

Moshe came down from Har Sinai a second time, and now his face was glowing. He gathered the People to him to teach them Torah.

וַיִּקְהַל מֹשֶׁה אֶת-כָּל-עֵדֻת בְּנֵי יִשְׂרָאֵל וַיֹּאמֶר אֲלֵהֶם אֱלֹהֵהּ הַדְּבָרִים אֲשֶׁר-צִוָּה ה' לַעֲשׂוֹת אִתְּכֶם:
 “And Moshe gathered the entire congregation of the Bnei Yisroel, and he said to them, ‘These are the words that HaShem commanded us to do them.’ (Shemos 35:1).

The Bnei Yisroel were at a crossroads here. They may not have known the drama that Moshe experienced up on Har Sinai but they did know that just three months after being redeemed from slavery, and just six weeks after hearing HaShem’s own voice, they succumbed to their desires for wealth and division. Moshe came down from Har Sinai with a second chance.

The first Laws that Moshe teaches Bnei Yisroel is Shabbos. Given the idolatry that the Bnei Yisroel engaged in why didn’t Moshe start with “I am HaShem who took you out of Mitzrayim?” (See Shemos 20:2). Moshe could have also started with “You shall not have any other gods before HaShem.” (Ibid 20:3). Instead, he started with the fourth of the ten categories, Shabbos. Why? Also, what is the significance of gathering Bnei Yisroel. Previously, when Moshe wanted to teach the Bnei Yisroel he either went to the elders. (Ibid 19:7) or he would speak to the “עַם” or “nation/people,” without introduction (Ibid 19:25). Here the passuk specifically tells that he gathered them.

Gemara Yerushalmi Shabbos 7:2 says *why did it say here that “these are the things that HaShem commanded.” What is the significance of “these are the things?” We add the letters in the word ‘these’ and they are: א for one, ח for eight, and ל for thirty. That is the thirty-nine categories of malocha, forbidden work on Shabbos.*

Now, the word is made up of alef, hei, lamed, not ches. The explanation is that Chazal can interchange a hei and a ches as they look so similar.

In Gemara Bavli Shabbos 70a it enhances this concept. *The word things teach us that more than one lesson is learned from here, otherwise it would say singular ‘thing.’ And the extra word ‘these’ teaches us a third lesson. Now we have one, thirty, and five as the numerical value of the words in ‘these.’ Add the three extra lessons, that totals thirty-nine.*

Regardless of this clever numeral play, the point that there are thirty-nine categories is not stated explicitly in the Torah. It is a reference for the thirty-nine categories that Chazal enumerated that they found ‘hidden’ in the Torah’s wording here. I would add that we have explicitly stated in

the Torah the melochos of harvesting and plowing (Ibid 34:21), fire (Ibid 35:3), and gathering (Bamidbar 15:32). It is the thirty-six categories enumerated by Chazal and found reference to in *these*, plus the three explicitly stated in the Torah, 39. This, too is not perfect, because gathering is actually mentioned another time (see Shemos 16:23 – not to gather the manna) and harvesting and plowing are actually two separate melochos. Although, gathering can be considered a sub-category of harvesting, which would be three (fire, harvesting, plowing). We note that regardless of explicit enumeration, it is the position of Gemara and halachic authorities that the thirty-nine categories are all *d'eoreisa*.

Ohr Chaim says *the proof that the categories are found in these words is because the passuk also says 'to do them.'* *Them is plural. If Shabbos was one commandment, 'do not do work' then it would be 'it.'* *However, Shabbos is actually thirty-nine separate commandments.*

Rashi says *this gathering of the people was forthwith when Moshe came down from Har Sinai. It is not a literal gathering by hand, but by verbal command, calling out to them to come.*

Chizkuni learns *Moshe gathered the people upon coming down from the mountain.*

Ibin Ezra says, *blessed is the most-high Lord Who led his people with might. Through His messenger Whose face shined as the light of the sun. He commanded Moshe on the mountain to prepare a tent for his dwelling. The words 'these things' refer not to Shabbos but to the building of the Mishkan. Moshe gathered the people to tell them about the Mishkan. He reminded them about Shabbos so that even though the Mishkan was holy work, it still could not be done on Shabbos.*

Ramban says *gathering all the congregation means men and woman for everyone was obligated and had a portion in the work. After Moshe was able to obtain forgiveness for the Bnei Yisroel he gave them work that showed everyone was now renewed in their favor before HaShem. The work of the Mishkan did not supersede Shabbos as is learned from the words in the next passuk "six days you shall do work but on Shabbos you shall have a complete rest." Six days a week to work on the Mishkan and on Shabbos they would rest.*

Sforno says, *'these things' refers to all matters that HaShem taught Moshe on Har Sinai both the first time and the second time.*

Alshich says, *look and see that it is not fitting to profane Shabbos with the work of the Mishkan. For the Mishkan and all its keilim are only holy once they are inaugurated into use. Until*

then all the work is only a preparation for something that will only be holy after its making. However, there is no need to say that Shabbos is intrinsically holy as of course Shabbos is.

This would explain why the service in the Mishkan supersedes Shabbos (e.g. shechting, making a fire) because at that point the work is holy. It is no longer ‘work’ but engaging in holiness.

Chizkuni and Malbim say, *these things are the rules that the Mishkan work cannot superseded Shabbos. This is because Shabbos is the ultimate holy day and it is also a day of judgment. The Mishkan work must not be done on it.*

Ohr Chaim addresses *Moshe always gathered the people to speak to them. How else could he talk to them? It mentions it here, specifically, that he gathered them to him because they were afraid to approach him due to the light shining from his face and their humility after the chet haeigel. “All” is also used to say that the orphan, the poor, and the rich were all equal when they stood before Moshe or when doing the work of HaShem.*

Rashbam says *the gathering was for the census and the half-shekel. (See Ibid 30:12-13). It was also to learn the laws of making the Mishkan.*

Accordingly, Moshe did the two things that saved the lives of the Bnei Yisroel. He collected their “atonement for his soul” (Ibid 30:12) which was the half-shekel. He also instructed them on building the Mishkan, which would bring them close to Hashem and be the opposite of idolatry.

Moshe learned that the work for the Mishkan cannot be done on Shabbos on Har Sinai the first time, as the passuk says, “And you, speak to the Bnei Yisroel and say: 'But only (ach) keep My Sabbos! For it is a sign between Me and you for your generations, to know that I, HaShem, make you holy.’” (Ibid 31:13). The word אָח is used as an exception, or a ‘however’ to the previous tutelage. (See also Ibid 12:15 where it signifies an extra important obligation to eat matzo that day and also have no chometz from the day before).

It is possible that Moshe already taught Bnei Yisroel what was told to him on Har Sinai the first time. Before he went up a second time onto Har Sinai he “pitched his tent outside the camp, distancing himself from the camp, and he called it the Tent of Meeting; and it would be that anyone seeking HaShem would go out to the Tent of Meeting, which was outside the camp.” (Ibid 33:7). At that point, however, it appears that it was only those that sought to learn would come to learn. Contrast that to here when Moshe gathered the entire people to teach them.

Moshe gathered the people and started with Shabbos for a few important reasons. First, he called them a congregation. They were no longer to be scattered and divided like they were by the incident of the chet ha'eigel. Their division was clear by the eigel because they used the words “you” and “your” instead of “us” and “our.” (See Ibid 32:4). There was a clear sign of me versus you. There was also a division when Moshe called out “who is for Hashem” (Ibid 32:26) and only some responded. Now, Moshe gathered them all together as one congregation. They are all part of one organization, one tribe, one family, one nation. They can all serve together and they can all be equal in how they serve HaShem. Each to his or her status, abilities, and desires. The opportunity to serve HaShem as one congregation is present again. They were now Yisroel, whole.

Moshe uses the words “אֵלֶּה הַדְּבָרִים” again to remind the Bnei Yisroel of the aseres hadibros. “And the Lord spoke all of *these words*.” (Ibid 20:1). There it says “הַדְּבָרִים הָאֵלֶּה” and Moshe was making that point. The people are fit to learn the entire Torah. The Torah comes in the ten categories. In that way Moshe did go through the aseres hadibros again.

These words here also signify categories. These categories are the enumerated categories of work on Shabbos. They are also the categories of work—the similar ones—that are necessary to build the Mishkan. Whatever was required to build the Mishkan came in categories of work and this work could not be done on Shabbos.

The people were afraid. They were afraid of Moshe’s light or their own failing. Moshe brought them to him and made them all equal. He reunited twelve tribes into one *am*. HaShem uses Shabbos as a sign that He made the world in six days and rested on the seventh. Those six days are also six categories of creation. Keeping Shabbos is a sign that the keeper of Shabbos believes Hashem created the world. So too, Moshe started with the Laws of Shabbos. It was unnecessary to explicitly tell them what they knew already, *idolatry is forbidden*.

Moshe was more subtle, engaging in kiruv, not mussar. He was giving Bnei Yisroel back their special sign, their power of emuna, to show HaShem that they believed in HaShem and would keep His Torah. Conversely, when Bnei Yisroel learned the Laws of Shabbos and kept Shabbos—rested from the work of building and preparing the Mishkan—they internalized their own belief. It was a sign for them as well, that HaShem was their Master and they were HaShem’s people.