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## THE IDEAL AND THE REAL

*Elohim created—but it does not say Adonai created, for the original plan was to create it with the quality of strict justice. He saw, however, that the world could not survive, so he began with the quality of mercy and joined it with the quality of justice, as it says, “on the day that Adonai Elohim made the earth and the heavens.”*

RASHI, BERESHIT 1:1

*A man plans, and God laughs.*

YIDDISH APHORISM

It is well known that the first two chapters of *Sefer Bereshit* record vastly differing versions of the creation story. Many suggestions have been offered to account for these differences, ranging from non-traditional Biblical criticism to kabbalistic to philosophical approaches. While it is not our intention to engage in an in-depth analysis of the two accounts, we would like to begin our discussion with a brief exploration.

The first chapter describes a world created by the Divine Architect from a master plan in which there is symmetry between the first three days and the second three days of creation, capped by a glorious seventh. In this creation there is a logical progression from the creation of matter and energy to vegetation followed by primitive life forms, and those life forms become increasingly complex till God creates Man in His image. After each creation God looks at His handiwork and sees that it is good, and is sometimes very good. By the time we reach the seventh day, the heavens and the earth and all that they contain are complete, so perfect that God can rest. There is no acrimony, no sin, no strife, no tree of life and death—and no interaction between Man and God.<sup>1</sup>

The second chapter begins with a self sustaining garden that nourishes the rest of the world, but a garden with potential for good and evil. Into this garden is thrust Man, who is given a specific instruction. Suddenly God “realizes” that Man is alone, and explores a variety of options to alleviate that loneliness. Only after a number of attempts is Woman created, bringing an end to Man’s loneliness. Soon after Man begins interacting with the garden and its creations, he sins.

What seems to be missing from this second version is any sense of plan, order or direction. God “realizes” that Man is alone, efforts to alleviate that loneliness are met with frustration, and Man himself is guilty of poor judgement. This second creation story is filled with missteps and errors, to the point that God’s original intent of planting Man in the garden seems to have been foiled forever as the gates to the garden are sealed by a guardian angel. The sense of perfection, of “*ki tov*,” is conspicuously absent.

I suggest that the first creation story represents God’s plan for the world as it should have been. In this Divine plan, created by God with no external input, the world is, indeed, a perfect place. “*Ki tov*” reigns, as everything God designs will, of course, reflect His perfection. Included in this is the perfect Man who, by dint of his perfection, is incapable of sin. Any instructions received from God are less instructions than they are definitions of facts. Man *will* eat only vegetation, because God instructed-deemed it. There is no potential for disobeying or misunderstanding, just as angels have no capacity to err.

This idealized creation story, however, may be just that—an idealized version. The Torah describes what God would have liked creation to look like, in essence—God’s plan for the world, or, what He would like the world to look like. In the classic language of the *Zohar*, it is the blueprint for the world. The reality of the world as we know it, the execution of that blueprint, however, turned out somewhat differently, and it is the unfolding of the world as we know it which is described in the second Creation story. In the realization of the plan there are trials and errors, mistakes and sins. In the world God actually created Man has the capacity for good and bad, and thereby has the capability of shaping the world through exercising his choice of good and evil. “*Eleh toldot ha-shamayyim vaha-arets behibar’am*—this is the development of the heavens and the earth as they were actually created.”

How can one be so bold as to suggest that God’s plan was not implemented? Doesn’t the Almighty have the power to do as He pleases?

It would appear that the Torah presents us with two images. The

first is an image of a perfect ideal, as can exist only in a Divine and flawless world. But that flawless world serves no purpose—it just exists, meaningless and devoid of any potential. To create potential for meaning God creates Man—with the capacity for independent, creative thought and, with that, opens the possibility for man to do both good and evil. To truly grant Man independence of thought and action and freedom of expression, the Torah must anticipate the possibility that the world will deviate from the idealized plan, and that is the story told in the second version of the creation. In this second image there is Divine retraction from the world, opening the possibilities for His creations to act independently, even if the price is a loss of perfection.

Both versions of the story are necessary. The first demonstrates to Man what the world is capable of becoming and serves as a blueprint for a perfect universe. Precisely because it is perfect it is virtually unachievable by mortals and belongs in the celestial spheres, yet it was revealed by God because it represents the ultimate goal of human activity on earth. The second version is the creation as it actually happened and continues to unfold as we strive to bring our flawed world, influenced by mortal imperfection to resemble the flawless, Divine model. The first story is our destination, while the second reflects our furtive, fitful efforts to reach it.

The comment of Rashi cited in the opening of this essay demonstrates this very idea.<sup>2</sup> Initially, God desired to create the world so that it would operate with *middat ha-din*, strict justice.<sup>3</sup> In such a world no violation of God's law would be tolerated, and the gift of life would be instantly revoked in response to such violation. Such a world, however, could not survive. Man's unpredictability, given his freedom to make choices, demands a world that is flexible enough to accommodate non-perfection. Recognizing that, God modifies His plan and merges *middat ha-din* with *middat ha-rahamim*, allowing for flexibility within the rules and introducing mercy to soften justice.<sup>4</sup> Chapter 1 is the perfect world of *middat ha-din*, a world that never exists outside of God's idealized conception and cannot possibly exist. Chapters 2 and onward are a description of the world He actually creates.

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It is possible that the duality of an impossible, idealized Divine plan followed by a realistic one adapted to the needs of mortals and in which human behavior is accounted for is not unique to the Creation story, and may be a paradigm for analyzing a variety of texts throughout *Torah She-bikhtav*, later reflected as well as in *Torah She-be'al Peh*.

Take, for example, the Flood story. A close analysis of the text reveals that the flood is not so much a destruction of the world as much as it is an un-creation of it. That is, each progressive stage of creation as described in the beginning of *Sefer Bereshit* is undone, till the point that the *raki'a* separating the upper waters from the lower waters is also undone. That being the case, the world after the flood is not simply in the process of drying out; rather, it is being re-created.<sup>5</sup>

This new creation of the world, however, is significantly different from the original creation plan. One of the fundamental differences is that in the original plan God alone is responsible for the creation, implanting Man into a preconceived world imposed from on high. In the re-creation story Man is an active partner in the creation of the world from the outset. It is Man who introduces plant and animal life into the new world.

The significance of this difference is reflected in a number of ways. As Man becomes an active partner in creation his sense of responsibility for that creation is greatly enhanced. As such, there is less likelihood for the type of self-destructive behavior responsible for the undoing of the first creation. A Man who plants his own garden is much more likely to internalize the value of *le'ovdah u-leshomrah* since he has a vested interest in protecting his investment of energies, and therefore need not be specifically instructed in this regard.

God Himself reflects this difference in the blessing He gives Man following each creation. In the blessing of the first creation, Man is told to conquer the world—*ve-khivshuha*.<sup>6</sup> This instruction to conquer the world is conspicuously absent from the counterpart to this blessing in the re-creation story.<sup>7</sup> While there may be many explanations for this change it would seem that in the re-creation of the world there is no need to tell Man to conquer it, since as a co-creator, he is already a master of the world. This is in contrast to the original creation story, in which Man begins as simply another creation of the Divine Creator who needs to be charged with a mission regarding the world into which he was implanted.

Additionally, in the instruction given to Man regarding permitted foods there is again a shift from the original creation story to the re-creation story. There is, of course, the change in the menu. Whereas in the first creation Man is not permitted to consume other living creatures, in the re-creation this is permitted. Once again, if Man is simply another creation, albeit elevated from the other creatures, then he would have no right to take the life of any other. If, however, Man is a partner in

the creation, as post-diluvian Man is, then the other animals are, to an extent, his creations, and as such his rights regarding them are significantly enhanced.<sup>8</sup>

There is, however, another subtle distinction between the two stories in this regard. In the original Creation story God simply “informs” Man of the rules—*Va-yomer Elohim*—and those rules are kept as are any other rules of nature—*va-yehi khen*. Man does not have a choice as to whether the laws of gravity or covalent bonding are adhered to, and he is similarly given no choice as to whether the laws of consumption will be adhered to. It is simply—*va-yehi khen*. This is quite different in the re-creation story. As Man becomes a creator he becomes invested with responsibilities, and choices. The instruction regarding consumption of food in the re-creation are accompanied by the warning of accountability for non-compliance.<sup>9</sup>

The difference between the original creation and the re-creation of the world after the flood is clear. The first is designed by God without apparent consideration as to how it would be impacted upon through its interaction with mankind, the second is designed with both explicit and implicit participation of Man and acknowledgment of his role and responsibility therein. A creation in which Man plays no role is static. A dynamic world which allows for Man’s interaction but does not specifically account for his impact simply cannot succeed. God’s plan sets for Man an ideal to strive for; how Man reaches that ideal is dynamic and, to a large extent, determined by Man himself.

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Outside of *Sefer Bereshit* there are expressions of this as well. Perhaps the clearest explication of this notion is offered by Rav Yosef Dov ben Yitzhak Ze’ev haLevi Soloveitchik in his *Bet Halevi*.<sup>10</sup> Commenting on the difference between the first and second sets of tablets, he focuses on the context of the events in *Parashat Ki Tissa* and relevant midrashic comments.<sup>11</sup> In that description he notices that the first set of tablets are entirely Divine in nature—“*ve-haluhot ma’aseh Elohim heima ve-hamikhstav mikhtav Elohim hu*” (*Shemot* 32:16). In contrast, Moshe carves the tablets for the second set and God inscribes them. “*Pe’sol lekha she’nei luhot . . . Ve-khatavti ’al haluhot*” (*ibid.* 34:1).

This distinction, suggests the *Bet Halevi*, is emblematic of the fundamental shift in the nature of God’s relationship with Man expressed through Torah. Initially, the Torah handed to Moshe is conceived and

created solely by God himself. Both the physical tablets and the writing on them are other-worldly, and both are showered on Man as a gift from the heavens. That Torah is complete and all-encompassing; it contained both the *Torah she-Bikhtav* and the *Torah she-Be'al peh* and needed no further input from Man. In that Torah there is no room for sin, hence no need for punishment or exile. The Jewish People are to take their pure Torah directly into the Land of Israel and usher in an age of perfection.

That vision, of course, remains nothing more than a vision. It may be the expression of God's idealized plan, but it bears little resemblance to the reality of who His people were. In fact, at the very moment that Torah is being placed into Moshe's hands, Benei Yisrael are busy preparing their feast for the golden calf. Those original tablets never make it to earth intact. In smashing those Divine *luchos*, Moshe demonstrates that they do not belong on this earth.

Eighty days later Moshe receives a second set of *luchos*. Those, however, bear Moshe's imprint—after all, he carves the stones himself. They represent a Torah for which Man works with God in partnership, just as God inscribes the tablets carved by Moshe. In that Torah, says the Bet Halevi, *Torah she-Be'al Peh* is not fixed in stone but dynamic, subject to human interpretation and making allowances for human weakness and errors. Yet it is precisely that human element that transforms *Torat Hashem* into *Torat Hayyim*—a Torah that lives and breathes as we do, constantly responding to human input and expanding with the ever-changing human condition.<sup>12</sup>

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One variation on this theme, which is prominent in *Sefer Shemot*, presents Moshe as the one responsible for translating the Divine word into language understood by Man. One of the key aspects of Moshe in *Sefer Shemot* is his capacity and responsibility to transmit the word of God to the people. It is this role which earned him the epithet *Rabbenu*, as he is our prime teacher. Early on, Moshe begins exercising judgement on how to transmit God's message to mankind and, in the process, sometimes adjusts God's message so that it will be more intelligible to mortals. God's plan needs translation to be effective in a world filled with human independence. A number of examples will help illustrate the point.

In Moshe's initial encounter with God he asks for signs through which he can demonstrate to the people that he is indeed a Divine messenger. God provides him with three miraculous demonstrations—the

staff which transforms into a serpent, the mysteriously appearing and disappearing *tsara'at*, and the ability to turn water into blood—and gives Moshe specific instructions that he is to introduce the second sign only if the people aren't convinced by the first, and the third if they aren't convinced by any of the prior two.<sup>13</sup> This detail of the plan is conspicuously absent in the description of its implementation, in which the Torah simply describes that Moshe demonstrated the signs.<sup>14</sup> Apparently, Moshe decided that performing the miraculous signs from the outset would be more effective in convincing the people than allowing them room to doubt him.

A similar adjustment is made by Moshe in his initial approach to *Par'oh*. A careful analysis of God's instruction to Moshe (3:18) and the description of Moshe's actual presentation to *Par'oh* (5:3) reveals a number of subtle differences. While it is beyond the scope of this essay to discuss all those differences, we will suffice with a single example. As Moshe stands before *Par'oh* he states, "The God of the Hebrews has called upon us; let us go for three days in the wilderness and slaughter to our God *lest He smite us with plague or pestilence.*" The italicized words are nowhere to be found in God's instruction to Moshe; they are his own addition. Apparently, Moshe feels that *Par'oh* would not relate to the notion of worship unless it was connected to the appeasement of some divine figure to prevent incurring its wrath. While such a concept is foreign to Judaism it was popular amongst pagans, and Moshe feels the need to insert it to try to win *Par'oh's* acquiescence.

While the above examples may appear minor they are indicative of a broader pattern of behavior exhibited by Moshe, some of which has profound implications. Chapter 19 of *Sefer Shemot* describes the preparations required for the theophany. The discrepancy between God's instructions to Moshe of a two day preparatory period and Moshe's transmittal of those instructions as a three day period is well known and need not be repeated here.<sup>15</sup> More significant is that Moshe changes the nature of the preparation and the very event they are to prepare for. God instructs Moshe (verse 11) to prepare the people for His revelation on the third day. One would imagine that the preparation for an event of such cosmic significance would be multi-faceted and comprehensive. It is surprising that in Moshe's instruction to the people (verse 15) he omits any mention of the upcoming event, and limits the preparation to a washing of the clothes and the separation between men and women. No wonder, then, that the people are frightened on the third day (verse 16) when the most awesome event in the history of mankind begins to

unfold. They had no idea to expect a spectacle of such an overwhelming nature and importance.

Moshe's efforts in this matter were not merely technical deviations from the instructions he was given, but reflect a profoundly different perspective on the very nature of the experience at *Har Sinai*. It is interesting that God's description of the upcoming events (verses 1-6) are broad and sweeping—this ragged band of freed slaves recently forming a fledgling nation is to enter into a covenantal relationship with God, in which their role as God's emissaries on earth would encompass every aspect and every moment of their lives. They are to become a kingdom of priests and a holy nation, entrusted with a mission to spread God's word to all mankind. In the ideal, the Revelation at *Har Sinai* should be accompanied by a *berit*.<sup>16</sup>

Entering a *berit* with God is a qualitatively different type of commitment and requires a fundamentally different kind of preparation than acceptance of a responsibility to perform a limited list of *mitsvot*. The Jewish people, fresh from a lifetime of slavery, are on the one hand used to heeding detailed instructions and on the other hand alien to the concept of a covenantal relationship, especially with a God they barely recognize. Their limited response of *na'aseh* (19:8), as opposed to the more expansive *na'aseh venishma*, may be reflective of their commitment.<sup>17</sup> This may explain why, when Moshe brings news of the people's response to God (19:8), God does not respond; Moshe thus feels it necessary to repeat their response in the following verse. While Moshe is satisfied with their limited acceptance of *mitsvot*, God is 'hoping' for a deeper commitment to a *berit*. Moshe understands that while his nation is not yet ready for covenantal commitment, they are prepared to enter into a more limited relationship with God, and Moshe is willing to delay the greater commitment to a time he deems appropriate. In doing so, he needs to transform the grand revelation into a more limited acceptance of clearly delineated responsibilities, and introduces the *berit* to his people but only when he thinks they are ready—only after they commit to God on a more limited basis. This broader commitment is eventually achieved, but only when Moshe believes the people are prepared. Eventually he creates a ceremony when he thinks the time is ripe, forcing the issue and pressing the people for a response he deems acceptable.<sup>18</sup> It is for this same reason that, despite God's instruction in 24:1 that Moshe and the elders ascend the mountain, Moshe delays fulfilling that command till after he is convinced of the people's commitment to the covenant. Once again Moshe exercises his role as *Rabbenu*—trans-



mitting and transforming the pristine and Divine Torah into a message the people can understand and accept. Moshe is the vehicle through which the Divine and perfect Torah interfaces with imperfect Man.

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Illustrations of the thesis that the Torah presents us with two modes of God's interaction with man—one reflecting an idealized world and the other adjusted to be workable and practicable—can be found throughout *Humash*.<sup>19</sup> While it would be presumptuous (and probably incorrect) to suggest that every repetition of an event in *Humash* can be analyzed through this perspective, recognizing that the *Humash* sometimes uses this model can be added to our ever-growing arsenal of tools used to analyze and bring coherence to the text.

It is not only in *Humash* that this exegetical tool can be employed, but in *Nakh* as well; furthermore, it is not only in parts of a *sefer* that this model works, but entire *sefarim* can be viewed this way. We will limit ourselves to one example from *Nakh*.

*Megillat Rut* is marked by an absence of violence or strife, and the central dramatic tension in the story revolves around whether or not the hero Boaz and the heroine Rut will finally be united. The story is seemingly timeless, highlighting the small heroic acts of kindness of a few individuals, redeeming themselves and those in their small circle. It seems strange, then, that the author would intentionally limit the story by placing it in the era of the *shofetim*, while simultaneously being vague about the specific timing of its occurrence.<sup>20</sup> Equally odd is the closing section of the *megilla*, identifying the family tree of Boaz both backwards (to Perets) and forwards (to David). A third, related issue is why this story is not incorporated into its appropriate historical place in *Sefer Shofetim*.

What we suggest is that the function of *Megillat Rut* extends beyond the apparent issues contained within the actual story, and can be read as an idealized description of the transition from the era of the judges to the era of monarchy—opening with *va-yehi bimeit shefot ha-shofetim* and closing with *ve-Yishai holid et David*. In this story the transition is smooth and bloodless. There is no violence, no conflict and no confrontation. Quite the opposite—it is marked by acts of unsolicited kindness, generosity, loving and selflessness. It represents the transition from judges to monarchy the way it would have looked in an ideal world, as the result cooperation rather than conflict, selflessness rather

than selfishness, patience and proper timing rather than impulsivity, communal bonding rather than civil war.

This smooth transition, however ideal, does not materialize as envisioned. In *I Shemuel* 8 the people jump, as it were, out of turn and prematurely ask for a king.<sup>21</sup> Shemuel is unhappy with the request, setting up a confrontation between himself and the people. Eventually a king is anointed, but his coronation is marred by the lack of unanimous acceptance of his authority.<sup>22</sup> More conflict develops when Shaul refuses to accept the limits of his dynasty, leading to years of bloody civil war and perhaps even planting the seeds for the eventual splitting of the monarchy.

Aside from the inherent message of the story in *Megillat Rut*, its presentation of the missed opportunity for the emergence of a monarchy stands in stark contrast to the less pleasant alternative chosen. In an ideal world, free of misguided human impulse, the transition to monarchy (and the perhaps the monarchy itself) would have been marked by unsolicited *bessed*. In the real world, however, Man's involvement forces a different direction and unfolding of human history. The transition, as it really happens lurches fitfully toward the model designed by God, but not without intense pain and suffering. God's ideal plan and Man's imperfect implementation coexist, as they must.

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Rambam's view on the sanctification of the Land of Israel is well known—the initial sanctification of the land (in the days of Yehoshua) was only in effect while the Jews were in the land. Once they were exiled that sanctification was voided. The second sanctification (in the days of Ezra), however, is permanent. Even after exile the land remains sanctified. Rambam himself explains the difference by distinguishing between Joshua's military conquest of the land by force and Ezra's settling of the land.<sup>23</sup>

We offer an additional explanation based on the accounts offered in Tanakh of the two conquests of the land. The initial conquest is filled with overt Divine intervention—the collapse of the walls of Yeriho, the sun standing still in the Ayalon valley, the stones falling from the heavens to pummel the Emori at Giv'on. And when the actions of the Jewish People displease God, He withholds His supernatural military intervention leading to their defeat.

This is in stark contrast to Ezra's conquest, which is slow and apparently without miraculous intercession. With the sword in one

hand and the builder's tools in the other, Ezra and his followers, brick by brick, establish their presence in the land.

It appears that the sanctity emerging from a conquest devised by God and dependent on His direct intervention lasts only as long as the miracles themselves. As the empire collapses the sanctity of the land evaporates. The sanctity emerging from human input, however, has its own permanence. Rabbi Soloveitchik often noted that only objects created or identified by Man have lasting sanctity. The sanctity of Mount Sinai, chosen by God, vanished with the conclusion of the theophany. Simply, sanctity imposed by God upon this world cannot have permanence because God's sanctity is otherworldly. Sanctity created by Man in partnership with God has already been translated into terms which are comprehensible to Man, and can endure in a world inhabited by Man. Yet again, the Divine ideal is moderated by its encounter with the human reality.

The first sanctification of the land of Israel was imposed from above, through miraculous intervention. Such a sanctification is, by its essence, tenuous. The second sanctification, inspired by God but conceived and implemented by Man, endures in perpetuity.

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We need not be afraid of a world in which God's plans can seemingly be foiled by Man and in which Man seems to be in control. That God's plans don't necessarily work in this world does not reflect a flaw in those plans, but the unpredictable nature of Man and the inappropriate expectation that a human world will function flawlessly. That Man is endowed with the power to direct the course of events and given the freedom to make choices, regardless of the impact of those choices, is an integral component of the nature of the world God created and the nature of the relationship God established with Man. By giving us the blueprints for the world God assures us that our world will, eventually, asymptotically approximate those blueprints. Yet while we take comfort in knowing that our ultimate destination is fixed, the path through which we arrive at that destination is not. We have the ability, if not the responsibility, to chart the best possible course.

NOTES

1. Although God does bless mankind in verse 28, that can hardly be considered a form of interaction. It is, at best, a one-way communication, not fundamentally different from the blessing given to the fish in verse 22. What appears to be an instruction to Man in verses 29-30 is, in fact, no more than the establishment of additional rules of nature—simply indicating that certain items will be effective sources of nourishment for certain other created beings. This is evidenced by the conclusion of verse 30, “*va-yehi khen*—and so it was.” I am thankful to Shalom Carmy for pointing out that the Rav’s *Lonely Man of Faith* assumes a difference between what God says in *Peru u’Revu* (chapter 1) and the communication in chapter 2. In a forthcoming article he will offer additional evidence regarding this.
2. See Maharal, *Gur Aryeh s.v. she’ala bamakshava*, who also understands a world of *din* as an ideal, with *rahamim* introduced to allow for the world’s continued existence. See also *Tiferet Yisrael* chapter 26 for more on Maharal’s presentation of this idea. *Bereshit Rabba* section 12 has a different version of Rashi’s comment.
3. Indicated by the name *Elohim*, prominent throughout Chapter 1.
4. Indicated by the name *Adonai Elohim*, prominent in Chapters 2-3.
5. See for example, *Bereshit* 6:11, and its counterpart in *Bereshit* 8:2. Indeed, in his discussion of the Flood, Cassuto develops the chiasmic structure of the story, suggesting that the second half of the story undoes the damage wrought the first half. We add that the first half of the story is an undoing of the original Creation.
6. *Ibid* 1:28.
7. *Ibid* 9:1.
8. See Ramban on *Bereshit* 1:29, who argues that since Noah saved the lives of the animals they owe their lives to him. Ramban adds that there are nonetheless limitations on Man’s rights regarding animals, such as the prohibition of *eiver min hahai*.
9. *Ibid* 9:4-6.
10. *Bet Halevi*, *Drush* 18.
11. *Bet Halevi* avoids comparing the texts of *Parashiyot Yitro* and *va-Ethanan*, as these are not necessarily reflective of the two sets of tablets.
12. See *BT Bava Metsia* 59b and *BT Menahot* 29b. For a fuller discussion of issues related to this see Moshe Koppel’s *Meta-Halakha: Logic, Intuition, and the Unfolding of Jewish Law* (1997: Jason Aronson, NJ).
13. *Shemot* 4:1-9.
14. *Ibid* 4:30.
15. Cf. *Shemot* 19:11 and 19:15. See *BT Shabbat* 87a for a discussion of this.
16. This may explain why Rashi, in his opening comment to Chapter 24, suggests that the events described in the chapter actually occurred prior to the theophany of Chapter 20—so that the entry into the covenant coincide with the Revelation.
17. The famous response of *na’aseh ve-nishma* does not appear till Chapter 24, four chapters *after* the revelation, in the context of the *berit* ceremony which Moshe himself introduces. We suggest that *na’aseh* indicates an

- acceptance to observe and perform commands, but does not imply a broader commitment to sweeping ideals and missions. That commitment is expressed by *nishma*, which is absent till Moshe insists upon it in the *berit* ceremony he conducts in Chapter 24.
18. Along similar lines, it is worth noting that in Chapter 24 Moshe presents the Jews with *kol divrei Adonai* and the *mishpatim*. After their vague acceptance of *na'aseh* (v. 3), Moshe writes the *kol divrei Adonai* (but not the *mishpatim*!) into a book later identified as *sefer ha-berit*—the book of the covenant. It is this document that he reads to them in the midst of the covenant ceremony, waiting for their response before concluding that ceremony with the sprinkling of the blood on the people. It would appear that prior to that moment Moshe is still unsatisfied with the people's commitment to the covenant.
  19. Many other applications of this model can be found. In *Sefer Bemidbar Sinai*, for example, Rabbi Yosef Dov Soloveitchik developed this idea in a famous *shiur* delivered on *Parashat Beha'alotekha* revolving around the inverted *nun*'s and the section of *vayehi binso'a ha-aron*. (Tapes of the *shiur* as well as transcribed notes are widely available.) Some of the repetitive nature of *Sefer Devarim* can be understood using this general approach. Also, a close reading of the difference between the first and third chapters of the book of Yonah can be understood as God modifying Yonah's task so that Yonah can fulfill it.
  20. *Midrash Rut* cites a number of opinions regarding the exact timing of the the *megilla*, ranging from Shamgar and Ehud to Ivtsan. Others put the *megilla* in the days of Eli.
  21. See *Tosefta Sanhedrin* 4:4, "And so R. Yehuda would say: The Jews were commanded three *mitsvot* upon their entry into the land—to appoint for themselves a king, to build for themselves a Temple, and to obliterate the descendants of Amalek. If so, why were they punished in the days of Shemuel [in asking for a king]? Because they asked too early."
  22. That he is not from the tribe of *Yehuda* may have played a role in the difficulties he faces.
  23. Rambam, *Hilkhot Bet haBehira* 6:16. Rabbi Y. D. Soloveitchik, in his *Al haTeshuva*, offers another homiletic interpretation.