



## **D'var Torah Yitro by Robbie Fein**

### **Feb. 3, 2024**

Drashanim on Parashat Yitro often talk about leadership in connection with Yitro's advice to Moshe. I hope to show you today that the Torah is teaching us that the Torah's own law in the absence of a culture of acceptance is meaningless.

To do this, I want to develop some ideas of leadership and some ideas about where the Torah is trying to take us. I draw on the work of the organizational theorist Peter Drucker who famously said that the only definition of a leader is "someone who has followers." Based on his work, I want to suggest that the Torah is not all that interested in leadership. As Drucker would put it, the Torah is interested in followership. The idea is that if you build a strong culture from below, you get the leaders you deserve. In other words, if you build a strong community infused with Torah values, you end up with a leader like (PAUSE for answer) – Judah Levine – or Steph Listokin. BTW, neither Judah nor Steph paid for this plug or even knew about it for that matter.

We get a hint of this point on leadership in the second Aliya. Yitro recommends to Moshe that he delegate authority in judicial decision making. I believe that the key to the portion lies not in his recommendation but his diagnosis of the problem. Yitro says: "Min ha-davar hazeh asher atah asah l'am – what is this thing that you are doing for the people? Madua atah yosheiv l'vadechah vchol ha'am nitzav alechah – Why do you sit alone while all the people station themselves about you? Moshe answers that all the people are inquiring of God about their legal matters.

The key in the diagnosis is not just the lack of delegation but that Moshe has set himself apart -- that the people don't stand before him but nitzav alechah – position themselves about him. In the Torah, the verb Nitzav is used versus Amad to show that you are positioning yourself before an authority figure. The relative status of Moshe and the people is politically unacceptable because it doesn't allow for the development of a community.

I believe that the Book of Shemot ultimately is about establishing the basis for our community – in essence a culture in support of community development. Let's spend a minute on last week's parasha to reinforce this point. Why does God harden Pharaoh's heart? Why do we learn before shirat ha-yam that the people see and fear and believe. And, why do we learn in B'shalach that God will be honored through the defeat of Pharaoh. As we learn in shirat ha-yam -- so that the peoples we will encounter on our journey will have heard of God's reputation.

Let's look at two ways that the Rabbis make this point in connection with Yitro. First, let's look at the Rabbinic quandary about the order of events relating to Yitro coming to the camp -- and then offering the advice to Moshe on a decentralized judicial overhaul plan. Not such a novel idea, huh? The Talmud in Masechet Zevachim talks about a disagreement between Rabbi Yehoshua and Rabbi Elazar HaModa'i. They both interpret the words of Yitro but explain those words in different ways.

The Parasha begins: Jethro priest of Midian, Moses' father-in-law, heard all that God had done for Moses and for Israel -- God's people -- and how יהוה had brought Israel out from Egypt. Rabbi Yehoshua says that Yitro heard what God had just done for the people in their encounter with Amalek – the end of the prior Parasha. So, his interpretation is in keeping with the order as presented in our text. Rabbi Elazar HaModa'l, on the other hand, says that Yitro's meeting with Moshe occurred after the giving of the Torah – something that the text does not talk about until the next chapter. Of course, I suppose that the Rabbis should not be concerned about that because as Rashi teaches us there is no “before” or “after” in the Torah.

Rashi, however, says that R. Yehoshua and Elazar HaModa'l agree that Yitro came to Moshe before the giving of the Torah and only the Judicial Overhaul timing is a matter of difference. Why would the section appear in our text before the giving of the Torah then?

The Rabbis over the generations have provided many explanations, but I follow Maimonides' explanation. God did not give us all the specifics of the Torah. Of course, many Orthodox Jews would view his interpretation as heresy. I suspect it's not so controversial in our Minyan, however. So, Rambam says that there must be some basic ethical rules that existed before the giving of the Torah. Otherwise, the people would not be prepared to say Na'aseh v'Nishma – that they voluntarily accepted the Torah. So, even if the Judicial Overhaul Plan occurred after the giving of the Torah, the text needs to put it in advance to show that there was a social order in place that made the voluntary acceptance of the Torah meaningful.

How does that fit into the idea of followership? There had to be some basic ethical laws because there had to be a community that was ready to accept the law – to accept, in fact, not Moshe's leadership but leadership guided by the Torah – essentially God's leadership.

The Rabbis also have a disagreement relating to whether the Covenant ceremony that occurs in our Parasha – the Na'aseh v'Nishma moment – occurred at the same time as the Covenant ceremony in Mishpatim or at two separate times. We don't have enough time to go over this in today's Drash but suffice it to say that the Rabbis present their arguments in the context of the laws of conversion – a Halachic framework that did not even exist in Biblical times. In other words, the facts of the Biblical story are almost incidental. The role of the leader is thus diminished because the integrity of Biblical stories is diminished. It's the principles of Torah that underlie our culture. These are the ideas that allow us to get the leaders we deserve -- if we stay loyal to the culture of Torah.

Part of that culture of Torah, of course, is a connection to Eretz Yisrael. I'd like to amplify this point through one Midrash that the Rabbis teach relating to Yitro and through one reference to the proper place to pray at the end of our Parasha. First, the Midrash. Sandy and I recently finished studying this Midrash in a great Project Zug Chavruta learning enabled by Hadar. In the Midrash, the Rabbis say that three characters from Tanakh were miraculously transported to Pharaoh's court to give advice to Pharaoh. One is Bil'am who hatches the genocidal plan. What happens to him? Of course, the Rabbis say he was killed. Another is Job. The text says that he was silent, and the Rabbis say he was judged with torment (consistent with the story of Job in Tanakh). And, what about Yitro? He fled from Pharaoh's court! What did he do? He did exactly what our people are told to do – L'Tzeit Mitzrayim – to engage in Exodus from Egypt, the paradigmatic Torah story.

Now let's turn to the end of the Parasha in which God instructs: Make for Me an altar of earth and sacrifice on it your burnt offerings and your sacrifices of well-being, your sheep, and your oxen; in **every** place where I cause My name to be mentioned I will come to you and bless you. In other words, who needs the Mishkan or the Temple? You can pray **anywhere**. Of course, Biblical text and history re-writes this narrative. We learn in Devarim that we can only have the Temple at the place that God chooses – which becomes Jerusalem.

So, this Parasha teaches us that the Rabbis can rewrite the text by considering when events occurred in the Torah to fit their understanding of the Torah's message. And, the Rabbis can place Biblical characters in times and places outside of their lives in our text to fit their understanding of the Torah's message. And as we see at the very end of the Parasha, the Torah itself can change its message.

This latter message in the Book of Devarim is in keeping with a message that emphasizes our connection to the land – to the imperative that we must participate in the Exodus from Egypt to go to our land. From this perspective, maybe the English title of the Chumash as the Five Books of Moses is misplaced. Perhaps a better title would be in keeping with the modern Israeli song – Ein Li Eretz Acheret – I have no other land.

As is my tradition and especially because of the current situation, I want to end by quoting from Keren Peles' song Lachzor HaBaita – To Return Home.

<p>From every darkness in the world, I will always have light.</p> <p>Every beginning brings you a prayer – A prayer that I will keep.</p> <p>Every fall only lifts me up. And I will be ready for more -- Of everything that burns below. In the end, one always wants to go home.</p>	<p>... מִכָּל הַחֹשֶׁךְ בְּעוֹלָם, תְּמִיד יִהְיֶה לִי אוֹר</p> <p>כָּל הַתְּחִלָּה נוֹשָׂאת אֶתְּךָ תְּפִלָּה</p> <p>תְּפִלָּה שְׁאֵשְׁמֵר כָּל נְפִילָה אוֹתִי רַק מַעֲלָה וְאֲנִי אֶגְבֶּה יוֹתֵר מִכָּל מָה שְׂבוּעֵר לְמַטָּה</p> <p>בְּסוֹף הַרִי תְּמִיד רוֹצִים לְחֹזֵר הַבַּיְתָה</p>
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Shabbat Shalom!