

Parashat Yitro 5772, 2012

*Rabbi Soloveitchik On the Mitzvot*

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Dedicated to the sacred memories of my sister-in-law, Ruchama Rivka Sondra, my sister, Shulamit bat Menachem, and Shifra bat Chaim Alter, and the *refuah shlaimah* of Yosef Shmuel ben Miriam and Yehonatan Binyamin Halevy ben Golda Friedel.

Parashat Yitro is preeminently the *parasha* of the *Aseret Hadibrot* (The Ten Commandments). The great Jewish philosopher and biblical exegete, Rabbeinu Saadiah Gaon (882-942), suggests in his *Sefer Hamitzvot* (Book of the Commandments) that the *Aseret Hadibrot* are actually a summary of all of the 613 Torah commandments. Thus, contrary to popular belief, they have no greater significance than the rest of the mitzvot. Instead, their importance derives from their symbolic representation of all the commandments of the Torah. Given this emblematic connotation, and, in opposition to the Rambam's opinion (1135-1204; as expressed in his responsum no. 263, Blau ed.), many Ashkenazi congregations stand during the public reading of the *Aseret Hadibrot*. This *minhag* (practice) is, in reality, a reenactment of our acceptance of the entire Torah at the moment of the Revelation, and is, therefore, very different from our standard public Torah readings. It is this singular difference that obligates us to rise during their recitation. Thus my rebbi and mentor, Rabbi Joseph B. Soloveitchik (1903-1993) in his recently published posthumous work entitled *Out of the Whirlwind: Essays on Mourning, Suffering and the Human Condition*, states:

...actually the reading of the *Aseret ha-Dibberot* is not only a didactic performance of *limmud* [Torah study], but a restaging, a dramatic reenacting of *mattan Torah* [receiving the Torah]. This is why people rise when it is read. Rambam asked in his responsum, Why should they rise? *Aseret ha-Dibberot* is no more sacred than the *parasha* which speaks of Timnah, the concubine of Elifaz (Gen. 36:12)! But the *Aseret ha-Dibberot* is

read not only as a text which is being studied, but as a text which is being promulgated and proclaimed by G-d Himself. (Page 15)

Since the *Aseret Hadibrot* symbolically represent the entire *Taryag Mitzvot* (613 Commandments), Parashat Yitro presents an opportunity for us to pause and reflect upon our relationship to the commandments. On the most basic level, we know that there is a tripartite process that forms the background of each and every commandment: Hashem as the *metzaveh* (the Commander), the *mitzvah* (the commandment), and man as the *metzuveh* (the commanded). Each time we are *mekayam* a *mitzvah* (fulfill a commandment), we demonstrate our loyalty to our Creator and prove to the world that the Voice emanating from *Har Sinai* (Mt. Sinai) continues to be heard in all of its power and majesty. Moreover, we show the entire world that the relationship He forged with our forbears continues to flourish until our own historical moment. By keeping Hashem's Torah, we thereby proclaim: "*Hashem Hu HaElokim.*" ("Hashem is our G-d and Master")

It is important to note that the Torah differentiates between two distinct categories of mitzvot: *chukim* and *mishpatim*. *Talmud Bavli, Yoma 67b* interprets these terms in the following manner:

Our Rabbis taught: "You should perform my *mishpatim*" (*Sefer Vayikra* 18:4). These are matters that were they not actually written [by G-d] it is logical that they would have been. These are some examples: the prohibitions of idol worship, illicit sexual behavior, murder, stealing, and cursing Hashem. "... and you should guard my *chukim*" [Ibid.] These are matters wherein the Satan [Rashi, *yetzer harah*, the "evil inclination"] attempts to disprove their validity and veracity. These are some examples: the prohibitions of eating pig flesh, wearing garments comprised of a mixture of linen and wool threads, the act of relieving a brother-in-law of his obligation to marry his widowed sister-in-law (*chalitzah*), the ritual purification of the individual afflicted with *Tzarat*, and the scapegoat rite [of Yom Kippur]. [Since you cannot understand them] perhaps you will say that they are completely worthless and devoid of meaning! Therefore the Torah states [Ibid.]: "I am the L-rd your G-d." I am He who has decreed it [i.e. the *chukim*] and you do not have permission to question them. (Translation, my own)

The Rambam (1135-1204) codifies the distinction between *chukim* and *mishpatim* in the following fashion:

The *mishpatim* are those commandments wherein their rationale is revealed and the value (lit. “good”) that obtains as a result of their performance is known in this world. For example: the prohibitions of stealing and murder and the obligation to honor one’s father and mother. [In contrast,] the *chukim* are those commandments whose rationale is unknown. (*Mishneh Torah, Hilchot Meilah* 8:8, translation my own)

In summary, *mishpatim* are laws that we could have derived on our own, if left to our own devices. In this sense, they are “natural laws,” even though their obligatory and immutable character derives directly from the ineffable moment of Revelation at *Har Sinai*. In contrast, *chukim* escape current human understanding. While they, too, have reasons, our cognitive limitations prevent us from their discovery.

According to Rabbi Soloveitchik, man’s acceptance of the *chukim*, man’s acquiescence and submission to laws that defy his comprehension, is an essential element of the faith gesture. Moreover, when we accept the transcendent yoke of the *chukim*, we demonstrate our trans-historical connection to the first patriarch, *Avraham Avinu*, and by extension, to *Knesset Israel* (the Community of the Jewish People):

What does man cherish more than the intellect, around which his sense of dignity is centered? Precisely because of the supremacy of the intellect in human life, the Torah requires, at times, the suspension of the authority of the logos. Man defeats himself by accepting norms that the intellect cannot assimilate into its normative system. The Judaic concept of *chok* represents human surrender and human defeat. Man, an intellectual being, ignores the logos and burdens himself with laws whose rational motif he cannot grasp. He withdraws from the rationalist position... Once man has listened and retreated, he may later be instructed to march straight to victory... Abraham was told to withdraw, and to defeat himself, by giving Isaac away. He listened; G-d accepted Isaac but did not retain him. G-d returned him to Abraham... Abraham found victory in defeat. (“*Majesty and Humility*” delivered as an address at Rutgers College on April 14, 1973, reprinted in *Tradition: A Journal of Orthodox Thought*, Spring, 1978, page 37)

Given Rav Soloveitchik's analysis, it is clear that we are obligated to view the entire Torah and its corpus of laws in their authentic light, namely, with the understanding that *chukim* and *mishpatim*, have an absolute demand upon us, an unquestionable claim upon our being that is derived from the Voice who communicated with us at the moment of the Revelation at *Har Sinai*. This is reflected in one of the prayers that we recite each and every morning:

May it be Your will our G-d and G-d of our fathers that we will keep your *chukim* (statutes) in this world, so that we will merit, and we will live, and we will see, and we will inherit good and blessings during the time of the *Mashiach* (Messiah) and in the world to come. (*Siddur*, Morning Prayers, translation my own)

May the entire Jewish people be *zocheh* (merit) to witness the fulfillment of this prayer soon and in our days. *V'chane yihi ratzon*.

Shabbat Shalom

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My audio *shiurim* on *Tefilah and Haskafah* may be found at: <http://tinyurl.com/7sp5vt3>

\*\*\*\*New\*\*\*\* I have recently posted 164 of **Rabbi Soloveitchik's** English language audio *shiurim* (MP3 format) spanning the years 1958-1984. They are available here: <http://tinyurl.com/82pgvfn>.

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