

Parashat Pekudei 5774, 2014:

Understanding and Living Eidut HaTorah (the Testimonies of the Torah)

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Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yechiel, sister, Shulamit bat Menachem, Chaim Mordechai Hakohen ben Natan Yitzchak, and Yehonatan Binyamin ben Mordechai Meir Halevi, and the refuah shlaimah of Yosef Shmuel ben Miriam.

Our *parasha* contains a seemingly straightforward *pasuk* (verse): “He [Moshe] took and placed **the testimony** [Hebrew, “*eidut*”] into the ark, put the poles upon the ark, and placed the ark cover on the ark from above.” (*Sefer Shemot* 40:20, this and all Bible translations, *The Judaica Press Complete Tanach*, emphasis my own). Herein, Rashi (1040-1105) translates “the testimony” (“*eidut*”) as “*haluchot*” (“the Tablets of the Law”). In *Sefer Shemot* 25:16, however, he translates the exact same expression as “*haTorah*” (“the Torah”) and adds the following explanation: “...for it [the Torah] is testimony between Myself and you [the Jewish people] that I have commanded you these commandments that are written therein.” It seems, therefore, that there is a contradiction in Rashi’s explanations of the term “*eidut*.”

Rabbi Shabbetai Bass (1641-1618) approaches our problem in the following manner:

It appears to me that since the Torah writes [in *Sefer Shemot* 25:16]: “the *eidut* that I will give to you,” that this is grammatically referring to the future, since the Ten Commandments had already been given. Moreover, even if the Tablets of the Law had already been broken, it is likely to assume that Moshe had already rewritten them or prayed that they should once again reappear as they had once been. Therefore, [“that I will give to you”] must actually refer to the entire Torah that would be written in the future. (*Siftei Chachamim, Sefer Shemot* 25:16)

Rav Bass does not directly address the problem of the seeming contradiction, he does,

however, champion Rashi's explanation of "*eidut*" as referring to the Torah in its entirety. This is the self-same Torah that would be written by Moshe and given to the Jewish people at the end of the 40th year of their desert wanderings. In doing so, Rav Bass is also following Rabbi Shimon bar Yochai's elucidation of our expression in *Midrash Tanchuma, Pekudei*: 4, wherein he interprets "*eidut*" as specifically referring to Torah ("*ain eidut elah Torah*"). It seems, therefore, that "*eidut*" as "Torah," may well be the preferred understanding of this term.

What, however, is the conceptual link between "*eidut*" and Torah? Stated somewhat differently, why should the Torah be described as "*eidut*?" In order to answer these questions, let us turn to the taxonomy of *mitzvot* of Rabbi Shimshon Rafael Hirsch (1808-1888). Rav Hirsch identifies six major groups of commandments in his works *Horeb* and *The Nineteen Letters*, one of which is entitled "*edoth*" ("*eidut*"). He defines this category in the following terms:

Memorials or testimonies to truths essential to the concept of the mission of man and of Israel. These testimonies comprise symbolic words or acts which bear lessons of profound significance for the individual Jew, for Israel as a whole, and for mankind in general. (Translation, Rabbi Dr. Bernard Drachman, as prepared by Jacob Breuer, Feldheim Publishers, page 75.)

In summary, *edoth*, according to Rav Hirsch, fulfill the following functions:

- They serve as memorials or testimonies.
- They convey truths that represent the mission of mankind, in general, and of the Jewish people in particular.
- They constitute symbolic words or acts that present depth-level teachings and spiritual guidance for individual Jews, the entire Jewish people, and for all mankind.

As suggested above, *eidut HaTorah* represent one category in Rav Hirsch's classification

of *mitzvot*. In addition, however, I believe they provide a deep insight into the nature of the Torah in its totality. In my estimation, the Torah serves as an ever-present testimony of, and blueprint for, the best of which mankind is capable. Allow me to bring two examples from the works of the Rambam (Maimonides 1135-1204), the first from the holiday of Purim, and the second from the Laws of Festivals:

It is preferable for a person to be more liberal with his donations to the poor than to be lavish in his preparation of the Purim feast or in sending portions to his friends. For there is no greater and more splendid happiness than to gladden the hearts of the poor, the orphans, the widows, and the converts. One who brings happiness to the hearts of these unfortunate individuals resembles the Divine Presence, which Isaiah 57:15 describes as having the tendency “to revive the spirit of the lowly and to revive those with broken hearts.” (*Mishneh Torah, Hilchot Purim u’Chanukah 2:17*, translation, Rabbi Eliyahu Touger)

When a person eats and drinks [in celebration of a holiday], he is obligated to feed converts, orphans, widows, and others who are destitute and poor. In contrast, a person who locks the gates of his courtyard and eats and drinks with his children and his wife, without feeding the poor and the embittered, is [not indulging in] rejoicing associated with a *mitzvah*, but rather the rejoicing of his gut. (*Ibid.* , *Hilchot Yom Tov 2:18*)

As alluded to in these Maimonidean passages, Hashem is intimately aware of the trials and tribulations faced by the disenfranchised of the earth. This accounts for the numerous commandments that stress the need to provide for the needs “of the poor, the orphans, the widows, and the converts.” Moreover, *Talmud Bavli, Sotah 14a* describes how the Almighty Himself practices acts of *gemilut chasadim* (loving-kindness) – something that we are duty-bound to imitate (i.e. *Imitatio Dei*):

Just as Hashem clothed the naked [in the case of Adam and Chava]... so, too, should you clothe the naked. Just as Hashem visited the sick [in the case of Avraham after his *brit milah*]...so, too, should you visit the sick. Just as the Holy One Blessed be He comforted the mourners [in the case of Yitzhak after Avraham’s passing]...so, too, should you comfort the mourners. Just as the Holy One Blessed be He buried the dead [in the case of Moshe *Rabbeinu*]...so, too, should you bury the dead.

It is time for each of us to become *shutfim im Hakadosh Baruch Hu b'ma'aseh Bereishit* (partners with the Holy One Blessed be He in creating the world) by emulating His beneficent behavior and gladdening “the hearts of the poor, the orphans, the widows, and the converts.” By joining Hashem in this manner, we will be well on our way to fulfilling the stirring words of the second paragraph of the *Aleinu*: “*l'takane haolam b'malchut Sha-dai*” (“to improve the world through the realization of G-d's Kingship”). May this time come soon and in our days. *V'chane yihi ratzon*.

Shabbat Shalom

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