**PARASHAT HASHAVUA**

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**PARASHAT MISHPATIM**

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**The Book of the Covenant and the Continuation of the Assembly at Mount Sinai**

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And to Moshe He said: “Come up to the Lord – you, and Aharon, Nadav, and Avihu, and seventy of the elders of Israel; and worship you afar off; and Moshe alone shall come near to the Lord, but they shall not come near; neither shall the people go up with him.” And Moshe came and told the people all the words of the Lord and all the ordinances; and all the people answered with one voice and said: “All the words which the Lord has spoken will we do.” (*Shemot* 24:1-3)

### I. When Did This Story Take Place?

In the *midrashim* and the *Rishonim*, we find two answers to the question of when the events described in this passage took place.[[1]](#footnote-1) It is possible – as argued by Rashi and the Chizkuni – that what is described here took place before the revelation at Mount Sinai. According to this approach, this section completes the account of the assembly described before the Ten Commandments. Only after Israel said, "All that the Lord has spoken will we do and obey" (*Shemot* 24:7) did God descend upon the mountain and give them the Ten Commandments. According to this, the description of the assembly at Mount Sinai is split into two parts, and it is presented in the Torah as a frame for the sections recording the Ten Commandments and the ordinances (the *parashot* of *Yitro* and *Mishpatim*).[[2]](#footnote-2)

According to this view, it is seemingly more understandable why in our section there are two directives to Moshe to go up to the mountain:

And to Moshe He said: “Come up to the Lord – you, and Aharon, Nadav, and Avihu, and seventy of the elders of Israel; and worship you afar off; and Moshe alone shall come near to the Lord, but they shall not come near; neither shall the people go up with him.” (*Exodus* 24:1-2)

And the Lord said to Moshe: “Come up to Me onto 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.” (*Shemot* 24:12)

The first directive is formulated in the past perfect, "And to Moshe he [had already] said (*ve-el Moshe amar*)," and it describes an event that preceded the Ten Commandments and the ordinances. The second directive is formulated in the regular past, "And the Lord said [*va-yomer*]," and it relates to an event that took place after the Ten Commandments, when Moshe went up to the mountain for forty days and received "the tablets of stone and the law and the commandment."

In contrast, most of the commentators (Rashbam, Ibn Ezra, and Ramban) understood that the chapters are indeed arranged in the order in which the events described occurred. According to them, on the day of the assembly at Sinai, after the Ten Commandments, Moshe was told the ordinances recorded in *Parashat Mishpatim* until the end of chap. 23. After the giving of the commandments and the ordinances, God told Moshe to go up the mountain with the elders of the people and then to continue up further alone, or with Yehoshua his servant. We will adopt the second approach and explain it in greater detail.

Immediately after the Ten Commandments, God spoke to Moshe: "You yourselves have seen that I have talked with you from heaven" (*Shemot* 20:19). This took place while the people were standing far away: "And Moshe drew near to the thick darkness where God was" (*Shemot* 20:18). This was immediately followed by *Parashat Mishpatim*, until "You shall not seethe a kid in its mother's milk" (*Shemot* 23:19), and perhaps also the section beginning with the words, "Behold, I send an angel before you" (*Shemot* 23:20-33). Afterwards, Moshe was told to return from the thick darkness to the people, to tell them the ordinances and to return to the mountain with the elders of Israel. Moshe acted accordingly: "And Moshe came and told the people all the words of the Lord [= the Ten Commandments, in a more expanded manner than the way they were said at the mountain] and all the ordinances" [= *Parashat Mishphatim*](*Shemot* 24:3). Then he established the covenant between God and the people through the blood of the sacrifices that he offered.

According to this, it is possible that the two directives to Moshe to go up to God can be explained as follows: The first statement, "And to Moshe He said” (*Shemot* 24:1), was by way of an angel, for there is no mention that God was the speaker.[[3]](#footnote-3) This was a command to go up somewhat on the mountain, together with Aharon and his sons and the seventy elders, and to bow down from afar. This ascent was similar to later-day entry into the Temple courtyard. Regarding the second ascent – "And the Lord said to Moshe: Come up to Me into the mount" (*Shemot* 24:12) – Moshe was commanded by God, and this time Moshe was to go up by himself to the top of the mountain. This ascent was similar to later-day entry into the Holy of Holies.[[4]](#footnote-4)

### II. The Book of the Covenant

And Moshe wrote all the words of the Lord, and he rose up early in the morning and built an altar under the mount, and twelve pillars, according to the twelve tribes of Israel. And he sent the young men of the children of Israel, who offered burnt-offerings and sacrificed peace-offerings of oxen to the Lord. And Moshe took half of the blood and put it in basins; and half of the blood he dashed against the altar. And he took the book of the covenant and read in the hearing of the people; and they said: “All that the Lord has spoken will we do and obey.” (*Shemot* 24:4-7)

What is "the book of the covenant" that is mentioned here, regarding which Israel said, "We will do and obey"? The *Tannaim* in the *Mekhilta*,and the *Rishonim* in their wake, dispute this point. We will follow the view of R. Yishmael in the *Mekhilta* and the Chizkuni among the *Rishonim*.

Earlier we noted the difficulty in the fact that the description of the assembly held at Mount Sinai is split between two places, the first in chapters 19-20, and the second in chapter 24. But the difficulty is even greater, as the account of the assembly at Mount Sinai is actually split between three places. The additional place is chapters 25-26 in the book of *Vayikra* in the section which begins:

And the Lord spoke to Moshe in Mount Sinai, saying: (*Vayikra* 25:1)

In the book of *Vayikra*,there are two clear openings:

And the Lord called to Moshe, and spoke to him out of the tent of meeting, saying: (*Vayikra* 1:1)

The second is the opening in chapter 25, recording what God spoke to Moshe at Mount Sinai. The last chapters in the book of *Vayikra* are set in a clear framework: "And the Lord spoke to Moshe in Mount Sinai, saying" at the beginning, and "These are the statutes and ordinances and laws, which the Lord made between Him and the children of Israel in Mount Sinai by the hand of Moshe" (*Vayikra* 26:46) at the end.[[5]](#footnote-5) It follows from this that this section was said at the time of the assembly at Mount Sinai. Indeed, between the *mitzvot* mentioned in chapter 25 and the blessings and curses recorded in chapter 26, we find the following verses:

For to Me the children of Israel are servants; they are My servants whom I brought forth out of the land of Egypt; I am the Lord your God. You shall make you no idols, neither shall you rear you up a graven image or a pillar, neither shall you place any figured stone in your land to bow down to it; for I am the Lord your God. You shall keep My Sabbaths and revere My sanctuary; I am the Lord. (*Vayikra* 25:55-26:2)

These verses clearly correspond to the first four of the Ten Commandments. This implies that chapters 25-26 in the book of *Vayikra* were also part of the assembly at Mount Sinai.

These chapters deal with two topics: the *mitzvot* of the Sabbatical and the Jubilee years (chapter 25) and the section of the blessings and the curses (chapter 26).

Let us begin with the section of the blessings and the curses. It appears that the term "the book of the covenant" is appropriate for this section, in which the covenant is mentioned repeatedly:

And I will have respect to you, and make you fruitful, and multiply you; and will establish **My covenant** with you. (*Vayikra* 26:9)

And I will bring a sword upon you, that shall execute the vengeance of the **covenant**. (*Vayikra* 26:25)

Then will I remember **My covenant** with Yaakov, and also **My covenant** with Yitzchak, and also **My covenant** with Avraham will I remember; and I will remember the land. (*Vayikra* 26:42)

And yet for all that, when they are in the land of their enemies, I will not reject them, neither will I abhor them, to destroy them utterly, and to break **My covenant** with them; for I am the Lord their God. But I will for their sakes remember the **covenant** of their ancestors, whom I brought forth out of the land of Egypt in the sight of the nations, that I might be their God; I am the Lord. (*Vayikra* 26:44-45)

Indeed, it turns out that the content of the covenant is the positive significance of its fulfillment and the punishment for its violation. A covenant is not an "agreement" in which each side sees to its own gains. In a covenant, both side take care of what is common to the two of them, transforming them into a kind of "one." A covenant is holy. Therefore, the breach of a covenant is considered not only a violation of an agreement, but the desecration of the covenant.

Moreover, the section of the blessings and curses in the book of *Devarim*, which is similar to what is stated in *Vayikra* 26, concludes:

These are **the words of the covenant** which the Lord commanded Moshe to make with the children of Israel in the land of Moav, **beside the covenant which He made with them in Chorev.** (*Devarim* 28:69)

We see from this that the book of the blessings and curses is the book of the covenant.

Furthermore, Scripture relates how King Yoshiyahu found the book of the covenant in the house of God, and as a result brought all of Yehuda into a covenant with God:

And it came to pass, when the king had heard **the words of the book of the law,** that he rent his clothes. And the king commanded… saying: “Go you, inquire of the Lord for me, and for the people, and for all Yehuda, concerning the words of this book that is found; for great is the wrath of the Lord that is kindled against us, because our fathers have not hearkened to the words of this book, to do according to all that which is written concerning us.” (II *Melakhim* 22:11-13)

And the king went up to the house of the Lord, and all the men of Yehuda and all the inhabitants of Jerusalem with him, and the priests, and the prophets, and all the people, both small and great; and he read in their ears all **the words of the book of the covenant** which was found in the house of the Lord. And the king stood on the platform, and made a covenant before the Lord, to walk after the Lord, and to keep His commandments, and His testimonies, and His statutes, with all his heart, and all his soul, to confirm **the words of this covenant** that were written in this book; and all the people stood to the covenant. (II *Melakhim* 23:2-3)

The book of the law is called here the book of the covenant, and from its contents it seems that it included the section of the curses, and thus also the blessings. Indeed, according to the tradition of *Chazal*, this was the book of the covenant in the book of *Devarim* – *Parashat Ki-Tavo* (chapter 28).

Let us also consider the first part of the book of the covenant – the *mitzvot* of the Sabbatical and Jubilee years. The connection between these *mitzvot* and the section of the blessings and the curses is self-evident. It is twice mentioned in the section of the rebuke that the punishment of exile will be administered for the desecration of the sanctity of the Sabbatical year:

Then shall the land be paid her Sabbaths, as long as it lies desolate and you are in your enemies' land; even then shall the land rest, and repay her Aabbaths. As long as it lies desolate it shall have rest; even the rest which it had not in your Sabbaths, when you dwelt upon it. (*Vayikra* 26:34-35)

For the land shall lie forsaken without them, and shall be paid her Sabbaths, while she lies desolate without them; and they shall be paid the punishment of their iniquity. (*Vayikra* 26:43)

The blessing mentioned in the Torah for keeping the sanctity of the Sabbatical year parallels the blessing appearing in the section of the blessings and curses in the book of *Vayikra*:

Therefore you shall do My statutes and keep My ordinances and do them; and you shall dwell in the land in safety. And the land shall yield her fruit, and you shall eat until you have enough, and dwell therein in safety. And if you shall say: What shall we eat the seventh year? Behold, we may not sow, nor gather in our increase; then I will command My blessing upon you in the sixth year, and it shall bring forth produce for the three years… you shall eat the old store. (*Vayikra* 25:18-22)

If you walk in My statutes, and keep My commandments, and do them… and the land shall yield her produce, and the trees of the field shall yield their fruit. And your threshing shall reach to the vintage, and the vintage shall reach to the sowing time; and you shall eat your bread until you have enough, and dwell in your land safely… And you shall eat old store long kept, and you shall bring forth the old from before the new. (*Vayikra* 26:3-10)

The connection between the *mitzvot* of the Jubilee year and the assembly at Mount Sinai is also self-evident. The blowing of the horn that accompanied the assembly at Sinai, which is called a *yovel*, is similar to the blowing of the horn that sanctifies the Jubilee year:

When **the ram's horn [*yovel*]** sounds long, they shall come up to the mount. (*Shemot* 19:13)

Then shall you make proclamation with the blast of the horn on the tenth day of the seventh month; on the Day of Atonement shall you make proclamation with the horn throughout all your land.And you shall hallow the fiftieth year. (*Vayikra* 25:9-10).

Another connection is evident in the correspondence between the verses dealing with the assembly at Mount Sinai and the verses relating to the Jubilee year:

Now therefore, if you will hearken to My voice indeed and keep My covenant, then you shall be My own treasure from among all peoples; **for all the earth is Mine.** (*Shemot* 19:5)

And the land shall not be sold in perpetuity; **for the land is Mine.** (*Vayikra* 25:23)

What is the meaning of the connection and parallel between the assembly at Mount Sinai and the *mitzvot* relating to the Sabbatical and Jubilee years? It seems that the book of the covenant deals with the inheritance of the land, and thus with its sanctity, which finds expression in the *mitzvot* of the Sabbatical and Jubilee years. The inheritance of the land is the goal and purpose of observing the commandments, and its mention is no less important than the demand for Israel's observance of the commandments, which is the essence of the revelation at Mount Sinai.

### III. "We Will Do and Obey"

And he took the book of the covenant and read in the hearing of the people; and they said: “**All that the Lord has spoken will we do and obey.”** (*Shemot* 24:7)

The order of actions in the words of the people – "we will do" and afterwards "we will obey/ hear" – seems to be contrary to reason. Logically, one must first hear the words of God in order to be able to do them. How is it possible to do the word of God before hearing it? And why should one hear the word of God after he has already done it?

It is possible that putting "we will do" before "we will obey/ hear" is an eloquent way of saying that their readiness to do the word of God is not conditioned on the prior hearing of God's words, so that they be able to weigh His words and decide whether or not to do them. The "we will do" was moved up in order to emphasized that the people are prepared to do whatever God says. Indeed, this is what *Chazal* learned from the placement of "we will do" before "we will hear":

First He went to the descendants of Esav and said to them: Will you accept the Torah? They said before Him: Master of the Universe, what is written therein? He said to them: "You shall not murder" (*Shemot* 20:12). They said to Him: … We cannot accept the Torah. He then went to the descendants of Amon and Moav, and said to them: Will you accept the Torah? They said before Him: Master of the Universe, what is written therein? He said: "You shall not commit adultery" (*Shemot* 19:12). They said to Him: … We cannot accept the Torah. He then went to the descendants of Yishmael, and said to them: Will you accept the Torah? They said before Him: Master of the Universe, what is written therein? He said to them: "You shall not steal" (*Shemot* 20:12). They said to Him: … We cannot accept the Torah. He then went to the people of Israel, and they said to Him: "We will do, and obey/ hear." (*Pesikta Rabbati* 21, *Aseret Ha-Dibrot Kamaita*; *Eikha Rabbati* 3:1; and other *midrashim*)

From these *midrashim*, it appears that the main difference between Israel and the nations was that while the nations conditioned their acceptance of the Torah upon their knowledge and assessment of its contents, Israel accepted the Torah unconditionally, with their statement: "We will do and obey."[[6]](#footnote-6)

It is, however, possible, that the statement, "We will do and obey," was meant differently, for twice Israel said, “We will do" alone:

And Moshe came and called for the elders of the people and set before them all these words which the Lord commanded him. And all the people answered together, and said: “**All that the Lord has spoken we will do.”** And Moshe reported the words of the people to the Lord. (*Shemot* 19:7-8)

And Moshe came and told the people all the words of the Lord, and all the ordinances; and all the people answered with one voice, and said: “**All the words which the Lord has spoken will we do.”**(*Shemot* 24:3)

According to what we have said above, it seems that the first time, Israel said, "We will do" in reference to the laws governing the assembly at Mount Sinai; the second time they said, "We will do" when they committed themselves to observe the Ten Commandments and the ordinances in *Parashat Mishpatim*. Only afterwards did they receive the book of the covenant, and about that they said, "We will do, and obey." As we have explained, the book of the covenant also included *mitzvot –* the *mitzvot* of the Sabbatical and Jubilee years. It stands to reason that it was about them that the people of Israel said, "We will do." The addition of "and we will obey" relates to what God will say to them in the future in addition to what He already said. Accordingly, Israel undertook to fulfill the laws governing the assembly at Mount Sinai (the first "we will do"), the Ten Commandments and the ordinances of *Parashat Mishphatim* (the second "we will do"), the *mitzvot* of the sabbatical and Jubilee years (the third "we will do," bound to "we will obey") and now, as stated, also that which God will command them in the future. The verb *dibber* in the verse, "All that the Lord has spoken [*dibber*] we will do and obey," can be understood as referring not only to the past, but also to the extended present and the future.[[7]](#footnote-7)

Based on this, let us go back and explain the sentence under discussion stated by Israel: "We will do everything that God has spoken up until now in the book of the covenant, and we will obey whatever He says in the future."

I wish to add three more comments regarding: "We will do, and obey":

1. The assembly at Mount Sinai was the one and only foundational event in the annals of the Jewish People. Two great things happened there. The first: "We have seen this day that God speaks with man and he lives" (*Devarim* 5:21).

God's interest is not only in the human species as a whole, but also in one particular people, and together with this His intervention in the course of history and His creation of a dialogue with that people. The second great thing that happened is the statement made unanimously by the entire people: "All that the Lord has spoken we will do and obey" (*Shemot* 24:7) – the very unanimous national agreement and the fact that this agreement is to obey the voice of God.

2. *Chazal* expounded the following in relation to the statement of, "We will do and obey":

R. Elazar said: When the Israelites gave precedence to "we will do" over "we will obey," a Heavenly Voice went forth and exclaimed to them: Who revealed to My children this secret, which is employed by the ministering angels, as it is written: "Bless the Lord, you angels of His, You mighty in strength, that fulfill His word, that hearken to the voice of His word" (*Tehillim* 103:20)?

This is what *Chazal* expounded about those who observe the Sabbatical year:

R. Huna taught in the name of R. Acha: This is Israel, about whom it is stated: "You mighty in strength, that fulfill His word, that hearken to the voice of His word" (*Tehillim* 103:20), who gave precedence to "we will do" over "we will obey." R. Yitzchak Nafcha said: These are those who keep the Sabbatical year. And why are they called "mighty in strength"? One sees that his field is declared ownerless, and his trees are declared ownerless, and his fences are breached, and his fruit is being eaten, and he conquers his impulses and says nothing. And our Rabbis taught: "Who is mighty? He who conquers his impulse." (*Tanchuma*, *Vayikra* 1)

This exposition, which includes both the statement, "we will do and obey," and the keeping of the Sabbatical year, strengthens the argument cited earlier that the book of the covenant regarding which the people of Israel proclaimed, "We will do, and obey," refers to chapters 25-26 in the book of *Vayikra*, which include the commandments regarding the Sabbatical and Jubilee years.

3. In the *midrash* cited above, *Chazal* praise the Jewish People for saying, "We will do, and obey": they are "mighty in strength." It is possible that the “might” lies in that they had not yet heard all of God's demands upon them, and yet they already agreed to what is stated at the end of the book of the covenant – the harsh section of the curses. Agreement to suffer calamity if they do not keep the word of God – which had not yet been stated – requires courage and strength. Such agreement also requires great faith that God's intention in His covenant with them is to benefit them, seeing that He is the good God whose purpose is to do good.

### Iv. "Under His Feet"

Then went up Moshe, and Aharon, Nadav, and Avihu, and seventy of the elders of Israel; and they saw the God of Israel; and there was under His feet the like of a paved work of sapphire stone and the like of the very heaven for clearness. (*Shemot* 24:9-11)

These verses are difficult to understand. *Chazal* and the commentaries spilled much ink over them, and their words illuminate our understanding. We will add here what appears right to us.[[8]](#footnote-8)

The ark of the covenant in the Holy of Holies is called – metaphorically – the footstool of God:

Then David the king stood up upon his feet, and said: “Hear me, my brethren, and my people; as for me, it was in my heart to build a house of rest for the ark of the covenant of the Lord, **and for the footstool of our God;** and I had made ready for the building.” (I *Divrei Ha-Yamim* 28:2)

And He said to me: “Son of man, this is the place of My throne **and the place of the soles of My feet,** where I will dwell in the midst of the children of Israel forever.” (*Yechezkel* 43:7)

It should be mentioned that in ancient drawings, we find human kings sitting on their thrones with a chest serving as their footstools, in which the deeds signed by the monarch are kept. A "deed" of this sort is the book of the covenant between God and the people of Israel – the book of the Torah.

However, in our *parasha*, the *Mishkan* was not yet built and the tablets were not yet given to the people of Israel. It is possible that the vision mentioned in our verses is that of God sitting on His throne, and under His feet are the tablets of the covenant waiting for Moshe to come and take them and deposit them in the *Mishkan* in the ark of the covenant, which is "under the feet" of God in His sanctuary.

Indeed, the Bible says that under his feet was "like of a paved work of sapphire stone," and the *midrashim* explain that the tablets were made of sapphire stone:

The Ten Commandments that were inscribed on the tablets of stone – they were sapphire stones, "and the writing was the writing of God" (*Shemot* 32:16). (*Midrash Lekach Tov*, *Shemot* 20)

Both the first set of tablets and the second set of tablets **were of sapphire stones,** as it is stated: "Hew you two tablets of stone like the first" (*Shemot* 34:1). And it is stated: "His body is as polished ivory overlaid with sapphires" (*Shir Ha-Shirim* 5:14). (*Mishnat Rabbi Eliezer* 14)

Thus, Aharon and his sons and the elders saw the sapphire tablets waiting for Moshe, and they were white ("*livnat"*).

According to some *midrashim*, the letters on the tablets were written like black fire on white fire. However, other *midrashim* indicate that the writing was inscribed on the tablets, the engraving going from one side to the other:

R. Chisda said: The *mem* and the *samekh* which were in the tablets stood there by a miracle. (*Shabbat* 104a)

According to the *gemara*, R. Chisda refers to the final *mem. Samekh* and *mem* are closed letters, and when the engraving goes all the way from one side to the other, the inner portion of the letter can stand in its place only by way of a miracle.

Since Aharon and his sons and the elders stood below and saw the tablets waiting above, in the sky or at the top of Mount Sinai, the empty space created by the letters in the tablets appeared to them like "the very heaven for clearness," for through the space of the letters they could see the heaven. According to this, the writing on the tablets appeared to them as blue against a white background.

This might provide us with a new understanding of the *mitzva* of *tzitzit*, which is a thread of blue against the background of white threads. The *tzitzit* is meant to remind us of the *mitzvot*. With its colors it brings to mind the writing on the tablets and its background, the Ten Commandments, and especially the *mitzva* of: "I am the Lord your God who brought you out of the land of Egypt, out of the house of bondage" (*Shemot* 20:2). For thus it is explicitly written in the section dealing with *tzitzit*:

I am the Lord your God, who brought you out of the land of Egypt, to be your God: I am the Lord your God. (*Bemidbar* 15:41)

### v. Chur

And Moshe rose up, and Yehoshua his minister; and Moshe went up into the mount of God. And to the elders he said: “Tarry you here for us, until we come back to you; and, behold, Aharon and Chur are with you; whoever has a cause, let him come near unto them.” (*Shemot* 24:13-14)

In our *parasha* we find the foundation of the great Sanhedrin – the seventy elders. In the *mishna*, the *Tanna’im* disagree about whether the Sanhedrin was comprised of seventy members – as it stated in our *parasha* and again at Kivrot Ha-Ta'ava (*Numbers* 11), so that Moshe was in addition to them and not part of the Sanhedrin – or whether the Sanhedrin was comprised of seventy-one members, based on the understanding that Moshe himself was a member of the Sanhedrin.

The verses ascribe special status to Aharon and Chur among the elders: "And, behold, Aharon and Chur are with you; whoever has a cause, let him come near unto them." What was their special status? According to the Sages who maintain that the Sanhedrin was comprised of seventy-one members, it would seem from our verses that Chur served as the Nasi of the Sanhedrin, and that he and the High Priest filled in for Moshe when Moshe ascended the mountain. They were also at his side at the battle against Amalek, supporting his arms, which that were raised upwards (*Shemot* 17). The Nasi of the Sanhedrin is a person of unique status; there are even special *mitzvot* that apply to him. This is the way the Rambam defines the *mitzva* to appoint a Sanhedrin and the Nasi at its head:

And in Jerusalem they must appoint a high court with seventy judges. And one must be appointed over the seventy. He is the head of the yeshiva, and he is the one whom the Sages also called the Nasi. (Rambam, *Sefer Ha-Mitzvot*, positive commandment 176)

In contrast, according to the view of R. Yehuda that Moshe was a member of the Sanhedrin, which was comprised of seventy-one members, Moshe was the Nasi of the Sanhedrin, and it stands to reason that Chur was the "Av Beit Din" and stand-in for the Nasi, as was case the during the days of the "Pairs":

The first ones were the Nesi'im, whereas the second ones were the Av Beit Din. (Mishna, *Chagiga* 2:2)

At the sin of golden calf, Aharon led the people on his own, despite the fact that he was appointed as leader together with Chur. *Chazal* concluded from this that Chur had attempted to prevent the fashioning of the calf and was killed by its worshippers.

(Translated by David Strauss)

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1. We will bring the views of the *Rishonim* who explicitly disagreed about this matter, but it is possible that this was already subject to a dispute among the *Tanna’im* in *Mekhilta De-Rabbi Yishmael* (*Yitro*, *Massekhta De-Ba-Chodesh*, *parasha* 3). [↑](#footnote-ref-1)
2. According to the *gemara* in *Shabbat* (88a) and *Midrash Lekach Tov* (19). [↑](#footnote-ref-2)
3. Compare with *Sanhedrin* 38b, which states that the words, "And to Moshe He said," refers to the angel; so too the Chizkuniand the Ramban. [↑](#footnote-ref-3)
4. There was also a middle ascent, which perhaps parallels entry into the Holy in the *Mishkan*; this was Moshe's ascent with Yehoshua. Yehoshua went up with Moshe after Aharon, his sons, and the elders were left behind, but he did not go up with Moshe to the top of the mountain for the encounter with God. Compare I *Shemuel* (3:3) regarding the place of the minisitering lad – Yehoshua and Shemuel. [↑](#footnote-ref-4)
5. And once again at the end of the book: "These are the commandments that the Lord commanded Moshe for the children of Israel in Mount Sinai." [↑](#footnote-ref-5)
6. It is also evident from this *midrash*, as we noted above, that the book of the covenant and the declaration of, "We will do and obey," preceded the Ten Commandments. [↑](#footnote-ref-6)
7. As in: "And the hare, because she chews the cud but parts not the hoof [*u-farsa lo hifrisa*]" (*Vayikra* 11:6). [↑](#footnote-ref-7)
8. The gist of what I write here I heard from my friend, R. Yehuda Etzion, to which I have added a little of my own. [↑](#footnote-ref-8)