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Statecraft and Revelation: Sanctioned Violence in Parshat Yitro

By Emily Bell, Class of 2027

The second to last pasuk in Parshat Yitro brings us a curious halakha: "And if you build for Me a stone altar, do not build it of cut stones, for by wielding a cutting tool (charb'kha) over them you have profaned them (Shemot 20:22)."

The Mishna in Middot codifies this law, as it recounts the process of building the altar in the Beit HaMikdash with stones from the valley of Bet Kerem:

> They brought from there whole stones, above which no iron tools had been raised, since iron disqualifies by mere touch…since iron was created to shorten a person's days, and the altar was created to lengthen a person's days, it is not fit to raise that which shortens over that which lengthens (Mishna Middot 3:4).

Rashi offers a similar explanation: since the altar creates peace between Bnei Yisrael and their father in heaven, it is not appropriate to construct it using a weapon of war. These explanations are reading into the two potential meanings of the word charb'kha in the pasuk: the noun cherev can mean both a tool used to cut stone, or a sword or knife. As a linguistic root (shoresh), Ch.R.V. refers to destruction, as in churban. Ramban sees this meaning in our pasuk, arguing that the sword is "hamachariv ha'olam"—the destroyer of the world. For these reasons, it cannot be used to create what will be a site of peace and wholeness—the altar upon which the Israelites will commune with the Divine.

Of course, the altar of peace is also a site of slaughter; our communion with the Divine realized in the fresh, hot blood sprinkled across its side—hardly a peaceful setting for the animals sacrificed for this purpose. The Torah's concern with using a weapon to build the altar seems at odds with the altar's ultimate deadly purpose.

This seeming contradiction reflects an important tension in Parshat Yitro. Alongside the description of the revelation at Sinai, the parsha is preoccupied with legislating boundaries on different forms of violence within the Torah's nascent legal system. We see throughout the parsha a tension when it comes to violence. On one hand, there is the Torah's concern, voiced by Moshe's father-in-law, Yitro, with promoting peace among the people and preventing authoritarianism. On the other hand, the Torah sanctions specific forms of violence such as the laws of sacrifice and the establishment of a judicial system with the authority to mete out corporal and capital sentences.

We also see this tension in the terrifying scene in which the Israelites receive the Torah at Mount Sinai. The Israelites stagger back from the mountain and plead with Moshe from a distance: "You speak to us and we will obey, but let not God speak with us lest we die (Shemot 20:16)." The pasuk suggests that

this moment of awesome and sublime connection with God is also bound up with mortal danger. The Talmud in Tractate Shabbat reads an even more explicit threat into the revelation of God's law at Sinai:

> Rabbi Avdimi bar Hama bar Hasa taught that the Holy Blessed One overturned the mountain like over them like a barrel (har k'gigit) and said "if you accept the Torah, good, and if not, there will be your grave" (Shabbat 88a).

The revelation of God's law at Sinai comes with the threat of violence. At the very moment in which the Israelites accept a legal mandate to build a just and peaceful society, the rabbis read explicit coercion and a show of deadly force. What are we meant to take away from such a paradox?

We can understand this threatening moment as another opportunity for the text—and us—to examine the ways in which violence is always present in some manner in a legal system. By necessity, a state is an entity with the exclusive monopoly on violence in a particular area. It must wield violence selectively in order to maintain order and protect the peace. To that end, the beginning of our parsha is concerned with drawing boundaries around which forms of violence will be sanctioned in the new legal system.

In the revelation on the mountain, we see another side to how deadly force undergirds the legal system that the Torah is trying to construct. Indeed, the Torah almost always situates revelation within the text alongside instances of violence—the Akeidah (binding of Isaac) and God's expanded covenant with Avraham, Moshe's killing of the Egyptian and subsequent encounter with God at the Burning Bush, and here, the violence that the rabbis read into the giving of the law. Just as violence is inherent to the practice of statecraft, revelation in the Torah is inherently a moment of violent disruption, and the stones of the altar drip with the blood of the animals whose deaths draw us close to the divine.

In each of these cases, the potential for violence exists alongside the potential for transcendence. The prohibition on wielding cutting tools over the altar stones reflects the rabbis' attempt to negotiate this tension via halakha. In this way, Parshat Yitro draws our attention to the ways in which statecraft necessarily sanctions certain forms of violence while prohibiting others, and encourages us to examine what forms of violence we are willing to stomach in the name of law and order.

Emily Bell has a passion for Jewish texts going back to her days as an undergraduate studying Yiddish literature. She currently serves as Programming Director at Congregation Orach Chaim, a shul on the Upper East Side. Emily is a UJA Graduate Fellow and Hadar Institute Binyan Olam Fellow, and completed one unit of Clinical Pastoral Education at Mount Sinai Morningside. She holds a BA in Comparative Literature and Jewish Studies from Smith College.