

Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash
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Ki Tisa

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Last year, our parasha shiur dealt with the nature of the sin of the Golden Calf (eigel ha-zahav). This year, we will attempt to understand the immediate aftermath of this incident - how Moshe, on the one hand, tries to amend the disastrous situation engendered by the sin of the eigel (a situation which originally leads God to propose the destruction of the Jewish nation (32:10)), and on the other hand, God's response to Moshe's efforts. In so doing, we can begin to understand why the Sages viewed the chet ha-eigel as a watershed in Jewish spiritual history, and how post-eigel history differs from pre-eigel history. (The distinction between the two periods and how it affects our understanding of the dedication of the mishkan, served as the basis for last week's shiur.)

Our analysis will focus on a rather long section, from 32:7 until the end of the parasha (35:35).

We notice immediately that there are several distinct stages, with Moshe returning several times to argue and pray before God. What is the significance of each stage, what is Moshe requesting each time, and what is God's response?

Furthermore, it is interesting to note that there seems to be a distinct feeling of struggle between Moshe, a solitary lonely figure, and God, who only slowly concedes to Moshe's requests. A second striking phenomenon is the interweaving of the national narrative, primarily the search for forgiveness for Israel, with the personal story of Moshe - his request for "kvodekha" and "darkekha," his using his own relationship with God to plead for Israel ("mecheini na" [32:33], "vegam matzati chen be-einekha" [33:12; 33:16; 34:9], the light of his face, and God's granting a measure of national atonement together with favor to Moshe (34:10; and especially 34:27).

Let us first sketch the stages of response to the sin:

1a. God tells Moshe that the Jews - "your people" - have destroyed and corrupted ("shicheit") themselves by making and worshipping the eigel. Therefore, He proposes to destroy them all, and appoint Moshe as the successor of a new nation.

1b. Moshe pleads with God not to do so ("Vayechal") - "repent of this evil against Your people," and God indeed does 'reconsider'.

2a. After descending from the mountain, breaking the luchot, and destroying the eigel (and commanding the Leviim to slay 3000 people), Moshe ascends to God and asks for forgiveness - "...and if not, erase me from the book which You have written."

2b. God tells Moshe that He will decide whom to erase, and in the meanwhile, he is to lead the people to their destination, and "on the day of retribution, I will seek retribution for their sin." God then smites the people for making the eigel.

2c. God THEN tells Moshe to go up "from here" with the people and go to the land of Avraham, Yitzchak and Yaakov, the land flowing with milk and honey.

3a. After moving the "tent of meeting," out of the camp, Moshe asks to be informed of "the ways of God," arguing that "see, this nation is Your people."

3b. God answers that "My visage shall go and give you rest."

3c. Moshe seemingly repeats the request, and God answers that He agrees.

4a. Moshe again requests, "har'eini na et kevodekha," which is followed by the thirteen attributes of mercy, but only after Moshe ascends the mountain with the luchot.

4b. Moshe asks once again that God enter their midst and forgive their sins.

4c. God answers that he will make a brit, with wondrous and awesome acts. This is followed immediately by a list of mitzvot (34:11-26).

5. Moshe once again ascends the mountain for forty days to receive the second luchot. When he returns, his face is glowing.

The question is, what's going on?

A. Preventing Destruction:

I believe that we can identify three distinct goals of Moshe as he approaches God. Firstly, he seeks to avert destruction. Since God had originally announced that He proposed to "eliminate" ("va-achalem" 32:10) the Jews, Moshe must first prevent the destruction of the Jewish people. He does this even before descending the first time - there will be no reason to descend if the nation is marked for total destruction. ("Va-achalem" means total elimination, until nothing is left. Compare this with the promise at the end of the tokheicha [26:44], "And yet for all that, when they shall be in the land of their enemies, I will not abhor them nor loath them, to eliminate them [lichalotam], and to break my pact [brit] with them, for I am Hashem their God.")

Moshe presents God with a two-fold argument: first, he argues that a total destruction of the Jewish people will lead to a "chillul Hashem," as the Egyptians will hear about the failure of the Jews in the desert. Secondly, he reminds God of His promise to Avraham, Yitzchak, and Yaakov.

Notice that neither of these arguments are based on the merits of the people. They do not provide any means or method to answer the question of how God can forgive the people, or how they can continue their Divine mission. Since Moshe's single goal is to avert punishment, he appeals to outside factors - the averse affect on the image of God in the eyes of the nations, and the merits of the fathers and God's word to them. These are sufficient.

Here, God immediately agrees, without qualification, without even speaking to Moshe - "God repented of the evil which He proposed to do to His people." Here, there is no act of grace, nor any positive contact between God and Moshe, merely a silent agreement not to destroy the nation.

Moshe now hurries down the mountain, destroys the eigel and halts the rites in which the Jews were engaged. (In order to do so, he first breaks the luchot. We will not discuss the breaking of the luchot here). He completely destroys the eigel, including all remnants of it, grinding it into dust. He also kills 3000 of the people, presumably the worst offenders (Chazal say these were those who had actively worshipped the eigel, in the presence of witnesses and warning). Outwardly, at least, the people have been cleansed. But Moshe knows that averting punishment is only the simplest of his tasks. Now that he has ended the episode of the worship of the eigel, he must repair the relationship between God and the people. "Now I will ascend to God, perhaps I will atone for your sin."

B. Forgiveness and "Bearing" of Sin:

Moshe, in the second stage, turns to God and says, "And now, if you shall bear ("sa" - I have translated it literally) their sin; but if not, erase me from the book that you have written."

A number of questions arise. Firstly, what book? We naturally think of the Torah, but is it proper to refer to the Torah at this stage, especially as a written book? (Of course, in the midrash, the Torah existed before the creation of the world, but even midrashically, I am not sure that it was WRITTEN.) Secondly, is Moshe's approach here not a bit daring, or even presumptuous? And finally, if Moshe is going to seek atonement (kappara), as he promised the people, why does he ask for "bearing" of the sin (nesiat chet)? In fact, just what does this term mean?

There is no previous case in which this verb is used to mean 'forgiveness' by God. (See [Bereishit 18:24](#), where Avraham asks God to "bear" the place, Sedom, but not to "bear" the sins of Sedom). On the other hand, a sinner who does not have forgiveness is said to "bear" his sin. Kayin says to God, "my sin is too great to bear (mi-neso)" ([Bereishit 4:13](#)). Literally, then, by inference, if God is to bear the sin, it is analogous to what the sinner would have to do on his own were God not to help him. The sinner, such as Kayin, suffers under the weight of his sin. 'Nesiat chet', then, means that God shares in the burden of the sin; He shoulders, so to speak, part or all of its weight. This is not forgiveness as we generally understand it. Why is this new concept introduced here?

The sin of the eigel was defined by God as "ki shicheit" (32:7) - a of corruption, or ruin. By turning away from God, (which especially emerges from the phrase "eileh elohekha yisrael" - "THIS is your God, Israel, who has taken you out of Egypt"; after all, the entire relationship of the people with God was previously defined by "I am your God, Who has taken you out of Egypt), the status of the people is one of corruption. While God has repented of his intention to destroy them (which would have been a fitting 'mida keneged mida'), it is still impossible for the original plan of the exodus to continue. The state of the people is one of sin; how can they be God's people?

Moshe is asking that God somehow ameliorate the state of sin, somehow make it possible for Him to maintain His relationship with the people who have left Egypt, received the Torah, and are on the way to the promised land, even though these same people are still tainted and corrupted by the terrible transgression. He is asking God to 'bear the sin', in other words, to tolerate it, not only in the sense of not acting against the sinners, but in actually staying with them and maintaining His Holy Presence amidst them. If God maintains His relationship with the Jews in this state, he is, in effect, associating Himself with their sin - He is bearing the weight of the sin on Himself. This request is audacious, nearly unmentionable. Metaphysically, it seems absurd. There is surely no precedent for such a relationship. God associated

Himself with Avraham, Yitzchak, and Yaakov because they bore His name and sanctified it. How can He place His name on a people who are desecrating it? The question is not moral, but metaphysical - this combination, am Hashem and worshippers of the eigel, is a metaphysical contradiction. It is the same as combining God with sin - 'nosei chet'!

This, I believe, is the meaning of the "book" which God has written. The only book mentioned so far in the Torah is the "sefer ha-brit" (24:7), the book written after Har Sinai which was the instrument of the covenant between God and the Jews. It was the means of establishing the connection between the Jews and God - they are God's people; He is the God of Israel (see 24:10; "They saw the God of Israel"). Moshe is saying to God, if you are not willing to associate Your name with the Jews because of what has happened, then erase my name from the book as well; I too cannot bear the name of God, I too am a contradiction to the Holy Presence. Moshe is of course not trying to 'blackmail' God. Rather, he is saying that he, Moshe, is also only a Jew, and there must be a way for God to "bear sin," or else there will be no way to write the book at all. The book, the record of the Divine Presence, must be able to include sin in it. Moshe is asking God to write the names of sinners in His book. Moshe in fact knows of no argument to justify such a novel and unthinkable condition; he therefore resorts to a "negative" argument - it may be true that You cannot rest your Presence on this people, and write them in Your book, but then, You cannot write my name either, since I, a single individual, am not the partner of the brit.

God answers, "He who has sinned against Me, I will erase him from My book." This is tantamount to refusal. God says that sinners (against Me) cannot be in the book, but that does not mean that I will not be able to write it with others. But, He does give in a little to Moshe. "Now go, and lead the people to where I have told you... and on the day of retribution, I will seek retribution for their sins" (32,34). God is saying that the program can go on, at least in the technical geographical sense. Go to that place which we have discussed. There is no mention of the name of the land, no reference to the avot, or to the promise! God chooses to answer Moshe on the technical level - the plan continues, it seems, but without the inner meaning, without the Presence.

This, of course, was not what Moshe had demanded.

The verse continues to describe how God smites those who had made the eigel. Immediately after, He returns to Moshe and says, "Go, ascend from here, you and the people whom you have brought out of Egypt, to the land which I promised to Avraham, to Yitzchak, and to Yaakov, saying, to your seed shall I give it... To a land flowing with milk and honey..." (33:1-3). A certain level of corruption is indeed removed from the people, and God says now that the plan will continue with destiny, with meaning, according to the promise to the avot, with a goal of the

land flowing with milk and honey. "Lekh alei mizeh..." - Go up from HERE, leave this state of corruption.

God has made it clear to Moshe, however, that He will not be present in the midst of the Jews. An angel will go before them, but "I will not go up in your midst." (See Ramban, concerning the identity of the angel and the relationship of "angel" to the presence of God.) The people mourn when they hear these words (4). The Ramban explains that they are mourning the absence of God in their midst. (The Ramban, in a sharp and sensitive reading, claims that the Jews understood that even the angel would be with them only "on the road." This was a second cause of mourning. In other words, God has agreed to fulfill the promise, even calling the land by its promised name, but not to continue that. Once they reach Eretz Yisrael, they will be a regular nation. They will receive the outward fulfillment of the promise but not the inner meaning.) Moshe has not finished his mission.

Moshe now realizes something important. God has refused to rest His Presence amidst the Jews, but has indicated that Moshe himself is still "in the book," is still a worthy carrier of the Divine Presence. Moshe, therefore, removes his tent from the camp. In what appears to be an aside (7-11), we are told that the "pillar of cloud," representing the Divine Presence, continues to rest on the tent whenever Moshe is in it. In fact, anyone can "seek God" by going OUT of the camp to the tent (7). As a people, the Jews are still in the dark, but as individuals, the path is still open. In a beautiful depiction of nostalgic longing, we are told, "When Moshe would go out to the tent, all the people would rise and stand, EACH AT THE ENTRANCE TO HIS TENT, and they would gaze after Moshe, until he came into the tent... And all the people saw the pillar of cloud stand at the tent entrance, and all the people rose and bowed, each AT THE ENTRANCE OF HIS TENT" (8-10). The nations remained at the doors of their tents, gazing and bowing towards the distant figure of Moshe who meets God outside his tent. How can this gap be bridged?

C. Bridging the Gap - A New Brit:

The third stage commences from this point onward. Moshe attempts to use the acknowledged 'Presence of God' on himself as a bridge to all of Israel. "See, You have told me to take this people up, but You have not told me who will go with me (God has indeed told him that it will be an angel, but Moshe is refusing to accept that answer), and You told me that You would KNOW ME BY NAME, and that I have found favor in Your eyes... but see, THIS PEOPLE ARE YOUR PEOPLE." what is Moshe's request? Who will go with me - as I lead the Jews to the promised land? With me - it should be God himself. But I am to lead the Jews, not just myself, so it must be God, and

only God Himself, who will lead the Jews. Moshe has, so to speak, trapped God (or God has set Himself up for Moshe to trap!). By telling Moshe to lead the Jews to Eretz Yisrael, even without inner meaning or spiritual destiny, and continuing to see Moshe as the bearer of the Holy Presence, then the Holy Presence must be the guide of the unworthy Jews. And indeed, God answers tersely, "My face shall go and give you rest." Moshe, emboldened by this forthright answer to his hinted request, repeats God's words, "If Your face not go, do not take us from here." In other words, there is no point in physically traveling to Eretz Yisrael if it is not part of the Divine plan to rest His Presence on Israel. And now Moshe makes it explicit and includes the Jews in the recipients of Divine Presence: "How shall it be known that I have found favor in Your , I AND YOUR PEOPLE? - If not by Your going with us, and we shall be distinguished (ve-niflinu - mark that word!), I AND YOUR PEOPLE, from all the peoples on the face of the earth" (34:16). Moshe is not asking merely for help in reaching Eretz Yisrael. He is not satisfied with some gifts from God, with good fortune. He wants God Himself, not His gifts, and this is marked by "niflinu" - we shall be different, separated, distinguished, from all the peoples by the Presence of God in our midst. (We will return to this word again later.)

This is followed by the episode of the 'niche in the rock', "nikrat hatzur," and the thirteen midot. We will not analyze this mysterious revelation now. I just wish to establish one point. Examination of the commentary of Chazal on the thirteen midot indicates that all of them, at least up to the last one ("nakei"), deal with how God relates to sin, recreating the world with sin and despite the sin, and not with kappara, atonement after teshuva. In other words, God reveals to Moshe the secret that he is looking for. This is summed up beautifully in one concise comment to explain why God's name is repeated twice at the beginning of the midot (and according to most opinions constitutes TWO midot). "God (Havaya) before the sin, God after the sin" (Rosh Hashana 17b).

Moshe responds to the revelation with one sentence. "If I have found favor in Your eyes God, God will go in our midst, and You will forgive our sins and transgressions, and grant us our inheritance" (34,9). Moshe has learnt the secret of "God after the sin." Before he could only argue negatively - if You will not go with us, do not write my name, do not take us from here. Now he knows that the names of God support his requests, and he immediately requests the Presence of God and, for the first time, forgiveness.

God now answers in the affirmative. "I shall make a brit." God promises a new brit, to replace the old one. "I shall do marvels (niflaot), such as have never been created in all the earth and all the peoples." NIFLAOT. Moshe had requested "VE-NIFLINU." These two words are interpreted differently by all the commentators (see Rashi), but the similarity is striking. In both cases, the verb is juxtaposed with "all the earth." The presence

of God in their midst, despite their sins, will be marked by wonders such as have never been seen, and they will be distinguished from all the peoples of the earth.

We have only to determine the guiding principle behind the contents of this brit, the list of seemingly random mitzvot which follows.

Let us now examine the list of mitzvot which follows the declaration of the new brit (covenant) between God and Israel. Why do these specific mitzvot constitute this brit? They seem to be a somewhat haphazard collection - the prohibition regarding forming pacts with the inhabitants of Canaan, the three pilgrimage festivals, the laws of the first-born, Shabbat, the mitzva of pilgrimage to the Temple, two particular details of the korban Pesach, laws regarding the first fruits, and the prohibition regarding meat and milk. One may be tempted to claim that no connection exists between this list and the preceding drama. In the next section, however, Moshe is commanded to write "these things, for on the basis of these things I have made a brit with you and with Israel." This is the new sefer habrit, which replaces the old one. Indeed, this list is nearly identical, word for word, to the list at the end of Mishpatim, before Moshe wrote the previous sefer habrit (23:13-19). Moshe now goes up to get a new set of luchot to replace the old ones. This reflects the statement of Chazal quoted above, in explanation of the thirteen midot - "God before the sin, God after the sin." The content is the same - but how different it is when it applies to a world after sin, to a people who have been corrupted. Maintaining the same relationship is now at once the same and completely different.

We must try to understand the contents of the brit. What is the common theme of these disparate mitzvot?

I would like to suggest the following explanation. These mitzvot impart the message that the effect is not completely determined by the cause, and the future is not only the development of the past. In other words, although the people have indeed been corrupted by sin, this does not prevent the possibility of kedusha resting in their midst, of their constituting an abode for God. These mitzvot warn the people not to perceive themselves as bound by their environment, by the ground from which they grow, but always to attempt to detach themselves from it and aspire upward. The Torah is warning against the genetic fallacy - that a thing is no more than the sum of its causes. Against the genetic fallacy stands the kedusha principle. Wherever there is kedusha, the fruit can transcend the ground from which it grows.

Let us review these mitzvot one by one:

1. A series of prohibitions warning against forming a brit with the inhabitants of Canaan (34:12-17). God tells the people: you may be going into Canaan, but you will not be Cannanites. Notice the language - "lest you make a pact with the DWELLERS OF THE LAND WHICH YOU ARE COMING ONTO." You shall not assimilate with your environment.

2. Pesach - specifically, eating the matzot (34:18). Matza is unleavened; the natural process of growth has been halted. Chametz represents natural development. Freedom ("for in the month of the spring you left Egypt") requires the ability to break the natural chain.

3. The Bechor (firstborn), both of animals and of human beings (34:19-20). A child is the product of his parents ("bra kara d'avuh" - a child is the leg of his father). The firstborn, especially, is perceived as the inheritor, the continuation, of his parents. The halakha determines that the firstborn of any living thing is kadosh, holy. From what does this status of holiness derive? It is not inherited; the mother is not considered holy. The womb ("petter RECHEM"), where the mother and child were one, is the apparent halakhic source of kedusha, but this is not a natural development. The child is not only the product of his mother.

4. Shabbat (34:21). Shabbat encompasses so many themes that it is easy to connect it to almost any idea. Note the context here, however - "Six days shall you work, but on the seventh day cease; during the ploughing (season) and the harvest you shall cease." In this parasha, Shabbat is an anti-agricultural law. Plowing and harvesting, working the land in order to bring forth its inherent potential, is negated one day a week.

5. Shavuot and Sukkot (22). Unlike Pesach, no particular mitzva is mentioned here; we find only a command to celebrate the festival. I believe this verse is a prelude to the next verse, the mitzva of aliya l'regel, the pilgrimage to the Temple. Note, however, that the festivals are called by their agricultural names, the first fruits of the wheat harvest and the festival of the ingathering. (The significance of this is made clear in the following mitzvah.)

6. Aliya l'regel (23). Three times a year, a Jew is commanded to tear himself away from home, field, and family (the verse

obligates "your males," the only mitzva from which women are so specifically exempt), and travel to the seat of holiness, to be seen before God. One may have home, a place where one works the land, but one must be capable of leaving that home and ascending to God.

7. "Lo tishchat al chametz dam zivchi ve-lo yalin la-boker zevach chag haPesach." The Paschal lamb, the lamb of freedom, must be completely divorced from chametz, it cannot exist alongside chametz, which, as we have seen, represents the product of natural growth and mechanical development. Similarly, the sacrifice must be finished in one night, and not left over to morning. It is not a part of the natural world, left around to be savored when convenient.

8. Bikkurim, first fruits (26). This mitzva constitutes the agricultural complement to the bechor (firstborn). The fruit grows on the tree, as a natural product, yet is not equivalent to the tree; it is kadosh, and must be brought to the house of God. It is worth noting the difference between bikkurim and terumot ve-maasrot (tithing), which are not mentioned here. In those cases, I must declare them to be special for the state of kedusha to obtain. In this case, bikkurim, like the bechor, are holy automatically, even though in the ground in which they grew the seeds of kedusha are not found.

9. Meat and milk (26). This is undoubtedly a difficult mitzva. But let us examine this famously difficult verse. "You shall not cook the kid in the milk of its mother." Chazal explain the verse metaphorically - it is forbidden to cook or eat meat in milk. Why? I believe the metaphor helps us to explain the mitzva. One who is brought up in a halakhic framework naturally divides foods into two - dairy and meat. There are dairy restaurants and meat restaurants. But there is no real basis for this division. After all, milk is an animal product; it goes together naturally with meat. The Torah is declaring the opposite - the fact that a kid is born of its mother and nurtured in her milk is to be opposed, we must set one against the other. This symbolizes the theme of this brit - things do not belong to their origin. In order to stress this to the utmost, the most natural connection of all, a kid and his mother, his source and his nourishment, is to be broken and even set in opposition to itself.

One last point. This brit is identical to the one found at the end of parashat Mishpatim, before the chet ha-egel. The point being made here, that kedusha can arise in a mundane, unhallowed environment, is of course the theme of Sinai as well. God descended on the mountain to dwell among the Jews. The phrase of Chazal "merkava le-Shechina" (chariot of God), used to describe the righteous, comes to mind. In order for people to be the base of kedusha, to be the dwelling-place of God ("They shall make Me a mishkan and I shall dwell in THEIR midst"),

the genetic fallacy must be overcome. However, sin creates a major difference. It is one thing for mortal man, striving to serve God, accepting His Torah and obeying His laws, to be the dwelling-place of God and a fountainhead of kedusha. The chet ha-eigel logically destroys that dream - "shicheit amkha," your people have corrupted." The same brit must be recreated, but in radically new circumstances. How can sin corruption be the basis of kedusha? The answer is found in the mystery of the thirteen midot, of "nesiat chet." Hashem - God before the sin, God after the sin. History is completely different after the sin, because, amazingly, it continues.

Further study:

1. Parashat Ki Tisa is intimately wound up with the personality of Moshe. It represents Moshe's finest hour as a leader, when he accomplishes the seemingly impossible, maintaining the brit between God and a corrupted people. Look through the parasha and count the number of times that God reiterates the centrality of Moshe as an individual in maintaining the collective brit.

2. In light of the theme of this shiur, how can we understand the light shining forth from Moshe's face, and the veil which covers it? (Notice, in contrast to what is commonly assumed, that Moshe did not wear the veil when speaking to the people).

3. There are a number of slight differences between the brit in parashat Ki Tisa and that at the end of Mishpatim. One of them involves the placement of the verse "lo yeira'u panai reikam" (which I conveniently left out in the shiur). Try to explain this difference.

4. Who wrote the second luchos? (God wrote the first - 32:16). Compare 34:1; 34:27-28. See the Netziv to 34:27.

5. One who lives outside of Israel is not commanded to go on aliya l'regel. Why not?

6. The gemara in Rosh Hashana 17a offers an explanation of "rav chesed" (= "mateh klapei chesed") from the 13 middot as "nosei." Rashi explains this to mean that when a person's

scale of sins and merits is exactly balanced, God lifts up the side of the sins, tilting the scale to the side of merits. No question here - just think about it.

7. "After chet ha-eigel" is a common motif in explaining many sections of the Torah, as we have already seen in last week's shiur. In future weeks, try to use our explanation of the change in the relationship between God and the Jews to understand those sections of the Torah which the commentators traced to the influence of chet ha-eigel.

8. "Nesiat chet" appears also in [Bereishit 50.17](#), [Shemot 23.21](#), and very interestingly, [I Shmuel 15.25](#). I hope to continue the discussion of this concept in the discussion list.

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