SERIES XV LECTURE I

בס"ד

## CAN YOU ANSWER THESE QUESTIONS?

1. What was Moshe taught during the first forty days that he spent on Mount Sinai?

- 2. How was he able to absorb this knowledge in so short a period of time?
- 3. Describe Moshe's activities in the forty day period after the people of Israel had worshipped the Golden Calf.
- 4. Moshe was commanded to hew out a second set of tablets. What kind of stone was it made from and where did he find the stone?
- 5. Describe the differences between the first set of tablets which had contained the Ten Commandments and the second.

This and much more will be addressed in the first lecture of this series: "Torah: The Legacy of Sinai".

To derive maximum benefit from this lecture, keep these questions in mind as you listen to the lecture and read through the outline. Go back to these questions once again at the end of the lecture and see how well you answer them.

PLEASE NOTE: This outline and source book were designed as a powerful tool to help you appreciate and understand the basis of Jewish History. Although the lectures can be listened to without the use of the outline, we advise you to read the outline to enhance your comprehension. Use it, as well, as a handy reference guide and for quick review.

This lecture is dedicated to the honor and merit of Jonah Newman, on the occasion of his Bar Mitzvah, and to the memory and *Li-ilui Nishmas* Mr. Rudolph Jack Newman, of blessed memory

# THE EPIC OF THE ETERNAL PEOPLE Presented by Rabbi Shmuel Irons

#### Series XV Lecture #1

#### TORAH: THE LEGACY OF SINAI

I. Torah from Sinai

A.

משה קבל תורה מסיני. אבות א:א

Moshe received the Torah at Sinai. Avos 1:1

2) אמר רבי לוי בר חמא אמר רבי שמעון בן לקיש: מאי דכתיב (שמות כ"ד) ואתנה לך את לחת האבן והתורה והמצוה אשר כתבתי להורתם, לחות אלו עשרת הדברות, תורה זה מקרא והמצוה זו משנה אשר כתבתי אלו נביאים וכתובים להרתם זה תלמוד מלמד שכולם נתנו למשה מסיני. ברכות ה.

R. Levi b. Hama stated in the name of R. Shimon b. Lakish: What is the meaning of the verse (Exodus 24:12), "[And the L-rd said to Moses (after the revelation of the Ten Commandments at Mount Sinai), Come up to Me into the mount, and be there;] And I will give you the Tablets of stone, and the Law and the Commandment, which I have written that you may teach them"? - "Tablets of stone": these are the Ten Commandments; "the Law": this is the Torah (the Five Books of Moses); "the Commandment": this is the Mishnah; "which I have written": these are the Prophets and the Hagiographa (Holy Writing - *Kesuvim*); "that you may teach them (rule through them)": this is the Gemara. It teaches [us] that all these things were given to Moses on Sinai. **Berachos 5a** 

(3) והתורה. פירשו חז"ל בברכות ד"ה זה מקרא. וכ"ה בירו' שם פ"ו ה"א ר"א בר כהנא בשם ר"א מנין לכל המצות שטעונין ברכה שנא' ואתנה לך את לחת האבן והתורה והמצוה איתקיש מצוה לתורה מה תורה טעונה ברכה אף מצות טעונין ברכה. הרי דמפרשי תורה ממש. אכן ע"כ אינו כמו שהיא כתובה לפנינו. שהרי לא נשלמה עדיין אלא כמו שהיתה כתובה לפני ד' כולה שמותיו של הקב"ה שבהם ברא שו"א. וע"ז אמרו בס' ע"ז ד"ג ג' שעות ראשונות של יום הקב"ה יושב ועוסק בתורה. ומביא על כל המאמר מקרא יומם יצוה ד' חסדו ולא נתבאר מה זה חסד במה שהקב"ה עוסק בתורה אלא הכונה דהקב"ה מזכיר שמותיו ית' ומחדש בטובו בכל יום תמיד מע"ב. וברור שמחדש באופן שברא מתחלה היינו בשמותיו הקדושים וכלשון המשנה באבות פ"ד שהתורה נקרא כלי חמדה שבו נברא העולם. והן הן גופי תורה שבכתב ומש"ה נקרא זה העסק חסד כאמור לעשה אורים אדולים כל"ח וכ"ז ניתן למשה בסיני אלא שלא נתפשט שמותיו על צורה שניתנה לנו אלא פרשיות פרשיות בכל משך ארבעים שנה עד מות משה והתורה הלז היינו שמותיו של הקב"ה היו כתובים על הלוחות הראשונות כמש"כ להלן ל"ב ט"ו בשם הירו'. וגם בלוחות השניות כמבואר בל"ד א' וכ"ז: המצוה. פרש"י תרי"ג מצות והיא דעת הירו' ברכות פ"ו הנ"ל אבל אנן לא קיי"ל הכי. אלא כדאי והמצוה. פרש"י תרי"ג מצות והיא דעת הירו' ברכות פ"ו הנ"ל אבל אנן לא קיי"ל הכי. אלא כדאי בתלמוד דילן ברכות ד"ה והמצוה זו משנה היינו דברי קבלה וכ"כ הרמב"ם ז"ל בהקדמת ספר היד וכ"כ הראב"ע. העמק דבר שמות כדייב

And the Torah (Ex. 24:12): Our Sages (Berachos 5a) explained that this refers to Scripture. There is a similar interpretation in the Talmud Yerushalmi (Berachos 6:5), "Rabbi Elazar bar Kahana in the name of Rabbi Elazar said: What is the source that all *mitzyos* need a *berachah* [to be made before performing them]? It says (Ex. 24:12), 'I will give you tablets of stone, and the Torah, and commandments . . . 'The commandments are compared to Torah. Just like Torah needs a berachah [to be made before learning] so too mitzvos need a berachah [to be made before performing them]." Behold they explain the word Torah to actually mean the Torah (the Five Books of Moses). However, it was not in the same form as it is written now before us, as it was not as yet completed [in an accessible form]. Rather, it was in the same form as it was originally written before G-d, [all the words] representing the names of G-d with which He created heaven and earth. Regarding [this form of Torah] did they say (Avodah Zarah 3b), "The Holy One, blessed be He, is sitting and involved in the study of Torah in the first three hours of each day." Regarding this does the Talmud quote the text (Psalms 42:9), "By day the L-rd will command His loving kindness, and in the night His song shall be with me." It is not clear, though, how lovingkindness is connected to the Holy One, blessed be He's involvement in the study of Torah. But the meaning is that the Holy One, blessed be He, mentions His blessed Names and through them does He renew every day, through His goodness, the acts of Creation. It is clear that He renews it in the same manner in which He created it originally, i.e. through His holy Names, as is evident from the language of the Mishneh in Avos in Chapter 4:14 in which the Torah is described as the precious instrument through which He created the world. This is actually the written Torah and for that reason is the involvement referred to as "loving kindness", as it says (Psalms 137:7), "To Him who made great lights; for His loving kindness endures for ever." All of this was given to Moshe at Sinai. The Divine names, however, were not disseminated to us in that original form, but rather they were given to us in the form of the various sections that were [written by Moshe] over the period of forty years until his death. The original Torah, however, was written on the first tablets, as I will elucidate further on (Exodus 32:15) in the name of the Talmud Yerushalmi (Shekalim), and also on the second tablets, as it is elucidated in my commentary (Exodus 34:1, 27). And commandments (ibid.): Rashi explains that it is referring to the six hundred and thirteen commandments. This is the opinion of the Talmud Yerushalmi in the sixth chapter which we quoted above. This is not the accepted opinion, however. We accept the opinion of the Talmud Bavli that interprets this term to refer to Mishneh, i.e. the oral tradition, as Rambam, of blessed memory, writes in his preface to his Yad HaChazakah. Rav Avraham ibn Ezra interprets this verse similarly. Haamek Davar Ex. 24:12

B.
ר' יהושע בן קרחא אומ' ארבעים יום עשה משה בהר קורא בדת מקרא ביום ושונה בדת מקרא בלילה. מדרש פרקי דרבי אליעזר פרק מה

Rabbi Yehoshua be Karcha said: During the forty days which Moshe was up on the mountain he studied the Written Law (*koreih b'dos mikra*) by day and the Oral Law (*shoneh b'dos mikra*) at night. **Midrash Pirkei D'Rabbi Eliezer Chapter 45** 

C.

1) תניא, רבי ישמעאל אומר: כללות נאמרו בסיני ופרטות באהל מועד, ורבי עקיבא אומר:כללות ופרטות נאמרו בסיני, ונשנו באהל מועד, ונשתלשו בערבות מואב. חגיגה ו.

It was taught in a Braiisa: R. Yishmael said: The general directions were given at Sinai, and the details in the Tent of Meeting. But R. Akiva said: The general directions and the details were given at Sinai and repeated in the Tent of Meeting (*Ohel Moed*) and enjoined a third time in the Plains of Moab. **Chagiga 6a-b** 

2) וידבר ד' אל משה בהר סיני לאמר. מה ענין שמיטה אצל הר סיני והלא כל המצות נאמרו מסיני אלא מה שמיטה נאמרו כללותיה ודקדוקיה מסיני. אף כולם נאמרו כללותיהם ודקדוקיהם מסיני. ספרא פרשת בהר פרשה א'

And the L-rd spoke to Moses in Mount Sinai, saying. (Leviticus 25:1) What is the special connection between Shemita and Mount Sinai? Behold all of the commandments were stated at Sinai? Rather, [it comes to teach us] that just as both the general directions of Shemita and its details were stated at Sinai, so too the general directions and details of all of the commandments were given at Sinai. **Sifra, Parshas Behar 1:1** 

ונראה לומר דכך פירושו, דודאי אף על גב שכל המצות נאמרו מסיני – יש מצות שהם עיקר (3 יותר מסיני, לפי שהם מצות חשובות, וירד הקב"ה בשבילם על הר סיני לאותם דוקא [ש]נאמרו בפירוש כאשר הם כתובים, וכל שאר המצות נאמרו עמהם מסיני, וזה בשביל כי "תורת ד' תמימה" (תהלים יט, ר) אין מצותיה מחולקות, ולפיכך נאמרו כולם מהר סיני. ומכל מקום יש חילוק בין המצות; כי עשרת הדברות נאמרו מסיני בשביל עצמם, ואילו שאר המצות נאמרו מסיני מפני שהשם יתברך נתן התורה בשלימות בסיני. ותדע, שאמרו (סוטה לז ע"ב) התורה נתנה כללותיה ופרטותיה מסיני, חזרו ונשנו באוהל מועד, וחזרו ונשנו בערבות מואב, והשתא קשה למה באלו מצות דוקא נכתב שנאמרו באוהל מועד, כגון מצות הקרבנות (ויקרא א, א), על כרחך כמו שאמרנו, אף על גב שכל המצות נאמרו בסיני ונשנו באוהל מועד, לא נשנו כולם רק בשביל איזה מצות ששייכים דוקא באוהל מועד, כמו מצות קרבנות ששייכים אל אוהל מועד, ועל ידי אותן מצות נאמרה כל התורה באוהל מועד, לפי שהתורה היא אחת, אין לומר שיהיו קצת מצות נאמרו במקום זה ומקצתן במקום אחר, ולפיכך נאמרו כולן שם, אבל לא נאמרו רק ברמז. ועוד, הא דאמר 'מה הראשונים מסיני אף אלו מסיני׳, כלומר כמו הראשונים שנאמרו בסיני, ולישראל נאמרו עשרת הדיברות מסיני – אף אלו כך, וכל שאר מצות – למשה נאמרו מסיני, ולא לישראל, עד אוהל מועד, או עד ערבות מואב: מהר"ל מפראג. ספר גור אריה. שמות כא:א

It seems that the following is the correct explanation: Even though all of the commandments were given at Sinai, there are commandments that were particularly meant to be given at Sinai, for they are of critical importance and the Holy One, blessed be He, came down to Sinai for their sake. These are those that were explicity stated to have been given there. All of the other commandments were said together with them, as "the Torah of G-d is perfect" and its commandments are not to be separated. For that reason they were stated all together at Sinai. Nonetheless, there is a distinction between commandments: The Ten Commandments were stated at Sinai for their own sake and the others were stated there because the Holy One, blessed be He, gave the Torah in its complete form on Sinai. You should know that this is so because they stated (Sota 37b): The Torah was given at Sinai with both its general details and particulars. They were repeated in the Tent of Meeting and were further repeated in the Plains of Moab. Now it is difficult to understand, why were certain commandments written in conjunction with the Tent of Meeting, such as sacrifices (Lev. 1:1) [if all of them were given then]? We must come to the conclusion that I have stated, i.e. that even though all of the commandments were stated at Sinai and repeated at the Tent of Meeting, they were only repeated due to the special commandments that had particular connection to the Tent of Meeting, as for instance the sacrifices. Because of those commandments [that needed to be repeated,] all of the Torah was stated in the Tent of Meeting, for the Torah is an indivisible whole. It is not possible to say that some of the commandments were stated in one place and another group of commandments were stated in another place, rather all of them were stated together, but [not all of them were stated expressly but] were only alluded to.

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In addition, the statement (Rashi 21:1 referring to the laws of Parshas Mishpatim), "Just as the first laws were given at Sinai so too these laws," means to say that just as the first laws, the Ten Commandments, were given to Israel at Sinai, so too were these. The other commandments were told to Moshe but were not given to Israel until [they were repeated] at the Tent of Meeting or the Plains of Moab. Maharal of Prague, Sefer Gur Aryeh, Shemos 21:1

(4) מאהל מועד: א"ר אלעזר אע"פ שנתנה תורה סייג לישראל מסיני לא נענשו עליה עד שנשנית באוה"מ משל לדיוטגמא שהיא כתובה ומחותמת ונכנסה למדינה אין בני המדינה נענשים עליה עד שתתפרש להן בדימוסי' של מדינה כך אף על פי שנתנה תורה לישראל מסיני לא נענשו עליה עד שנשנית להם באהל מועד הה"ד (שיר ג) עד שהביאותיו אל בית אמי וגו' אל בית אמי זה סיני אל חדר הורתי זה אהל מועד שמשם נצטוו ישראל בהוראה: מדרש ויקרא רבה א:י

[G-d] spoke to [Moshe] out of the Tent of Meeting (Leviticus 1:1): Rabbi Elazar said: Even though the Torah was given in its complete state (sayag - according to the interpretation of Matnas Kehuna) at Sinai, [nonetheless] they were not punished for it until it was repeated in the Tent of Meeting (Ohel Moed). This is akin to a royal decree that is written and sealed and is brought into the royal province. The members of the province are not punished [for its noncompliance] until [the decree] is publicly read and explained in the governor's palace. [Similarly,] even though the Torah was given to Israel at Sinai, they were not punished for it until it was repeated in the Tent of Meeting (Ohel Moed). This is the meaning of the verse (Shir HaShirim 3:4), "[I had just passed them when I found him whom my soul loves; I held him, and would not let him go,] until I had brought him into my mother's house, and into the chamber of her that conceived me." "My mother's house," is referring to Sinai. "Into the chamber of her that conceived me (horosi)," is referring to the Tent of Meeting, for, from there, Israel was commanded to follow the rulings (horoah) [of Sinai]. Midrash Vayikra Rabbah 1:10

D. אמר רבי חייא בר אבא אמר רבי יוחנן: מאי דכתיב (דברים ט') ועליהם ככל הדברים אשר דבר ד' אמר רבי חייא בר אבא אמר רבי יוחנן: מאי דכתיב למשה ברוך הוא למשה דקדוקי תורה ודקדוקי סופרים, ומה שהסופרים עמכם בהר מלמד שהראהו הקדוש ברוך הוא למשה דקדוקי עורה ודקדוקי סופרים, ומה שהסופרים:

R. Hiyya b. Abba also said in the name of R. Yochanan: What is the meaning of the verse, And on them was written according to all the words which the L-rd spoke with you in the mount? It teaches us that the Holy One, blessed be He, showed Moses the minutiae of the Torah, and the minutiae of the Scribes, and the innovations which would be introduced by the Scribes; and what are these? The reading of the Megillah. **Megillah 19b** 

E.

כל הנאמר בנבואה ממעשה מרכבה ומעשה בראשית והמקובל בהם לחכמים תולדות עם ארבע כל הנאמר בנבואה ממעשה מרכבה ומעשה בראשית ונפש התנועה והנפש המדברת, בכלם נאמר הכתות שבתחתונים כח המחצבים וכח צמח האדמה ונפש התנועה והכל נכתב בתורה בפירוש למשה רבינו בריאתם וכחותם ומהותם ומעשים שערי בינה נבראו בעולם וכלם נמסרו למשה חוץ מאחד שנאמר ותחסרהו מעט מא-להים. ... ואפשר שיהיה השער הזה בידיעת הבורא יתב' שלא נמסר לנברא. ... וכל הנמסר למשה רבינו בשערי הבינה הכל נכתב בתורה בפירוש או שרמוזה בתיבות או בגימטריאות או בצורת האותיות הכתובות כהלכתן או המשתנות בצורה כגון הלפופות והעקומות וזולתן או בקוצי האותיות ובכתריהם. הקדמה לפירוש הרמב"ן על התורה

All that is contained in the Prophetic works regarding *Maaseh Merkavah* (the Divine Chariot in the Book of Ezekiel) and *Maaseh Beraishis* (the secrets of Creation) and that which is accepted to be true by the sages: that which is produced by the four groups in the lower world, i.e. mineral, plant, the animal soul, and human soul, their potential, their essence, their actions and the negation of those things that harm them, were all taught to Moshe Rabbainu and were all written in the Torah, either expressly or subtly. Our Sages have already stated (Rosh Hashanah 21b) that fifty gates of understanding were created in the world and all of them were given over to Moshe with the exception of only one, as it is stated (Psalms 8:6), "For You have made him a little lower than G-d." . . . It is possible that this [fiftieth] gate is referring to the knowledge of the blessed Creator, which was not given over to any created being. . . . All the knowledge that is contained within these gates of wisdom that was given to Moshe Rabbainu was written in the Torah expressly or through hints through words or *gematrias* or through the form of the letters, both those written normally or abnormally, or through the protrusions or crowns on the letters. **Preface to the commentary of the Ramban to the Torah** 

וראיתי ליישב מאמרי רבותינו ז"ל (ויק"ר כב א) שאמרו שלא היה דבר שלא נמסר למשה בסיני ואפילו מה שתלמיד ותיק עתיד לחדש, ואמרו במקום אחר (במדב"ר יט:ו) כי רבי עקיבא היה דורש מה שלא ידע משה כאומרו הדברים עשיתים אעשה לא נאמר וכו' יעויין שם דבריהם, וכן כמה מאמרים שדומים לזה: ונראה כי ישוב המאמרים הוא, כי הן אמת שכל דבר תורה נאמר למשה, ואין חכם יכול לדעת יותר ממה שידע משה, והגם שתצרף כל דורות ישראל מיום מתן תורה עד שתמלא הארץ דעה אין חידוש שלא ידעו משה, אבל ההפרש הוא כי משה נתן לו ד' תורה שבכתב ותורה שבעל פה, והנה האדון ברוך הוא בחכמתו יתברך רשם בתורה שבכתב כל תורה שבעל פה שאמר למשה, אבל לא הודיע למשה כל מה שנתן לו בעל פה היכן הוא רמוז בתורה שבכתב, וזו היא עבודת בני ישראל עמלי תורה שיישבו ההלכות שנאמרו למשה בסיני והסודות והדרשות כולן יתנו להם מקום בתורה שבכתב, ולזה תמצא באו[רי] התנאים וחברו תורת כהנים וספרי וכו', וכל דרשתם בכתובים אינם אלא על פי ההלכות והלבישום בתורת ד' תמימה שבכתב, ואחריהם ועד היום זו היא עבודת הקודש בני תורה לדייק המקראות וליישבם על פי המאמרים שהם תורה שבעל פה, וזו היא עבודת התורה הנקראת ארץ החיים: וענין זה לא נמסר למשה כולו לדעת כל תורה שבעל פה היכן היא כולה רמוזה בתורה שבכתב, ולזה אמרו ז"ל (שם) שדרש רבי עקיבא דרשות שלא ידעם משה, אין הכוונה שלא ידע משה עקרן של דברים הלא ממנו הכל אפילו מה שתלמיד ותיק עתיד לחדש, אלא שלא ידע סמיכתם ודיוקם היכן רמוזים בתורה . . . ספר אור החיים, ויקרא יג:לז

I feel the necessity to resolve the seeming contradiction between the statements of our Rabbis of blessed memory. [On the one hand,] they have said (Midrash Vayikra Rabbah 22:1) that there wasn't anything that wasn't given over to Moshe at Sinai, even those insights which a distinguished student was destined to reveal. [On the other hand,] they have said (Midrash Bamidbar Rabbah 19:6) that Rabbi Akiva knew something that Moshe didn't know. [The following is the text of the Midrash:] It is stated (Isaiah 42:16), "[And I will bring the blind by a way that they knew not; I will lead them by paths that they have not known; I will make darkness light before them, and crooked things straight.] These are the things I will do (I have done), and not forsake them." It is *not* written, I will do (*e'eseh*) but rather I have done (*asisim*), for I have already done these things for Rabbi Akiva and his colleagues. Matters that were not revealed to Moshe were revealed to Rabbi Akiva and his colleagues. [The verse (Job 28:10),] "He cuts out channels among the rocks; and his eye sees every precious thing," refers to Rabbi Akiva and his colleagues. - There are many other statements similar to these.

It seems that the resolution to these contradictory statements is the following: It is [absolutely] true that the entire Torah was told over to Moshe and no scholar can ever know more than Moshe, even if you take the combined knowledge of all of the generations of Israel from the time of Matan Torah (the giving of the Torah) until [end of days when] the whole world will be filled with knowledge (see Isaiah 11:9), there won't be any novel revelation that Moshe didn't already know. The distinction between Moshe and [R. Akiva and his colleagues], however, is that although Moshe was given the Written Torah (Torah ShebiKsav) and the Oral Torah (Torah SheBaalPeh), the complete code, where exactly the Oral Torah (Torah SheBaalPeh) is alluded to in the Written Torah (Torah ShebiKsav), was not made known to Moshe. This [discovery] was to be the product of [the efforts of] all of those who would toil in Torah who would find where the laws that were handed down from Moshe and all of the (sodos) secrets and drashos (interpretations and hidden meanings) were hinted at in the Written Torah (Torah ShebiKsav). As a result you find elucidations of the *Tannaim* (scholars of the Mishnaic era) who composed works such as *Toras Kohanim*, *Sifrei*, etc. All of the their expositions of Scripture is based solely on the halachos (laws) [which they received from Moshe] and "clothed" (found allusions to) them in the perfect Written Torah of Hashem. The work of those that came after them, to this day, the holy work of the B'nai Torah (Torah scholars) is to carefully read Scripture and resolve any difficulties through use of the Oral Torah (Torah SheBaalPeh). This is the [Divine] service of Torah study which is known as Eretz HaChaim (the Land of life). This subject matter, where the Oral Torah (Torah SheBaalPeh) is alluded to in the Written Torah (Torah ShebiKsav), was not given over to Moshe in its entirety. Regarding this [specifically] did they say (Midrash Bamidbar Rabbah 19:6) that Rabbi Akiva expounded drashos (expositions from Scripture) that Moshe did not know. It does not mean that Moshe didn't know the core ideas, as Moshe is the source of everything that we know, even those insights which a distinguished student was destined to reveal. Rather, it means that Moshe didn't know the place in Scripture where it was hinted at and how the phraseology in that verse lends itself to such an interpretation. . . . Sefer Ohr HaChaim, Vayikra 13:37

G.א"ר יוחנן: בתחלה היה משה למד תורה ומשכחה עד שניתנה לו במתנה שנאמ': (שמות לא) ויתן אלמשה ככלתו לדבר אתו: נדרים לח.

R. Yochanan also said: At first Moshe used to study the Torah and forget it, until it was given to him as a gift, for it is said (Exodus 31:18), "And He gave unto Moshe, when He had made an end of communing with him [... two tables of testimony]." **Nedarim 38a** 

H. אמר רבי אלעזר מאי דכתיב (שמות ל"ב) חרות על הלחת אלמלי לא נשתברו לוחות הראשונות לא נשתכחה תורה מישראל. רב אחא בר יעקב אמר: אין כל אומה ולשון שולטת בהן, שנאמר חרות אל תיקרי חרות אלא חירות. עירובין נד.

R. Eleazar (further) stated: What is the meaning of the verse (Exodus 32:16), "[And the tablets were the work of G-d, and the writing was the writing of G-d,] engraved upon the tablets"? If the first tablets had not been broken, the Torah would never have been forgotten in Israel, [i.e. they would have remained engraved upon the "tablets" of the heart.] R. Aha b. Yaakov said: No nation or tongue would have had any power over them; for it says, "Engraved." Read not "engraved" (*charus*) but "freedom" (*chairus*). **Eiruvin 54a** 

#### II. Torah and Tent of Meeting

A.
וּמֹשֶׁה יִפַּח אֶת הָאֹהֶל וְנָטָה לוֹ | מְחוּץ לַמַּחֲנֶה הַרְחֵק מִן הַמַּחֲנֶה וְקְרֵא לוֹ אֹהֶל מוֹצֵד וְהָיָה כָּל מְבַקֵּשׁ ד' וֹמְשֶׁה יִפָּח אֶת הָאֹהֶל יְנְנָטָה לוֹ | מְחוּץ לַמַּחֲנֶה: וְהָיָה כְּצֵאת מֹשֶׁה אֶל הָאֹהֶל יְקוּמוּ כָּל הָעָם וְנִצְבוּ אִישׁ פֶּתַח הָאֹהֶל וְהְבִּיטוּ אַחֲבִי מֹשֶׁה עַד בֹּאוֹ הָאֹהֶלְה: וְהָיָה כְּבֹא מֹשֶׁה הָאֹהֶלְ וְקָם כָּל הָעָם וְהִשְׁתַּחְווּ אִישׁ פֶּתַח הָאֹהֶל וְקָם כָּל הָעָם וְהִשְׁתַּחְווּ אִישׁ פֶּתַח הָאֹהֶל וְקָם כָּל הָעָם וְהִשְׁתַּחְוּוּ אִישׁ פֶּתַח הְאֹהֶלוֹ: וְדְבֶּר דִי אֶל מֹשֶׁה פָּנִים אֶל פָּנִים כַּאֲשֶׁר יְדַבֵּר אִישׁ אֶל רֵעַהוּ וְשָׁב אֶל הַמַּחְנֶה וּמְשְׁרְתוֹ יְהוֹשֻׁעַ בְּוֹן נַעַר לֹא יָמִישׁ מִתּוֹךְ הָאֹהֵל: שמות לגיז-יא

And Moses took the Tent, and pitched it outside the camp, far away from the camp, and called it the Tent of Meeting. And it came to pass, that every one who sought the L-rd went out to the Tent of Meeting, which was outside the camp. And it came to pass, when Moses went out to the Tent, that all the people rose up, and stood every man at his tent door, and looked after Moses, until he was gone into the Tent. And it came to pass, as Moses entered into the Tent, the pillar of cloud descended, and stood at the door of the Tent, and the L-rd talked with Moses. And all the people saw the pillar of clouds stand at the Tent door; and all the people rose up and worshipped (prostrated themselves), every man in his tent door. And the L-rd spoke to Moses face to face, as a man speaks to his friend. And he turned again into the camp; but his servant Joshua, the son of Nun, a young man, departed not from the Tent. **Exodus 33:7-11** 

ודבר ד' אל משה פנים אל פנים. ומתמלל עם משה: ושב אל המחנה. לאחר שנדבר עמו היה שב משה אל המחנה ומלמד לזקנים מה שלמד והדבר הזה נהג משה מיום הכפורים עד שהוקם המשכן ולא יותר שהרי בשבעה עשר בתמוז נשתברו הלוחות ובי"ח שרף את העגל ודן את החוטאים ובי"ט עלה שנאמר ויהי ממחרת ויאמר משה אל העם וגו' ועשה שם ארבעים יום ובקש רחמים שנאמר ואתנפל לפני ד' וגו' ובר"ח אלול נאמר לו ועלית בבקר אל הר סיני לקבל לוחות האחרונות ועשה שם מ' יום שנאמר בהם ואנכי עמדתי בהר כימים הראשונים וגו' מה הראשונים ברצון אף האחרונים ברצון אמור מעתה אמצעיים היו בכעס. בי' תשרי נתרצה הקב"ה לישראל בשמחה ובלב שלם ואמר לו למשה סלחתי כדברך ומסר לו לוחות אחרונות וירד והתחיל לצוותן על מלאכת המשכן ועשאוהו עד א' בניסן ומשהוקם לא נדבר עמו עוד אלא מאהל מועד: רש"י שם לגיא

And the L-rd spoke unto Moses face to face: [The Targum renders this:] And it was spoken with Moses. And he would return into the camp: After it was spoken with him, Moses would return to the camp and teach the elders what he had learned. And this practice, Moses continued from the Day of Atonement until the Tabernacle (mishkan) was set up, and no longer; for on the seventeenth day of Tamuz the Tablets were broken and on the eighteenth he burned the [Golden] Calf and sentenced the sinners, and on the nineteenth he went up, for it is said (Deut. 9:18), "And I fell down before the L-rd." And on the first of the month of Elul it was said to him (Ex. 34:2), "And come up in the morning unto Mount Sinai" to receive the Second Tablets. And he tarried there forty days for it is stated in reference to them (Deut. 10:10), "Now I stayed in the mount, as at the first time etc." Just as the first were in good-will, so the last were in good-will. Hence you must say that the middle were in anger. On the tenth of Tishrei, the Holy One, blessed be He, was reconciled to Israel with joy and wholeheartedness, and He said to Moses, "I have forgiven [them]," and He gave over to him the Second Tablets. Then Moses descended and began to command them regarding the construction of the tabernacle, and they made it until the first day of Nissan, and after it was set up, there was spoken with him only from the Tent of Meeting (Tabernacle). Rashi, ibid. 33:11

ואתנפל לפני ד' כראשונה ארבעים וגו'. . . . ופי' כראשונה ארבעים יום וארבעים לילה אין הכוונה שהתפלל בתמידות ארבעים מעל"ע שזה א"א בשום אופן. וגם אינו כראשונה שלא היה תפלה אלא שעה קטנה. ובס' שמות ל"ב ל' הבאתי פרקי דר"א פמ"ו שבכל אותם מ' יום אמצעים היה למשה עסק במחנה. וכ"כ הגר"א בפי' סע"ר אלא שפי' כראשונה היינו שעלה להר בכל יום להתפלל ואח"כ ירד. . . . . העמק דבר, דברים ט:יח

And I fell down before the L-rd, as at the first . . . (Deuteronomy 9:18): . . . The meaning of, "as at the first," refers to the time period of forty days and forty nights. It does not mean that he prayed for forty days and nights without stop. That is something that is totally impossible. It also wasn't similar to the first [period in regards to prayer] as [the first was] only devoted to prayer for a short period. In the book of Exodus (32:30) I quote from the Midrash Pirkei d'Rabbi Eliezer (Chapter 46) that during the entire middle period of forty days Moshe was involved in matters pertaining to the camp. So too does the Gaon of Vilna write in his commentary to Seder Olam Rabbah. He explains, however, that it was similar to the first period in that every day he went up to the mountain to pray and afterwards he descended. . . . . Haamek Davar, Deuteronomy 9:18

3) ומשה יקח את האהל וגו'. כבר ביארנו שכ"ז היה במשך מ' יום האמצעים שהיה עדיין בהסתר פנים ולא רצה הקב"ה להשרות שכינתו בקרב ישראל ע"כ היה מוכרח גם משה להסיר את אהלו מתוכם למען הא נדבר את ד' שמה כאשר כן היה באמת: העמק דבר, שמות לג:ז

And Moses took the Tent, and pitched it outside the camp . . . (Exodus 33:7): We have already explained that this occurred during the forty intermediate days in which the Divine Presence was still hidden and the Holy One, blessed be He, didn't want to rest His Presence in the midst of Israel. Therefore even Moshe was forced to remove his tent from their midst so that Hashem would speak to him there [outside of the camp], as it truly occurred. Haamek Davar Exodus 33:7

(4) כצאת משה. מן המחנה שהיה רגיל אז הרכה כמחנה כדתניא כפרקי דר"א פמ"ו והובא ברמב"ן מקרא ז' שבתוך ארבעים יום האמצעים הכרית ע"ז מישראל והתקין כל שבט במקומו. והדבר מובן שלא מלאכת יום א' היה ולא שני ימים. שהרי נהרס בל"ס שלו' כל שבט ע"י העגל וע"י שבירת הלוחות. וע"י שנהרגו שלשת אלפי איש. וכל זמן שלא שבו כל ישראל להיות בשלו' כמו שהיה לפני מ"ת דכתיב ויחן שם ישראל. לא היה אפשר לעלות ולקבל לוחות אחרונות. והיה למשה רבינו עבודה רבה בכל שבט לפייס ולדבר ולהוכיח עד שישוב השלו'. ואחר עבודתו בכל יום יצא מן המחנה אל האהל. העמק דבר, שמות לג:ח

And it came to pass, when Moses went out . . . (Exodus 33:8): from the camp, as he spent much time in the camp, as we learned in the Midrash Pirkei D'Rabbi Eliezer Chapter 46, as is quoted by Ramban in his commentary to Ex. 33:7. During these [forty] intermediate days, Moshe eradicated idolatry from Israel and reestablished every tribe to its rightful place. Understandably, this was not a single day's work or even the work of a couple of days. Without a doubt, the internal peace of every tribe was shattered due to the Golden Calf, the breaking of the Tablets, and the execution of the three thousand men [who worshipped the Calf]. As long as all of Israel was not at peace with itself, as it was right before *Matan Torah* (the giving of the Torah), as it is written (Exodus 19:2), ". . . and there Israel [as a single undivided unit] camped before the mount," then it was not possible for Moshe to arise and receive the second set of Tablets. Moshe

had a difficult job before him, to appease every tribe, to speak to them and rebuke them, until peace was [finally] restored. After his daily service [for the community in restoring peace] did he leave the camp to go to the Tent. **Haamek Davar Exodus 33:8** 

5) ועמד פתח האהל. כן היה כל ארבעים יום: ודבר עם משה. אם היה צורך לדבר לא נקרא משה אל ההר אלא היה שם הדבור. או לתורה שבע"פ. כמשמעות עם משה כמו שביארנו לעיל בפי' לדבר אתו. שדברו יחדיו כ"י ואז היה הכל באהל משה. העמק דבר, שמות לגיט

[And it came to pass, as Moses entered into the Tent, the pillar of cloud descended,] and stood at the door of the Tent . . . (Exodus 33:9): This occurred throughout the forty [intermediate] days. . . . and the L-rd talked with (im) Moses (ibid.): [This means that] if He needed to speak, Moshe was not called to the mountain. Rather, the communication occurred there [in the Tent]. [Alternately,] it could be referring to the *Torah SheBaal Peh* (the Oral Torah), as indicated by the use of the word im (with) in conjunction with speech, as we have explained previously . . . i.e. they spoke together [with Moshe seeking clarification and Hashem replying]. All of this was done in the Tent of Moshe. Haamek Davar Exodus 33:9

6) ודבר ד' אל משה פנים אל פנים. בזכות השתחואות ותפלות ש"י שהוסיפו כח בגבורה של מעלה עד שנגדל השפע: ודבר ד' אל משה פנים א"פ. היינו דברות שבכתב או לצורך השעה: ושב אל המחנה. למחר לאותו עסק כמש"כ לעיל: העמק דבר שמות לג:יא

And the L-rd spoke to Moses face to face, as a man speaks to his friend. (Exodus 33:11): [This was] through the merit of the prostrations and prayers of Israel which added strength to the Higher Power (gevura) and resulted with the outpouring of Divine Inspiration. And the L-rd spoke to Moses face to face (ibid.): This is referring to the Written Torah (Torah ShebiKsav) or to communications that were time sensitive. Haamek Davar Exodus 33:11

... but his servant Joshua, the son of Nun, a young man, departed not from the Tent. (Exodus 33:11): Scripture informs us that even though Yehoshua (Joshua) was some fifty years old at the time and was a giant of Torah and wisdom and, [one would have thought that] had he accompanied him to the camp, would have been of great assistance to Moshe in his efforts to correct injustice, in reality [Yehoshua] was like a young man in these matters and had not reached proper discernment (lit. the divisions of Reuben there were great searchings of heart (Judges 5:15)). The reason is that he "departed not from the Tent," as his sole involvement was to properly understand the Oral Law (*Torah SheBaal Peh*), whose understanding flowed like a gushing spring within the Tent of Moshe, and he didn't want to divert his attention and focus from his studies for any other matter. This narrative is a lesson for generations to come regarding the effort that the leader of the generation has to expend to put the minds of the people

at ease, all the while not paying attention to those insolent individuals who [would attempt] to interfere with his work and personally denigrate him. In addition, this teaches us that a student who comes to receive Torah instruction from that leader of the generation should not divert his attention away from his studies for any other purpose, no matter how noteworthy (*d'var mitzva*), if it can be taken care of by others (*efshar l'asos al yidei acheirim*). . . . For that reason it is written, *lo yomish*, [in the future tense,] and not *lo mosh* [ as the translation is, "he departed not,"] to teach us that it was proper for him not to depart from the Tent until the time would arrive that he would lead the generation. **Haamek Davar, Exodus 33:11** 

תנו רבנן כיצד סדר משנה משה למד מפי הגבורה נכנס אחרן ושנה לו משה פירקו. נסתלק אחרן וישב לשמאל משה. נכנסו בניו ושנה להן משה פירקן נסתלקו בניו אלעזר ישב לימין משה ואיתמר לשמאל אחרן. רבי יהודה אומר: לעולם אחרן לימין משה חוזר. נכנסו זקנים ושנה להן משה פירקן נסתלקו זקנים נכנסו כל העם ושנה להן משה פירקן. נמצאו ביד אחרן ארבעה ביד בניו שלשה וביד הזקנים שנים וביד כל העם אחד. נסתלק משה ושנה להן אחרן פירקו. נסתלק אחרן שנו להן בניו הזקנים פירקן. נסתלקו בניו שנו להן זקנים פירקן. נמצא ביד הכל ארבעה. מכאן אמר רבי אליעזר: חייב אדם לשנות לתלמידו ארבעה פעמים. וקל וחומר ומה אחרן שלמד מפי משה ומשה מפי הגבורה כך הדיוט מפי הדיוט על אחת כמה וכמה. רבי עקיבא אומר: מנין שחייב אדם לשנות לתלמידו עד שילמדנו שנאמר (דברים ל"א) ולמדה את בני ישראל. ומנין עד שתהא סדורה בפיחם שנאמר שימה בפיחם. ומניין שחייב להראות לו פנים שנאמר (שמות כ"א) ואלה המשפטים אשר תשים לפניהם. וליגמרו כולהו ממשה כדי לחלוק כבוד לאחרן ובניו וכבוד לזקנים. וניעול אחרן וניגמר ממשה וליעיילו בניו וליגמרו בניו וליגמרו מאחרן וליעיילו זקנים ולילפו מבניו וליזלו וליגמרינהו לכולהו ישראל כיון וליעיילו בניו וליגמרו גמר מסתייעא מלתיה. אמר מר: רבי יהודה אומר: לעולם אחרן לימין משה חוזר. כמאן אזלא הא דתניא: שלשה שהיו מהלכין בדרך הרב באמצע וגדול בימינו וקטן בשמאלו. לימא רבי יהודה היא ולא רבנן אפילו תימא רבנן משום טירחא דאהרן. עירובין נד:

Our Rabbis learned: What was the procedure of the instruction in the Oral Law? Moses learned from the mouth of the Omnipotent. Then Aaron entered and Moses taught him his lesson. Aaron then moved aside and sat down on Moses' left. Thereupon Aaron's sons entered and Moses taught them their lesson. His sons then moved aside, Eleazar taking his seat on Moses' right and Ithamar on Aaron's left. R. Yehudah stated: Aaron was always on Moses right. Thereupon the elders entered and Moses taught them their lesson, and when the elders moved aside all the people entered and Moses taught them their lesson. It thus followed that Aaron heard the lesson four times, his sons heard it three times, the elders twice and all the people once. At this stage Moses departed and Aaron taught them his lesson. Then Aaron departed and his sons taught them their lesson. His sons then departed and the elders taught them their lesson. It thus followed that everybody heard the lesson four times. From here R. Eliezer inferred: It is a man's duty to teach his pupil [his lesson] four times. For this is arrived at a minori ad majus (kal v'chomer): If Aaron, who learned from Moses who had it from the Omnipotent, had to learn his lesson four times how much more so an ordinary pupil who learns from an ordinary teacher. R. Akiva stated: Whence is it deduced that a man must go on teaching his pupil until he has mastered the subject? From Scripture where it says (Deuteronomy 31:19), "And teach thou it to the children of Israel." And whence is it deduced that it must be taught until the students are well versed in it? From Scripture where it says (ibid.), "Put it in their mouths." And whence is it inferred that it is also his duty to explain to him the reasons? It has been said (Exodus 21:1), "Now these are the ordinances which thou shalt put before them." But why did they not all learn direct from Moses? In order to give a share of the honor to Aaron, his sons, and the elders. Then [why was

not this procedure adopted:] Aaron might enter and learn from Moses, his sons might then enter and learn from Aaron, then the elders might enter and learn from his sons and these finally might teach all Israel? [The answer is:] As Moses learned from the mouth of the Omnipotent his own teaching was of greater value. The Master said: R. Yehudah stated: Aaron was always on Moses' right. Whose view is represented in the following where it was taught: If three men were going the same way, the Master is to be in the middle, the more important of the other two on his right and the less important on his left? Must it be held that it represents the view of R. Yehudah and not that of the Rabbis? It may be said to agree even with the view of the Rabbis, since Aaron's trouble had to be taken into consideration. **Eiruvin 54b** 

### III. Receiving the Torah and the Second Tablets

A.
ביאמר ד׳ אֶל מֹשֶׁה פְּסָל לְךְ שְׁנֵי לֻחֹת אֲבָנִים בָּרִאשׁנִים וְכָתַבְתִּי עַל הַלֻּחֹת אֶת הַדְּבָרִים אֲשֶׁר הִיּוּ עַל הַלְּחֹת הָרִאשׁנִים אֲשֶׁר הִינִי וְנִצַּבְתְּ לִי שָׁם עַל רֹאשׁ עַל הַלְּחֹת הָרִאשׁנִים אֲשֶׁר שִׁפּרְתִּ: נֶהְיֵה נְכוֹן לַבּּקֶר וְעָלִיתְ בַבּּקֶר אֶל הַר סִינִי וְנִצַּבְתְּ לִי שָׁם עַל רֹאשׁ הַרְּי וְאִישׁ לֹא יַעֲלֶה עִמְּךְ וְגַם אִישׁ אַל יֵרָא בְּכָל הָהָר גַּם הַצֹּאן וְהַבְּקָר אַל יִרְעוּ אֶל מוּל הָהָר הַהוּא: וַיִּשְׁכֵּם מֹשֶׁה בַבּּקֶר וַיַּעַל אֶל הַר סִינִי כַּאֲשֶׁר צִּוְּה ד׳ אֹתוֹ וַיִּשְׁכֵּם מֹשֶׁה בַבֹּקֶר וַיַּעַל אֶל הַר סִינִי כַּאֲשֶׁר צִוְּה ד׳ אֹתוֹ וַיִּשְׁכֵּם מֹשֶׁה בַבֹּקֶר וַיַּעַל אֶל הַר סִינִי כַּאֲשֶׁר צִוְּה ד׳ אֹתוֹ וַיִּשְׁה בְּיִבְּים מִשְׁה בַבֹּקֶר וְיַעַל אֶל הַר סִינֵי כַּאֲשֶׁר צִוְּה ד׳ אֹתוֹ וַיִּשְׁהַם מִשְׁה בְבֹּקֵר וְיַעֵל אֶל הַר סִינֵי כַּאֲשֶׁר צִוְּה ד׳ אֹתוֹ וַיִּשְׁהַם הַיִּשְׁבּים מִּשְׁה בְּבֹּקְר וַיִּעַל אֵל הַר סִינֵי בַּאֲשֶׁר צִוְּה ד׳ אֹתוֹ וַיִּשְּׁה בְּיִבְּים בְּיִבְּים בְּיִשְׁב לְחֹת אֲבָנִים: שמות לד:א-ד

And the L-rd said to Moses, Hew out two tablets of stone like the first; and I will write upon these tablets the words that were on the first tablets, which you broke. And be ready in the morning, and come up in the morning to mount Sinai, and present yourself there to Me in the top of the mount. And no man shall come up with you, nor let any man be seen throughout all the mount; nor let the flocks nor herds feed before that mount. And he hewed out two tablets of stone like to the first; and Moses rose up early in the morning, and went up to Mount Sinai, as the L-rd had commanded him, and took in his hand the two tablets of stone. **Exodus 34:1-4** 

וכשאמ' הקב"ה למשה פסל לך שני לוחות אבנים מחצב סנפרינון נברא לו למשה בתוך אהלו וחצבן שנ' ויפסול שני לוחות אבנים כראשונים וגו' וירד (ועלה) משה עם הלוחות ועשה ארבעים יום בה יושב לפני רבו קורא במקרא ושונה במשנה ששנה. . . . בן בתירא אומ' ארבעים יום היה משה דורש בדברי תורה וחוקר באותיותיה ולאחר ארבעים יום לקח את התורה וירד בעשור לחדש ביום הכפורים והנחילה לבני ישראל לחק עולם שנ' והיתה זאת לכם לחקת עולם. מדרש פרקי דרבי אליעזר פרק מה

When the Holy One, blessed be He, told Moshe, "Hew out two tablets of stone like the first," He [had already] created for him a vein of Sapphire in his tent which he hewed out, as it says (Ex. 34:4), "And he hewed out two tablets of stone like to the first etc." And Moshe went up with the hewed [blank] tablets and spent forty days [on the mountain] before his Master. He recited from Scripture, and repeated the Mishna that he had studied. . . . Ben Beseira said: For forty days Moshe would expound upon the Torah and would think deeply about its letters. After forty day he took the Torah (tablets) and descended. This was on the tenth of the month, on Yom Kippur, which He bequeathed to the children of Israel as an eternal statute, as it says (Lev. 16:29), "And this shall be a statute forever to you; [that in the seventh month, on the tenth day of the month, you shall afflict your souls, and do no work at all, whether it be one of your own country, or a stranger who sojourns among you]." Midrash Pirkei D'Rabbi Eliezer, Perek 45

... יש להקדים מש"כ הראב"ע בשם גאון ז"ל דלוחות שניות מכובדים מן הראשונים. והראב"ע כתב ע"ז ואלה כדברי חלום לא מעלין ולא מורידן. אבל דברי גאון לאו דברי ריק הן ובחזית איתא שמאלו תחת לראשי אלו לוחות הראשונים וימינו תחבקני לוחות השניים. והכי איתא ג"כ בש"ר פמ"ז הה"ד טוב לי כי עניתי למען אלמד חקיך לטובתו של משה נתענה ק"ך יום כו' אמר הקב"ה נצטערת חייך שאין אתה מפסיד. בלוחות הראשונות לא היה אלא עשרת הדברות ועכשיו שנצטערת אני נותן לך מדרש הלכות ואגדות כו' ועי' מש"כ ס' דברים י' א'. והכוונה בכ"ז דבלוחות הראשונות לא ניתן כח החידוש אלא מה שקיבל משה דיוקי המקראות והלכות היוצא מזה אבל לא לחדש דבר הלכה ע"י י"ג מדות וכדומה הויות התלמוד. ולא הי' תורה שבע"פ אלא דברים המקובלים מפי משה ומה שלא היה מקובל היו מדמים מילתא למילתא. אבל בלוחות השניות ניתן כח לכל תלמיד ותיק לחדש הלכה ע"פ המדות והתלמוד אלא שמתחלה לא עסקו בזה אלא משה וזרעו. ובערבות מואב הוכיח משה לישראל שיקבלו זה הדרך כמו שיבואר ריש ס' דברים. וכ"ז היה העגל סיבה לזה שנגזר וביום פקדי ופקדתי וגו' ומש"ה הגיע בגזרת מרגלים גלות ופזור בארצות. והיא סיבה מכרחת לפלפולה ש״ת מצד שני טעמים היינו מצד שמירת האומה ומצד שמירת ההוראה בישראל כמו שביארנו לעיל ס"פ בא ובריש ס' דברים. ומזה הטעם עצמו צוה הקב"ה שיהיה הלוחות השניים בפיסול ידי משה לא משום שלא זכו למעשה א-להים אלא להורות דהלכה המתחדשת בכח לוחות הללו היא השתתפות עמל האדם בסיעתא דשמיא כמו עצם הלוחות שהיה מעשה משה וכתיבת הקב"ה. וע"ע להלן מקרא כ"ז שגם בכתיבה הי' השתתפות משה. והיינו מה שאמרו חז"ל דאפי׳ מה שתלמיד ותיק עתיד לחדש הי׳ בלוחות. והכונה שבכח לוחות השניות היה נכלל הכל... וכ"ז דברי גאון. דבזה הפרט הי' לוחות שניות מכובדים מן הראשונות. דאע"ג שקדושת הראשונים היתה נעלה מהם וממילא אלו לא נשברו היו נוח להגיע להוראה ע"י סברא ודמוי מילתא למילתא יותר מכאשר נשברו אבל כאשר נתקלקלנו והננו נצרכים להיות יגעים ולשנן חרבה ש"ת לזה מסוגל יותר לוחות אחרונות. העמק דבר, שמות לד:א

We will preface our remarks with the statement of R. Avraham ibn Ezra in the name of the Gaon, [R. Saadyah] of blessed memory, who said that the second set of tablets are more esteemed than the first. R. Avraham ibn Ezra wrote regarding this that the [Gaon's] statement goes into the category of dreams, i.e. they are without substance. The words of the Gaon, however, are not without import. The Midrash Hazis states, "'His left hand is under my head,' (Song of Songs 2:6) is referring to the first set of tablets, 'and his right hand embraces me' (ibid.) is referring to the second set of tablets." And this is the text of the Midrash Shemos Rabbah Chapter 46, "It is good for me that I have been afflicted; that I might learn your statutes.' (Psalms 119:71) This is referring to the goodness of Moshe who was afflicted with fasting for 120 days. . . . The Holy One, blessed be he, said: [Because] you afflicted yourself, [I swear] by your life that you will not lose out. The first tablets only contained the ten commandments and now that you afflicted yourself I will give you Midrash, Halachos, Aggados, etc." . . . The meaning of all of this is that the first tablets didn't contain within it the power of enabling [the Jewish people] to arrive at novel [insights and interpretations]. They were only able to learn that which Moshe received, i.e. the precise reading of Scripture and the Halachos that resulted from such a reading. They couldn't, however, formulate new insights into the halacha based upon the thirteen rules of interpretation and other Talmudic principles. [At that time,] the Oral Law consisted solely of that which was received directly from Moshe or that which could be logically extrapolated. Through the second set of tablets, however, the power was given to every assiduous student to formulate new insights into the halacha based upon the rules of interpretation and other Talmudic principles. Originally, however, only Moshe and his progeny were involved in this endeavor [to discover the insights embedded in the Written Torah based upon these principles]. At the plains of Moab, Moshe admonished the people of Israel to accept this approach, as is explained [in my

commentary] at the beginning of the Book of Deuteronomy. This change [between the two sets of tablets] was brought about through the sin of the Calf, as it was decreed then (Exodus 32:34), "... in the day when I punish I will punish their sin upon them." For that reason, when the decree was made in the aftermath of the spies, it was decreed that they suffer exile and dispersion [throughout] the [many foreign] lands. This is why it was essential for them to be involved in pilpula d'oraissa (complex logical arguments needed to understand and resolve seeming contradictions within the Torah). This was for two reasons. Firstly, in order to preserve the [spirit of the] nation [through the dedication that this entails] and secondly to insure correct legal rulings within Israel, [despite the pressures of exile], as we explained in our commentary at the end of Parshas Bo and at the beginning of Sefer Devarim. For this reason itself did the Holy One, blessed be He, command that the second tablets be hewed by Moshe's hands. It wasn't that they no longer merited that the tablets be directly fashioned by G-d, but rather it was to show that any halacha that will be the result of a novel insight, which is due to the power of inspiration that is inherent in the second tablets, will come about through the combination of the toil of man coupled with Divine assistance, similar to the actual tablets which is a combination of Moshe's action (i.e. hewing) and the writing of the Holy One, blessed be He. commentary to verse 27 [where I make it clear] that even the writing on the tablets was done in conjunction with Moshe. This is the meaning of the statement of our Sages of blessed memory that even a novel insight which an assiduous disciple was destined to reveal was on the tablets. This means that potentially everything was included in the second tablets. . . . All of this is what the Gaon [actually] meant, i.e. that in this respect, the second tablets were more esteemed than the first, i.e. that even though the sanctity of the first tablets was more exalted than the second, and had it not been broken, it would have been easier to arrive at a correct Torah legal decision (horoah) through the simple use of logic and comparison to legal precedent, after we became corrupt. and in need of serious toil and sharp logic [to arrive at the truth,] the second set of tablets was better [designed to inspire us to reach that truth]. Haamek Davar, Exodus 34:1

את הדברים אשר היו על הלוחות הראשונים. ולא כתיב אשר כתבתי על הלוחות או אשר היו כתובים. אלא הוא כמש"כ בס' דברים ה' י"ט וי' ד'. שעל לוחות הראשונים היה כתוב זכור. ועל לוחות השניות היה כתוב שמור. וכן כל השנוים. ובעת היה לוחות הראשונים היה זה הנוסח כמו תורה שבע"פ שהיה מקובל עפ"י משה שכך נאמר בדבור אחד. ונמצא שהיו על הלוחות אבל לא כתובות ומש"ה הוסיף הקדוש ברוך הוא לומר אשר שברת ודרשו חז"ל יישר כחך ששברת. והיינו משום שבזה נתחזק כח תורה שבע"פ עיקר ברית השני שבא אחר מעשה העגל כי אחר ששברם ונכתבו לוחות שניות בנוסח שהיה מתחלה מקובל בע"פ הרי ידעו שאפילו בלוחות ראש תורה שבכתב באו דברי קבלה שהיה בראשונה מזה יש להבין כח דברי קבלה משתלשל ויורד וכולם דברי א-להים חיים. ועי' כיב"ז בפ' מלואים בסדר צו דמה שבא בקבלה בפ' תצוה בא בכתב בפ' צו כמו שיבואר שם בס"ד: העמק דבר, שם

... the words that were on the first tablets (ibid.): It is not written, "which I wrote upon the tablets" or "which were written". The explanation is in accordance to my commentary of Deut. 5:19 and 10:4, i.e. the word, "Remember" [the Sabbath day, (zachor)] was written upon the first set of tablets and on the second set of tablets the word, "Keep or Guard" (shamor) was written as well as the other differences [that are found in the version in Deuteronomy Chapter 5]. At the time of the giving of the first set of tablets, the version [of Deuteronomy Chapt. 5] was akin to the Oral Law, as they received this version through Moshe [and were informed by him] that ["Remember" (zachor) and "Keep or Guard" (shamor)] were uttered simultaneously [by G-d]. In reality these [words] were on [or connected to] the tablets [in the form of a commentary] but were not actually written. For that reason, the Holy One, blessed be He, added the words, "which you broke" (asher shabarta) which our Sages, of blessed memory, interpreted to mean, "may

your strength be increased for having broken them" (*y'asher kochacha sheshabarta*). For it is through this [breaking] that the power of the Oral Law became increased, because the essential theme of the second covenant which was made in the wake of the sin of the Golden Calf was the Oral Law, i.e. the version that was originally received orally was now written down on the second set of tablets. Behold they knew that the tablets, the preeminent form of the Written Law, contained the words of the original oral tradition. From this they would understand the force of the oral tradition that now came down to them in written form and that both [the written and the oral] are the words of the Living G-d... Haamek Davar, ibid.

And the L-rd said to Moses, Write these words; for according to these words I have made a covenant with you and with Israel. And he was there with the L-rd forty days and forty nights; he did neither eat bread, nor drink water. And he wrote upon the tablets the words of the covenant, the ten commandments. And it came to pass, when Moses came down from Mount Sinai with the two tablets of Testimony in Moses' hand, when he came down from the mount, that Moses knew not that the skin of his face shone while he talked with Him. And when Aaron and all the people of Israel saw Moses, behold, the skin of his face shone; and they were afraid to come closer to him. And Moses called to them; and Aaron and all the rulers of the congregation returned to him; and Moses talked with them. And afterward all the people of Israel came near; and he gave them in commandment all that the L-rd had spoken with him in Mount Sinai. And when Moses had finished speaking with them, he put a veil on his face. But when Moses went in before the L-rd to speak with Him, he took the veil off, until he came out. And he came out, and spoke to the people of Israel that which he was commanded. And the people of Israel saw the face of Moses, that the skin of Moses' face shone; and Moses put the veil upon his face again, until he went in to speak with Him. **Exodus 34:27-35** 

2) כתב לך את הדברים האלה. לפי הפשט למד מעניינו דכתיבה על הלוחות מיירי. ולא כמש"כ הרמב"ן שצוהו לכתוב על הספר הברית ולקרוא באזני העם כמו שהיה אז בראשונות שהרי לא נזכר ענין הקריאה והירידה בינתים אפילו בצווי. וא"א לפרש כתיבה בס"ת שאינו מדבר בס"ת עד מצות כתבו לכם את השירה הזאת, דשם כתיב על ספר. אלא בכתיבה על הלוחות שמדבר בענינם מיירי. אמנם ודאי לא בעשרת הדברות מדבר. שהרי הקב"ה אמר וכתבתי על הלוחות. ותו דלזה לא היה נצרך לפרש טעם כי ע"פ הדברים האלה וגו' שהרי משה עלה בשבילם ואין זה דבר חדש. אלא בכל התורה נצטוה משה שמלבד שיכתוב ד' על הלוחות עשרת הדברים יכתוב משה על הלוחות את הדברים האלה מבראשית על לעיני כל ישראל. וכמו שהיו חקוקים על הלוחות השניות ע"י שכתוב לעיל כ"ד י"ב. ואתנה לך את לחות האבן והתורה. כך היו חקוקים על הלוחות השניות ע"י משה. וכבר נתבאר שם שאין הפי' שהיו כתובים כמו שהתורה לפנינו אלא השמות שבהם נבראו שו"א. והן הן גופי תורה אחר שנתפשטו: העמק דבר שם

Write these words; [for according to these words I have made a covenant with you and with Israel.] (Exodus 34:27): According to the simple meaning, which is implied by the context of this statement, this writing is referring specifically to writing upon the tablets, and not, as the Ramban explains, [that Moshe was commanded] to write a separate work, the Book of the Covenant, which was to be read in public, similar to what he originally [wrote (Exodus 24:4-7)], for there is no mention here of any public reading or descent from the mountain in the interim [for that purpose], even in the form of a commandment. [In addition, this writing] cannot be referring to writing a Sefer Torah, as the commandment for writing a Sefer Torah is not mentioned until [the command (Deut. 32:19),] "Now therefore write this poem for you . . ." where a sefer (book or scroll) is specifically mentioned (ibid. verse 24). This verse is referring to writing on the tablets, as is implied from the context. This is not referring, however, to the Ten Commandments, as the Holy One, blessed be He, said (Ex. 34:1), "... I will write upon these tablets the words that were in the first tablets . . ." In addition, there was no need to offer the explanation, "for according to these words I have made a covenant with you," as it was evident that the sole reason Moshe went up to the mountain was to receive the [Ten Commandments inscribed upon the tablets]. Rather, besides the Ten Commandments, which Hashem inscribed upon the tablets, Moshe was commanded to inscribe upon the tablets the entire Torah, from the words "In the beginning" until the words "in the sight of all Israel". They were inscribed upon these second tablets by Moshe, just as Hashem had inscribed them upon the first set of tablets, as it is written above (Ex. 24:13), "[And the L-rd said to Moses, Come up to me into the mount, and be there;] and I will give you tablets of stone, and the Torah, and commandments which I have written; that you may teach them." I have already explained (ibid.) that they were not written in the form of our Sefer Torah, but rather in the form of the Divine Names through which He created Heaven and Earth. These Names were reconfigured to take the form of our present Sefer Torah. Haamek Davar, ibid.

3) אמנם בלוחות הראשונות לא היה הברית כ"א על האמונה ודתי התורה בלי חקירה ועיון בדקדוקיה, אלא לשמוע המקובלות מפי משה ולדמות מסברא כמש"כ לעיל. אבל הברית שנכרת בשניה בא על עיון ועמל תורה לדקדק על כל קוץ וקוץ. ע"כ צוה הקב"ה למשה שיכתוב הוא כל התורה כפי שנמסרה על הלוחות וכמבואר בירושל' שקלים פ"ו ה"א בין כל דבור ודבור דקדוקיה ואותיותיה ש"ת הממולאים בתרשיש כימא רבא. ואין הכונה שהיו הפלפולים והפירושים כתובים אלא גוף תורה שבכתב. וזה בא לתועלת להשריש בלב כלל ישראל לדקדק בהם ולעמוד על תמציתן. העמק דבר שם

The covenant [that was established through] the first set of tablets created a commitment to having faith and [to master] the laws of the Torah without [the need for] inquiry or research into its particulars, but to only receive that which was handed down by Moshe and to expand upon them through simple logic as we explained above. The covenant that was established with the second set of tablets, however, created a commitment to research and toil, to carefully investigate every particular. For that reason, The Holy One, blessed by He, commanded Moshe to write the entire Torah, as it was to be transmitted, on the tablets, as is explained in the Talmud Yerushalmi, Shekalim 6:1, "between each Commandment, with all of its particulars and letters, filled like a giant sea." The meaning [of this passage in the Talmud Yerushalmi} is not that the deep logical arguments and explanations were actually written down, but only the corpus of the Written Torah, [which ultimately contains all of this]. This was for the purpose of implanting in the hearts of the people of Israel the desire to carefully read the Torah and grasp its essence. **Haamek Davar, ibid.**