

PARASHAT HASHAVUA

PARASHAT VAYAKHEL

By Harav Yaakov Medan

And Moshe gathered all the congregation of the children of Israel together, and said to them: These are the words which the Lord has commanded, that you should do them. Six days shall work be done, but on the seventh day there shall be to you a holy day, a Sabbath of rest to the Lord; whoever does work on it shall be put to death. You shall kindle no fire throughout your habitations on the Sabbath day. (*Shemot* 35:1-3)

The importance of these verses regarding Shabbat stems primarily from the juxtaposition of the *mitzva* of Shabbat to the building of the *Mishkan*, which we will discuss below. Let us begin with the section regarding Shabbat in the Ten Commandments:

Remember the Sabbath day to keep it holy. Six days shall you labor and do all your work, but the seventh day is a Sabbath to the Lord your God; on it you shall not do any work, you, nor your son, nor your daughter, nor your manservant, nor your maidservant, nor your cattle, nor your stranger that is within your gates. For in six days the Lord made heaven and earth, the sea, and all that is in them, and rested on the seventh day; therefore the Lord blessed the Sabbath day and sanctified it. (*Shemot* 20:7-10)

I. the *mitzva* of remembering

The first *mitzva* in the Shabbat passage in the Ten Commandments is the *mitzva* of remembering: "Remember the Sabbath day to keep it holy." *Chazal* learned from here the *mitzva* of reciting *Kiddush*:

Our Rabbis taught: "Remember the Sabbath day to keep it holy" – Mention it over wine. (*Pesachim* 106a)

In other words, the *mitzva* does not involve remembering Shabbat in the heart, but rather mentioning it with the mouth, like other *mitzvot* involving remembering (remembering the Exodus from Egypt, Amalek, and others). One must make explicit mention of Shabbat on the day of Shabbat, along with a show of importance, as reflected in the recitation of the *Kiddush* over a cup of wine. In this way, a person sanctifies the day of Shabbat by mentioning it in a blessing, and in this way he even resembles God, who also sanctified Shabbat with a blessing: "Therefore the Lord blessed the Sabbath day and sanctified it" (20:11). Blessing and remembering/mentioning are performed over wine: "The remembrance thereof shall be as the wine of Lebanon" (*Hoshea* 14:8); "We will remember your love as more fragrant than wine" (*Shir Ha-Shirim* 1:4).

However, according to the plain meaning of the verses, it seems that the *mitzva* is **also** to remember Shabbat. The *mitzva* to remember applies before Shabbat; when Shabbat arrives, the person will be able to sanctify the day by refraining from work and through other means because he remembered Shabbat before it began. We have suggested elsewhere that this aspect of the *mitzva* is fulfilled when we refer to the other days of the week by numbers, rather than by names, as is the practice among non-Jews (the names of the days of the week in English are the names of idols). When a person counts the days of the week, he remembers every day how many more days it is until Shabbat and he knows every day how more days he has to prepare for Shabbat and to sanctify it. This is the *mitzva* to "remember the Sabbath day to keep it holy."

II. Creative work and rest

The reason for keeping Shabbat, as it is explained in the Ten Commandments, is that God created the world in six days and rested on the seventh. Knowing the number of days of creation might be intended to reinforce the idea that the world did not come into being through a gradual process of development (evolution), but rather through a series of deliberate steps arranged by God. The sanctity of the seventh day marks this. Knowing that God created the world from nothing, willingly and deliberately, is one of Judaism's fundamental beliefs; it reflects God's lordship over the world, with all that this implies.

But Shabbat marks not only the creation of the world in six days, but also God's "resting" on the seventh day. In our minds, rest is a need that stems from fatigue, but this is certainly not true of God's rest after His creation of the world. God's rest is not a response to fatigue, but rather a phenomenon that meant to introduce the value of rest to the created world. The aim is that man, who was created in the image of God and whose destiny it is to continue God's work in the world and perfect it – "to work it and to keep it" (*Bereishit* 2:15) – should maintain in the world the value of rest that he learned from his Creator.

The value of rest that comes after toil and creative work lies in the contemplation of that creativity and the ability to mentally absorb its truth. Endless work raises the concern that the person will always look outwards, toward that work and its refinement, and not make room for internalization and emotional development. When Pharaoh enslaved the people of Israel more and more, even withholding from them the straw that they needed for the bricks, they reached the situation described in the verse: "But they hearkened not to Moshe due to anguish of spirit and difficult work" (*Shemot* 6:9). Rest, followed by internal absorption, is meant to develop the person himself, help him understand the value of his work, and raise him up further. A person's resting enables him to receive from God blessing and holiness; it allows him to refrain from trying to create everything by himself, as he will never reach blessing and holiness on his own.

Rest involves another principle: Together with the importance of creating and developing the world, there is a need

to limit endless creative activity and refrain from it from time to time, so that we not live under the false impression that human creation has no boundaries. This is for three main reasons:

1) The story of the Tower of Babel teaches us the limits of human creativity. Man should not say that "the sky is the limit." Shabbat fixes this principle in law. God limited His own creating with Shabbat and said "Enough" to His world so that man and the world, limited and partial as they are, should not compete, as it were, with their perfect and unlimited Creator.

2) Limiting human creative activity was meant to instill in man's consciousness the idea that this world is merely a vestibule to another world that is more real, the world of communion with God, and one should therefore not invest excessively in this world.

3) Breaching the boundaries of creative activity is liable to bring into the world unlimited destructive forces, forces that man also seeks to reach. And who can predict what will happen in the end with such forces?

III. What Creative work was forbidden on Shabbat?

The primary labors are forty less one: Sowing, plowing, reaping, binding sheaves, threshing, winnowing, selecting, grinding, sifting, kneading, baking, shearing wool, bleaching, hackling, dyeing, spinning, stretching the threads, the making of two meshes, weaving two threads, dividing two threads, tying and untying, sewing two stitches, tearing in order to sew two stitches, capturing a deer, slaughtering, or flaying, or salting it, curing it, curing its hide, scraping it [of its hair], cutting it up, writing two letters, erasing in order to write two letters [over the erasure], building, pulling down, extinguishing, kindling, striking with a hammer, [and] carrying out from one domain to another. These are the forty primary labors less one. (*Shabbat* 7:2)

There are different sources for the list of these labors. The *Tosefta* in *Berakhot* discusses the blessing that one must recite upon seeing a multitude of people together. Ben Zoma thanked God on such an occasion because a person living alone must perform many different kinds of work in order to satisfy his needs. However, when many people live together, each person plies his craft, and the rest of a person's needs are satisfied by the others, who work in their own crafts, each person bartering for what he needs with what he can produce:

Ben Zoma, when he saw a large body of people on the Temple Mount, said: "Blessed is He who created these people to serve me." How hard the first man, Adam, must have labored before he could eat a bit of bread! He had to plow and sow and weed and hoe and reap and thresh, winnow and sift, grind, sift again, knead, moisten and bake, and only after all this eat his bread; whereas I get up in the morning and find the bread all ready for me. What toil Adam had until he could be clothed with the simplest raiment! He had to shear, bleach, beat the wool, dye it, spin it, weave it, wash it, and sew it together, and only after all this was he clothed; whereas I get up in the morning and find all my clothes prepared for me. (*Tosefta, Berakhot* 6:2)

The *Tosefta* cites here as an example the many labors that a person would have to do for himself in order to satisfy his basic needs were he by himself, and these are identical to the labors that are forbidden on Shabbat. This implies that on Shabbat, one is forbidden to perform labors that are meant to satisfy man's needs.

This also follows from the count of the thirty nine labors that are forbidden on Shabbat:

Again they sat and pondered: Regarding what we learned: The principal categories of labor are forty less one – to what do they correspond? R. Chanina bar Chama said to them: To the forms of labor in the *Mishkan*. R. Yonatan son of R. Elazar: Thus said R. Shimon the son of R. Yose ben Lakonia: They correspond to [the words] "work" [*melakha*], "his work" [*melakhto*], and "the work of" [*melekhet*], which are [written] thirty-nine times in the Torah. (*Shabbat* 49b)¹

The opinion of R. Yonatan son of R. Elazar implies, as it follows from the *Tosefta*, that the number and nature of forbidden labors is connected to the mundane work that a person performs in order to ensure his own existence in this world.

But the first opinion, that of R. Chanina bar Chama and many similar sources, indicates that the source of the forbidden labors on Shabbat are the labors that were performed for the construction of the *Mishkan*,² as is learned from the juxtaposition in two different places of the prohibitions of Shabbat and the building of the *Mishkan* (*Shemot* 31 and 35):

For it was taught: Liability is incurred only for work of which the same was performed in the *Mishkan*. They sowed, hence you must not sow; they reaped, hence you must not reap; they lifted up the boards from the ground to the wagon, hence you must not carry in from a public to a private domain; they lowered the boards from the wagon to the ground, hence you must not carry out from a private to a public domain; they transported [boards, etc.] from wagon to wagon, hence you must not carry from one private to another private domain. (*Shabbat* 49b)³

¹ Much has been written about how to count the number of times the word "labor" is written in the Torah. The word "labor" in all its forms appears sixty five times in the Torah, and not thirty nine (or forty one, as follows from the entire passage). The answer depends on emending the text found in the *gemara*. We must count all instances of the words "*melakha*" and "*melakhto*," but not "*melekhet*." Indeed, the two first words appear thirty nine times. Alternatively, if we count the instances of "*melakha*" and "*melekhet*," but not those of "*melakhto*," and count not the instances of these two words, but the number of verses in which these words appear, we arrive at the figure of thirty-nine, as four verses contain both forms of the word (*Shemot* 31:15; 35:2, 35; *Vayikra* 23:3). The different readings depend on a dispute between the *Bavli* and the *Yerushalmi*, but we will not expand upon the matter. All this I learned from my revered teacher, R. Yoel Bin-Nun; see his website.

² And perhaps also the labors that were performed after the *Mishkan* was erected. This is a broad issue, about which little has been written. See *Iglei Tal*, chapter 1.

³ A similar derivation is found in the *Yerushalmi* (*Shabbat* 7:2), which states that the number of labors correspond to the number of the instances of the word "*melakha*" (all forms) and the number of the instances of the word "*avoda*" (all forms, with the exception of verbs and infinitives attached to verbs) appearing in connection with the *Mishkan* (*Shemot* 25-31, 35-40), which add up to thirty nine.

It is possible that we have here different ways to understand the nature of the forbidden labors. The question that distinguishes between the two opinions is: Is a person forbidden on Shabbat to occupy himself with his physical needs, and is instead commanded to occupy himself with his spiritual needs? According to this, a person must prepare for all his physical needs on the weekdays, and also trust in God that He will provide for his material needs. On the other hand, it is possible to understand that a person is first and foremost forbidden on Shabbat to build a house for God, and from this stem all the prohibitions of Shabbat, as will now be explained.

According to the second approach – that the Shabbat prohibitions are derived from the labors that were performed in the *Mishkan* – the question naturally arises: Why is the main prohibition of Shabbat to build a *Mishkan* for God on Shabbat?

Shabbat is a reminder of the world that God created in order to put man in it. God Himself is found outside the world, as *Chazal* said: "He is the place of the world, but the world is not His place" (*Bereishit Rabba* 68:9). In other words, God's world needs Him, but He does not need His world.

But the *Mishkan* is a house that man builds, as it were, for God. King Shlomo already asked about this when he built the Temple:

For will God indeed dwell on the earth? Behold, the heaven and heaven of heavens cannot contain You; how much less this house that I have built? (I *Melakhim* 8:27)

In this respect, Shabbat and the *Mishkan* are opposites regarding the question: Who needs whom; does man need God, or does God need man? It is necessary for the Torah to emphasize that the sanctity of Shabbat is greater than the sanctity of the *Mishkan* and that the fact that God created a place for man is more important than the fact that man creates, as it were, a place for God. That Shabbat is more important than the *Mishkan* is reflected in the fact that one must not perform any labors on Shabbat for the purpose of building a house for God. Therefore, it is forbidden for all generations to perform on Shabbat those labors that were connected to the building of the Temple.

iv. Time and place

There is another reason for the priority given to Shabbat over the *Mishkan* that explains the prohibition to build the *Mishkan* on Shabbat. Shabbat is the highest expression of the sanctity of time, whereas the *Mishkan* is the highest expression of the sanctity of place. The prohibition to build the *Mishkan* on Shabbat may express the superiority of the sanctity of time over the sanctity of place.

Why is the sanctity of time superior to that of place? Let us consider the verses that present these two types of sanctity:

And there I will meet with the children of Israel, and it shall be sanctified by My glory. And I will sanctify Aharon and his sons to minister to Me in the priest's office. And I will dwell among the children of Israel and I will be their God. (*Shemot* 29:43-45)

The sanctity of meeting is the sanctity of time – the time when God decides to meet with man. In contrast, the sanctity of God's *Shekhina* in the *Mishkan* is the sanctity of the place where He chose to rest His name. The source of the

sanctity of meeting is above the *kaporet* between the two *keruvim*, and it is the original and supreme sanctity. The sanctity of the *Mishkan* is at a level below it.

Let us now consider the juxtaposition of the *mitzva* of Shabbat to the *mitzva* of building the *Mishkan* from another perspective. The Torah says:

You shall keep My Sabbaths and revere My sanctuary; I am the Lord. (*Vayikra* 26:2)

This verse brings the sanctity of time (Shabbat) and the sanctity of place (the *Mishkan*) together as a single unit.

This common sanctity is a continuation of the revelation at Mount Sinai, and therefore its *mitzvot* were stated in a "gathering":

The day that you stood before the Lord your God in Chorev, when the Lord said to me: **Gather** Me the people together, and I will make them hear My words, that they may learn to fear Me all the days that they shall live upon the earth, and that they may teach their children. (*Devarim* 4:10)

And Moshe **gathered** all the congregation of the children of Israel together, and said to them: These are the words which the Lord has commanded that you should do them. Six days shall work be done, but on the seventh day there shall be to you a holy day, **a Sabbath of rest to the Lord**; whoever does work on it shall be put to death. You shall kindle not fire throughout your habitations on the Sabbath day. And Moshe spoke to all the congregation of the children of Israel, saying: This is the thing which the Lord commanded, saying: Take from among you an offering to the Lord; whoever is of a willing heart... And every wise-hearted man among you shall come, and make all that the Lord has commanded; the ***Mishkan***, its tent, and its covering. (*Shemot* 35:1-11)

What was established on Mount Sinai for eternity, and is strongly emphasized in the book of *Devarim*, is that God alone chooses the time and place for His encounter with man. Every encounter depends on time and place. If two parties arrive in the same place at different times or in the same place at different times, they do not meet. The fact that God alone dictates the time and the place of the meeting determines from the outset the nature of the encounter between God and the people. Sometimes, He dictates only the time or only the place – as in the *Mishkan* and on Shabbat – but this depends solely on His will. According to this approach, the juxtaposition between Shabbat and the *Mishkan* was not intended to subordinate one of them to the other, but rather to note what they share in common – the encounter with God depends solely on His choice.

V. Kindling

The passage from *Parashat Vayakhel* that was cited above prohibits all labors in general, with the exception of one labor that is singled out and stated explicitly:

You shall kindle no fire throughout your habitations on the Sabbath day. (*Shemot* 35:4)

What is special about kindling a fire that it alone was spelled out explicitly? *Chazal* struggled with this question and offered two halakhic answers:

For it has been taught: The prohibition of kindling [on Shabbat] was singled out [from the general prohibition of work] to teach that it is merely the object of a negative precept; these are the words of R. Yose. But R. Natan says: It was particularly specified to indicate "separation." (*Sanhedrin* 62a)

According to R. Yose, kindling a fire is more lenient than the other labors. The assertion "Whoever does work on it shall be put to death," which was stated before it, does not apply to it, and so kindling a fire involves an ordinary negative precept. It is not clear why kindling a fire is forbidden by a more lenient prohibition than the other labors.

According to R. Natan, kindling a fire was specified in order to indicate "separation" – in other words, to clarify that the Shabbat is desecrated even with the performance of a single labor; one need not perform many labors to desecrate the Shabbat. It is not clear why kindling a fire was chosen to teach this.

Let us expand upon the position of R. Natan and then close with an explanation of the position of R. Yose.

It is possible that kindling expresses the essence of the prohibition of performing labor on Shabbat more so than do the others because it is the only labor that involves creating something out of nothing. Fire is created from something that did not exist before the person rubbed the two stones together or, in our day, lit a match. Therefore, this labor expresses the transition from sacred to mundane, as what happens during *havdala* on Motzaei Shabbat. We open the week with the allowance to create something from nothing on weekdays. Despite our human creativity, we bless God that it is He "who creates the light of the fire," and not us. Anthropologists and experts on ancient religions view the discovery of the secret of creating fire as the beginning of the human development that distinguishes man from all other creatures.

The Torah specifically records the prohibition of kindling a fire, and it would have been possible to conclude that it would be the only labor for which one is liable. But then we read of the building of the *Mishkan* and we discover that all of the labors of the *Mishkan* are treated like kindling; all of them are creative labors, for the highpoint of human creativity is the building of the *Mishkan*.

According to this, there is room for a position opposite that of R. Yose, a position that is more stringent about kindling than about the other labors:

For R. said: I found a secret scroll of the school of R. Chiyya, wherein it is written: Issi ben Yehuda said: There are thirty-nine principal labors, but one is liable only [for] one. (*Shabbat* 6b and 96b)

It seems that the meaning of the phrase, "but one is liable only [for] one," is that one is liable for only one of the forbidden labors.⁴ It might be suggested that the only labor for

⁴ Rashi (ad loc.) understands differently – that if one performed all of the labors in one period of unawareness, he is liable for only one sin-offering. This is a very forced explanation of the words of Issi ben Yehuda. In any event, the *gemara* in the end explains the matter very differently, as we will see below. The plain understanding of the words of Issi, in my humble opinion, follows our interpretation.

which one should have been liable, according to Issi ben Yehuda, is kindling, the only labor that is mentioned specifically in our *parasha*, which mentions the death penalty. For the reasons explained above, the other labors are only prohibited by an ordinary negative precept, the violation of which is punishable by flogging.

Perhaps this provides another explanation of the *mitzva* to light candles at the time that Shabbat enters. The woman (according to the prevalent custom) lights a fire, which is the labor that is most clearly forbidden on Shabbat, at the very moment that she rests from all labors. In this way, the moment that she rests from the prohibited labor and stops doing it, she accepts Shabbat. This rest from labor continues, as stated, until *havdala*, which involves renewed kindling of the *havdala* candle, which is the "one" labor, or the clearest and most explicitly prohibited labor. In this way, resting becomes a striking act, and not just a cessation of activity.⁵

The *gemara*, however, rejected this option, and reformulated the statement of Issi ben Yehuda so that he says something entirely different:

Rather, say thus: For one of these he is not liable. (*Shabbat* 6b)

In other words, he is liable for thirty eight labors, and for one labor alone he is not liable. Once again, we assume that this exceptional labor is kindling, but the *gemara* reverses the meaning of Issi ben Yehuda's words, so that they are now identical with those of R. Yose – that "kindling is merely the object of a negative precept," and that it is the only labor for which one is not liable for the death penalty. This understanding, however, is forced. The *gemara* in *Shabbat* (96b) suggests that it offered this forced explanation because we find that the gatherer of sticks in the wilderness was liable for the death penalty,⁶ and his transgression did not involve kindling, but rather reaping or binding sheaves.

However, according to the *gemara's* initial understanding and the plain meaning of Issi ben Yehuda's words, it is possible that Issi ben Yehuda understood that the "gatherer" gathered sticks and kindled them, similar to what is stated about the Tzidonian woman:

And she said, "As the Lord your God lives, I have nothing baked, but a handful of meal in a jar, and a little oil in the cruse: and, behold, **I am gathering two sticks**, that I may go in and prepare it for me and my son, that we may eat it and die." (*Melakhim* 17:12)

The woman gathered sticks for the purpose of kindling them in order to create a fire on which to prepare the flour for eating. It is also possible that Issi understood that gathering sticks for the purpose of kindling them is a derivative labor of

⁵ The *Acharonim* discuss the *mitzva* of "You shall put away leaven out of your house" (*Shemot* 12:15), stated with regard to Pesach. The simple understanding is that a person must take care that there is no *chametz* in his house on Pesach. However, the *Minchat Chinukh* (positive commandment 9) raises the possibility that a person must actively remove *chametz*, and that if he has no *chametz*, he must acquire some in order to remove it. It is possible that the prohibition of labor on Shabbat should be understood in a similar manner. Resting from labor does not mean refraining from work, but actively ceasing to work, as we have explained with regard to lighting Shabbat candles, refraining from kindling fire over the course of Shabbat, and renewed lighting of fire after Shabbat.

⁶ See *Bemidbar* 15:32-36.

the principle labor of kindling, and for that reason the gatherer was liable for the death penalty.

We must still explain the position of R. Yose that kindling is a more lenient prohibition than the other labors. It might be that kindling – owing to its vital role in basic human functioning, which requires light and heat – is not considered creative work even with respect to Shabbat,⁷ and so it is only forbidden by way of an ordinary negative precept that is not punishable by the death penalty.

(Translated by David Strauss)

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⁷ On *Yom Tov*, this labor is permitted outright, because it is not "*melekhet avoda*." We have suggested that, according to R. Yose, even on Shabbat this labor is one level lower in stringency.