**PARASHAT HASHAVUA**

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**PARASHAT BEHAR-BECHUKOTAI**

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**The Book of the Commandments and the Book of the Covenant**[[1]](#footnote-1)

**Rav Gad Eldad**

*Parashat Behar* opens as follows:

And the Lord spoke to Moshe on Mount Sinai, saying. (25:1)

The concluding words of *Parashat Bechukotai* indicate that it is there that this speech of God ends:

These are the commandments, which the Lord commanded Moshe for the Israelites on Mount Sinai. (27:34)

When, however, one reads the verses in this section consecutively from beginning to end, one gets the impression that the unit ends one chapter earlier:

These are the statutes and ordinances and laws, which the Lord made between Him and the Israelites on Mount Sinai by the hand of Moshe. (26:46)

It seems then that the unit ends twice! How is it possible that one beginning has two ends?

Let us reexamine the revelation at Mount Sinai itself, with the aim of understanding the duplication appearing at the end of the Book of *Vayikra*.

**The Revelation at Mount Sinai**

Before the revelation at Mount Sinai, God addresses Israel as follows:

And Moshe went up to God, and the Lord called to him out of the mountain, saying: Thus shall you say to the house of Ya’akov, and tell the Israelites: You have seen what I did to the Egyptians, and how I bore you on eagles' wings, and brought you to Myself. **Now therefore, if you will hearken to My voice indeed, and keep My covenant,** then you shall be My own treasure from among all peoples; for all the earth is Mine; and you shall be to Me a kingdom of priests, and a holy nation. These are the words which you shall speak to the Israelites. (*Shemot* 19:3-6)

God sets two conditions for the unique relationship between Himself and Israel: 1) hearkening to His voice, and 2) keeping His covenant. Afterwards He proclaims the Ten Commandments, *Aseret Ha-dibberot,* in Chapter 20. Chapters 21-23, the bulk of *Parashat Mishpatim,* contain many additional *mitzvot*; then suddenly, at the portion’s end, we encounter a covenant that the Israelites enter into in proximity to the revelation at Mount Sinai (emphasis mine):[[2]](#footnote-2)

And to Moshe He said: Come up to the Lord, you, and Aharon, Nadav, and Avihu, and seventy of the elders of Israel; and worship you from afar…

And Moshe came and told the people all the words of the Lord, and all the ordinances; and all the people answered with one voice, and said: All the words which the Lord has spoken will we do. And Moshe wrote all the words of the Lord, and rose up early in the morning, and built an altar under the mountain, and twelve pillars, according to the twelve tribes of Israel. And he sent the young men of the Israelites, who offered burnt-offerings, and sacrificed peace-offerings of oxen to the Lord. And Moshe took half of the blood, and put it in basins; and half of the blood he dashed against the altar. And he took **the book of the covenant,** and read in the hearing of the people; and they said: All that the Lord has spoken will we do and obey. And Moshe took the blood, and sprinkled it on the people, and said: Behold **the blood of the covenant,** which the Lord has made with you in agreement with all these words. Then went up Moshe and Aharon, Nadav, and Avihu, and seventy of the elders of Israel…

And the Lord said to Moshe: Come up to Me on the mountain and be there; and I will give you the tablets of stone, and the law and the commandment, which I have written, that you may teach them…

And Moshe entered into the midst of the cloud, and went up on the mountain; and Moshe was on the mountain forty days and forty nights. (*Shemot* 24:1-18)

The commentators disagree about the dating of this event.[[3]](#footnote-3) Either way, it falls upon us to uncover what the Torah means to say when it separates the making of the covenant from the giving of the Torah.

**The Tablets of the Law**

In *Devarim*, we find a second account of the revelation at Mount Sinai:

Only take heed to yourself, and keep your soul diligently, lest you forget the things which your eyes saw, and lest they depart from your heart all the days of your life; but make them known to your children and your children's children; the day that you stood before the Lord your God in Chorev…

And He declared to you **His covenant**, which He commanded you to perform, even **the ten matters** (*aseret ha-devarim*); and He wrote them upon two tablets of stone. (*Devarim* 4:9-13)

Here the revelation at Mount Sinai itself is described as the making of a covenant. This happens once again at the beginning of the next chapter, immediately prior to the reiteration of the Ten Commandments:

And Moshe called to all Israel, and said to them: Hear, O Israel, the statutes and the ordinances which I speak in your ears this day, that you may learn them, and observe to do them. **The Lord our God made a covenant with us in Chorev.****The Lord made not this covenant with our fathers, but with us, even us, who are all of us here alive this day.** The Lord spoke with you face to face on the mountain out of the midst of the fire. I stood between the Lord and you at that time, to declare to you the word of the Lord; for you were afraid because of the fire, and went not up on the mountain, saying. (*Devarim* 5:1-5)

It would appear from the Book of *Devarim* that the entire revelation at Mount Sinai constitutes the making of a covenant between God and the people of Israel, the content of that covenant being the Ten Commandments.

**“And May Also Believe You Forever”**

From the Book of *Shemot*, on the other hand, we get the impression that we are dealing with two separate things. The goal of the revelation is clearly defined:

And the Lord said to Moshe: Lo, I come to you in a thick cloud, **that the people may hear when I speak with you,** and **may also believe you forever.** And Moshe told the words of the people to the Lord. (*Shemot* 19:9)

The event is dedicated to establishing Moshe's standing as a true prophet, for the sake of absolute and exclusive obedience to his prophecies in the future. This objective is critical for accepting the commandmentsthat Moshe would transmit to Israel in the name of God.[[4]](#footnote-4) It turns out, then, that there are two sides to the revelation at Mount Sinai: teaching the commandments and establishing a covenant.

The difference between the two can be sharpened as follows: On the one hand, the Ten Commandments are fundamental commandments, **a fitting lifestyle in its own right,** by way of which God wishes to guide His people. On the other hand, these commandments constitute the content of the covenant. The fact that they are the content of the covenant empties them of their absolute inherent importance as guideposts. Their importance derives from the fact that they constitute **a meeting point of the desires of the respective parties,** on the basis of which their relationship will flower.

This being the case, in the Book of *Shemot* the revelation at Mount Sinai is presented as the foundation of the Torah, **the book of the commandments.** It is only natural that immediately afterwards the people are given the ordinances (*mishpatim*) of the Torah. The separation of the making of the covenant is meant to create a completely different reading of the revelation itself, one that is detached from the previous one — not as a teaching of the commandments, but as the making of a covenant, as is the impression received after reading the account in the Book of *Devarim*.[[5]](#footnote-5)

**A Double Conclusion of the Writing of the Torah**

At the end of the Book of *Devarim,* we find a two-fold description of the conclusion of the writing of the scroll of the Torah:[[6]](#footnote-6)

**And Moshe wrote this law, and delivered it to the Levite priests,** who bore the ark of the covenant of the Lord, and to all the elders of Israel. And Moshe commanded them, saying: At the end of every seven years, in the set time of the year of release (*shemitta*), in the feast of Sukkot, when all Israel is come to appear before the Lord your God in the place which He shall choose, you shall read this law before all Israel in their hearing. Assemble (*Hakhel*) the people …

**And it came to pass, when Moshe had made an end of writing the words of this law in a book, until they were finished,****that Moshe commanded the Levites, who bore the ark of the covenant of the Lord,** saying: Take this book of the law, and put it by the side of the ark of the covenant of the Lord your God, that it may be there for a witness against you. For I know your rebellion, and your stiff neck; behold, while I am yet alive with you this day, you have been rebellious against the Lord; and how much more after my death…

And Moshe spoke in the ears of all the assembly of Israel the words of this song, until they were finished. (*Devarim* 31:9-30)

The command to the Levites is different in each account. According to the first account, the Torah is given to them, in the context of the command to fulfill the mitzva of *Hakhel*, in which the king reads the Torah publicly to the entire nation. In the second account, Moshe focuses in his command to the Levites on the place where the scroll of the Torah is to be placed and on the reason for it to be located there, i.e., to serve as a witness.

However, in the light of what we have said, it is possible that the same event is being described from two different perspectives. The Torah, being the finished product of the Ten Commandments, bears a two-fold character, and contains dual content: the book of the commandments and the book of the covenant.

**A Forward-Looking Ending**

The ending of the "two books" embodied in the Torah is combined with a look into the future, which reveals the character of each of the books which come to an end:

And Moshe wrote this law, and delivered it to the Levite priests, who bore the ark of the covenant of the Lord, and to all the elders of Israel. And Moshe commanded them, saying: At the end of every seven years, in the set time of the year of release, in the feast of Sukkot, when all Israel is come to appear before the Lord your God in the place which He shall choose, you shall read this law before all Israel in their hearing. Assemble the people, the men and the women and the little ones, and your stranger that is within your gates, that they may hear, **and that they may learn, and fear the Lord your God, and observe to do all the words of this law;** and that their children, who have not known, may hear, and learn to fear the Lord your God, as long as you live in the land to where you go over the Jordan to possess it. (*Devarim* 31:9-13)

This passage describes the conclusion of the book of the commandments. In order to preserve its character in the future as such, the people are commanded to relive the giving of the commandmentsat the end ofevery *shemitta* year and read the Torah in the presence of the entire people, that they may keep it.[[7]](#footnote-7)

Later in the passage, a description is given of the conclusion of the book of the covenant, combining the elements of the covenant with a look toward the future. Accordingly, the people are warned about violating the covenant and told their fate, should they choose to do so:

And the Lord said to Moshe: Behold, you are about to sleep alongside your fathers; and this people will rise up, and go astray after the foreign gods of the land, where they go to be among them, and will forsake Me, **and break My covenant** which I have made with them. Then My anger shall be kindled against them in that day, and I will forsake them, and I will hide My face from them, and they shall be devoured, and many evils and troubles shall come upon them; so that they will say in that day: Are not these evils come upon us because our God is not among us? And I will surely hide My face in that day for all the evil which they shall have wrought, in that they are turned to other gods…

And it came to pass, when Moshe had made an end of writing the words of this law in a book, until they were finished. (*Devarim* 31:16-24)

The scroll of the Torah, as a book of commandments, is given to the priests and the elders, Moshe's heirs as disseminators of Torah. When the Torah is handed over to them, they are commanded about performing *Hakhel*, a reenactment of the revelation at Sinai, the giving of the commandments. However, at the conclusion of the writing of the Torah as **a book of the covenant,** the priests are commanded to put it alongside the **Ark of the Covenant:[[8]](#footnote-8)**

And it came to pass, when Moshe had made an end of writing the words of this law in a book, until they were finished, that Moshe commanded the Levites, **who bore the ark of the covenant of the Lord,** saying: Take this book of the law, and put it by the side of **the ark of the covenant of the Lord your God,** that it may be there for a witness against you.

**The Conclusion of the Book of Vayikra**

In light of what we have said above, we will try to solve the riddle of the two-fold conclusion of the Book of *Vayikra.* Here too, we wish to argue that the Torah uses this literary device to allude that at the revelation at Mount Sinai, to which the opening and closing verses of this section relate, two simultaneous events take place: the commandments are given, and alongside this a covenant is entered into.

Accordingly, the Book of *Vayikra* comes to a conclusion on two planes. The giving of the commandments begins with the directives regarding the *shemitta* year in Chapter 25 **and continues until the section dealing with the donation of valuations to the Sanctuary at the end of the book** in Chapter 27**.**  In the middle, as an integral part of the giving of the commandments, we encounter the conditions for reward and punishment, one of the clear signs of the covenant. This section ends with reference made to the previous covenants:

I also will walk contrary to them, and bring them into the land of their enemies; if then perchance their uncircumcised heart be humbled, and they then be paid the punishment of their iniquity; then will I remember **My covenant with Ya’akov, and also My covenant with Yitzchak, and also My covenant with Avraham** will I remember; and I will remember the land…

Nevertheless, when they are in the land of their enemies, I will not reject them, neither will I abhor them, to destroy them utterly, and to break **My covenant with them;** for I am the Lord their God. But I will for their sakes remember **the covenant of their ancestors, whom I brought forth out of the land of Egypt in the sight** of the nations, that I might be their God: I am the Lord.

These are the statutes and ordinances and laws, which the Lord made **between Him and the Israelites** on Mount Sinai by the hand of Moshe. (26:41-46)

**The Assembly at Mount Gerizim**

And Moshe and the elders of Israel commanded the people, saying: Keep all the commandment which I command you this day. And it shall be on the day when you shall pass over the Jordan to the land which the Lord your God gives you, **that you shall set you up great stones, and plaster them** with **plaster. And you shall write upon them all the words of this law,** when you are passed over; that you may go in to the land which the Lord your God gives you, a land flowing with milk and honey, as the Lord, the God of your fathers, has promised you. And it shall be when you are passed over the Jordan, that **you shall set up these stones, which I command you this day, on Mount Eval, and you shall plaster them with plaster.** And there shall you build an altar to the Lord your God, an altar of stones; you shalt lift up no iron tool upon them. You shalt build the altar of the Lord your God of unhewn stones… **And you shall write upon the stones all the words of this law very plainly**…

And Moshe charged the people the same day, saying: These shall stand upon Mount Gerizim to bless the people… and these shall stand upon Mount Eval for the curse…

**These are the words of the covenant which the Lord commanded Moshe to make with the Israelites in the land of Moav, beside the covenant which He made with them in Chorev.** (*Devarim* 27:1-28-69)

Upon entering Eretz Israel, the people are commanded to write the Torah on stones and to receive the blessing and curse for keeping or not keeping the Torah. In light of what we have learned, we can understand the meaning of the event in its entirety. The blessing and curse signify making a covenant. On the one hand, we have tablets of stone upon which are written the words of the Torah and the commandments; on the other hand, a covenant is made over them. **What we have here is a renewal of the revelation at Mount Sinai upon the people's entry into Eretz Israel.** The Torah wishes to convey the message that here is the appropriate place for giving the Torah, because only here in Eretz Israel can it be realized in its entirety. When it is given the first time, this is only preparation for its full observance in the Promised Land.[[9]](#footnote-9) In order to re-experience what happened at Mount Sinai, both of its dimensions are necessary: a covenant and stone tablets upon which the commandments are inscribed.[[10]](#footnote-10)

**The Book of the Covenant and the Book of the Commandments**

We must try to understand this two-levelled relationship between God and His people. We are accustomed to rank a person who fulfills the commandmentsout of recognition of their truth on a higher level than one who does so out of fear of punishment or desire for reward. From this perspective, the value of the book of the commandments is higher than that of the book of the covenant, which contains warnings about the punishments that await those who transgress the commandments.

However, when we examine the relationship between God and His people, we get a totally opposite perspective. The book of the commandments expresses a relationship of commander and commanded. From this perspective, it is clear that the parties are on different levels, for it is the commander who is in control. A covenant is different in its very essence, and therefore so novel. A covenant involves two parties who obligate themselves to mutual obligations.[[11]](#footnote-11) From that point on, each side is barred from going back on its commitments. The fulfillment of the covenant between God and His people raises the standing of the people to a much higher level than that achieved by fulfilling His commandments. **From now on, God is obligated, as it were, to the people, and the people are entitled to demand their rights from Him, provided that they fulfill their obligations.**

 The Rabbisnote this elevated status in several places. For example, at the end of the section dealing with the declaration relating to the tithes, Rashi writes (*Devarim* 26:15; see also29:12):

"Gaze down from the residence of Your holiness" — We have done what is incumbent upon us; now do what is incumbent upon You to do, as You have said (*Vayikra* 25:3-4) "If you walk in My statute… then I will give you rain in its season."

(Translated by David Strauss)

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1. This *shiur* is based on my article in *Shematin* (No. 141-142, expanded issue). All biblical citations are from the Book of *Vayikra* unless otherwise indicated. [↑](#footnote-ref-1)
2. Similarly the commentators on the above-cited verses that serve as an introduction to the Ten Commandments (*Shemot* 19:5) understand the words "and keep My commandments" as relating to the covenant described at the end of *Parashat Mishpatim*  (ibn Ezra; so it would seem from Rashi; see also Ramban). [↑](#footnote-ref-2)
3. Rashi (verse 1) maintains that this takes place prior to the Giving of the Torah in Chapter 20, whereas the Ramban holds that it takes place after the Giving of the Torah, where it is written. [↑](#footnote-ref-3)
4. The Rambam dedicates the eighth chapter of *Hilkhot Yesodei Ha-Torah* to this matter. [↑](#footnote-ref-4)
5. Upon closer examination, however, each account alludes to the parallel dimension. We have already cited the introductory verses to the Ten Commandments in the Book of *Shemot*, which declare a readiness to make a covenant, though this aspect fades later in the chapter. At the same time, at the height of the covenant, which appears as a separate event, God asks Moshe to go up and receive "the tablets of stone, **and the law and the commandment,** which I have written, that you may teach them" (24:12). So too in the Book of *Devarim* (4:11-14), an account is given of the making of the covenant, and, in addition, Moshe mentions that at that same time God commanded him to teach Israel the statutes and ordinances. See also ibid. 5:24-27. [↑](#footnote-ref-5)
6. The Ramban (*Devarim* 31:24) relates to this matter, as does Seforno (ibid. 31:9, 26). [↑](#footnote-ref-6)
7. The Rambam notes this aspect of *Hakhel* in *Hilkhot Chagiga* (3:6):

Converts who do not understand are obligated to concentrate their attention and direct their hearing, listening with reverence and awe, rejoicing while trembling as on the day the Torah was given at Sinai. Even great sages who know the entire Torah are obligated to listen with exceedingly great concentration. One who is unable to hear should focus on the text, **for the verse established it solely to strengthen the true faith. One should see oneself as if he one has just now been commanded regarding the Torah and heard it from the Almighty. For the king is an agent to make known the word of God.** [↑](#footnote-ref-7)
8. According to our argument, the Ark is deliberately referred to here by that designation, whereas in other places it is called by different names (*Shemot* 25:21-22):

And you shall put the cover upon the ark; and in the ark you shall put **the testimony**that I shall give you. And there I will meet with you, and I will speak with you from above the cover, from between the two cherubim which are upon **the ark of the testimony,** of all things which I will give you in commandment to the Israelites.

See also my article (cited in no. 1 above). [↑](#footnote-ref-8)
9. This essentially is God's original plan to give the Torah close to the time of the people's entry into Eretz Israel, were it not for the Sin of the Spies. [↑](#footnote-ref-9)
10. So too, the mention of building the altar with whole stones, without lifting up an iron tool upon them, directs us to the first command regarding the matter, immediately following the giving of the Torah (*Shemot* 20:21). [↑](#footnote-ref-10)
11. The Torah authorities addressed the question of why the Torah records material rewards and punishments, when the real reward, i.e., the spiritual reward, is not explicitly mentioned (Rambam, *Hilkhot Teshuva*, chap. 9; *Sefer Ha-ikarim*, IV, Chap. 40; Maharsha, *Kiddushin* 39b, s.v. *Sekhar mitzva*). However, in light of what we have learned, it seems that it is necessary to record these rewards and punishments as an integral part of the book of the covenant, which is made by the people and their God. Like every agreement, it includes rewards for those who keep it and punishments for those who violate it. Our words give new meaning to the words of *Sefer Ha-ikarim*; see there. [↑](#footnote-ref-11)