

From Line to Law: Moses and Rabbi Akiva

Jaclyn Rubin | Parshat Mishpatim 5775

Jaclyn Rubin ('02) is currently completing an MA in early childhood education at BU. She has spent time learning at Matan, Yeshivat Hadar, and many other places of Torah. Jaclyn is an past AVF grantee for projects including Sod Siach (an independent minyan) and Yeshivat Talpiot (an egalitarian yeshiva) in Jerusalem.

Parshat Mishpatim begins with a list of laws and details. In a seeming manifestation of the fine details and intricacies that appear in our parashah following the excitement and ephiphany of meeting God at Mt. Sinai, the Rabbis tell a story about the crowns that top the Hebrew letters in the Torah:

אמר רב יהודה אמר רב: בשעה שעלה משה למרום, מצאו להקב"ה שיושב וקושר כתרים לאותיות, אמר לפניו: רבש"ע, מי מעכב על ידיך? אמר לו: אדם אחד יש שעתיד להיות בסוף כמה דורות ועקיבא בן יוסף שמו, שעתיד לדרוש על כל קוץ וקוץ תילין תילין של הלכות. אמר לפניו: רבש"ע, הראהו לי, אמר לו: חזור לאחורך. הלך וישב בסוף שמונה שורות, ולא היה יודע מה הן אומרים, תשש כחו; כיון שהגיע לדבר אחד, אמרו לו תלמידיו: רבי, מנין לך? אמר להן: הלכה למשה מסיני, נתיישבה דעתו. חזר ובא לפני הקדוש ברוך הוא, אמר לפניו: רבוננו של עולם, יש לך אדם כזה ואתה נותן תורה ע"י? אמר לו: שתוק, כך עלה במחשבה לפני. אמר לפניו: רבוננו של עולם, הראיתני תורתו, הראני שכרו, אמר לו: חזור [לאחורך]. חזר לאחוריו, ראה ששוקלין בשרו במקולין, אמר לפניו: רבש"ע, זו תורה וזו שכרה? א"ל: שתוק, כך עלה במחשבה לפני.
(מנחות כט:)

R. Yehudah said in the name of Rav: When Moses went up to the heights, he found God sitting and attaching crowns to the letters. He said, "Master of the Universe, who is delaying You [from giving the Torah]?" God said to him, "There will be a man in the future, several generations from now, whose name is Akiva ben Yosef, who will interpret each and every line into many laws." Moses said, "Master of the Universe, show him to me." God said, "Turn around." Moses sat at the end of the eighth row, and he didn't understand what they said; his strength was weakened. When they got to a certain topic, his students said, "Rabbi, from where do you learn this?" He said: "It is the law of Moses from Sinai." Moses was comforted. He returned before God and said, "Master of the Universe,

02/13/15

You have a man like this, and You give the Torah through me?" God replied, "Quiet! This is what has arisen in My thoughts." Moses said, "Master of the Universe, You have shown me his Torah; show me his reward." God said, "Turn around." Moses turned around and saw that they were weighing his flesh in the meat market. Moses said, "Master of the Universe, this is Torah and this is its reward?" God said, "Quiet! This is what has arisen in My thoughts."

(Menahot 29b)

Such a scenario, where Rabbi Akiva is attributed both with interpreting directly from the written Torah that God is portrayed as writing God's self, and from the traditions passed down beginning with Moses standing on Mt. Sinai, represent a tension in Jewish tradition and law. On the one hand, Torah is what has been passed down, an invaluable treasure that we have received from those most important to us; on the other hand, tradition and law that cannot change and adapt to present situations become easily antiquated and lose value. Thus, Rabbi Akiva can, in addition to citing Moses on Sinai, introduce new laws that are based on the original written word, skipping over any tradition and going back to what God has added directly, teaching something that would be incomprehensible to those who came before him. (See [this post](#) by Yaakov Mascetti comparing literary analysis and Hamlet to our role in interpreting Torah and discovering truth.)

And yet, even when Rabbi Akiva can learn mounds of laws from the written word, from marks Moses sees as superfluous, Moses appreciates that such laws—which he himself doesn't understand—are traced back to him. He realizes that he has started something, that he has something of value worth passing down. However, even with this comfort, Moses returns to God and asks why the Torah is to be given through him, when he can attest to the existence of others greater than him. God refuses to give an answer, saying only this is God's will. Moses has value in God's eyes, and so God gave Moses the Torah to pass on to Israel. It is not something which is up for debate. It is, in a sense, the same argument Moses has with God when he is first appointed to lead Israel: Moses begs God to pick someone else, but God responds, "Who gave humans a mouth; who makes a person unable to speak, deaf, seeing, or blind? Is it not Me, God?!" (Ex. 4:11). Moses feels unworthy, but God has chosen him and there is no debating.

What do we make, then, of God using the same response when Moses sees the fate of Rabbi Akiva? On some level, we can never comprehend God's motives, whether they

02/13/15

result in a positive outcome or a negative outcome. However, this does not mean we can ever justify or must simply accept such tragedy in the world. In a liturgical poem recited on Yom Kippur, *Eleh ezkerah*, which recalls the martyrdom of several rabbis, including Rabbi Akiva, we hear the same lack of explanation from God: in response to the same question Moses asks above, this time in the mouths of angels—Is this the Torah and this its reward?—God responds, “If I hear another sound, I will turn the world into water!” I would argue from such a response that—knowing as we do from God’s promise to Noah in Genesis that God will never again destroy the world by flood—God threatens to destroy the world with God’s tears, that if God hears such protest with which God cannot argue, God will break down emotionally. Further, as angels don’t have free will, putting such protest in the mouths of angels essentially transforms this into an argument God is having with God’s self. The elusiveness, then, does not imply a specific reason for suffering, nor does it imply total anarchy in the world. It is something beyond our ability to comprehend, but it is not something against which we should not offer our protests.

Moses, faced with Rabbi Akiva and the Torah that will come from him, cannot understand why God has put so much responsibility and honor on his shoulders. Why is he the leader, and why is he giving the Torah over to Israel from God? There are others who Moses feels are worthier. Yet God chooses Moses. God sees something special in him; perhaps, knowing how humble Moses is from elsewhere, God wants us to know that even the most humble, those who think they have nothing to give, those who even stumble in their speech, have a lot to contribute. Each of us is the inheritor of the Torah of Moses; while each of us may not be a Rabbi Akiva, we all have a voice in the maintenance and innovation of tradition.

Copyright © 2015 BYFI, All rights reserved.

You are receiving this email because you opted in when your child was selected as a fellow for The Bronfman Youth Fellowships in Israel.

Our mailing address is:

BYFI
163 Delaware Ave
Suite 102
Delmar, NY 12054

[Add us to your address book](#)

02/13/15

[unsubscribe from this list](#) [update subscription preferences](#)