi on Talmud Sukkah 51b and *Yalkut Shimoni*, Samuel 1, 115.

⁹⁹ 1 Chronicles, 28:11-18.

¹⁰⁰ *Ibid.*, verse 19.

In the Talmud, this verse is interpreted to prohibit any change in the Temple, even the slightest one. For example, when the Mishnah¹⁰¹ writes that "Salt may be scattered on the Altar's ascent¹⁰² that the priests shall not slip," the Talmud questions this permission as "the scattering constitute an addition to the structure [of the Altar]"¹⁰³ Accordingly, no change to the Temple's explicit structure is allowed. When the Talmud suggests,¹⁰⁴ in order to solve a halachic problem concerning lepers, to make a small entrance in the walls of the *azara* (the inner court), this is again rejected because of the verse above.¹⁰⁵ What is the nature of this rabbinic prohibition and does it forbid any change to the Temple's location by the prophet?

In fact, changes were made to the Temple in spite of this verse, and moreover through the exegesis of *other* scriptural verses. Therefore this prohibition should be re-examined. Three major examples are:

1. Building of the gallery in the "Court of Women" in preparation for the festival of *Sukkot* required rafters to be affixed in the court walls.¹⁰⁶ In this case, it was permitted, as a verse was expounded upon to conclude that in order to separate men and women (for modesty purposes) it was necessary to change the building's structure.
2. Enlargement of the Altar's dimensions by the Jews who returned from the Babylonian exile occurred because the original Altar was not of sufficient size as many more sacrifices were made on it.¹⁰⁷ This permission was given because the Sages of the *Knesset Hagdolah* ("The Great Assembly"¹⁰⁸) understood a verse that allowed for a significant enlargement of the Altar, but added just a few cubits according to the needs of that time.¹⁰⁹ According to a different opinion in the Talmud, the change in the Altar was not only in its size but also certain pits were added to its structure. In this case, as well, a scriptural verse was found to permit the change.
3. The second Temple was higher than the first, despite the prohibition of "All this do I give you in writing,"¹¹⁰ and this was ruled by a prophet.¹¹¹

To summarize, a complex view emerges of the verse, "All this do I give you in writing". On the one hand, the prohibition can be considered so extreme that even scattering salt on the Altar was prohibited. On the other hand, many significant changes in Temple design had occurred. These changes were permitted for several

¹⁰¹ Talmud Eruvin 104a.

¹⁰² The ramp of the Altar had a very smooth surface and therefore could be slippery. Epstein, Talmud Eruvin pg. 723, footnote 14.

¹⁰³ Talmud Eruvin 104a.

¹⁰⁴ Zevachim 33a.

¹⁰⁵ See also the command to cover the blood in the Temple (Talmud Chulin 83b), *amma traksin* (Talmud Baba Batra 3b).

¹⁰⁶ Talmud Sukkah 51b.

¹⁰⁷ Talmud Zevachim 61b.

¹⁰⁸ The Supreme Council of Sages in Israel during the Second Temple period.

¹⁰⁹ Rashi, on Talmud Zevachim 61b, explains that the "Scroll of the Temple" allows building an Altar of 60 cubits length and at the time king Solomon didn't understand to expound it in that way.

¹¹⁰ Ba'al *Kiryat Sefer* (Bet HaBechira 4) writes that the height of the Temple is not included in the command "'even so shall you make it'—for all generations." However, this command does fix the length and width of the Temple.

¹¹¹ Tosafot Yeshanim, Talmud Yoma 51b.

reasons—a prophet's specific ruling, a new interpretation of Scripture or for a “great enactment” (the Talmudic terminology for the issue of maintaining modesty issues).

It should be noted that the option of changing the structure of the Temple, by interpretation of scriptural verses, is stated in Talmud *Yerushalmi*: "Rabbi Jeremiah in the name of Rabbi Samuel son of Rabbi Isaac [said]: *the scroll Samuel committed to David could be interpreted*. What is source of that? 'All this do I give you in writing—this is the Tradition, 'by His hand upon me'—that is the Holy Spirit, 'as the Lord hath made me wise'—to teach us that the scroll could be interpreted."¹¹² This means that "The scroll of the Temple" is not static. While the scroll outlines in detail the structure of the Temple, it also allows for more options to change the structure through its interpretation by the Sages and/or the prophet.

Does this Prohibition Apply to our Matter?

In the context of our question of whether a prophet can rule to fix the Temple in a place that is not on its presumed original location, we must conclude that this rabbinic prohibition is intrinsically problematic and not necessarily applicable. The essence of the prohibition is that once a prophet reveals the new structure of the Temple, it is forbidden to ever change it. Nevertheless, in a different generation, a true prophet who changes that former plan based upon new interpretations or new circumstances has absolute authority to do so. Moreover, this prohibition could apply to the new Temple's structure. Thus, once the plan of the First Temple was given to Solomon (by a prophet), the prohibition would apply to it, and when the Second Temple was built by later prophets (Haggai, Zechariah and Malachi), this prohibition should have applied on the changes made to the Temple's structure.

The prohibition of "All this do I give you in writing" teaches us that concerning the Temple's establishment, the main guidance is to preserve the former structure of the Temple, *unless there is a reason to change it* (such as a prophecy, re-interpreting a scriptural verse or some other "great enactment"). This fundamental point comes to fruition in the commentary of the Tosafot on Talmud Zevachim that describes the testimony of the prophet concerning the dimensions of the Altar. The Tosafot asks there why a prophet was required to testify on the Altar's dimensions, as there is a verse in Ezekiel (43:16) teaching exactly the same dimensions. The Tosafot's answer goes as follows—"and it should be said that without the prophet's testimony we would have interpreted the verse as including the horns [of the Altar¹¹³] *to not change [the dimensions of] Solomon's Altar.*"¹¹⁴ This means that, in the absence of the prophet, a verse that could be interpreted in two ways must be learned according to its more minimalist or more strict interpretation in order not to violate the prohibition of "All this do I give you in writing". That is why a prophet was needed to validate the Altar's augmented measurements following the scriptural verse. This fundamental point explains Maimonides' paradoxical position that seemingly hinders the possibility to fix the Temple's location on Mount Moriah not on its presumed original location:

¹¹² Talmud Yerushalmi, Megilah chapter 1, pg. 70, Tur 1, *Halacha* 1. In the English translation the order of the verse is changed.

¹¹³ And thus reducing its dimensions to that of Solomon's Altar.

¹¹⁴ Tosafot on Talmud Zevachim 62a.

As noted above, Maimonides determined that the location of the Altar is "very exact" and that "the dimensions of the Altar were very precise," yet he himself permitted reducing its dimensions. Now, after understanding the nature of the prohibition of "All this do I give you in writing" we can further reconcile this position—the dimensions of the Altar are "very exact" as long as there isn't a *reason* to change these dimensions, whether by a prophetic ruling or by expounding a verse, and this applies to the Altar's location as well. However, if a prophet introduces new Altar dimensions, or fixes the Altar's location in a place that is not its presumed original location, this is permitted.

Also, it is now clear why Maimonides depicts in his *halachah* the measurements of the Second Temple, although he himself holds that the structure of the future Temple in Ezekiel is *different* from the structure of the Second Temple.¹¹⁵ The reason is that following the prohibition "All this do I give you in writing", Maimonides thought it would be best to describe the Temple's structure *should it be built without a prophet*. Under that scenario, there is an obligation to maintain the structure of the former Temple¹¹⁶ (the Second Temple), if there isn't any prophetic ruling for a change.

Understanding the prohibition of "All this do I give you in writing" clarifies the fact the Rabbis throughout generations ruled that there is an obligation to find the original place of the Altar in order to make sacrifices and didn't consider any other option. Because if the Temple were to be built in their time, it is clear that with the absence of a prophet, there is a halachic obligation to preserve the structure of the former Temple, and to stipulate its establishment in finding its original location. However, if a prophet will give new *rulings* concerning the Temple's structure and location, this cannot be prohibited because of "All this do I give you in writing" and there is no need to refer to the previous Temple structure since the prophet delivers the structure of the new Temple,¹¹⁷ and from that point the structure is fixed and the prohibition of "All this do I give you in writing" applies on the new structure.¹¹⁸

The Future Temple.

According to Ezekiel's prophecy major changes will occur in the future Temple, including the following major points:

1. The size of the Temple Mount will be multiplied by 36, instead of 500 x 500 cubits the area of the Temple will become 3000 x 3000 cubits.¹¹⁹

¹¹⁵ *Mishneh Torah, Hilchot Bet HaBechira* 1:4.

¹¹⁶ See Maimonides' preface to Talmud Midot.

¹¹⁷ As we find explicitly in the words of Responsa *Sride Esh* (Vol. 1, 170) "but the shape of the Altar and its vessels, it is hinted in the Torah, that the current prophet should show the Altar and its dimensions as so happened in the Altar built in the desert. *It is forbidden to add or subtract from the dimension that the prophet of that generation presented*, like Solomon, Ezra and Ezekiel"

¹¹⁸ It seems to be the view of the Ritva that the Jews returning from the Babylonian Exile added to the Altar's dimensions, despite the prohibition to change the structure of the Temple. His (second) answer is that in the beginning of the Altar's building it is possible to change the dimensions. His meaning is that *prior* to the Altar's building, a prophet or sages that expound a verse, can change the dimensions, but after the work is complete, any change is forbidden.

¹¹⁹ Ezekiel 42:16-20. See the Malbim's commentary there.

2. The outer court will surround the inner court of the Temple from all its sides. This is different from the Second Temple in that the outer court (Court of the Women) had only one shared side with the inner court (Court of the Priests).¹²⁰
3. There are changes in the shape of vessels in the Temple and in their relative positions in the *hechal*.¹²¹
4. Certain miraculous changes are depicted in Ezekiel's prophecy such as a spring that will flow from the thresholds of the *hechal*.¹²²
5. In addition to Ezekiel's prophecy, we find other prophecies and post-Biblical sources that describe changes in the topography of the Temple Mount.¹²³

Nevertheless, as Maimonides noted, the "essential" structure of the Temple will be maintained in the future Temple, but otherwise the changes are very impressive. The Ra'avad, for instance, comments that these fundamental changes led Ezra¹²⁴ not to sanctify the site of the Temple because "*Ezra knew that the Temple and Jerusalem will eventually change, and will be sanctified again eternally by the grace of God*".¹²⁵ Is it not reasonable to assume that dramatic changes will occur in future days to the Temple's site on Mount Moriah?

We assert that even a change of the site of the Temple on Mount Moriah from its presumed original location, would be consistent with Ezekiel's prophecy about significant changes in the Third Temple's layout. This conclusion, in addition to the prophet's authority to make changes in the Temple's design as reviewed earlier, could also resolve a serious question raised by an important later commentator of the Talmud—Rabbi Shemuel Shetrashon from Vilna (HaRashash).

Without reviewing the myriad details here,¹²⁶ we can note in Ezekiel's prophecy, after describing the Temple, the division of the Land of Israel is described. This new division creates a problem for commentators about the location of the Temple and Jerusalem, as, according to the verses, the distance from Jerusalem to the Temple is fifteen-thousand *kanim* (that is, forty kilometers!). As we know, according to the traditional view, the Temple will be built on Mount Moriah, with Jerusalem surrounding it.

The Rashash says the following: "and by the way, concerning Rashi's opinion there (on Ezekiel 48:8) that thought to settle [this difficulty of the verses] that Jerusalem will be in its original location, but did not say that according to the verses there the Temple will be far forty-five 'mil' to the north . . . and maybe to that Isaiah and Micah meant by saying: 'And it shall come to pass in the end of days, that the mountain of the Lord's house shall be established as the top of the mountains etc'.¹²⁷ to say that *it*

¹²⁰ See the commentary of Da'at Mikra on Ezekiel 40:1-19.

¹²¹ See footnote #33.

¹²² Ezekiel chapter 47:1-12.

¹²³ e.g. Zechariah 14:4, Talmud Baba Batra 75b.

¹²⁴ The Leader, and according to some commentators, the *Cohen Gadol* (High Priest) of the Jews returning from the Babylonian Exile and building the Second Temple.

¹²⁵ Ra'avad, *Mishneh Torah, Hilchot Bet HaBechira* 6:14.

¹²⁶ More about the hermeneutic problem and several methods of resolution can be found in Da'at Mikra's commentary on Ezekiel chapter 48.

¹²⁷ Isaiah 2:2.

[the Temple] will be on a different mount that is the 'top of the Mountains' in height, and not as other commentators say"128

It is significant that the view of this important commentator presented here—that the Temple can be situated at a location other than Mount Moriah—is not in any way frivolous or unsubstantiated, and this reality is stated, albeit, in a somewhat casual, 'matter-of-fact' manner!

It is puzzling that the Rashash does not follow those disputes of other *Rishonim* concerning the sanctity of the Temple's area in our days. There are Sages, then and now, who held that there isn't sanctity in the area of the Temple in current days, following a related debate on *Kedusha Rishona* (whether the Land of Israel was sanctified once and forever or not),¹²⁹ because the Temple's place was desecrated.¹³⁰ However, the Rashash, independently of the debates stated above, holds simply that the prophet Ezekiel clearly communicates to us that the Temple's place can and will totally change! Not surprisingly, his followers did not comprehend his commentary.¹³¹

However, according to our approach, the Rashash commentary can be understood in simple terms, as he holds that had a prophet ruled to establish the Temple in a different location that is not on Mount Moriah, his ruling should be considered authoritative (following Ezekiel's prophecy), which itself changes the structure of the Former Temple. Likewise, the prophet is not violating the prohibition of "All this do I give you in writing", as this prohibition is valid only *after* the establishment of the Temple. We clearly see that the Rashash grants great significance and power to prophecy. In conclusion, as long as a prophet doesn't sanctify another place for the Temple, the sanctity still exists on Mount Moriah. However, a prophet can fix a different location to the Temple and to sanctify it.

F. The Authority of the Sages in the Establishment of the Temple.

We shall briefly comment that the Sages also have a significant authority to rule about Temple matters, and it could be that they also have the authority to locate the Temple on Mount Moriah on a different location from its presumed original location. Various sources express the Sages' involvement in the Temple establishment. It was stated previously that the Sages can expound verses from the "Scroll of the Temple" and can, in fact, make significant changes to the Temple following their interpretations. Through the analysis and exegesis of written verses, the Sages were permitted to add to the Altar in the Second Temple,¹³² to fix a gallery in the "Court of the Women" by employing Talmudic hermeneutics (*kal va'homer*),¹³³ and, likewise, they were permitted to "ruin the Second Temple", following a discussion in the

¹²⁸ Rashash on Talmud Baba Batra 122a.

¹²⁹ See the Ra'avad, *Mishneh Torah, Hilchot Bet HaBechira* 6:14.

¹³⁰ See the Ramban, *Milchamot Hashem* on Talmud Avodah Zara 52b.

¹³¹ See Rabbi Ovadia Yosef, *Responsa Yabia Omer*, Vol.5 – Yoreh De'ah 26.

¹³² Talmud Zevachim 61a.

¹³³ Here we find a more complex level of interpretation as the Sages expounded a verse that isn't directly connected to the Temple's establishment and related it to the Temple. Talmud Sukkah 51b, 52a.

Gemara, in order to renew it (so to speak) and there are many more similar examples.¹³⁴

The Tosafot *Yom Tov*, in his preface to the Tractate of Midot, explicitly notes that as the Sages interpreted and ruled changes in Temple's structure in the past, this will be done as well in the future Temple:

"And when we will find a verse and interpret it, we will build [the Temple] accordingly. As Rashi wrote in Talmud Zevachim (62a) concerning the Altar that sages "found and expounded a verse"—and [King] Solomon did not know to expound it but they did . . . *and also concerning us, when we will establish the future Temple, God will reveal to our eyes 'for the earth shall be full of the knowledge of the Lord*¹³⁵ and we will understand the unclear in Ezekiel's words and we shall build it [the Temple] "

Therefore, It can be concluded that the Sages have the authority to change the Temple's structure and their authority, in the end, is no different from that of a prophet, but this authority is exercised in a profoundly different method, that is, through the studying of verses and expounding upon them.

In light of the Rabbis' authority in the Temple's establishment, the question remains why rabbis may attempt, through deduction or some other method, to find a location for the Temple on Mount Moriah that is different from its presumed original one.¹³⁶ Why, then, could it be assumed, axiomatically, that a prophet cannot also rule likewise?

In Tanach, we clearly find different levels and types of prophecies. Sometimes a prophet sees a vision and its interpretation, while in other occasions visions come to the prophet that are difficult or impossible to interpret.¹³⁷ In these cases, prophets can consult with sages to interpret the vision.

We can then rationally imagine such a situation: A prophet arises in our days who sees, in a clearly prophetic vision, beams of light aimed to a specific location on the Temple Mount. The prophet understands that these beams of light represent the rebuilt Temple, which is referred to as the "light of the world,"¹³⁸ but doesn't understand the vision's practical meaning or implied course of action. Sages can then interpret the vision, explain and elucidate it, expound on relevant Scriptural verses and thereby confirm to the prophet that the meaning is to indicate the Temple's location prior to its establishment. If the Temple's original location is unknown, as is the situation today, then the command of establishing the Temple in the place indicated by the prophet's vision is definitely valid and binding, even if there are strong assumptions concerning the original location. It could mean that these assumptions are obsolete and therefore no longer binding under the new circumstances, and that

¹³⁴ Talmud Baba Batra 3b.

¹³⁵ Isaiah 11:9.

¹³⁶ Of course, different scenarios can be depicted that could make this question relevant. For example, a political situation could emerge wherein the Muslim world will agree that the Jewish Temple be built on Mount Moriah on condition that it does not infringe on the area of the Dome of the Rock. The question then would be whether it is better to build the Temple in a new location, or should it be built at all under such a scenario?

¹³⁷ Maimonides, *Mishneh Torah, Hilchot Yesodeh HaTorah* 7:3.

¹³⁸ Talmud Baba Batra 4a.

the *shetiyah* stone will be found in the place revealed through prophecy. However, even if the historical place of the Temples can be more precisely known, and yet the prophet points to a different location, this paper makes clear that the prophet's indication does not contradict a command of the Torah and, accordingly, this prophetic order should be executed.

Sages could assume that the *shetiyah* stone was moved during the Temple's destruction and that the obligation is to situate the Ark on the stone, or will interpret that the *shetiyah* stone is part of the mountain's bedrock and therefore the entire area of the Temple Complex on Mount Moriah is permissible for the location of the Ark, as was previously explained.

It could come about that the prophet will know *why* God ordered to establish the Temple, following the second scenario above, in a different place than the presumed original location; however, the reason for God's command could be unknown to the prophet. In response, the Sages could explain that, possibly, due to the historical development of two derivative monotheistic faiths emerging from the root of Judaism and thereby spreading God's one name to the whole world, a new and profound reality has emerged. This reality compels a new location of the Temple in a place that verily expresses this historical development. Following Maimonides, who concluded that the establishment of Christianity and Islam occurred by Divine Providence "to carve the way for the King Messiah and to direct the entire world to worship God together",¹³⁹ the Sages could thereby interpret the prophet's vision and state that the establishment of the Jewish Temple in peaceful proximity to the Islamic shrines on Mount Moriah in Jerusalem, (which, together, would be a venerable cluster of Belief, so to speak, in the One God), *is* the very process of ultimate redemption itself.

Let us remember that Islam, nearly from its outset, was traditionally considered as a pure monotheistic belief according to mainstream Judaism.¹⁴⁰ As such, preserving the presumed traditional location of the Temple on the Mount, as deeply rooted is this tradition, could be deemed as a tradition only in comparison to the opportunity for radical fulfillment of the vision of the prophets and the universal recognition of the One God. This possibility must also be seriously considered if we bring to account that the spiritual essence of the Temple was granted to it while it was a movable, wandering Tabernacle in the desert—that is, when its final, fixed location was unknown¹⁴¹—"And let them make Me a sanctuary, that I may dwell *among them*."¹⁴²

In fact, it is repeatedly demonstrated that the Jewish Temple was always meant to manifest the One God for the whole world, not just for the Jews. This notion is evident throughout the Tanach, from the words of King Solomon at the consecration

¹³⁹ *Hilchot Melachim* 11:4 (Rabbi Kappah edition). This phrase is not found in regular prints because of censorship omissions.

¹⁴⁰ Maimonides, Responsa #448: "The Ishmaelites [Muslims] are not idol worshippers at all, and it [idolatry] has ceased to exist in their mouths and hearts and they attribute the proper oneness to God with no blemish." According to the vast majority of Rabbis, it is permitted to study Torah and pray in a mosque, see e.g. Responsa *Yabia Omer* 7, 12:4, Responsa *Ein-Yitzhak* 1:11. As to the Dome of the Rock—see Rabbi Yosef Elboim in *Tehumin* 5 pg. 456-457, that the Sages didn't hinder or hesitate to refer to it as the Temple. See our papers: [The Jewish approach towards Islam](#) and [The Jewish approach towards Christianity](#).

¹⁴¹ "The place of the Temple—the Torah sealed it!" *Sefer Kaftor VaPherach* chapter 6.

¹⁴² Ex. 25:8.

of the First Temple (“the stranger that is not of Thy people Israel . . . shall come and pray towards this house”¹⁴³), to statements from prophets (e.g., “for my house shall be called a house of prayer for all peoples”¹⁴⁴), in many Talmudic verses, and from historical references.¹⁴⁵ A definitive prophetic ruling on the location of the Temple could therefore express this Jewish aspiration to a universal belief in the One True God and its core desire to include gentiles in the Temple's worship.

G. Summary.

In this paper, we examined the prophet's ability to introduce new rulings in Temple matters and, specifically, to rule about fixing the location of the Temple on Mount Moriah in a place that is not commonly held to be its original location. In this regard, our conclusion is positive. The fundamental reason is that this kind of prophetic command does not contradict a *mitzvah* of the Torah. Therefore, it is within the prophet's authority, as given unto him by the expressed will of God, to determine the location of the Temple on Mount Moriah, even in a location different from that as presumed fixed previously according to various traditions.

The discussion and debate on the reciprocal relations between *halachah* (sages) and prophecy (prophets) is nothing new in Jewish thought and is engaged throughout the Talmud and its commentators. However, this paper has highlighted two main differences: First, the interaction between prophecy and *halachah* is essentially unique concerning the establishment of the Temple, as the prophet's authority is implied and integrated, as opposed to other halachic matters, within the Torah's command. Secondly, in our case, prophecy does not stand against defined *halachah* but rather contends with certain rabbinic traditions in which their obligatory power is unclear, at best, especially in unusual, new or unexpected circumstances.

According to the Midrash, the Temple was also a cause to the first conflict between human beings; the dispute between Cain and Abel—“One says: in my area will the Temple be built, and the other says: in my area will the Temple be built”¹⁴⁶ However, the great aspiration is, that this house will indeed be shared by all as “a *house of prayer for all people*” and will become the vehicle to universal peace as envisioned by the prophet: “The glory of this latter house shall be greater than that of the former . . . and in this place will I give peace, says the Lord of hosts.”¹⁴⁷

¹⁴³ Kings 8, 41-43.

¹⁴⁴ Isaiah 56:7.

¹⁴⁵ See our paper, [The Universal Temple](#).

¹⁴⁶ Midrash *Bereshit Rabah* 22:7.

¹⁴⁷ Haggai 2:9