

ParShaT *MiShPaTiM* One Pager Series

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[Background: We continue to bring controversies between Rashi and either academic scholars or other Jewish commentaries. Today we bring the famous controversy on whether the Torah uses chronological order.]

Rashi #1 Biblical Text: Ex24-01 [Background: The previous chapter deals with various civil laws (e.g. damages, theft, negligence). The text continues] *He had told Moses, come up to God....*

Rashi Text: In other words, the statement of the civil laws and the request to come up to God happened prior to the Jews receiving the 10 commandments [The Decalogue]. [We more fully explain this in the next paragraph]

Ibn Ezra, Ramban: [Background: The Decalogue happens in Chapter 20; in Chapters 21-24 the discussions about civil laws and the request to Moses to come up to God are given] We will cite excerpts below from Ibn Ezra and Ramban.. The important thing is that they argue that the receipt of civil laws and the request to come up to God (Ex21,22,23,24) happened after the Decalogue (Ex20) and hence the Torah is written in chronological order. However Rashi believes that the civil laws and request to come up to God (Ex21-24) happened first and the Decalogue (Ex20) happened afterwards. Thus according to Rashi the Torah is not written in chronological order.

Discourse Analysis: A branch of modern grammar gives a name to the issue Rashi is dealing with, the branch of *discourse analysis*. Unlike what we learn in grade school, how to conjugate individual *words* to mean for example, *I watched*, *I will watch*, *I was watched*, there are branches of grammar which discuss how to take *paragraphs* and make them into a discourse or story.

Some English Examples: Suppose you are reading a story and it starts a paragraph *meanwhile....* Such a keyword indicates that this new paragraph is not

telling something that happened after the previous paragraphs but rather that is going on concurrently (at the same time). So the writer says *meanwhile*. Similarly, the narrative might say *but the solution to their problem had been created prior to the problems' arrival*. The underlined words had been is known as the past perfect and refers not to the simple past (a while ago) but to before the current past. It indicates a violation of chronological order; something that happened before.

Rashi Explained: In Biblical Hebrew, the past can be indicated in two ways. #1) You can use the past conjugation: e.g. *amar - said (in past)*; #2) You can prefix a *conversive vav* to the future conjugation: e.g. *vayomer – he said*. According to Rashi, the future+conversive vav = simple past; but the past conjugation = past perfect. Therefore Rashi translates Ex24-01 as *Moses had been told to go up to God*. But as we just saw with the English Examples, had been indicates a break with chronological order. This is the justification of the Rashi comment.

Ibn Ezra, Ramban: Ibn Ezra just disagrees with Rashi without naming him. But Ramban acts like a professor in several ways. First he explains why he thinks Rashi holds this way and then he attempts to offer an alternate explanation. For example Ex24-03 states that Moses brought to the nation all the civil laws; Ramban argues that Rashi argues that this proves that this section was given prior to the Decalogue (which is all the laws). He (and Ibn Ezra) then offer competing explanations for the various proof texts which Ramban believes Rashi used.

The Rashiyomi approach: The controversy is most informative. Ramban holds that Rashi believes certain *phrases* are naturally interpreted as prior to the 10 commandments and then offers competing explanations. But as we explained above, Rashi based himself on use of the past conjugation which we translate as the past perfect - *he had been told* – and it is this (like in English) which indicates a break in chronological order. It seems that Ramban was unaware of this rule.

Academic Scholarship: Ramban continues by citing the Mechiltah that there is controversy on whether Ex24 happened before or after the Decalogue. Academic scholarship sheds light! The academicians are also divided on whether past conjugation means past perfect or whether other rules operate.