

Va Ethanan (Yitro)

After the Exodus and a stay in Mara (Shemot 15;23 and Numeri 33;8), the benei Yisrael arrived at the mount Sinai. In Mara they received first legal instructions, i.e. dinin, Shabbat and k'bud av ve em + sheva mitsvot benei Noah = 10 Mitsvot (Sanhedrin 56b). In Rashi (shemot 15; 25 it writes Shabbat, Para aduma and dinin.). In Tora Temima, it explains that it is the result of a copyist mistake, which confused the abbreviation כ"א with כ"פ.

Speaking about the Ten Commandments, Abarbanel and Keli Yakar note the existence of a great controversy and debate between the commentators whether the the benei Israel heard only the two first Commandments directly *mi pi he guevura* or if they heard all the Ten Commandments *mi pi he guevura*. The plain meaning of the text, the pschat, seems to sustain the second option. Before the enunciation of the Ten Commandments, the text writes:

וידבר אלוקים את כל הדברים האלה לאמר. שמות כ: א

ויגד לכם את בריתו אשר ציה אתכם לעשות עשרת הדברים ויכתבם על שני לוחות אבנים. דברים ד: י"ג

After the enunciation of all the Ten Commandments the text writes:

את הדברים האלה דבר השם אל כל קהלכם בהר מתוך האש, הענן והערפל, קול גדול ולא יסף, ויכתבם על שני לוחות אבנים ויתנם אלי. דברים ה: י"ט.

And then a few verses later

קרב אתה ושמע את כל אשר יומר השם אלוקנו ואת תדבר אלינו את כל אשר ידבר השם אלוקנו אליך ושמענו ועשינו. דברים ה: כ"ד

Thus according to the plain meaning of the text, the benei Yisrael heard directly the Ten Commandments and G-d wrote then down on the stones and only after the end of the enunciation of the Ten Commandments the people told Moshe that they were not more able to listen further to the terrible and redoubtable voice in the dark and under the fire and thunder.

But apparently they had already heard completely the Ten Commandments. So do Rashbam and ibn Ezra understand the verse Shemot 20: 15: דבר אתה עמנו ונשמעה ואל ידבר עמנו אלקים פן נמות. We read also in the Mekhilta Behodesh, Parasha 9

מגיד שלא היה בהם כח לקבל יותר מעשרת הדברות שהאמר: אם יוספים אנחנו לשמוע את קול השם אלוקינו עוד ומתנו אלא קרב אתה ושמע.

However we find contradictory opinions.

תני רבי ישמעאל אנכי ולא יהיה לך מפי הגבורה שמענום (הוריות ח.).

דרש רבי שמלאי שלוש מאות ושלוש עשרה מצוות מאמרו לו למשה שס"ה לאוין כמנין ימות החמה רמ"ה עשה כנגד איבריו של אדם. אמר רב המנונא מאי קרא? תורה צוה לנו משה מורשה. תורה בגימטריא שית מאה וחד סרי, אנכי ולא יהיה לך מפי הגבורה שמענום (מכות כ"ג : כ"ד).

כמה דברות שמעו ישראל מפי הגבורה? ר' יהושע בן לוי אומר שתי דברות ורבנן אמרין כל בדברות. מה כתיב? ויאמרו אל משה דבר אתה עימנו ונשמעה ואל ידבר עמנו אלוקים פן נמות. מה ענה ליה ריב"ל? פליג שאין מוקדם ומאוחר בתורה. (פסיקתא רבתי פרק כ"ב)

Their thesis is certainly motivated by the difference of the style of the two first Commandments which are written at the direct style and at the first person. In the third commandment G-d appears at the third person.

Rashi on Shemot 20;2 אנכי follows this position and he writes that after that all the Ten Commandments were enunciated in one sound, G-d explicated the two first Commandments.

By contrast, Rambam in the Moreh Nevuhim II: 33 writes that the sound of these two (and only) two commandments was heard directly by the people but they didn't understand and even distinguish words. Moshe must tell them again in intelligible words and he translated these words in the direct style as they had perceived the direct sound. For the other

Commandments, Moshe explained them without that they heard the divine message and therefore he used an indirect style. Rambam applies to this situation the verse of Psalm 62:12 *דבר אלהים שמים זו שמעתי* and refers to Shir ha Shirim Rabbah but I did not find the reference. Apparently the meaning is the following: G-d said one general sound and I understood two things, the two first Commandments.

Ramban: they heard of course the Ten Commandments *mi pi ha gevurah* but they did understand only the two first Commandments. Therefore Moshe was obliged to explain them the other eight Commandments.

What about the verse Shemot 20:15: *דבר אתה עמנו ונשמעה ואל ידבר עמנו אלקים פן נמות* Rambam writes that this demand was made before the Ten Commandments. This statement is surprising.

Malbim on Shemot 20; 16 writes that all those who consider that benei Israel heard all the Ten Commandments *mi pi ha gevurah*, accept that this *passuk*: *דבר אתה עמנו ונשמעה ואל ידבר עמנו אלקים* was said after the end of the Ten Commandments. By contrast those who consider that only the two first Commandments were heard *mi pi ha gevurah*, accept that this *passuk* was said after the second Commandment. Anyhow Malbim rebuts the position of Ramban who wants to place this *passuk* before the Ten Commandments: If this were the case, why must Moshe ward them off when they by themselves, had already moved back for fear.

Now if we neglect this non-essential detail in Ramban's theory, about the moment when the benei Israel called upon Moshe and asked him to listen alone to G-d's words, which he wanted to put before the Ten Commandments instead of after them, we note that Ramban's theory appears the best fitted to explain all the elements that we want to put together. Indeed when he admits that benei Israel heard all the Ten Commandments, he satisfies the plain text, the *pshat*. When he writes that they understood the two first Commandments, he does not precise if it was intellectually or only emotionally because of the terrific circumstances, he justifies the special direct style in the form of dialogue of the two first Commandments. When he writes that they did not understand the eight last Commandments and needed Moshe's elucidation, he allows us understanding the role of Moshe, the narrative style used in which G-d appears now at the third person. It allows also explaining the conundrum of the fourth Commandment. Moshe understood through the divine message two motivations for Shabbat, the religious and historical function by the restitution of the order of the world's creation and the social releasing and egalitarian message referring to the Exodus. Moshe explained the first message in Yitro as the second message was still long-lived in the minds of the just released slaves. When 39 years later Moshe speaks to their sons, he could briefly allude to this first message by the words and then dwell and enlarge upon the second message in order to refresh their memory.

By contrast the literal understanding of ibn Ezra or the understanding of Rabbi Simlaï and Rabbi Yismael in the gemara doesn't solve all the issues. The last understanding does not satisfy the plain text and the literal understanding of ibn Ezra forces us to accept that version the Ten Commandments in Yitro represents the true and verbatim version, which was written in the first and the last Tables, in contradiction with Rabbi Sa'adia Gaon, who said that *זכור* was written on the first tables and *שמור* on the last Tables. The Ten Commandments in *ואתחנן*, are a repetition made by Moshe, 39 years later, with some additions, twice *אלוקים צור ה'*. But we face two difficulties. Why the change of style between the two first Commandments at the first person and the eight last Commandments written at the third person in the verbatim version of Yitro and in Moshe's version of *ואתחנן* and why did Moshe introduce the second understanding of Shabbat if the first one had been transcribed in the verbatim version?

We see the superiority of the understanding of Ramban, which unites *pshat* with the Talmudic solution.