



PARSHAS EKEV - TOLLY ROSE

V'samtem es dvorai eileh al levavchem v'al nafshechem.... "Place these words of mine upon your heart and your soul"

The second Parsha of Shema is derived from this week's sedra. The Torah tells us that we will be exiled and banished from Eretz Yisroel if we violate the laws of the Torah. The Torah then reiterates the mitzvos of tefillin and mezuzah. It is contextually uncertain why these commandments are once again stated following the threat of exile from Eretz Yisroel. As always Rashi rescues us by explaining that these pesukim are stressing that even in golus there is a necessity for torah observance. One should not think that keeping the Torah is reserved for when we are in Eretz Yisroel.

Rashi stresses that even in golus we must make ourselves distinctive by wearing our tefillin and fixing mezuzos to our doorposts. Rashi quotes the Sifri saying: you should continue to perform the Mitzvos of Tefillin and Mezuzah, even in Exile, so that these Mitzvos should not seem strange to you when you return to the Land. Rashi is telling us a big chiddush - that the Mitzvos in Chutz la'Aretz, are meant to prepare us for our return to Eretz Yisrael, so that they should not be new to us when we return. It seems that the Mitzvos were really given to us to keep in Eretz Yisrael. Our keeping them in Chutz la'Aretz, albeit min ha'Torah, is no more than a form of Chinuch.

Why these mitzvos?

As the Ramban explains, personal commandments like mezuzah and tefillin are those which are chovas haguf as opposed to for example taking teruma which is a chovas hakarka a commandment applying to land. We are obligated to observe personal mitzvos wherever we are but as Rashi indicates, the purpose is to prepare us for when we return to our homeland. The above brings to mind the Ohr Hachaim in Parsha Vayechi. He quotes the Ramban, who ascribes Ya'akov's marriage to two sisters to the fact that he was living in Chutz la'Aretz at the time that he married them. Indeed, the moment Ya'akov entered Eretz Yisroel, Rachel died, and this was due in part to the fact that he had just entered Eretz Yisrael and that he could not live there with two sisters. So, Rachel had to die.

But he disagrees with the Ramban. Who told the Ramban, he asks, that Ya'akov only kept the Torah in Eretz Yisroel? After all, he says, this is a personal Mitzvah, which has no connection with the land itself, and as such, there is no difference between Eretz Yisroel and Chutz la'Aretz?

We can use our Rashi to answer the Or ha'Chayim's question on the Ramban because we need to understand the reasoning behind the Ramban's distinction between Eretz Yisroel and Chutz la'Aretz with regard to the Ovos and their performance of the Mitzvos. Our Rashi explains how the Mitzvos in Chutz la'Aretz, are meant to prepare us for our return to Eretz Yisrael, so that they should not be new to us when we return. It seems therefore that the Mitzvos were really given to us to keep in Eretz Yisroel.

Perhaps, the Ramban holds, that the Ovos only accepted on themselves the performance of the Mitzvos in Eretz Yisroel, where the Mitzvos are an intrinsic obligation. In Chutz la'Aretz, where their obligation will only be based on education, they declined to obligate themselves.

In fact, the Ramban himself in Parshas Toldos (26:5) explains that the Ovos were only concerned about keeping the mitzvos whilst in Eretz Yisroel.