

Parsha: Yitro

Rabbi Jonathan Sacks Z"TL

Shemot (Exodus) 18:1-20:23

The parsha of Yitro records the revolutionary moment when God, Creator of Heaven and Earth, entered into a mutually binding agreement with a nation, the Children of Israel, an agreement we call a brit, a covenant.

Now, this is not the first Divine covenant in the Torah. God had already made one with Noah, and through him all of humanity, and He made another with Abraham, whose sign was circumcision. But those covenants were not fully reciprocal. God did not ask for Noah's agreement, nor did He wait for Abraham's assent.

Sinai was a different matter. For the first time, He wanted the covenant to be fully mutual, to be freely accepted. So we find that - both before and after the Revelation at Sinai - God commands Moses to make sure the people do actually agree.

The point is fundamental. God wants to rule by right, not might. The God who brought an enslaved people to liberty seeks the free worship of free human beings. God does not act toward His creatures like a tyrant. **Avodah Zarah 3a**

So at Sinai was born the principle that was, millennia later, described by Thomas Jefferson in the American Declaration of Independence, the idea that governors and governments derive "their just powers from the consent of the governed." That is why the Sinai Covenant was conditional on the people's agreement.

Admittedly, the Talmud questions how free the Israelites actually were, and it uses an astonishing image. It says that God suspended the mountain above their heads and said, "If you agree, well and good. If you don't, here will be your burial." That is another topic for another time. Suffice it to say there is no indication of this in the plain sense of the text itself. What is interesting is the exact wording in which the Israelites signal their consent.

To repeat: they do so three times, first before the Revelation, and then twice afterwards, in the parsha of Mishpatim. Listen to the three verses. Before the Revelation:

"All the people answered as one and said, 'All that God has spoken, we will do [na'aseh]."
(Ex. 19:8)

Then afterward:

“Moses came and told the people all of God's words and all the laws. The people all responded with a single voice, 'We will do [na'aseh] every word that God has spoken.”

(Ex. 24:3)

“He took the Book of the Covenant and read it aloud to the people. They replied, 'We will do [na'aseh] and we will hear [ve-nishma] all that God has declared.”

(Ex. 24:7)

Note the subtle difference. In two cases the people say: all that God says, we will do. In the third, the double verb is used: na'aseh ve-nishma. "We will do and we will hear, (or obey, or hearken, or understand)." The word shema means 'to understand', as we see in the story of the Tower of Babel:

"Come, let us descend and confuse their speech, so that one person will not understand another's speech." (Gen. 11:7)

Now note that there is another difference between the three verses. In the first two cases there is a clear emphasis on the unity of the people. Both phrases are very striking. The first says: all the people answered as one. The second says, The people all responded with a single voice. In a book that emphasises how fractious and fissiparous the people were, such declarations of unanimity are significant and rare. But the third verse, which mentions both doing and listening or understanding, contains no such statement. It simply says: They replied. There is no emphasis on unanimity or consensus.

What we have here is a biblical comment on one of the most striking features of all in Judaism: the difference between deed and creed, between asiyah and shemiyah, between doing and understanding. Christians have theology. Jews have law. These are two very different approaches to religious life. Judaism is about a community of action. It is about the way people interact in their dealings with one another. It is about bringing God into the shared spaces of our collective life. Just as we know God through what He does, so God asks us to bring Him into what we do. In the beginning, as Goethe put it,

was the deed. That is why Judaism is a religion of law, because law is the architecture of behaviour.

When it comes, however, to belief, creed, doctrine, all the things that depend on shemiyah

rather than asiyah, understanding rather than action: on this Judaism does not call for unanimity. Not because Judaism lacks beliefs. To the contrary, Judaism is what it is precisely because of our beliefs, most importantly the belief in monotheism, that there is, at least and at most, one God. The Torah tells us in Bereishit about creation, in Shemot about redemption, and in this week's parsha about revelation.

Judaism is a set of beliefs, but it is not a community based on unanimity about the way we understand and interpret those beliefs. It recognises that intellectually and temperamentally we are different. Judaism has had its rationalists and its mystics, its philosophers and its poets, its naturalists and its supernaturalists: Rabbi Ishmael and Rabbi Akiva, Judah Halevi and Maimonides, the Vilna Gaon and the Baal Shem Tov. We seek unanimity in halachah, not in aggadah. Na'aseh, we act in the same way, but nishma, we understand each in our own way. That is the difference between the way we serve God, collectively, and the way we understand God, individually.

What is fascinating is that this well-known feature of Judaism is already signalled in the Torah: in the difference between the way it speaks about na'aseh, "as one," "with a single voice," and nishma, with no special collective consensus.

Our acts, our na'aseh, are public. Our thoughts, our nishma, are private. That is how we come to serve God together, yet relate to Him individually, in the uniqueness of our being.