

9:22-31 Prayer, Part 3: Israel: Divine Benevolence, Human Sin

1. Ibn Ezra to Nechemiah 9:22

דבק עם "העממים", והטעם פזרתם לפאות וברחו מפני ישראל:

[*The pronoun*] goes with "the nations", meaning: You scattered them to the corners, and they fled before Israel.

2. Ralbag to Nechemiah 9:22

והלקת אותם לפאה שהיא הקצה וההתחלה. והעיר בזה כי הממלכות האלו נתנו לבכורות מהשבטים שהם ראובן גד ומנשה שהיה בכור יוסף ויוסף היה בכור לרחל.

And You separated them as a *pe'ah*, meaning the extreme, the beginning. He pointed out that these empires had been given to the firstborn tribes – Reuven, Gad, and Menasheh, who was Yosef's firstborn, and Yosef was Rachel's firstborn.

3. 9:26 Kings I 14:9, Isaiah 38:17, Ezekiel 23:35

9:32-37 Prayer, Part 4: The Current Situation

4. Talmud, Yoma 69b

למה נקרא שמן אנשי כנסת הגדולה שהחזירו עטרה ליושנה אתא משה אמר הקל הגדל הגבר והנורא אתא ירמיה ואמר נכרים מקרקרין בהיכלו איה נוראותיו לא אמר נורא אתא דניאל אמר נכרים משתעבדים בבניו איה גבורותיו לא אמר גבור אתו אינהו ואמרו אדרבה זו היא גבורת גבורתו שכובש את יצרו שנותן ארך אפים לרשעים ואלו הן נוראותיו שאלמלא מוראו של הקב"ה היאך אומה אחת יכולה להתקיים בין האומות

Why were they called the "Great Assembly"? Because they restored the crown. Moshe said, "The powerful, the great, the strong, the awesome." Yirmiyahu said, "Foreigners are croaking in His sanctuary – where is His awe?" And so he did not say "awesome". Daniel said, "Foreigners are enslaving His children – where is His might?" And so he did not say "mighty". Then the Great Assembly said, "Just the opposite – this is His might, that he conquers His nature, being patient with the wicked. This is His awe, for without awe of Him, how could one nation survive among the nations?"

5. R' Dov Zakheim, Nehemiah: Statesman and Sage, pp. 166-167

Some biblical scholars are puzzled by Ezra's negative reference to a government known to have been a benevolent power... In fact, however, the prayer was highly nuanced. It did not call for the overthrow of the Persian regime, and indeed mentioned no Jewish leader by name. There is thus no focus for an alternative authority, which is often central to a call for revolution and invariably the key to a revolt's success... The reference to foreign domination was meant primarily as a spur to penance rather than a call to arms.

Chapter 10: Messages and Themes

6. Prof. Mordechai Zer-Kavod, Daat Mikra, Introduction to Chapter 10

הפרשה נסמכה לפרשה שלפניה על שום הנושא המשותף לשתייהן, והוא הברית... עקרה של האמנה יסודה בחדוש הברית – שהשליכה על ידי דורות קודמים "אחרי גום"... וכנגד האמור באבי האומה בפרשה שלפניה "ומצאת את לבבו נאמן לפניך וכרות עמו הברית" פותחת הפרשה שלנו במעשה הבנים: ובכל זאת אנחנו כורתים אמנה...

The portion is linked with the preceding portion due to their shared theme, the covenant... The essence of the pact of loyalty, its foundation, was in renewal of the covenant – which had been cast by previous generations "after their bodies"... And parallel to what was said of the nation's patriarch in the preceding portion, "And You found his heart loyal to You, and You made the covenant with him," our portion opens with the deeds of the descendants: And with all of this, we make a pact...

7. What worked this time? Judges 10:10-16

8. Outline

- 10:1-29 List of participants in a national pact of Jewish observance
- 10:30-34 Contents of the pact of Jewish observance
- 10:35-40 Casting lots for turns to bring particular korbanot and gifts to the Beit haMikdash

9. Rashi to Nechemiah 10:1

ובכל הרעה הזאת הבאה עלינו אנחנו כורתים אמנה להקב"ה להאמין ולבטוח בו:

And with all of this evil that has befallen us, we [still] make a pact of loyalty to Gd, to believe and trust Him.

10. Metzudat David to Nechemiah 10:1

מוסב למעלה, שאמר: הנה אבותינו היו במלכות ובטובה ועכ"ו לא עבדוך, ואנחנו הלא עבדים ובצרה גדולה ובכל זאת אנחנו כורתים ברית אמנה... This refers to what was stated above, saying: Our ancestors had monarchy and bounty and yet they did not serve You. We are slaves and in great trouble, and with all of this we still make a pact of loyalty...

11. R' Dov Zakheim, Nehemiah, pp. 169-171

Ezra ended his role in the spectacle after leading the people through emotional highs and lows, concluding with the undeniable reality that the people were not sovereign in their own land, but rather were "slaves" to their Persian overlords. Now it was Nehemiah's turn. He proceeded to preside over one of the least known yet most critical developments in Jewish political history since the fall of the Davidic dynasty, the destruction of the Temple, and the exile to Babylonia. He did nothing less than introduce a new constitution, the first of its kind in Jewish history, and perhaps the first of its kind anywhere.

A constitution is more than a code of law. It marks a commitment by a people to organize their governance according to agreed-upon principles... [I]t went beyond imprecations to address a commitment to uphold very specific laws and practices. Moreover, while the covenant certainly committed the people to the keeping of Torah generally, its explicit list of obligations is noteworthy for its focus on the practicalities of supporting a functioning society...

The pledge has been called "the archetype of the modern legal constitution... that is, it contains a lengthy preamble presenting the history of the nation... and its aspirations... followed by a detailed listing of basic laws, ordinances, and regulations required to give the covenant executive power. In addition to the Torah, which was defined as the accepted basic law, there was a sequence of social and economic legislation appropriate to the time and, only thereafter, a list of important persons setting their seals in the name of the people. By setting their seals, they pledged themselves to the first written constitution in history, the beginning of the modern concept of law as a mutual agreement among free men." (Rabbi Adin Steinsaltz, *Biblical Images*, 1-2)

12. Midrash, Ruth Rabbah 4

כתוב א' אומר על החתום, וכתוב א' אומר על החתומים. על החתום - זה ב"ד שלמעלה. ועל החתומים - זה ב"ד שלמטה.

One text says "on the signed [*sing*]" and one says "on those who signed". "On the signed" is the Court above. "On those who signed" is the court below.

13. Malbim to Nechemiah 10:1

יתכן לאמר שהיה דרכם בכל דבר הנעשה לקיום לכתוב הדבר בשני ספרים, אחד ספר הגלוי ואחד ספר החתום, וכמ"ש בירמי' (לב:יא-יד). ובס' הגלוי היו חותמים מבפני, ובספר החתום היו חותמי מבחוץ, כמ"ש הז"ל "גט פשוט עדי מתוכו, מקושר עדי מבחוץ". וסדר החתימות היו הכהנים ואח"כ הלויים ואח"כ השרים, וזה היה בספר הגלוי, אבל בספר החתום שקפלו את החתומים לחוץ נתהפך ונקראו האחרון בראשונה, תחלה השרים ואח"כ הלויים ואח"כ הכהנים, וז"ש "ועל החתום", היינו ספר החתום, היה הסדר שרינו לוינו וכהנינו:

Perhaps their way was that when a matter was executed for posterity, they wrote two scrolls, one open and one sealed, like Jeremiah 32:11-14. They signed the open scroll inside, and on the sealed scroll they signed the outside, as our Sages said, "A straight document has its witnesses inside; a tied document has its witnesses on the outside."

The order of the signatures was Kohanim, then Levites, then Nobles. This was on the open scroll, but for the sealed scroll they folded the signatures to the outside and so it was reversed, and the last was read first – first the Nobles, then the Levites, then the Kohanim. This is the meaning of "And on the sealed," meaning the sealed scroll, the order was "our Nobles, our Levites, our Kohanim."

14. Malbim to Nechemiah 10:2

וכשתמנה תמצא שחתמו א"ע פ"ג אנשים והם נגד שבעים סנהדרין וי"ג ממונים שחשב הרמב"ם פ"ד מה' כה"מ חוץ מן הכהן גדול (שלא נזכר בין החתומים) סגן ושני קתיקולין וז' אמרכלים וג' גזברים: