

Word, Letter and Stone

Hanoch Shalev
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We are taught that we received both the Oral Torah and the Written Torah on Mount Sinai. This usually is emphasized to enforce the divine validity of the Oral Torah, passed on from generation to generation and from one Beit Midrash to the next.

Why do we need to enforce the Oral Torah and rely on the validity of the Written Torah? Why isn't it the other way around?

The answer would seem obvious due to the tangible perception of Moshe with the stone tablets in his hand descending from Sinai. That is a plus for the Written Torah. In addition, the Oral Torah has an inherent disadvantage as it is ever evolving full of dispute and disagreement – the farthest possible from a consistent stable set of stone tablets.

It seems a challenge to read the pshat of the parashas of Yitro, Mishpatim and our Ki Tisa and realize we can see the relationship the other way around.

From the psukim, it would seem Am Israel experiences Sinai twice prior to the Golden Calf Sin, Ma'amad Har Sinai and the ascending to receive the tablets. In the first round, we have the main event that occurs on Shavuot. This is an event of oral words and listening. We hear the Ten Commandments and our sight is all full of sounds. "ורואים את הקולות". This oral climax is followed by a detailed oral teaching of parashat Mishpatim. It is only at the end of parashat Mishpatim, after Moshe descends and tells (orally) the nation the words and decrees of Hashem (Perek 24, 3) that we see the first hint of a written Torah – "ויוכתב משה את כל דברי ה'" (24, 4). This book is called the Book of Covenant – ספר הברית and is then read out to the nation. This would be the second time they hear the words of Hashem – 'דברי ה' – except that this time these are read from the book – "ויקרא באזני העם". The Oral Torah is explicitly given first and only then written down.

Understanding the validity of the book from the validity of what all our souls heard under the Mount, is a cornerstone in the continual validity and cruciality of our beit midrash. This is elaborated upon by the midrash in Kohelet Raba (1, 2) which teaches that anything a senior student is to teach in the future, has already been given to us at Mount Sinai. It therefore concludes that when you hear a sage speaking, lean in and listen as if you are now hearing Torah from Sinai.

We have established the listening experience, Moshe's writing of the Oral Torah and the full acceptance of Am Israel – נעשה ונשמע. Only now can a nation - sworn not to worship stone, wood, silver or gold - receive לוחות האבן – the stone tablets, the wooden tabernacle – תבנית המשכן and the gold and silver articles within.

It seems to me that in an opposite symmetry to Yitro, Mishpatim, Truma and Tezave, which describe first an Oral Torah, then a Written Torah and then tangible articles of the mishkan – we have our Ki Tisa, Vayakhel and Pekudei, to show the nations complexity of the dealing with the tension between the oral acceptance and physical tangible articles. The Golden Calf is, in my opinion, the overshoot expressed by a nation craving for a tangible god.

This brings us to a deeper understanding of Moshe breaking the Stone Tablets. Moshe can present the divine physical Stone Tablets only to a nation capable of managing such a complex tension. Seeing the Golden Calf contradicts to the very essence of the tablets – therefore they cannot be presented.

The Midrash on our parasha explains this through a parable. A chaperon to the newlywed tears her Ktuba, so that the suspected wife be judged as a non-married maiden. Israel, not receiving the tablets, have not yet completed the wedding act – the ברית – with Hashem. The Calf is not yet adultery (or idoltery, if you wish). The act has not yet been completed.

I think this can explain the pasuk in the Book of Hoshea:

"וארשתיך לי לעולם, וארשתיך לי בצדק ובמשפט ובחסד וברחמים, וארשתיך לי באמונה וידעת את ה'" (הושע ב', כ"א-כ"ב)

Ever since the sin of the Golden calf, we are in a continuous state of engagement. The original Ktuba has been torn and our original wedding night, holding both the divine and tangible unity with Hashem has been questionable. The pasuk describes the route by which we will reach "וידעת את ה'" – the unity. This will be accomplished starting with law and justice integrated with mercy and compassion. These will lead to faith that does not falter by the mere few hours delay of Moshe. Through this – we will be worthy of "וידעת את ה'" – a knowledge encompassing, with no competition or contradiction, both physical and spiritual, Oral and Written, word and stone.

Shabbat Shalom

comments: shlevim@gmail.com

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