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PARASHAT BECHUKOTAI

The Two *Dibburim* of *Bechukotai* By Rav Yehuda Rock

In the Torah, mitzva units are generally introduced with the phrase "God spoke to Moshe, saying," or some variation thereof, so that each unit is known as a "*dibbur*" (plural, *dibburim*). A *dibbur* can consist of anything from a short paragraph to a series of commands spread over several portions. In the case of *Parashat Bechukotai*, we find both. Its first half continues from *Parashat Behar*, which begins (*Vayikra* 25:1-2): "God spoke to Moshe at Mount Sinai, saying: 'Speak to the Israelites and say to them...'" This lengthy monologue continues all the way until the end of chapter 26, in the middle of *Parashat Bechukotai*. The first part of this *dibbur* (Chapter 25) speaks about the laws of *shemitta* and *yovel*, the sabbatical and jubilee years; the sale and redemption of land and homes; interest; and the indentured servant. The second part (starting from the beginning of *Parashat Bechukotai*, 26:3) promises blessings upon the land if the commandments are observed, and – Heaven forbid! – curses, if God's covenant is violated. In between the two parts there are two verses concerning idolatry, Shabbat and the proper reverence to be shown towards the Sanctuary (26:1-2). This first monologue concludes at 26:46: "These are the statutes, judgments and teachings which God gave between Himself and the Israelites at Mount Sinai, by Moshe's hand." The second *dibbur* begins immediately afterwards, at the beginning of chapter 27: "God spoke to Moshe, saying: 'Speak to the Israelites and say to them...'" It covers the subjects of valuations (for vows), property dedicated to God, and tithes. This speech, too, features a concluding verse (27:34): "These are the commandments which God commanded Moshe for the Israelites at Mount Sinai."

Both *dibburim*, we are told (in the very first verse, at the beginning of *Behar*; and in the concluding verses, in the middle of and at the end of *Bechukotai*), were stated at Mount Sinai. This raises a question as to the verse concluding the first speech, which seems to indicate the end of the commandments given at Sinai. We may also ask a more general question: when exactly were these two monologues stated, and why are they located here, at the end of *Sefer Vayikra*?

In this *shiur* we shall examine the context and function of each of these two *dibburim*, and the significance of their respective introductory and concluding verses.

Let us begin with the first *dibbur*. Concerning the introduction to the first speech (25:1), the Ibn Ezra writes:

"At Mount Sinai" – the Torah follows no chronological order. This actually took place prior to [that which is recorded in *Parashat*] *Vayikra* and all the portions that follow it, for it was stated at Mount Sinai. This is the covenant that is written in *Parashat Mishpatim*, and it is mentioned here in order to connect it to the condition for [receiving] the land. Just as God said, concerning sexual immorality, that because of it the land would expel them (*Vayikra* 18:28), so He says the same, in *Parashat Bechukotai*, concerning the sabbaths of the land; [therefore] He first sets forth the details of these sabbaths.

The Ibn Ezra understands the matter as follows: as this monologue was stated at Sinai – and bearing in mind that since the inauguration of the *Mishkan* (Tabernacle), God has spoken from the Tent of Meeting, as explicitly stated in *Vayikra* 1:1 – we must therefore conclude that the occasion of the speech recorded here must have preceded all of *Sefer Vayikra*. The Ibn Ezra asserts further that the Torah sets forth here the details of the covenant which is forged at the end of *Parashat Mishpatim*, in *Shemot* 24:1-11, the covenant of the basins. The Ibn Ezra does not explain his reasoning for this latter assertion.

Since, according to the Ibn Ezra's view, the chronological event of this monologue precedes the first twenty-four chapters of *Sefer Vayikra*, he must explain why it appears here rather than in its proper place, in *Parashat Mishpatim*. He explains that the Torah seeks "to connect it to the condition for [receiving] the land." As we understand from the continuation of his explanation, he views the blessing and the curse in the second part of the monologue as the essence of what God is saying. The blessing and the curse set out the conditions for the existence of the Jewish nation in the land of Israel. The Torah presents these conditions before describing the preparations for the entry into the land in *Sefer Bamidbar*.

The Ibn Ezra's unstated assumption – that the crux of the *dibbur* here is its second part, i.e., the blessings and curses – requires that he explain why the *dibbur* also includes the first part. He resolves this by explaining that since the curses include (26:34-35, 43) the land expelling those who violate "its sabbaths," i.e., *shemitta* and *yovel*, the Torah precedes the blessings and curses with the laws of these sabbaths.

The Ramban, as we know, consistently maintains that the Torah is written in accordance with the chronological order of events. Here, too, after citing the Ibn Ezra's opinion, the Ramban writes:

However, in my view, the text follows the proper order. For the meaning of the words, "at Mount Sinai" is when Moshe ascended there to receive the second set of tablets. To

explain the matter: at the beginning of the first forty days, for the first set of tablets, Moshe wrote down all of God's words and all of the judgments written there in "the book of the covenant," and he sprinkled "the blood of the covenant" over the people (*Shemot* 24:7-8). When they sinned with the Golden Calf and the tablets were broken, it was as if that covenant with God had been nullified. When Moshe appeased God, along with the second tablets, He commanded him concerning a new covenant, as it is written (*ibid.*, 34:10): "Behold, I forge a covenant with you" – and He then reiterated the severe commandments which had been stated in *Parashat Mishpatim*, as part of the first covenant... And in the first Book of the Covenant, *shemitta* was addressed in a general way (23:11)... but now, in this second covenant, it is set forth with all its details and its punishments... And when God was appeased by him and commanded him to forge a second covenant with them, Moshe descended and commanded them concerning all that God had commanded him on Mount Sinai, including the building of the *Mishkan*. Then "Moshe gathered together all of the Israelite congregation" (35:1)... And they made the *Mishkan*, and completed its work, and when it was erected, right away "He called to Moshe, and God spoke with him from the Tent of Meeting" (*Vayikra* 1:1), and He commanded him concerning the sacrifices and all of the laws pertaining to the *kohanim*, and Moshe immediately conveyed it to Aharon and his sons and to all of the Jewish people. When he was finished, he told them: God also commanded me, at Mount Sinai, to explain *shemitta* and *yovel* to you, and to forge a new covenant with you concerning all of the commandment and the judgments, with an oath and a vow.

To the Ramban's view, the monologue that starts in *Parashat Behar* and continues through the first part of *Bechukotai* is conveyed by God to Moshe when he ascends Mount Sinai to receive the second set of tablets (in *Parashat Ki Tissa*, *Shemot* 34). Moshe does not have a chance to pass these commandments on to the nation immediately, since he has to command them concerning the *Mishkan* and then supervise its construction. Immediately upon completion of the *Mishkan*, God gives Moshe all the commands documented in *Sefer Vayikra*, arising from the new situation of God's Presence in the *Mishkan*. It is only at their conclusion that Moshe has the opportunity of conveying to the Jewish people the rest of what he had heard at Sinai.

In other words, the Ramban agrees with the Ibn Ezra that God gives all of this to Moshe prior to the events of *Sefer Vayikra* – i.e., when the Divine commands still emanated from Mount Sinai. However, he distinguishes the time of God's command from the time of its transferal to the nation; this latter stage, he maintains, occurs at the present stage in the narrative.

This interpretation fails to produce a narrative continuity on the basis of the literal text. God's monologue in *Behar-Bechukotai* is introduced with the words, "God spoke to Moshe at Mount Sinai, saying..." – and this very speech does not take place in accordance with the order of the text, as the Ramban is forced to admit. What the Ramban does gain by his interpretation is consistency in the claim that the redaction and ordering of the Torah follows the chronological development of events, rather than being based on thematic messages. His hypothesis of the two-stage commandment (God to Moshe at one point in time, and Moshe's conveying it to the nation at a later time) suggests that the formulation of the narrative speaks about God's original

command to Moshe, while its location at the end of *Sefer Vayikra* reflects the time when Moshe conveys it to the people.

The Ramban's view is problematic specifically when we view this unit as having been recorded in its proper chronological position; it is then that the formulation "God spoke to Moshe" raises a difficulty in terms of narrative continuity. What the literal reading of the text suggests is that now, at this stage of events, with the *Mishkan* already assembled and functioning, God speaks to Moshe on Mount Sinai – which is clearly impossible. Were the Ramban correct, then it would make far more sense for the Torah, at this stage, to record Moshe's speech to the nation. There are other instances of the Torah describing Moshe as commanding the nation concerning matters which he had heard previously from God (*Shemot* 35:1; *Vayikra* 8:5). In such cases the Torah quotes Moshe, and in his words the original command is attributed to God. In this way, the reader learns that God had previously commanded Moshe. Similarly, in our case, the Torah could have said something like: Moshe spoke to the people and said to them, These are the things which God commanded me at Mount Sinai. This option would have preserved both the narrative continuity and the principle of chronological redaction, and the reader would immediately have understood the two stages involved.

It seems to make more sense to propose that the general chronological order of the Torah is based not on a strict principle of chronology, but rather on a narrative-literary continuity. When the literary form is that of a story, it is clear that every event that is recorded takes place at the point where it appears in the text. Accordingly, wherever the Torah gives no indication to the contrary (as in, for example, the commands concerning the *Mishkan*), the text should be understood as following the order of events. However, it is certainly possible that there could be a unit that is written somewhere other than its chronological place – on the condition that the Torah states this explicitly. This would seem to be the case in our *parasha*. The Torah states explicitly that this *dibbur* took place "at Mount Sinai" – i.e., at the time when Divine commands still issued from Mount Sinai (and not from the Tent of Meeting). Within the framework of the narrative-literary form, this represents a sort of "flashback" to an earlier time, with the Torah informing the reader of this jump by means of the words, "at Mount Sinai," which serve – in the literary context – as an indication of time. For this reason it seems that we should accept the view of the Ibn Ezra, maintaining that this does indeed represent a jump back to an earlier time, and that what is postponed is not the command (not even Moshe's conveying it to the Jewish people), but only the place where it is recorded in the Torah.

As we have seen, the Ibn Ezra does not suffice with the assertion that the commandments in our *parasha* were given prior to the events of *Sefer Vayikra*, at the time when God still spoke from Sinai. He adds that the Torah is setting forth here the conditions of a covenant, the forging of which was described at the end of *Parashat Mishpatim*. As noted, he provides no substantiation for this claim.

The Ramban, too, takes pains to place the original *dibbur* within the context of a covenant. To his view, these commandments represent the renewal of the covenant, in the wake of the sin of the Golden Calf. The Ramban's motive in proposing this is clear: he needs to locate God's

original *dibbur* as late as possible, since he goes on to explain why Moshe has not had the opportunity until now to convey it to the people. The longer Moshe's delay, the more difficult it is to defend. Nevertheless, there is a more fundamental question here: on what basis do both commentators assume that God's *dibbur* here constitutes a covenant?

The answer to this question is to be found at the end of the Ramban's commentary on this verse:

The same happened concerning the covenant on the Moabite Plains: they accepted the Torah with those oaths and curses, and that was the covenant, as it is written: "These are the covenantal matters which God commanded Moshe to forge with the Jewish people in the land of Moav, aside from the covenant which He forged with them at Chorev" (*Devarim* 28:69).

The Ramban bases his view on a verse that appears after the blessings and curses in *Parashat Ki Tavo*. That verse tells us that there were covenantal matters related to Chorev (Sinai), and there were covenantal matters at the Moabite Plains. Since the covenant in *Ki Tavo* includes blessings and curses, both the Ramban and the Ibn Ezra conclude that "covenantal matters" mean blessings and curses. Blessings and curses from Sinai appear only in our *parasha*, and therefore the reference in *Devarim* ("aside from the covenant which He forged with them at Chorev") would seem to refer to our *parasha*. Rashi arrives at the same conclusion, and writes: "'Aside from the covenant' – meaning, the curses in *Sefer Vayikra*, which were stated at Sinai."

The Ramban and the Ibn Ezra therefore deduce that these "covenantal matters" were spoken at the time and place where the covenant was made over them. The obvious-sounding reference, "the covenant which He forged with them at Chorev," tells us that the Torah means the main, primary covenant. It is for this reason that the Ibn Ezra talks about the covenant of the basins in *Parashat Mishpatim*. The Ramban, for reasons explained above, is forced to propose that the Torah is talking about the renewal of the covenant in *Ki Tissa*.

Here we encounter a problem. If our *parasha* contains the "covenantal matters" at Chorev, then the original story of the forging of the covenant seems to be missing something. It lists the commandments concerning which the covenant is made, "all of God's words and all of the judgments" (*Shemot* 24:3); it describes their inscription in a scroll (v. 4), the ceremonial aspects of the forging of the covenant (vv. 4-8), and the nation's acceptance of the covenant (v. 7). However, on the basis of the verse in *Ki Tavo*, there is supposed to be another central element of the forging of the covenant: the promises and threats — the blessings and curses. Yet this element is entirely absent from *Parashat Mishpatim*! The Ibn Ezra explains that the postponement of this unit until long after its chronological place in the Torah is "in order to connect it to the condition for [receiving] the land," by juxtaposing the relevant sections. However, we must ask ourselves: does this seemingly minor consideration, which has no clear basis in the verses other than the juxtaposition itself (which is actually interrupted by the second *dibbur* in our *parasha*), really justify the omission of such a fundamental element from the record of the forging of the covenant —

especially when this element is so integral that it is referred to in *Parashat Ki Tavo* as "the covenant which He forged with them at Chorev"?

Immediately following the above verse in *Ki Tavo*, Moshe gathers the people together and speaks to them: "Moshe called to all of Israel, and he said to them..." (*Devarim* 29:1). His speech continues until the end of *Parashat Nitzavim* (30:20) and is portrayed as the forging of a covenant (29:9-13):

You are all standing today... to pass you into Lord your God's covenant and His oath... Not with you alone do I forge this covenant and this oath...

The Ibn Ezra notes this, and explains (28:69-29:1):

This here is the covenant of God's command at the Moabite Plains; "Moshe called to all of Israel"- to forge the covenant. Therefore it says afterwards, "You are all standing today."

It seems that the Ibn Ezra means to connect the two sources. In other words, in his view, the forging of the covenant that is described in *Nitzavim* is a ceremonial occasion that is a continuation of the covenant of the blessings and curses in *Ki Tavo*. However, the very fact that Moshe needs to call all of Israel together would seem to show that the gathering had already broken up after the previous Divine speech, and now Moshe is calling a separate gathering. It makes no sense that the "covenantal matters" – i.e., the content of the covenant – would be conveyed at one gathering, while the actual forging of the covenant would take place at a different gathering.

The solution to all of this seems simple. It appears that the phrase "These are the covenantal matters" refer not to the preceding speech, but rather to the one that follows. In other words, the "covenantal matters" are not the blessings and curses in *Ki Tavo*, but rather the matters that Moshe conveys after he has called together all of the Jewish people – i.e., the final verses of *Ki Tavo* and all of *Parashat Nitzavim*. "These are the covenantal matters... Today you are standing... to pass you into Lord your God's covenant."

According to this understanding, there is no reason to define the blessings and curses of *Ki Tavo* as a "covenant." Consequently, it is in no way surprising that the "covenantal matters" are transmitted on a different occasion, at another gathering of the entire nation.

Likewise, there is no need to define the "covenantal matters" in general as blessings and curses. This brings us back to the question of the definition of a "covenant," and we will return to this question below. In any event, "the covenant which He forged with them at Chorev" refers, quite simply, to the covenant at the end of *Parashat Mishpatim*, concerning God's words and the judgments that had been transmitted prior to them. It has nothing to do with our *parasha*.

We previously asked: if the Divine speech in our *parasha* was delivered at Sinai, why was it not written in its proper place? The answer to the question is now clear. God did say this at Sinai,

but not as an integral part of the Sinai Covenant. He stated this as an independent matter, which may be connected to the Sinai Covenant (after all, the curses in *Bechukotai* relate to the violation of the covenant), but are an addition to it rather than part of it. For this reason it is not vital that the Torah convey this *dibbur* in its place; it could be postponed until our *parasha* – even for a relatively minor thematic reason.

If the blessings and curses are not to be identified as the "covenant," what is the essential content of the Sinai Covenant and the Moabite Plains Covenant?

In the Moabite Plains Covenant – which, according to the understanding we have proposed, refers to *Parashat Nitzavim*, we find the following (*Devarim* 29:9-12):

You are all standing here today before Lord your God... to pass you into Lord your God's covenant and His oath, which Lord your God forges with you today, in order that He might establish you today to be His nation and He your God, as He has spoken to you and as He swore to your forefathers – to Avraham, to Yitzchak, and to Yaakov.

In other words, the essence of the Moabite Plains Covenant is that He will be Israel's God and they will be His nation. Since the Torah itself draws a parallel between the Moabite Plains Covenant and the Sinai Covenant, it would seem that this is the essence of the latter too. Indeed, the language in the above verses echo God's words to Moshe in *Parashat Vaera*, in the planning for the Exodus (*Shemot* 6:6-7):

Therefore say to the Israelites... "I shall take you to be My nation, and I shall be your God, and you will know that I am Lord your God, Who brings you out from under the burdens of Egypt."

In other words, the entire Exodus leads up to the forging of the covenant, and the relationship which the covenant is meant to cement is supposed to be based on the consciousness of God as having brought Israel out of Egypt.

After the Exodus, when the nation reaches the wilderness, God indeed proposes the covenant to them (*Shemot* 19:5-6):

And now, if you will diligently obey Me and observe My covenant, then you will be My treasure from among all the nations, for all of the earth is Mine, and you will be for Me a kingdom of priests and a holy nation.

The Jewish people accept the offer and commit themselves to the covenant. Following the necessary preparations, God is revealed on Mount Sinai, declaring himself their God, Who redeemed them from slavery (*Shemot* 20:2-3):

I am Lord your God, Who brought you out of the land of Egypt, from the house of slavery. You will have no other gods besides Me.

As noted above, the *dibbur* in our *parasha* comes from Sinai, but it is not as an integral part of the "Sinai Covenant;" rather, it is an addition to or elaboration on it. For this reason it is not vital that it be recorded in its place, and it makes sense that the Torah postpones presenting it until our *parasha*, even for a seemingly minor reason.

What is this reason? We have already noted the approach of the Ibn Ezra, maintaining that the purpose of the delay is "to connect it to the condition for [receiving] the land." We also noted the difficulties arising from this interpretation: it has no clear support in the literal text, other than the juxtaposition itself, and even this seeming continuity is broken by the second *dibbur* in our *parasha*.

Now we are in a position to suggest a different possibility. As we have seen, in *Parashat Vaera*, the Torah defines the ultimate purpose of the Exodus from Egypt as the forging of a relationship between the nation and God, as well as a consciousness of this covenant on the part of the nation: "And you will know that I am Lord your God, Who brings you out from under the burdens of Egypt." We find that the mechanism for inculcating this consciousness amongst the nation is the dwelling of God's Presence in the *Mishkan*, and that this is the original plan for the Exodus (*Shemot* 29:43-46):

I shall meet there with the Israelites... I shall dwell amongst the Israelites, and I shall be their God, and they will know that I am Lord their God, Who brought them out of the land of Egypt to dwell in their midst. I am Lord their God.

In other words, the *Mishkan* is a direct and necessary continuation of the Exodus from Egypt and of the Sinai Covenant. For this reason, the next narrative recorded in the Torah, following the story of the Sinai Covenant, is the command to build the *Mishkan* and the process of its construction (with a break for the story of the covenant's violation, the sin of the Golden Calf). As the Ramban explains, once God's Presence dwells in the *Mishkan*, there must be a series of commands that issue from the Tent of Meeting, pertaining to the Divine Presence and the proper observance of the sanctity that this entails.

Hence, it is for this reason that the unit is relocated from its chronological place in the Torah. The reason is not, as the Ibn Ezra proposes, in order to place it in close proximity to *Sefer Bamidbar*; nor is it, as the Ramban would have it, simply a result of Moshe not having had time, until now, to transmit the message to the nation. Rather, on the literary level, had the unit appeared in its chronological place, it would have broken the literary continuity of the story of the Exodus with its objectives: the Sinai Covenant and the *Mishkan*.

As noted, the second *dibbur* in our *parasha* also emanates from Sinai, as evidenced by its conclusion: "These are the commandments... at Mount Sinai." Apparently, the purpose of this verse is to delineate the end of the deviation from the chronological narrative. After the Torah indicates to the reader, at the beginning of *Parashat Behar*, that at this point the narrative presents a "flashback" to events that happened earlier, here the Torah signals, at the end of the book, the

return to a chronological timeline, in preparation for *Sefer Bamidbar*. The concluding verse of *Sefer Vayikra* should be read together with the first verse of *Bamidbar*. "These are the commandments which God commanded Moshe for the Israelites at Mount Sinai" ends the parenthetical unit of commandments from Sinai which remained to be conveyed. We now return to the flow of the story. The exact point of return, in time and space, is: "God spoke to Moshe in the wilderness of Sinai, at the Tent of Meeting, on the first day of the second month, in the second year of their departure" — i.e., the departure of "the Israelites," who are mentioned in the previous verse — "from the land of Egypt."

The function of the verse that concludes the first monologue — "These are the statutes, judgments and teachings which God gave between Himself and the Israelites at Mount Sinai, by Moshe's hand" — is less apparent. The Rashbam and the Seforno explain that this verse sums up only the preceding section (*Parashat Behar* and the blessings and curses of *Parashat Bechukotai*). We can certainly accept that the "statutes" refer to the laws of *shemitta* and *yovel*, shunning idolatry, Shabbat and the Sanctuary, while the "judgments" refer to the monetary matters listed in *Parashat Behar*; but what are the "teachings"? In the terminology of the Torah, "teachings" usually refers to lengthy series of detailed instructions, such as the "teachings" of the sacrifices (e.g., *Vayikra* 6:2), and perhaps also the command to build the *Mishkan* (see my *shiur* on *Parashat Yitro*). In the *dibbur* in *Parashat Behar* there are no such "teachings." We are therefore inclined to adopt the explanation of the Ibn Ezra (on this verse) and of the Ramban (at the beginning of *Parashat Behar*) that the verse is meant to sum up the halakhic sections of *Sefer Shemot*, which were also given at Sinai.

This explanation gives rise to the question of why the second *dibbur*, in our *parasha*, is not included in this summary. From the perspective of the Ibn Ezra and the Ramban, the reason is clear: the verse summarizes only those matters that are part of the Sinai Covenant. According to our hypothesis, however, even the first *dibbur* is not part of that covenant. If this is so, why does the verse bring together the first *dibbur* in our *parasha* and the previous sections from *Sefer Shemot*, but not include the second *dibbur* in our *parasha*?

Seemingly, although the first *dibbur* is not defined as part of the covenant, it still belongs to the general subject of the relationship between Israel and God. We may say that the matters in it - the proper behavior towards the land and towards Israelite servants, and the conditions for the Jewish people's existence in the land – belong to the category of what "God gave between Himself and the Israelites." The laws of valuations for vows and of dedicated objects, on the other hand, merely define the proper handling of certain types of vows, and the Torah does not include these vows within the defining features of the relationship between God and Israel. For this reason, they belong to the general category of "the commandments... at Mount Sinai," but not to "the statutes, judgments and teachings which God gave between Himself and the Israelites at Mount Sinai."

