

Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash
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PARASHAT HASHAVUA

PARASHAT VAETCHANAN

IN LOVING MEMORY OF

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לע"נ

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**The Ten Commandments: Twelve Prohibitions
 By Rav Yoel Bin-Nun**

The Ten Matters

The numerical format of "the ten matters" (*aseret ha-devarim*, colloquially referred to as the Ten Commandments) is presented explicitly in the Torah in three different places:

- * "And he wrote upon the Tablets **the words of the covenant, the Ten Matters**" (*Shemot* 34:28, in reference to the second set of Tablets);
- * "And He declared to you **His covenant** which He commanded you to observe, **the Ten Matters**, and He inscribed them upon two tablets of stone" (*Devarim* 4:13, in reference to the first set of Tablets);
- * "And he wrote upon the tablets according to the first writing, **the Ten Matters**, which God spoke to you on the mountain, from amidst the fire, on the day of gathering..." (*Devarim* 10:4, in relation to the Second Tablets, which were like the first).

How many prohibitions are there in the Ten Commandments? Most people mistakenly believe that there are seven prohibitions. This perception would seem to arise from representations of the Tablets that often adorn the Holy Ark in synagogues. Since the Second Tablet features the commands "Lo tirtzach" ("You shall not kill"), "Lo tinaf" ("You shall not commit adultery"), and "Lo tignov" ("You shall not steal"), each of the other commandments is abbreviated down to two words, in the interests of design and esthetic uniformity, producing a contracted and fragmentary text.¹ Thus, the Second Commandment becomes "Lo yihyeh" (and one wonders: what shall not be?); the Third reads, "Lo tissa" (what shall you not take?); the Fourth is "Zakhor et" (what to

remember?), and the Fifth is "Kabbed et" (whom to honor?).

The First Tablet contains six prohibitions, corresponding to six on the Second Tablet, and this division offers a better overview of the structure of the unit as a whole. Let us consider this simple structure, for the time being, without the religious framework of the First Tablet, which will be discussed below:

Twelve Prohibitions:

1. You shall not have any other gods before Me	7. You shall not kill
2. You shall not make for yourself any figure nor image that is in the heavens above or in the earth beneath, or in the water beneath the earth	8. You shall not commit adultery
3. You shall not prostrate yourself before them	9. You shall not steal
4. Nor shall you serve them	10. You shall not bear false witness against your neighbor
5. You shall not take the Name of the Lord your God in vain	11. You shall not covet your neighbor's house
6. You shall not perform any labor [on Shabbat] – you, your son, your daughter, your manservant and maidservant, your animals, and the stranger who is in your gates	12. You shall not covet your neighbor's wife, his field, his manservant or maidservant, nor his ox or his donkey, nor anything that belongs to your neighbor.

There are four instances in the Torah of a structure consisting of twelve divided into two halves, six corresponding to another six. Three of them (the showbread, the garments of the *Kohen Gadol*, the ceremony at Mount Gerizim and Mount Eival) are familiar to many people, but the fourth instance, the Ten Commandments, is almost unknown. It seems that the concept of "Ten Commandments" has impressed itself so strongly upon our consciousness that we fail to pay attention to the actual structure of the text.

The fact that the very same chapter superimposes two different numerical formats need not surprise us. The "ten utterances" of the Creation, in chapter 1 of *Bereishit*, regardless of how we count the tenth utterance,² somehow fit themselves into six days, which themselves are part of a seven-day cycle concluding with Shabbat. In the same way, the twelve prohibitions fit themselves into Ten Commandments. Before clarifying the reason for this complex arrangement, let us examine the number twelve itself and its special properties.

² The Mishna (*Avot* 8:1) states that the word was created with "ten utterances," and the Gemara explains that "*Bereishit*" is an utterance" (*Rosh Hashana* 32a; *Megilla* 21b). Various suggestions appear in other Midrashic sources, as the phrase "And God said" appears only nine times in *Bereishit* 1.

¹ According to Halakha, it is forbidden to contract or abbreviate verses from the Torah.

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The Secret of 12

The numbers 6 and 12 are complex numbers which can be efficiently divided (into 2 or 3; 12 can also be divided into 4 or 6). In addition, a month is approximately 30 days long,³ and twelve lunar months add up to approximately a solar year.⁴ Thus, these numbers are important in the astronomical realm, too. For this reason they serve as the numerical basis for the hours of the day (12 x 2); the division of the circle into 360 degrees; and also the calendar as developed by the Egyptians as well as the Sumerians and Babylonians, even before the time of the Patriarchs.

The modern calendar, in its different variations, still has 12 months, divided into two periods of six months (summer and winter). In the Hebrew calendar, each period commences with a festive month. Tishrei and Nissan are two "new years" in the Torah⁵ as well as in the Mishna (*Rosh Hashana* 1:1), although the festivals of the seventh month are first and foremost celebrations of conclusion (atonement, ingathering), with the new beginning arising as a consequence.⁶

It is no coincidence that the Twelve Tribes of Israel are likewise organized in a manner that accords with this complex and complete numerical model in nature and in human intelligence. This idea is stated explicitly in the story of Eliyahu's altar on Mount Carmel (*Melakhim* I 18:31):

And Eliyahu took twelve stones, according to the number of the tribes of the sons of Ya'akov, to whom God's word came, saying, Yisrael shall be your name.

The twelve stones create a single, whole altar, just as the twelve tribes of Ya'akov's sons together create the whole that is "Yisrael."

As noted, four times in the Torah we find a structure of twelve divided into two halves, six and another six:

1. The showbread in the *Mishkan* are twelve loaves, in two sets of six (*Vayikra* 24:5-6).
2. On his chest, the *Kohen Gadol* wears twelve stones, each with the name of a tribe inscribed on it (twelve stones comprising a single unit, *Shemot* 28:17-21), while on his shoulders are two more stones inscribed with the names of the tribes, six on each side (ibid. 9-10).
3. In the covenant of the Torah upon reaching the Land of Israel, that of Gerizim and Eival, there are twelve verses enumerating all those who are "cursed," forming a single undivided unit, and to each the people answer "Amen" (*Devarim* 27:15-26). Corresponding to these twelve "curses," (representatives of) the twelve tribes

³ A lunar month is approximately half a day less.

⁴ Less about 11 days.

⁵ *Shemot* 12 states that the months are counted from the spring; *Vayikra* 23 and *Devarim* 16, as well as other sources, indicate the same. However, the calculation of the seventh year, in *Vayikra* 25, shows clearly that the agricultural year starts around the time of the sowing, and the jubilee (*yovel*) year starts at Yom Kippur.

⁶ See my book *Zakhor Ve-shamor*, chapters 8-9, pp. 236-271.

stand in two sets of six: six tribes stand for the blessing upon Mount Gerizim, and six stand for the curse upon Mount Eival (ibid. 12-13). *Chazal* deduce from this division that twelve verses of "blessing" were also recited, corresponding to the twelve curses that are enumerated in the Torah (Mishna, *Sota* 7:5). In a similar vein, we find at the covenant of Sinai that there are "twelve pillars for the twelve tribes of Israel," as a single indivisible group (*Shemot* 24:4).

4. The prohibitions in the Ten Commandments are divided into six and six, such that it is easy to discern the relationship between them – the parallels and, more importantly, the differences: six concern the relationship between "you" (*Am Yisrael*) and "the Lord your God," and six between "you" and "your neighbor" — i.e., interpersonal relations.

The distinction between the two Tablets is especially prominent in that the first five Commandments (with their six prohibitions) contain extensive explanations and an entire system of reward and punishment, while in the latter Commandments we see only a list, with absolute and all-inclusive validity. Here there is no explanation, no elaboration, no stipulation of punishment, just the absolute authority of the command itself: "You shall not kill! You shall not commit adultery! You shall not steal!"

The Five Commandments on the First Tablet

Over the course of the first five Commandments, along with the six prohibitions, we find that the expression "the Lord your God" appears as a leitmotif five times:

1. "I am **the Lord your God** Who brought you out of the land of Egypt, from the house of slavery."
2. "For **I am the Lord your God**, a jealous God, visiting the transgression of the fathers upon the sons..."
3. "You shall not take the name of **the Lord your God** in vain..."
4. "And the seventh day is a Shabbat unto **the Lord your God**."
5. "Honor your father and your mother, in order that your days be lengthened upon the ground which **the Lord your God** gives to you."

The Second Tablet, with commandments six through ten, does not contain this expression or any like it. It would seem, then, that the first five Commandments are indeed defined by the five instances of the expression "the Lord your God." The expression "I am the Lord your God" both introduces and concludes the first unit, defining God's manifestation as both Redeemer and Ruler, and this in turn gives rise to the prohibitions concerning rebellion against Him — i.e., the prohibitions of idolatry. The third expression defines the prohibition of taking the name of "the Lord your God in vain"; the fourth is the uniqueness and sanctity of the Shabbat day "unto the Lord your God," and the fifth defines the land of the forefathers, "which the Lord your God gives to you," which is the purpose of the Exodus from Egypt and the purpose of Creation as a whole, as expressed throughout the First Tablet.

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Seemingly, the surrounding and supportive framework of the First Tablet, defined by this expression, is what creates the numerical structure of “Five Commandments” on the First Tablet. This structure of Five Commandments encompassing six prohibitions, becomes the primary structure. Thus, the Second Tablet must also fit six prohibitions into five Commandments – through duplication of “You shall not covet.”⁷

The main differences between the First and Second Tablets reveal themselves as follows:

Three times in the first five Commandments we find the word “*ki*” (“because”), and once we find the expression “*lema’an*” (“in order”):

- “**For** I am the Lord your God, a jealous God...”
- “**For** God shall not forgive him who takes His name in vain”
- “**For** during six days God made the heavens and the earth, the sea, and all that are in them, and He rested on the seventh day...”
- “**In order** that your days may be lengthened upon the land...”

In the Second Tablet we find no explanations. In other words, in the realm of the man-God relationship, there is a need for a supportive framework – an explanation for the warnings, clarifying their significance and assuring recompense. When it comes to the laws governing human relations, however, not a word of explanation is provided — the command stands alone.

The Significance of and Reasons for Shabbat

(*Zakhor Ve-shamor*, chapter 1; *Mikraot, Parashat Yitro*, pp. 228-241)

The commandment of Shabbat appears in many places in the Torah — six of them in *Sefer Shemot* alone, and additional places in the other books. If we review the various appearances of the command we see that there are significant disparities as to the meaning of and reason for Shabbat: the purpose of Shabbat as a respite from collecting the manna, from agriculture in *Eretz Yisrael*, and from constructing the *Mishkan* constantly changes as our perspective shifts.

The obvious and well-known question arising here concerns the disparity in the reasons for Shabbat among the Ten Commandments, when they first appear in *Sefer Shemot* and when they are restated in *Sefer Devarim*. The former presents Shabbat as a commemoration of the Creation, while the latter connects it to the Exodus from Egypt.

Reasons for Shabbat in the Ten Commandments: *Shemot* vs. *Devarim*

There are slight discrepancies between the Ten Commandments as recorded in *Sefer Shemot* and as repeated in *Sefer Devarim*,⁸ but when it comes to the command about Shabbat, we find a major difference. The essence of this difference does not lie in the replacement of the command “*Zakhor*” (remember), with “*Shamor*” (observe), even though *Chazal* understand “*Zakhor*” as a positive commandment (what to do on Shabbat) while “*Shamor*” is understood as a prohibition (what not to do on Shabbat)⁹, since the directive “to keep it holy” is identical in both places, and the prohibition of “all work” is likewise stipulated in both instances. Rather, the major difference lies in the two different reasons given for the command, each presented as though it alone explains the sanctity of Shabbat and the prohibition on labor:

<i>Shemot</i> 20:7-10	<i>Devarim</i> 5:11-14
<p>Remember the Shabbat day to sanctify it Six days shall you work and perform all of your labor And the seventh day is a Shabbat unto the Lord your God You shall perform no labor: (neither) you Nor your son, nor your daughter Nor your manservant, nor your maidservant Nor your animals</p> <p>Nor the stranger who is within your gates For in six days God made the heavens And the earth The sea And all that are in them And He rested on the seventh day <u>Therefore</u> God blessed the Shabbat day and sanctified it.</p>	<p>Observe the Shabbat day to sanctify it As the Lord your God commanded you. Six days shall you work and perform all of your labor And the seventh day is a Shabbat unto the Lord your God You shall perform no labor: (neither) you Nor your son, nor your daughter Nor your manservant, nor your maidservant Nor your ox, nor your donkey, nor any of your animals Nor the stranger who is within your gates In order that your manservant and your maidservant may rest like you. And remember that you were a servant in the land of Egypt, and that the Lord your God brought you out from there with a mighty hand and an outstretched arm; <u>Therefore</u> the Lord your God commanded you to keep the Shabbat day.</p>

⁷ In *Sefer Devarim*, the duplication becomes two separate prohibitions: “You shall not covet (*lo tachmod*) your neighbor’s wife; nor shall you desire (*lo titaveh*) your neighbor’s house...nor anything that is your neighbor’s.” The Rambam, in his *Sefer Hamitzvot* (Prohibitions 265-266, following in the footsteps of the works of Midrash Halakha), writes that the prohibition of “coveting” (*lo tachmod*) concerns action, while the prohibition of “desiring” (*lo titaveh*) includes also one’s thoughts and inclinations.

⁸ A list of the discrepancies in *Sefer Devarim* in relation to *Sefer Shemot*, with the exclusion of the commandment of Shabbat, is enumerated by Ibn Ezra in his commentary on *Shemot* 20:1.

⁹ *Berakhot* 20b. However, Ramban on *Shemot* 20:7; Ibn Ezra on *Devarim* 8:8 and Rashbam on *Shemot* 20:7 and *Devarim* 8:11, maintain that “*Zakhor*” and “*Shamor*” mean the same thing, like the synonymous pair “*shav*” and “*sheker*” in the Ninth Commandment.

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In *Sefer Shemot*, God is the Creator of the world, and those who remember and sanctify Shabbat are conducting themselves before God as creatures before their Creator. Shabbat is a testimony to the act of Creation, expressing the nullification of man's wants, needs and aspirations before the absolute will of the Creator, as manifest in Creation itself and the weekly cycle of time. Creation *ex nihilo* is not a necessity; it is not the result of any phenomenon or event, power or law; it is itself the event and the law. The absolute will of the Creator is to rest on the seventh day, just as it was His will to create and act during the six preceding days. A person who observes Shabbat thereby testifies to his limitations as a creature and his acknowledgment of God as Creator of the world.¹⁰ This is a religious perception manifest particularly amongst the Jewish People, although it is not limited to Jews alone, and essentially could also turn out to be an element of universal, natural religion, which maintains faith in God as Creator of the world and of man, as R. Yehuda Ha-Levi explains,¹¹ and as is indeed manifest in the religions that developed out of Judaism (with well-known distortions).

The reason given in *Sefer Devarim* presents God as Israel's Redeemer and Savior; as He Who brought the nation out of Egypt to eternal freedom. Those who observe and sanctify the Shabbat are, from this perspective, free Israelites who stand before the Master and Guide of the world, He Who breaks the yoke of slavery imposed by human dictators and tyrants — those mortal kings who, in their pagan pride, portray themselves as masters of the world.¹² Shabbat is testimony to the Exodus and to freedom in general. It is the torch of freedom held aloft by *Am Yisrael* who have been redeemed (and by anyone who is redeemed), enabling them to stand before the Lord God of Israel as a free nation and to accept the Torah and the commandments.

The prohibition of labor on Shabbat is testimony to the human freedom and equality that comes into existence at the time of the redemption from Egyptian subjugation. Man may not subjugate himself,¹³ nor the

members of his household, nor his servants and workers, nor the strangers in his gates. Even his ox and donkey,¹⁴ and all his other animals, are deserving of rest. A Jew who observes Shabbat thereby acknowledges his limitations as a free man who may not subjugate himself or others. This represents a very special socio-moral worldview. *Am Yisrael* have a special obligation to observe the Shabbat as a nation subjugated and redeemed more times than any other people in history. The commandment of Shabbat is a central pillar of the Torah given to Israel, whose ideas and values extend, by virtue of the existence of *Am Yisrael*, to all the world.

These ideas, given prominent expression in *Sefer Devarim*, are actually mentioned previously (briefly) in *Sefer Shemot*, at the end of *Parashat Mishpatim*. The laws of Shabbat mentioned there are focused mainly on the field, which is where laborers and animals are to be found: "your ox and your donkey," "the son of your handmaid," and "the stranger." There are parallels between our commandment and others mentioned in the same chapter in *Sefer Shemot*: "Six days (*sheshet yamim*) shall you do your work..." (*Shemot* 23:12) parallels "Six years (*shesh shanim*) shall you sow your land" (*Shemot* 23:10). "You shall do your work (*ta'aseh ma'asekha*)" parallels "When you have gathered in your work (*ma'asekha*) from the field" (*Shemot* 23:16).

Six days shall you work, and on the seventh day you shall cease from work; that your ox and your donkey may rest, and the son of your handmaid and the stranger may be refreshed. (*Shemot* 23:12)

The New Message in *Sefer Devarim*

In light of the connection which we have identified between Shabbat as set forth in *Parashat Mishpatim* and Shabbat as it appears in the Ten Commandments reiterated in *Sefer Devarim*, we must ask what new message the command in *Sefer Devarim* comes to teach us.

The innovation here would appear to concern three main points. Firstly, the mitzva of Shabbat in *Parashat Mishpatim* contains no prohibition. In *Sefer Shemot*, the Exodus from Egypt is the basis of a Shabbat of rest for laborers in the field, as a positive command, but not as a prohibition; the absolute prohibition arises only from the Creation. Only in *Sefer Devarim* does the mitzva of Shabbat by virtue of the Exodus connect up with the absolute prohibition of "You shall not perform any work."

Secondly, we should note the way in which the different social strata are presented in the command. In *Shemot* 23:12 we find,

obligation. Therefore, it is clear that a person who is free may not subjugate even himself, since this goes against the principle of freedom. It is for this reason that *Chazal* teach, "There is no-one who is free except him who engages in the study of Torah" (*Avot* 6:2), and "Do not read '*charut*' [inscribed], upon the Tablets], but rather '*cherut*' [free]" (*Eruvin* 54a; see Rashi ad loc.) In the same vein, R. Yehuda ha-Levi declares, "A servant of God — he alone is free" (*Shirei Ha-kodesh Le-Rabbi Yehuda Ha-Levi* IV, D. Yarden Edition, Jerusalem 5746, p. 1173).

¹⁴ These are the animals typically used for work in the field.

¹⁰ The Gemara in *Shabbat* 119b teaches, "Everyone who prays on Shabbat eve and recites '*Vaykhullu*' is considered as though he were a partner with the Holy One, blessed be He, in the act of Creation."

¹¹ *Sefer Ha-Kuzari* I 11-13: "The Rabbi said: 'I believe in the God of Avraham, Yitzchak and Ya'akov, Who brought *Bnei Yisrael* out of Egypt with signs and wonders...' The Kuzari said, 'Should you, as a Jew, not have said that you believe in the Creator of the world, its Governor and its Guide — He Who created you, and He Who provides you with sustenance, and such attributes that every religious person believes in, and as a result of which he strives for truth and justice, seeking to resemble the Creator in His wisdom and justice?' The Rabbi replied, 'That of which you speak is correct in relation to religion that is based on contemplation and oriented to public administration; it is religion that flows from intensive thought, but is subject to many doubts...'" (The reference here would seem to be mainly to the 'religion' of philosophy, although also Christianity and Islam.)

¹² See *Yeshayahu* 2:10, 13, and elsewhere.

¹³ The essential difference between the biblical perception of freedom and the modern one is that in the modern perception freedom flows from man himself, his rights, and his natural status, and therefore he is entitled to subjugate himself if he so chooses — but not anyone else. The biblical concept of freedom, in contrast, flows from the freedom granted by God to Israel at the time of the Exodus; this both a right and, at the same time, an

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Six days shall you work, and on the seventh day you shall cease from work; that your ox and your donkey may rest, and the son of your handmaid and the stranger may be refreshed.

Only idolatry and its related phenomena have no freedom in *Sefer Devarim*, since true freedom can only come from God.

Translated by Kaeren Fish

In *Devarim* 5:12-13, we find:

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Six days shall you work and perform all of your labor. And the seventh day is a Shabbat unto the Lord your God; you shall perform no labor: (neither) you, nor your son, nor your daughter, nor your manservant, nor your maidservant, nor your ox, nor your donkey, nor any of your animals, nor the stranger who is within your gates, in order that your manservant and your maidservant may rest like you."

At the end of *Parashat Mishpatim*, freedom and physical rest are arranged in ascending order, by strata: first animals, then man; first the servant, then the stranger. We find a similar arrangement in many of the other *mishpatim*.¹⁵ In *Sefer Devarim*, we find a different order: the ox and the donkey will desist from work passively, as it were, as part of the all-encompassing prohibition. Concerning the servant and maidservant, in contrast, we are told explicitly that they must rest just like their masters: "In order that your manservant and your maidservant may rest **like you (*kamokha*)**." The word "*kamokha*" establishes freedom from working on Shabbat based on human equality, beyond social strata and labor value.

Therefore, the structure of the main verse in the command concerning Shabbat in *Sefer Devarim* should be read as follows:

- You shall perform no labor:
- (neither) you, nor your son, nor your daughter, nor your manservant, nor your maidservant, **nor your ox, nor your donkey**, nor any of your animals
 - Nor the stranger who is within your gates **in order that your manservant and your maidservant may rest like you.**

Thus, the ox and the donkey help delineate the separation between man ("like you") and animals, both in the structure of the verse and in the concept behind it.

The third new message in *Sefer Devarim* is the most important: the remembrance of the Exodus from Egypt as the source of the commandment of Shabbat becomes a general and absolute foundation:

"Therefore the Lord your God commands you to observe the Shabbat day." (*Devarim* 5:14)

The values of freedom and equality, which have become so pervasive in our generation, unquestionably have their foundation in the Exodus from Egypt, and they are written in God's Torah to Israel, by the hand of Moshe — as formulated with particular focus in *Sefer Devarim*.

¹⁵ See especially *Shemot* 21:12 onwards, in descending order: man-servant-fetus-animals.