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**The Covenant at Sinai**  
**By Rav Chanoch Waxman**

Towards the end of Parashat Mishpatim, the Torah recounts the striking crescendo of ma'amad Har Sinai, the revelation at Mount Sinai:

"And [Moshe] took the book of the covenant and read it aloud to the people. And they said: All that the Lord has spoken we will do and we will obey (na'aseh ve-nishma)." ([Shemot 24:7](#))

In contrast to our normal way of thinking about "na'aseh ve-nishma," as a self-contained and unique note of unparalleled commitment, the Torah portrays the declaration not in isolation, but rather as part of a larger symphony, a ceremony which might be termed "Brit Sinai," the covenant at Sinai. This ceremony stretches over at least six verses and consists of at least the following events:

1. Moshe obtains the acquiescence of the people to God's commands ("divrei") and rules ("mishpatim"). (24:3)
2. Moshe writes down the commands, erects both an altar and twelve pillars symbolizing the twelve tribes of Israel, and sends young men to offer sacrifices. (24:4-5)
3. Moshe collects half of the blood of the sacrifices in basins and pours the other half of the blood of the sacrifices on the altar. (24:6)
4. Moshe reads the just transcribed "sefer ha-brit," the book of the covenant, and the people respond with "Na'aseh ve-nishma." (24:7)
5. Moshe sprinkles the remaining half of the blood on the people and declares it the blood of the covenant that was contracted on these commands. (24:8)

With the covenant completed and sealed by the pouring or sprinkling of blood, we may very well conclude that the story of "brit Sinai" has reached its conclusion. However, if we read the text with the masoretic divisions of "petuchot" and "setumot" in mind, it becomes obvious that "brit Sinai" continues on for another two verses and contains an additional element. The Torah recounts that:

6. Moshe, Aharon, Nadav, Avihu and seventy elders went up onto Har Sinai, where they experienced a vision of God. They ate and drank, yet remained unharmed by God. (24:9-11)

At first glance, this appears rather strange. Why does the Torah group the ascent, vision and meal of the leadership along with "brit Sinai?" What connection exists between A) the blood covenant between God and the people concluded on the "sefer ha-brit," and B) the ecstatic experience and meal of the leadership on the mountain?

Upon further analysis, these questions are relatively easy to resolve. As Rashbam (24:11) has already pointed out, other covenants between God and Israel also culminate in divine revelation. For example, "brit bein ha-betarim," the covenant of the pieces, culminates with "a smoking torch passing between the pieces" ([Bereishit 15:17](#)), an apparent manifestation of the divine presence. Likewise, when the covenant is renewed after the sin of the golden calf, Moshe is promised by God, "You shall see My back" ([Shemot 33:23](#)). "Brit Sinai" follows this pattern, ending with a manifestation of the divine presence.

On a similar note, many treaties and covenants conclude with a shared meal. For example, when Yitzhak and Avim elech conclude a "brit" ([Bereishit 26:28](#)), they seal it by eating and drinking ([Bereishit 26:30](#)). Likewise, Ya'akov and Lavan seal their parting treaty by partaking in a meal ([Bereishit 31:54](#)). Regarding this particular as well, brit Sinai follows a more general pattern.

In sum, we may claim that the meal constitutes a standard concluding element of any treaty, and the revelation constitutes the unique concluding element of a treaty between God and Israel.

II

While "Brit Sinai" (24:3-11) can be viewed as a self-contained and coherent unit, it can also be viewed as part of a larger entity, the corpus of Chapter 24. The chapter can be broken down into three sections.

1. The Commands (24:1-2) - Moshe is commanded to ascend to God along with Aharon, his sons and seventy elders. Eventually, Moshe alone is to approach God, without the rest of the leadership, while the people do not ascend the mountain at all.
2. "Brit Sinai" (24:3-11) - as outlined above.
3. The Ascent of Moshe (24:12-18) - Moshe is once again commanded to ascend to God, this time for the specific purpose of receiving the "luchot," Torah and commandments. Moshe takes leave of the leadership and ascends the mountain, where he enters the cloud of the divine presence and remains for forty days and forty nights.

Section one of the chapter consists of two commands, one of which is fulfilled in section two and the one in section three. First, Moshe is commanded, "Ascend ('aleh) to the Lord - you, Aharon, Nadav, Avihu and seventy of the elders" (24:1). This is

fulfilled by the ascent, revelation and meal of the leadership at the end of section two. Note especially that the Torah utilizes the term "va-ya'al" (24:9) to describe this ascent. Second, Moshe is commanded to ascend to God by himself: "Ve-nigash Moshe levado" ("Moshe will approach alone," 24:2). This occurs when Moshe takes leave of the elders and ascends alone in section three.

In addition to the command-accomplishment structure outlined above, chapter 24 is also united by the concept of ascent and the verb stem "a.l.h." (ascend). The term appears seven times in the chapter (24:1,2,9,12,13,15,18) and at least once in each of the sections delineated above.

Finally, section two, "brit Sinai," is not only integrated into chapter 24 by the term "ascent" and by a structure of dual command and accomplishment, but also by a unique type of parallelism, the literary feature known as chiasm. Here it follows the pattern A-B-A-B-C-C-B-A-B-A. This may be mapped as follows:

A - Moshe is commanded to ascend to God (24:1).

B - The leadership will ascend but only to a specified distance (24:1).

A - Moshe alone will approach God (24:2).

B - The leadership will not approach that close (24:2).

C - The people will not ascend to God at all (24:2).

C - The people remain at the bottom of the mountain with the altar and engage in the covenant ceremony (24:3-8).

B - The leadership ascends to the specified distance (24:9-11).

A - Moshe is commanded to ascend to God (24:12).

B - Moshe takes leave of the leadership at a certain point in his ascent (24:13-14).

A - Moshe ascends alone and enters into the cloud (24:15-18).

The stylistic integration of "brit Sinai" into the overall structure of chapter 24, in the manifold ways noted above, should cause us to re-examine our assumptions about the meaning of the vision

and meal of the leadership. Can we simply dismiss the ascent and meal of the leadership as a function of a standard covenantal form? Seemingly not. Rather, the structure of chapter 24 forces some fundamental questions upon us. Why does the Torah choose to embed the story of the "brit Sinai" in the story of the ascent to God of Moshe and the elders, what might be termed the "theophany of Sinai?" What precisely is the thematic connection between the "brit" and ascending the mountain to behold God and to be with Him? Finally, as the apparently culminating events of "ma'amad Har Sinai," how does chapter 24 inform and affect our overall understanding and interpretation of this encounter?

### III

To the casual reader, the book of Shemot appears to be organized by chronology. The book recounts the history of the children of Israel from their days of slavery up until their assembling of the mishkan (tabernacle) at the end of the first year of their journey. Along the way, the varied events befalling them include being redeemed by God from Egypt, their first journey in the desert, the revelation at Sinai and the sin of the golden calf. From a thematic perspective, the book could be roughly broken up into three basic segments:

1) Slavery and Redemption (chapters 1-17);

2) Sinai and Torah (chapters 18-24);

3) The Tabernacle (chapters 25-40).

While this approach is fundamentally correct, the real story is actually quite a bit more complex. "Sefer Shemot" is not only organized by chronology but by certain conceptual threads that weave tway through the various thematic units, knitting the book together into a multi-hued yet fundamentally unified tapestry. Let us focus on one of these strands.

When Moshe first stands in front of God at "the mountain of God at Chorev" (3:1) and God reveals Himself to Moshe through the burning bush, Moshe asks: "Who am I that I should go to Pharaoh and that I should take the children of Israel out of Egypt?" (3:11). God's response seemingly consists of a command: "...When you bring the people out of Egypt, you shall serve ('ta'avdun') God on this mountain" (3:12). Whether one interprets the latter part of Moshe's question as a query of the worthiness of the children of Israel (Rashi), a doubting of his own suitability for the mission (Ibn Ezra), or a request for practical advice as to how to accomplish his task (Rashbam and Ramban), God's answer is clear. From the very start, Moshe is commanded to bring the people to serve God at Chorev.

A bit later on, when God gives Moshe explicit instructions for dealing with Pharaoh, God commands Moshe to inform

Pharaoh that: "...the Lord of the Hebrews has called to us and now let us go a three-days journey into the desert so that we may sacrifice ('ve-nizbecha') to God" (3:18). Ever the faithful servant, Moshe informs Pharaoh when he first confronts him that God demands, "Let My people go so that they may celebrate ('ve-yachogu') to Me in the desert" (5:1). Throughout Moshe's dealings with Pharaoh, the prospective celebration ("chag"), service ("avoda") and sacrifices, the composition of the celebratory party, and the sponsorship of the sacrifices constitute constant and recurring themes (8:16, 8:21-24, 9:1, 9:13, 10:8-11, 10:24-26). It is only after the final plague, the death of the firstborn, that Pharaoh relents and informs Moshe to "...Get out from among my people, both you and the children of Israel, and go serve the Lord as you have said... Be gone and bless me also" (12:31-32).

Strangely enough, from this point on, the prospective "chag" and "avoda" seem to disappear. Throughout chapters 13-18, which detail the aftermath of leaving Egypt, celebration and sacrifices are conspicuously absent. This might not perturb us at all. After all, Moshe needed a negotiating strategy, and the demand for a religious holiday in the desert fit the bill quite nicely. Even Pharaoh might have acquiesced to a bit of spiritual devotion in the desert.

However, this answer seems insufficient. What really was the need to lie? For that matter, in the original command to Moshe (3:12), God specified "this mountain" - the mountain of God at Chorev, i.e. Sinai. At the very least, as of chapter 19 when Bnei Yisrael arrive at Sinai (19:1-3), we might well expect service of the divine, celebration and sacrifices - a religious holiday and all it entails. Strangely enough, chapters 19-20 (containing the revelation of the Ten Commandments at Sinai) contain no mention of service, celebration or sacrifices.

#### IV

This brings us full circle to chapter 24 and "brit Sinai." It is in chapter 24, deep into the second thematic section of Sefer Shemot, that the celebration and service of God, which was anticipated throughout the first section of the book, takes place. As part and parcel of "brit Sinai," the children of Israel erect an altar and sacrifice to God (24:4-5). As part and parcel of "brit Sinai," the elders experience a vision of the divine and consume a festive meal (24:9-11). The religious ecstasy, the service, the sacrifices, the celebration and the encounter with God that God commanded Moshe, and which Moshe demanded from Pharaoh, take place in context of the "brit" and only in the context of the "brit."

Let us return briefly to the content of the covenant and the key phrase we began with: "Na'aseh ve-nishma." As pointed out earlier, Bnei Yisrael respond and commit to Moshe's reading of the book of the covenant. This book consists of the commands ("divrei") and rules ("mishpatim") given to Moshe by God (24:3). Seemingly, the "divrei" refers to the "devarim" spoken by God in chapter 20, i.e. the Ten Commandments (see 20:1), and the

"mishpatim" refers to the rules given by God in chapters 21-23 (see 21:1). The "brit" consists of a full-fledged and unconditional contractual commitment to the laws of God. The religious ecstasy, the encounter with God, the service and sacrifices - all these take place as part of Bnei Yisrael's commitment to the law and only as part of their commitment to the law.

Let us return to the structure of chapter 24 and the issues raised earlier. Why does the Torah embed the story of the "brit" within the story of the ascent of Moshe and the leadership? What is the thematic connection of the "brit" to the ascent of Moshe and the leadership onto the mountain and their respective visions and intimate interactions with God? The answer lies in some of the themes elucidated above. The Torah wishes to emphasize that the various forms and aspects of the spiritual quest - religious ecstasy, sacrifices, and ascending to God, on the one hand, and covenantal commitment to the word of God, on the other hand - constitute harmonious rather than conflicting categories. Each is somehow a necessary condition for and result of the other. The Torah knows of no conflict between law and spirituality, between celebrating the divine and seemingly dry legalism, between the encounter with God on a mountaintop and commitment to a code. The two categories fit neatly together in the text and in the experience of Bnei Yisrael. Together they comprise the rationale, purpose and culmination of the redemption from Egypt: a nation and its leaders serving God and celebrating His presence, fully and absolutely committed to His word.

#### QUESTIONS FOR FURTHER STUDY

1) The Mekhilta cites two opinions as to whether the events of chapter 24 occurred before or after the revelation of the Ten Commandments. While this shiur has followed the opinion of Ibn Ezra and Ramban that the events occurred after the revelation of the Ten Commandments, the Talmud (Shabbat 88a) seems to follow the opinion that the events portrayed in chapter 24 occurred on the fifth day of Sivan, before the revelation of the Ten Commandments. What might constitute the motivation for this claim and its consequent distortion of the chronological order of the Torah? Reread chapters 24 and 19 and see Shabbat 88a and Yevamot 46b.

2) See the last verse of Sefer Shemot, 40:38. How might this verse play a role in uniting the latter two parts of the book? How does chapter 24 constitute a link between the first and third parts of the book? See 24:15-18.

3) Read 19:20-25 and 20:15-18. What seems to be the reason for the people's reaction? How does chapter 24 relate to these verses and the issue they raise?

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