

Parashat Mishpatim 5783, 2023:

Torah from Heaven

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Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon HaKohane, father-in-law, Levi ben Yitzhak, sister, Shulamit bat Menachem, sister-in-law, Ruchama Rivka Sondra bat Yechiel, Chana bat Shmuel, Yehonatan Binyamin ben Mordechai Meir Halevi, Tikvah bat Rivka Perel, Gittel Malka bat Moshe, Alexander Leib ben Benyamin Yosef, the *Kedoshim* of Har Nof, Pittsburgh, and Jersey City, the *refuah shlaimah* of Mordechai HaLevi ben Miriam Tovah, and the health and safety of our brothers and sisters in Israel and around the world.

Our *parasha* concludes with the introduction to *Kabbalat HaLuchot HaRishonim* (Receiving of the First Tablets of the Law) by *Moshe Rabbeinu*: “And Hashem said to Moshe, ‘Come up to Me to the mountain and remain there, and I will give you the stone tablets, the Law and the commandments, which I have written to instruct them.’ ... and Moshe ascended to the mount of *Elokim...*” (*Sefer Shemot* 24:12-13) These *pasukim* are a foundational source in establishing the theological principle of “*Torah min HaShamayim*—the Divine nature of the holy Torah.” Due to its singular import, the Rambam (Maimonides, 1135-1204) includes this doctrine in his celebrated 13 Principles of Faith (*Yud Gimmel Ikkarim*): “The eighth Principle of Faith is that the Torah has been revealed from Heaven. This implies our belief that the entire Torah found in our hands today is the [same as] that which was given to Moshe by the Omnipotent One.” (*Mishnah Sanhedrin, Introduction to Perek Chalek*, this and the following translations, J. Abelson with my extensive emendations)

Hashem’s role at this transformative moment in world history is well-defined. What is less clear, however, is the part Moshe played in this process. Fortunately, the Rambam clarifies this issue: “Moshe was like a scribe writing from dictation who wrote down what he heard in its entirety, inclusive of its chronicles, its narratives and its *mitzvot*. It is in this sense that he is termed

“*mechokake*—lawgiver.” (*Sefer Bamidbar* 21:18) The Rambam was exceptionally exact in his wording. As such, this statement informs us of the precise process in which Moshe was engaged, that is, that he did not create the *mitzvot* or compose the chronicles and narratives, as many have spuriously claimed. Instead, he acted as a faithful *sofer* (scribe) and recorded verbatim that which he heard from Hashem. Therefore, since every word of the Torah is *divrei Hashem* (the words of Hashem):

There is no difference between verses like “And the sons of Cham were Cush and Mitzraim, Phut and Canaan” (*Sefer Bereishit* 10:6) and... “I am Hashem your G-d,” (*Sefer Shemot* 20:2) and “*Shema Yisrael*,” (*Sefer Devarim* 6:4). They are equally of Divine origin and are within the category of the “Law of Hashem, which is perfect, pure, holy and true.” (See *Sefer Tehillim* 19:8)

In addition, the Rambam emphasizes that Moshe received the Oral Law (*Torah she’beal peh*) at the same time he received the Written Law (*Torah she’bichtav*). Consequently, *Torah she’beal peh* is a constitutive element of *Torah min HaShamayim*:

So, too, is its [that is, *Torah she’bichtav*] accepted interpretation (*perushah hamekubal*) [that is, *Torah she’beal peh*], directly from the Omnipotent One. And that which we do today regarding the form [*tzurah*, the manner of fulfilling the *mitzvot*] of *succah*, *lulav*, *shofar*, *tzitzit* and *tefillin*, and other *mitzvot* besides these, is precisely the same form that Hashem said to Moshe, and he subsequently said to us.

According to the Rambam, the direct proof text for *Torah min HaShamayim* is *Sefer Bamidbar* 16:28, wherein Moshe was aggressively challenged by Korach and his rebellious assembly: “Moshe said, ‘With this you shall know that Hashem sent me to do all these deeds, for they are not of my own device—*ki lo m’libi*.’” In his *Commentary on the Torah*, Rashi (1040-1105) explains the expression, “*ki lo m’libi*,” as “I [Moshe] did according to the word of Hashem (*sh’asiti al pi hadibbur*) and gave Aharon the *kahuna gedolah*, his sons the deputy *kahuna*, and Elitzaphon the leadership of *b’nai Kehati*.” (Translation, *The Judaica Press Complete Tanach*) In stark contrast, the Rambam perceives the phrase, “*ki lo m’libi*,” in its most universal sense, that everything Moshe said to the Jewish people in Hashem’s name and did on their behalf, was *al pi hadibbur mamash*—

according to the actual words of Hashem. In short, all that Moshe shared was *Torah min HaShamayim*.

May the Master of the Universe aid us in our acceptance and fulfillment of *Torah min HaShamayim*. *V'chane yihi ratzon*.

Shabbat Shalom

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*** I have posted 164 of Rabbi Soloveitchik's English language audio *shiurim* (MP3 format) spanning the years 1958-1984. Please click on the highlighted link: [The Rav](#)