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On the weekly Torah readings and holidays

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לקוטי שיחות
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PAYING FOR A PROMISED LAND

From the Talks of
The Lubavitcher Rebbe
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1.

An Oath Against the Promise

When Avraham came to buy the Cave of Machpelah from the children of Ches {as a burial place for Sarah}, *Pirkei deRabbi Eliezer*[1] relates, they first asked him for an oath:

> *They said to him, "We know that the Holy One, blessed be He, will in the future give you and your descendants all these lands. Make an oath*[2] *with us that the Children of Israel will not take possession of the city of Yevus except with the consent of the people of Yevus" (who "were descendants of Ches"*[3]*) — and he made a covenant with them*[4] *— and afterward he bought the Cave of Machpelah.*

This raises several questions:

a) How could Avraham agree to swear to them that the Children of Israel would not take possession of the city of Yevus? That is the very opposite of G-d's promise to him: "All the land [that you see], I will give to you and to your descendants for eternity."[5]

b) Decades before this, G-d had made a covenant **with Avram**: "To your descendants I have given this land."[6] {How, then, could Avraham make a covenant of his own that goes against G-d's covenant?}

The question becomes sharper in light of what *Pirkei deRabbi Eliezer* goes on to state explicitly: "When the Jewish People came into the Land… they could not enter (the city of the Yevusites) because of the sign of the covenant of Avraham's oath…. And when Dovid became king and wished to enter… they did not let him… on the strength of the covenant of Avraham's oath."

The *Sifri*[7] says the same. On the verse in Yehoshua,[8] "As for the Yevusites, the inhabitants of Yerushalayim, the children of Yehudah could not drive them out," it comments: "They were able to, but they **were not permitted**." (Rashi[9] states explicitly that

1) Ch. 36.

2) This is how it appears in our editions of *Pirkei deRabbi Eliezer* (cf. its later account of the covenant Yitzchak made with the peoples of the land). *Yalkut Shimoni, Yehoshua*, sec. 28, the *Aruch* (s.v. עור) and *Abarbanel* on *II Shmuel* 5:6 read "make a covenant with us"; *Yalkut Shimoni, Vayeira*, sec. 82, reads "a covenant and an oath." The same variation recurs in the sources' later wording about what was written on the idols. This is not the place to elaborate.

3) *Pirkei deRabbi Eliezer*, loc. cit., earlier.

4) This is the *Radal's* reading in *Pirkei deRabbi Eliezer*, loc. cit., based on *Yalkut Shimoni, Vayeira* and *Yehoshua*, loc. cit.

5) *Bereishis* 13:15, and elsewhere. See sec. 3 below.

6) *Bereishis* 15:18.

7) *Devarim* 12:17.

8) *Yehoshua* 15:63.

9) *Devarim*, loc. cit.

the prohibition was "because Avraham made a covenant with them when he took the Cave of Machpelah from them.") Avraham's oath, then, placed a **prohibition**[10] on the Children of Israel against conquering Yerushalayim.[11]

2.

Dovid Takes the City

Further on, *Pirkei deRabbi Eliezer* tells how Dovid finally entered the city. When the Yevusites would not let him in, they said to him:

> *"You cannot enter the city of the Yevusites until you remove all these idols on which that oath of Avraham is written." Dovid said to his men, "Whoever goes up first and removes these idols on which the sign of the covenant of Avraham's oath is written will become chief." And Yoav ben Tzeruyah went up first….*

(And indeed, the verse[12] states explicitly that Dovid captured the city.) *Pirkei deRabbi Eliezer* then concludes: "Afterward,[13] he bought the city of the Yevusites for the Jewish People with a permanent deed, as an everlasting possession."

This is difficult to understand, as the commentators have asked:[14]

The beginning of the account, that the Yevusites did not let Dovid enter the city "on the strength of the covenant of Avraham's oath," proves that the oath was still in force in Dovid's times.

But the continuation, in which Yoav fought the people of Yevus and captured the city (as the verse states explicitly), implies that Avraham's oath was already void.

[Moreover: if Avraham's oath was not void, what was gained by removing the idols with the oath written on them? Does removing them have the power to cancel the oath's force?![15] Rather we are compelled to say that Avraham's oath was already void,[16] so that

10) This is unlike *Rashi* on *Yehoshua*, loc. cit., who attributes the prohibition to Avraham's oath to Avimelech (cf. *Tosafos Shantz* to *Sotah* 10a), for by Dovid's time the generations that oath named had already passed (*Rashi* on *II Shmuel* 5:8, end; see *Radak*, ibid. 5:6, end; commentary of *Rabbeinu Yeshayah*, ibid. 5:9).

11) For a lengthy discussion of *Rashi* on *Devarim*, loc. cit., according to the plain meaning of Scripture, see *Likkutei Sichos*, Vol. 29, p. 80ff.

12) *II Shmuel* 5:7.

13) Some time later, as stated explicitly at the end of *II Shmuel*.

14) *Radal* on *Pirkei deRabbi Eliezer*, loc. cit. (sec. 96). See also *Abarbanel*, cited in fn. 2.

15) Though the Yevusites did say this to Dovid, as the verse states (*II Shmuel* 5:6) and *Pirkei deRabbi Eliezer* cites, they must have meant it mockingly or the like. See the commentaries on *II Shmuel*, loc. cit.

16) One of the *Radal's* answers (loc. cit.) is that the oath was indeed not void, so Dovid could not take their land until he later bought it; he removed the idols only because he "hated hearing and seeing the

capturing the city was permitted. The reason Dovid ordered the images removed was, as the commentators explain,[17] "only because, as long as they stood, it was something of a desecration of G-d's Name, like the matter of the oath to the Givonim"[18] {whom Yehoshua spared, though they had tricked him into an oath, to avoid desecrating G-d's Name}. That is, since in the **Yevusites' view** the oath was still in force, every **reminder** of it had to be removed to prevent a desecration of G-d's Name.]

Yet the conclusion, that "afterward he **bought** the city of the Yevusites for the Jewish People with a permanent deed, as an everlasting possession," implies that Dovid bought the city so that acquiring it would be "with the **consent** of the people of Yevus"![19]

A further point needs explanation: what changed {between Yehoshua's day and Dovid's}? At the time of Yehoshua's conquest, "**they could not**… drive them out": they were not permitted to drive them out because of the oath, even though they had been commanded,[20] "You shall drive out all the inhabitants of the land…." Yet Dovid was permitted to capture the city.[21]

3.

Foreigner or Resident

To understand all this, we must first look at an exchange between Avraham and the children of Ches that our Sages record. {When Avraham asked them for a burial place, he opened with the words,} "I am a foreigner and a resident among you."[22] Our Sages comment on this verse:[23]

> *{How can Avraham be both a foreigner and a resident? Rather, he was implying:} If you wish {to sell it to me}, I am a foreigner {who buys it}; and if not, I will be a resident*

idols near him." The Rebbe notes that *Pirkei deRabbi Eliezer*'s plain wording ties the removal to the oath written on them, and that Scripture shows many other images remained. This is not the place to elaborate.

17) *Radal*, loc. cit., and elsewhere.

18) *Gittin* 46a; *Rambam*, *Hilchos Melachim* 6:5. {The Givonim won an oath of peace from Yehoshua and the leaders by claiming to come from a distant land. Since the oath was made under false pretenses, it never took effect; the Jewish People nonetheless spared them, so as not to desecrate G-d's Name (see *Yehoshua* 9).}

19) Note that *Yalkut Shimoni*, *Vayeira* and *Yehoshua*, loc. cit., the *Aruch* and *Abarbanel*, loc. cit., do not cite *Pirkei deRabbi Eliezer*'s phrase "except with the consent of the people of Yevus."

20) *Bamidbar* 33:52ff.

21) The *Radal* (loc. cit.) holds that the oath was annulled by the command "You shall not allow any soul to live" (*Devarim* 20:16); *Zayis Raanan* on *Yalkut Shimoni*, *Yehoshua*, loc. cit., holds that the Yevusites broke the pact first. The Rebbe finds both answers difficult (cf. *Sifri* and *Rashi*, *Devarim*, loc. cit.; *Radal*, loc. cit.).

22) *Bereishis* 23:4.

23) *Rashi* on the verse, from *Bereishis Rabbah* 58:6.

> *and will take it by law,[24] for the Holy One, blessed be He, told me,[25] "To your descendants I will give this land."*

This requires explanation:

a) Since Avraham could take it "by law," why did he go to such lengths to buy the Cave of Machpelah (and at full price[26])?

b) When Avraham told the children of Ches, "I will take it by law," he surely believed that they would trust his word[27] that **G-d had promised** him this land. On that premise, refusing would gain them nothing, and they would give it to him **willingly**. Why, then, did he say "I will take it," which implies taking it against their will?

c) Had he taken it by force and against their will,[28] it would have caused a desecration of G-d's Name among the children of Ches. (Avraham was known to them as "a prince of G-d,"[29] and renowned as a man whose conduct was the utmost kindness, integrity and justice.[30])

d) His precise wording, "If **you wish, I am a foreigner**; and if not, **I will be a resident**,"[31] implies that whether he is a foreigner or a resident depends on the wishes of the children of Ches. That is: if the children of Ches want to sell the Cave of Machpelah, then "**I am** a foreigner," who cannot take it by law; only if they do not want to ("and if not") does it follow, "**I will be** a resident and will take it by law."

This is puzzling. How could **the law**, whether Avraham may take the Cave of Machpelah or not, depend on the wishes[32] of the children of Ches?

e) Why did Avraham bring his proof (**that he can** take it by law) from G-d's promise "**To your descendants** I will give this land," a gift to his **descendants**, and not from

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24) *Bereishis Rabbah* reads: "If you wish, a foreigner; and if not, master of the house."

25) *Bereishis* 12:7. *Bereishis Rabbah* cites a different verse; see the end of this section.

26) *Bereishis* 23:9.

27) Cf. *Pirkei deRabbi Eliezer*, cited in sec. 1: "They said to him, 'We know that the Holy One, blessed be He, will in the future give you and your descendants….'"

28) The commentary attributed to *Rashi* on *Bereishis Rabbah*, loc. cit., explains "master of the house" as "against your will." Clearly, though, he means against their will **by law**, not by force of arms.

29) *Bereishis* 23:6.

30) See *Bereishis* 18:19: "that he will command… to do righteousness and justice."

31) *Rashi* on *Bereishis Rabbah*, loc. cit., reads "I am like a foreigner"; *Midrash Aggadah* (Buber ed.): "If you wish, I will be like a foreigner; and if not, I will be like a resident."

32) Cf. the reading in *Bereishis Rabbah* cited in the Theodor edition, "if I **wished**," and likewise *Midrash Sechel Tov* here.

the promise of a gift to Avraham himself, "All the land [that you see], I will give to you"?[33]

According to the Midrash,[34] the proof is from {a different verse,} G-d's words "To your descendants I **have given** this land,"[35] and that is understandable. This verse is not a promise about the future; it is written in the past tense. As the *Yerushalmi*[36] puts it, "'**I have given' means I have already given.**" The Midrash[37] likewise says of this verse that "the word of the Holy One, blessed be He, **is a deed**." {Once G-d says something, it is as good as done.} This statement of G-d, "I **have given**," therefore outweighs even "I will give to you," which is only a promise for the future. {So although this verse speaks only of Avraham's descendants, it is the stronger proof.}

But according to Rashi, the proof is from "To your descendants **I will give** this land" {a promise for the future, exactly like "I will give to you," but made only to Avraham's descendants}. Here the question stands, as above: why did Avraham not bring the promise "I will give **to you**"?[38]

4.

Two Kinds of Ownership

This may all be explained as follows:

The Jewish People's ownership of *Eretz Yisrael* has two aspects. There is collective ownership: the whole land belongs to the Jewish People as a whole. And there is private ownership: every individual Jew has a private portion of the land that belongs to him (alone).

These two forms of ownership actually **came into effect**[39] through two acts of acquisition. Collective ownership came through Yehoshua's **conquest** of the land, and so

33) *Bereishis* 13:15; similarly ibid. 13:17. See also the wording of *Pirkei deRabbi Eliezer* cited at the beginning of the *sichah*.

34) *Bereishis Rabbah*, loc. cit.

35) *Bereishis* 15:18.

36) *Challah* 2:1.

37) *Bereishis Rabbah* 44:22.

38) For an explanation of *Rashi*'s wording (and how it differs from the Midrash) by way of *derush* and allusion, see *Likkutei Sichos*, Vol. 15, p. 146ff. (and sources cited there); for the halachic angle, see ibid., p. 204ff.

39) Although *Eretz Yisrael* is an inheritance from our forefathers (*Bava Basra* 119b; *Avodah Zarah* 53b), it "was acquired by them only through taking possession…. How did they inherit it? By settling it…" (*Shulchan Aruch HaRav*, *Choshen Mishpat*, *Kuntres Acharon* to *Hilchos Hefker*, beginning). For an extended discussion of the nature of ownership of *Eretz Yisrael* from the time of the Patriarchs, see *Encyclopedia Talmudis*, s.v. *Eretz Yisrael* (p. 200ff., and sources cited there); see also *Likkutei Sichos*, Vol. 15, p. 103ff. (and sources cited there); and elsewhere. This is not the place to elaborate.

on, by which *Eretz Yisrael* as a whole was acquired by the Jewish People as a whole. Each Jew's private ownership of his own portion came through settling and taking possession (*chazakah*): each one settled in his portion and took possession of it.[40]

Moreover, these two forms of ownership do not depend on each other. There can be collective ownership without private ownership, and private ownership without collective ownership.

To explain:

Collective ownership does not rule out private ownership. Consider a king's ownership of his country. Although the entire land is under the king's authority,[41] this does not rule out each citizen's private ownership of his own property (his house, his field, and so on). Yet because the king owns the entire land, certain laws apply even to each person's private property. "The law of the kingdom is the law"[42] {Torah law itself binds a person to the civil laws of the government}, so he must pay the king taxes on that property. Under certain conditions the king may even take an individual's property,[43] in keeping with the law that "a king may breach a fence {to make a road for himself}… and no one may stop him,"[44] and the like.

Conversely, private ownership does not (necessarily) bring collective ownership with it.[45] We see this after the destruction of the First Temple. Even if we say that the Jewish People's collective ownership of the land lapsed[46] ("since the land was taken from their hands, the conquest was annulled," to the point that it became "exempt by Torah law from tithes and the Sabbatical year, for it is no longer {considered} *Eretz Yisrael*"[47]), each individual still kept ownership of his own land. As Yirmeyahu says,[48] "They will buy fields for money, and write deeds and **seal** them." {The Gemara reads this as telling Jews to buy

40) See *HaMakneh* on *Kiddushin* (26a, s.v. *bechazakah minalan*; 14b, s.v. *bad"h ve'od nireh*): the *chazakah* was the division among the Jews by which each acquired his own portion, not an acquisition from the Canaanites. See also *Shulchan Aruch HaRav*, loc. cit. This is not the place to elaborate.

41) See *Shulchan Aruch HaRav*, loc. cit., sec. 3.

42) *Gittin* 10b, and sources cited there. See also the *Kuntres Acharon* to *Shulchan Aruch HaRav*, loc. cit.

43) See *Rambam*, *Hilchos Gezeilah VaAveidah* 5:11ff.; *Hilchos Melachim*, ch. 4.

44) *Bava Basra* 100b, beginning. See also the Mishnah, *Sanhedrin* 20b, and *Rashi* there; *Rambam*, *Hilchos Melachim* 5:3, and *Lechem Mishneh* there.

45) The wells of Avraham and Yitzchak, and the purchase of the plot of land from the sons of Chamor, prince of the land, and the like, prove the point.

46) This ownership came about through Yehoshua's conquest (and one conquest can come and annul another; see the sources in the next note). See also the sources cited in fn. 39. This is not the place to elaborate.

47) *Rambam*, *Hilchos Beis HaBechirah*, end of ch. 6, and commentaries there.

48) *Yirmeyahu* 32:44. See also *Bava Basra* 28b, end, where *Rabbeinu Gershom* explains that those who bought land then were to record it in signed deeds, so that on **returning from exile** they could prove their ownership against the sellers.

land even as exile approached, recording it in deeds, since each one's ownership would remain valid.} For private ownership does not depend on collective ownership.

5.

A Foreigner's Purchase

This explains Avraham's words to the children of Ches, "If you wish, I am a foreigner; and if not, I will be a resident and will take it by law." The difference between "I am a foreigner" (with the children of Ches selling him the Cave of Machpelah) and "I will be a resident and will take it by law" lies in the kind of ownership Avraham would have over the Cave of Machpelah.

The Cave of Machpelah, like all the land around it, was then in the domain and collective ownership of the children of Ches. When Avraham asked to buy it from Efron, he sought only **private** ownership of that spot (Efron's private ownership). Even afterward, **collective** ownership would remain with the children of Ches (for nothing in the sources indicates that Avraham conquered the **kingdom** of the children of Ches).

This is the meaning of "I am a **foreigner**": the land stays in the prior ownership of the children of Ches, and Avraham is a "foreigner" buying private property in the country, in the kingdom, of the children of Ches.

All this, however, holds only if the children of Ches agree to sell him the Cave of Machpelah. But "if not, I will be a **resident** and will take it by law": taking the cave would then be a result (and extension) of collective ownership of *Eretz Yisrael*.

To explain: Avraham knew that Adam and Chavah were buried in the Cave of Machpelah.[49] Suppose the children of Ches refused to sell it to him (in a way that would give him private ownership) and tried to force him to bury Sarah elsewhere, not beside Chavah, {who was} formed from a rib of Adam, the handiwork of the Holy One, blessed be He. Their refusal would make it evident that the time had already come to fulfill the promise "To your descendants I will give this land," and he would be given **collective** ownership (as well): "I will take it **by law**."[50] {If taking the cave against their will were the only way to bury Sarah where she belonged, that itself would indicate that the time for taking the entire land had come.}

49) See *Rashi* on *Bereishis* 23:2.

50) Like a king's **conquest**. That is why he said of this, "I will take it by law," which implies taking it against their will.

6.

Two Promises, Two Kinds of Ownership

This also explains {question e) in section 3}: why Rashi cites the verse "To your descendants I will give this land" (and the Midrash, "To your descendants I have given this land") rather than the verse "I will give to **you**."

First, a preface: Both forms of the Jewish People's ownership of *Eretz Yisrael* described above were promised to Avraham. The verses "To your descendants I will give this land" and "To your descendants I have given this land" concern the Jewish People's collective ownership of the land, while the verse "I will give to you" speaks of {each} Jew's **private** ownership of his portion in the land.

This may be explained as follows:

The promise "To your descendants I will give this land" (and likewise the verse "To your descendants I have given this land") takes in the whole land with one "general" term, "this land." That is because its subject is "the land": *Eretz Yisrael*, which belongs as a whole to the Jewish People as a whole.

With the promise "I will give to you," however, the Torah goes on at length and in detail:[51]

> *Look, from the place where you are, northward and southward and eastward and westward.… I will give to you and to your descendants for eternity. I will make your descendants like the dust of the earth, so that if a man will be able to count the dust of the earth, so will your descendants be counted. Rise, walk in the land, to its length and to its breadth, [for I will give it to you].*

{These verses convey two points:}

a) These verses stress the **sheer size** of the land and its parts ("Look… northward, southward, eastward and westward"), as well as the great number of Avraham's **descendants** {spoken of} in terms of counting. The flow of the verses implies that giving such a vast land fits the promise "I will make your descendants like the dust of the earth." They need a very large land, with one descendant's portion in the north, another's in the south, and so on. This relates to **every individual** Jew's private ownership of his portion in the land.

b) "Rise, walk in the land, to its length and to its breadth" instructs Avraham to take possession of the land, an acquisition by taking possession (*chazakah*), as the

51) *Bereishis* 13:14–17.

Gemara explains.[52] This too refers to an acquisition that belongs to private ownership, since, as explained above, *chazakah* is (primarily) a form of private acquisition.

7.

Head of the Nation, Father of Each Jew

This may also explain a difference in wording between the verses. The verses that speak of collective ownership say only "to your descendants," while the verses about private ownership say "I will give **to you** and to your descendants for eternity," stressing the gift to Avraham himself.

Avraham was (a) the head of the Jewish **nation**, which includes every Jew. In this capacity, anything said to him (or given to him) belongs to "the Jewish People as a whole."[53] He is also (b) the "father" of every Jew individually, as his title "Avraham our **father**" indicates: the father of each and every Jew.

Accordingly, the promise to Avraham of collective ownership of *Eretz Yisrael* was made to him as head of the nation (the Jewish People as a whole), while the promise of private ownership was made to him as the "father" of every individual Jew.[54]

That is why the verses promising Avraham collective ownership say only "To your descendants I will give" (or "To your descendants I have given"). This is not an individual inheritance passing from father to son, but a gift to the Jewish People as a whole (and it is one and the same "whole" throughout all the generations[55]). Private ownership, however, was promised to Avraham as a "father" who bequeaths it to each of his children, and so the verse says "I will give to you[56] and to your descendants." This stresses the relationship of "father" and "son" between Avraham and his descendants, by which the land passes as an inheritance from the father, Avraham, to his descendants for eternity.[57]

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52) *Bava Basra* 100a (the view of Rabbi Eliezer). *Targum Yonasan* on the verse renders it "work its *chazakah*." See also *Yerushalmi*, *Kiddushin* 1:3, and the sources cited in fn. 39.

53) Quite literally: at the time (before Yitzchak was born), Avraham was the Jewish People as a whole, being the only Jew. Cf. *Tzafnas Paneach* on the Torah, beginning of *Vayeishev*, regarding Yaakov.

54) Cf. *Yechezkel* 33:24: "Avraham was one, and he inherited the land; but we are many, the land is given to us as an inheritance."

55) For a community does not die (*Horayos* 6a) {its legal identity persists even as its members change}, though whether this holds before the Giving of the Torah as it does after requires further analysis.

56) The Rebbe notes that this may explain *Rashi*'s proof from "for I will give it to you" (*Avodah Zarah* 53b, s.v. *ve'asheiraihem*): the Gemara there speaks of an inheritance "from their forefathers," which includes private ownership. This requires further analysis.

57) The Rebbe notes that this may explain why a convert brings first fruits (*bikkurim*) and recites the

8.

Ruled, Not Dispossessed

All of the above also explains Avraham's oath to the children of Ches "that the Children of Israel will not take possession of the city of Yevus except with their consent."

The Jewish People were indeed commanded, "You shall drive out all the inhabitants of the land… and settle in it… and you shall take the land as your inheritance." This includes not only the **conquest** that brings collective ownership, but also "settle in it": each person should take possession of his own land, which is private ownership. Even so, collective ownership differs from private ownership. Collective ownership was given wholly to the Jewish People, leaving no room at all for foreign rule. Settling in the land is different: under certain conditions, gentiles may remain in the land, even from the seven nations. As we are commanded,[58] "When you approach a city to wage war against it, you shall call out to it for peace," and this law applies to the seven nations as well.[59] Indeed, Yehoshua did just that: "Yehoshua sent three[60] letters before he entered the Land. First he sent them: 'Whoever wishes to flee, let him flee.' Then he sent again: 'Whoever wishes to make peace, let him make peace….'"[61]

With this, we can explain the case at hand: Avraham's oath was not that the Children of Israel would not take possession of the city (the land) of Yevus as collective ownership, for it is impossible to make an oath that runs contrary to G-d's promise, "To your descendants I will give (I have given) this land." Rather, the oath concerned private ownership. Although the Children of Israel would rule the land of Yevus, since it is part of their land, they asked for a covenant that the Children of Israel would not hold it as private property "except with their consent" (the consent of the people of Yevus). That is, the children of Ches too agreed to remain under the rule and authority of the Children of Israel. All they wanted was that their private ownership of the city of Yevus not be taken from them, and in that case there is no prohibition (as the announcement said, "Whoever wishes to make peace, let him make peace").[62]

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declaration (*Rambam*, *Hilchos Bikkurim* 4:3): he recites as a son inheriting from his father, Avraham. The same may apply to converts' future share in the land (*Yechezkel* 47:21–23).

58) *Devarim* 20:10ff.

59) *Rambam*, *Hilchos Melachim*, ch. 6. See at length *Lechem Mishneh* there.

60) *Rambam*, ibid. 6:5 (from *Yerushalmi*, *Shevi'is* 6:1).

61) See also *Ramban* on *Devarim*, loc. cit.; the commentators on *Rashi* there; and elsewhere.

62) The Rebbe notes that the *Radak* (*II Shmuel* 24:23) calls the Yevusites tributary laborers (cf. *Rambam*, *Hilchos Melachim* 6:1), though *Shoftim* 1:21 does not say so of them as it does of the other nations.

[This is also highlighted by the wording of the request of the children of Ches: "We know that the Holy One, blessed be He, will in the future give you and your descendants all these lands. Make an oath with us…." That is, they too know that the Holy One, blessed be He, will in the future give the land (including the city of Yevus) to the Jewish People. Seemingly, then, what room is there to make a covenant to do the opposite, "that the Children of Israel will not take possession…"? It must be that even in the view of the children of Ches, the oath "that the Children of Israel will not take possession of the city of Yevus" does not contradict the fact "that the Holy One, blessed be He, will in the future give you and your descendants all these lands."]

This also sheds light on the connection between this oath and the purchase of the Cave of Machpelah. Once the children of Ches had agreed to hand over (sell) to Avraham private ownership of the site of the Cave of Machpelah, they asked him, measure for measure, to swear to them that even when collective ownership of the land passed to the Jewish People, private ownership of the city of Yevus would not be taken from them "except with their consent."

9.

For the Whole Nation

This also explains the rest of the account in *Pirkei deRabbi Eliezer*, about King Dovid.

The reason Dovid "wished to enter the city of the Yevusites" was, quite simply, that the time had come to prepare the site of the Holy Temple, which is in the city of Yevus (Yerushalayim).[63] Now, according to the above, Avraham's oath to the children of Ches concerned only **private** ownership of the city. It is therefore obvious that taking this site to prepare for building the Holy Temple was never included in the oath to begin with. Taking it is for the Jewish People as a whole, and it belongs to **collective** ownership of the land (much as a king may take private property needed for governing **the kingdom** {see section 4 and fns. 43–44}).

That is: the oath would have been broken only had Dovid expelled them from the city so that a private individual could settle in their place, replacing the Yevusites' private ownership with private ownership of the Children of Israel (and this is what the verse in Yehoshua means by "they could not… drive them out"). Taking the site for the Jewish People as a whole, however, falls outside the scope of the oath.

63) See *Radal* on *Pirkei deRabbi Eliezer*, loc. cit., sec. 87, and the commentaries at the end of *II Shmuel*.

[Just as Avraham knew that the Holy One, blessed be He, would in the future give him all these lands, he also knew that at the site of the Binding of Yitzchak, "on the mountain of G-d, He will be seen":[64] the Holy Temple would one day be built in the city of the Yevusites. He would not have sworn to them "that the Children of Israel will not take possession of the city of Yevus except with the consent of the people of Yevus" in a way that made building the Holy Temple depend on the consent of the people of Yevus!]

10.

Conquered, Then Bought

Based on the above explanation, it follows that the Yevusites acted unlawfully when they did not let Dovid enter "on the strength of the covenant of Avraham's oath." In doing so, they opposed the Jewish People's **collective** ownership of the land (mistakenly thinking that Avraham's oath also left collective ownership of the city of Yevus in their hands). Dovid was therefore permitted to wage war against them and capture the city.

For the same reason, Dovid ordered the removal of the idols on which the oath was written, since the Yevusites had been using that oath unlawfully.

Yet this very point shows that even after Dovid captured the city of Yevus, the oath was not annulled. His capture of the city was only by right of a king's conquest, in order to rule over them (collective ownership). That does not touch the oath that their private ownership would not be taken from them "except with their consent."

Therefore, although Dovid could have driven them out by virtue of collective ownership (as with "a king may breach a fence…"), and especially from the site of the Holy Temple, which was needed for the Jewish People as a whole, nonetheless, in order to fulfill his obligation under the oath, "he **bought** the city of the Yevusites for the Jewish People[65] with a permanent deed, as an everlasting possession."

(From a Sichah delivered on Shabbos Parshas Re'eh, 5746 [1986])

64) *Bereishis* 22:14, and *Rashi* there.

65) The Rebbe notes that this seemingly superfluous word implies collective ownership; but since Dovid took fifty shekels from each tribe (*Pirkei deRabbi Eliezer*, loc. cit.), it may mean private ownership, so that every Jew would own a share in the Temple site and in Yerushalayim. This requires analysis, since Yerushalayim was not divided among the tribes (*Yoma* 12a).