

PARSHAS KI SAVO - PROLOGUE TO AN EPILOGUE

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Prologue to an Epilogue¹

Gaze down from Your holy abode, from the heavens, and bless Your people Yisrael, and the ground that You gave us, as You swore to our forefathers, a Land flowing with milk and honey.

The last mitzvos in the Torah are those of hakhell[2] (the national gathering during Sukkos of the year after shemitah, during which the Torah is read by the king) and writing a sefer Torah[3]. This is what we've become accustomed to think, and is certainly one valid way of looking at things.

It's not the only way, however. Both of those mitzvos deal with the transmission and preservation of the Torah. They take for granted a completed body of Torah that must now be safeguarded for posterity, and passed along from generation to generation.

So where does that body of laws and regulations end? Everything points to the verses immediately preceding ours, which deal with ma'aseros, the three tithes that are separated and offered according to the calendar of the seven-year shemitah cycle. (We might point out the serendipitous discovery that ma'aseros, including the ma'aser of animals, also close out Chumash Vayikra[4].

These mitzvos are unique. No other mitzvos involve what the Torah spells out here: a formal declaration that the mitzvos have been properly performed. This viduy ma'aser/ ma'aser confession persuasively argues that these mitzvos express some important truth or principle about Torah life generally.

The three ma'aseros bring home to us the Torah attitude towards material possessions. The first ma'aser goes to the Levi, the full-time Torah teachers of the Jewish people. Giving the Levi ten percent of our produce is an investment in our spiritual instruction, and therefore in the quality of our spiritual lives.

The next ma'aser is taken to Yerushalayim, either directly or in the form of its monetary redemption. There, it is eaten within the walls of the city by the owner and others of his choosing. In other words, the second ma'aser is not given away at all, but lavished on the person who nurtured its growth from the soil. Living a Torah lifestyle demands that we take care of our physical selves. Rather than punish or flagellate our bodies, we treat them as tools through which we elevate ourselves, so long as we can partake of material things in an environment redolent with holiness and elevation - just like the holy city in which ma'aser sheni is eaten.

The last of the ma'aseros shows our central concern and focus on the well-being of others. Our foray into the world of the material requires that we think not only of our own well-being and elevation, but of our neighbors as well. Ma'aser ani replaces ma'aser sheni during two of the six pre-shemita years, and is given directly to the poor.

Taken together, the giving of ma'aseros amounts to wondrous formula for making good use of the material world. When a person stands and declares - twice in a shemita cycle[5] - that he has fulfilled all the obligation of the ma'aser system, he essentially states that he has taken the bounty granted to Him by G-d, and used it admirably and responsibly according to His Will. He has dedicated His gifts to spiritual advancement, to uplifting the material, and to the benefit of others. The person who can look back at the previous three years and announce that he indeed fulfilled in purity all the requirements of the ma'aser system is justified in asking G-d to gaze down from His holy abode...and bless His people Yisrael."

We should be less surprised that specifically these three mitzvos out of the 613 require this unique verbal declaration. They amount to a capsule summary of so much of the entire mitzvah system! It is entirely appropriate as well that they are, in effect, the final mitzvos of the 613, other than those still to appear in the Torah's "epilogue," which will deal with the transmission of the Torah. (Interestingly, Vayikra, the great instruction regarding living a consecrated life, also concludes with two mitzvos of ma'aser: ma'aser sheni, and ma'aser of animals born to the flock.)

The three ma'aseros of our parsha are not treated equally. Despite the fact that all of them are implied in the ma'aser declaration, ma'aser sheni gets the most attention within the text, and plays a special role in the halachic treatment of the pesukim. Chazal tell us that a person who had no obligation in ma'aser sheni (e.g., one who purchased land in the third year, and therefore never had occasion to separate ma'aser sheni in the previous two years) cannot make the ma'aser declaration. Somehow, the meaningfulness of separating ma'aseros in general is diminished by not having separated ma'aser sheni. On the other hand, despite the specialness of ma'aser sheni, it is not the first of the three that is separated. In fact, ma'aser rishon, the first ma'aser, has pride of place. It must be separated first.

Our earlier analysis explains these confusing details perfectly. Ma'aser sheni may be the gold-standard, the most important segment of the three-part ma'aser statement. Think of how many mitzvos of our Torah draw on the mega-theme of sanctifying and elevating the material! On the other hand, we must understand that we have no chance of success whatsoever without firm and deep instruction in Torah. We are entirely dependent upon what is implied by the first ma'aser: the one that goes to Levi, the national Torah teachers. The illumination provided by their mission is the necessary precursor to our elevating our material surroundings. Its separation, therefore, must always precede that of ma'aser sheni.

Without ma'aser rishon, there is no ma'aser sheni. Without both of them working in tandem, we do

not successfully bring the body of the Torah's instruction to us to its successful conclusion.

1. Based on the Hirsch Chumash, Devarim 26:15

2. Devarim 31:10-11

3. Devarim 31:19

4. Vayikra 27:30-33

5. The six pre-shemitah years form two half-cycles. In each of them, the second ma'aser that is taken is ma'aser sheni in years 1 and 2 (as well as 4 and 5). In the third (and sixth) year, ma'aser ani substitutes. At Pesach of the year following the completion of each half-cycle, the verbal declaration of compliance is made.
