

By Rabbi Avrohom Lipszyc

"We Will Do" the Mitzvot, "and we will Hear (study; understand)" the Torah

**Bottom-Line:**

1. (-Exodus 24:4) "And Moses wrote all the words of the L-rd," Rashi: "'And Moses wrote': (i) [the Torah's text] from 'In the beginning' (-Gen 1:1), until the giving of the Torah. (ii) And he wrote the commandments that they were commanded in Marah."
2. (-Exodus 24:3) "So Moses came and told the people all the words of the L-rd and all the ordinances," Rashi: "'All the words of the L-rd': The commandments of separation [of the men from the women for three days before the Torah was given] and setting boundaries [around the mountain so that people would not cross]." "And all the ordinances': The seven commandments that the Noachides were commanded, (ordinances of) Sabbath, honoring one's father and mother, the Red Heifer, and of Jurisprudence, which were given to them in Marah."
3. (-Exodus 24:7) "And he took the Book of the Covenant and read it within the hearing of the people, and they said, 'All that the L-rd spoke we will do and we will hear,'" Rashi: "'The Book of the Covenant': (i) From 'In the beginning' (-Gen 1:1) until the giving of the Torah (ii) and the commandments that they were commanded in Marah."

Rashi (unlike Nachmanides) holds that (-Exodus 24:7), "And to Moses He said, 'Come up to the L-rd,'" and that Moses said and wrote the covenant between Israel and G-d on the 4<sup>th</sup> of Sivan, before the Giving of the Torah. And that is when, "So Moses came and told the people all the words of the L-rd and all the ordinances." Therefore, the only "words of G-d," there were was, "The commandments of separation and setting boundaries," and the only, "all the ordinances," there were was, "The seven commandments that the Noachides were commanded, (ordinances of) Sabbath, honoring one's father and mother, the Red Heifer, and of Jurisprudence, which were given to them in Marah." So too, the "The Book (which, "And Moses wrote" was but to strengthen) of the Covenant," is only of what already existed in binding Israel to G-d, which are the portions of, "The strength of His works He related to His people," from the beginning of Genesis unto the present (Giving of the Torah), and the only mitzvot that they had already received from G-d, "the commandments that they were commanded in Marah."

The reason why Rashi separates the two (a. from "In the beginning" until the giving of the Torah. b. The commandments that they were commanded in Marah) with the word, "And he wrote" is because the portions from Genesis until present were written exactly as they remain presently in the Torah, while the commandments they received in Marah could not be written as they are presently written in the Torah (i. e. the Red Heifer: "This is the statute of the Torah... And you shall give it to Eleazar the Kohen..."), but only as, "And he wrote the commandments." And with this we understand that Rashi is telling us that in, "The Book of the Covenant," was these two different types of writing ("(i) From 'In the beginning' until the giving of the Torah (ii) and the commandments that they were commanded in Marah,") put together as one, being that until the Torah was given there was no reason to have them kept separately. And upon these two different writings, that of Torah-portion, and that of Mitzvot, Israel responded, "We will do," the Mitzvot (said first, because the primary focus of the Torah is to observe its mitzvot), and then, "We will hear," meaning to study the Torah-portions they just received in the Book of the Covenant.

**Wondrous Concept in Rashi:** (-Gittin 60a), "The Torah was given as a complete (book)," Rashi: "Was not written until the end of forty years, after all the portions were entirely said. And those that were said in the first and second year were organized by him orally, until they were written (at the end of the 40 years.)" Being that, even though, "From Genesis until the Giving of the Torah," were all portions written as they would be in the Torah 40 years later, nevertheless, they were not written as a Torah, but with the commandments of Marah as one Book of the Covenant. Hence, only at the end of the 40 years when they written together with the rest of the Torah-portions, as a Sefer Torah, was there for the first time, these portions, together with the remaining portions written and given as one complete Torah.

**Mystical Wine within Rashi:** By Rashi explaining that the covenant between Israel and G-d took place before the Giving of the Torah, we have an amazing virtue to the covenant. After the Giving of the Torah, where: (i) The decree of separation between the spiritual and the physical was broken, (ii) G-d Himself started this, "And G-d descended upon the mountain," and, (iii) "I have placed My Essence within the Torah," the entire covenant came only from Above, superimposed upon the person below, transporting the person completely outside of the capacity and properties of a creation. Hence, the person, as a person, had no participation within the covenant. However, according to Rashi, that the covenant took place before the Torah, where the Torah, together with the Divinity within the Torah's, relationship with the person was only in accordance to the limitations and properties of a creation, hence, in this covenant there was the internal refinement, correction, and transformation of the person himself, which then made the person, as a creation, worthy of receiving the Torah, as it is one with G-d, beyond the capacity of a creation!

Hence, according to Rashi, the, "And he wrote," were two writings and concepts within the covenant: (i) Torah-portions (ii) Mitzvot of Marah. Because from the person's creation Point-of-View, Torah and Mitzvot are two things, and therefore they said, "(i) We will do and (ii) we will hear." However, according to those who say that the covenant was after the Giving of the Torah, and was all about the paradigm of the Creator (not creation) hence, they say that there was only one writing, for G-d is one, and His Torah is one, the Torah and its Mitzvot are but one, from the paradigm of Creator.