

ספר

נוראות הרב

חלק חמישי

שלשה שיעורים על עשרת הדברות, חג שבועות, וגאולת ישראל

מאת מרן רבנו יוסף דוב הלוי סולובייציק זצלה"ה

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Preface

These three *Shiurim*, dealing with the *Aseres Hadibros* and *Shavuos*, were delivered, in English, by Rabbi Joseph B. Soloveitchick *Zt"l* (reverently referred to as the Rav, by his countless students and admirers), in 1972 and 1981, respectively. My objective is to publish, in readable form, my impressions of these *Shiurim*, after reviewing audio tapes and various notes taken by the attendees.

I have divided each *Shiur* into different topics, each designated by a Roman Numeral. I have further subdivided each topic into numbered paragraphs, and provided them with appropriate headings. A Table of Contents of the topics and headings is found at the beginning of this volume.

The first *Shiur* discusses the moral implications of the *Aseres Hadibros*. The second *Shiur* discusses certain aspects of *Shavuos*, and the third *Shiur* deals with certain elements of *Mattan Torah*. In order to preserve the tone and flavor of the first *Shiur*, I have retained the language and presentation of the Rav's delivery. The other two *Shiurim* have been substantially modified.

In response to suggestions from readers, I have translated all citations from the *Talmud* and the Commentators, as well as terms of art employed therein. These translations appear in italics. Finally, parenthetical comments made by the Rav, and my suggestions for further references, appear as Footnotes at the bottom of each page.

I am most grateful to the following individuals who invested enormous amounts of time and effort in typing and formatting this work: Faige Klein, Malka Stern, Shoshana (Friedman) Wolnerman, and Aviva Weiser.

I also wish to express my thanks to various students of the Rav, whose modesty precludes them from seeking public recognition, for providing me with many helpful suggestions on this work and the prior works.

I cannot adequately express my boundless gratitude to both my father, Dr. Aaron Schreiber, and my mother, Mrs. Rivka Schreiber. My parents invested so many countless hours on my *Torah* education, that it is impossible for me to ever begin to repay them.

The audio cassettes for these *Shiurim* were supplied by Mr. Milton Nordlicht, who, single handedly, has collected and disseminated hundreds of audio tapes of the Rav. I urge all readers, who have audio cassettes of the Rav, to contact him at (718) 261-7770.

Finally, I must express my admiration and gratitude to my wife, Ricki, for her constant support in all of my endeavors.

Since the transcription reflects my limited understanding of the *Shiurim*, I

implore all readers to attribute any errors or omissions to me. This is intended as a temporary edition. Therefore, I would appreciate that all students of the Rav, especially those who may have been present during these *Shiurim*, provide me with their comments and suggestions, for inclusion in the permanent edition.

I was most encouraged by the overwhelming reception accorded to the four prior volumes of נראות הרב dealing with *Rosh Hashana*, *Chanukah*, *Purim*, and *Pesach*, and hope that this volume will be similarly received. It is my foremost hope that I have portrayed the *Shiurim* in the best possible light, and that I be able to release *Shiurim* of the Rav on the other מעודים, in the very near future.

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שיעור על עשרת הדברות
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[II] THE DIFFERENT ATTRIBUTES REPRESENTED BY הויה AND אלוקים:

Introduction: The task of a Rabbi.

(1) The purpose of this *Shiur* is simply to analyze a few *Rashis* in the *Parsha* of the *Aseres Hadibros*. It is very important for רבנים, people in the educational field, and even *Talmeidei Chachomim* who are already professionals, to delve into דברי חז"ל, *the sayings of our Sages and Rabbis*, and to understand them well. We are very careful concerning *Halacha*; however, we are very negligent as far as *Agadah* is concerned.

We live in an era in which tremendous problems constantly arise. Society is in a state of flux. Many verities are being questioned; many foundations are undermined. There is exploration, a questing for objectives unknown to even the people who do the questing, and the Rabbi's task today is compounded and very complex. It is important that he should be able, not only homiletically, but logically and philosophically, to take modern events and place them in our own Biblical, *Talmudic*, and *Agadic* frames of reference. The ideas which are expressed herein may be well known to all; however, the frame of reference is new.

Rashi equates אלוקים with Judgeship and immediate punishment.

(2) The first *Passuk* of the *Aseres Hadibros* begins:

וידבר אלוקים את כל הדברים האלה לאמר
(שמות: כ', א').

G-d spoke the following words.

Rashi states as follows:

אין אלוקים אלא דיין. לפי שיש פרשיות שבתורה
שם עשאו אדם מקבל שכר, ואם לאו אינו
מקבל עליהם פורעניות. יכול אף עשרת הדברות
כך, תלמוד לומר וידבר אלוקים, דיין להפרע.

The word אלוקים is the term for a judge. There are chapters in the Torah of such a character, that if a person observes the command contained therein, he will receive a reward, and if he never observes them at all, he will not receive punishment on their account. One might have thought that the Ten Commandments are also of such a character, that no punishment will follow upon the infringement of them. Therefore, the Scripture expressly states: G-d spoke. G-d will draw exacting punishment for it.

The first sentence, is quoted from the *Mechilta*. The *Mechilta* added the word
להפרע, to exact punishment.¹ The *Mechilta* reads:

אין אלוקים אלא דיין להפרע.
The word אלוקים is the term for a judge exacting punishment.

The other sentences constitute *Rashi's* explanation of the *Mechilta*.²

(3) What does the *Mechilta* mean that G-d exacts punishment? The
answer is clear. The name אלוקים, is indicative, according to the *Mechilta*, of

¹It is very difficult to guess, but in my opinion *Rashi's* text of the *Mechilta* was identical with ours. *Rashi* simply added commentary.

²At this juncture, the Rav explained the latter portion of *Rashi's* statements, dealing with the difference between optional and mandatory *Mitzvos*. These remarks are contained in Appendix A.

judgement and of a judge exacting punishment. There is punishment for every violation, for every transgression. Conversely, for every fulfillment and implementation of a *Mitzvah*, there is reward. In other words, the sinner is punished, whenever the term אלקים appears in a *Parsha*, or whenever אלקים decrees a law, which prohibits certain actions. The violation of any *Mitzvah* decreed by אלקים is punished during the lifetime of the sinner, בעולם הזה, *in this world*. Retribution is not delayed until man faces his Maker in the World to Come, as is the case with regard to other *Mitzvos*.³ Rather, any violation of those *Mitzvos* which are associated with the name אלקים, precipitates punishment immediately, right here and now. That is what the *Mechilta* means.

Let us analyze this *Mechilta*. אלקים is characteristic of the idea of retribution and reward which come during our lifetime. Why? How does the *Mechilta* know this?

אלוקים governs nature; הויה אלוהים governs man.

(4) *Chazzal* have dwelt many times upon the distinction between the term הויה (*the Tetragrammaton*) and that of אלקים.⁴ The *Ramban* expresses himself succinctly by saying:

היום לעשותם ולמחר לקבל שכר (מסכת עירובין דף כ"ב ע"א),
To practice today, and receive reward tomorrow (i.e. in the world to come).

⁴The *Ramban* quotes the *Medrash* in *Bereishis*, that with the arrival of man upon Earth, the name of G-d, which appeared in the first Chapter of Genesis as אלקים, was expanded into הויה אלקים. The creation of man warranted the addition of הויה to אלקים.

שם מלא על עולם מלא (רמב"ן, ויקרא: א', ט'),
*The complete name began to prevail in a world
which had been completed with the creation of man.*

In other words, as long as man was absent from the world, G-d acted through the attribute of אלקים. However, the very instant that creation was completed by the emergence of man, G-d began to reveal himself, not only as אלקים, but as הויה אלקים. Just as the creation became complete, so had the Divine Name. G-d's relationship to creation is a dual one: as אלקים, and as הויה. Apparently, nature, both inorganic and organic, is ruled by the attribute of אלקים. On the other hand, nature, plus man, who is endowed with logos and speech, is confronted not only by אלקים, but by הויה, as well.

אלוקים denotes the ruler of both the cosmic order and the socio-political order.

(5) What is the distinction between the encounter with אלקים and the encounter of man, or confrontation of man, with הויה? אלקים denotes a relationship of might and power. קל, or even אלקים, in Hebrew, and in *Tanach*, has the connotation of either stupendous might or of socio-political power (i.e. being a judge or a ruler). *Rashi* noted that both these aspects are represented by the name אלקים. He wrote:

ביום עשות הויה אלקים ארץ ושמים. הויה הוא
שמו. אלוקים, שהוא שליט ושופט על כל
(בראשית: ב', ה').
...*On the day on which G-d completed the earth and
heaven... הויה is the genuine name. אלקים has
the connotation of both a ruler and judge.*⁵

⁵הויה is His name, whereas, אלקים signifies that He is a ruler and a judge over all.

In other words, the name of אלקים symbolizes two orders:

- (x) the cosmic order (i.e. אלקים שליט); and
- (y) the socio-political order (i.e. אלקים שופט).

אלקים rules the cosmic order and legislates natural law.

(6) First, אלקים stands for causality, the general principle governing the cosmic drama, in which G-d is the creator and ruler of the cosmos. This general principle is to be found in אלקים. For cosmic space, for cosmic dynamics, for the boundless reservoir of physical energy, for the natural drama, and for the might and grandeur of the universe. In every aspect of the universe, one discovers the fingerprints of אלקים. In this context, אלוקים is the legislator of the natural law or of the mathematical equations which rule all cosmic phenomena, and all cosmic events. אלקים determines physical events. אלקים reveals Himself with the totality of the causal nexus, and through the individual events, per se. What is the natural law about which physics speaks, or chemistry, or biology, if not the expression of G-d's primordial will, which has been embedded in organic and inorganic matter. What is the fall of the stone, the roar of the sea, the flight of the bird, the circular motion of the insect around an electric bulb on a warm summer night, the movement of one finger, or one's urge for food, if not the manifestation of G-d's penetration into the depths of nature?

Violations of the natural law result in catastrophe.

(7) There are certain phenomena which, *prima facie*, appear to be humorous, but within the context of modern society are not funny at all. On the

contrary, they are tragic. I refer to violations of the natural law. In the Biblical lingo, the natural law is expressed by:

ויאמר אלקים יהי וכו',
G-d said, "There shall be (light", etc.).

One can violate not only the moral law or the religious law, but the natural law, as well. Violation of the natural law always results in catastrophe. Rebellion against the rule of אלקים, expressing itself with a causal link to the dynamics of organic and inorganic matter, ends, necessarily, inevitably, in disaster. For example, defiance of the law of gravitation, by leaping from the tenth floor to the sidewalk, will inevitably destroy a human life, instantly. Similarly, a diabetic who neglects to observe a sugar-free diet, will shorten his life and bring about death, if not instantaneously, at least gradually. An alcoholic will finally develop some disease like cirrhosis of the liver, and will end his life tragically. G-d does not tolerate violators and transgressors of the natural law which He has established for the cosmos and man alike. When I am speaking about violators of the natural law, I am not referring to maniacs or psychopaths, with suicidal tendencies, who defy the natural law. I am referring to historical eras, to cultural climates, to hedone minded societies, who are driven almost compulsively to rebel against אלקים, as expressed through the natural law.

(8) What is cultural decadence?⁶ What is it characteristic of? It is,

⁶Usually, when people speak about cultural decadence, they refer to the cultural decadence of late Rome in antiquity. Lately, people have begun to speak about the cultural decadence of the Western World, generally, and about the United States in particular.

of course, characteristic of a tired frustrated society which is over-ambitious, overzealous, who attempt to reach the impossible, who stand on the brink of disaster, and who try very hard to violate the natural law. Decadence expresses itself in a tendency, in a quest, in a compulsive drive, to defy the natural order, or to defy the authority of the one who has decreed that natural order. People try not only to defy the moral law, but the cosmic law as well. What is the curse of pollution? Who polluted the air? Who polluted the water? Not industry, but modern man, technologically minded man, man striving for power, for absolute complete control over the environment. Man who simply defied natural law. What is the evil contained in synthetic additives to food, which in many cases are detrimental to human health? What is wrong with them, from a theological, metaphysical, standpoint?⁷ What is wrong with the drive, the urge, to take toxic or intoxicating drugs? What is the psychological and metaphysical root of such mad urges, such anomalous societal demands? It is not limited, nowadays, to a group of psychopaths; it is now a universal phenomenon, a universal experience. It has penetrated not only the public schools of America, but unfortunately, the *Yeshivos* of America as well. No *Yeshiva*, left or right, is protected or shielded from that curse.

From a theological viewpoint, this originates with the defiance of man, the defiance of the authority of G-d. The defiance expresses itself not only in defying

⁷I am not referring to what is wrong with the food chemically, but what is wrong with it metaphysically.

the moral law, but in transgressing and violating the cosmic law, the natural law. It is a rebellion against the *Rebono Shel Olam*. Such a rebellion which tries to change the natural law, the natural cause of events and things, must end in disaster. אין אלקים, if you try to interfere with the authority of אלקים, as expressed throughout the cosmic fabric of events and phenomena, אלא דיין, להפריע, a very strict severe judge will exact punishment.

In a word, the natural law is basically an existential law. Man cannot reject it, without destroying himself. He either accepts the natural law, or causes the termination of his own existence. This is אלקים שליט.

אלקים rules the political order and legislates moral law.

(9) *Rashi* added, however, that אלקים is not only a שליט, but אלקים is also a שופט, a judge, a ruler of the cosmic order. The name אלקים relates to G-d's activity, not only as a creator, architect, and Master of the Universe, but also as a legislator, king and ruler of human society, of mankind and such. אלקים denotes two characteristics of G-d. On the one hand, אלקים denotes שליט, unrestricted cosmic and energistic might, in that He created, sustains, and supports the universe, and without Him, the creation would be terminated, and the world would be in shambles. אלקים also denotes social sovereignty and unlimited power at the socio-political level as king, almighty ruler and judge.⁸

⁸אלקים, throughout the *Tanach*, is used in both senses. Interestingly, the *Halacha* derived two injunctions from the *Passuk* of:

אלוקים לא תקלל (שמות: כ"ב, כ"ז).

One injunction is against blasphemy, where אלקים refers to G-d. The second injunction is against cursing a human judge, where אלקים is reinterpreted to

As אלקים, *a judge*, G-d is also a lawmaker and legislator.

(10) What law does G-d legislate? As שליט, G-d legislates the natural law, the mathematical equations, the link between phenomena and the cosmos. As שופט, *judge*, He legislates the moral law. This law is not related to the behavior of matter, but to the behavior of man. As matter of fact, inorganic and organic matter are more obedient than man.

We read in *Parshas Noach* about the seven universal laws or principles of morality which were addressed to *Noach* and his children (i.e. the שבע מצוות בני נח, *the Seven Noahide Laws*). It is quite characteristic that, suddenly, the *Torah* there changes the שם הוייה into אלקים. Prior to this Chapter, the *Torah* employed the שם הוייה when addressing Noah. However, when the *Torah* began to speak of the Seven Noahide Laws, there is a sudden change, a sudden transformation: the שם הוייה turns into אלקים. The *Torah* writes (Genesis: 9,1):

ויברך אלקים את נח ואת בניו. ויאמר אליהם פרו
ורבו ומלאו את הארץ...ואך בשר בנפשו דמו לא
תאכלו... שופך דם אדם באדם וכו',
*G-d blessed Noah and his sons. He told them be
fruitful and multiply...But, do not eat the meat of an
animal while it is still alive. Do not murder
another human being, etc.*

The שם הוייה is not mentioned. The moral social laws, which are the foundation of any civilized society, were placed at the same level as the physical cosmic law.

refer to a judge (as it says:

ונקרב בעל הבית אל האלקים (שמות: כ"ב, ז'),
the Plaintiff brings the Defendant to the Judges).

אלקים is the legislator of both the law governing the gravitational pull, the electromagnetic fields, which make the world function, as well as the laws prohibiting murder, etc. which protect the viability of society.

Violations of the moral law also result in catastrophe.

(11) Here again, rebellion against אלקים, as legislator of the social moral law, will end in catastrophe, in the same manner as disobedience of the natural physical law. Retribution for the transgression of the moral law,⁹ will be swift and severe.

A society which arrogantly rejects the law of, "Thou Shalt Not Kill nor Murder," falls apart at its seams. The Hitler Third Reich is the most characteristic case in point. An individual who is overambitious, overzealous, opportunistic, unconscionable as to the means he employs to promote and further his career, will be finally caught in a web of difficulty and contradiction.

As a matter of fact, I believe, that America's anomalous self-hatred of today, and her defeatist mood, which is so evident on the campuses, in the literature, and the press, is a consequence of her arrogant, conceited, and inflated self evaluation of yesteryear. As a matter of fact, I don't recognize America anymore. When I came to America in the 1930's, America was very self-assured and certain of herself. She thought that she had accomplished everything that is good in civilization and culture. The rest of the world were just a bunch of

⁹When I refer to natural law, I do not refer to the natural law in the sense of Cicero or the medieval scholars. I cannot explain the difference in this limited *Shiur*, but I refer to another concept.

immigrants, who could hardly sign their names on a check. She thought that there is an America way of life, which is sacred and which must be imitated by everybody, by East and West, by North and South. The educational system was the finest. Man enjoyed unlimited liberty and freedom and so forth and so on. Finally, America was identified and equated with the Golden Age, with the old paradise, which was lost to man, because of man's negligence, and this lost paradise was found in the United States. Much of this was true; much was childish, infantile, naive, and due to arrogance and illiterate self-conceit. Now, America is just the opposite. She has become meditative, introspective, and suffers from self hatred. Whatever is American is bad; whatever is foreign is good. She explores the world for new deities, for new idols, and simply is not sure of herself. We believe in *Hashgachah*, in G-d's intervention in history, His penetration of human affairs, and we know that the mood of today is a result of the mood of yesteryear.

One who rejects parental authority, will meet similar treatment on the part of his children. Promiscuity leads to complete disintegration of the family fabric and so forth and so on. אלקים addresses Himself both to nature and to man, and establishes laws for both nature and man. He legislates both; the behavior of matter, as well as the conduct of man. Violation of those laws precipitates catastrophe and swift retribution.

(12) That is exactly what the *Mechilta* meant by:

וידבר אלקים את הדברים האלה, דיין להפרע.
And G-d spoke these things, as a judge who inflicts

punishment.

The *Mechilta* means that in the prior passages in *Parshas Yisro*, the שם הויה is employed and not אלקים. Suddenly, when the *Torah* is about to tell the story of the Ten Commandments, of the Revelation at Sinai, and of the Decalogue which was bestowed upon the people, the name of G-d is changed to אלקים. Apparently, those ten principles, those Ten Commandments, constitute the foundation for any civilized existence, and are placed on the same level as the laws governing nature. ויהי אור established the אלקים, the philosophy of life, of energy, and the same אלקים established the law of 'Thou shalt not murder'. Retribution is swift in coming for the violation of either.

In short, the penalty is a natural one. The seed of destruction is inherent in the act of violation. It is not an extraneous penalty, but actually, catastrophe is precipitated by violating the natural laws.

הויה seeks to elevate man.

(13) On the other hand, when the legislator is הויה, when הויה addresses Himself to the people, i.e.,

וידבר הויה למשה,

then, the Commandment is addressed, not to natural man, but to meta-physical man, to the man who was chosen by G-d. *Mitzvos* such as *Tefillin*, *Succah*, *Shofar*, etc., as well as the negative precepts such as דם, חלב, נבילה (i.e. *eating un-slaughtered meat, or the fat or blood of the animal*), were destined not to save a natural society from disintegration, but to raise the latter, the natural society,

to a committed covenantal community. Those *Mitzvos* hallow and redeem the human spiritual personality. Non-compliance affects not natural man, but meta-physical man. It prevents man from achieving spiritual transcendental worth and distinction. The natural moral law, if violated, destroys human dignity; the meta-physical laws, which are legislated by הויה, if violated, destroys human sanctity and holiness.

Hence, punishment for violating these precepts is not immediate, not swift in coming; punishment is delayed until that day in which man will be confronted by his Maker, and will have to account for his deeds. If the damage is meta-physical, the punishment is also meta-physical, in the world to come.

[III] THE INTEGRITY OF THE DECALOGUE:

The meaning of כל הדברים האלה.

(1) The *Mechilta*, cited by *Rashi*, then states:

וידבר אלקים את כל הדברים האלה לאמר:
ללמד שאמר הקדוש ברוך הוא עשרת הדברות
בדיבור אחד מה שאי אפשר לאדם לומר כן.
*Hakadosh Baruch Hu pronounced all of these words
in one utterance, something which is impossible for
the human being to do, or to speak in this manner.*

What prompted and motivated the *Mechilta*, to comment on the *Passuk*,

וידבר אלקים את כל הדברים האלה לאמר,

that one derives that all Ten Commandments were formulated and defined in one utterance, simultaneously, within an infinitesimal period of time?

The word כל may be interpreted in one of two ways.

(2) The answer is that the *Passuk* of:

וידבר אלקים את כל הדברים האלה לאמר,

the word כל (i.e. *all*) is completely superfluous. The *Passuk* could have easily said:

וידבר אלקים את הדברים האלה.
G-d spoke the following words.

The *Chazzal* interpreted the *Passuk*.¹⁰ The term "כל" has a double meaning, a two fold semantics. For instance, the *Passuk* reads,

כל יושבי ארץ ושוכני תבל, (ישעיהו: י"ח, ג')
All the dwellers of the earth and residents of the world.

In this context, כל denotes the sum total of people, objects, etc. It is simply plain arithmetic.

In this sense, כל is integrated, piecemeal, simply by applying the method of addition, of adding up. If one should add up object to object, phenomenon to phenomenon, man to man, one will finally arrive at the sum. The sum consists of an additive process of integration, and is integrated of many parts.

(3) The word כל has a second meaning. For instance, look at the phrase:

מלוך על כל העולם כולו בכבודיך.
Proclaim Thy kingdom over the whole world.

This phrase emphasizes כולו, which means the entire universe, in the sense of

¹⁰We have no sense for Hebrew semantics today, but *Chazzal* knew Hebrew semantics very well. When they interpreted a *Passuk*, then even if, *prima facie*, it appears to us as if they twisted the meaning, we should, nonetheless, always look into the semantics of a word. In all cases, we will finally realize that there was no distortion, and that *Chazzal* simply followed true semantics.

wholeness. It refers to intrinsic unity and oneness in totality. *'Proclaim Thy kingdom over the whole world.'* The whole world should be subject to Your rule and nothing should be left out. This expression is found in the *Chumash* as well:

כי כל העדה כולם קדושים (במדבר: ט"ז, ג').
The entire congregation is holy.

It is as a whole, as an entirety, totality, but as an intrinsic totality, and not an integrated totality. It is not a sum which follows the parts, but, on the contrary, a whole which precedes the parts. It is not a sum total, but a total in itself.

The rule of רובו ככולו applies to a חפצא and not to a שיעור.

(4) An *Halachic* example of this is the rule of רובו ככולו (i.e. *a majority is deemed to constitute the whole*). This rule is not applicable to any pure mathematical quantities. We employ this rule of רובו ככולו only in cases where, in our *Halachic* lingo or jargon, we say a חפצא is involved, a חפצא is required.¹¹ What does חפצא mean? A configurative whole. An entity which is intrinsically one. One cannot, under any circumstances, avail himself of the principle of רובו ככולו in a situation where a pure mathematical magnitude is to be dealt with. It would be completely absurd to say that רוב כזית מצה (i.e. most of a כזית) suffices. One must eat a כזית of *Matzah*. Why shouldn't a רוב suffice under the principle of רובו ככולו? Similarly, a *Mikvah* requires ארבעים סאה. Why shouldn't twenty-one סאה be sufficient in order to validate

¹¹I believe that if one employs a term in our *Halachic* jargon, but cannot translate that term into another language, then it means that the term stands for nothing. If a term stands for an idea, it must be translatable into any language.

the Mikvah?

The answer is that it is ridiculous to speak about רובו ככולו with reference to a sum, to a mathematical quantity, to a mathematical measurement. If the טפחים must be three טפחים long, then one cannot say that two טפחים is sufficient because of רובו ככולו. Mathematically, two is not three. There is no equation of two being equal to three. It cannot happen. It is nonsensical.

One applies the principle of רובו ככולו only in cases, such as שחיטה, where no mathematical quantity is involved. By שחיטה, the סימנים (i.e. *the esophagus and trachea pipes*) must be severed, and severing a majority of these pipes is sufficient. The סימנים are an entity in a holistic sense, as a configuration, as a whole, which must be severed. Thus, the incision of רובו של סימנים (i.e. *of a majority of the thickness of the pipes*), suffices since רובו של חפצא ככולו (i.e. *the majority of the pipes are deemed to constitute the entire pipes*). Though one can never assert in our lingo that רובו של שיעור ככולו (i.e. *a majority of a specified number constitutes that number*), nonetheless, the סימנים are not a שיעור. They constitute an integrated entity which must be severed. Thus, רובו ככולו is applicable. The חפצא (i.e. *the entity*) has been subjected to שחיטה. On the other hand, whenever there is שיעור (i.e. *a mathematical quantity, a mathematical number*), רובו ככולו does not apply, since a majority of a number still is not that number. You cannot say that nine is as

ten.¹² That would be a lie.¹³

The Ten Commandments form an integrated and indivisible whole.

(5) Similarly, the *Mechilta* and *Rashi* have interpreted,

וידבר אלקים את כל הדברים האלה,

not in the sense that G-d spoke all of the Commandments, and where כל reflects

the total of an integrated sum which is added up, preceded by its component

¹²The principle of רובו ככולו is not the same principle as רובו ככולו, since for רובו ככולו, one would require a רוב (i.e. a majority). Thus, one would need at least six and one half hours. However, even by רובו ככולו, one applies, in part, the principle of רובו ככולו (i.e. כיון שעבר רוב היום בקדושה). The reason is that יום is also an entity and not a שיעור. יום is not a sum total of hours, there are short days as well as long days. יום is not measured and determined by the number of hours; it is a separate entity. It is a unity, in the holistic sense, in the sense of *gestalt*.

¹³We apply רובו ככולו to רוב כוס by the ארבע כוסות. We do not apply רובו ככולו to *Matzah*, and require the consumption of an entire כזית. Why does רובו ככולו differ from *Matzah*? The answer is that the *Mishnah* did not prescribe רביעיות מארבע (i.e. one must consume four units of wine, each measured by a רביעית). Rather, it prescribed that one must consume four cups of wine (ואל יפתחו לו ארבע כוסות). Of course, there is a minimum prescribed for כוס. The כוס must contain not less than a רביעית. The contents of the cup must not be less than a רביעית. But, this is an attribute or qualification as far as the כוס is concerned. In other words, if it is less than a רביעית then it is not a כוס; it is nothing. But once the volume of the cup contains a רביעית, then the *Mitzvah* expresses itself, not in drinking a רביעית, but in drinking a cup of wine. The כוס becomes, in a holistic sense, a configurative whole, a חפצא, a unity, an entity, to which we apply the principle of רובו ככולו. I will give you another example. What, for instance, if the כוס contains, not one רביעית, but many רביעיות? Most *Rishonim* ruled that one must drink רוב of that large כוס, which entails that he will drink many רביעיות on each occasion. The inference is clear and unequivocal. The *Mitzvah* is not to drink a רביעית. A רביעית is the qualification, is the minimum required for כוס, and absent a רביעית, the cup is not worthy of being designated as a כוס. However, the *Mitzvah* refers to כוס as an indivisible whole. That is why we apply the principle of רובו ככולו.

parts, and where the individual objects have priority over the sum. If this were the case, then it would have been completely unnecessary to emphasize the כל, *all those Commandments*. It would have sufficed to say:

וידבר אלוקים את הדברים האלה,
that G-d proclaimed these Commandments.

Apparently, the *Mechilta* and *Rashi* have interpreted כל אלוקים את כל הדברים האלה in the holistic sense, and translated it as follows: G-d proclaimed the whole, the entirety, or the totality, of those Commandments. They did not interpret כל as referring to each and every one of those Commandments. כל is not interpreted in terms of every Commandment; rather, it is interpreted as referring to the totality, the organic unity of all Ten Commandments. Thus, כל is not superfluous at all. On the contrary, כל, injects a new idea, a new world.

In a word, the Ten Commandments have not been added up, *ex post facto*. The Decalogue is not an incidental sum consisting of mutually unrelated precepts. Rather, the Decalogue constitutes a primordial entity, whose unity and integrity are inherent in the very essence of the system. In other words, there are not Ten Commandments. There is one Commandment which branches out into ten aspects.

One must accept the Ten Commandments in their entirety.

(6) The practical consequence of this concept is clear and obvious. The Decalogue is indivisible. One either accepts all of the Commandments, or none at all. To choose between the Commandments, and to accept those Commandments which one likes and reject those Commandments which he

dislikes, to assent to some, and to ignore the other Commandments, is at best, absurd. All of the precepts were pronounced and promulgated in one utterance, within an indivisible, infinitesimal period of time.

(7) Throughout Jewish history, attempts have been made and attempts are still being made, to split the Ten Commandments. Attempts have been made to pick out those norms which, in the opinion of dissidents and non-conformists of all epochs and generations, have social moral relevance, and to abandon the theological premise expressed in,

אנכי, לא יהיה לך אלקים אחרים על פני.
The unity of G-d.

That is exactly what the *Mechilta* taught. All of the Ten Commandments were pronounced in one utterance.

Why was this done? *Hakadosh Boruch Hu* did not have to display His omnipotence that He can do that. What did His simultaneous proclamation of the Ten Commandments accomplish? What did it convey to us? What does the *Mechilta* reject? What does the *Mechilta* deny? What does the *Mechilta* abandon?

(8) The answer is that the *Mechilta* sought to demonstrate the organic unity and indivisibility of the Decalogue. The *Mechilta* denies the viability of a secular social morality. One cannot divide the *Aseres Hadibros* into parts, and separate the social norms from the so-called theological or ritual norms. One cannot separate the premise of:

אנכי ה' אלקיך, לא יהיה לך, זכור את יום השבת

לקדשו, ולא תשא את שם ה' אלקיך לשוא,

which constitutes the four cornerstones of our faith in G-d, from the premise of:

לא תגנוב, לא תרצח, ולא תנאף. וכו'
Thou shall not steal, murder nor fornicate.

Either, man accepts the authority of G-d as the legislator of the moral norm, be it individual or social, or he gives up his attempts to mold a moral conscience and to organize a society upon the foundation of a man-made relativistic morality.

This motif which I have isolated from the words of the *Mechilta*, namely,

שכולן נאמרו בדיבור אחד,
The Decalogue was pronounced in one utterance,

is quite popular in *Midrashic* literature. There are many other מאמרים, *passages*, in the *Midrashic* literature, which convey the same message, namely, the inseparability of the moral norm from indomitable faith in G-d or the indivisibility of the *Aseres Hadibros*.

Morality can only be fashioned by G-d.

(9) For example, the *Tosefta* writes:

חנניא בן חכינאי אומר כתוב (ויקרא: ה', כ"א)
ומעלה מעל בה' וכחש בעמיתו: אין אדם כופר
בעמיתו עד שכופר בעיקר (תוספתא שבועות: פרק
ג' הלכה ה').

*Rabbi Chanania Ben Chachinaie said, it is written
that one sins against G-d when he falsely denies
having stolen from his neighbor. This is so since
one does not steal from his neighbor unless he also
denies the existence of G-d.*

The Rabbis apparently did not understand why the *Torah* had employed the words 'ומעלה מעל בה', *one sins against G-d*, in reference to one who

embezzles funds from his neighbor. They answered that wherever there is real faith in G-d, there is no social immorality. There is no embezzlement. There is no denial of fact. There is no perjury. One does not take a false oath in order to suppress information. Stealing, embezzling, and perjury are the result of a secular ethic, of a man who wants to build his own moral world, and wants to be the legislator of a moral law which he himself has prepared.

The *Tosefta* continues with a very strange story.

פעם אחת שבת רבי ראובן בטבריא. מצאו
פילוסוף. אמר לו איזה הוא שנוי בעולם? אמר לו
זה הכופר במי שבראו. אמר לו איך? כבוד את
אביך, לא תרצח, לא תנאף, לא תגנב, דהא אין
אדם כופר בדבר עד שכופר בעיקר.

Rabbi Reuven once spent a Shabbos in Tiberias. He met a philosopher¹⁴ who asked him a very strange question. Who is to be held in contempt and hate? Whom should society hate? Whom should society consider a contemptible creature? Rabbi Reuven answered that society should hate the atheist, the agnostic, the skeptic, one who denies the existence of his Maker (i.e. the Almighty). The philosopher did not understand. He asked, "How is this so? Why should a non-believer be held in contempt and hate? Isn't faith the private affair of the individual? His skepticism is not harmful to society." Rabbi Reuven answered, "Honor thy Father and Mother, Thou shalt not kill, Thou shalt not fornicate, Thou shalt not steal; there is no man who will violate these precepts until he has denied the existence of his Maker".

The philosopher had expected *Rabbi Reuven* to answer that only the fiends of society, only the arch criminals who inflict harms upon others, deserve to be

¹⁴Most probably this was an Epicurean philosopher.

hated, but not the innocent agnostic or atheist.

The answer to this question came swiftly and unequivocally. The absence of faith in G-d will eventually lead to the break-down of social morality. Corruption of man is ushered in by the lack of faith in G-d.

(10) There is another passage in the *Talmud* which also illustrates this point.¹⁵

דרש עולא רבה אפיתחא דבי נשיאה. מאי דכתיב
(תהילים: קל"ח) יודוך ה' כל מלכי ארץ כי שמעו
אמרי פיו. מאמר מפיו לא נאמר, אלא אמרי פיו.
בשעה שאמר הקב"ה אנכי ולא יהיה לך, אמרו
אומות העולם, לכבוד עצמו הוא דורש. כיון
שאמר כבוד את אביך ואת אמך, חזרו והודו
למאמרות הראשונות. רבא אמר מהכא (תהילים:
קי"ט). ראש דברך אמת, ראש דברך ולא סוף
דברך. אלא מסוף דברך ניכר שראש דברך אמת
(קדושין דף ל"א ע"א).¹⁶

Rava expressed succinctly and unequivocally that if one wishes to know how indispensable faith is, he must pay attention to the last few Commandments and see if they are complied with by society, or not. The gist of this passage is identical with that of the previous saying of *R' Chananiah ben Chachinaie*, that social iniquity and immorality are precipitated by the denial of the divine authority.

¹⁵I want to demonstrate that this was not a thought which was just expressed by just one Rabbi; rather, it was the opinion which all *Chachmei Chazzal* shared. Secular morality is a hoax. It might function for some time, but it will finally break down, and, with its break-down, society will simply plunge into a bottomless abyss. Modern society has reached this stage.

¹⁶The gist of this passage is explained by the Rav in the next succeeding paragraph.

In other words, the crux of social ethics is faith in a transcendental, personal G-d, who expects man to follow in His footsteps, or to imitate Him. At the beginning, the skeptics said that *אנכי, ולא יהיה*, are socially irrelevant, since it is possible to organize a society on the foundations of a man-made morality. However, they have finally realized, that without *אנכי*, man forfeits his ethical sensitivity and becomes oblivious to the most elementary principles of morality.

(11) Does history confirm this viewpoint? I believe that the best demonstration is Russia. People speak about the bankruptcy of religion, and about the failure on the part of the clergymen and men of G-d. Though there is a lot of truth to the accusations, nonetheless, as a whole, the accusations are false. The best proof that such an accusation is false, and undeserving, is Russia.

I do not assert that the West has achieved great morality. Far from it. Western society is far from being a perfect moral community. It is hypocritical to a great extent, sanctimonious, and self righteous. Quite often, as we have experienced it, the West is indifferent to the suffering of the down trodden, weak people. However, the West is still somewhat sensitive to moral issues. One can argue with the Government of Britain. One may argue and debate with our State Department officials. The West tries to justify her actions or her inactions. She feels, many a time, embarrassed, and from time to time, is ready to correct her mistakes.

What about Russia, Brezhnev, or Krushev? Can one reproach them? Can one debate with any of them? Any rebuke will be scornfully rejected.

Russia engages in no debate. She distorts fact. She falsifies historical data, accusing little Israel of imperialism and colonialism, while she herself is the most brutal colonial imperialistic power in human history. She claimed that the Jews committed an international crime when they invaded Egypt, in order to protect the lives of the יִשְׂרָאֵל, and to prevent Nasser from massacring two million Jews. Had Nasser won the war, there would have been another Treblinka and Auschwitz, and many other extermination camps in Israel. Russia, of course, maintained that she acted in accordance with international morality when she moved against Czechoslovakia. Russia is immoral to its very bone marrow. She is cruel, brutal, and completely insensitive to morality. Why? Marxism is fundamentally an ethical credo. It is far more ethical than economical. The underlying idea of Marxist econometrics is justice. Labor, according to Marx, creates the economic value system, and hence, the so-called *ibber-wurth* belongs to the laborers and not to the investor or the Capitalist. The fascination of Marxism for Oriental people, for African tribes, lies not in the economic sphere, but in the ethical motifs. Marxism, at the turn of the century, was the gospel, a religion. People sacrificed their lives for it. Yet, this ethical doctrine turned into a gospel of brutality and tyranny. You want to know the reason? I have only one. The answer was provided by *Chazzal*. All Ten Commandments were uttered in one sentence. They are indivisible and indestructible as a whole.

Yahadus integrated faith with morality.

(12) The indivisibility of the Ten Commandments conveys another idea.

Chazzal, in stating that the Ten Commandments were spoken and formulated in one utterance, while stressing the indivisibility of the Decalogue wished to convey another idea: they are indivisible in the opposite direction, in the reverse, as well. This is very important for Orthodox Jews to know, and for the modern Jew in particular. Just as one must neither separate the social norm from the theological faith premise, (i.e. to separate the *לא תרצח* and the *לא תגנב* and the *לא תנאף* and the *לא תענה*, from *אנכי ה' אלקיך*), similarly, one should not try to accept the theological faith premise without embracing the rest of the Commandments. What *Yahadus* has proclaimed, by integrating the principle of faith into the system of the moral law, is of a revolutionary character.

First of all, there are no secular ethics. The Greeks and Romans were unaware of this. To them, ethics were secular, because the very origin of the term of ethics, "ethos", means social conventions, social concerns, social agreements, common habits, common customs, but not the law. Herman Cohen tried to show that Plato was different and understood that the moral law is absolute and ultimate. It is not for man to break it. If Plato did understand it, I have a good explanation. Plato visited Egypt,¹⁷ and met there, either *ברוך בן נריה* or Ezra the Scribe. Of course, German Anti-Semites maintained that the ninth letter of Plato, in which Plato writes that he met with wise men from the Orient, and learned whatever was possible to learn from them, is not authentic.

¹⁷Plato lived in the period of the decline of the First Jewish Commonwealth, and many Jews emigrated to Egypt at that time.

Of course, it meant that Plato met with Jews. The German historians could not tolerate that, and, thus, discredited the letter. If Plato came out with this idea, which did not emerge in his earlier works, he was certainly influenced by Jews. This was the first message which the Jews proclaimed to the world: ethics are decreed by G-d, and man cannot legislate his own moral laws.

Yahadus proclaimed the principle of existential unity; the ethos and the ritual are identical.

(13) Secondly, the Jews proclaimed another principle; namely, the principle of existential unity. Existential unity is a *sine qua non* for the attainment of the perfect life. Every attribute of G-d turns into a moral norm. *Chazzal* said:

ואנחנו - מה הוא אף אני (מסכת שבת דף קל"ג
ע"ב).

One must emulate G-d.

Man must try very hard to achieve, at least, relative ontological unity. He was created in the image of G-d. G-d is one, in the most ultimate and absolute sense. Man cannot be one in the most ultimate and absolute sense, because man has within him a contradiction. He has an inner schism. Man must, however, try to achieve some form of unity. The schism in man's life is something intolerable.

Yahadus has insisted that life is not divided into two sectors: the mundane and the sacred, or the street and the Synagogue, or the office and the house of worship. Unity is inherent in the very fabric of human existence. The existence can either be completely mundane or completely sacred. Man is confronted with

his Maker, not only in the House of Worship, where he is ready for the next meeting, but also in places where he does not expect G-d to be found.

עבודת השם is associated with the entire human existence, with the complete colorful spectrum of a person's life. G-d is to be worshipped, not only through the offering of sacrifices, through prayer, prostration, but also, and perhaps mainly, through practicing social morality, through displaying kindness towards one's fellow man, to extending help to the needy, and treating one's subordinate decently.

The personification of that was my grandfather, *Rav Chaim*. *Rav Meir Berlin* once told me that he asked both *Rav Chaim* and *Rabbi Yechiel Epstein* (the author of the ערוך השלחן) what the task of the Rabbi is. *Rabbi Epstein* answered that the task of the Rabbi is to decide *Halachic* and legal questions. *Rav Chaim* answered that the task of the Rabbi is to help the needy, to defend the widow against powerful people who persecute her, or wish to inflict harm on her, and to feed the orphans. *Rav Chaim's* kindness and *Chessed* was absolutely fantastic. As a matter fact, *Rav Chaim*, in his צוואה, *his will*, dictated that no title be inscribed on his tombstone. The children complied with his will, with one exception: they described him as רב חסד, *replete with kindness*. There are numerous stories about how he adopted illegitimate children, fed them, and sent them to school. *Rav Chaim* served G-d through his kindness.

(14) The Commandments of *Chessed*, to engage in kindness and charity, cannot be separated from the Commandments which prescribe *Emunah*, piety, and

faith. There is no *Chessed* without *Emunah*. Nor should piety be separated from *Chessed*, humility, modesty. Only Jews understood this. The *Torah* treats the ritual and the ethos as if they are one, as if they are identical.

The *Torah*, in one paragraph, writes both:

קדושים תהיו לאלקיכם,

you must be holy,

and,

לא תגנובו לא תכחשו איש בעמיתו,

you shall not steal, nor embezzle,

and concludes, in the same section:

וכי תזבחו זבח שלמים לרצונכם תזבחוהו,

you shall offer sacrifices in the prescribed manner
(*Leviticus: 19, 5-12*).

The transition from rules prescribing ethics to those detailing ritual is so smooth. Anything can be sacred. Sacredness is not limited to the Temple, where the sacrifices are offered, but also to places where *Chessed* is practiced.

The Greeks identified religious action with the cultic gesture, and ethos was restricted to society. In their opinion, G-d was not concerned with morality. Christianity accepted this doctrine of existential unity, in theory, but in practice, it split the human existence into two areas: the secular and the ecclesiastical. History tells us of the cruel and inhumane conduct of the Church Inquisitors.

I once read a short report by a German journalist about Franco. He portrayed Franco as a sincerely devout Catholic, a religious person, who actually enjoyed religious services. Most importantly, he went to Church every Sunday,

prostrated himself on the floor, banged his forehead against the cold stones of the Church and whispered, "Not my will, but Thy will, shall be done." He was very sincere when he practiced this. It was not hypocrisy on his part. However, as soon as he stepped out of the threshold of the Church, as soon as he emerged out of the shadows of the Church, from the semi-darkness into the sunlight, he signed a death sentence for a young girl who was caught reading illegal literature. How did he reconcile these positions? This is the schism in the human personality.

That is what *Yahadus* hated. Moral schizophrenia was resented by *Yahadus*. The integrity and the unity of the Decalogue challenges us not to separate the theological faith premise from the moral normative system, either way. One cannot practice morality without serving G-d at the same time. Neither should one try to serve G-d without an unconditional commitment to morality.

Orthodox Jews must meticulously observe a moral code of ethics.

(15) I am saying this since there is danger that American piety, the way it was developed in America through the *Yeshivos*, is oblivious of the moral norm. I will tell you why. Please don't call me a Socialist. I am not. Something strange happened in America. The so-called Modern Orthodox of America are almost identical with the upper middle class. The proletariat is not religious. Jewish Aristocracy is assimilated, and the middle class, the professionals, have come to back to *Yahadus*. Unfortunately, the middle class has a patent on self-righteousness and hypocrisy. We are engaged in a mortal

struggle with the dissident community, whether they be Reformers, Conservatives, or Secularists.¹⁸ We are engaged in a two front battle, one on the front of religious dissidence, and one on the front of secularism. We will win the battle or we will lose the battle, not by excommunication, not by יסורים, not by fist fights, and not by throwing stones.

We will win the battle, only if we understand two things: firstly, to interpret *Yahadus* profoundly; and, secondly, if we will be capable of showing the world that there is depth and thrust to *Yahadus*, and that *Yahadus* is a value system, a hierarchy of ideas, which can embrace the universe. No matter what kind of social order prevails, no matter what kind of society we are forced to deal with, whether a capitalist society, socialist society, hedonic society, or immoralistic society, *Yahadus* is ready to accept the challenge at any time. A profound understanding and explanation of *Yahadus*, will give us victory, only if we understand the second principle, namely, that we will emerge victorious if the people, the skeptics, the agnostics, the dissidents, all acknowledge that the Orthodox Jew is morally superior to all others. If this admission will be forthcoming, then we will be the winners. If the Reform Jew, Conservative Jew, or Secular Jew will assert that the Orthodox Rabbi is not superior to the Reform Rabbi, that both have the same quest for publicity, the same urge for money, the same vainglory, and the same involvement in secular matters, in politics and

¹⁸The danger posed by secularism is enormous. American secularism has become a powerful tide. Hundreds and thousands of our youth on the campuses, are floating with the tide of secularism.

institutional activities, then we will be the losers.

The integrity of the Decalogue is the only instrument which may give us victory. Morality cannot be separated from faith; the worship of *Hakadosh Baruch Hu* cannot be separated from morality.

[III] THE PHILOSOPHY OF MOTIVATION:

The Jews assented to the positive and negative principles.

- (1) *Rashi* cited the *Mechilta's* comments on the word לאמר:¹⁹

מלמד שהיו עונים על הן הן, ועל לאו לאו.
The word לאמר teaches us that they responded in the affirmative to the positive Commandments, and in the negative to the negative Commandments.

Rashi quoted the view of *Rabbi Yishmael*, cited in the *Mechilta* (ibid). However, he deleted the view of *Rabbi Akiva*, also quoted in the *Mechilta*:

רבי עקיבא אומר מלמד שהיו עונים על הן הן ועל לאו הן.
Rabbi Akiva said, that the word לאמר teaches us that they responded in the affirmative to both the positive and to the negative Commandments.

- (2) Before we analyze the controversy between *Rabbi Akiva* and *Rabbi Yishmael*, we must explain what troubled the *Mechilta*. Basically, there were two items that troubled the *Mechilta*. One was an *Halachic* issue, and the other was semantic.

From an *Halachic* viewpoint, the *Mechilta* sought to analyze the procedure

¹⁹As noted, the *Passuk* reads:

וידבר אלוקים את הדברים האלה לאמר,
G-d proclaimed the following words.

of קבלת עול מצוות, *accepting the yoke of Commandments*, as far as גרות, *conversions of Gentiles to Judaism*, is concerned.²⁰ The first קבלת עול מצוות was prior to the delivery of *Mattan Torah*. Basically, the Jews did not know what the *Torah* was going to contain, what kind of laws were going to be decreed, or what *Hakadosh Baruch Hu* would require of them. They said נעשה ונשמע. But then *Hakadosh Baruch Hu* required of them, that each דיבור, each law, each principle, be accepted individually.

Thus, the *Mechilta* was prompted to state:

מלמד שהיו עונים על הן הן ועל לאו לאו.
*They responded in the affirmative to the positive
Commandments, and in the negative to the negative
Commandments.*

Each of the principles were individually accepted.

(3) Secondly, from a semantic point of view, the *Mechilta* was troubled by the word לאמר, within the context of the *Aseres Hadibros*. In all other Chapters in the *Torah* the word לאמר signifies that whatever G-d disclosed to Moses, was to be, in turn, repeated to the people. Thus,

וידבר ה' אל משה לאמר,

means that G-d spoke certain words to Moses which Moses was to repeat to the people. However, the Ten Commandments were addressed directly by G-d to *Bnei Yisroel*. Moses was not the intermediary or messenger. Hence, the word

²⁰At this juncture, the Rav offered parenthetical remarks about the גרות כהלכה controversy which had arisen in that year (circa 1972). His remarks are contained in Appendix B.

לאמר is completely and entirely out of context. Therefore, the *Mechilta* interpreted:

וידבר אלקים את כל הדברים האלה לאמר,

that G-d spoke all of the Ten Commandments, לאמר: that these words be assented or confirmed by the Community. *Hakadosh Baruch Hu* expected the Jews to accept each Commandment individually. לאמר has the connotation of being accepted, of taking upon oneself, of being committed, of responding to the great challenge.

Rabbi Yishmael maintained that the Jews accepted the positive precepts and rejected the negative precepts.

(4) However, the precise nature of the response is not clear. There is a controversy between *Rabbi Akiva* and *Rabbi Yishmael* regarding this matter.

Rabbi Yishmael, who was quoted verbatim by *Rashi*, held the view:

מלמד שהיו עונים על הן הן ועל לאו לאו,
*They responded in the affirmative to the positive
Commandments, and in the negative to the negative
Commandments.*

For instance, when G-d declared אנכי ה' אלקיך, *I am your G-d*, they answered in the affirmative (הן). However, when G-d declared לא יהיה לך אלוקים, *you shall not accept other deities*, they responded in the negative (לאו). He held the view that they answered Yea to that which required a reply of Yea, and answered Nay to that which required an answer of Nay. In other words, they accepted the positive Commandments (such as אנכי) by assenting to them with Yea, and, likewise, they rejected the immoral deeds listed in the negative

precepts, by responding with a Nay.

Rabbi Akiva maintained that the Jews accepted both the negative and positive precepts.

(5) *Rabbi Akiva* disagreed. He said:

מלמד שהיו עונים על הן הן ועל לאו הן.
They responded in the affirmative to both the positive and to the negative Commandments.

The *לאמר* teaches us that they answered all Commandments, both positive and negative, by saying "Yea".

(6) What is the gist of this controversy between *Rabbi Akiva* and *Rabbi Yishmael*? In my opinion, in this controversy is involved the entire philosophy of motivation. This is of great importance and relevance to modern Jews. This controversy, which, at first glance, appears irrelevant, harbors a philosophy of great moral and religious significance, namely, the philosophy of motivation.

The difference between assenting to a negative and rejecting a negative.

(7) Let us first interpret the two opinions. When I should address myself to my grandson, and tell him: "*Moshe*, don't play nor associate with Johnny. He is a bad boy." *Moshe* may respond to my request in one of two ways. He may say, "No, Zeidy. I won't play with him," or he may answer, "Yes Zeidy, I shall not play with him." The difference between these two answers is one of motivation. When *Moshe* tells me, "No Zeidy, I shall not play with him," he means to say that he concurs with me as far as my evaluation or assessment of Johnny is concerned, and that he himself has no intention to befriend Johnny. He means, "No, I won't play with him, since he is a bad boy."

However, what does the second answer, "Yes Zeidy," mean? If I tell him don't play with him, he answers, "Yes, I will not play with him." It means, "Yes, I accept your judgement, even though I disagree with you." The second answer, "Yes Zeidy," means, "I shall respect your wishes. I myself do not see any harm in fraternizing with Johnny. He is not such a bad boy, as you think he is. However, your order will be carried out."

In other words, the whole problem which *Chazzal* and the *Rambam* discuss so many times is implied in this controversy between *Rabbi Akiva* and *Rabbi Yishmael*. Don't forget that most of the Ten Commandments consist of משפטים, *rational norms*, not of חוקים, *ritualistic norms*; of מצות שכליות, and not of מצות שאין להם טעם.

(8) How should one react vis a vis *Kiyum Mitzvos*? What consideration should motivate one's *Mitzvah* performance, or, on the contrary, one's abstention from עבירות? Should the motivation be purely one of obedience? Should a person act in accordance with the law, because he experiences normative pressure, under the impact of G-d's word? In observing, does one perform the act of surrender and submission? This is Yea, על לאו הן. This is the view maintained by *Rabbi Akiva* when G-d proclaimed לא תרצח, the Jews responded Yea, we will respect Your decree, the will of G-d.

On the other hand, one may recommend another kind of motivation, namely, the existential one. One engages in *Mitzvos*, not under the pressure of the norm, under the impact of the law, of the divine imperative, but because he

enjoys doing so. Because due to training, discipline, education and a unique bent in one's mentality, one develops an inner urge to act in harmony with the moral and religious norm. In such a case, one doesn't act under pressure. It is not the impact of the imperative which makes him do things, or abstain from doing things, but simply an inner need, an urge, a drive. It is an ambition, a quest, in which one finds self-fulfillment and self-realization. This is the view maintained by Rabbi Yishmael. When G-d proclaimed לא תרצח, the Jews responded, "We will not engage in murder since we ourselves find murder repugnant."

Let me give you an example from my own life. When I fast on *Yom Kippur*, I am completely unaware of the precept and Commandment of תענו את נפשותיכם, *one must fast on Yom Kippur*. I say it in תפילה זכה, but I am not conscious of it during the entire day. I do it, not because of normative pressure, nor because imperativistic coercion makes me do it. I simply love it. I find delight, joy, and happiness in fasting, in praying, in cleansing myself, and in being close to the *Rebbono Shel Olam*. I would be the most miserable, and the most unhappy, person in the world if I could not fast on Yom Kippur. It is a great privilege to engage in תענו את נפשותיכם, to offer this small sacrifice to G-d. You know people have many frights, many phobias. One of my frights, as I get older, is that חס ושלום, I would be forced to break the *Taanis* because of reasons of health. Such a traumatic experience, would be, G-d Forbid, as far as I am concerned, tragic, even fatal. I pray to G-d that it will never happen.

The distinction between anticipation and obedience.

(9) In short, the problem is what is the teleology, or the causality, of *Mitzvos*: obedience, or anticipation of spiritual hedone? Should a *Mitzvah* be treated as an extraneous norm imposed upon finite man by the infinite inscrutable will of G-d, or as an inner urge whose realization enriches and enhances life and exalts the personality?

Most *Chachmei Yisroel* were prone to distinguish between חוקים and משפטים. This was the opinion of Maimonides as well. He devoted, to that problem, the Sixth Chapter of the שמונה פרקים.²¹ In deciding whether the motivations should consist of moral pressure, of the impact of the imperative, or, of an inner questing for the *Mitzvah*, of self-fulfillment and self-satisfaction and of the quest for some spiritual hedone, most *Chachmei Yisroel* were prone to distinguish between חוקים and משפטים. They declared that the compliance with חוקים should be a pure gesture of obedience and subordination, while the implementation of משפטים should be a result of an inner moral need that G-d implanted in man when the latter was created in His image. The mere fact that man carries within himself the *imago-dei*, is characteristic of human moral nature, and that doing good is as indispensable for man as food or air.

Maimonides distinguished between חוקים and משפטים.

(10) Maimonides stated in unequivocal terms, in שמונה פרקים, that relative to the חוקים (i.e. the rituals), one is not allowed to say אי אפשי בבשר

²¹The problem of מצווה ועושה as opposed to אינה מצווה ועושה (who is superior to whom), also revolves about the same issue.

אלא (i.e. I do not eat pork because I don't like the taste of it), but, rather, חזיר אפשי והתורה אסרה (i.e. *I would enjoy eating it, but it is forbidden*). This means that with regard to חוקים, abstention is due to obedience, surrender and to normative pressure. However, with regard to משפטים, a similar statement would impress us as absurd. One should abstain from violating משפטים because of an inner need and not just because the Torah forbade it. However, as far as חוקים are concerned, man should act out of obedience, complete surrender, complete subordination, under the impact of divine word, of the law which was legislated, formulated, and foisted on man. G-d also expects man to act with dignity and to reject sin, injustice, cruelty, because all those things are abominable and repugnant to man. Man should take the initiative, and reject them. Man's rejection will comply, of course, with the will of *Hakadosh Boruch Hu*, but the motivating consideration should be human dignity and human sanctity. Man should not act because a norm was foisted on him. There is no need for external normative pressure. The rejection should be an act of inner mental indignation. That is the *Halachic* reason why ברכות המצות were introduced for מצות שבין אדם למקום (i.e. ritual), and not for those מצות שבין אדם לחברו (i.e. *those Mitzvos which govern the conduct of man vis a vis his fellow man*). The *Rambam* states:

כל מצות שבין אדם למקום, אדם מברך עליה
 קודם לעשייתה (פי"א מהלכות ברכות הלכה ב').
All Mitzvos relating to the conduct of man vis a vis
G-d require a Bracha before they are performed.

He specified מצות שבין אדם לחברו in order to exclude מצות בין אדם למקום.

The purpose of the *Bracha*, basically, is to emphasize our acting in deference and submission to the divine will. After all, the basis of the *Bracha* is, אשר קדשנו, במצותיו וציונו, *you have sanctioned us and commanded us*.

Reciting a *Bracha* on מצות עשה שהזמן גרמא.

(11) The question arises, why did *Rabbeinu Tam*²² permit women to pronounce a *Bracha* over מצות עשה שהזמן גרמא (i.e. *Mitzvos which are time sensitive and from which women are exempt*)? Doesn't this indicate that a *Bracha* is not completely dependent upon the normative element, inasmuch as this normative element is absent from the performance by women?

The *Rambam*, however, disagreed with *Rabbeinu Tam*. He ruled²³ that women do not pronounce a *Bracha* over those *Mitzvos*. He felt that the *Bracha* is inseparably related to the imperative, and not to the fulfillment of the act. In אשר קדשנו במצוותיו וציונו, the emphasis is placed upon וציונו: He has commanded us. If left to ourselves, we would not engage in such acts as *Shofar*, *Lulav*, *Succah*, *Tefillin*, *Tzitzis* etc. The rationale for all those *Mitzvos* is unknown to us. Human reason cannot grasp the purpose, the central motif, and objective for them. However, for מצות שבין אדם לחבירו, which are subsumed under משפטים, whose rationale and theme are comprehensible, whose implementation is motivated, not by normative coercion and discipline, but, mainly, by existential need of lonely man created in the image of infinity, to do

תוספות ראש השנה דף ל"ב ע"א²²

רמב"ם פ"ג מהלכות ציצית ה"ט²³

Mitzvos, because by practicing morality man feels that he will come nearer to his Creator, there is no *Bracha*. The performance is spontaneous, not coerced, and, hence, a *Bracha* is not required.

Apparently, this is the opinion of *Rabbi Yishmael*.

שהיו עונים על הן הן ועל לאו לאו.

They responded in the affirmative to the positive Commandments, and in the negative to the negative Commandments.

They answered Nay to the negative Commandments, such as לא תרצח. They answered that we are ourselves reject murder. They answered Nay to לא תגנב; we ourselves reject embezzlement, thievery, and theft. They answered Nay to לא תנאף, we ourselves reject promiscuity. They answered Nay to לא תענה; ברעך עד שקר; we ourselves understand the abomination of perjury, and so forth and so on.

The opinion of *R' Yishmael* concurs completely with that of the *Rambam*. When *Hakadosh Boruch Hu* proclaimed לא תרצח, they answered in the negative, "Nay, Almighty, we shall not murder, for we ourselves despise bloodshed and hate to extinguish a life."

Rabbi Akiva required normative motivation even for משפטים.

(12) *Rabbi Akiva* had a different approach. He maintained that they answered Yea, in the affirmative, to all of G-d's pronouncements, including the negative precepts. In other words, they answered Yea to לא תרצח, to לא תנאף, etc. This means that their response was that we shall surrender to Your will. We accept the norm. We shall comply with it. *Rabbi Akiva* apparently insisted

upon normative motivation even regarding משפטים. Even though a negative precept is acceptable to, and understood and sanctioned by, any civilized society, be it feudal, be it capitalist, be it socialist, it still requires commitment and surrender to G-d. When G-d announced לא תרצח, the community responded, with a Yea. Yes, Almighty, we shall listen to you, and live by Thy will.

Why is this necessary? I believe and am inclined to say that if the *Halacha* were up to me, then I would be guided by the old rule:

הלכה כרבי עקיבא מחבירו ולא מחביריו.
*We rule as Rabbi Akiva whenever he disagrees with
one of his contemporaries, but not when he
disagrees with many of his contemporaries.*

I would accept *Rabbi Akiva's* idea of motivation and his interpretation. Surrender and obedience are not only necessary for חוקים, but are most necessary for משפטים as well. Why?

It is difficult to distinguish between חוקים and משפטים.

(13) I believe that the clue to resolving this problem lies somewhere else, namely in the fact that there are no sharply delineated territories or realms between those of non-rational precepts and those of rational laws. A clearly defined distinction between חוקים and משפטים is almost non-existent. It is a sheer illusion. Of course, the heartland, the central area, of משפטים, is illumined by a rationale, is explorable by the human reason, is accessible to the logos, and one's conscience is sensitive to משפטים. This is true only as far as the central area is concerned, the heartland of משפטים. However, the peripheral territories are as strange and alien to the reason as the most mysterious חוקים.

Along the periphery, the cultivated, friendly, and attractive scenery of the central heartland of the משפטים turns suddenly into a wild jungle, which the human mind and human hand are incapable of opening up. If משפטים are assented to only because they need no assent, since the משפט was not only promulgated by the Almighty, at Sinai, but legislated, experienced and defined by man himself as well, then the periphery of משפט will be rendered void and null.

The peripheral areas of משפטים are as obscure as the חוקים.

(14) Let me illustrate my thought. There is a law against theft, לא גנב, which restricts embezzlement. Everybody will confirm such a law. Everybody assents to such a law. The thief is held in contempt. The embezzler is despised by society. Assent in this case is simple. Every normal person is repelled by the ugliness of the act, by dishonesty and corruption. All that is correct. No one, with the exception of some psychopathic types, will approve of stealing candy from a child, or money from a blind beggar.

But what about another sort of theft, which was depicted so often in literature, particularly by Victor Hugo, in *Les Miserables*? A poor man, just out of prison, with no prospects, steals a loaf of bread from a bakery in order to sustain his life. The proprietor of the bakery shop will not suffer. The loss incurred is infinitesimal. Why punish the poor starving man? Is it a crime or isn't it a crime? If you ask me, "Why should stealing be considered a transgression, in such a case, if my conscience is the final arbiter, is the final authority about stealing, about משפט?" I have no answer. I would set him free.

I would tell him that, on the contrary, it was quite courageous on his part to break the window-pane and steal the loaf of bread. Can the human mind explain it? There is only one answer to the problem: Stealing was forbidden by the Almighty, and we gave our assent, with Yea, we will abide by Your will, whether we understand it or not, whether our conscience will be sensitive to that, whether our conscience will accept the act. We promised to abide by Your inscrutable will.

(15) Murder is a horrible crime, of course. Man, no matter what persuasion, faith, or ideology, will indignantly condemn murderers and the act of murder. Yet, what about the situation which Dostoyevsky portrayed so vividly in *Crime and Punishment*, to which he devoted hundreds of pages? I would have answered the problem in one sentence. He could have saved a lot of paper and time studying and analyzing this problem. He described, on one hand, an old woman, a miser of the worst kind, mean, cruel, a hoarder of golden coins and gems, a usurer, a loan shark, who sucked the blood of the unfortunate ones who were caught in her spiderweb, who would evict old, frail and senile people on a winter day, in below zero temperature, and, on the other hand, there is a young brilliant student, who cannot afford to continue his medical studies, who must helplessly watch his sister being sold into white slavery and be exported to some Oriental country. A few hundred rubles could have solved all his problems. The old mean woman refused to give in. Why not murder the cruel, mean miser who refuses to lend the money? In a moment of despair, he kills her. Who has the

right to condemn him? Human conscience will not condemn him. But G-d has the right. Why should we consider that murder as evil? Again, the answer is *Rabbi Akiva's "Yea"*, because the Almighty has forbidden murder, however convincing the motive may be.

Obedience to מצוות must be motivated by the Commandments and not by Man's conscience.

(16) If the sinfulness of murder were only a result of our moral judgement, then why not permit abortions? As a matter of fact, it happens in modern society. Abortion is murder according to Jewish Law. The fetus is alive. The liberals of today don't like that position. The liberals of today have simply lost the criteria of morality, what is moral and what is immoral; they are absolutely confused and perplexed.²⁴ A fertilized ovum, after it has lived for forty or fifty days, is a living organism. Potentially, it has everything that a human being, at the age of forty, possesses; all the talents, all the capabilities. But, if human conscience is the judge, then, of course, inconvenience on the part of the mother is more important than the extinction of life. The human psyche does not find abortion as repugnant as the killing of a child. But if the Almighty is the judge, if the answer to לא תרצח is Yea, not Nay; if we refrain from לא תרצח not because the act is abominable, but because we will abide by Your will, then abortion is murder.

If murder is based solely on moral reasonableness and sensitivity then why

²⁴The liberals of today support Al Fatah. The intellectual community of America is sympathetic to the Al Fatah terrorists. Only a small minority still sympathizes with the Jews.

not allow euthanasia? Left to its own conscience, society, little by little, simply destroys the very fabric of its morality. Why not kill a person who suffers from an incurable disease? The same liberals are fighting for the liberalization of the laws against euthanasia. If euthanasia is permitted, then the road to murder is open. One can drive with tremendous speed towards outright murder. If לא תרצח is just nurtured by our sensitivity, then for the sake of transplanting a heart into a young man, the doctor may kill an old man. One doctor in England has already proposed that if a patient is above the age of seventy or seventy-five, then the hospital should not provide him with any treatment, since he will soon die anyway. It is not just some psychopath or some madman. It was a leading physician in Great Britain.

Rabbi Akiva maintained that man must not rely solely on his own morals and sensitivities, even pertaining to משפטים. Certain areas are not accessible to human moral exploration and illumination. On the other hand, if society should actually permit violations of those peripheral areas, then the whole moral system will collapse.

(17) The *Passuk* says:

ושמרתם אתם את חקתי ואת משפטי ולא תעשו
מכל התועבות האלה (ויקרא: י"ח, כ"ו).
*And you shall observe my rituals and laws, and not
engage in these abominations.*

If you want to meticulously observe the משפטים, which form the very foundation upon which civilized society rests. If you are concerned with the moral integrity of the community, and if you are seriously determined to protect

the community from all the abominations and excesses, practiced by the people who lived in Canaan before you, then train the community to observe the חוקים as well as the משפטים. Firstly, ושמרתם את חקתי (i.e. *one must observe the חוקים*) and only then ואת משפטי (i.e. only then can the משפטים be observed). If that occurs, then, ולא תעשו מכל התעבות האלה. Teach them how to surrender one's intellectual pride and arrogance and commit oneself to the Almighty, even though his reason is unable to comprehend the moral necessity and practical utility of the חוק. Even though the mind scoffs at the acts in which the people engage; nonetheless, if you want to preserve the integrity of the moral law, then tell them to accept the חוקים. Teach them how to abstain from an act which holds out great promise and teach them how to do something which is sometimes very painful.

That is the basic reason why secular ethics has failed. Because the element of חוק is not understandable and not comprehensible to secular man. When everything is reduced to משפט, there is no morality.

[IV] THE UNIQUE RELATIONSHIP BETWEEN G-D AND THE JEWS:

G-d addressed the Jews as their redeemer and not as their creator.

(1) The *Passuk* reads:

אנכי ה' אלקיך אשר הוצאתיך מארץ מצרים.
I am the G-d who redeemed you from Egypt.

Rashi writes:

כדאי היא ההוצאה שתהיו משעובדים לי.
*That act of taking you out is of sufficient importance
that you should subjugate yourself to Me.*

This again is derived from the *Mechilta*. What prompted *Rashi* and the *Mechilta*, to say so? What motivated them?

(2) Apparently, *Rashi* and the *Mechilta* were bothered by the old problem which was raised in *Sefard*, by *Rabbi Yehuda Halevi*,²⁵ namely, why didn't the Almighty introduce himself as the creator of heaven and earth?

Rashi answered that the fact of creation is the source and basis of the universal relationship between G-d and man; of the G-d-world confrontation. Of course, since G-d is creator and sustainer of everything, from the outskirts of the universe, down to the blossoming rose in my backyard, I am always confronted with Him. He is omnipresent and watches over everything and everybody. That is the universal G-d experience which Abraham discovered. Abraham discovered, not the G-d who took the Jews out of Egypt, because Abraham lived before the event took place. Abraham discovered the G-d who created the world, heaven and earth, the empty stretches of the uncharted spaces, every insect, and every flower. *Chazzal* say that Abraham just looked upon the world and saw the world illumined by intelligence, by order, and he asked, "How can this world have no ruler?" Abraham then chose to enter into a covenant. This is a unique relationship.

The universal relationship versus the individual relationship.

(3) What is the difference between the universal relationship between

²⁵*Rabbi Yehudah Helevi* asked this question of the *Ibn Ezra*, who addressed the issue in his commentary to this *Passuk*. See also, 'ספר הכוזרי מאמר א' סימן כ"ה.

G-d and the world, which is based upon the act of creation, and the unique singular relationship between G-d and the covenantal community, or between G-d and the people of Israel? What is the difference? It is unique; it is singular. Of course, the normative aspect, as far as the covenantal relationship is concerned, has been multiplied by a hundred times. The universal moral code consists of only seven principles; the Jewish moral code consists of six hundred and thirteen Commandments. The difference, however, is more fundamental than this. From the metaphysical viewpoint, there is a difference between the universal relationship and the single relationship. Within creation, G-d is the ruler, G-d is the master, G-d is the law maker, G-d is the architect, G-d is the king. Man surrenders to G-d. Within the covenantal community, G-d is not only the ruler, law and creator, but also teacher, comrade, friend and counselor.

G-d established a unique relationship with the Jews when he redeemed them from Egypt.

(4) *Chazal* commented on the *Passuk* of אשר הוצאתיך מארץ מצרים, that it can be read:

אשר הוצאתי אתך מארץ מצרים,
I have gone out with you from the land of Egypt.

We both were oppressed. We both were in bondage. We both gained freedom. This singular relationship which binds G-d with man, within one fellowship, is a result not of creation, but of יציאת מצרים.

That is what *Rashi* meant. The only reason why a unique relationship has been established between G-d and the covenantal community, is because He has

taken us out of Egypt.

Had G-d said:

אשר בראתי את השמים ואת הארץ,
I have created Heaven and Earth,

then there would be absolutely no explanation of his revelation at Sinai, and the establishment of a new community or of a new relationship between Him and His people. While at the cosmic level of the G-d-man confrontation, G-d owns everything, man nothing; within the covenantal community, the relationship is a mutual one. G-d owns man, but man owns G-d. We say אלקי אברהם אלקי יצחק, *G-d is the G-d of Abraham, Isaac and Jacob.*

(5) It is interesting that this *Passuk* of the Decalogue represents the first time that G-d took His name, changed it into a possessive noun, and said אלקיך, *I am Thy G-d*, You own Me; I am your property. I own you as creator; you own Me as a member of the covenantal community. G-d said, אלקיך, *I am your G-d*. As הויה, G-d is the creator, the maker, the source of reality, the source of being. Whatever exists, has its roots in My infinite being. Whatever exists, quests for Me. I am at the beginning and at the end. The point of departure is the destination as well. As such I am a הויה. Unlike אלקים, הויה cannot be changed into a possessive noun. הויה means existence par excellence. I am G-d. Everything is in Me. Everything exists by Me.

G-d demonstrated His humility by establishing a relationship with the Jews.

(6) G-d didn't just reveal Himself as הויה; He added that I am also

אלקין. I have chosen to relate Myself to you, as a people, in a very singular way, in the covenantal way. I will be אלקין, your G-d, in a very private, very unique way. My presence in your historical drama will differ from My intervention in the universal history.

The *Ramban* emphasizes, time and again, that G-d's presence in Jewish history, is completely different from His presence in universal history. In a word, הויה אלוקים, lets Himself be pronounced through the medium of the possessive noun. This is an act of צמצום, *a contraction of G-d's presence*. The same G-d, לא יכלכלוך, *whom the universe cannot contain*, descends from His transcendental recesses, into a small, weak, slave community, joins it, and introduces himself as אלקין.

That idea came to expression when G-d said:

והייתם לי סגולה מכל העמים כי לי כל הארץ
(שמות: י"ט, ה'),

You shall be my special nation, since I own the entire universe.

This is the universal relationship between G-d and the universe, between infinity and finitude, and the unique relationship between a small, down trodden people, and the Almighty G-d, who humbles Himself to enter a small, poor, humble community, which is held in contempt and hated by mankind.

Shabbos symbolizes both Creation and Exodus.

(7) That is what we recite in *Kiddush*:

ושבת קדשך באהבה וברצון הנחלתנו.
You have given us Your holy Sabbath with love.

The *Kiddush* refers to two aspects of *Shabbos*. Firstly, *זכר למעשה בראשית*; *Shabbos* is the symbol of the vastness of G-d's presence, of His infinity, of the boundlessness of the universe which was created; of G-d's act of carrying and sustaining the universe. The universe exists by Him, in Him, and not the reverse. Secondly, *Shabbos* symbolizes the humble actions on the part of G-d, of G-d's leaving infinity, leaving His transcendental abode, and inviting Himself into the poor Jewish home, into *ארבע אמות על ארבע אמות*, *four cubits by four cubits*.

As the *Medrash* says,²⁶

לא כמו שאתה חושב, אני חושב. אם אני רוצה
הנה השמים ושמי השמים לא יכלכלוני.
*I (i.e. G-d) do not think as you. If I wish the entire
universe cannot contain Me. I am infinity.*

אם אני רוצה אני יורד.
*If I desire, then I can descend from infinity into the
Holy of Holies, and contract myself (כביכול) into
an area of a square cubit.*

That is exactly what *Shabbos* symbolizes. *זכר למעשה בראשית*, symbolizes the infinity of G-d (i.e. *התפשטות*), *Chessed*, where G-d inundates the universe. *זכר ליציאת מצרים*, on the other hand, symbolizes the humility, the *ענוה*, on the part of G-d, to contract Himself and to join in a covenant with the Covenantal Community.

(8) Such a community is in trouble and has always been in trouble.

²⁶This *Medrash* was cited by the *לקוטי תורה* in the name of the *Mizritcher Maggid*.

Gentiles do not understand us. Jews begin to doubt the rationality of our existence. Such a community, we hope and pray, will survive.

תושלב"ע

APPENDIX A

It is unclear which Chapters *Rashi* refers to. Most commentators assumed that the Commandments and the Chapters referred to by *Rashi*, are those which are to be observed only when the conditions specified are present. For example, if one wears a garment with four corners, then he must provide the garment with *Tzitzis*. However, if he does not wear a garment with four corners, then he is not commanded to provide the garment with *Tzitzis*. If he does put on a garment with four corners, and provides them with *Tzitzis*, he receives a reward. However, he does not incur punishment by not wearing the garment.

Another example is the *Mitzvah* of *מעקה*, *erecting a railing*. If one builds a house, and the house has a flat roof, upon which people walk, then he must build a railing around it in order to prevent people from falling off the roof. However, one who does not own a house, or if the roof is slanted, not flat, and people do not walk on the roof, then there is no need for a *מעקה*, *a railing*. If one builds a house with a flat roof, and constructs a railing, then he is rewarded. But, abstaining from building a house with a flat roof does not result in punishment.

The same scenario prevails by *Mezuzah*. If one lives in a house and there is a door frame, one must nail a *Mezuzah* to the door frame. If there is no door frame, there is no need for a *Mezuzah*. However, if one constructs a door frame, and places a *Mezuzah* on it, then he receives a reward.

Rashi, thus, meant, that one might assume that the *Aseres Hadibros* belong

to that class of Chapters, of the so-called מצות הרשות, *optional Mitzvos*. In other words, he referred to that kind of *Mitzvah* which is binding only in certain situations, under certain definitive circumstances. There is no duty upon one to involve himself in those circumstances, in order to incur the imperative or the duty. However, if one places himself in such a situation, and complies with the *Mitzvah*, then the reward is assured.

Why did *Rashi* think that one could regard the *Aseres Hadibros* as מצות הרשות? Firstly, most Commandments in the *Aseres Hadibros* are negatives and the entire concept of מצות הרשות cannot apply to negative imperatives such as:

לא תרצח, לא תנאף, לא תענה ברעך עד שקר, לא
תחמד.

These negative precepts enjoin one from engaging in these acts under all circumstances. How can one assume that he will not be punished if he does not kill someone, and, yet, receive a reward for not killing? Secondly, even with regard to the three positive Commandments, these are absolute imperatives which are always obligatory and not limited to specifically defined circumstances. How, then, can one assume that he will not be punished if he does not observe them? For example, how can one assume that he will not be punished for failing to observe *Shabbos*?

I suspect that *Rashi* refers to something else. *Rashi* apparently thinks that since the *Aseres Hadibros* constitute the principles or the roots of the system of

the תרי"ג מצוות,²⁷ then each לא in the *Aseres Hadibros*, somehow has a corresponding עשה, which requires that the person engage in the exact opposite action (i.e. the action which is the reverse from that which has been prohibited by the לא itself).

For example, the injunction of לא תרצח, *Thou shall not commit murder*, corresponds to certain positive Commandments which require man to support, help, promote, save, and to protect life.²⁸ The same is true of לא תגנב, and the same is true of לא תענה ברעך עד שקר. On the contrary, one should tell the truth, צדק צדק תרדף, and so forth and so on. Each לא תעשה in the *Aseres Hadibros* is linked up to an עשה in other Chapters, which requires man to engage in the positive action which is the reverse of that sinful action which has been prohibited by the Ten Commandments. All of those מצוות עשה are binding. Consequently, if one does not fulfill these positive Commandments, he will be punished. This is the only way in which I can interpret *Rashi*.

²⁷This theory was developed by *R' Saadia Gaon* and concurred with by most *Rishonim*.

²⁸This is the *Mitzvah* of פקוח נפש, *saving life*.

APPENDIX B

גרות is now (i.e. circa 1972) a very popular topic. I do not want to talk about it. I do not like to talk about politics, but, I am very dissatisfied with the solution that the Rabbinat of Israel has found. It has not enhanced our prestige. There was no *Kiddush Hashem* involved. The issue should have been thought out, and the law amended to גרות כדין תורה (i.e. that converts be accepted only if they follow the procedure prescribed by the *Halacha*). Now it is suspended in mid air. They have solved this problem, but, next day, they will be confronted with another problem. A league of פושעים וחוטאים, *sinner and agnostics*, write the editorials in the Israeli newspapers. One of the editorials in the *Haaretz* could have been awarded the prize in Nazi Germany. It read:

יהודיה לא יהודיה. גויה מאוסה נחלתנו את.
*We don't care if you are Jewish. Even the ugliest
Gentile is preferable to a Jew.*

It is not criticism. It is not atheism. It is not agnosticism. It is plain, mean hatred, of a very low caliber. However, Orthodoxy has not performed well. Their prestige would have been enhanced if they would have quit the government. I am sorry to say so, and I wrote so to Mr. Shapiro. I did not want to publish my statement. I do not belong to those about whom *Chazzal* said:

אתה יושב בנציבין ומצודתך פרוסה על ירושלים
(פסחים דף ג' ע"ב).

I do not like to give orders. I do not give instructions. All I can say is that those are my thoughts. If you want to accept them, you may do so. Otherwise, you have a right to reject them.

In my opinion, if Jews and *Rabbanim* want to correct *Eretz Yisroel*, to redeem *Eretz Yisroel*, and to make the people more pious, we should go and settle in *Eretz Yisroel* and tell the people what to do about it. I do not believe that those in חוץ לארץ have the right to tell those of *Eretz Yisroel* what to do. As an observer, I believe that we emerged from the battle without dignity and without glory. It is a temporary solution. The problem will come up again. We have lost a great deal. How can a גיורת, a *convert*, who is married to a *Kohen*, who dwells in a קיבוץ שומר הצעיר (i.e. a *secular Kibbutz*), where the kitchen is not Kosher, where they do not have Kosher food, and where *Shabbos* is not observed, ever be deemed to have accepted the *Mitzvos* מלכות (קבלת עול מלכות)? I cannot comprehend it.

I want to emphasize something else. I read in the Israeli press of an interview by a certain Rabbi. When asked how he could convert this woman when he knew very well that she would return to her husband who is a *Kohen*, which is contrary to the Halacha, that a *Kohen* may not marry a convert, he responded that there are *Poskim* who permit a *Kohen* to marry a convert. I will tell you frankly. I am not a great scholar, but I am not an ignoramus either. I challenge the *Rabbi* to identify those *Poskim*, which are contrary to explicit passages in *Yechezkiel* and countless *Mishnayot*, which state that it is Pentateuchally enjoined. I will be frank with you. We enjoy freedom of interpretation. But, this is not interpretation. This is a fraudulent distortion. A גיורת may not marry a *Kohen*.

Finally, people know my attitude towards *Eretz Yisroel*. I consider the emergence of the State of Israel as a miracle. The State of Israel is the dam which stops the tide of assimilation. I know of many Jews who were oblivious to their Jewishness, but who woke up because *Eretz Yisroel* challenged them. Somehow they felt that they are summoned by *Eretz Yisroel*. חס ושלום, if *Eretz Yisroel* should go down the drain, then a tide of assimilationism will sweep throughout the world. I know this. However, we are not ready to exchange the identity of our people for a State. If there is a choice between a State and the identity of our people, then we must choose the identity of our people.

It is important for the leaders in *Eretz Yisroel* to recognize this. After all, the immigration to *Eretz Yisroel* is recruited mostly from Orthodox young men. A very small number of immigrants to *Eretz Yisroel* come from the Reform or Conservative circles. It does not pay to please some small group of Jew haters, but to lose the sympathy and love of Orthodox Jewry. To make a mockery of גרות is beyond me.

שיעור בעניני שבועות וגאולת ישראל
מאת הגרי"ד הלוי סולובייציק זצ"ל
סיון, תשמ"א
נרשם ונערך על ידי ברוך דוד שרייבר

[II] AN ANALYSIS OF THE *KEDUSHAS HAYOM* OF *SHAVUOS*.

Shavuos does not occur on a specific date.

(1) The *Torah* did not establish the Holiday of *Shavuos* on a specific date. The *Gemarah* comments:

עצרת פעמים בחמשה פעמים בששה ופעמים
בשבעה (ראש השנה דף ו' ע"ב).

The Holiday of Shavuos can occur on either the fifth, sixth, or seventh day of the month of Sivan (depending on whether the months of Nissan and Iyar contain thirty days or twenty nine days).

Shavuos differs from the other Holidays with regard to *זמן החג*. It is not limited to a specific date of the month in the same manner as the other Holidays.²⁹ *Shavuos* is established by *ספירת העומר*, *the counting of forty-nine days from the second day of Pesach*. Thus, *Pesach* is the *קובע*, *forms the basis*, of the Holiday of *Shavuos*.³⁰

²⁹Nowadays, *Nissan* is always a thirty day month, and *Iyar* is always a twenty nine day month. Thus, *Shavuos* always occurs on the sixth day of *Sivan*.

³⁰The *Rambam* (פרק ג' מהלכות קדוש החודש הי"ב) had raised the question of why, nowadays, *Shavuos* is observed for two days, given that, within a few weeks after *Pesach*, the messengers of the *Sanhedrin* invariably informed the Jews in the Diaspora of the correct date on which *Pesach* had occurred. Thus, during the time of the *Sanhedrin*, *Shavuos* was observed for only one day (i.e. on the fiftieth day after *Pesach*) by all Jews, both in the Land of Israel as well as in the Diaspora. He answered that, nowadays, *Shavuos* is, nonetheless, observed for two days, *כדי שלא לחלוק במועדות*, *in order not to discriminate among the Holidays*, and to maintain a sense of uniformity for all of the Holidays.

(2) The Rav explained that the reason why the date for the Holiday of *Shavuot* is indirectly established by the Holiday of *Pesach*, is that the Holiday of *Shavuot* is an extension of the Holiday of *Pesach*. *Shavuot* also commemorates *יצאת מצרים*, the *Exodus*. The purpose of *יצאת מצרים* was *Mattan Torah*. Though *יצאת מצרים* occurred on *Pesach*, nonetheless, the goal of *יצאת מצרים* was only realized on *Shavuot*.

This theme was developed by G-d during His initial dialogue with Moses at the Burning Bush. The *Passuk* states:

וזה לך האות אשר אנכי שלחתיך: בהוציאך את
העם ממצרים, תעבדון את האלקים על ההר הזה
(שמות: ג, י"ב).

*This is the sign that I have sent you: After you
release the people from Egypt, you will serve G-d
on this mountain.*

In other words, G-d told Moses that the purpose of *יצאת מצרים* would only be realized at *Mattan Torah*, and that, at the very moment that the Jews will be freed from Egypt (i.e. *בהוציאך את העם*), they should start to count the days which will lead to *Mattan Torah*. *יצאת מצרים*, per se, was not the most important event. Its importance was only that it was the first step towards *Mattan Torah*, towards:

תעבדון את האלקים על ההר הזה.
Serving G-d on this mountain.

The Holiday of *Shavuos* is an appendage of *Pesach*.

(3) The *Torah* refers to the Holiday of *Shavuos* as שבועות³¹. *Chazzal*, on the other hand, always describe the Holiday of *Shavuos* as עצרת³². Interestingly enough, *Chazzal* refer to *Shemini Atzeres* as יום טוב אחרון של חג, even though the *Torah* refers to it as עצרת. Why is *Shavuos* the only Holiday which *Chazzal* refer to as עצרת?

The Rav answered that the term עצרת emphasizes that *Shavuos* is not a יום טוב בפני עצמו, a Holiday whose date is established independently.³³ Rather, *Shavuos* is an appendage to *Pesach*. *Rashi* noted that the word עצרת, generally, means to overstay and refrain from going away, to do something which is not necessary. He wrote (with respect to why the *Torah* refers to the eighth day of *Succos* as עצרת) as follows:

כמלך שימנן את בניו לסעודה לכך וכך ימים. כיון
שהגיע זמן ליפטר, אמר: בני בבקשה מכם, עכבו
עמי עוד יום אחד. קשה עלי פרידתכם (רש"י על
"עצרת היא" ויקרא: כ"ג, ל"ו).

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ועשית חג שבועות לה' אלוהיך [דברים: ט"ז, י].
This was also employed with respect to the last day of *Pesach* and to *Shemini Atzeres*. See, *infra*, Footnote 37.

³²The one exception to this is the reference to *Shavuos* appearing in מסכת מנחות דף ס"ה ע"א. On the other hand, the *Torah*, refers to it as שבועות, and never as עצרת. The *Torah* describes the last day of *Succos* and the last day of *Pesach* as עצרת. This is discussed, *infra*, Paragraph 7.

³³Clearly it is an independent Holiday as far as the קרבנות הרגל and the other *Mitzvos* are concerned.

This is analogous to a King who invited his children for a week long feast. When the time to leave arrived, the King asked his children to remain an extra day, since their departure would be painful for him.

Similarly, *Chassidim* recite in the *Tefillah*:

ותתן לנו את יום שמיני עצרת החג הזה.

This translates:

ותתן לנו את יום השמיני שהוא העצרת של חג
הסוכות.
*You have provided us with an eighth day, which is
a day which would otherwise not be necessary.*

The eighth day of *Succos* is an *עצרת הרג*, an *extra day*. In a similar manner, *Shavuot* is the *עצרת* of *Pesach*, an extension of the Holiday of *Pesach*.³⁴

The controversy between the Pharisees and the Sadducees.

(4) The question arises, that the *Gemarah*³⁵ quotes the מגילת
תענית³⁶ which relates that a special holiday was established on the date upon
which the Pharisees seized control of the *Sanhedrin* from the Sadducees, and

³⁴Interestingly, in *Tefillah*, we recite השבועות הזה, and not העצרת הזה. Apparently, the אנשי כנסת הגדולה were reluctant to employ their own terms in the *Tefillah*, and always referred to the Holidays with the terms employed by the Prophets and the *Torah*. Since the *Torah* referred to the Holiday as (דברים ט"ז, ט"ז) חג השבועות, *Chazzal* incorporated this term into the *Tefillah*.

³⁵מנחות דף ס"ה, ע"א

³⁶The מגילת תענית was a scroll, authored during the Second Temple, which recorded the various mini - holidays established to commemorate certain miracles and other momentous occasions which occurred in that time.

voted to establish the Holiday of *Shavuos* as the date which is precisely fifty days after *Pesach*. The *Gemarah* states that on that day:

איתותב חגא דשבועיא. רש"י: נתיישוב על דינה.
*The Holiday of Shavuos was established as the
fiftieth day following Pesach.*

Why did the *Gemarah* here refer to *Shavuos* as שבועיא, and not as עצרת, as was their custom?

(5) Prior to this event, a long-standing controversy had raged between the Sadducees and the Pharisees as to the interpretation of the *Passuk* which states:

וספרתם לכם ממחרת השבת (ויקרא: כ"ג, ט"ו).
*You shall count (fifty days commencing) on the
morrow of the Sabbath (and celebrate Shavuos on
the fiftieth day).*

The Sadducees maintained that "ממחרת השבת", *on the morrow of the Sabbath*, meant Sunday, and that one is obligated to commence the ספירת העומר on a Sunday. They further maintained that this should commence on the Sunday immediately following the start of the harvest. Thus, *Shavuos*, which is seven calendar weeks later, would, de facto, always occur on Sunday. The first day of the harvest was arbitrarily selected each year, depending on the climactic conditions, and changed from year to year. Accordingly, *Shavuos* also occurred on a different date each year. Thus, the Sadducees rejected any bond between *Pesach* and *Shavuos*.

The Pharisees argued that "ממחרת השבת", *the morrow of the Sabbath*, refers to the day following the first day of *Pesach*. Thus, ספירת העומר should

commence on the second day of *Pesach*, and the Holiday of *Shavuos* should be observed on the fiftieth day thereafter. The two Holidays of *Pesach* and *Shavuos* were, thus, inextricably bound together. This issue was the nub of the controversy between them.

(6) Accordingly, in order to counter the Sadducee's view, *Chazzal* utilized the term עצרת (and not *Shavuos*) which conveys the message that this Holiday is dependent on, and inextricably linked with, *Pesach*. This terminology was instituted immediately after the episode related in מגילת תענית, in which איתותב חגא דשבועיא (i.e. the *Sanhedrin* voted that the Holiday of *Shavuos* should always occur on the fiftieth day following *Pesach*). However, when the *Gemarah* initially relates the episode of how the Pharisees defeated the Sadducees (and established the Holiday of *Shavuos* as the fiftieth day following *Pesach*), it employs the words חגא דשבועיא, since that was the last time that the Holiday was called by such name. Immediately after that victory, the Rabbis decreed that the Holiday be called עצרת, and not שבועיא or *Shavuos*.

Similarly, the *Medrash* in פרשת ראה states:

תקנו חכמים שיהיו קורים לחג השבועות עצרת.
*The Rabbis decreed that the Holiday of Shavuos be
renamed as עצרת.*

In conclusion, the term עצרת conveys a special message. It reminds us of the heroic tenacity of the Rabbis in battling the Sadducees. The Sadducees preferred the term *Shavuos* inasmuch as it was consistent with their view that the Holiday occurs after seven calendar weeks, each commencing on Sunday.

Chazzal implemented the change from חג שבועות to עצרת to denote that this Holiday (of עצרת), is part of *Pesach* and not a חג בפני עצמו, a *Holiday unto itself*. It, thus, does not occur on a specific date reserved for עצרת, but is the fiftieth day after *Pesach*.

The meaning of the word עצרת.

(7) Why, however, did *Chazzal* choose the term עצרת and not any other term? The Rav answered that the *Torah* employs the word עצרת with respect to the last day of the Holidays of *Succos* and *Pesach*.³⁷ The *Mitzvos* which are associated with these individual Holidays (such as *Matzah* and *Succah*) are obligatory only on the first day of these Holidays, and not on the latter days of these Holidays. The last day of each of these Holidays is denominated as "עצרת". In other words, the term עצרת indicates a *Yom Tov* which is provided with *Kedushah* solely with regard to מלאכה, *abstention from work*, and not with regard to any other *Mitzvos*! Its קדושת היום, *intrinsic sanctity of the day*, expresses itself solely with regard to איסור מלאכה, and not with the performance of any *Mitzvos*.³⁸ The nomenclature of עצרת, thus, captures the nature and substance of these Holidays as days in which work may not be performed, but on which specific *Mitzvos* are not required.

³⁷The *Torah* writes, with respect to *Succos*:

ביום השמיני מקרא קודש...עצרת היא (ויקרא: כ"ג, ל"ו).

Similarly, with respect to *Pesach*, it writes:

וביום השביעי עצרת לה' אלקיך (דברים ט"ז, ח').

³⁸The שתי הלחם which is offered on *Shavuot*, is a *Karban*, and not relevant outside of *Bais Hamikdash*.

Similarly, *Shavuos* has no specific *Mitzvos*³⁹ which are limited to *Shavuous* and are characteristic of its קדושת היום, *intrinsic sanctity of the day*, such as *Matzah*, *Succah*, or the like.⁴⁰

The *Targum* translates *Shavuos* as עצרת.

(8) Interestingly, the *Passuk* states:

³⁹It is, however, part of the שלש רגלים with regard to ראיה, etc.

⁴⁰The Rav added, in response to a question raised by one of the students, that the בכורים (i.e. *the first fruits which are to be brought to Jerusalem*), are not related to the *Kedushas Hayom* of the Holiday of *Shavuos*. With respect to בכורים, the *Passuk* writes:

וביום הבכורים בהקריבכם מנחה חדשה לה' (במדבר: כ"ח, כ"ו)
On the day on which you offer the first fruits to bloom.
This refers to the שתי הלחם, which are offered in the Temple on *Shavuos*, and not to בכורים per se.

The שתי הלחם are called בכורים since:

שתי הלחם אינן באין אלא מן החדש (מנחות דף פ"ג ע"ב),
Both the מנחות comprised of חדש and the individuals could not offer any grains prior to the date on which the שתי הלחם were offered.

Thus, the שתי הלחם were the first fruits offered from the חדש crops. Individuals could not offer their own בכורים (which were classified as חדש), prior to that. As the *Gemarah* states:

אין מביאין מנחות, בכורים ומנחת קרבנות קודם לשתי הלחם (מנחות דף פ"ח, ע"ב).

One may not offer any of the מנחות (including בכורים) prior to the time in which the שתי הלחם are offered (i.e. on Shavuos).

Similarly, the *Mishnah* writes:

אין מביאין בכורים קודם לעצרת (מסכת בכורים פ"א מ"ג).
However, there is no *Mitzvah* for individuals to offer בכורים on *Shavuos*. There is no nexus between the Holiday of *Shavuos* and בכורים. Coincidentally, *Shavuos* marked the first day on which בכורים were generally offered, since בכורים could not be brought until after the שתי הלחם were offered on *Shavuos*. However, בכורים could be offered at any time after *Shavuos*, until *Chanukah*.

Thus, the term יום הבכורים refers solely to the date upon which the שתי הלחם were offered, and this is independent of the Holiday, per se. It was for this reason that it is called יום הבכורים and not חג הבכורים.

וביום הבכורים בהקריבכם מנחה חדשה לה'
בשבועותיכם (במדבר: כ"ח, כ"ו),
*On the day on which you offer the first fruits to
bloom, on your Holiday of Weeks.*

The *Targum* translates the word "בשבועותיכם" as "בעצרתכון".⁴¹ The גר"א and other commentators had cited this *Targum* to explain why the Holiday of *Shavuot* is referred to as עצרת.

The *Targum* felt that the word בשבועותיכם, your weeks, means the Holiday which was precipitated by your counting of weeks; by the individual and special weeks (or seven day periods) which were generated by the Jews, as opposed to the standard weeks which commence on each Sunday. This is contrary to the view of the Sadducees, who maintained that ספירת העומר must commence on Sunday, and that the seven weeks of counting are the seven natural calendar weeks, and not seven day periods starting on any day of the week selected by the Jews. The Pharisees rejected this view since, if correct, the *Torah's* use of the term שבועותיכם (i.e. *your individually designated weeks*), is misplaced. The *Targum* concluded from this that ספירת העומר must commence on the second day of *Pesach*, and, thus, the weeks of the ספירה are not the natural weeks, but the special seven day periods instituted by the Jews. Accordingly, the *Targum* translates בשבועותיכם as בעצרתכון (i.e. *your עצרת*) which means that the Holiday is one which is completely generated by you (i.e. the Jews). This change serves only one purpose, namely, to refute the view of

⁴¹This translates, in Hebrew, as, בעצרת שלכם, *the עצרת which belongs to you.*

the Sadducees, and to emphasize that it is a Holiday created and precipitated by our counting.⁴²

[III] THE ORDER OF THE *PASSUKIM* IN THE תוכחה.

The arrangement of the *Passukim* of the תוכחה is seemingly inverted.

(1) The order of certain of the *Passukim* contained in פרשת בחוקותי, which must be read prior to the Holiday of *Shavuos*⁴³, have long troubled the commentators. The *Passukim*⁴⁴ are arranged as follows:

וכשלו איש באחיו כמפני חרב ורדף אין, ולא תהיה
לכם תקומה לפני אויביכם. והנשארים בכם ימוקו
בעונם ואף בעונת אבותם (פסוק ל"ז)

*One man will trip over the other, as if he were
pursued by a sword; yet, there will be no pursuer.
They will be unable to resist your enemies. The
remainder of them will be disintegrated because of
their sins and that of their father's sins.*

והתוודו את עונם ואת עון אבותם במעלם אשר
מעלו בי. ואף אשר הלכו עמי בקרי (פסוק מ')
*They will confess their sins and their father's sins in
rebellious against Me, and for treating Me with
indifference (and ignoring Me).*

⁴²In ועשית חג שבועות the *Torah* states (פרק ט"ז פסוק ו') the *Targum* did not translate שבועות as עצרת. However, in the present case, where the *Torah* designated the Holiday in terms of the counting of weeks, and that the Holiday is generated by such counting of weeks, the *Targum* felt it necessary to qualify that the weeks are not the standard weeks, but seven day periods established by the Jews. Having decided to explain this, the *Targum* complied with the Rabbinical institution that the Holiday be referred to as עצרת.

⁴³On many other occasions, the Rav explained the nexus between *Shavuos* and the תוכחה, which must be read prior thereto (*Megillah*: 31b).

⁴⁴These are found in Leviticus: 26, 37-41.

אף אני אלך עמם בקרי, והבאתי אותם בארץ
אויביהם. אז יכנע לבבם הערל ואז ירצו את עונם
(פסוק מ"א).

I, in turn, will treat them with indifference (and ignore them). I will exile them to the lands of their enemies. Thus, will their insensitive hearts become obedient and their sins accepted.

וזכרתי את בריתי יעקב ואף את בריתי יצחק ואף
את בריתי אברהם אזכור והארץ אזכור (פסוק
מ"ב).

I will remember my covenant with Jacob, Isaac, Abraham, and the Land.

ואף גם זאת בהיות בארץ אויביהם לא מאסתי
להפר בריתי אתם (פסוק מ"ד).

Even though I have exiled them to the land of their enemies, I will not allow them to disintegrate, nor rescind my covenant with them.

וזכרתי להם ברית ראשונים אשר הוצאתי אותם
מארץ מצרים (פסוק מ"ה).

I will recall My covenant with their forefathers, whom I redeemed from the land of Egypt.

(2) The Ramban raised the question that the order of the *Passukim* is, *prima facie*, inverted, in that it first reads that עונם את (i.e. *the Jews will confess their sins*), but the consequence of that confession will be,

אף אני אלך עמם בקרי,

I will ignore them,

and,

והבאתי אותם בארץ אויביהם,

I will exile them.

The opposite should be true: Once the people realize their error and express their repentance (והתוודו), then G-d should react favorably and not negatively!

וידוי requires complete admission of guilt.

(3) The Rav explained that the answer lies in the form of וודוי which the Jews employ. The *Passuk* reads:

והתודו את עונם ואת עון אבותם במעלם אשר
מעלו בי, ואף אשר הלכו עמי בקרי,
*They will confess their sins and their father's sins in
rebellng against Me and for treating Me with
indifference.*

The *Passuk* says that the Jews will admit both their sins and their father's sins. Implicit in the Jews' וודוי is their contention that their sins are not entirely their fault. Rather, the Jews will claim that their fathers introduced them to the sinful lifestyle and mode of living, and, thus, they are not totally to blame. This type of הכרת החטא, *acknowledgment of sin*, is incomplete. הכרת חטא, by definition, means that the person unconditionally accepts blame for his wayward sins, and does not assign blame to anyone but himself.

The *Passuk* continues that the Jews treated G-d with קרי, *indifference*. The *Rambam* writes⁴⁵ that the word "קרי" implies that the events which took place occurred on their own in the nature of things. Similarly, the Jews will claim that their sins are קרי, are not their fault and could not have been avoided. There were dynamic forces which prevented the Jews from doing the right thing. Thus, the *Passuk* means:

והתודו את עון אבותם,
*They will repent, but they will ascribe their sins to
external forces such as their father's sins.*

פרק א' מהלכות תענית הלכה ג'⁴⁵

This *הכרת החטא* is deficient, since it is not accompanied by *צידיק הדין*, *acknowledgement of the justice of punishment*. The Jews try to defend themselves and refuse to take responsibility for their actions. True *הכרת החטא*, however, is realized only by those who plead guilty and offer no excuses. As we say in *וידוי*:

כי אמת עשית ואנחנו הרשענו,
You have acted in truth, and we have sinned.

There are no extenuating circumstances or excuses. We are absolutely guilty. The very moment that one casts blame on his parents, his *הכרת החטא* becomes deficient.

(4) G-d's reaction to this incomplete *וידוי* is found in the next *Passuk*:

והבאתי אותם בארץ אויביהם....
I will exile them to the land of their enemies.

Rashi explained that *Passuk* as follows:

אני בעצמי אביאם. וזו מידה טובה לישראל שלא
יהיו אומרים הואיל וגלינו בין האומות נעשה
כמעשיהם. אני איני מניחם, אלא מעמיד אני את
נביאי ומחזירן לתחת כנפי.
*I will personally exile them. This is a blessing in
disguise. I will not permit the Jews to resign
themselves to assimilation; I will send my prophets
and cause them to return to Me.*

G-d will exile them, but G-d has promised that He will not permit them to assimilate into the nations.

Teshuva is a two-fold gift.

(5) *Teshuva* is a gift from G-d. There are two concerns which *Teshuva* addresses:

x) Firstly, whether G-d will accept the penitent or not. If G-d would apply the principle of אמת, *truth*, there would be no hope for the sinner. אמת, *truth*, dictates that G-d should punish the sinner, and not forgive him; and,

y) Secondly, will the sinner ever change his ways? Will he become so involved with his sins that he will never be stimulated nor motivated to do *Teshuva*?

(6) With regard to the first concern, the *Yerushalmi* points out that *Teshuva* is not justified from the viewpoint of אמת, *truth*. It says:

שאלו לחכמה, חוטא מהו עונשו? אמרה להן
חטאים תרדוף רעה. שאלו להקדוש ברוך הוא
ואמר יעשה תשובה ויתכפר לו (ירושלמי, מסכת
מכות פ"ב ה"ו).

They asked the Angel of Wisdom what course should the sinner take? He answered that the iniquities and the sins should pursue the sinner forever. There is no justification to excuse the sinner. G-d answered that the sinner should repent, engage in Teshuva, and he will be forgiven.

Teshuva defies all principles of logic and philosophy. *Teshuva* runs counter to אמת and truth. No one understands the concept of *Teshuva*. Only G-d can understand it. G-d is רב חסד, *all kindness*, and G-d has promised that He will forgive the sinner.

There is a second concern, however. Will the sinner ever become so spiritually or morally depraved that he will be beyond hope? G-d addressed this concern by promising not only to accept the sinner and to forgive him, but to motivate the sinner to do *Teshuva*. G-d will not allow the sinner to sink into the

מ"ט שער טומאה, *the depths of debauchery*.⁴⁶ G-d has promised to guard the sinner from complete alienation and disintegration of the personality. G-d has implanted in the recesses of each Jewish soul the longing to return to G-d. The sinner will always feel unhappy and will long to return to the Jewish fold. He may feel that he lacks the courage to do so, but he will always retain that core of Jewish feeling.

(7) The *Torah* writes that, after hearing the י"ג מדות, *the thirteen principles of truth, justice, love, kindness, and Teshuvah*, Moses prostrated himself.⁴⁷

The *Gemarah*⁴⁸ asks which words of the י"ג מדות caused Moses to prostrate himself: was it that of ארך אפים (i.e. *that G-d mercifully waits for the sinner to repent*), or, that of אמת (i.e. *that G-d is the G-d of truth and dispenses justice*). The view which maintains that Moses prostrated himself after hearing the word אמת, maintains that he did so in order to acknowledge that the concept of *Teshuva*, which is contrary to אמת, is the greatest of all gifts. The view which maintains that Moses prostrated himself after hearing the words ארך אפים, maintains that he did so in order to acknowledge that the greatest gift is G-d's patience in guarding over the sinner, strengthening him, and preventing him from complete disintegration and deterioration. This latter component, which

⁴⁶עד יום מותו אחכה לו בתשובה (תפילת מוסף לימים נוראים).

⁴⁷ויקוד ארצה וישתחו (שמות: ל"ד ח').

⁴⁸סנהדרין דף קי"א ע"א

guards the sinner, may be even greater than that which allows G-d to ignore *אמת*, and to accept the sinner's *Teshuvah* and repentance.

G-d's response to deficient *Teshuva*.

(8) This is the meaning of the *Passukim*. The Jews sin and acknowledge their sins. Nonetheless, this acknowledgement is not sufficient. They claim that their sins resulted from their parents' environment:

והתוודו את עונם ואת עון אבותם.
They will confess their sins and their father's sins in rebelling against Me, and for treating Me with indifference.

Their *Teshuva* is not yet complete since they still blame their parents for their own sins. They do not unconditionally repent and acknowledge that they themselves are the ones to blame.

Nonetheless, since they have begun the process of *Teshuva*, since they have engaged in *הרהורי תשובה*, *rudiments of repentance*, G-d promises them:

והבאתי אותם בארץ אויביהם - אני בעצמי
אביאם...אז מידה טובה לישראל.
I will personally exile them. This is a blessing in disguise. I will not permit the Jews to resign themselves to assimilation; I will send my Prophets and cause them to return to me.

G-d, Himself, will join them in exile. G-d will not allow them to deteriorate nor to assimilate with the other nations. G-d will watch over them, since, absent this protection, they would assimilate completely and could never be redeemed. G-d will patiently wait for them to do *Teshuva*.

(9) The *Passuk* (ibid) continues:

אז יכנע לבבם הערל, ואז ירצו את עונם (פסוק
מ"א)

*Thus will their insensitive hearts become obedient
and their sins accepted.*

Interestingly, the *Passuk* does not say that G-d will forgive their sins and accept the Jews' *Teshuva*. It only says that אז ירצו עונם, *their sins will be accepted*. G-d will not forgive them at this stage, since their *Teshuva* is still deficient. However, G-d will not destroy the Jews nor allow their enemies to annihilate them. G-d will patiently wait and will not alienate them.

The two covenants between the Jews and G-d.

(10) This is then followed by:

וזכרתי את בריתי יעקב ואף את בריתי יצחק ואף
את בריתי אברהם אזכור, והארץ אזכור.
*I will remember my covenant with Jacob, Isaac,
Abraham and the Land.*

This first זכירה, *the Patriarchal Covenant*, corresponds to (and is the reason for) G-d's infinite *Chessed* in guarding the exiled Jews and waiting patiently for them to do *Teshuva*.

The *Passuk* continues:

ואף גם זאת בהיותם בארץ אויביהם לא מאסתים
ולא געלתים לכלותם, להפר בריתי אתם.
*Even when I have exiled them to the lands of their
enemies, I have not despised nor rejected them, nor
allowed them to disintegrate, nor rescinded My
covenant with them.*

G-d will always watch over the Jewish people. He will comply with this first זכירה, *the Patriarchal Covenant*. This marks the end of the first stage of exile.

(11) The second stage of the exile is illustrated by the succeeding *Passuk* which contains the second זכירה, *covenant*. It reads:

וזכרתי להם ברית ראשונים אשר הוצאתי אותם
מארץ מצרים לעיני הגוים להיות להם לאלקים אני
ה'.

*I will recall my covenant with their forefathers
whom I redeemed from Egypt.*

This second זכירה, *the covenant with those who were redeemed from Egypt*, corresponds to (and is the reason for) G-d's promise that the Jews will ultimately engage in *Teshuva*, and that this will lead to their final redemption. When, finally, the right moment will arrive when they will be ready to do *Teshuva*, and to obtain total forgiveness and expiation, G-d will accept the Jews' *Teshuva*. Such *Teshuva* will, in the end, lead to the final redemption.

(12) What is the difference between these two זכירות, *covenants*?⁴⁹ The Rav explained that they represent two very different הבטחות, *promises*, which in turn correspond to the two-fold gifts of *Teshuva*:

x) First, that G-d will wait patiently until the Jews finally decide to do *Teshuva* and to return to Him; and,

y) Second, קבלת תשובה (מחילת החטא) (i.e. *that G-d will forgive the Jews and accept their Teshuva*).

The Patriarchal Covenant results in G-d's loyalty to the Jewish people.

(13) The first זכירה represents G-d's expression of loyalty to the Jews. This first זכירה is the covenant with the Patriarchs, who were the first to express

⁴⁹We quote both זכירות in the *Mussaf* of *Rosh Hashana*.

their loyalty to G-d. Just as the Patriarchs were loyal to G-d, so, too, G-d will remain loyal to their descendants, the Jews. G-d will be as loyal to Jews as their parents were to Him. G-d will wait patiently for the Jews to repent. He will watch them and prevent them from assimilating.⁵⁰

(14) This is exactly what the *Passuk* means:

והתודו את עונם ואת עון אבותם,

they will acknowledge their sins, but they will rationalize that their sins are due to their upbringing. G-d immediately responds that He does not accept this type of *Teshuva*. It is incomplete. G-d will exile the Jews; He will punish them. However, G-d promises that he will bring the Jews back to Him. He will watch them and prevent them from any attempts at complete assimilation and spiritual disintegration.

The *Passuk* concludes:

אז ירצו את עונם,

Then, their sins will be accepted.

The *Torah* employs the word ירצו, *their sins will be accepted*, and not the word אסלח, *forgiveness*, since at this juncture, the Jews still have not performed complete *Teshuva*. This first *Teshuva* cannot change the sinner nor cleanse him, but it enables the חוטא to survive the חטא (so that he does not deteriorate). G-d, however, promises that the Jews' sins will not destroy their spiritual sensitivity

⁵⁰The Rav related that many people had told him that if they knew that it was possible to reverse their experiences of the last forty years of their life, then they would also do *Teshuva*. But, they felt that it was impossible to do so. They felt that their circumstances did not permit them to change.

before G-d comes to their aid. This is the first זכירה on the part of G-d. As long as the Jews have an infinitesimal feeling for G-d in their hearts, G-d will be loyal. Moreover, וזהארץ אזכור: The loyalty encompasses not only the Jewish people, but of the land of Israel as well. This is the זכירה of loyalty, of devotion, of not deserting the violator.

The covenant with the Jews results in G-d's acceptance of *Teshuva*.

(15) Then comes the second זכירה.

וזכרתי להם ברית ראשונים אשר הוצאתי אותם
מארץ מצרים להיות להם לאלקים.

*I will recall My covenant with their forefathers
whom I redeemed from Egypt.*

G-d will be the G-d of the Jews. G-d will protect the Jews in the same manner that He protected them when He redeemed them from Egypt. G-d will defend the Jews and will be their G-d once they have done complete *Teshuva*. Ultimately, the Jews will engage in complete *Teshuva*, and G-d will accept them and redeem them at that time, just as He redeemed their forefathers in Egypt.⁵¹

This is crystallized by the words at the end of the *Passuk*, containing the second זכירה, namely, להיות להם לאלוקים. This is the final acceptance of G-d's sovereignty as king of the Jews.

In the interim period, however, G-d watches over the Jews, even though their *Teshuva* is incomplete. This is expressed by the first זכירה, the Patriarchal Covenant of loyalty. תושלב"ע

⁵¹The above thoughts were essentially expressed by the *Ramban*.

שיעור בעניני מתן תורה
מאת הגר"ד הלוי סולובייצק זצ"ל
סיון, תשמ"א
נרשם ונערך על ידי ברוך דוד שרייבר

II] THE LESSONS OF JETHRO AND THE AMALEKITE WAR.

Jethro's visit is recorded prior to *Mattan Torah*.

(1) It would have been more appropriate for the *Torah* to have recorded Jethro's visit in פרשת בהעלותך,⁵² where the *Torah* discusses other aspects of his visit, Moses' attempt to dissuade him from departing and his dialogue with Moses. Nonetheless, his arrival, reception by Moses, the advice he gave, and his departure are related in the Chapter which immediately precedes *Mattan Torah*.⁵³ This Chapter concludes:

וילך לו אל ארצו (שמות: י"ח, כ"ז),
Jethro returned to his own land,

This is immediately followed by the next *Parsha* which discusses the preparation for *Mattan Torah* and which commences:

בחדש השלישי לצאת בני ישראל מארץ מצרים,
ביום הזה באו מדבר סיני (שמות: י"ט, א').
*On the third month following the Jews' departure
from Egypt, on that day they arrived in the Sinai
desert.*

Why did the *Torah* arrange the Chapters in such order?

The war with Amalek is also recorded prior to *Mattan Torah*.

⁵² במדבר: י', כ"ט

⁵³ שמות: י"ח, א

(2) There is also another individual, namely, Amalek mentioned in the Chapter preceding *Mattan Torah*, even though he is seemingly unworthy of being recorded among the significant events preceding *Mattan Torah*.

(3) Immediately after describing the miraculous parting of the Red Sea, the *Torah*⁵⁴ provides us with a precise and detailed report about the *מַסְעוֹת*, *the places where the Jews stopped and in which they did or did not have water*. This is described in detail and is followed by the story of Manna and their subsequent encampment at *רַפִּידִים*.⁵⁵ The *Torah* then describes their battle with the Amalekites.

Why did the *Torah* precede the story of *Mattan Torah* with a description of the battle with the Amalekites?

The divergent reactions of Jethro and Amalek to the Exodus from Egypt.

(4) In order to understand *Mattan Torah*, Jews must know and appreciate both the story of Jethro and that of Amalek. *Rashi*⁵⁶ writes that Jethro's departure to his house (*וילך לו אל ארצו*) was to accomplish *לגיייר את בני ביתו*, *to convert his household to Judaism*. Jethro had a share in *Mattan Torah*, and decided to exchange paganism for Judaism. He went home determined to convert his household to Judaism. Why is it important to know this?

שמות: ט"ז, א-ב,⁵⁴

שמות: י"ז, א,⁵⁵

שמות: י"ח, כ"ג,⁵⁶

It is also important to know the story of the other individual who was immensely impressed with the story of יציאת מצרים but who was determined to erase it (the story of יציאת מצרים) from the pages of history, and to annihilate and exterminate the Jews who dared to leave Egypt. Apparently, this story is also indispensable to an understanding of *Mattan Torah*. Why?

(5) Jethro was a Gentile; he was, what might be called today, the Archbishop of Midyan. He came to camp with the Jews with an open mind. He wanted to observe for himself what the Jews had accomplished and were about to engage in. He stayed with the Jews, and was so overwhelmed by their conduct, that he renounced paganism and embraced Judaism. This is one illustration of a Gentile's reaction to Jews and *Mattan Torah*. *Chazzal* did not describe Jethro as one of the חסידים אומות העולם, *a saintly Gentile*. Rather, they portrayed him as a decent person, whose positive reaction should have been emulated by other Gentiles who witnessed the exhibition of *Mattan Torah*.

The Amalekites were also impressed with the Jews, but their reaction differed from that of Jethro. They believed that a nation which could defy Egypt and Pharaoh, gain freedom from Pharaoh, and defeat the Egyptian regime, while having different laws from those which prevailed all over the world,⁵⁷ should be exterminated. Amalek came, and וילחם עם ישראל ברפידים, *they attacked the Jews*. The Jews had not threatened Amalek in any manner; yet, Amalek attacked them anyway. This was their reaction to יציאת מצרים.

⁵⁷ודתיהם שונות מכל עם,

Why is it necessary to understand the divergent reactions of Jethro and Amalek? Why are their reactions so important? What change did Jethro's reaction generate in his homeland of *Midyan*? What were the conclusions drawn by the Amalekites which precipitated their attack on the Jews?

The first Tablets were delivered in public.

(6) The answer is complex. In פרשת כי תשא, when the *Torah* tells us of G-d's command to Moses to ascend Mount Sinai and engrave the text on the second set of Tablets, the *Torah* says:

ואיש לא יעלה עמך (שמות: ל"ד, ג').
No one should ascend the Mount with you.

Rashi writes that the first set of Tablets were destroyed since they were accompanied by too much publicity, and were affected by an עין הרע, *an evil eye*.⁵⁸ G-d, therefore, counselled that the second set of tablets be given quietly, with modesty and anonymity. As *Rashi* writes:

אין לך יפה מן הצניעות.
*It is always preferable to act modestly when
engaging in important undertakings.*

(7) The commentators raised the question that if the first Tablets were shattered because they were given publicly, why then did G-d originally suggest that they be given in this manner?

Similarly, we recite in the *Mussaf* Prayer of *Rosh Hashana*,

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רש"י ד"ה ואיש לא יעלה עמך: הראשונות על ידי שהיו בתשואות וקולות, שלטה בהן עין הרע. אין לך יפה מן הצניעות.

בקולות וברקים עליהם הופעת,
You appeared on Mount Sinai with loud thunder and noises.

We emphasize that the *Torah* was accompanied by the blast of a *Shofar* and exposed to the whole world. Every king and kingdom in the world was aware of *Mattan Torah*.⁵⁹ G-d's original intention was not for an intimate and modest affair, but for a public multi-national affair.

ה' עוז לעמו יתן (תהילים: כ"ט, י"א)
G-d demonstrated His strength at Mattan Torah.

Yet, this publicity was harmful and caused the destruction of the first Tablets. Why did G-d arrange it so?

The publicity of the first Tablets exposed the Gentiles to a new moral code.

(8) The answer is that the first set of Tablets had to be given publicly, even though G-d knew that, ultimately, this publicity would cause their destruction. G-d wanted the world to know that the Jews received the Tablets, and that the Tablets contained a new moral code, a new outlook, and a new set of laws. It was not important for the other nations to accept this code and live in compliance therewith. It was, however, crucial, that they be aware of it, and if, as a result, the Tablets would be shattered, then G-d would provide a replacement set.

Interestingly, the primary theme of *Shofros* on *Rosh Hashana* is the גלוי שכינה, *the intense demonstration of G-d's prowess*, which resulted from the

⁵⁹As a matter of fact, they were so disturbed by *Mattan Torah*, that they went to Balaam to consult with him about it (Numbers, Chapter 22).

publicity, the קולות וברקים. Without the קולות וברקים, and the ensuing publicity, there would have been no *Mattan Torah*. The עין הרע could not have been avoided since it was essential that every human being know about it. Even Balaam conceded that,

ה' עוז לעמו יתן...
*G-d demonstrated His strength at Mattan Torah.*⁶⁰

Finally, the great vision was to be translated into reality, and the whole world had to know that שכינה שורה בישראל, *G-d resides in His people*. The fact that G-d gave the *Torah* to the Jews is symbolic of His choosing the Jewish people as an עם סגולה, *the chosen people*. G-d offered the *Torah* to all of the nations, however, they refused to accept it since they felt that they would be unable to live in accordance with it. The Jews accepted the *Torah*, and, as a result, became the עם סגולה, *the chosen people*.

(9) Moreover, G-d wanted *Mattan Torah* to be a public spectacle, since, eventually, a time will come when the whole world must realize that the Tablets given to Jews contain the truth, and it is worthwhile to accept them in the same way that the Jews accepted them so many years ago. The *Torah* was offered to everybody, and must eventually be accepted by everybody. The Jews were the only nation who took advantage of the offer, but the offer was extended to every human being. The Jews were sensitive, and understood the exaltedness

⁶⁰The Chapter of קול ה' לבני אלים, in which this *Passuk* is contained, expresses the entire story of *Mattan Torah*. It is contained in Chapter 29 of Psalms.

and beauty of a life which is lived in compliance with the laws of the *Torah*. No other nation understood this concept. Nonetheless, G-d felt that He must expose all of humankind to this event and allow them the opportunity to accept it.

(10) In the end of days, in the eschatological era,

ביום ההוא יהיה ה' אחד ושמו אחד (זכריה: י"ד,
(ט').

On that great day G-d shall be one and His name shall be one. (All will recognize the greatness and uniqueness of G-d).

All of humanity will accept the *Torah* at that time. The purpose of the public spectacle of *Mattan Torah* was so that G-d could, eventually, convert the entire universe to become the residence of G-d. All will accept the reign of G-d. The purpose of *Mattan Torah* was not for the individuals, but to convert the entire cosmos, the whole universe, into a divine residence.⁶¹

(11) Will humankind eventually accept this and finally realize the greatness and importance of a *Torah* lifestyle? The *Torah* answers in the affirmative, and offers the story of Jethro as proof. Who was Jethro? A human being, though not even one of the חסידיו אומות העולם. He was a decent and sensitive fellow.⁶² Jethro was confronted with the *B'nai Yisrael*. He looked into their lives and was so impressed that:

וילך אל ארצו, לגייר את בני ביתו (רש"י שם),

⁶¹As the *Torah* writes:

ועשו לי מקדש ושכנתי בתוכם (שמות: כ"ה, ח').

⁶²He came either before or after *Mattan Torah*; he certainly did not arrive during *Mattan Torah*. Both views are cited in א"ע קט"ז דף מסכת זבחים.

*He departed for his home, to convert the members
of his household.*

If this can be accomplished with regard to one person, then the same event can,
and will, occur, not only on an individual scale, but on a universal scale as well.

We recite in the *Tefillah* of *Rosh Hashana*:

וידע כל פעול כי אתה פעלתו, ויבין כל יצור כי
אתה יצרתו. ויאמר כל אשר נשמה באפו, ה'
אלקי ישראל מלך ומלכותו בכל משלה.
*There will come a day, when every creature will
recognize his creator, and every living being will
declare that G-d is the king of the Jews, and his
reign encompasses all of creation.*

Jethro is the proof that לעתיד לבא, *at the end of days*, when our eschatological
vision will be realized and implemented, some people will come to recognize G-
d.

Anti-Semites will react as Amalek did.

(12) The *Torah* also wanted us to know that there are certain people
who will never be converted, even though they may be powerful and strong, and
even though they may be the most progressive peoples in the world. They
understand that the Jew represents something unique, but they will not be
impressed by this understanding. On the contrary, their response to that
realization will be one of malice, vicious hate and a desire to destroy.

The Gentiles will react to *Mattan Torah*, in one of two ways, either as
Amalek did or as Jethro did. Jethro was an average human being, sensitive, and
with sense for truth. He reacted positively to *Mattan Torah*, and encouraged his
household to convert to Judaism. Amalek, on the other hand, was insensitive.

He was the incarnation of evil, and regarded *Mattan Torah* in a completely different manner.

(13) Jews must always realize that there are people who hate us simply because we are unique and live by principles which they resent. This is the root of Anti-Semitism. Anti-Semitism is not caused by economic competition, nor by political considerations. Rather, Amalek attacked us without provocation, and for no reason, other than that we were a unique and separate entity. Amalek and their descendants will continue to react this way throughout history.

In conclusion, the *Torah* describes the two episodes of Jethro's visit and Amalek's attack, prior to describing *Mattan Torah*, in order to teach us that Gentiles will react to us in one of two ways: either as Jethro or as Amalek, and we must be prepared for both reactions.

[II] THE TORAH'S PERSPECTIVE ON SUFFERING:

The Torah describes *Mattan Torah* as ביום הזה.

(1) The *Torah* writes:

בחדש השלישי לצאת בני ישראל מארץ מצרים,
ביום הזה באו מדבר סיני (שמות: י"ט, א').
*On the third month following the Exodus from
Egypt, on that very day they arrived at the Sinai
desert.*

What does the emphasis of *ביום הזה*, *on that very day*, signify? The *Gemarah*⁶³ answers that it signifies that they arrived on *Rosh Chodesh*.⁶⁴ The Rav, however, provided a different explanation.

(2) The Rav explained that the *Torah* was referring to a prior conversation which took place between Moses and G-d. When Moses had argued against accepting the divine mission to go to Egypt and redeem the Jews, G-d told Moses:

וזה לך האות אשר אנכי שלחתך, בהוציאך את
העם ממצרים תעבדון את אלוקים על ההר הזה,
(שמות: ג, י"ב).

*This is the sign that I have chosen you: When you
will release the nation from Egypt, you will serve
G-d on this mountain.*

Moses argued that G-d should select someone more capable, one who could perform better. G-d told Moses that he was the only one whom G-d could select; no one else could accomplish that task. G-d told Moses: "The proof (or sign) that I have chosen you is that you will serve Me on this mountain." What does this answer mean?

The goal of Exodus was *Mattan Torah*.

(3) The Rav explained that G-d told Moses that he had misunderstood G-d's mission. G-d told him: "You are under the impression that I need you as

שבת דף פ"ז ע"א⁶³

⁶⁴The *Gemarah* compared the word *זה* with the same word which appears in the *Passuk* of,
החדש הזה לכם ראש חדשים,

This month shall be the first month for you.
which was delivered on *Rosh Chodesh*.

a diplomat to negotiate a peace treaty with Pharaoh, and that you were selected because you are a good diplomat. This is incorrect. There are many others who are better diplomats than you. You were selected in order to perform the mission of:

תעבדון אלוקים על ההר הזה,
to serve G-d on this mountain.

The political aspects of יציאת מצרים are not important. The exclusive purpose of יציאת מצרים is all important, and that purpose is to receive the *Torah* on this mountain. " G-d needed a teacher, not a diplomat, and, therefore, Moses was the ideal choice. Moses was a teacher par excellence.

In other words, the purpose of יציאת מצרים was not political freedom, nor economic independence, but to receive *Torah* and *Mitzvos*. Moses was the most suitable leader for that purpose, and G-d, therefore, insisted that he accept the mission.

(4) Accordingly, the *Passuk* of:

בחודש השלישי לצאת בני ישראל מארץ מצרים,
ביום הזה באו מדבר סיני (שמות: י"ט, א'),
*On the third month following the Exodus from
Egypt, on that very day they arrived at the Sinai
desert,*

means that the purpose of יציאת מצרים was realized at *Mattan Torah*. Moses did not have to wait long for the realization of the promise. This realization was attained immediately after they left Egypt. Thus, the ביום הזה means that the purpose of יציאת מצרים came to realization on that day; the Jews did not have to wait long for the realization to occur. The *Torah* continues:

באו מדבר סיני,

they came to the desert.

The realization took place as soon as they arrived at the mountain, even prior to the time when they actually received the *Torah*. Their arrival at the mountain led to the implementation of the promise of:

תעבדון אלקים על ההר הזה.

The meaning of רפידים.

(5) The next *Passuk* reads:

ויסעו מרפידים ויבאו מדבר סיני, ויחנו במדבר
וירחן שם ישראל נגד ההר (שמות: י"ט, ב').
*They departed from רפידים and arrived at the Sinai
Desert. They encamped in the desert, and the Jews
encamped opposite the mountain.*

A question arises. The *Torah* had already stated, in the prior Chapter,⁶⁵ that they departed from the town of רפידים. Why, then, did the *Torah* repeat this information here? Furthermore, why did the *Torah* repeat twice that they set up their camp (i.e. ויחנו במדבר and וירחן כנגד ההר)?

(6) The Rav answered that the *Torah* referred to a basic change which occurred to Jews at that time, namely, that:

וירחן שם ישראל נגד ההר,
and the Jews camped opposite the mountain,

(i.e. וירחן is used in the singular tense), which is interpreted to mean as one community and as one entity. One of the commentators noted that, normally, people with livestock do not encamp at the foot of a mountain. These areas are

פרק י"ז פסוק ה'⁶⁵

usually rocky and very barren. Vegetation cannot grow there. People will generally spread out over a large area to find food. Here, the Jews surrounded the mountain, even though there was no food. Moreover, a few days prior to arriving at Mount Sinai, they had encamped in אֱלִים.⁶⁶ When they discovered that they did not have food or water, they complained and were ready to kill Moses. Yet, suddenly וַיִּחַן יִשְׂרָאֵל כְּנֶגֶד הָהָר, *they encamped at the rocky barren foot of the mountain*, even though it offered no food. The Jews did not care about this; they set up their camps as close to the mountain as possible. They forgot their problems and need for food. They were attracted by the mountain. What brought about this radical change?

(7) The Rav answered that the fact that וַיִּסְעוּ מִרְפִּידִים, *they traveled from רְפִידִים*, brought about this change. Their experiences in רְפִידִים brought about this transformation. What did they learn at רְפִידִים? What is the story of רְפִידִים? At רְפִידִים, they learned of Amalek's irrational hatred of Jews, and realized that if they did not accept the *Torah*, their life would consist of many frequent רְפִידִים experiences.

One must comply with the *Torah* in order to counter רְפִידִים experiences.

(8) The concept of רְפִידִים addresses itself to man and teaches him that all of his hopes and dreams will not be realized nor implemented if he does not conduct himself in accordance with the laws of the *Torah*. רְפִידִים is not only a geographical location. It is much more than that. רְפִידִים is a basic concept and

שמות: ט"ז, א'⁶⁶

one of the tenets of the Jewish faith. Man must, from time to time, live through *רפידים* experiences. Sometimes, man feels that his whole world has collapsed. He has a sense of complete hopelessness and frustration. Everyone has their own *רפידים* experiences. Man learns from these *רפידים* experiences that he cannot win the battle without complying with the laws of the *Torah* and without conducting himself in accordance with the *Torah* way of life.

The battle with Amalek was not completely settled by Moses. The battle continues to this very day,⁶⁷ and will not be completed until the end of days. Amalek is not a Bedouin tribe. They are not a specific people or nation;⁶⁸ they are more than that. Amalek represents a state of mind. Amalek represents man's defeat. Man's mind is a very powerful tool, but one which can be easily defeated by personal experiences. Everyone experiences *רפידים*, moments of hopelessness. In order to protect oneself from the misery which those experiences precipitate, one must accept the *Torah*.

⁶⁷The *Torah* writes:

מלחמה לה' בעמלק מדור דור (שמות: י"ז, ט"ז).

⁶⁸On other occasions, the Rav quoted *Rav Chaim* as saying that any nation, which at any time, desires to annihilate the Jewish people obtains the status of Amalek. He proved this from the fact that the *Rambam*, when describing the *Mitzvah* to exterminate the people of Canaan, writes that this *Mitzvah* does not apply, nowadays, since *כבר אבוד זכרם*, *those nations have long disappeared*; and have been absorbed by other nations. (See *פ"ה מהלכות מלכים ה"ד*.) Yet, in the very next sentence, when he describes the *Mitzvah* to exterminate the people of Amalek, he does not add that the people of Amalek have disappeared. *Rav Chaim* inferred from this that Amalek is not a specific genetically identifiable tribe or race, but a status imposed on any nation which desires to annihilate the Jews. The Rav felt that Nazi Germany was certainly deemed to be Amalek [Editor's Note].

(9) This is what happened to the Jews. They experienced an encounter with Amalek at רפידים, and, to escape this misery, they came to מדבר סיני to accept the *Torah*. מדבר סיני provided the solution to the רפידים experience.

Chazzal teach us that the reason why we do not have all the answers to our many questions is that our minds are limited. However, we will succeed in resolving these issues, despite their complexity, if we depart from רפידים and go to מדבר סיני. How will coming to מדבר סיני solve these problems?

Rashi, on this *Passuk*, comments:

הקיש נסיעתן מרפידים לביאתן למדבר סיני, מה
ביאתן למדבר סיני בתשובה אף נסיעתן מרפידים
בתשובה.

Their departure from רפידים is comparable to their arrival at Mount Sinai. Just as they repented from their sins when they arrived at Mount Sinai; similarly, they repented from their sins when they departed from רפידים.

In other words, רפידים is not a geographic location. רפידים is a cleansing and cathartic experience, which enables man to reach great heights. Judaism teaches that suffering and being defeated is a cathartic experience. It is a מטרה, *it purifies the soul*. What is one supposed to do in order to cleanse and enhance one's experiences and make them meaningful? One must willingly accept the רפידים experiences.

The *Ramban's* theory that incurring losses serves as an expiation for sin.

(10) In a similar vein, the *Ramban*⁶⁹ developed two concepts of *Karban*:⁷⁰

x) The first is of one who loves G-d and willingly wishes to offer something to Him. His sins will be forgiven when he offers a *Karban* as a means of *Kaparah*; and

y) The second concept is of one who is not willing to offer a *Karban* but is compelled to do so by law; or, of one who suffers a loss, involuntarily, as a result of his sins.

The first form of *Kaparah* is demonstrated by one who commits a sin, and the next day distributes money to charities with the hope of obtaining expiation for his sin (צדקה מכפרת). This is the first form of *Karban*. The second form of *Karban* is illustrated by one who loses money in a business venture. The *Ramban* said that this latter form of *Karban* also generates *Kaparah* even though the *Karban* (the loss) was taken from the person unwillingly (i.e. that G-d caused him to suffer this loss).

(11) רפידים represents those *Karbanos* which the person does not willingly bring, nor incur. Nonetheless, every human being is exposed to רפידים at many levels. These experiences are also a מכפר, a form of expiation, and should inspire the person to do *Teshuva*.

⁶⁹With regard to המשתלח שעריר.

⁷⁰The word *Karban* refers not only to animal sacrifices, but to all losses suffered by man.

(12) Thus, the inner meaning of the *Passuk* is as follows: ויסעו ,
מַרְפִּידִים, whenever man lives through רַפִּידִים, whenever he suddenly discovers
that there is evil in life,⁷¹ his reaction should immediately , ויבואו מדבר סיני ,
he should engage in *Torah* and comply with the *Torah* way of life.

Man must willingly accept suffering.

(13) The *Ramban*'s theory that *Karbanos* (losses) and יסורים, *suffering*,
which one incurs involuntarily, serve as a מַכַּפֵּר, *a means of expiation*, can
greatly assist and enhance contemporary man. Often, contemporary man does not
willingly accept יסורין. He tries to defy them even though it is impossible to do
so. This attitude is very characteristic of modern man. Modern man has one
fixed idea which he regards as basic and rudimentary, but which actually
precludes him from accepting other approaches. Namely, man wants to be
successful. He wants to be a victor. He wants to defeat others at all levels, i.e.,
economically (by earning and spending money), socially, etc. He does not want
to be limited. He wishes to earn and spend unlimited amounts of money. He
wants to exhaust all possibilities and to mobilize all means to increase his power
and his enjoyment of pleasure. Once he is confronted with retribution, instead
of surrendering and accepting suffering to expiate his sins (as the *Torah* teaches),
he tries to resist and fight against those experiences. This attempt at resistance
will not be successful, and man will not regain his peace of mind. The *Torah*

⁷¹as when the Jews were confronted with ויבא עמלק,

prescribes that we should accept these יסורין and thereby resolve our problems.

This is ויסעו מרפדים.

Aging is a cathartic experience.

(14) For example, the experience of old age, if accepted properly, is a very cathartic and creative experience, since there are certain dimensions exposed to older men, which are not discernible to younger men. There are certain experiences which can only be understood by older men, and not by younger men.

In the past, people recognized this fact, and aging did not present a problem. Nowadays, however, old age has become a serious problem. People try to avoid admitting their age. They try to avoid aging, even though it is impossible.

King David said:

ימי שנותינו בהם שבעים שנה. ואם בגבורות
שמונים שנה. ורהבם עמל ואוון (תהלים: צ', י').
*Some people live to be seventy, but if he has
courage he will live to be eighty. Nonetheless, the
days are filled with toil and agony.*

Rabbi Yaakov Herzog Zt'l once told the Rav that when he was in Washington D.C., he was invited to a meal with Secretary of State Dulles, who was about to celebrate his eightieth birthday. After Rabbi Herzog arrived, Mr. Dulles informed him that the reason why he was invited was so that he could explain the following passage:

ואם בגבורות שמונים שנה,
If he has courage, he will live to be eighty.

What גבורה must one possess in order to live to be eighty years old? Dulles was disturbed by this.

(15) The Rav explained that in order to live to eighty with dignity, one must be courageous. This courage manifests itself in being able to accept one's age, and acting in an age-appropriate manner. It takes much courage not to get frightened by aches, pains, and changes. It takes fortitude to carry on and continue with life, even though many human functions are negatively affected by age. Old people are frightened by change, especially if accompanied by pain and discomfort. They become hypochondriacs.

The same is true with respect to intellectual capacities. Often, old people feel that they cannot be creative anymore, and are not responsible for their actions. Elderly people shed their responsibility and discard the I-awareness which identifies them as part of human society.

The *Passuk*, thus, should be interpreted as follows:

ואם בגבורות שמונים שנה,

if an old man ignores his pain and studies *Torah*, if one has the courage and strength of character to forget his problems and to study *Talmud* (instead of watching television and wallowing in self-pity and defeat), then old age will be a much more pleasant experience than that enjoyed by contemporary old men.

(16) Nowadays, the elderly complain that they do not know what to do with their time. One old man approached the Rav recently and told him that his greatest problem was trying to occupy himself during the day. The Rav told him

that finding something to do is not the problem; the problem is trying to ensure that G-d does not take away your time. Years ago, when one got old he would study *Torah* the entire day and night. The elderly felt that time was a precious gift and utilized it to their fullest extent.

Man overcomes defeat by accepting the *Torah* way of life.

(17) Old age (זקנה) is the most typical demonstration of man's defeat. Man becomes old solely in order to be defeated. Man must be defeated as the penalty for the חטא הקדמון, *for Adam's original sin*. G-d penalized man by declaring וקץ ודרדר תצמיח לך, *thorns and weeds will grow on your fields* etc.⁷² Man will be defeated in the end. Man will be frustrated, and his dreams will remain unrealized. Man will pay a high toll for crossing the bridge of life.

This is the experience of רפידים. It must be understood not only in terms of the historical story of Amalek but within the frame of reference of the human tragedy and of the human metaphysical existence. The only answer to the רפידים experience is ויחנו כנגד ההר (i.e. *to accept the Torah*). The historical רפידים which the Jews in the desert experienced was the encounter with Amalek. But, in truth, each generation lives through its unique רפידים which are experienced by men on a variety of levels, and in a variety of areas. In order to find an answer to these רפידים experiences, man must live like a Jew in compliance with *Torah* and *Mitzvos*.

[III] THE HUMAN ROLE OF THE MESSIAH.

⁷²This is symbolic of man's defeat and frustration.

Will G-d serve as the Messiah or will He appoint a human being?

- (1) The *Passuk* states:

ומשה עלה אל אלקים. ויקרא אליו ה' מן ההר
לאמר כה תאמר לבית יעקב ותגיד לבני ישראל
(שמות: י"ט, ג').

Moses ascended the mountain of G-d. G-d called to him and instructed him to address the following words to the Jewish women and men.

- (2) The *Talmud*⁷³ raises an interesting question. It states:

רבי הלל⁷⁴ אומר אין להם משיח לישראל שכבר
אכלוהו בימי חזקיהו.

Rabbi Hillel said: There will be no Messiah for the Jews, since their claim to a Messiah was already exhausted in the days of Hezekiah (i.e. when Sanheriv was defeated).

Rashi explained that *Rabbi Hillel* opined that a human being will not be sent to redeem the Jewish people. Rather, G-d, Himself, will redeem the Jews.

Rav Yosef, was shocked by this statement. He said:

אמר רב יוסף שרא ליה מריה להלל.
G-d should forgive Rabbi Hillel for his view.

- (3) *Rabbi Hillel*, of course, believed in the redemption of the Jewish people, but believed that there would be no need for G-d to send a human being, since G-d, Himself, will redeem the Jewish people.

סנהדרין דף צ"ט, ע"א⁷³

⁷⁴The *Rav* noted that this was not הלל הנשיא but a later generation אמורא.

Why was *Rav Yosef* so shocked by *Rabbi Hillel's* view? What is so terrible about *Rabbi Hillel's* view, that there will not be a human role in the redemption of the Jews?

Moses asked that G-d personally redeem the Jewish people from Egypt.

(4) Apparently, this argument was already addressed by Moses during his debate with G-d when G-d sought to entrust Moses with the mission of redeeming the Jewish people. Moses questioned G-d as to why it was necessary for Moses to go to Egypt. He asked G-d to deliver the Jews by Himself without any agent. Moses felt that, as a human being, he was frail and lacked the capacity to serve as the redeemer. This is what Moses meant when he told G-d:

שלח נא ביד תשלח, (שמות: ד', י"ד)
Send whomsoever you please.

Moses asked G-d to deliver the people by Himself, and not act through humans of limited capabilities.

G-d disagreed. Though G-d later did act in certain aspects without any agents,⁷⁵ nonetheless, He insisted on acting, in part, through Moses. Had Moses not accepted the mission, it is possible that the Jews would not have been redeemed from Egypt.

(5) This is why *Rav Yosef* was so shocked when he heard that *Rabbi Hillel* had suggested that there will not be a human Messiah and that G-d will act on His own. Apparently, the role of the human being is indispensable for the

⁷⁵As it says in the *Hagadah Shel Pesach*:

אני ולא מלאך, אני ולא שרף, אני ולא שליח, אני הוא ולא אחר.

redemption of the Jews, both in the days of Moses and in the eschatological age of the Messiah.

- (6) This is borne out by the sequence of the *Passukim* which read:

ויהי בימים הרבים ההם ויאנחו בנו ישראל
מן העבודה (שמות: ב' כ"ג).

*It was in those days...and the Jews groaned under
the tasks of their slavery.*

וירא אלקים את בני ישראל...וידע אלקים (שמות:
ב' כ"ד).

*G-d saw the Jews' plight, and sympathized with
them.*

ומשה היה רועה צאן (שמות: ג' א').

And Moses was a shepherd.

The third *Passuk* (i.e. *and Moses was a shepherd*) immediately follows the first two *Passukim* which describes the Jews' misery. The טעם, *grammatical notation*, on the word "ומשה" is a רביעי, *a comma*, which denotes a separation from the previous words. The *Passuk*, thus, means that G-d knew and had sympathy with the Jews;⁷⁶ nevertheless, the whole future and destiny of the Jewish people was dependant on Moses. Without Moses there would have been no *Geulah*.

Moses' debate with G-d.

- (7) Where was Moses when the Jews were slaves in Egypt? The *Passuk* answers that Moses was tending his father-in-law's sheep. The Rav explained that Moses had given up on the Jews. That was why he argued so

⁷⁶וידע אלקים means not only to know, but to sympathize as well. See Ramban.

strenuously with G-d. He felt that the Jews deserved their plight. Moses argued against accepting G-d's mission based upon his own prior bitter experience after saving the *איש הישראלי* and being reprimanded by *דָּתָן וָאֲבִירָם*.⁷⁷ At that time Moses said *אָכֵן נֹדַע הַדָּבָר*, *the matter is now known*. *Rashi* explained the word *הַדָּבָר*, *the matter*, does not refer to the slaying of the Egyptian. Rather, it refers to the reason why the Jews continued to be enslaved. At that moment, Moses thought that the Jews deserved to suffer. Moses rationalized that the Jews deserved to live in slavery. He was a young man of eighteen when he killed the Egyptian. He then fled Egypt and remained in exile for close to sixty-two years. He completely forgot about his people until his debate with G-d at the Burning Bush. G-d insisted that the redemption from Egypt could not be realized without Moses. It was necessary that Moses get involved in that particular drama. Had Moses refused to accept the mission, then it is possible that the Jews would not have been redeemed.

Thus, the *Passuk* says *וַיֵּדַע אֱלֹהִים*, *G-d sympathized with the Jews*. He was ready to recalculate the years and redeem them at that point. However, the big question mark of Moses remained. The next *Passuk* tells us that Moses was

⁷⁷In that episode Moses had risked his life in order to save *דָּתָן* from being killed by an Egyptian. On the next day, Moses rebuked *דָּתָן* for hitting *אֲבִירָם*. Instead of being grateful, *דָּתָן* threatened to inform Pharaoh that Moses had killed the Egyptian.

far removed from his people⁷⁸ and as long as Moses refused G-d's invitation to act as G-d's agent, the redemption process could not commence.

The difference between Moses' response at the Burning Bush and that at Mount Sinai.

(8) When G-d introduced Himself to Moses, He had to call out twice, "Moses, Moses." Moses did not answer G-d the first time. At first, Moses did not realize who G-d was, until G-d identified himself as

אלקי אביך אלוקי אברהם יצחק ויעקב.
The G-d of your father, of Abraham, Isaac, and Jacob.

The *Medrash* says that G-d imitated the voice of *Amram*, Moses' father, in order to convince Moses to believe in G-d. We can infer from Moses' behavior that he was far from enthusiastic about accepting the mission.

(9) How differently Moses acted in the desert, when it says,

ומשה עלה אל אלקים.
And Moses ascended the mount.

Moses ascended without hesitation and without argument. Moses ran to the mountain ready to fulfill G-d's mission. G-d then called out only once to Moses.

ויקרא אליו ה' מן ההר.

G-d did not have to call him twice. On the contrary, Moses took the initiative and searched for G-d to request further instruction on how to complete his mission.

⁷⁸The word *ומשה* is, therefore, punctuated by a *רביעי* to demonstrate this separateness.

In conclusion, both יציאת מצרים and *Mattan Torah* were dependant upon one person and on his readiness to accept the mission.

תושלב"ע

תהא נשמטו צרורה בצרור החיים