

This week I had the pleasure of renewing two old and dear friendships. Rabbi Dr. Yakov Nagen, rosh kollel at Yeshivat Otziel, visited with me for several hours at Gann Academy, and gave a shiur to my Beit Midrash class. You can find his shiurim at [www.yakovnagen.com](http://www.yakovnagen.com). Among his many interesting insights into Torat Yisroel and Am Yisroel were his association of the first chapter of Mishnah Kiddushin with the conclusion of Malakhi, so that the lists **כל מצוות האב על הבן . . . כל מצוות הבן על האב** allude to **והשיב לב אבותם על בנים ולב בנים על אבותם**. I recall his excitement back in YU about Dr. Avi Walfish's fascinating literary readings of Mishnah – Dr. Walfish's reading of that same chapter is provocative and challenging – and I hope to have the opportunity to explore this approach more fully, with Rabbi Nagen and with you, in the future.

At the same time, a highly enjoyable Torah conversation with Rabbi David Saltzman led him to send me a link to [www.alhatorah.org](http://www.alhatorah.org), created by Rabbi Hillel and Mrs. Neima Novetsky and their children. The site, which as of now covers only Shmot 18, is a stunning resource for learners and educators of all levels, and this week's dvar Torah will be a running dialogue with the materials found on it, which I am still happily exploring, and encourage you to explore as well. Rabbi Novetsky encourages feedback on this beta version, and I look forward to its continued growth and development.

Rashi to Shemot 19:2, (following Targum Yonatan) comments that the Jews were

**כאיש אחד בלב אחד, אבל שאר כל החניות בתרעומת ובמחלוקת-**

this encampment was “as one man, with one heart, whereas all the other encampments involved controversy and dispute”. The exegetical prompt for this comment is both local and global: the local issue is the redundancy of

**ויסעו מרפידים ויבאו מדבר סיני ויחננו במדבר ויחנן שם ישראל נגד ההר**

and the global issue is that all other national Jewish encampments in Chumash (Shemot and Bamidbar; this is not true of Nach) are in the plural **ויחננו**.

Rabbi Saltzman suggested that this unity was the product of the advice that Yitro gives Mosheh in Chapter 18, namely the appointment of subordinate judges, which enabled disputes to be settled in a timely and orderly fashion. He further suggested that this unity was a prerequisite for Matan Torah, and thus Yitro gets credit for making Matan Torah possible. This suggestion of course requires adopting the position that Yitro arrives before, rather than after Matan Torah.

When Yitro arrived is the locus classicus for the controversy over whether the Torah's narrative is in presumptive chronological order, meaning that it is in order unless it explicitly tells us otherwise.

Chapter 19 opens “in the third month of the year that the Children of Israel left Egypt”, but Chapter 18 is not dated at all; the previous date given is in 16:1, when the Jews arrive in Midbar Sin on the 15<sup>th</sup> day of the 2<sup>nd</sup> month. I initially argued, however, that even if one assumes fundamental chronological order, 19:1-2 are an example of what my teachers called “resumptive repetition”, meaning that when the narrative intercuts from one storyline to another, the text offers a brief reorientation. Thus the phrase **ויחנן ישראל נגד ההר** would describe the Jews at Sinai *before* Yitro's arrival even if Yitro arrived before Matan Torah.

Alhatorah.org ascribes my position only to Rav Saadia as cited by Ibn Ezra (see the footnote on whether this was actually Rav Saadia Gaon's position) and Josephus. By contrast, It cites a host of midrashim and commentators as presuming that all of Chapter 18 takes place before all of Chapter 19, in other words

before the third month of the Exodus year. I argued to Rabbi Novetsky, however, that only Ibn Caspi *explicitly* states that Yitro came before the third month. He replied (and referred me to footnote 17 on the site) that his attributions rested on the presumption that if Matan Torah happened early in that month – the 6<sup>th</sup> or the 7<sup>th</sup>, as per the Tannaitic dispute – there simply isn't enough time for the Yitro narrative to happen. Josephus, he noted, offers no date for Matan Torah, and may have dated it much later than 7 Sivan.

One can solve the time element at least partially by suggesting that while Chapter 18 begins before the beginning of Chapter 19, it continues until after that beginning. Thus 18:24-27, the acceptance and implementation of Yitro's advice and his departure, might take place at any time in the future (Alhatorah brings many sources for this position). Rabbi Novetsky however argued that the explicit motive for many commentators was to have Yitro not be present for Matan Torah, and this requires all of 18 to end before 19 begins.<sup>1</sup> Thus if Yitro came before Matan Torah, his advice was given and implemented before Matan Torah (which Rabbi Novetsky thinks is implausible if Matan Torah happened within a week of arrival at Sinai).

Now Rashi's comment, we noted above, was grounded in the shift from ויחננו to ויחן in 19:2. There are two ways to understand this – he may be suggesting that ויחן adds to ויחננו the information that the Jews were unified (cf. Rabbeinu Bechaye), or alternatively that they *became* unified during their stay (cf. Kli Yakar). The second reading fits very well with Rabbi Saltzman's reading, as Yitro's advice seems the most likely catalyst for unity.

Thus far the conversation has been entirely historical, meaning that we have discussed the order of the events, rather than the order of the narrative. From a literary perspective, however, the textual location of the Yitro narrative *before* Matan Torah becomes more significant, not less, if Yitro actually arrived *after* Matan Torah, because it then reflects a narrational *choice*. In my preferred reading the Torah chooses to begin and end the Yitro narrative before beginning the Matan Torah narrative, even though Yitro actually came before Matan Torah and stayed until after.

In a stimulating and powerful CMTL public conversation this past Tuesday night (audio available [here](#)). Rabbi Yehuda Gilad noted that Mosheh's acceptance of Yitro's advice demonstrates that even those who know all of Torah have things to learn from the non-Jewish world. He may have suggested that this was the reason for its placement just before Matan Torah, that we should not use our access to Torah as a basis for devaluing everything outside it. But wouldn't this message be even stronger if the story were placed obviously after Matan Torah?

Perhaps we can combine and sharpen Rabbi Gilad and Rabbi Saltzman's points as follows. The narrative of Yitro is placed before Matan Torah to teach us two *prerequisites* for the proper acceptance of Torah. The first is the necessity of broadmindedness for the proper understanding of Torah. The second is the recognition that justice is at least as much a function of administration as of theory, and administration is about more than conformity.

Each of these rests on the recognition that for an entire nation to be "as one person with one heart" does not mean that it is homogeneous, but rather that it is complex, as is each individual, and organic

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<sup>1</sup> One might create an even more complicated chronology in which the Torah first finishes the narrative of the advice, and then Yitro's personal narrative, even though the advice was actually not implemented until after Yitro's departure, but I concede that this seems stretched – but not impossible.

unity involves the capacity to integrate difference into a whole. The heart is not our only organ.  
Shabbat shalom!

Aryeh Klapper