

## PARASHAT SHOFTIM

### The Prohibitions of "Ashera" and "Matzeva"

By Rav Mordechai Sabato

You shall not plant for yourself an "ashera," any tree next to the altar of the Lord your God that you shall make for yourself.

Nor shall you erect for yourself a "matzeva" (pillar), which the Lord your God hates. (Devarim 16:21-22)

In this shiur we shall examine the significance of these two prohibitions and their reason. Let us first clarify the location of these verses in their broader context.

#### VERSES THAT SEEM OUT OF PLACE

Parshat Shoftim opens with a command to appoint judges and court officers; this topic is covered in chapter 16, verses 18-20. The subject of law and judges is discussed again in chapter 17, verses 8-13. In the first section the Torah commands that judges be appointed "in all of your gates." The second section emphasizes the role of the kohanim and the judge who are to be found "in the place that God will choose" as a court that rules in matters of doubt that arise "in your gates." Hence the Torah prescribes a legal system that consists of two circles. The outer circle involves the establishment of courts in "all of your gates," while the inner circle describes a court that is located in the "place that God will choose" (i.e. the Temple), which serves as the final arbiter in all matters of doubt arising in the courts that are "in your gates." It is this court that Chazal refer to by the name "Beit Din ha-Gadol" – the High Court.

Between these two sections, which are strongly related to one another, we find a few verses whose connection with the subject of law is unclear. These verses may be divided into three sections:

16:21-22 – the prohibitions of ashera and matzeva;

17:1 – prohibition of sacrificing a blemished animal;

17:2-7 – what is to be done with an idolater.

The location of these verses, right between two sections dealing with law and judges, requires explanation.

Moreover, these sections would seem to fit better into other locations altogether in Sefer Devarim.

a) The section on the idolater would seem better suited to chapter 13 (after verse 1), which deals with the punishments of those who instigate idolatry and a city that is wholly involved in idolatry.

b) The prohibitions of ashera and matzeva are also well suited to the concluding verses of chapter 12 and the opening of chapter 13, where the Torah forbids us to learn ways of Divine service from the other nations. For example, the Torah mentions one of their practices, child sacrifice - a form of worship that the Torah defines as something "abominable to God, that He hates." This expression, "that He hates," appears again in the prohibitions of the ashera and matzeva (it appears nowhere else in the Torah), and obviously the connection is that here too we are forbidden to serve God in the wrong way.

c) Chapter 17, verse 1 also mentions a form of service that is unacceptable: the sacrifice of a blemished animal, which is also defined as "an abomination to God."

Thus we find that all the verses dividing the two sections in our parasha pertaining to the legal system could be interposed between 13:1 and 13:2. The first two sections (16:21–17:1) would relate to the previous subject, forbidden forms of Divine service, while the third section (17:2-7) would begin the next section – idolatry.

#### THE SIGNIFICANCE OF THE PROHIBITIONS OF ASHERA AND MATZEVA

Let us leave aside for the moment the question of the location of these verses, and turn our attention to the significance of the prohibitions of ashera and matzeva.

The stylistic similarity between the wording of the two prohibitions would appear to point to a thematic similarity between them as well. I would like to propose an explanation of these two prohibitions that takes this similarity into account.

"You shall not plant for yourself an ashera, any tree next to the altar of the Lord your God that you shall make for yourself." What exactly is this ashera, and what is a person's intention in planting it next to the altar of God?

Let us first clarify the meanings of the word ashera in the Tanakh. This word is mentioned in two different contexts: in most instances it refers to a tree, as we understand from our verse. But in Melakhim I 18:19, we find the expression "prophets of the Ashera," parallel to the expression

"prophets of the Ba'al," and hence we conclude that Ashera is the name of a goddess, just as Ba'al is the name of a god. Elsewhere (Melakhim II 23:4) we find, "And the king commanded Chilkiyahu the Kohen Gadol, and the secondary kohanim, and the gatekeepers, to remove from God's Temple all the vessels made for Ba'al and for Ashera and for all the host of the heavens, and he burned them outside Jerusalem..." From here, too, we learn that Ashera was the name of a goddess.

This explanation fits in with what we glean from ancient Near Eastern literature: Ashera is the name of a well-known goddess in the Canaanite pantheon, whose status in some respect is parallel to that of Ba'al.

What is the relationship between the two contexts of this name in Tanakh - the name of a Canaanite goddess, and a tree that serves as a religious object, and is planted next to the altar?

Perhaps we should adopt the view that this tree represented in Canaanite culture the presence of this goddess. Its placement next to the altar signified the goddess to whom the sacrifices were offered.

We may assume that the function of the matzeva, a pillar or monument, in Canaanite worship should be explained in a similar manner. In two places we find the expression "matzeva of the Ba'al" (Melakhim II 3:2, and 10:27). It seems, therefore, that just as the tree called ashera expressed, in idolatrous worship, the presence of the goddess Ashera, so the matzeva of the Ba'al expressed the presence of the god Ba'al. Both were located next to the altar to symbolize the gods to whom the sacrifices were offered.

According to the literal reading, the prohibitions of ashera and matzeva are not prohibitions of idolatry itself, but rather of imitating the ways of the nations in our service of God. Likewise, the wording of the verse, "that He hates," implies that there is something intrinsically wrong with these forms of worship, just as there is a moral flaw in child sacrifice, concerning which we are similarly commanded, "that He hates."

Let us now combine these observations to propose a broader interpretation of the text. The Torah addresses the Jew who wishes to worship God and believes that he would do well to convert the practices of the nations into a form of Divine worship, as it is written, "How do these nations serve their gods? Let me do the same." This person believes that in order to emphasize and publicize the fact that he is sacrificing to God, he should ensure that he has something like an ashera and a matzeva – but in a sense that is appropriate for Divine service. Thus the ashera and matzeva, which in Canaanite worship symbolized the Canaanite gods, would now symbolize the presence of God.

This is precisely the direction of thought that the Torah wishes to negate. These objects and this view are what are described in the Torah as what "God hates."

The intrinsic defect in this way of thinking lies in the effort to attach an image to God, even if only through imitation. The root of this prohibition is to be found in the following verse:

You shall guard your souls carefully, for you did not see any image on the day that the Lord your God spoke to you at Chorev from amidst the fire; lest you become corrupt and make for yourselves a sculpture, an image of any symbol. (Devarim 4:16)

Thus, we are forbidden to erect objects even if they are meant to represent only the presence of God, as it were, and not God Himself, and even if this action is meant to indicate to Whom we are offering our sacrifices. The importance of the abstract conception of God does not allow for any compromise in this matter.

Hence we may even propose an explanation for the fact that during the period of the patriarchs Avraham, Yitzchak and Yaakov, a matzeva was beloved to God (as evidenced by Yaakov's erection of a matzeva at Beit El), while later on it became something hateful. In explaining this, we shall adopt a principle laid down by Rav S.R. Hirsch (Bereishit 28:18) and Rav A.Y. Kook (Iggerot 3:10, #746), namely, that there is a difference between worship of God during the period of the Patriarchs and His worship by their descendants. The role of the Patriarchs was to publicize the Name of God in the world, and to emphasize His presence. At this stage, the need of the hour was specifically to emphasize God's presence in the world, even utilizing objects that represented His presence symbolically. At a later stage, after the Name of God became known in the world, it became important that specifically the abstract dimension of the God of Israel be emphasized, and therefore ashera and matzeva were prohibited.

In contrast to the matzeva, we find no evidence that the Patriarchs planted an ashera. Indeed, Chazal (Sifrei, Devarim 146) mention only the matzeva that was first beloved, while the ashera was hateful even during the period of the Patriarchs. But since the Torah juxtaposes these two phenomena, it is appropriate that we clarify whether some positive phenomenon involving the ashera is not also to be found among the Patriarchs.

In this context we must consider what we are told of Avraham: "And he planted a tree ('eshel') in Be'er Sheva, and he called there in the Name of the Lord, the eternal God" (Bereishit 21:33). The literal meaning of the text seems to indicate a connection between the tree and the calling in God's Name. It is therefore likely that the planting of the tree was meant to indicate the sanctity of the place, as an expression of God's presence.

We may now give new significance to Rashi's comment (following the example of Chazal) that "although [the matzeva] had been beloved to Him during the time of the Patriarchs, He now hated it – because it had become a standard for idolatrous worship." During the time of the Patriarchs, the matzeva (and perhaps even also the parallel to the ashera – i.e., the "eshel") had been a beloved symbol, since its function was only to symbolize the presence of God in the world, and to publicize His Name. It had not been meant in any sense as an embodiment of God.

But after the nations made it a standard for idolatrous practices – i.e., after they regarded it as an embodiment of divinity – then it became hateful to God.

#### THE LOCATION OF THE PROHIBITIONS

Let us now return to our original question. Why does the Torah locate the verses dealing with the ashera, matzeva and the blemished animal – as well as the law pertaining to the individual idolater – in between the two sections dealing with law and legal courts?

Concerning the idolater, the answer appears simple: the Torah wishes to illustrate the role of the judge in the most important task of all – obliteration of idolatry, and to emphasize the way he is to convict: "The person shall die at the word of two witnesses or three witnesses; he shall not die at the word of a single witness." Support for this view may be found in the fact that no similar verse is to be found in the three other sections in chapter 13 that deal with the laws of instigators and followers in the paths of idolatry.

What of the three prohibitions that seem out of place? What is common to the ashera, matzeva and the blemished animal is the altar. An ashera cannot be planted, nor a matzeva erected, next to the altar, and a blemished animal is not to be offered upon it. The Torah juxtaposes the laws of the court to the laws of the altar, thereby indicating that both have a single source. The God before Whom you stand, in approaching the altar, is the same God before Whom the judges and the litigants stand: "And the two people who have an argument shall both stand before God and before the kohanim and the judges that shall be in those days" (Devarim 19:17). A hint to this may be found in the fact that the High Court is located in the Temple complex, as well as in the fact that the Torah takes pains to note that in addition to the judge, one is also obliged to listen to "the kohen who stands to serve the Lord your God there." Since judgment belongs to God, His word may be heard via the kohen who stands serving God at that place. (Rav D.Z. Hoffmann also notes that in Shemot 20:24ff there appear laws related to the altar, followed by Parashat Mishpatim, relating to civil law to be applied by judges.)

This explanation may also clarify the juxtaposition of the laws of the perversion of justice with the laws of the perversion of the altar. Just as we are to maintain the purity of the altar, not involving it in elements aimed at embodying God and corrupting our faith, so we are to take care to maintain the purity of law, not to pervert it and turn it into injustice. The purity of law and the purity of the altar are both nourished from the same source. "Zion shall be redeemed in justice" (Yeshayahu 1:27).

(Translated by Kaeren Fish)

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