

Parshat Ki Tisa: The Covenantal Relationship

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Exodus 34:10–28

Artscroll Translation

10 He said, “Behold! I seal a covenant: Before your entire people I shall make distinctions such as have never been created in the entire world and among all the nations; and the entire people among whom you are will see the work of Hashem – which is awesome – that I am about to do with you.

11 Beware of what I command you today: Behold I drive out before you the Amorite, the Canaanite, the Hittite, the Perizzite, the Hivvite, and the Jebusite. *12* Be vigilant lest you seal a covenant with the inhabitant of the land to which you come, lest it be a snare among you. *13* Rather you shall break apart their altars, smash their pillars, and cut down its sacred tree. *14* For you shall not prostrate yourselves to an alien god, for the very Name of Hashem is ‘Jealous One,’ He is a jealous God. *15* Lest you seal a covenant with the inhabitant of the land and stray after their gods, slaughter to their gods, and he invite you and you eat from his slaughter. *16* And you take their daughters for your sons, and their daughters stray after their gods and entice your sons to stray after their gods!

17 You shall not make yourselves molten gods.

18 You shall observe the Festival of Matzos: For a seven-day period you shall eat matzos, as I commanded you, at the appointed time in the month of spring, for in the month of spring you went forth from Egypt.

19 Every first issue of a womb is Mine; as well as any of your livestock that produces a male, the first issue of an ox or a sheep. *20* The first issue of a donkey you shall redeem with a lamb or kid, and if you do not redeem it you shall axe the back of its neck. You shall redeem every firstborn of your sons. They shall not appear before Me emptyhanded.

21 Six days shall you work and on the seventh day you shall desist; you shall desist from plowing and harvesting. *22* You shall make the Festival of Weeks with the first offering of the wheat harvest; and the Festival of the Harvest shall be at the changing of the year. *23* Three times a year all your males shall appear before the Lord Hashem, the God of Israel. *24* For I shall banish nations before you and broaden your boundary; no man will covet your land when you go up to appear before Hashem, your god, three times a year.

25 You shall not slaughter My blood-offering while in the possession of leavened food, not may the feast-offering of the Pesach festival be left overnight until morning. *26* The first of your land’s early produce you shall bring to the Temple of Hashem, your God. Do not cook a kid in its mother’s milk.

27 Hashem said to Moses, “Write these words for yourself, for according to these words have I sealed a covenant with you and [with] Israel. *28* He remained there with Hashem forty days and forty nights – he did not eat bread and he did not drink water – and He wrote on the Tablets the words of the covenant, the Ten Commandments.

Questions

- How does this covenant enable Israel to atone for the sin of the golden calf? Keep in mind that this covenant repeats laws that had been given to Israel previously (some in the Ten Commandments [Exodus 20:2–6], some in parshat Mishpatim [Exodus 23:12–19]).
- Has Israel been given a second chance under the same relationship, or does this establish a new type of relationship between God and Israel?
- The “Ten Commandments” seem to be more conceptual and ideological than the covenant presented here. Do you agree? What does it say about the fundamental aspects of Jewish belief and Jewish ritual?

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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-egel 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.