

# Zera Shimshon

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## Chapter XVII: Yitro (Ex. 18:1–20:23)

Essay 25. The connection between remembering the Sabbath and not bearing false witness against a neighbor

The Mekhilta d'Rabbi Yishmael (20:14) draws a parallel in the Ten Utterances (i.e., the Ten Commandments) between the first five commandments and the last five commandments.<sup>1</sup> I.e., a parallel between the first and sixth commandments, the second and seventh commandments, and so forth. This essay considers the relationship between the fourth and ninth commandments.

### זְכוֹר - לֹא-תַעֲנֶה

**“Remember the Sabbath day and keep it holy”** (Ex. 20:8). **“You shall not bear false witness against your neighbor”** (Ex. 20:13).

**הַשַּׁבָּת** היא אות בין הקב"ה ובין ישראל, ו"שְׂאֵרֵי יִשְׂרָאֵל ... לֹא-יִדְבְּרוּ כְזָב", וְהַשַּׁבָּת היא זְכוֹר לְבְרִיאת הָעוֹלָם שֶׁנִּבְרָא בְמֵאֵמֶר, וְמִי שֶׁמְדַבֵּר שָׁקֶר פּוֹגֵם בְּמֵאֵמֶר פִּיּוֹ. וְהָאֱמֶת מְקַיֵּים הָעוֹלָם וְהַשָּׁקֶר מְכַלְהוֹ.

**The Sabbath is a sign between the Holy One, Blessed be He, and Israel,<sup>2</sup> and “the remnant of Israel shall . . . speak no falsehood.”<sup>3</sup> The Sabbath is a remembrance of the Creation of the world,<sup>4</sup> which was created through speech,<sup>5</sup> and one who speaks falsely damages the speech of his mouth. Truth sustains the world,<sup>6</sup> but falsehood destroys it.**

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<sup>1</sup> Mekhilta d'Rabbi Yishmael, 20:14, “How were the Ten Commandments given? Five on one tablet and five on the other. . . . It is written ‘Remember the Sabbath day to sanctify it,’ and, opposite it, ‘You shall not testify (falsely),’ whereby Scripture apprises us that one who desecrates the Sabbath thereby testifies before Him who spoke and brought the world into being that He did not create His world in six days and did not rest on the seventh day, and that one who keeps the Sabbath thereby testifies before Him who spoke and brought the world into being that He created His world in six days and rested on the seventh day, as it is written, ‘You are My witnesses, says the L-rd . . . that I am He. Before Me no god was created and there will be none after Me’ (Isaiah 43:10). . . . This is why the Ten Commandments were given, five on one tablet and five on the other. These are the words of R. Chanina b. Gamliel.”

<sup>2</sup> Ex. 31:16–17.

<sup>3</sup> Zephaniah 3:13.

<sup>4</sup> Isaac ben Judah Abarbanel (1437–1508), Abarbanel on Torah, Num. 28:9.

<sup>5</sup> Pirkei Avot 5:1, “With ten utterances the world was created.” Otzar Midrashim, Midrashim of Rabbi Akiba, Aleph Bet of Rabbi Akiba 27: “The entire world was created through the utterance of the Holy One, Blessed be He.”

<sup>6</sup> Alshich on Torah, Genesis 22:13:2, “The truth is the foundation of the world.”

ועוד השבת צריך לקדשו בדברי תורה, ומי שאומר שקר ולשון הרע מאי תקנתיה? יעסוק בתורה. זאת תורת המצורע המוציא שם רע מרפא לשון וכו'.

**Also, it is necessary to sanctify the Sabbath with words of the Torah, and whoever says a lie and slander—what is his remedy?** Rabbi Chama, son of Rabbi Chanina says: If he is a Torah scholar, **let him study Torah.**<sup>7</sup> Reish Lakish says: What is that which is written, ‘**This** [shall be] **the law of the leper** in the day of his cleansing’ (Lev. 14:2)? [This means that] this shall be the law of a **defamer**. I.e., leprosy was a result of slander.<sup>8</sup> “**A soothing tongue** is a tree of life, but its perverseness is a broken spirit” (Prov. 15:4). I.e., one who damages his speech should remedy his behavior by developing a humble spirit.<sup>9</sup>

והקשה העיון יעקב ריש מסכת שבועות דלמא בדברות אחרונות פתיב "כאשר צנה ה' אלקיך" ודרשין מיניה בגמרא כאשר צנה במרה, ולמה לא נאמר פן בדברות הראשונות "כאשר צנה" ותיירץ לפי דרכו ועיי"ש.

**The Iyun Ya’akov commentary at the beginning of tractate Shevuot questions: Why in the final set of the Ten Utterances (i.e., the Ten Commandments as repeated in Deuteronomy), is it written, “Guard the Sabbath day and keep it holy, as the L-rd your G-d has commanded you” (Deut. 5:12), which they explain in the Gemara, where Rav Yehuda said that Rav said: “As He commanded you at Marah” [where Israel was first instructed regarding the Sabbath, before receiving the Torah at Mount Sinai],<sup>10</sup> and why in the first set of the Ten Utterances in Leviticus is it not said, “as He commanded you”? The solution is according to his way, and see there.**<sup>11</sup>

The Iyun Ya’akov notes that the words “remember” of Ex. 20:8 and “guard” of Deut. 5:12 were spoken simultaneously at Mount Sinai.<sup>12</sup> He suggests that when Israel was first instructed regarding the Sabbath, at Marah (i.e, before Moses received the law at Mount Sinai), G-d only said “guard” the Sabbath. “Remember” was added at Mount Sinai to imply, “do not forget it as you have done until now,” such as by collecting manna on the Sabbath.<sup>13</sup> Thus, in the first recitation of the Ten Utterances, when Scripture says, “Remember the Sabbath day” (Ex. 20:8), it wouldn’t have been appropriate to add, “as the L-rd your G-d has commanded you,” i.e., at Marah, for at Marah, G-d had only said “guard” and not “remember.” With the second recitation of the Ten Utterances, where we find at Deut. 5:12, “Guard the Sabbath day,” it made sense to add, “as the L-rd your G-d has commanded you,” i.e., at Marah, as G-d had said “guard” at Marah.

<sup>7</sup> Arakhin 15b.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Shabbat 87b.

<sup>11</sup> Jacob ben Joseph Reischer (Bechofen) (1661–1733), Austrian rabbi. His sefer, *Iyun Ya’akov* (Wilmersdorf, 1729) is a commentary on the *En Ya’akov*. The commentary for Shevuot 20b appears on page 98a of the *Iyun Ya’akov*.

<sup>12</sup> Sifrei Devarim 233:1; Yerushalmi Nedarim 9a.

<sup>13</sup> See Ex. 16:27.

*Zera Shimshon now proposes an alternative reason:*

ולענין דעתי נראה דדוקא בדברות אחרונות שייך לומר כאשר צוה במרה, מה שאין כן בדברות הראשונות. והטעם שהרי אנו יודעים שפיקוח נפש דוחה את השבת. וכשנצטוו ישראל במרה על השבת, נצטוו על שמירתו ונצטוו נמי לחלו על סכנת נפשות, ושפיר מוכח נמי מסמיכות הפסוקים "שם שם לו חק ומשפט" דהיינו מצות שנצטוו במרה, וסמיה ליה "ניאמר אם-שמוע תשמע" וכו' "כל-המקלה" וכו', כלומר אף על פי שצויתי אתכם על השבת עם כל זה אם יהיה במקום חולי יהיה מצוה עליכם לחלו.

**In my poor opinion, it appears that it was specifically in the final set of the Ten Utterances that it is appropriate to say, “As He commanded you at Marah,” which was not so in the first set of the Ten Utterances. The sense is that we know that saving a life pushes off observance of the Sabbath.<sup>14</sup> When Israel was commanded at Marah regarding the Sabbath, they were commanded on guarding the Sabbath and they were also commanded to desecrate it upon danger to lives. This is nicely proven also from the proximity of the verses, “there He made for them a fixed rule and put them to the test” (Ex. 15:25), which [refers to] the commandments that were commanded in Marah, and adjacent to this it is written, “He said, ‘If you will diligently heed the L-rd your G-d, doing what is upright in His sight, giving ear to His commandments and keeping all His laws, then I will not bring upon you **any of the diseases** that I brought upon the Egyptians’ ” (Ex. 15:26). This is as if to say, even though I commanded you regarding the [guarding of the] Sabbath, with all this, if there is a sick person there, then you will be commanded to desecrate it.**

אמנם כשצאו להר סיני ונצטוו בדברות הראשונות על השבת לא הנה שייך לומר כאשר צוה במרה, דהנה משמע לחלו שבת במקום חולי של סכנה, שהרי כשקבלו ישראל את התורה אם לא היו חוטאים לא הנה שולט בהם לא יצר הרע ולא חטא ולא חולי ולא מיתה, דכתיב "חרות על-הלח" וצמרו ו"ל חירות ממלאכי השרת ומיצר הרע וכו'. וכשאין יצר הרע ומיתה ליכא נמי חולי, דאין מיתה בלא חטא ואין ייסורין בלא עון. ואם כן לא היו צריכים לחלו השבת לעולם.

**But when they came to Mount Sinai and they were commanded in the first set of the Ten Utterances regarding the Sabbath, it wasn't appropriate to say “as He commanded you in Marah,” which meant to desecrate the Sabbath in case of a life-threatening sickness. For when Israel received the Torah at Mount Sinai, if they hadn't sinned, the evil inclination wouldn't have ruled over them, nor sin, nor sickness, nor death, as it is written, “And the tablets were the work of G-d, and the writing was the writing of G-d, engraved upon the tablets” (Ex. 32:16), and [the rabbis] of blessed memory said, freedom from the ministering angels and from the evil inclination.<sup>15</sup> When there is no evil inclination and death, there is also no sickness, for there is no death without inadvertent sin, and no troubles without wanton sin.<sup>16</sup>**

<sup>14</sup> Shabbat 132a.

<sup>15</sup> Eruvin 54a: “Rav Acha bar Ya'akov said: [Had the tablets not been broken,] no nation or tongue would ever have ruled over them, as it is stated: ‘Engraved [upon the stones]’; do not read it engraved (חרות) (*charut*) but rather freedom (חריות) (*cheirut*).” See also Avodah Zarah 5a.

<sup>16</sup> Shabbat 55a.

**If so, with no one ever becoming sick, there would have been no need to ever desecrate the Sabbath.**

Thus, between the Exile and the Revelation at Sinai, the Children of Israel were subject to sickness and death. Thus, when they stopped at Marah, G-d instructed Israel to guard the Sabbath, unless someone was seriously ill, in which case the Sabbath should be violated. When they reached Mount Sinai and Moses received the Ten Commandments, the Children of Israel briefly had a status where they wouldn't have had any sickness or death. At that point, it wasn't relevant for the first recitation of the Ten Commandments to reference "as the L-rd your G-d has commanded you," i.e., at Marah, which included the instruction to desecrate the Sabbath if someone was ill. But after the sin of the Golden Calf, the Children of Israel again had sickness and death, so that in the second recitation of the Ten Commandments, in Deuteronomy, it again became relevant to reference the instruction at Marah, that the Sabbath should be desecrated to save a life.

ומשום הָכִי לֹא שִׁיַּיָּךְ לֹמֵר כְּאֲשֶׁר צִוָּה בְּמַרְהָ שְׁאֵז נִצְטוּוּ לְחַלְלוֹ לְפַעֲמַיִם וְכֵאֵן כֹּל עֵיִקָּר אִין לְחַלְלוֹ. אֶבֶל לְאַחַר שִׁחְטָאוֹ וְנִגְזַר עֲלֵיהֶם חוֹלֵי וּמִיתָה וְנִצָּר הָרַע, הוֹכַרְח לֹמֵר לְהֵם כְּאֲשֶׁר צִוָּה בְּמַרְהָ. וְחוֹלֵי וּמִיתָה נִגְזַר עֲלֵיהֶם לְפִי שִׁחְטָאוֹ שִׁקָּר בְּהִקְב"ה "אֵלֶּה אֱלֹהֶיךָ יִשְׂרָאֵל" וְכוּ'.

**Because of this, it was not relevant to say “as He commanded you at Marah,” for then they were commanded to sometimes desecrate [the Sabbath] and there every principal was not to desecrate it. But after they sinned with the Golden Calf, and sickness and death and the evil inclination were decreed upon them, [Moses] had to say to them, “as He commanded you at Marah.”** Sickness and death were decreed upon them because they bore false witness against the Holy One, Blessed be He, by making the Golden Calf and [saying], “This is your god, O Israel, who brought you out of the land of Egypt” (Ex. 32:4).

וְנִזְהוּ "לֹא־תַעֲנֶה בְּרַעְיָךְ" דְּהֵיִינוּ הִקְב"ה, כְּמוֹ שְׁאָמְרוּ ז"ל עַל "רַעְיָךְ וְרַעִיָּה [וְרַעְיָךְ אֲבִיךָ אֶל־תַּעֲזֹב" וְכוּ'. וְעוֹד מִכָּאן יֵצֵא לָנוּ קִצְתָּ רָמַז וְנִטְעַם לְמֵאֵי דְתַנּוּ רִישׁ פְּרָק ד' דְּקַמְאֵי, וְעֵי"ש בְּפִירוּשׁ הָרַב עוֹבְדֵינָה מִבְּרִטְנֹרָא שְׁעֵמֵי הָאֲרָצוֹת מִתְיַרְאִים לְשִׁקָּר בְּשִׁבְתָּ יוֹתֵר מִבְּחוּל, וְקִשְׁשָׁה דְבִשְׁוֹם עֲבִירָה אֲחֵרָת לֹא מְצִינּוּ חִילוּק זֶה, וְעַל כֵּן הָרַעְיָךְ לֹמֵר דְּעֵבִירָה זֶה חֲמִירָא טוֹבָא בְּעִינְיָהֶם לְעֵבֹר עֲלֵיךָ בְּשִׁבְתָּ, לְפִי שִׁכְנַנְגָּד "זְכוֹר" יֵשׁ "לֹא־תַעֲנֶה בְּרַעְיָךְ עַד שִׁקָּר."

**This is the meaning of “You shall not bear false witness against your neighbor” (Ex. 20:13), which is referring to the Holy One, Blessed be He, as [the rabbis] of blessed memory said regarding, “Do not desert your neighbor and your father’s neighbor” (Prov. 27:10).<sup>17</sup> Further, from here, we get a little hint and taste of what was taught in the beginning of the fourth chapter of tractate Demai (4:1) and see there, that someone who is untrustworthy regarding whether something is tithed may be trusted on the Sabbath but not on other days.<sup>18</sup> the explanation of Rabbi Ovadiah of Bertinoro is that ignorant people are more afraid of**

<sup>17</sup> Midrash Ex. Rabbah 27:1, “ ‘Your neighbor: this is the Holy One, Blessed be He.’”

<sup>18</sup> Demai 4:1, “One who buys produce from someone who is not trustworthy in respect of tithes, and he forgot to tithe it, and he asked [the seller] on Shabbat [if they were tithed], he may eat based on his word. At nightfall of Shabbat, he may not eat of it unless he had first tithed it.”

**falsehood on the Sabbath than on other days.<sup>19</sup> It is difficult that in no other violation do we find this distinction, and you must necessarily say that this violation is more serious in their eyes to violate on the Sabbath, because parallel to “Remember the Sabbath day and keep it holy” there is “You shall not bear false witness against your neighbor.”**

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<sup>19</sup> Ovadiah ben Abraham of Bertinoro (c. 1445–c. 1515), commonly known as “The Bartenura,” was a 15th-century Italian rabbi best known for his popular commentary on the Mishnah. On Demai 4:1, he writes, “That the fear of Sabbath is upon him, for they are afraid of sinning and lying on Sabbath more than on other days.”