

Shavuot: The God-Given and the Man-Made

Sometimes we can find the big ideas in small details. One such detail is that Shavuot is not assigned a specific calendar day by the Torah. Its calendrical date in Sivan is not determined by when Rosh Chodesh Sivan is declared, but simply by counting 50 days from the second night of Pesach. Therefore, the Talmud (*Rosh HaShanah* 6b) notes that if both Nisan and Iyyar are 29 days long, Shavuot will fall on the seventh of the month of Sivan. If both are 30 days, Shavuot will fall on the fifth, and if one month is 29 and the other 30, Shavuot will fall on the sixth (as it does according to our current calendar). Shavuot's unfixed date is not merely a calendrical quirk, however, but a function of a big idea: the essence of the holiday of Shavuot as the day when we received both the *Torah she-be-ketav* (Written Torah) and the *Torah she-be-al peh* (Oral Torah).

Shabbat and Mo'ed

At the end of *Parashat Emor*, there is a special section known as *Parashat Ha-Mo'adot* (*Megilah* 30b), which introduces the cycle of the festivals of the year. Before discussing the festivals, however, the Torah begins with a short review of the commandment to observe Shabbat:

א וַיְדַבֵּר ה' אֶל מֹשֶׁה לֵאמֹר: ב דַּבֵּר אֶל בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם מוֹעֲדֵי ה' אֲשֶׁר תִּקְרְאוּ

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אַתֶּם מִקְרָאֵי קֹדֶשׁ אֲלֵהֶם הֵם מוֹעֲדֵי: ג שֵׁשֶׁת יָמִים תַּעֲשֶׂה מְלָאכָה וּבַיּוֹם הַשְּׁבִיעִי שַׁבַּת שַׁבְתוֹן מִקְרָא קֹדֶשׁ כָּל מְלָאכָה לֹא תַעֲשׂוּ שַׁבַּת הוּא לָהּ בְּכֹל מוֹשְׁבֵי־יְכִיָּם:

Hashem spoke to Moshe, saying: Speak to the Children of Israel and say to them: Hashem's appointed festivals — that you are to designate as holy convocations — these are My appointed festivals. For six days, labor may be done, and the seventh is a day of complete rest, a holy convocation. You shall not do any work. It is a Sabbath for Hashem in all your dwelling places.

Vayikra 23:1-3

Rashi asks why Shabbat appears here in conjunction with the *Parashat Ha-Mo'adot* and he answers:

ללמדך שכל המחלל את המועדות מעלין עליו כאלו חלל את השבתות וכל המקיים את המועדות מעלין עליו כאלו קיים את השבתות. *Anyone who violates the festivals, we consider it as if he violated the Sabbath, and anyone who upholds the festivals, we consider it as if he upheld the Sabbath.*

Rashi's answer is perplexing. The punishment for the violation of Shabbat is far more severe than the punishment for violating any of

the festivals. Shabbat and *mo'ed* are not equivalent and, at least on the surface, appear to be unconnected. Why should the violation of a festival interfere in any way with a person's observance of Shabbat?

The Talmud (*Beitzah* 17a) articulates a fundamental distinction between Shabbat and the *yamim tovim*. Shabbat is "*mikdesha ve-kayyama*" — "sanctified and confirmed," meaning it is a reality set by God. Mankind does not determine when Shabbat falls out. However, *yom tov* is dependent on us. The *beit din* determines and declares when Rosh Chodesh is (*kiddush ha-chodesh*), thereby establishing when *yom tov* will fall that month. [Even today, our current, fixed calendar represents the formalization of the *kiddush beit din* process]. This distinction expresses itself in the liturgy. The middle blessing of the *Shemoneh Esrei* for Shabbat ends with the words "*mekadesh ha-Shabbat*" — "He who sanctifies the Sabbath" — because it is God alone who establishes the Sabbath. However, on *yom tov* we conclude the blessing "*mekadesh Yisrael ve-ha-*

zemanim” — “He who sanctifies Israel and the festivals” — because it is through Israel that the festivals come to be sanctified. The *Ohr Ha-Chaim* (Vayikra 23:2) points out that the opening verses of *Parashat Ha-Mo’adot* hint at this distinction. Regarding Shabbat, the Torah says, “Hashem’s appointed festivals, that you are to designate as holy convocations — these are My appointed festivals.” The Torah repeats “these are My appointed festivals” to emphasize that it is God alone who establishes the Sabbath, and we cannot choose to make the day of rest on any other day. However, after speaking about Shabbat and before listing off each individual yom tov, the Torah repeats: “These are the appointed festivals of Hashem, the holy convocations which you shall designate in their appropriate time” (23:4), to emphasize that it is Klal Yisrael who establishes the festivals.

The Shabbat/Yom Tov Analogy to Torah

Rav Avraham Yitzchak Ha-Kohen Kook, in his commentary to the siddur (*Olat Reiyah, Kiddush Leil Shabbat*), draws a fascinating analogy between Shabbat and yom tov on the one hand, and the Torah on the other. Just as Shabbat is established by God, fixed and unchangeable, so

too the *Torah she-be-ketav* was given to Klal Yisrael by Hashem in fixed form, and we cannot change one single letter or verse. However, just as yom tov depends upon the Jewish people’s input — namely, that it is only through an act of *beit din* that the *yamim tovim* take effect — so too Hashem gave to Klal Yisrael a second Torah — the *Torah she-be-al peh*, which allows for, requires, and indeed only attains its purpose through human input and endeavor.¹ Each generation’s Torah sages must debate and discuss, decide, interpret, and formulate new laws, understandings, and concepts that become an intrinsic part of the Torah itself. This analogy also leads us to an important conclusion about the relationship between Shabbat and yom tov. Just as the Written Torah serves as the source and basis of the Oral Torah, and the Oral Torah interprets and applies the laws of the Written Torah, so, too, the Sabbath is the origin and source of the *yamim tovim*, and they in turn develop the themes of the Sabbath itself. When we proclaim, in the *kiddush* for Friday night, that Shabbat is *yom techilah le-mikra’ei kodesh* — the first of the holy convocations — we do not mean merely that it appears in the beginning of the text of *Parashat Ha-Mo’adot*. Rather, we mean that the *mo’adot* draw their holiness from Shabbat and in turn develop and

mold the sanctity of Shabbat, much the same way in which the Oral Torah draws its significance from and interprets the Written Torah.

We may understand Rav Kook’s terse comments in light of a fascinating observation by Rav Samson Raphael Hirsch (commentary to Vayikra 23:3):

The commandment of the Sabbath is mentioned repeatedly in the Torah, each time with reference to a different aspect of Jewish life, of which the Sabbath is the principal foundation... the Sabbath is the starting point and the climax of all the holy days; the Sabbath is their basis and should find its realization in them.

The Torah speaks about Shabbat in many contexts, each with a different emphasis. Leaving aside Shavuot, which will be addressed at greater length in the next section, we can quickly illustrate Rav Hirsch’s assertion. Shabbat’s most fundamental message, found in both the second chapter of Bereshit and the Ten Commandments (Shemot 20:11), that God is the Creator and King of the universe, is highlighted on Rosh HaShanah. Shabbat as a sign of the covenant between Hashem and Klal Yisrael (Shemot 31:12-18) is reflected on Yom Kippur, a day that celebrates the unique, intimate relationship between God and the Jewish people. Shabbat is connected to the idea of faith in God’s role as provider and protector

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in the context of the story of the Manna (Shemot 16), and the holiday of Sukkot underscores this theme. Finally, Shabbat is associated with the events of the Exodus (Devarim 5:15), and underscores the themes of human freedom and compassion (Shemot 23:12), which are central to the celebration of Pesach. Shabbat encompasses many different themes and motifs, each of which should inform our weekly experience of the Sabbath. However, it is impossible to give each theme its due every week when there are so many competing, equally important ideas. While the holidays themselves are also multihued and complex, they each emphasize a particular aspect of the Sabbath.

The relationship between the festivals and the Sabbath, understood through the analogy to the Written and Oral Torah, sheds light on Rashi's startling assertion in Vayikra 23 that one who violates the festivals is considered in violation of the Sabbath. The yamim tovim serve to deepen and expand the lessons and messages of the Sabbath just as the Oral Torah deepens and expands the laws and principles of the Written Torah. If one rejects the Oral Torah, he renders the Written Torah a "dead" document, one that cannot be applied to ever-changing circumstances and cannot be relevant to the complexities of real life. So too, one who violates yom tov is cutting short the impact of Shabbat, denigrating its spiritual message and rendering it irrelevant and impotent. In that sense the yom tov violator is violating the Sabbath itself.

Shabbat and Shavuot

The holiday of Shavuot also addresses a particular theme of Shabbat, namely, Matan Torah. However,

this connection needs explication as Matan Torah is not explicitly mentioned in the Torah with regard to either Shabbat or Shavuot. There is no direct scriptural evidence that the Torah was given on Shabbat, and yet the Talmud (*Shabbat* 86b) makes this an axiom: "And everyone agrees that on Shabbat, the Torah was given to Israel." Chazal formulated the text of the liturgy for Shabbat morning to stress the connection between the Sabbath and the giving of the Torah:

ישמח משה במתנת חלקו. כי עבד נאמן
קראת לו. כליל תפארת בראשו נתת. בעמוד
לפניך על הר סיני. ושני לחות אבנים הוריד
בידו. וכתוב בהם שמירת שבת.

Moshe rejoiced in the gift of his portion; that you called him a faithful servant. You placed a crown of splendor upon his head when he stood before You on Mount Sinai. He brought down two stone tablets in his hand, on which was inscribed the observance of the Sabbath.

Similarly, in the Written Torah, Shavuot is called "the Festival of the Harvest" (Shemot 23:16) and "the Festival of Weeks" (Shemot 34:22 and Devarim 16:10), but no mention is made of Shavuot as a celebration of the giving of the Torah. Of course, a simple calculation based on the chronological information given in the nineteenth chapter of Shemot, which introduces the revelation at Sinai, puts the date of Matan Torah approximately around Shavuot. But ultimately, it is only through the Oral Tradition, stated clearly in the Talmud (*Pesachim* 68b), that we know that Shavuot is "the day upon which the Torah was given." Once again, the Sages fixed this association in the liturgy, in which Shavuot is called *zeman Matan Toratenu*.² Just as each of the other holidays comes to emphasize a different feature of Shabbat, Shavuot

focuses on the aspect of Shabbat that relates to Matan Torah.

As faithful bearers of the tradition, we believe that the Torah that was given on that Shabbat-Shavuot many thousands of years ago was a two-part Torah comprised of the Written Torah and the Oral Torah.³ Incorporating Rav Kook's analogy that Shabbat is likened to *Torah she-be-ketav* and yom tov to *Torah she-be-al peh*, two further fascinating points emerge. First, while Shabbat is fundamentally sanctified by God, just as the complete text of the Written Torah was given by God, there is also an aspect of Shabbat that reflects the human input associated with *Torah she-be-al peh*. Rav Yosef Dov Soloveitchik (*Shiurim Le-Zecher Abba Mari z"l*, v.2 *Kiddush Ke-Mekadesh Ha-Shabbat*) writes that the fact that Shabbat was included with the rest of the festivals in *Parashat Ha-Mo'adot* means, not only that

A number of reasons are given as to why Megillat Rut is read on Shavuot. One suggestion (see R. Yehuda Leib Maimon's *Chagim U'Moadim* pp. 271-272) is that Megillat Rut is a symbol of the Oral Tradition. While the Torah (Devarim 23:4) prohibits Moabites from marrying into the Jewish people, our rabbis (*Yevamot* 77a) teach us that this is only true of Moabite men, not Moabite women. By reading the megillah on Shavuot, including the last few verses, that state explicitly that King David was a product of the marriage of Boaz and Rut, we are affirming our belief in the Oral Tradition. The Oral Tradition that allowed Boaz to marry Rut, against the simple meaning of the text, is an equal partner with the Torah text and both were given together at Matan Torah.

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the festivals draw their sanctity from Shabbat, but that Shabbat itself can be likened to the sanctity of the festivals. The mitzvah of kiddush on Shabbat, based on the verse “*Zachor et yom ha-Shabbat le-kadesh*” — “Remember the Sabbath day to sanctify it” — instructs us that by making kiddush on Friday night we are not merely acknowledging the sanctity of the Sabbath, but superimposing an additional layer of holiness onto the God-given Sabbath. Ramban (Shemot 20:8) compares making kiddush on Shabbat to the act of *beit din* in sanctifying the new moon or the Yovel year. It is for this reason, for instance, that the Talmud (*Pesachim* 105b) conceptualizes kiddush and *havdalah* as “bringing in the day” and “bringing out the day” respectively, because while the beginning and end of Shabbat are ostensibly simply a function of when it gets dark, there is an aspect of the Sabbath’s sanctity that we create and dissolve through kiddush and *havdalah*.⁴

The holiday of Shavuot also contains within it these two forms of sanctity: the God-given and the man-made. R. Mordechai Yehudah Leib Zaks (*Milei de-Mordechai, Ve-Zot Ha-Berachah*) observes that while Shavuot is a *yom tov* and therefore can be considered to be established by the *beit din*, unlike Shabbat which is a fact of the creation as God established it, Shavuot can also be seen from the perspective of a Shabbat-like, God-given day. We began with the observation that Shavuot can fall either on the fifth, sixth or seventh of the month of Sivan depending on the lengths of the months of Nisan and Iyyar. Usually, a holiday can fall only on two possible days depending on when the *beit din* declares the new moon for that month. However, Shavuot’s calendrical date in Sivan

does not directly relate to when Rosh Chodesh Sivan is declared. Shavuot is always 50 days from the second night of Pesach. Its observance is fixed like the Sabbath; its calendar day in Sivan is incidental. Like most festivals, Shavuot does depend in an indirect, removed sense upon the *beit din*’s determination of the month of Nisan and the holiday of Pesach, but it is also a fixed day like the Sabbath. R. Zaks speculates that this dual aspect of Shavuot corresponds to the fact that both the Written and Oral Torah were given on Shavuot and, therefore, the holiday’s sanctity reflects both elements: the God-given and the man-made.

The Greatest Gift

The holiday of Shavuot celebrates the giving of the Torah, which comprises both the God-given Written Torah and man-developed Oral Torah. As such, it exhibits two forms of sanctity: one God-given and Shabbat-like and the other man-made and *yom tov*-like. Rav Yaakov Moshe Charlap (*Mei Marom, Terumah* 66) utilizes the God-given/man-made dichotomy to instruct us on how to better ourselves. The world was created by Hashem; its laws of nature set at the time of creation by God’s will, but humanity was commanded to “fill the earth and subdue it” (Bereshit 1:28). This exhortation is a challenge to develop the physical world, but more importantly to perfect it spiritually. We must respect and protect God’s world and God’s Torah, but at the same time it is the will of God that we also develop and transform them. Similarly, we must recognize and appreciate the God-given talents and strengths that we possess, but we must utilize them to perfect ourselves by setting and

attaining ascending spiritual goals. The message that we must take with us from the *yom tov* of Shavuot is that we have been given great gifts and we must make them even greater. It is the permission and challenge to do so that is the greatest gift of all.

Notes

1. Obviously, the Oral Torah is God-given, just as, ultimately, the *yamim tovim* only exist because of God’s commandment, but both are determined and controlled by human involvement.
2. See *Magen Avraham* in his opening comments to *Orach Chaim* 494, who questions why we refer to Shavuot as *zeman Matan Toratenu* in the liturgy, since in our fixed calendar Shavuot always falls on the sixth of Sivan, but the halakhah follows the opinion in *Shabbat* 86b that the Torah was given on the seventh of Sivan. R. Yosef Dov Ha-Levi Soloveitchik (*Beit Ha-Levi, Yitro*) suggests a profound answer. The Talmud (*Shabbat* 87a) explains that the rabbi who says that the Torah was given on the seventh of Sivan maintains that it should have been given on the sixth, but that Moshe added an extra day of preparation of his own accord and Hashem subsequently concurred. In essence, we celebrate Shavuot on the sixth of Sivan, the day when the power of *Torah she-be-al peh* was confirmed by God in the hands of the Jewish people. While the official day of *Matan Torah* may have been the seventh, the confirmation of the power of Torah was already accomplished on the sixth by God’s acquiescence to Moshe’s addition, and so we can confidently refer to it as *zeman Matan Toratenu*.
3. See the beginning of Rambam’s introduction to his *Perush Ha-Mishnah*.
4. See Rav Herschel Schachter, *Ginat Egoz* 4, who fine-tunes the distinction between *beit din*’s power to create the fundamental sanctity of the *yamim tovim* and the power of individuals to superimpose sanctity onto an already existing holy day. We could suggest that these two powers may reflect two aspects of *Torah she-be-al peh*. The Sages have the power both to create new rules that are fundamentally rabbinic in nature (*gezerot* and *takkanot*), as well as to interpret and formulate preexisting laws that are fundamentally biblical in nature (*middot she-ha-Torah nidreshet ba-hen*).