

Parashat Yitro: After Revelation

After the climax of the Ten Commandments and the powerful revelation of God at Mt. Sinai, we come back to earth with a veritable bump. The verses that immediately follow the "Ma'amad Har Sinai", thrust us from the direct experience of God, to His law; from the fire, cloud and shofar sounds, into the technical world of Halakhic detail. Let us read together, these verses:

(19) The Lord said to Moses:

Thus shall you say to B'nei Yisrael: You yourselves saw that I spoke to you from the very heavens.

(20) You shall not make with me, any gods of silver, nor shall you make for yourselves any gods of gold.

(21) Make for me an altar of earth and sacrifice upon it your burnt offerings (Olah) and your peace sacrifices (Shelamim,) your sheep and your cattle; in every place where I cause my name to be mentioned I will come to you and bless you.

(22) And if you make for me an altar of stones, do not build it of hewn stones; for by wielding your sword (tool) upon them you have profaned them.

(23) Do not ascend my altar by steps, that your nakedness may not be exposed upon it.

The very next verses open with a ceremonial: "And these are the Mishpatim that you shall lay down before them..." giving us some indication that a new section is beginning. If so, we have here an independent section of Mitzvot which is an adjunct to the revelation of Sinai. Note, after all, the introduction: " You yourselves saw that I spoke to you from the very heavens..." This section is clearly an epilogue to Ma'amad Har Sinai. But how so? We might ask a number of questions here:

1. Why these mitzvot in particular?
2. Is there an internal connection between this select group of mitzvot?
3. How do these mitzvot connect with the Asseret Hadibrot, or the revelation at Sinai in general?

Chavruta Mekorot

Please look at :

1. the pesukim
2. Rashi. He is very comprehensive here.
3. The opening Ramban to Parshat Mishpatim. How does he relate to our pesukim?
4. Hirsch is certainly interesting.

Shiur

Let us begin by noticing how this group of mitzvot reflects the three superlative commands (Yehareg v'al ya'avur¹):

Avoda Zara - The ban on gods of gold and silver,

Shefichut Damim – The requirement that no metallic cutting tool ("a sword") be utilized in the process of construction of the altar. This has always been viewed by Rabbinic sources as a clear statement that the altar is a source of life, is "life-giving," rather than "life-taking." The altar is the antithesis of violence.

Giluy Arayot – The concern for exposure of the body as one ascends the steps to the altar. (Of course, the term "giluy arayot" relates in its literal translation to the act of bodily exposure.)

Now, despite the obvious neatness of this grouping, we should realize that this structure solves little. In fact, when we consider this three-fold heading, we simply intensify our problem. Why? - Because the foundation of each of these mitzvot may be found in the Decalogue, the Asseret HaDibrot themselves. The 2nd commandment deals with Avoda Zara, the 6th and 7th deal with adultery and murder. Why do we need to review these commands so soon after they have been legislated?

CONCLUSION OR INTRODUCTION?

Two approaches might be offered. The first sees these five pesukim as a sort of conclusion to the Sinai revelation. The second perceives these mitzvot as a prelude to Parshat Mishpatim. Let us explain.

One may view this passage as a response to the Asseret HaDibrot. We may surely raise the question: What are the Israelites going to do the day AFTER the revelation at Sinai. Moses will be gone (for 40 days and nights.) The Israelites will be looking for a way in which to continue. They may wish to commemorate the Sinai experience in some way. They might wish to somehow continue the sense of contact with God, the feelings of connectedness and spiritual elevation that they experienced as they heard God's voice, and felt His presence. They might want to express their fear, their feelings of insignificance and unworthiness in the face of the mighty all-powerful deity.

Am Yisrael will have a need to respond to Sinai in some way. And here lies the danger. They might possibly be lead in directions which are not desirable to Judaism. They might build images in order to serve God, to connect with the deity who spoke to them from the top of the mountain, from the fire and cloud. As the Torah warns in Sefer Devarim (ch.4):

"The Lord spoke to you out of the fire; you heard the sound of words but perceived no shape - nothing but a voice.... Be most careful - since you saw no image when the Lord your God spoke to you at Horeb out of

¹ Usually in Judaism all commands can be transgressed in a life-threatening situation. These three are exceptions in that we must suffer death rather than engage in the forbidden act.

the fire - not to act wickedly and make for yourselves a graven image..." (Devarim 4:15-20)

THE MISHKAN CONNECTION²

It is interesting that with the Exodus from Egypt, God was very explicit in instructing us as to the precise mechanism of commemoration. With Sinai, nothing is specified. Maybe these lines, these pesukim act as some form of caveat to the Sinai revelation. These lines warn us how NOT to serve God in the aftermath of Ma'amad Har Sinai. Be careful of idolatrous responses, we are told. We are also instructed that when we build our sacrificial altar, we are to distance any trace of violence and sexuality. Is this because the pagan nations did practice violence and sexuality in the context of their religious ceremonies. Hence we are being warned?

But some wider questions present themselves. When we examine this set of laws, they do all seem to relate in one way or another to the Mishkan experience. After all, they talk about Korbanot and an altar, a Mizbeach. But when one begins to think about the way in which the Mishkan deals with these particular question, we realize that the Mishkan dealt with these issues very differently! Let us explain:

[It is interesting (see Rashi 32:6) that, according to Chazal, the episode of the Golden Calf included each of these three primary sins. According to the Kuzari, the Golden Calf was precisely a response to the revelation upon Sinai. Was it these precisely chosen mitzvot, that were delivered immediately after Ma'amad Har Sinai, that were designed to be the safeguard for the sort of deterioration that occurred in the Golden Calf disaster?]

1. Here we are told that we may have no "gods" of silver or gold. Does the Mishkan not contain images of gold? For example, the Keruvim (Cherubs) upon the Aron – the Ark of the Covenant?
2. The altar is supposed to be of earth or of stone. In the Mishkan the altar was constructed from wood and copper. (27:1-8)
3. There are to be no steps up to the altar lest the person ascending reveals his nakedness. In the Mishkan however, the Kohanim wore special undergarments specifically with this objective! See 28:42 – "linen breeches to cover their nakedness; they shall extend from the hips to the thighs." So what is the worry regarding the steps up to the altar?

PRELUDE TO PARASHAT MISPATIM

An alternative mode of seeing this section is to view it as attached to Parashat Mishpatim (see, for example Ramban on 21:1 and Cassuto). How would this work?

In other words, these instructions are irrelevant from the perspective of the Laws of the Mishkan. They contradict the Mishkan. And so we wonder how to explain the Halakhot contained in these pesukim.

The entire section consisting of Shemot ch.20-23 is, according to some, a Sefer Brit (See Ibn Ezra 24:4). What this means is that God creates a covenant with Am Yisrael which is detailed in these chapters. In many ways, this section is a summary of Torah, outlining a comprehensive review of all the areas in which Torah applies itself to human life.

Let me try to solve this problem in time-honoured Jewish fashion, by posing two further questions, or maybe, more accurately raising two further observations.

So, how does Shemot 20:19-23 fit in?

4. Let us note that the notion of the priest, the Kohen, is entirely absent within these pesukim. Why? It is interesting that Kohanim ARE mentioned at Har Sinai (19:22,24). But here, these "Temple" instructions are addressed to the entire nation³. The implication is that anyone may approach the altar as long as they are appropriately dressed. Is this the case?

It is simple. The Ten Commandments forms the heading of the covenant. The rest is the derivative, the details of that covenant. In a similar manner to "Avot" and "Toladot", that we know in Hilchot Shabbat, we might claim that Parshat Mishpatim is an expansion of the Asseret HaDibrot. In this context, the Ramban views Shemot 23:19-23 as derivatives of the first of the Asseret Hadibrot:

2. The notion of Korban and Mizbeach in the Mishkan is a very precisely defined thing. Every item in the Mishkan is quantified and measured to the minute detail. Here, the altar is given a vague, most unspecific definition, based upon restrictions of what NOT to do. But there are no exact dimensions, clear instructions. One begins to wonder why these laws are written here. If they refer to the Temple altar then they should be mentioned later on in the context of the construction of the Mishkan. However, in this context, one is puzzled to understand how they do in fact relate to the Temple altar.

v.19 " You yourselves saw that I spoke to you from the very heavens."	the 1 st "dibra" – - Belief in God.
v.20 "You shall not make with me, any gods of silver"	2 nd "dibra" - Prohibition of idolatry
v.21 "...in every place where I cause my <u>name</u> to be mentioned I will come to you and bless you."	3 rd "dibra" -t taking God's NAME in vain.

RASHI

Rav Leibtag's shiur on Mishpatim generally follows this approach. You can find it on his website (www.tanach.org).

² For this section, I am indebted to an article by Rabbi Dr. Chaim Burganski, (the Rabbi of Hoshaya) published in the Bar Ilan parsha pamphlet 5760.

³ Contrast, for example, with certain Temple laws which are exclusively addressed to Aharon and his priestly sons. See, just for a random example: Vayikra 6:1-2; 9:2; 10:8; 21:1,16; 22:2,17.

The classic mefarshim are keenly aware of these discrepancies. Regarding the Keruvim in the Mishkan and the problem of forms of silver and gold, Rashi comments:

"The Torah warns REGARDING the keruvim, that you not construct them from silver. If you do this – changing the specific plan of the Mishkan – then they will be considered by Me as "gods". GODS OF GOLD – You may make two keruvim, but not four."

So Rashi attempts to resolve these lines as an instruction to follow with precision, the plans and details of the Mishkan. Any deviation will be considered as tantamount to idolatry.

Is this the p'hat? We shall suggest a more radical approach.

TWO MODELS OF DIVINE WORSHIP.

Let us suggest a *chidush*. We shall base our ideas upon the thoughts that we have already discussed in this shiur.

I would like to suggest that we have here a totally different system of worship of God described here, than we see in the Mishkan. Maybe we can suggest, along with certain Midrashim and the non-chronological approach of Rashi, that the Mishkan is a response to the Golden Calf. Yes we are jumping a little here, but let us say this.

Rashi suggests that the instruction of constructing the Mishkan occurred AFTER the sin of the Golden calf. Certain midrashim suggest that the Mishkan was constructed in certain details of its materials and furniture so as to RESPOND to the failure of AM Yisrael in the Egel Hazahav episode.

This does NOT mean that there was no concept of a Mishkan prior to the Egel Hazahav:

- The Shirat Hayam in 15:17 refers to MIKDASH HASHEM.
- Parshat Mishpatim in 23:17 instructs the mitzva of ALIYA LAREGEL in order to "behold the presence of the Lord, God."

There was a plan of a place of worship, a mikdash, a focal religious centre, which was planned PRIOR to the Egel.

I would like to suggest that its basic rules are set down in these sporadic verses that follow the Asseret Hadibrot. After all, we have discussed how there was a human need for a response to Ma'amad Har Sinai, a need to serve God. These pesukim delineate the plan.

THE PRE-EGEL PLAN.

In this model, there is no Mikdash, only a mizbeach⁴. Moreover anyone – any Jew – may worship God, acting as a

⁴ In the times of the Avot, the primary religious expression of worship would appear to be the Mizbeach. See Bereshit 12:12:7; 13:4,18; 21:33; 22:13; 26:25; 35:7; 46:1. This would seem to continue with the era of Moshe. See Shemot 3:12, 17:15; 18:12; 24:4-5. Is this the standard pre-Sinai mode of worship, or is it the mode of worship up to the Golden Calf? In this shiur, we shall suggest that even post-Sinai, pre-Golden Calf, despite the multiplicity of mitzvot, this mode of worship was supposed to be a central mode of Avodat Hashem.

Kohen upon the altar of God. This is a "democratic" form of sacrificial worship.

What we are suggesting is this. That in the wake of Har Sinai, there is to be a method whereby the nation can express their devotion to God. This is via sacrifices, Korbanot, and they may be brought with certain caveats:

1. No images AT ALL.
2. The altar must conform to the precise regulations
3. When engaging in the act of worship, extreme caution must be taken to distance any immodesty in the ritual context. This affects the architecture of the altar.

Since ancient times (Kayin and Hevel, Noah etc.) human beings have expressed themselves religiously through the medium of the Korban. This is a natural human impulse. The Israelites felt it too. God, in these pesukim is instructing the Jews how to serve him in ANY location, how to build an altar anywhere. Every Jew was invited to express themselves via the Korban.

BUT, with certain restrictions.

1. It must be free of any images. There is a tendency to represent God by physical form. This is banned.
2. The tendency is to embellish and to decorate the ritual environment, leading to a slippery slope of indulgence within worship. Here, any embellishment or grandeur is also outlawed. Hence a very simple, earth or stone structure is mandated. No metal, just a simple "natural" altar.
3. And since there are no Kohanim, therefore no special garb or uniform, the concern of immodest dress must be taken into account.

In this way, the average Jew may approach God at all time and in every place.

How does this interface with the existence of a single national place of worship as mandated by the Torah? Maybe this was an interim plan, until a Mikdash was to be set up "in the place of God's choosing." Maybe these Korbanot could serve the people on a regular basis, like a shul; and the Mikdash would just be three times a year. In essence, this is the manifesto of the "bamot" local high places, which were halakhically permitted when there was no Temple or central sanctuary. This mode of worship was so popular that it persisted alongside the Temple throughout the 1st Temple period.

And yet this mode of worship was outlawed almost before it came into existence! The sin of the Golden Calf elicited a realization that freestyle, loosely regulated worship was susceptible to corruption. And now, a Mishkan was mandated and the "bamot" outlawed. The idolatrous incident of the Calf put an end to this democratic approach to God, which would have given each and every individual direct unmediated access to God.

Instead, now we have:

1. A mikdash – only one – in a designated location.

2. Priests – Kohanim – who are trained in the law of the Mikdash and will prevent any misdemeanour or transgression of the laws of the Mishkan. They will allow access but via a trained agent. (Not incidentally, the Leviim were the ones who were zealous to put a stop to the Egel fiasco.)

Now also, the Mishkan is more regulated, hence images are allowed if precisely defined. Why? - Because the legalistic nature of the architecture, and the fact that there is only a SINGLE Mishkan, seriously diminishes the likelihood of corruption and deviation.

Likewise, a single MIKDASH that is a place that represents God, SHOULD be aggrandized by a beautiful altar. That which might have become a stumbling block for the individual, is an advantage for the Mikdash when it is centralized, defined and controlled.

Likewise, the clothing of the Kohanim internalises the lessons of "tzniut" and prevents the revealing of nakedness in the first instance.

IN CONCLUSION

What we have here then is a an alternative mode of worship to a central Mikdash. This is a plan for an open approach to God, in the same manner in which Sinai was an unmediated experience by the ENTIRE nation. But this accessible framework for divine service is also unstable, and open to all sorts of violations and errors.

The first error of this sort took place at the Golden Calf. And now, in the wake of that sin, the Mishkan continues the "altar" tradition, but in a more restricted less democratic, less spontaneous style. But to compensate it is a national ritual context; stately, more official, more elaborate.

This just might be one possible way of understanding the closing verses of our Parsha.

Shabbat Shalom.