**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Rabbinic Tales: In the Talmud and in *Chassidut***

**By Rav Dr. Yonatan Feintuch**

**Shiur #18: The Story of Moshe on High (1)**

A well-known *midrash* that is the subject of extensive commentary describes how Moshe, atop Mount Sinai, meets R. Akiva, hears his teaching, and observes his tragic end. In this *shiur* and the next few, we will consider the *midrash* in “dialogue” with a brief story of R. Nachman, as well as other Chassidic teachings.

1. **The story (*Bavli*, *Menachot* 29b)**
2. Rav Yehuda said in the name of Rav: When Moshe ascended on High, he found the Holy One, Blessed be He, sitting and attaching crowns to the letters [of the Torah].
3. He said to Him: Master of the Universe, who is preventing You [from giving the Torah without these additions]?
4. God said to him: There is a man who is destined to live in many generations’ time, and Akiva ben Yosef is his name. He will derive from each and every thorn [of these crowns] mounds upon mounds of laws.
5. Moshe said to God: Master of the Universe, show him to me.
6. God said to him: Turn back behind you.
7. He went and sat at the end of the eighth row, and did not understand what they were saying. He grew weak. When [R. Akiva] started discussing a certain matter, his students said to him: Our teacher, from where do you know this? R. Akiva said to them: It is a *halakha* transmitted to Moshe from Sinai. When Moshe heard this, his mind was put at ease.
8. Moshe returned and came before the Holy One, Blessed be He. He said to Him: Master of the Universe, You have a man like this – and yet You are giving the Torah through me?
9. God said to him: Be silent; this intention arose before Me.
10. Moshe said to God: Master of the Universe, You have shown me [Rabbi Akiva’s] Torah; show me his reward.
11. God said to him: Turn back behind you.
12. Moshe went back and saw that they were weighing Rabbi Akiva’s flesh in a butcher shop [*be-makkulin*].
13. He said to God: Master of the Universe, this is Torah and this is its reward?
14. God said to him: Be silent; this intention arose before Me.
15. **Structure of the story**

There are two different structures that may be viewed as organizing the story. The first is relatively simple, dividing the story into two parts:

Lines 1-6 present the gap between the Torah that Moshe receives at Sinai and the way in which R. Akiva understands and interprets it many years later.

Lines 7-13 deal with Moshe’s questioning of God’s ways.

This division is reinforced by the very clear difference between the two parts in terms of God’s response to Moshe’s questions and Moshe’s own experience. In the first part, God responds openly and in detail, making room for Moshe’s desire to understand. In the second part, the (repeated) response is terse and absolute. The response reflects a unity of content and form.

However, we might suggest a different division of the story, comprising three parts, based on the structure of the dialogue:

Lines 1-3: Moshe’s question about the crowns on the letters, and God’s response.

Lines 4-8: Moshe is struck by R. Akiva’s greatness in the *beit midrash*, and asks why he was not chosen to give the Torah.

Lines 9-13: Moshe sees R. Akiva in his agony and torment, as he is executed by the Romans, and asks why this is his “reward”.

There is a parallel between the two latter parts:

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| Part II (lines 4-8) | Part III (lines 9-13) |
| **Moshe said to God: Master of the Universe**, **show** him **to me.** | Moshe said to God: Master of the Universe, You have shown me [Rabbi Akiva’s] Torah; **show me** his reward.  |
| **God said to him: Turn back behind you.** | **God said to him: Turn back behind you.**  |
| He went and sat at the end of the eighth row, and did not understand what they were saying. He grew weak. When [R. Akiva] started discussing a certain matter, his students said to him: Our teacher, from where do you know this? R. Akiva said to them: It is a halakha transmitted to Moshe from Sinai. When Moshe heard this, his mind was put at ease.  | Moshe went back and saw that they were weighing Rabbi Akiva’s flesh in a butcher shop [*be-makkulin*].  |
| Moshe returned and came before the Holy One, Blessed be He. **He said to Him: Master of the Universe**, You have a man like this - and yet You are giving the Torah through me?  | **He said to God: Master of the Universe**, this is Torah and this is its reward?  |
| **God said to him: Be silent; this intention arose before Me.**  | **God said to him: Be silent; this intention arose before Me.** |

The two proposed structures for the story do not overlap. The second one, suggested by the formal molding of the story – i.e., the recurring words – breaks up the initial structure, which is more immediately apparent based on the content. Part II of the second structure starts from the midst of Part I of the first structure, continuing beyond its end, and then Part III starts in the middle of what was Part II of the first structure. Later on, in the discussion of the meaning of the story, I will try to explain the significance of this phenomenon.

Let us come back to the first structure, which divides the story into two parts on the basis of its content. The story does indeed cover two different subjects. The first concerns human input in the creation of the Oral Law, through creative and innovative homiletical interpretation as exemplified in the teachings of R. Akiva. God’s explanation to Moshe about the crowns on the letters tells us that already at the time of the giving of the Torah, God allowed for the possibility of the Sages creating the Oral Law out of the Written Law, thereby becoming partners in creation of Torah. This meaning is also expressed in another brief *midrash*, part of a series describing what happened “when Moshe ascended on High”:

R. Yehoshua ben Levi said: When Moshe ascended on High, he found the Holy One, blessed be He, attaching crowns to the letters. [God] said to him, Moshe, is it not customary in your city to offer a greeting? He said to Him, Does a servant then initiate a greeting to his master? God said to him, You should have assisted Me… (*Bavli*, *Shabbat* 89a)

The first part of the story in *Menachot* seems to be connected to this *midrash* of R. Yehoshua ben Levi; they share a common motif. Moshe’s experience is that of a student before his teacher, but God wants him to see himself as a partner. God sees Moshe in particular, and everyone in general who receives the Torah , as partners in Torah. The atmosphere is therefore open and “magnanimous” on God’s part, as expressed in the dialogue and in the position that he offers to Moshe.

This partnership finds expression, as noted, not only in the content of the story but also in the form and style of God’s responses to Moshe: when asked about the crowns, God’s response is detailed and generous. He allows Moshe to observe R. Akiva teaching, and despite Moshe’s momentary distress at not being able to follow what R. Akiva is saying, ultimately he is gratified. The atmosphere of this part of the story is one of flow and sharing.

On the other hand, the second part concludes in a completely different mood: “Be silent; this intention arose before Me.” Here the openness and sharing are replaced by exclusion and concealment; God places firm boundaries on the human ability to be involved as a partner in understanding. The difference seems to arise from the fact that Moshe’s question in the second part touches on a different realm: he asks about God’s attributes, His ways or considerations in running the world, and how things can happen that seem to be the opposite of justice. In short, the classic problem of theodicy.

We might formulate what happens in the story as a transition from the first question, which pertains to “what,” to the second question, which pertains to “why.” Initially, Moshe asks, “Who is preventing You?” It is a question on the level of the mechanism, not the deeper reason the mechanism works that way rather than some other way. The second question, however, addresses this causality, which belongs to the realm of Divine calculations and considerations in running the world. God allows Moshe no entry to this realm. It is amazing to see how, the moment Moshe’s questioning approaches the “why,” God’s demeanor towards him changes. Twice Moshe tries to understand, and twice he is told, firmly and bluntly, that he must be silent and simply accept; in this matter, he is not offered an active role.

This being the case, we might ask: what is the relationship between the two parts of the story? Why does the narrator juxtapose these two very different questions, with their diametrically different responses, within the same narrative?

It seems that the story in *Menachot* conveys a message about the complexity of man’s relations with God. The first part goes beyond the straightforward Biblical portrayal of the giving of the Torah, with an active “Giver” and a passive “accepter”; instead, God calls upon man to be a true partner with Him in the tremendous endeavor of the creation and development of Torah. Here man achieves the pinnacle of his human greatness. However, when it comes to the running of the world, man is not invited to become a partner; here, he occupies a position of inferiority and deficiency. Reading the story in the Gemara, we might surmise that the point is for man not to be overcome with hubris in view of God’s invitation to him to play an active role in Torah. Or perhaps it is simply man’s finiteness and limitations that preclude his understanding of this realm. In any event, in this context, man feels small and inadequate.

Jeffrey Rubenstein[[1]](#footnote-1) writes that the two questions treated here are questions that occupied *Chazal* on a deep existential level: firstly, the question of the status of the Torah oeuvre that they were engaged in developing – the Oral Law, and its relationship to the Torah given by God Himself – and secondly, the question of reward and punishment, or Divine justice and human fate. All of this is reflected in our *midrash*. While they are satisfied with regard to the first question, it appears that they find themselves at a loss with regard to the second.

We might explain the two structures of the story in this way too. On one hand, the story is divided into two parts (lines 1-6, and lines 7-13) on the basis of its content, treating each of these subjects in turn. The two parts are more or less equal in length, but very different in terms of their atmosphere. On the other hand, the linguistic and formal molding give rise to the second structure, which does not accord with the first. The “breaking” of the structure reflects the fact that the narrators cannot draw a complete separation between the two subjects: they cannot be satisfied with the answer to the first question, while at the same time remaining frustrated and helpless at the lack of a resolution to the second question. Ultimately, life is a single, complete human experience, and things are intermingled and intertwined. We might even say that the combination of the structures and the “breaking” creates a chaotic effect. Man’s sense of greatness in view of his partnership in Torah, and his sense of smallness at his inability to understand the world and his lack of control over its workings, are intertwined. There may be a positive aspect to this entanglement: it prevents man from coming to think of himself as a god. On the other hand, the paradoxical chaos itself also frustrates man and diminishes his stature. In any event, the human experience is complex, and this complexity is reflected in the story.

1. **The choice of knowledge and unfathomable life**

Perhaps we can connect the two sides of this story with the two central pillars of the story of the Garden of Eden: the Tree of Knowledge of Good and Evil, and the Tree of Life. The Tree of Knowledge, which might be understood as symbolizing Torah, is ultimately accessible to man; man comes to know good from evil (though he achieves this originally through sin, not with God’s permission). Indeed, the distinction between good and evil is a central theme in the Torah. However, the Tree of Life, which we might understand in this context as the understanding and control of the workings of life itself, remains beyond man’s grasp.

A *midrash* that appears in a few different places in the Talmud teaches that as *Am Yisrael* stood at Mount Sinai, the pollution introduced by the primal serpent passed from them. One version states:

R. Yochanan taught: When the serpent came upon Chava [i.e., engaged in intercourse with her], it inserted its filth into her… When Israel stood at Mount Sinai, their filth ceased. (*Avoda Zara* 22b)

What is the connection between the Revelation at Sinai and the sin of the Garden of Eden and the serpent? The subject of the serpent’s relations with Chava and its pollution of her and her offspring is of course not our focus here. However, we may point out the connection between intercourse – which, in the Torah, is associated with knowledge (“And the man knew Chava, his wife” – *Bereishit* 4:1) – and the eating of the Tree of Knowledge. The serpent’s relations with Chava may therefore be a symbol of the sinful eating of the Tree of Knowledge. As often happens in the sexual realm, the sin may lie not in the act itself, but rather in the framework, timing, and manner in which it takes place. In this instance, the eating from the Tree of Knowledge happened before it was supposed to. At this stage, God had forbidden it to them; the time was not yet right. Perhaps man was eventually supposed to eat from this Tree; perhaps God wanted to imbue man with knowledge and the choice between good and evil, which are central to what defines him as man. But the goading of the serpent – or the evil inclination – caused Adam and Chava to partake of the fruit before the time was right, while it was still prohibited.

One aspect of improper sexual relations, driven by physical urge alone, is its one-sidedness. Sexual intercourse should be a mutual experience, with both parties agreeing, giving, and receiving. Where the experience is one-sided, one party is wrapped up entirely in his own experience and pleasure. In this context we might also view the serpent as a symbol of a closed circle – like the Ouroboros, the ancient symbol of the snake with its tail in its mouth, creating a closed circle. The “pollution of the serpent” is this static, impenetrable state. This is what it looks like when man partakes of the fruit of the Tree of Knowledge – and knowledge itself – instead of receiving it from God. The repair of this primal fault comes at Mount Sinai. The receiving of Torah as a gift from God is like a renewed receiving of knowledge, a taste from the Tree of Knowledge – this time lawfully, and as an act of giving.

In the wake of the repair of knowledge, man becomes a partner with God in that knowledge, which is Torah. R. Akiva engages fully in this partnership, making active and creative use of it, and always connecting it back to its source, to the nourishment from the original Tree of Knowledge – the Torah, God’s share in the partnership.

Because of the sin, man did not merit to eat of the Tree of Life. According to the interpretation proposed here, the realm of the Tree of Life, which relates to understanding the vagaries of man’s life and his fate, the causality guiding them and the control over them, remain closed off to him.

1. **The broader context of the *sugya***

The Mishna, discussing the *parshiot* of the Torah that are written on a *mezuza* and in *tefillin*, stipulates that missing portions invalidate the *mezuza* or *tefillin*:

[Concerning] the two *parshiot* in a *mezuza* – “*Shema*” and “*Ve-haya im shamo’a*” – the [absence of] one invalidates the other.

Moreover, if even a single letter is written incorrectly or missing, it invalidates [the whole].

Likewise concerning the four portions in tefillin: “*Shema*,” “*Ve-haya im shamo’a*,” “*Kadesh Li*,” “*Ve-haya ki yeviakha*”: [the absence of] one invalidates the others; even one letter can invalidate the whole. (*Menachot* 3:2)

The Gemara questions the need for the Mishna to stipulate this *halakha*, since it would seem self-evident:

“The two *parshiot* in a *mezuza* – ‘*Shema*’ and ‘*Ve-haya im shamo’a*’ – the [absence of] one invalidates the other.” But isn’t this obvious?! R. Yehuda said, in the name of Rav: This [*mishna*] is necessary only to teach that the same applies (even) to the ‘*kotz’* (the tiny tail) of the ‘*yod’*. But this, too, is obvious (since if even part of a letter is missing, the writing is invalid)! Rather, it is necessary to teach another *halakha* taught by R. Yehuda in the name of Rav. For R. Yehuda said in the name of Rav: Any letter that is not encircled with (blank) parchment on all four sides [i.e., it is joined to another letter] is unfit.” (*Menachot* 29a)

From the *halakha* in the *mishna* and the discussion of it in the *sugya*, we learn the halakhic importance of each and every letter. The absence of even part of a single letter renders the entire *mezuza* or *tefillin* invalid. This halakhic statement is complemented by the message of the story – that every letter has importance in God’s eyes, and every letter serves as a basis upon which R. Akiva goes on to derive halakhot. The *sugya* also stipulates that every letter must be surrounded by blank space. Perhaps this hints to the “space” left by the Writer – God Himself – between the letters, between the words, between the lines, for man, who studies Torah. There is room for his thoughts, his ideas, his doubts and questions, and the creation that he generates from the letters of the Torah.

Thus, the *halakha* and *aggada* in this *sugya* complement one another, representing two sides of the same idea. The *halakha* sets down the norm, while the *aggada* fills in the conceptual side that is the background to the norm and explains the deeper meaning behind it.

In the next *shiur* I will continue discussion of this *aggada*, comparing the ideas arising from the analysis here with thoughts arising from one of R. Nachman’s stories.

(Translated by Kaeren Fish)

1. Jeffrey Rubenstein, *Stories of the Babylonian Talmud*, Baltimore, 2020, p. 201. [↑](#footnote-ref-1)