YESHIVAT HAR ETZION

KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**PARASHAT HASHAVUA**

**PARASHAT BEHAR**

**Placing *Parashat Behar* in the Chronological Order of the Torah**

**Rabbi Zeev Weitman**

"And the Lord spoke to Moshe at Mount Sinai, saying" (*Vayikra* 25:1). This opening verse of our *parasha* brings the Ibn Ezra to comment that "there is no earlier or later in the Torah" – meaning, the order in which events are written in the Torah does not necessarily reflect the historical order in which they occurred – and that the contents of *Parashat Behar* were actually told to Moshe *before* all the other *parashot* in the book of *Vayikra*. The other *parashot* in the book of *Vayikra* were told to Moshe in the Tent of Meeting, after it was erected – as stated explicitly at the beginning of the book – whereas our *parasha* was told to Moshe while he was still on Mount Sinai, before he informed the people of the mitzva to build the *Mishkan*.

When exactly was our *parasha* told to Moshe: on his first or his second ascent to Mount Sinai? And when exactly was the covenant presented in *Parashat Bechukotai* made? The Ibn Ezra and the Ramban disagree.

According to the Ibn Ezra, *Parashot Behar* and *Bechukotai* were told to Moshe on the day after the giving of the Torah, during Moshe's first ascent to Mount Sinai, and they are a direct and detailed continuation of the covenant described in *Shemot* 24, at the end of *Parashat Mishpatim. Parashat Behar* details the laws over which the covenant was made – those mentioned in the section, "You have seen" (*Shemot* 20:18), at the end of *Parashat Yitro* and the beginning of *Parashat Mishpatim* – and *Parashat Bechukotai* expands on the covenant mentioned there (see Ibn Ezra, at the beginning of *Behar* and on *Bechukotai* 26:25).

The Ramban disagrees with the Ibn Ezra on two points: First, in his opinion, our *parasha* was told to Moshe during his *second* ascent to Mount Sinai – the ascent related in the section, "Behold, I make a covenant" (*Shemot* 34:10). There, mention is made of the *mitzvot* which were told to Moshe as a precondition for receiving the second set of tablets, and according to the Ramban, *Parashat Behar* completes the list of *mitzvot* over which the covenant was made, and also spells out further details of the second covenant, which are not mentioned there. Just as the section of "You have seen," at the end of *Parashat Yitro* and in *Parashat Mishpatim*, mentions *mitzvot* that were given before the giving of the first set of tablets, and afterwards a covenant is made, as is explained at the end of *Parashat Mishpatim* – so too, *mitzvot* were given before the giving of the second set of tablets, as is stated in *Parashat Ki-Tisa*, and a covenant is made over these *mitzvot*, as is explained in *Parashat Behar.* The covenant in our *parasha* is the one mentioned at the time of the receiving of the *second* set of tablets, not the one before the receiving of the *first* set of tablets. According to the Ramban, this covenant was not made close to the time of the giving of the second set of tablets, but only now, shortly before the people left Mount Sinai and journeyed toward the Land of Israel. He explains:

In my opinion, "at Mount Sinai" means when Moshe went up there to receive the second tablets, and the explanation of the matter is as follows: At the beginning of the first forty days of the first tablets, Moshe wrote in the book of the covenant all the words of the Lord and all the ordinances stated there [in that section], and he sprinkled the blood of the covenant upon the people. But when the people sinned with the [golden] calf and the tablets were broken, that was equivalent to a breaking of the covenant with the Holy One, blessed be He. Therefore, when the Holy One, blessed be He, became reconciled to Moshe by giving him the second tablets, He commanded him concerning a new covenant, as it is stated: "Behold, I make a covenant" (*Shemot* 34:10), and He repeated there the stringent commandments that had been said in the section of "And these are the ordinances" at the first covenant, and He [now] stated: "Write you these words, for after the tenor of these words I have made a covenant with you and with Israel" (*Shemot* 34:27). Now the Holy One, blessed be He, wanted to make this second covenant with them with greater stringency, and that it should be upon them by means of oaths and curses… Now in the book of the first covenant, the law of the Sabbatical year was stated in a general way, as I have mentioned, as it is stated: "And on the seventh year you shall let it rest and lie fallow, etc." (*Shemot* 23:11), and now in this second covenant, it was stated with its specific prescripts, its minute details, and its penalties.

At the time of the first covenant, during the first forty days, Moshe was commanded concerning the building of the *Mishkan*; and when the Holy One, blessed be He, became reconciled to him and commanded him to make a second covenant for them, Moshe came down [from the mountain] and he gave them in commandment all that the Lord had spoken with him in Mount Sinai, including the making of the *Mishkan*. Then Moshe assembled all the congregation of the children of Israel, and said to them as at first: "These are the words which the Lord has commanded that you should do them" (*Shemot* 35:1), when making the *Mishkan*. Now they accepted the charge joyfully, and departed from his presence at once, and they all came back and brought the donations, and made the *Mishkan* and completed its construction. And as soon as it was set up, He immediately called to Moshe – "And the Lord spoke to him out of the Tent of Meeting" (*Vayikra* 1:1) – and He commanded him regarding the offerings and all the law of the priests, and Moshe immediately commanded them all to Aharon and his sons and to all the children of Israel. When he had finished, he said to them: God further commanded me on Mount Sinai to explain to you [the laws of] the Sabbatical year and of the Jubilee, and to make a new covenant with you concerning all the commandments and ordinances, by means of adjuration and oath. It was not necessary now [for Moshe] to slaughter offerings and sprinkle half of the blood upon the people and half upon the altar, as he had done at the first covenant, because now they were [again] accepting upon themselves the original covenant, with these oaths and adjurations. (Ramban, *Vayikra* 25:1)

In my article, "*Shemitta u-Mikdash*," which was published in *Megadim* 3, I suggested that *Parashot Behar* and *Bechukotai* may be seen as an independent unit that summarizes the commandments given to Moshe at Mount Sinai, sets them on four basic commandments – the *shemittot* of the land,[[1]](#footnote-1) idolatry, Shabbat, and the Sanctuary (mentioned in the last two verses) – and details the covenant between God and Israel over these commandments. This proposal resolves the difficulty with the last two verses in our *parasha*, which at first glance appear to be completely disconnected both from the section before them (the *mitzvot* of the Sabbatical year and the Jubilee year), and from the section after them (the covenant made to observe the *mitzvot*). This explanation also helps solve another difficulty, namely, that the section dealing with the covenant emphasizes that the severe punishments that will come upon the people of Israel for breaking the covenant will come as a response to not keeping the laws of *shemitta* – which indicates that the covenant relates to what is stated in *Parashat Behar*, not to all the commandments of the Torah.

In the same article, I explained why these four *mitzvot* constitute the fundamental *mitzvot*. Shabbat and idolatry determine the two fundamental beliefs, while the *mitzvot* of the Sanctuary and the Sabbatical year are the enhancement, expression, and practical test of these two beliefs. I also showed that the centrality of these four *mitzvot* is even more evident from the fact that they are mentioned in the covenant in *Nechemya* 10, after the people of Israel returned from exile – which was a fulfillment of the punishment decreed in the covenant made in our *parasha*.

Furthermore, while it is generally accepted that Moshe was given 613 *mitzvot* at Sinai, in fact the majority of those *mitzvot* were told to him even before his ascent (the Ten Commandments and *Parashat Mishpatim*;see Ibn Ezra at the beginning of *Parashat Teruma* and Ramban, *Shemot* 24:1) or only after his descent from the mountain (the *mitzvot* in the book of *Vayikra* and others), and it was only the commandments regarding the Sanctuary and its vessels that were given in detail to Moshe while he was on Mount Sinai (see the Ramban cited above), and so too the *mitzvot* relating to the sabbath of the land, as explained in our *parasha.*

As a supplement to that article, and as a reinforcement of the words of the Ramban who connects our *parasha* to the section of "Behold, I make a covenant" (*Shemot* 34:10), we can point to the fact that the *mitzvot* mentioned there are but the three *mitzvot* which the Torah briefly mentions in our *parasha*:

Idolatry – "Take heed to yourself, lest you make a covenant with the inhabitants of the land… But you shall break down their altars… For you shall bow down to no other god… lest you make a covenant… and they go astray after their gods… You shall make yourselves no molten gods." (*Shemot* 34:12-17)

Shabbat – "Six days you shall work, but on the seventh day you shall rest." (v. 21)

Sanctuary – "All that opens the womb is Mine… And none shall appear before Me empty…Three times in the year shall all your males appear before the Lord God… The choicest first-fruits of your land you shall bring into the house of the Lord your God…” (vs. 19-20, 23-26)

This fact further strengthens the understanding that in fact *Parashot* *Behar-Bechukotai* complete the section of "Behold, I make a covenant": there, three of the four fundamental *mitzvot* were explained in detail, while in *Parashot Behar-Bechukotai* the fourth commandment is clarified, and so too the conditions of the covenant that was made for the observance of these *mitzvot.*

This idea also explains why, in *Parashot Behar-Bechukotai*,only the *mitzvot* relating to the sabbath of the land are presented in detail, whereas the other three *mitzvot* are mentioned only briefly at the end of the *parasha* – because they were already explained in detail in the section of "Behold, I make a covenant."And perhaps it may be argued that even in the section of "Behold, I make a covenant," where three fundamental *mitzvot* are spelled out in detail, there is an allusion to the fourth mitzva, whose details are explained in *Parashat Behar* – i.e., the mitzvaof the sabbath of the land – in the verse: "in plowing time and in harvest you shall rest" (*Shemot* 34:21). This is in accordance with the understanding of *Chazal* cited by Rashi, ad loc.,[[2]](#footnote-2) according to which this verse refers specifically to the plowing season at the beginning of the *shemitta* year and the harvest season that follows it.

(Translated by David Strauss)

1. With the exception of the last two verses, *Parashat Behar* consists entirely of details of the commandments regarding the *shemittot*. [↑](#footnote-ref-1)
2. See also the article of Rabbi Kalman Kahana, "*Be-Charish u-va-Katzir Tishbot*," published at the end of part I of his edition of the Mishna and Yerushalmi *Shevi'it*, which demonstrates that this understanding is close to the plain meaning of the verse. [↑](#footnote-ref-2)