"***Ki tavo*: Messages from 'the first-fruits declaration'"**

by Rabbi Dr Jeffrey M Cohen

Our sidrah bears the name *Ki tavo* after its opening words, ***When you enter*** *the land which the Lord your God gives you as an inheritance…* (Deut. 26:1), and it proceeds to describe the ritual and accompanying declaration to be made by the Israelite landowner when bringing a sample of his first fruits as a gift at the Temple. It takes the form of a potted history of Israel from the period of Jacob until the nation's arrival at the Promised Land, and proceeds to thank God for the agriculturally lush land of Israel, 'flowing with milk and honey,' which enabled the grateful landowner to extract a bumper harvest. It will also be familiar to us from the exposition of vv. 5- 9 incorporated into the Pesach Haggadah:

> ***26*** *When you enter the land which the LORD your God gives you as an inheritance and have taken possession of it and settled in it,* ***2*** *take some of the first fruits of all that you produce from the soil of the land the LORD your God is giving you and put them in a basket. Then go to the place the LORD your God will choose as a dwelling for his Name* ***3*** *and say to the priest in office in that period, "I declare today to the LORD your God that I have come to the land the LORD swore to our ancestors to give us."* ***4*** *The priest shall take the basket from your hands and set it down in front of the altar of the LORD your God.* ***5*** *Then you shall declare before the LORD your God: "My father was a wandering Aramean, and he went down into Egypt with a few people and lived there and became a great nation, powerful and numerous.* ***6*** *But the Egyptians mistreated us and made us suffer, subjecting us to harsh labour.* ***7*** *Then we cried out to the LORD, the God of our ancestors, and the LORD heard our voice and saw our misery, toil and oppression.* ***8*** *So the LORD brought us out of Egypt with a mighty hand and an outstretched arm, with great terror and with signs and wonders.* ***9*** *He brought us to this place and gave us this land, a land flowing with milk and honey;* ***10*** *and now I bring the first fruits of the soil that you, LORD, have given me." Place the basket before the LORD your God and bow down before him.* ***11*** *Then you and the Levites and the foreigners residing among you shall rejoice in all the good things the LORD your God has given to you and your household.*

As we know, our Oral Law - as contained in Mishnah and Talmud, as well as the expositions of the Midrashic sages - provides a rich commentary to the words of the Torah and an application and expansion of its principles to myriad situations. We shall proceed, therefore, by referring to their comments on a few of the phrases (highlighted in blue) of the landowners' declaration at the ceremony of the first fruits.

Put them in a basket:

It is significant that, notwithstanding that the Israelites were, at this time, living roughly as they travelled through the desert, the Torah was already conditioning them for the future and implanting a sense of esthetical appreciation. They were being taught here that, when they were to bring their gifts to the Temple, consideration must be given not only to the gift itself, but equally to the attractiveness of its presentation at the Sanctuary. This is reflected in the words of the psalmist, *Hishtachavu laShem b'hadrat kodesh* – 'Worship God in the *beauty* of holiness' (Ps 96:9) - which the sages promoted as a *sine qua non* for the performance of ritual mitzvot.

The Talmudic sages viewed *hiddur mitzvah* as so important that they attributed its source to the phrase in the *Shirah* (Song of the Red Sea: Ex. 15:2), 'This is my God, and I shall *glorify* Him (*v'anveihu*).' They linked this Hebrew verb to the word *na'eh*, 'to be beautiful,' and explained it anthropomorphically as a means of investing God with beauty. The more beautiful our ritual mitzvot, the more we garland Him with beauty and demonstrate thereby the beauty of our faith and our relationship with God. Hence:

> Make your relationship with Him beautiful through the (ritual) mitzvot you perform: Make a beautiful Succah; take a beautiful lulav; wear beautiful tzitzit; acquire a beautiful Torah scroll…(Tal. *Shabb*. 133b).

Hence, the *Bikkurim* (first fruits) had to be brought in as beautiful a basket as possible - with other species of beautiful fruits - to adorn the mitzvah. The Mishnah (*Bikk*. 3:8-9) tells us that the rich would overlay their baskets with silver and gold, while the poor brought theirs in simple wicker baskets. The rich would take their baskets back home with them while the poor were expected to leave their baskets behind. Hence the Talmudic proverb, 'Poverty follows the poor.' In other words, the poor get poorer while the rich stay rich - by getting their beautiful baskets back!

Say to the priest in office at that period:

The sages, as was their wont, pounced on every word of the biblical text that might appear – at first glance – to be superfluous, and consequently ask: 'But, surely, the landowner could hardly make the declaration to a priest of another period!' Their answer is that the Torah is sending us the message that each generation has none other than 'the priests/leaders/sages of [their] own day,' - and must invest their decisions with the requisite authority (See *Sifre* sec 298).

There is a profound message here. Many people are quick to contrast the great sages of bygone ages – men of the ilk of the Chafetz Chayyim, the Vilna Gaon, the Chazon Ish and R. Moshe Feinstein – with those of our day, and are consequently reticent to accept the rulings of our contemporaries especially in situations where they appear to be offering leniencies in dealing with important and controversial modern-day issues. The message of the text is clear: 'We have none other than the priests/leaders/sages of our own day' – with their insights into the unique circumstances and problems of the modern age that call for resolution in the light of changed perceptions, and with the need to enlarge the scope of halachah accordingly.

Then you shall declare before the LORD your God…

Originally, those landowners who knew how to read the Hebrew 'declaration' (*Arami oved avi*…) would recite it in front of the priests, while, for the illiterate – alas the majority – one of the priests would read it for them. But when the Temple authorities noticed that the number attending for the ceremony was reducing greatly, they realized that the cause was their embarrassment to admit their inability to read. They thereupon decreed that, from then on, the priest alone would read the declaration on behalf of all, irrespective of whether they could or could not read.

But, there seems to be an apparent inconsistency here. We referred above to the fact that, as regards the baskets on which the first fruits were displayed, the rich were permitted to bring baskets overlayed with silver and gold, while the poor had to make do with hand-made wicker baskets. So why, we may ask, did the sages not legislate to avoid embarrassing the poor by prescribing wicker baskets for all, in the same way they did when allocating an official reader to avoid embarrassing those landowners who couldn't read?!

The answer is salutary, namely that there is no shame in being poor – and it is also a situation that fate frequently and unexpectedly reverses. But there is certainly a shame in being illiterate - and having to acknowledge it publicly! And especially having to admit to ignorance of being able to recite a Hebrew prayer while standing in the very central sanctuary at Jerusalem! And hence, the Temple authorities acted to preserve the dignity of the illiterate, but were not concerned about distinctions between the rich and the poor.

The Hebrew text here – *Arami oved avi* - is problematic. The Hertz (Soncino) translation has, 'A wandering Aramean was my father' (p. 859); ArtScroll has, 'An Aramean tried to destroy my father'; and many non-Jewish translations, following the King James Version, opt for 'My father was a Syrian ready to perish.'

Each rendering has its difficulties. Hertz, following several rabbinic commentators, presupposes Jacob as the subject of the phrase, 'because of his straying and unsettled life.' Why the Torah should have referred to father Jacob by the pejorative term 'Aramean' – especially given that that very term is applied to Laban who ill-treated Jacob so badly (See Gen. 28:5) – is, however, more than mystifying! And it is hardly clarified by Ibn Ezra's explanation that Jacob spent twenty years in Aram (Syria) at the home of Laban. After all, we would hardly refer to a Jewish refugee from Nazi Germany as 'Jacob the German!'

As for ArtScroll, its rendering of *oved* as '*tried* to destroy (my father)' – following the Midrash (See *Sifre* sec. 301) – clearly stretches the Hebrew syntax. To compound the difficulty, the Midrash was constrained to make Laban the subject of the sentence and Jacob the object. This begs the question, for, if the Torah was condemning Laban, then why refer to him obliquely as 'the Aramean' rather than by his name. Furthermore, there is no evidence from the story of Jacob's stay in Laban's house, that the latter made any attempt to kill him! The Midrash was, naturally, aware of that problem, so it attempted to circumvent it by observing that 'he actually *wished* to destroy Jacob, so the Torah accounted it as if he had actually done so!' (See Rashi on 26:5)

As regards the King James Version: While it has the merit of being the most literal rendering of the word *oved*, it still does not obviate the problem of why the Torah referred to Jacob as a Syrian!

He gave us this land, a land flowing with milk and honey:

R. Baruch HaLevi Epstein, in his popular commentary, *Torah Temimah* (See on Dt 26:5 (sec. 27), observes that, although there are many interpretations of this passage, he has never found one that adequately explains the link between the issue of Jacob and Laban and the subject-matter of the bringing of the first-fruits. He offers what he admits to be a tentative suggestion, but which, in my opinion, has a powerful contemporary resonance.

He reads the passage as a thanksgiving for God's particular bestowal of the gift of the land of Israel to our people. In his own words:

> For, according to the natural order, our people should never have succeeded in possessing the land; for, to defeat and displace those who occupied it would have taken immense strength, stability and a lengthy period of peace and security [during which to consolidate their situation]. But it goes without saying that, from the moment they became a nation, Israel lacked all those conditions; for their situation [during the desert wandering and the ensuing battles for conquest] was far from secure, given that they were constantly being pursued and driven from place to place. Nevertheless, through God's grace, they conquered the land and dispossessed its inhabitants.
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> And all this was achieved through the initiative of Jacob [- the link between the patriarchs and the Israelites who effected the conquest], whose life of trial, tribulation, and banishment, from the moment he left his father's house, foreshadowed and symbolised the fate of his offspring. And yet he was rewarded by God with the gift of a land flowing with milk and honey – in defiance of the natural order.

Then you and the Levites and the foreigners residing among you shall rejoice in all the good things the LORD your God has given to you and your household:

This final verse sums up the gratitude to God that we Jews should feel and express at all times for the fact that, for over three thousand years, we have truly succeeded in 'defying the natural order.' We have frustrated the attempts of great cultures – such as those of

Greece and Rome – to seduce and overwhelm us, and those of tyrannical states to destroy us. But here we remain, glorying in the achievements, vitality, and strength of Medinat Yisrael – ‘a land flowing with milk and honey,’ which was established but three years after the cruellest of all attempts to annihilate it and the Jewish nation.

והקדוש ברוך הוא מצילנו מידם

Shabbat shalom

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