

The Broken Tablets Go First

Kol Nidre 5783

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Nobody's perfect. That's why we are here tonight. Each of us has done things we are not proud of. We have hurt the people dearest to us. We have spoken and acted harshly. Some have done worse. Some of us have exploited employees or others who are subject to our authority. Some of us have betrayed a spouse. Some have even committed crimes that have harmed other precious souls.

At the outset of tonight's service, with our Torah scrolls standing before us in judgment, right before Kol Nidre was chanted, I read Hebrew words that are poetically interpreted in *Mishkan HaNefesh*, but which are more literally translated: "By the authority of the Heavenly Court and by the authority of the earthly court, by the permission of God and by the permission of this congregation, we hold it lawful to pray with those who have transgressed."ⁱ

A note at the bottom of the page teaches: "The traditional text grants permission to 'pray with the *avaryanim* (transgressors),' for no true community excludes those who have stumbled and fallen."ⁱⁱ The fact is: If wrongdoers were absent, this sanctuary would be empty tonight.

We learn still more when we examine the source of the explicit permission to include transgressors in our service. "Rabbi Meir of Rothenburg, a 13th-century sage, inserted these lines in the liturgy, basing himself on a Talmudic statement that 'a public fast that does not include the sinners of Israel is no fast.'ⁱⁱⁱ We are all, in one way or another, broken people.

Rabbi Meir ripped that Talmud passage out of its illuminating context. The sages are discussing incense burned in the Jerusalem Temple. Just as any Yom Kippur service must include at least one sinner, the rabbis required that Temple incense include at least one foul-smelling spice. The cooks and bakers among us can relate: I do not recommend drinking vanilla extract, but I wouldn't dare leave it out of my grandmother's coffee cake! Similarly, each of us has distasteful behaviors. Only with our transgressions can we be fully present.^{iv}

Sigmund Freud disagreed, at least where Moses was concerned. When Moses comes down from Mount Sinai, the tablets of the Ten Commandments in his hand, he sees the Israelites joyfully venerating the Golden Calf. Enraged, Moses casts the tablets to the ground, shattering them. Freud, though, analyzing Michelangelo's statue of Moses sitting on a pope's tomb, writes that the sculptor has created a "superior" Moses: "He has modified the theme of the broken Tablets; he does not let Moses break them in his wrath, but makes him be influenced by the

danger that they will be broken and makes him calm that wrath, or at any rate prevent it from becoming an act.”^v In short, Freud cannot tolerate an imperfect Moses, so he imagines that Moses never does what the Torah says he does. He wants the biblical hero without the flaws.

Freud’s Moses is not recognizable, though. The Moses we know is a human being, flesh and blood. He would be incomplete without his transgressions and without the anger that impels him to throw the tablets to the ground. Sometimes, he leads with his flaws.

In the Talmud, a rabbi known as Resh Lakish says that, when Moses shattered the tablets, God said, “*yashar koach* [--that is, “good job”--] that you smashed the tablets.”^{vi} An early modern rabbi, Meir Simcha HaKohen of Devinsk, explained that, when Moses saw the Golden Calf, he feared that, even if he could get them to turn away from the calf, they would turn the tablets of the commandments into an idol.^{vii}

God does, however, want the people to have the tablets, instructing Moses, “Carve two tablets of stone like the first, and come up to Me on the mountain; and make an ark of wood. I will inscribe on the tablets the commandments that were on the first tablets that you smashed.”^{viii} God reminds Moses of his anger, that quality he carries with him always, for good and for ill. Then, God says, “and you shall deposit **them** in the ark.” While one could imagine that “them” refers only to the new tablets, it comes right after mention of the broken ones. Our sages insist that God intends that the ark will house not only the new tablets, but also the broken ones.^{ix}

Only one vessel is more sacred than the holy ark, and that is the human being, the mortal container of our precious, immortal, holy souls. This ark, carrying broken tablets and whole ones, is a metaphor for each of us, containing as we do our greatest goodness and our most deplorable flaws and wrongdoing. We are no less holy, no less created in God’s image, for being imperfect. Instead, we would be incomplete without our own unique shortcomings. We cannot, after all, come before God on Yom Kippur without them.

A seventeenth-century commentator, Shabbetai Bass, noticed a problem. Torah tells us that Betzalel, the artisan of divine inspiration, builds the ark. But didn’t we just read that Moses built the ark? Bass resolves the problem: There are two arks—one made by Betzalel, carrying the second set of tablets, the full one; and the other, made by Moses, holding the shards of the broken tablets. When the Israelites would go out to war, the ark with the broken shards would go in front of

the people as their leader, while the second set of tablets was protected in the middle of the pack.^x

On this Kol Nidre night, each of us goes out to battle with ourselves. We carry our misdeeds right out front: Only if we expose our wrongdoing can we work not to repeat it. Still, every human being is flawed. Our imperfection is part of what makes us holy and whole. Even with success in our repentance on Yom Kippur, we will not erase every part of us that brings pain to us and to others. We carry our brokenness with us everywhere we go, enshrined in the ark of our whole and holy selves.

Amen.

ⁱ Rabbi Dalia Marx, Ph.D., “The Bayit and the K’neset,” *Mishkan HaNefesh*, p. xvii.

ⁱⁱ *Mishkan HaNefesh*, p. 16.

ⁱⁱⁱ *Kritot 6b*.

^{iv} Ideas in this paragraph derived from [Praying with Sinners / LeHitpallel im HaAvaryanim | Sefaria](#)

^v Sigmund Freud, “The Moses of Michelangelo, text provided by Rabbi Leon Morris, “Shattering the Tablets: Our Model for Jewish Life and Learning,” Central Conference of American Rabbis webinar, October 19, 2021.

^{vi} *Bava Batra 14b*. Also Rashi to Deuteronomy 34:12. Texts provided by Rabbi Leon Morris.

^{vii} R. Meir Simcha HaKohen of Devinsk, 1843-1926, text provided by Rabbi Leon Morris.

^{viii} Deuteronomy 10:1-2.

^{ix} *Menachot 92a-b*

^x Siftei Chakhamim on Numbers 10:33. Text provided by Rabbi Ulrike Offenber, “Textual Study about the Broken Tablets,” HUC-JIR Asif Seminar, Ein Tzukim, Israel, July 19, 2022.