



Parshat Ki Tisa: Writing a New Torah

Rabbi Dr. Katriel (Kenneth) Brander
President and Rosh HaYeshiva, Ohr Torah Stone
5784 / 2024

Mere days after experiencing the height of divine revelation, the Jewish people transgress. Falling into an idolatrous stupor, they join together to fashion a golden calf, which they worship at the foot of Mount Sinai. Upon his descent from the mountain, Moshe discovers what has transpired, has the participants in the worship executed, and beseeches God not to destroy the people entirely.

In the face of this tragedy and chaos, God responds, according to Rashi ([Shemot 31:18](#)) and others, by commanding the Jewish people to construct the Mishkan, the portable tabernacle within which the Divine presence would rest during their journey through the wilderness and into the land of Israel. While there is a countering view, adopted by Ramban, that the Mishkan was always a part of the divine plan, Rashi and his rabbinic colleagues see within the directive to build the Mishkan a corrective response to the making of the golden calf. What is this meant to reflect?

R. Yehuda Halevi (Kuzari I:97) notes that the Jewish people hadn't meant to abandon God when worshiping the golden calf. Rather, in the aftermath of the revelation at Mount Sinai, the people yearned for a physical manifestation of the divine, just as they had experienced at Matan Torah. The episode of the golden calf came to highlight that the Jewish people had a spiritual need that had been left unmet, a need for a physical medium with which to engage with God. The Mishkan, then, is not merely a means of atonement for the collective sin of the Jewish people, but God's own acknowledgement that, in the wake of this moment of crisis, a new path within Torah observance was needed, one that reflected the spiritual position of the Jewish people themselves.

The instruction to build the Mishkan is inseparable from the very notion of Torah Shebe'al Peh, the Oral Torah, suggests R. Yosef Dov Soloveitchik, more commonly known as the Beit Halevi (Sheilot u'Teshuvot Beit haLevi, Drasha #18). Borrowing from the Midrash Tanchuma (Ki Tisa #34), that the giving of the second set of luchot was the moment when the Oral Torah was first developed, the Beit Halevi contrasts the relationship the Jewish people has with the Torah given with the first luchot, conceived to be totally written without any Oral law, and the reconstituted Torah with the second luchot, in which Torah was divided into two, with a written and an oral paradigm. When we received the first luchot, all of the Torah was intended to be written, assuring that no parts would be forgotten. Our role was merely to serve as the guardians of the sacred text, charged to protect and observe it.



But with the giving of the second luchot, the notion of an Oral Torah was developed, and the Jewish people became, so to speak, the very parchment upon which sections of the Torah were written. We became a part of the ever-expanding Torah, the authors of Torah that, by divine decree, is meant to respond to changes in our own circumstances, a Torah that has eternal divine principles but recognizes contemporary needs as essential to the very formation of Torah. The cataclysm of the golden calf was a “fortunate fall” that generated a new reality, in which Torah itself took on a new divine rooted evolving form.

We, too, have confronted a cataclysm, a shock to our core with ripple effects yet unknown. The reality we face in the aftermath of October 7 and the ensuing war and hostage crisis poses new challenges. We are charged to find the courage to seize this opportunity, foisted upon us but critical nonetheless, to build back our society with unity, to find common ground between the various sectors of our people to ensure our resilience and solidarity in the future. Like after the golden calf, we must use this moment to be committed to grow and deepen the Torah of Achdut, and create new paradigms of engagement. As Rabbi Elchanan Nir of Yeshivat Siach Yitzchak has poignantly written in a moving, post-October 7 poem, [“Now We Need a New Torah.”](#)

Paraphrasing Rabbi Nir: in this moment of crisis, we need a new Torah, a new Mishna, a new Gemara, a new Hasidism, a new Zionism and a new Rav Kook. A new love out of the terrible weeping. As with the second set of luchot, this renewal of Torah will remain rooted in the ancient words of the past, even as it takes new form in the present.

If people of opposing views and backgrounds can share an armored personnel carrier on the frontlines, we can all certainly live together as well. Like with the golden calf incident, evolutionary growth in our relationship with God and with others must arise from this catastrophe. Shared growth, and a better world, must emerge from our great sacrifice.