

TORAH MISINAI

א - הלכה למשה מסיני

1 - WHAT DID MOSHE RECEIVE AT SINAI - PART 1

סמנר מזרשת רחל וחיה

1. אני מאמין באמונה שלמה, שכל התורה המצויה עתה בידינו היא הנתונה למשה רבנו עליו השלום

יג עקרים להרמב"ם - עקר ח'

One of our principles of emuna is that entire Torah in our hands today was given to Moshe at Sinai. What is this 'entire' Torah intended to include?

2. אלה החקים והמשפטים והתורות אשר נתן ה' בילו ובין בני ישראל בחר סיני ביד משה

ויקרא כו:מו

3. והתורות - מלמד ששתי תורות ניתנו להם לישראל אחד בכתב ואחד בעל פה

ספרא בחוקותי פרשה ב

The Chumash refers to the giving of 'Torot' to Moshe at Sinai. Chazal saw in that a reference to the twin nature of Torah - written and oral

A] When was the WRITTEN TORAH given?

4. א"ר יוחנן משום רבי בנאה: תורה - מגילה מגילה ניתנה, שנא: (תהלים מ:ח) אָז אָמַרְתִּי הִנֵּה בָאתִי בְּמִגְלַת סֵפֶר כְּתוּב עָלַי (רשי - כשנאמרה פרשה למשה היה כותבה ולבסוף מ' שנה כשנגמרו כל הפרשיות חיברו בגידין ותפרו); ר"ש בן לקיש אומר: תורה - חתומה ניתנה, שנא' (דברים לא:כז) לָקַח אֶת סֵפֶר הַתּוֹרָה הַזֶּה (רשי - לא נכתבה עד סוף מ' לאחר שנאמרו כל הפרשיות כולן והנאמרות לו בשנה ראשונה ושניה היו סדורות לו על פה עד שכתבו)

גיטין ס.

As for the written Torah, the Gemara gives two opinions - that the Torah was written in instalments or that the Torah was written at the end of the 40 years. No opinion holds that Moshe had a written Torah at Har Sinai

5. משום דמתחילה נכתבה מגילת בראשית והדר מגילת נח והדר מגילת אברהם

רשי גיטין ס. דה כתוב עלי

Rashi explains that, according to the 'instalments' view, the Torah was originally comprised of the 'Scroll of Creation', the 'Scroll of Noach', the 'Scroll of Avraham' etc until Moshe compiled the whole Torah at the end of the 40 years

B] When was the ORAL TORAH given?

6. רבי ישמעאל אומר: כללות נאמרו בסיני ופרטות באהל מועד, ורבי עקיבא אומר: כללות ופרטות נאמרו בסיני, ונשנו באהל מועד, ונשתלשו בערבות מואב

חיגיגה ו'

R. Yishmael understands that the Torah was only given at Sinai in outline and the details were filled in over the 40 years in the desert. R. Akiva understands that the full Torah was given, with all its details, at Sinai and was then re-given for a second and third time in a three-stage process - on Sinai, in the Ohel Moed (Mishkan) and on the Plains of Moav, before the entry into Israel

7. וַיְהִי קוֹל הַשּׁוֹפָר הוֹלֵךְ וְחֹזֵק מְאֹד מֹשֶׁה יִדְבֵר וְהָאֱלֹהִים יַעֲנֵנוּ בְּקוֹל

שמות י"ט

We find in the verses of the Torah that Hashem speaks to Moshe on Sinai

8. וַיִּקְרָא אֶל־מֹשֶׁה וַיְדַבֵּר ה' אֵלָיו מֵאֶהֱל מוֹעֵד לְאֶמְרָה

ויקרא א"א

.... and in the Mishkan

9. וַיְבַא מֹשֶׁה אֶל אֱהֱל מוֹעֵד לְדַבֵּר אִתּוֹ וַיִּשְׁמַע אֶת הַקּוֹל מִדַּבֵּר אֵלָיו מֵעַל הַכַּפֹּרֶת אֲשֶׁר עַל אֲרֹן הָעֵדוּת מִבַּיִן שְׁנֵי הַכְּרֻבִּים וַיְדַבֵּר אֵלָיו

במדבר ז'פט

Hashem communicated with Moshe through the wings of the Kruvim over the Ark of the Covenant

10. אֵלֶּה הַדְּבָרִים אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל כָּל יִשְׂרָאֵל בְּעֵבֶר הַיַּרְדֵּן בְּמִדְבַר בְּעֶרְבָה מוֹל סוּף.....

דברים א"א

Again we find the Moshe repeats the Torah by the River Jordan on the plains of Moav. (The process whereby Hashem communicated Sefer Devarim to Moshe is somewhat different than for the rest of the Chumash)

C] Sources in Chazal That Moshe Received Everything Possible at Sinai

11. וַיֹּאמֶר ה' אֶל־מֹשֶׁה עֲלֶה אֵלַי הַהָרָה וְהִיָּה־שָׁם וְאֶתְנֶה לְךָ אֶת־לְחֹת הָאֲבֹן וְהַתּוֹרָה וְהַמִּצְוָה אֲשֶׁר כָּתַבְתִּי לְהוֹרֹתָם

שמות כ"ז

The Torah itself makes it clear that Moshe received more than just the 10 commandments on Har Sinai

12. ואמר רבי לוי בר חמא אמר רבי שמעון בן לקיש: מאי דכתיב ואתנה לך את לחת האבן והתורה והמצוה אשר כתבתי להורותם? לחות - אלו עשרת הדברות, תורה - זה מקרא, והמצוה - זו משנה, אשר כתבתי - אלו נביאים וכתובים, להורותם - זה תלמוד מלמד שכולם נתנו למשה מסיני.

ברכות ה.

Moshe received far more than just the luchot on Har Sinai. Chazal here state that Moshe received all of the Tanach, Mishna and Talmud at Sinai

13. ואמר רבי חייא בר אבא אמר רבי יוחנן: מאי דכתיב (דברים ט) ועליהם ככל הדברים אשר דבר ה' עמכם בהר - מלמד שהראהו הקדוש ברוך הוא למשה דקדוקי תורה ודקדוקי סופרים, ומה שהסופרים עתידין לחדש...

מגילה י"ט

Moshe was shown every detail in halacha - even what would be discovered in the future!!

14. רבי יהושע בן לוי אמר.... מקרא משנה תלמוד ואגדה אפילו מה שתלמיד וותיק עתיד להורות לפני רבו כבר נאמר למשה בסניי. מה טעם? יש דבר שיאמ' ראה זה חדש הוא וגו', משיבו חבירו ואומר לו כבר היה לעולמים

תלמוד ירושלמי פאה פרק ב' דף י"ז טור א' ה"ד

Chazal even state here that ANY new idea that any serious Torah student might say in future has already been told to Moshe on Sinai

Questions:-

1. How are we to understand that Moshe received the whole of Chumash and Nach? Can Chazal be suggesting that Moshe had before him the text of the Chumash. If so why did he send out the spies!?!?

2. Chazal explicitly state (Bava Batra 14b) that the books of the Tanach were written later by the prophets. But didn't Moshe already have them from Sinai? Did he hand over the Book of Joshua to Joshua and then tell him to write it decades later

3. The Talmud was not compiled until around 500 CE (around 1800 years after Sinai). Are we to understand that Moshe received the actual wording of the Talmud, with all of its later historical and linguistic references and simply passed this down through the generations?

D] Sources in Chazal that Moshe Did NOT Receive Every Detail at Sinai

15. וכי כל התורה למד משה? כתיב בתורה (איוב יא) ארוכה מארץ מדה ורחבה מני ים, ולא רבעים יום למדה משה! אלא כללים למדהו הקב"ה למשה

שמות רבה פרשה מאו

Chazal state elsewhere in the Medrash that Moshe was taught only the principles and not every detail. How are we to reconcile this with the first approach - that every detail was given

16. ועוד לפי שאי אפשר שתהיה תורת השם יתברך שלמה באופן שתספיק בכל הזמנים. לפי שהפרטים המתחדשים תמיד בענייני האנשים, במשפטים והדברים הנפעלים הם רבים מאד משיכללם ספר, על כן נתנו למשה בסיני על פה דרכים כוללים נרמזו בתורה בקצרה, כדי שעל ידם יוציאו החכמים שבכל דור ודור הפרטים המתחדשים

ספר העיקרים מאמר ג פרק כג

The Sefer Ikarim (Spain 15C) understood that since it is for Moshe to be given every details that will ever be applicable in the future, he was given general principles from which all future generations can draw the details

So how are we to reconcile the two approaches in Chazal - (i) that Moshe received EVERYTHING and (ii) that Moshe received the general principles only?

E] Mitzvot that Moshe Did Not Know

It seems at first glance that some mitzvot were only given to the Moshe after Sinai. In particular, there are 4 occasions in Chumash when Moshe appears not to know the halacha:-

- (i) Bamidbar 15:32 - the man caught gathering sticks on Shabbat
- (ii) Vaykira 24:12 - the man who cursed Hashem
- (iii) Bamidbar 9:1-15 - the laws of Pesach Sheni
- (iv) Bamidbar 27:1-5 - the laws of inheritance and the daughters of Tzela'fchad

According to R' Akiva (see source 4) who stated that the entire Oral Torah was given to Moshe at Sinai, why did Moshe not know these halachot? Furthermore, in a halachic dispute between R' Akiva and R' Yishmael we would normally rule like R. Akiva¹

17. ותימה, כיון דקיימא לן דכל התורה ניתנה מהר סיני כלליתיה ופרטתיה ודקדוקיה, אם כן למה לא ידע משה רבינו ע"ה דין שידון אותו, ויראה לומר, אף על גב שנתן כללותיה ופרטתיה ודקדוקיה, דבר זה נתנה לו על ידי שהיה יכול ללמוד בהיקש או מבנין אב או מדרשה מה, וכאשר לא ידע להבין - הוצרך לומר לו הדבור בפירוש

גור אריה על ויקרא כז:ד

The Maharal asks this question and responds that Moshe was given the TOOLS at Sinai to learn out most of the Torah. Only that which could not be learnt out through hermeneutics and 'drashot' was given to Moshe explicitly. **We will see this answer in much more details shortly. It forms the bedrock of a deeper understanding of what was actually given to the Jewish people at Sinai.**

1. Is this a halachic dispute though? Or is it more hashkafic? If the latter, is there such a thing as a 'psak' in hashkafa? A big topic and another shiur!

18. Insofar as the sequence of the giving of the sections of the Torah, and identification of the places and the times of their being transmitted requires painstaking analysis and much study, and many sections of the Gemara with back-and-forth dispute are dedicated to the topic, such as the sections in Gittin 60a and Chagiga 6a, we have thought it worth-while to present what we have concluded from our analysis of the topic:...
- It is clear from the words of our Sages that all six hundred thirteen commandments were taught to Moshe on Mount Sinai during those forty days, and the opinion of Rabbi Akiva, found in Chagiga 6, is that both general principles and details were stated at Sinai, [and this is also the opinion of Rashi in his Commentary on the Torah at the beginning of Parshas Behar]. And in the second period of forty days, the Holy One Blessed is He returned to him the entire Torah, for it would not be proper that he should retain anything from what he had learned during the initial period of forty days, for that Covenant was broken. And also, Moshe was not commanded to write them yet, nor to transmit them to the People of Israel, except for in the special cases of particular commandments that he was commanded to give over to the People of Israel. But nevertheless, he was not commanded to write them, according to the one who says that the Torah was given as a "complete aggregate" [Gittin 60a], and when the Mishkan was erected, the subjects that he had learned at Sinai were reviewed with him, in the Ohel Moed. And there remains room to speculate as to whether all the six hundred thirteen commandments were reviewed with him in the Ohel Moed at one time, or whether only those which the People of Israel were being commanded at that time were reviewed with him.
- And at the Plains of Moav the commandments were taught to him a third time, and the Divine Presence was, as it were, speaking from the throat of Moshe. And this time he was commanded to write them down, in accordance with the language that had been spoken to him in the case of each individual section at the time that he had been commanded to transmit them to the People of Israel.
- And among them were commandments that were written in the language in which he had relieved them at Sinai, and commandments in the language in which they were said to him in the Ohel Moed, and some in the language of the Plains of Moav. And there were some that had been repeated and some that were taught a third time, and all the writing was "dictated, as it were, from the mouth of Hashem, through the hand of Moshe."
- And there were changes in the language in the case of some commandments that had been taught at Sinai and at the Ohel Moed and at the Plains of Moav. That variation was to hint to us in its written form, the Torah was taught to Moshe at Sinai in the form of "Torah she-b'al peh," as our Rabbis have received the Tradition, to interpret the Torah according to its words written in the short form and those written in the long form and those written with transformations of letters.

Chazon Ish Moed 125²

The Chazon Ish takes the view that Rabbi Akiva's state is to be taken literally. Moshe received EVERYTHING at Sinai. So why did he not know the specific mitzvot mentioned above? The Chazon Ish answers that Moshe DID know these mitzvot but was unsure whether to reveal them to the people since G-d had not specifically told him to.³

To be continued in Part 2

2. Translation from Torah Lab - see http://www.torahlab.org/calendar/article/what_happened_at_sinai/

3. Other Rishonim take the line that Moshe knew all the details except for these few mitzvot which had been withheld in order to allow them to be brought out through the merits of the specific people who requested them - see sefer HaEmunah V'Habitachon attributed to the Ramban (perek 23, vol 2, p435 R' Chavel editon)