



A Horizontal Testimony

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The perhaps surprising relationship between Shabbat observance and testifying in court.

מתן תורה is the שבת of שחרית

Each of the three תפילות of שבת echo one of the great שבתות of Jewish history. The תפילה of Friday night reflects the שבת of Creation; the תפילה of שחרית alludes to שבת מתן תורה and the תפילה of מנחה anticipates the שבת לעתיד לבוא.

Surprising wording in שחרית

The סופר חת"ם raises interesting questions¹ about the way we refer to שחרית in מתן תורה. We say:

...וּשְׁנֵי לוחות אֲבָנִים הוֹרִיד בְּיָדוֹ וְכָתוּב בָּהֶם
שְׁמֵי־רֵיב שֶׁבֶת וְכֵן כָּתוּב בְּתוֹרַתְךָ וְשָׁמְרוּ בְּנֵי יִשְׂרָאֵל
אֶת הַשֶּׁבֶת לַעֲשׂוֹת אֶת הַשֶּׁבֶת לְדֹרֹתֵם בְּרִית עוֹלָם
בֵּינִי וּבֵין בְּנֵי יִשְׂרָאֵל אוֹת הוּא לְעֹלָם כִּי שָׁשֶׁת יָמִים
עָשָׂה ה' אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ וּבַיּוֹם הַשְּׁבִיעִי שָׁבַת
וַיִּנָּפֵשׂ

The סופר חת"ם wonders why we need support – וכן כתוב בתורתך ושמרו – from an *additional* פסוק for שבת which is written in the הדברות? Further, he asks, the number seems incorrect. The תפילה stresses that לוחות משה brought down *two* לוחות and Shabbat is written בהם – on *them*. But that is not the case. Shabbat is written on the לוח which deals with מקום בין אדם למקום and not בהם, on *both*!

Horizontal לוחות

To explain the reference in the תפילה the חת"ם סופר refers us to the comment of Rashi² who teaches us that the לוחות were arranged in parallel columns such that each דברה on the first continues with and is linked to the parallel דברה on the second. For example, the first דברה (אני ה') continues to the sixth דברה of תרצה. The link is that one who murders diminishes the presence of Hashem.

The general asked 'what makes שבת so special?'

R' Akiva responded, what makes you so special?

The דברה of שבת continues with the ninth דברה which forbids us from testifying falsely. One who fails to observe שבת is testifying falsely. He is denying that Hashem Created Heaven and Earth and that He rested on שבת. Thus, שבת is written on *both* לוחות. Our observance of שבת (שמור את יום השבת), and our affirmation made at Kiddush on Friday night (זכור את יום השבת) both certify that we are not testifying falsely. דברה is thus part of the שבת of שמירת שבת.

We can now understand the תפילה which adds וכן עשרת הדברות in addition to the כתוב בתורתך. The פסוק tell us about שבת and לא תענה while the פסוק tells us that בני ישראל affirm the link and observe

¹ דרשות חת"ם סופר חלק א דף קי-קי: לפרשת יתרו

² רש"י על שיר השירים ד: ה'



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שבת as testimony that Hashem fashioned the Heaven and Earth in six days and rested on שבת.

שקר and שוא; שמור and זכור

There is more to the story. Not only do the two דברות differ regarding זכור and שמור, but they also each appear with a different word in the דברה about testifying falsely. The word שקר is used with זכור in the first דברות (לא) (זכור את יום השבת...לא) (תענה ברעך עד שקר) while שמור appears with the word שוא in the second דברות (לא תענה ברעך) (עד שוא). To understand why זכור aligns with שקר and שמור aligns with שוא we must step back and look at the difference between the two words.

שוא is a blatant, obvious falsehood. Testifying that a book is a pot is clearly false – שוא. By contrast, שקר is more subtle, one that requires some discernment to detect the untruth in what was said.

Applying this difference to שמירת שבת we can say that one who brazenly denies the שבת by doing מלאכה has testified falsely about that which is clear and obvious. Hashem Created the World and rested on שבת. We all know that as we were witness to the miracles of יציאת מצרים where we learned the undeniable truth that Hashem is the Master and Creator of Heaven and Earth whose majesty is absolute. Failure to observe שבת is a blatant denial of an obvious truth. Hence שמור which refers to avoiding מלאכה is associated with עד שוא.

By contrast, one who avoids מלאכה but fails to declare the sanctity of the day with קידוש has not told the whole truth but also has not blatantly

lied. It is more subtle. Hence זכור, which refers to the declaration and affirmation of קידוש, is associated with עד שקר. It is not the truth, but it is not an open lie, either. It is a falsehood, but a more subtle one than doing מלאכה.

We have seen thus far שבת referred to as a testimony. But that is only when we adopt the *horizontal* reading of the דברות. But there is another approach, the *vertical* reading.

Shabbat associated with כיבוד אב

In the vertical reading of the דברות the דברה which follows שבת is not the prohibition of false testimony (the 9th דברה); it is the requirement to honor one's father and mother (the 5th דברה). We are to observe שבת because ה' said that we do so. And if we are obligated to defer to the honor of our parents; how much more so are we obligated to defer to the honor of our Father and King.

מרה of חק

The place of שבת as simply the Will of the Creator is brought out by the incident of מרה. Several weeks prior to מתן תורה there was an incident where the bitter waters of מרה were sweetened and Hashem gave us חק ומשפט.³ There were certain parts of the Torah which Hashem, so to speak, could not wait to give us and they were given to us at מרה. One of those was שבת. In מרה we were given שבת not as a testimony but simply as a חק – the expressed Will of the Creator.

³ שמות טו:כה



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Between a decree and a rational law

When a law carries a rationale, there is room for debate and analysis. Where a law is simply a decree of the King, there is no room for debate; there is only room for loyalty and compliance. And as important as it is for us to testify truthfully; the core of our observance must be loyalty and fidelity to the rule of the King.

Avoiding the debate

The גמרא and מדרשים relate debates between the Roman senator and provincial governor, Turnus Rufus, and R' Akiva. The former would challenge the beliefs of the Jews and the latter would provoke him with his responses. One of those debates revolved around the Jews' ties to שבת.⁴ Turnus Rufus decried the Jews' loyalty to שבת. After all, he argued, what makes שבת so special?! מה יום מיוחדים – why is one day different than any other?

R' Akiva turned back to Turnus Rufus and said what makes you so special? מה גבר מגוברין? – why should one person be singled out for honor more than any other? To which Turnus Rufus responded that his honor and designation draws from the fact that he was so chosen by the Caesar, the Roman Emperor. To which R' Akiva

responded that the same holds for שבת. Its honor and special significance draw from the Will of the Creator. Had R' Akiva engaged Turnus Rufus in any rationale, there would have been room for debate on those rationales. R' Akiva put a stop to the debate. The שבת is a חק, the Word and Will of Hashem; the גזירת מלך. End of story.

The נביא alludes to this⁵ with the words וקראת ונקראת – לשבת ענג לקדוש ה' מכתבד – we keep שבת because Hashem said to.

The Horizontal and Vertical messages

We have seen that שבת is a testimony and we must be careful to testify truthfully. We thus avoid מלאכה and declare the sanctity of שבת in keeping with that sacred testimony. But, at core, שבת is a חק. It is the designation of the King. There is no room for debate. And as we must defer to the honor of our parents, we most certainly must defer to the honor of our Creator.

The significance of deferring to the Will of the Creator is that it forges a special bond between the Jew and His Creator. That bond brings great, indeed boundless ברכה in its wake. שבת does not simply demand; it blesses and graces those who adhere to it.

Takeaway: I will try to relate to שבת as both a testimony and a statement of loyalty to Hashem.

⁴ בראשית רבה יא:ה וגם סנהדרין סה: 4

⁵ ישעיהו נח: יג