

THE KOSEL HAMAARAVI

CHIPPING A STONE AS A SOUVENIR

Rav Moshe Feinstein was asked about a stone from the *Kosel HaMaaravi* which had been taken home as a souvenir, whether it was permitted? Imagine having a piece of the Kosel as a *zeicher lechurban* in one's display cabinet! It was contended that the destruction of the Beis HaMikdash by the Romans nullified the *kedushah* of the stones. In the course of his analysis of the status of *kedushah* of the Kosel, Rav Moshe draws on *Avodah Zarah* 59b, which discusses whether stones of the *Mizbei'ach* lost their *kedushah* when they were defiled by the Greek army. The Gemara cites *Middos* 1:6 which describes the purpose of the four chambers of the Hall of Fire, the *Beis HaMoked*, which was a large hall built on the border between the north wall of the *Azarah* and the *Har HaBayis* and served as one of the gateways to the *Azarah*. It had a chamber in each corner opening into the hall, one of which was used to permanently store the stones of the *Mizbei'ach* which had been defiled by the Greeks who brought offerings to their idols on the outer *Mizbei'ach*. When the Chashmona'im recaptured the Beis HaMikdash, they built a new *Mizbei'ach*, and had to conceal the old stone blocks into a chamber set aside for *genizah*. The Gemara wonders why the stones did not become desanctified when the Greeks defiled them and concludes that once the stones had been used in the service of HaShem, Chazal forbade their use as personal objects because of their historic *kedushah* even if they now lack essential *kedushah*.

DETACHED STONES

Rav Yitzchak Silberstein records a question he was asked in connection with a stone chipped away from the Kosel. A non-Jew abroad had heard that placing a small stone from the Kosel under his sick wife's pillow was a *segulah* to heal her and he contacted a Jew offering a substantial sum if he could obtain one for him. Unfortunately, immediately after placing the stone under her pillow, she passed away. When the Jew who supplied the stone heard this he feared for his life and asked Rav Silberstein what he needed to do to atone for his sin. Rav Silberstein consulted his father-in-law, Rav Elyashev, who was shocked to hear this serious transgression. He ruled that the stone must be returned and glued back to its original place and then a substantial *kaparah* for his transgression of *לא תעשון כן* would be required. Another instance: Rav Shmuel Rabinowitz noticed a stone from the Kosel on display at Ben Gurion airport. He wrote to the authorities demanding that they return the stolen stone so that he could reattach it to the Kosel. Another interesting incident happened the day after Tisha Be'Av, 25th July 2018, when a stone fell from the height of the 18th row of blocks at the Ezrat Yisrael section, the Egalitarian (Reform) area, north of the Kosel. This was a large stone weighing over 100 kg and was identified by experts as being from the Herodian period, a very rare occurrence.

DID KOSEL MAARAVI LOSE ITS KEDUSHAH?

Rav Zvi Pesach Frank wrote that the issue of whether the Churban would act to remove sanctification of the Kosel stones would depend on a machlokes Rishonim. According to the Baal HaMaor only Jewish rebels can nullify the *kedushah* and that would only apply to vessels but not buildings. The Ramban and Ritva disagree and hold that non-Jews can nullify the *kedushah* even of buildings. However, that would only apply as long as the non-Jews retain control of the property, but once they no longer hold possession of the structures, the *kedushah* returns (*Teshuvos Beis Yitzchak*, *Orach Chaim* 27). Rav Moshe asserts that even were one to argue that the walls of the Beis HaMikdash lost their *kedushah* when they were destroyed in the *churban*, stones would still require *genizah* and would be forbidden for personal use. However, he differentiates between the *Mizbei'ach* and *Kosel* stones, as there was no act of defilement of the *Kosel* stones which have remained intact. Therefore, they should retain their original *kedushah* and there would be an *issur* of *me'ilah* to take a stone for personal use. Rav Moshe cites the rule that the thickness of the wall has the *kedushah* status of what is inside the wall, so a wall of the Beis HaMikdash would have equivalent status (*Pesachim* 86a). He then adds that aside of the *issurim* of *me'ilah* and historic *kedushah*, there is another prohibition based on *Devarim* 12:4 – *לא תעשון כן לה'* – "You shall not do this to HaShem". Just as you must eradicate the very last trace of the heathen gods, so correspondingly nothing that is consecrated to HaShem may be destroyed. Rambam rules accordingly that if one breaks a stone from the Beis HaMikdash, one transgresses this negative prohibition and is liable for *malkos* (*Rambam, Hilchos Yesodei HaTorah* 6:7). Rav Moshe then departs from a halachic stance and issues a strong rebuke against the practice of taking souvenirs. People pay high prices for ancient antiques and there would be millions of people who would like to follow his example and misappropriate such a valuable historic memento. As a result, the *Kosel* which has survived for so long would soon disappear into millions of pieces! (*Igros Moshe, Yoreh De'ah* 4:63).

KOSEL HAMAARAVI WAS PRESERVED

Midrash Eichah relates that Vespasian divided the destruction of the Beis HaMikdash among four commanders, and



Lifting the stone that fell at the Ezrat Yisrael Plaza

the western side was allocated to Pangar. However, Heaven had decreed that the Western Wall will never be destroyed, because the *Shechinah* rests in the western portion of the Beis HaMikdash where the Holy of Holies stood, and Pangar did not destroy the Western Wall. Vespasian was upset with Pangar and asked him to explain why he did not carry out his task. He replied that he did it for the honor of Vespasian, for had he destroyed the last remaining wall, no one would know what a powerful city he has destroyed. Now people will see what a great city Yerushalayim was and will see how powerful Vespasian was to destroy such a city. Rav Moshe Chaim Luzzatto draws a comparison between a deceased person and the destroyed Beis HaMikdash. Although when a person dies, his soul departs the body, which then decomposes, one bone in the body, known as the *luz* bone of the spine remains intact from the time of death until *techiyas hamesim*. This bone, containing a tiny spiritual force, will develop into a complete human being at the time of *techiyas hameisim*. Similarly, although the *Shechinah* parted from the Beis Hamikdash whose structure was demolished, the *Kosel HaMaaravi*, which retains a vestige of *kedushas HaMikdash*, remains standing and will serve as the cornerstone for the future Beis HaMikdash (Artscroll *Midrash Eichah* 1:31, Insight B).

OPENING THE WINDOW TO THE SHECHINAH

Rav Yaakov Ettlinger's son queried an apparent contradiction. *Yoma* 22b teaches that there were five things that the Second Beis HaMikdash was lacking and one of them was the *Shechinah*. Yet Midrashim state that although the Beis HaMikdash was destroyed, the *Shechinah* will never depart from the *Kosel HaMaaravi*, as quoted above. Rav Ettlinger responded to his son using the sun as an example. When we say that we open a window to let the sun in, we do not mean that the actual sun, which is 93 million miles away, comes into our room, but we mean that we are removing the barrier stopping the sun's radiation coming into the room. Similarly, when we say that the *Shechinah* rests in a place, there are different levels of intensity. At Har Sinai, the *Shechinah*, the core *kedushah*, rested directly on the mountain. Thereafter, the *Shechinah* radiates but the radiation gets blocked by the impurities of this world. When ten people congregate in prayer, the public display of attachment to *kedushah* opens a window through the mundane matters of this world and allows a certain level of *Shechinah* to radiate over the *minyan*. The first Beis HaMikdash was the era of prophets who had a more direct spiritual connection, with several miraculous manifestations in the Beis HaMikdash, but prophecy ceased in the Second Beis Hamikdash and one had to be more proactive to allow admission of direct radiation. The Beis HaMikdash served as a symbol of unity and the continued offerings there enabled a close connection with the *Shechinah*, albeit at a different level. Although today the *Shechinah*'s radiation is much diffused by the materialism of this world, that window of opportunity still remains after the destruction of the Beis HaMikdash when we *daven* at the *Kosel*, with its eternal spiritual bond to the *Shechinah* (*Teshuvos Binyan Tzion* 3).

WALL OF AZARAH OR HAR HABAYIS?

On the basis of the Aggadic teachings which designate the *Kosel Maaravi* as the wall of the Beis HaMikdash, it was generally assumed to refer to the wall of the *Azarah*, which stood eleven *amos* west of the western wall of the Holy of Holies. The Radvaz, the earliest authority to discuss this issue, held this to be the case. On that basis, the area outside the *Kosel* must be part of the *Har HaBayis*. According to this view, visiting the *Kosel* nowadays would be forbidden for a woman in her *niddah* state or a man who is a *baal keri*, as they may not enter *Har HaBayis*. Furthermore, any woman who has given birth and has yet to bring her atonement offerings as prescribed in *Vayikra* 12:6-8 would not be permitted to visit the *Kosel* even if she has purified herself in a *mikveh*. Many authorities see in the established practice that everyone comes to daven at the *Kosel* clear proof that the wall is a remnant of the wall surrounding *Har HaBayis*, and the area outside that wall does not have restricted entry for *tamei* people. It has been very difficult to determine the exact site of the original Beis HaMikdash. There are two early literary sources which provide detailed measurements. The first chapter of *Mishnayos Middos* describes the *Har HaBayis* as a 500 *amos* square which would have been the size of the first Beis HaMikdash. However, the size of *Har HaBayis* today is twice that area and it is not square. The second early source is Josephus's *Antiquities*, which is important because he saw *Har HaBayis* with his own eyes. Josephus describes the original square *Har HaBayis* but also relates the story of King Herod's extension of *Har HaBayis* to twice its size. The original square must be located somewhere on the present-day Temple Mount, but since 1967 when the area came under Jewish control, there has been much debate about the placement of that square. There are multiple suggestions, but there is no consensus yet on the locations. However, many of the suggestions imply that the *Kosel* is neither the wall of the *Azarah* nor the *Har HaBayis*. This question has halachic implications in several areas, and we shall have opportunity for further discussion in two months' time in connection with *Zevachim* 32b.

