

Parashat Mishpatim, 5784, 2024:

What is Torat Emet?

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ה' יעזור וירחם על אחינו, כל בני ישראל בארץ ישראל ובכל חלקי הארץ

Na'aseh v'nishmah (we will do, and we will hear—comprehend) are two of the most celebrated words that appear in our *parasha*. When the Jewish people uttered this phrase during *Kabbalat HaTorah*, they acted like Heavenly Angels and transformed their relationship with Hashem. This idea is found in a well-known statement in *Talmud Bavli*: “Rabbi Simai taught: ‘When the Jewish people accorded precedence to the declaration ‘We will do’ over the declaration ‘We will hear,’ 600,000 ministering angels came and tied two crowns to each and every member of the Jewish people, one corresponding to ‘We will do’ and one corresponding to ‘We will hear.’” (Translation, *The Koren Talmud Bavli, Shabbat 88a*, elucidated and edited by Rabbi Adin Steinsaltz *zatzal*)

In my estimation, *na'aseh v'nishmah* may be viewed as our ancestors’ proclamation of their undying belief in Moshe’s divine agency and the absolute truth of the Torah; an idea that is found in *Talmud Bavli, Baba Batra 74a*: “*Moshe v'Torato emet.*” Numerous verses in Tanach support the notion that Moshe was the *shaliach v'navi Hashem* par excellence. Perhaps the two most famous are found in *Sefer Bamidbar 12:7-8*: “Not so is My servant, Moshe; he is faithful throughout My house. With him I speak mouth to mouth; in a vision and not in riddles, and he beholds the image of Hashem.” (Translation, *The Judaica Press Complete Tanach*) This is not the case regarding the phrase *Torato emet*, as there is only one *pasuk* in Tanach wherein the words, “*Torat emet,*” are juxtaposed (*Sefer Malachi 2:6*).

This verse, however, does not speak to the veracity of the Torah in general. Instead, it gives voice to the historical loyalty of the Tribe of Levi to Hashem and His Torah. If so, what does *Torat emet* denote?

I believe we can understand *Torat emet* as signifying the eternity and unchanging nature of the Torah, a concept that the Rambam (1135-1204) explicates in his *Mishneh Torah*:

It is clear and explicit in the Torah that it [that is, the Torah] is [Hashem's] commandment, remaining forever without change, addition, or diminishment, as [*Sefer Devarim* 13:1] states: "All these matters which I command to you, you shall be careful to perform. You may not add to it or diminish from it" ... This teaches that we are commanded to fulfill all the Torah's directives forever. It is also said: "It is an everlasting statute for all your generations," and [*Sefer Devarim* 30:12] states: "*Lo bashamayim he*." This teaches that a prophet can no longer add a new precept [to the Torah]. (*Hilchot Yesodei HaTorah* IX:1, translation, Rabbi Eliyahu Touger, brackets my own)

In sum, the Rambam explains the eternity of the Torah as being comprised of the following constitutive elements:

- 1) It is Hashem's commandment.
- 2) It exists "forever without change, addition or diminishment."
- 3) "A prophet can no longer add a new precept [to the Torah]."

The Rambam's formulation of the principle of the eternity of the Torah is in consonance with the following well-known Talmudic narrative:

On that day Rabbi Eliezer brought forward every imaginable argument [in a highly technical dispute regarding ritual purity and impurity], but they [the other sages] did not accept them... [Said Rabbi Eliezer:] "If the *halacha* agrees with me, let it be proved from Heaven!" Whereupon a Heavenly Voice (*bat kol*) cried out: "Why do you dispute with Rabbi Eliezer, seeing that in all matters the *halacha* agrees with him!" But Rabbi Yehoshua arose and exclaimed: "*Lo bashamayim he!*" What did he mean by this? Said Rabbi Yirmiyah: That the Torah had already been given at Mount Sinai; [therefore,] we pay no attention to a Heavenly Voice (*bat kol*), because You [Hashem] have long since written in the Torah at Mount Sinai (*Sefer Shemot* 23:2), "After the majority must one follow." (*Talmud Bavli, Baba Metzia* 59b, translation, *The Soncino Talmud* with my brackets and emendations)

This Talmudic passage is nothing less than amazing. In relatively few words, it denies the possibility of a post-Sinaitic revelation. Moreover, it demonstrates that human reason, in conjunction with the accepted principles of Torah exegesis and majority rule, are the sole determinants in any halachic dispute—even when one of the disputants is a *bat kol*! As Rabbi Aryeh Leib HaKohane Heller (1745-1812), one of the major halachic authorities of the past two centuries opines:

The Torah, however, was not given to the ministering angels, but rather to humankind who is limited to *sechel enoshi* (human logic and reason). And the Holy One blessed be He gave us the Torah out of the abundance of His mercy and kindness to be adjudicated according to *sechel enoshi*, even if it never achieves *emet* on the level of *HaSichlayim Hanivdalim* (that is, Hashem and His ministering angels). (Introduction to *Ketzot HaChoshen*, translation my own)

Shabbat Shalom

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