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בס"ד

Parashat Re'eh Part II

Expounding the Decalogue's Third Commandment

Lo Tissa

1. Prohibition of Multiple Sanctuaries

The first law of the *huqim* section is that when the Israelites assume possession of the promised land they must destroy the many sites at which the local inhabitants worshipped their gods, eliminating their gods' names from them (Deut. 12:2-3). It is the Israelites' responsibility to ensure that the land designated to be the arena for the fulfillment of the covenant with G-d is cleansed of idolatry (an obligation incumbent upon the Israelites only for their homeland). They are required to prevent the negative influence idolatrous sites might have on them and to promote the emergence of a society that flourishes under the sole religious direction of G-d's program. This is an application of the Decalogue's second commandment. This law was previously stated in the context of safeguarding the nation's relationship with G-d upon contact with the nations of Canaan (7:5). Here, it is further elaborated and serves as an introduction to the following directive, namely, not to practice cultic service at multiple sites as those nations did, even when only for the worship of Hashem.

Israel is to have only one sanctuary for sacrifices and ritual gifts to G-d. This regulation is repeated several times and in various ways in chapter 12 (superfluously, from an informational standpoint), reflective of its totally innovative nature. To protect against idolatry, especially against the insidious "slippery slope" (a matter of major concern, as the following passages make clear), a single central sanctuary was designated as a national spiritual center in place of multiple holy sites. We will briefly discuss the import and implications of having such a single sanctuary and point to several details presented or alluded to throughout Deuteronomy that illumine the unique function and role of such a center.

The sanctuary is to be located where G-d chooses to "place His name" (Deut. 12:5, 21) and "causes His name to reside" (v. 11). The presence of His name is the crucial element in the site's sanctity and significance and, concomitantly, of the prohibition against other sites where His name would not be residing. The ban on worshiping Him at the other sites appears to be presented as an application or expansion of the Decalogue's third commandment, **לֹא תִשָּׂא אֶת שֵׁם יְיָ אֱלֹהֶיךָ לְשׁוּן אֵי** ("Do not take the name of Hashem your G-d in vain" [5:11]), which insists on the extreme reverence due His name. Sacrificing to Him outside the location where He places His name to reside – in what must consequently be an unauthorized sanctuary even though monotheistic – is "raising" or "applying" His name in vain. This explains the textual placement of this passage, following immediately upon an application of the second commandment. This is especially the case given that the elimination of idolatrous sites was concluded with the statement "and you shall destroy their name from that place" (12:3).

Although the basic and traditional meaning of *lo tissa* in its Decalogue setting refers to swearing falsely, the phrase does not literally translate as "Do not swear," but "Do not raise," "Do not carry" or perhaps "Do not mention." Perhaps "Do not raise" implies "upon your lips," thus meaning "swear." But there is a great deal of latitude to expound the expression as a prohibition against "invoking" or "taking" G-d's name falsely or in vain, or for vain objectives, in whatever context it may be. M. D. Cassuto defined it as follows: "You shall not invoke G-d's name for any valueless purpose, not just for a false oath ... but for any valueless practice, in connection with which the pagans invoke the names of their gods, such as incantations, sorcery, divination and the like" (Commentary on Exod. 20:7). Although he did not

mention it, an Israelite associating G-d's name with sacrificial service at unauthorized sanctuaries fits right in. Since prohibited sites were then generally *bamot* ("high places"), *lo tissa* is an especially apt term.

Having only one authorized sanctuary for cultic service reflects having only one G-d; to some extent, polytheistic cultures required multiple centers for multiple deities. Surely the existence of only one sanctuary is a constant reminder that only the one G-d may be worshipped. The ark and the tablets would reside within it and the *Sefer HaTorah* that Moses wrote would be by the side of the ark (Deut. 31:26), keeping the concepts of revelation and covenant vivid. Prophets and spiritual leaders would gravitate to that site and receive inspiration in the presence of these holy items. The priests and the foremost judicial leaders (who in early times were also legislative leaders) would be located at or near the sanctuary, providing guidance and instruction to the nation in a reliable and consistent manner (16:8-13). Regional judges would bring their difficult questions to the "supreme court" (17:8 ff.), thus maintaining high standards and attracting the finest legal minds. Periodic covenantal reaffirmations, such as the seventh year gathering (31:11), would be held there. The populace-at-large would visit on festivals and various occasions, reinforcing their commitment "to fear Hashem your G-d all the days" (14:23).

The existence of multiple sanctuaries generally tends to reduce and fragment unity of the religious leadership. In Israel's case such sanctuaries would dilute the impact of the symbols of revelation and enable strange ideologies to arise as well as provide greater opportunity for false prophets and corrupt priests to gain a foothold. They might impede the flourishing of the prophetic vision flowing from the covenant. Hence, the one central sanctuary would tend to nurture the nation's unity and continuity around the covenant with G-d.

The elimination of sacrificial worship from the rest of the land, making it difficult for many to participate in it, is consistent with the prophets' constant railing that sacrifices are meaningless when not properly construed and are not usually of critical importance. Only under proper religious guidance may their rich symbolism serve as an impetus toward increasing closeness to G-d. The absence of local sacrificial sites would boost the prominence of local courts of law

(16:18) and increase the national focus on social justice.

In models of societal structure that are based only on human insight and endeavor, indeed, even in Israel's "secular" spheres of life, decentralization may be preferred. It would increase competition, spur creativity and allow for experimenting with alternate approaches to resolution of problems, thus generating greater potential for the betterment of society. Centralization's positive features are associated with a society based on divine revelation and the presence of spiritual leaders who receive prophetic communication, as the Torah's program anticipates. In contrasting Israel with the nations "who hearken to sorcerers and augurs," Moses said, "A prophet from your midst, from your brethren, like me, Hashem your G-d will raise up, him shall you heed ... as you asked from Hashem your G-d at Horeb on the day of the assembly" (18:14-16).

2. Indications from the Structure of Deuteronomy

The arrangement of the components of the Deuteronomy law compendium provides an indication that Moses expounded the ban on multiple cultic centers from the standpoint of the third commandment. The Decalogue stands at the head of the law compendium. Moses seems to have expounded the law compendium in Decalogue sequence, in sections as well as in particulars. With the latter, however, he incorporated a degree of variation reflecting supplementary associations apparently stemming from "stream of consciousness" digressions and very likely a degree of style. We began to demonstrate this thesis in our *Parashat Va'ethannan Part I* study with our discussion on *misvot, huqim and mishpatim*. We showed that these three categories represent the three consecutive sections of law that are elaborated after the Decalogue and that follow the Decalogue sequence, which itself is constituted in the order of *misvot, huqim and mishpatim*. We will briefly review the pertinent details.

1) The post-Decalogue subject matter until the end of *Parashat 'Eqeb* (6:4–11:25) focuses almost exclusively on the foundation of the covenant and the elaboration of the first two commandments. This embraces all aspects of one's relationship with G-d, essentially "precepts of the heart."

2) The contents of *Parashat Re'eh* through the end of the law compendium comprise the *huqim* and *mishpatim*. The *huqim* (Deut. 12:1–16:17) are ritual and religious laws. Some of the subjects this section covers are destroying idolatrous sites and responses to idolatrous acts, sacrifices, dietary regulations, tithes, seventh-year release of loans and festival practices. These sections do not contain any “precepts of the heart” type of law except in the case of an incidental association.

3) From mid-*Parashat Shofetim* through the end of *Parashat Ki Tese* are the *mishpatim*. These are ordinances of justice and fairness; they cover the sphere of human interpersonal relationships and man’s responsibilities to lower creatures. In this section the only “between man and G-d laws” stem from an incidental connection.

4) The subject matter prior to and including *Parashat Re'eh* does not include any material that is an elaboration of the last five Decalogue commandments (the *mishpatim*).

5) The later portions of our *parasha* (14:1-16:17) clearly appear to be applications of the fourth and fifth commandments, as we will point out in our *Parashat Re'eh Part III* study. This supports the view that the earlier portion of our *parasha* (chapters 12–13, which includes the prohibition against multiple sites of worship) contains an application of the third commandment.

In coming studies we will point to the continuation of this process and address the order of several individual laws that appear to be influenced by Decalogue sequence.

3. Indications From Leviticus 19 and Jeremiah 7

Additional support that the prohibition of multiple cultic sites is connected to the Decalogue’s third commandment is found in Leviticus 19. It has been definitively established that Leviticus 19 is linked to the Decalogue with many unmistakable references to Decalogue precepts and literary terms. It employs paraphrase, allusion, wordplay and chiasm (see our study *Parashat Kedoshim Part II: Linkage with the Decalogue*). We will here focus on one relevant detail of that Leviticus 19 passage. It sets a strict time limit during which a *shelamim* sacrifice may be eaten:

“Whatever remains until the third day must be burnt in fire” (Lev. 19:5-8). The structure of that chapter points to understanding that law as associated with the laws that relate to the first five Decalogue commandments. Specifically, as we demonstrate in our study on that chapter, that law is an application of the third commandment, *lo tissa*.

Having sanctified meat around the home for many days, such that it might be ignored or treated in a common manner and begin to spoil, would inevitably cause a lessening of respect for the sancta and sanctuary upon which G-d’s name resides. This would be a violation of the third commandment, which is concerned with the sanctity of G-d’s name. Thus, Leviticus’ ban of partaking of a sacrifice beyond the prescribed time frame parallels the Deuteronomy ban of performing a sacrifice outside the central sanctuary, a traditional equating of חֹזֵן לְמִקְוֹם וְחֹזֵן לְזִמְן.

The prohibition to swear falsely, the most basic interpretation of the third commandment, is also referred to in Leviticus 19, albeit later in the chapter. However, in accordance with a widely attested application of swearing falsely it is there included in the midst of a cluster of laws that expands on the eighth commandment, “Do not steal” (vv. 11-13), clearly separated from the exposition of the first commandments. In this way, the “slot” of the third commandment was made available for the stricture of the *shelamim* time limit. That the location of the *shelamim* passage, on the surface, appears to be an anomaly, strengthens the evidence.

This thesis may help explain a phrase in Jeremiah 7. G-d warned the Israelites not to trust in the sanctuary while they ignored their responsibility to do justice, care for the underprivileged, etc. He chastised them for committing major transgressions (most of the Decalogue precepts are cited) while thinking that by entering the temple “upon which My name is called” they were safe (Jer. 7:3-10). Between vv. 10-15, the association of His name with the central sanctuary is explicitly mentioned four times, and desecration of His name is the underlying focus of His complaint. He instructs Jeremiah אַל תִּתְפַּלֵּל בְּעַד הָעָם הַזֶּה (“Do not pray on behalf of this people”) and continuing in the same verse, וְאַל תִּשָּׂא בְעַדָּם הַנָּה וְתִתְפַּלֵּה, (“and do not raise on their behalf a hymn or prayer”), because they are sacrificing all over Jerusalem and Judah to other gods (vv. 16-17).

It is unusual in that context for תְּפִלָּה (“prayer”) to be chosen as the object of אַל תִּשָּׂא (“Do not raise”) given that it follows a usage of the same root in the preceding clause, אַל תִּתְפַּלֵּל (“Do not pray”). However, the אַל תִּשָּׂא may be an allusion to the Decalogue’s לֹא תִשָּׂא and the תְּפִלָּה to a specific attestation of prayer relevant to the context, as we will forthwith explain. Because G-d’s fear that multiple cultic sites might lead to idolatry has been realized, He employs אַל תִּשָּׂא, do not raise a prayer for them, as they so thoroughly violated the commandment of לֹא תִשָּׂא. The only other mention of אַל תִּשָּׂא בְעֵדָם רִנָּה וּתְפִלָּה (“and do not raise on their behalf a hymn or prayer” [Jer. 11:14] is also in connection with G-d’s complaint concerning sacrificing to other gods in multiple sites. The רִנָּה וּתְפִלָּה combination recalls the only other Tanakh context in which it is attested, that within Solomon’s temple initiation prayer (1 Kings 8:28; 2 Chron. 6:19). He asked G-d לִשְׁמַע אֶל הַרְנָה וְאֶל הַתְּפִלָּה, to be responsive to prayers directed toward the sanctuary regarding which the king reminds G-d in the succeeding verse, אֲשֶׁר אָמַרְתָּ יְהוָה שְׁמִי שָׁם לִשְׁמַע אֶל הַתְּפִלָּה (“that You said My name shall reside there to hearken to the prayer” [1 Kings 8:29; cf. 2 Chron. 6:20]). As Jeremiah’s contemporaries were desecrating that name, in a response of poetic justice G-d told him אַל תִּשָּׂא, do not raise on their behalf that special רִנָּה וּתְפִלָּה prayer.

4. Overview of Deuteronomy 12-16

Before continuing, a brief sequential overview of topics and clusters of topics that comprise the *huqim* section (Deut. 12–16), divided with an eye toward our discussion, will be helpful. We will then provide a précis of our coming presentation.

Topics

1. Destruction of idolatrous sites in the land of Israel
2. One sanctuary
3. Categories of sacrifices and ritual gifts – included are *ma’aser* (tithes) and *bekhor* (firstborn animals)
4. Permissibility of nonsacrificial meat together with prohibition of blood
5. Four anti-idolatry cases: Not to emulate idolaters’ modes of worship even for Hashem; the false prophet; the seducer to idolatry and the idolatrous city
6. *Banim atem* (“You are sons to Hashem your G-d”) – prohibition of certain mourning practices, followed by holiness statement and dietary code

7. *Ma’aser* (tithe), yearly and triennially, seventh-year release of loans, helping the poor, release of slaves
8. *Bekhor* (firstborn of cattle and flock)
9. The three festivals

Précis

After the third commandment expansion that mandates centralization of sacrifices and connected laws, which are also second commandment applications, Moses concludes the section with four anti-idolatry passages (12:29–13:19). The first belongs to the discussion preceding it while the other three continue from it. The elaboration of two chapter 12 items that require the central sanctuary, *ma’aser* (tithe) and *bekhor* (firstborn), is postponed to a later subsection (14:22–15:23), after the conclusion of the immediate discussion and the closely linked material because *ma’aser* provides the opening to a series of four interlinked subjects not directly connected with the larger topic headings. This prevents a disruption with a large “on the spot” digression. Although generally following Decalogue sequence, other considerations, based on logical flow and associations, come into play. Thus, the expansion of the fourth commandment, the Sabbath, with the three festivals (ch. 16), follows the laws associated with *banim atem laHashem Elokekhem* (“You are sons to Hashem your G-d” [14:1 ff.]), although the latter laws are an expansion of the fifth commandment, to honor father and mother. The reason is that the concept derived from honoring father and mother is to honor G-d, which thematically links to the third commandment. The *ma’aser-bekhor* subsection (14:22–15:23) comes after that, followed by the festivals pericope, which concludes the section.

5. Continuing

With multiple sanctuaries outlawed, partaking of sacrificial meat would become rare and the issue of eating meat arises. This leads to the law permitting the slaughter and consumption of nonsacral animals. An accompaniment to this permissibility is the prohibition to ingest blood. (For a discussion on the relationship between this chapter and Leviticus 17, see our study on the latter chapter.)

Moses then returns to the topic of idolatry with an application that is conceptually related to the law at the beginning of the chapter that prohibited multiple

sacrificial sites even when directed to Hashem. Now, Israel is prohibited to adopt religious practices from the idolatrous inhabitants they are dispossessing even for the service of Hashem. Adoption of such practices was common policy for newcomers to a region, as they were believed to have been proven effective in their home domains (cf. 2 Kings 17:24-41). Although addressing nonidolatrous rituals, Moses points out that their practitioners have committed all types of abominations, acts that G-d hates, even offering their children in fire to their gods (Deut. 12:29-31). This passage is also literally linked with that of centralization by common use of a clause unique to these two contexts: לֹא תַעֲשׂוּן בְּנֵי לֵה' אֱלֹהֵיכֶם (12:4) is stated concerning multiple sanctuaries and לֹא תַעֲשֶׂה בֵן לֵה' אֱלֹהֵיךָ (12:31) concerning rituals. This formulation emphasizes the requirement for undiluted worship – both site and style may compromise the sanctuary and pure service, combining G-d's name with vanities, and may lead to idolatry.*

Having concluded the segment that prohibits multiple sites of worship as well as having any point of contact with cultic practices of the idolaters, Moses adds three cases that protect the nation from being lured to idolatry. First is the prophet who calls for idolatry (13:2-6), followed by the individual who seduces to idolatry (13:7-12) and finally the idolatrous city (13:13-19), all of which incur capital punishment.

The only other case in the remainder of the law compendium similar to these latter cases is attested several chapters later, in 17:2-7. It seems to be out of place amid a discussion on judges and the legal justice system. Clearly, it would integrally fit in our chapter 13 series of anti-idolatry laws, perhaps preceding the three as the basic, broadly constructed introductory case, followed by the specific cases. Perhaps it was placed in chapter 17 because it contained features that illustrated important elements of the legal justice system that was being discussed there – the requirement for thorough investigation and the inadequacy of one witness for capital punishment.**

The *ma'aser-bekhor* expansion with the cluster of associated laws in between them does not appear at this point because a topic with greater affinity to the

theme of the first three Decalogue commandments (“You are sons to Hashem your G-d”) takes precedence, as we shall explain in our coming study. In addition, as we shall also soon touch upon, the topics elaborated between *ma'aser* and *bekhor*, dealing with humanitarian concerns, may be seen as foreshadowing the expansion of the Sabbath commandment and possibly situated there for that reason.

Endnotes

* Illustrations of this injunction are two laws in *Parashat Shofetim*: not to plant אֲשֵׁרָה כָּל עֵץ (cultic pole or tree) next to Hashem's altar and not to establish a *masebah* (pillar), an item Hashem hates (Deut. 16:21-22). Were that *asherah* actual idolatry, it would be prohibited in and of itself, and would have to be destroyed regardless of where it was planted. Similarly, the *masebah* cannot have been an idolatrous one. These are prohibitions because of associations and what they could lead to.

** Interestingly, the *asherah kol 'es* and *masebah* verses, which conclude chapter 16 and precede the case of idolatry in chapter 17 with just one verse between them, fit in well right after the prohibition against adopting pagan practices in the service of G-d (Deut. 13:1). They would be perfect illustrations, as pointed out in the previous note. Also noteworthy is the fact that the one verse that separates these verses from the idolatry passage of chapter 17 contains the injunction not to sacrifice a blemished animal, which also appears out of place in its present location. It seems to fit in right before the concluding verse of 12:28, providing another law in that context regarding sacrifices. Perhaps we should apply an application of the principle אֵין מִקֵּדָם וּמֵאַחֵר בְּתוֹרָה (there is no earlier or later concerning Torah passages) for Deuteronomy 16:21–17:7. This would acknowledge this segment as having originally been formulated as part of one context but ultimately placed in another as a substantial block (such that it would maintain its unity that reflects its original location) to serve an important function there.