



A Horizontal Testimony

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

מתן תורה ששבת השהייה is the שבת of שבת

Each of the three הפלילות echo one of the great שבתות of Jewish history. The הפלילה of Friday night reflects the שבת of Creation; the שבת מותן תורה alludes to the שבת שחרירiyah of the תְּפִילָה anticipates the שבת מנוחה of the תְּפִילָה.

Surprising wording in השהייה

The הפלילה raises interesting questions¹ about the way we refer to שבת שחרירiyah in מתן תורה. We say:

...ושנני לוחות אבנים הוציא בידיו וכחטו בם שמירת שבת וכן כתוב בתורה ושמרו בני ישראל את שבת לעשויות את השבת לדורותם ברית עולם בין בני ישראל אלה לא עלם כי ששית ימים עשה ה' את השמים ואת הארץ וביו קשבי עי' שבת ונפש

The הפלילה wonders why we need support – and כתוב בתורה ושמרו – from an additional פסוק for שבת which is written in the הפלילות? Further, he asks, the number seems incorrect. The הפלילה stresses that לוחות brought down two and Shabbat is written *bahem* – on them. But that is not the case. Shabbat is written on the לוח which deals with בין אדם למקומות and not both, on both!

לוחות השבת

To explain the reference in the הפלילה the סופר refers us to the comment of Rashi² who teaches us that the לוחות were arranged in parallel columns such that each דבורה on the first continues with and is linked to the parallel דבורה on the second. For example, the first א נכי (דבורה) continues to the sixth לא תרצח (דבורה) (ה'). The link is that one who murders diminishes the presence of Hashem.

The general asked 'what makes so שבת special?!'

R' Akiva responded, what makes you so special?

The הפלילה continues with the ninth דבורה 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 (שבת), and our affirmation made at Kiddush (וכור את יום השבת), and our affirmation made at Kiddush on Friday night (וכור את יום השבת) both certify that we are not testifying falsely. לא תענה is thus part of the דבורה שמירת שבת.

We can now understand the הפלילה which adds וכו' כתוב הדברות in addition to the כתוב בתורה. The פסוק tell us about שבת and לא תענה while the הדברות tells us that בני ישראלי affirm בני ישראלי and observe

¹דרשות הפלילה סופר חלק א דף קי. לפרשנות יתרו

²רש"י על שיר השירים ד:ה





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

שקר and זכורה; שמור and שוא

There is more to the story. Not only do the two דברות differ regarding זכורה and שמר, but they also each appear with a different word in the דברה about testifying falsely. The word שקר is used זכורה את יום השבת...לא (דברות לא) while שמר appears with the word שוא in the second שעה ברעך (דברות לא)...שקר. To understand why זכורה aligns with שקר and שמר 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 שמר מלאכה is associated with 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 זכורה, which refers to the declaration and affirmation of קידוש, is associated with 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.

כיבוד אב ואמם

דברה דברות the 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.

מה היא חק

The place of שבת as simply the Will of the Creator is brought out by the incident of מריה. Several weeks prior to מתן תורה there was an incident where the bitter waters of מורה were sweetened and Hashem gave us חק ומשפט us.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 מריה. One of those was שבת. In מריה we were given שבת not as a testimony but simply as a חק – the expressed Will of the Creator.

³ שמוטה טו:כח





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 יומם מיוםים** – why is one day different than any other?

R' Akiva turned back to Turnus Rufus and said what makes you so special? **מה גבר מגובrin** – 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 Ceasar, 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 **גזרת מלך**. End of story.

The **נביא** alludes to this⁵ with the words **קראו נא** – **לשפת עג לקדושה מכביד** – for the revered Hashem – 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 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 רבבה יא:ה ו גם סנהדרין סה:

⁵ ישעיהו נה:יג

