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בס"ד

Parashat Behar Part I On Structure

1. Four Questions

The opening and closing verses of *Parashat Behar* (Lev. 25:1 and 26:1-2) contain formulations that are extremely puzzling until one understands the precise role they play within the larger literary structure of the Torah. The same may be said for the final verses of each of *Parashat Behuqqotai's* two chapters (26:46 and 27:34). The difficulties include the following four:

1) The first verse of *Parashat Behar* begins with the common superscription of וַיְדַבֵּר ה' אֶל מֹשֶׁה ("Hashem spoke to Moses"). However, before the standard next word לֵאמֹר ("saying"), the Torah states בְּהַר סִינַי ("at Mount Sinai" [Lev. 25:1]), the only time the Torah employs this formulation in introducing legislation. True, the Israelites had not as yet broken camp and were still located at and around Mount Sinai, but two considerations should be borne in mind. First, the ubiquitous introductory formula, וַיְדַבֵּר ה' אֶל מֹשֶׁה לֵאמֹר ("Hashem spoke to Moses, saying...") had already been employed well over twenty times in Leviticus and there was to be one more attestation of it (in 27:1) before the close of the book. Second, all the Deity's communications to Moses in Leviticus are understood as having emanated from the Tent of Meeting, as the first verse in Leviticus explicitly states. In accordance with the vision projected from the outset of the Tabernacle project, upon that structure's completion all divine communications to Moses were to be from the Tent of Meeting, the channel of prophecy. Hashem had proclaimed: "And I will speak with you from above the ark covering between the two cherubim that are upon the ark of testimony all that I will command you concerning the Israelites" (Exod. 25:22). His presence was now in the Tabernacle and only somewhat incidentally, temporarily, also on Mount Sinai.

As our chapter's first subject concerns laws of the seventh year, the sages, acknowledging the unusual locution, asked, "What has *shemittah* (the "release" year, the topic of the first paragraph) to do with Mount Sinai?" They proffer various answers, all of which are clearly midrashic. We will seek a peshat explanation as to why this next-to-last citation of "And Hashem spoke to Moses" specifies Mount Sinai.

2) *Parashat Behar* concludes with two verses that enunciate a cluster of laws totally unrelated to the immediately preceding subject matter. The prior topic concerned an Israelite sold as a slave, who, if not redeemed, goes free at the *yobel* (Jubilee Year). That law flows naturally from the foregoing subjects; indeed, there is a degree of continuity from the beginning of the *parasha* until the last two verses. Those final verses, however, state: "You shall not make idols for yourselves, nor may you set up for yourselves a sculpted image or sacred monument and an *eben maskit* you may not place in your land to bow upon for I am Hashem your G-d. Keep My Sabbaths and venerate My sanctuary" (Lev. 26:1-2). What is the connection between all these laws and the previous subject matter? This has been especially perplexing given that the topics of these two verses had been expounded in similar words several chapters previously (Lev. 19:3-4, 30).

3) The first chapter of *Parashat Behuqqotai*, that of the blessings and curses, concludes with: "These are the statutes, ordinances and instructions that Hashem gave (set forth) between Himself and the Israelites on Mount Sinai by the hand of Moses" (Lev. 26:46). At first sight, this expansive formulation appears to be an appropriate conclusion to the book as a whole; why does it appear here, while there is one more chapter of laws to follow?

4) Chapter 27, Leviticus' final chapter, also concludes with a summary assertion: "These are the commandments that Hashem commanded Moses to [or for] the Israelites at Mount Sinai" (Lev. 27:34). Why are there two concluding verses one chapter apart? And what accounts for the different emphases between them?

2. Addressing the First Question

As we have pointed out on several occasions, the covenant transacted at Mount Sinai between G-d and Israel is structured in accordance with the suzerain-vassal covenant format popular in the ancient Near East at that time. (See our study *The G-d-Israel Covenant: On Meaning and Format*.) The Decalogue is the essential core of the covenant. In accordance with covenant format Hashem began that pronouncement with a statement of self-revelation ("I am Hashem your G-d") followed by a reminder to the Israelites of the great benefaction He performed for them in redeeming them from bondage in Egypt. He then proceeded to transmit His stipulations. This section of the covenant embraces the balance of the Decalogue and the attached laws of Exodus 21–23. After enactment of several "technical" covenant particulars, Hashem announced His plans to have tablets inscribed with the essence of the covenant – one of the final details of covenant enactment – all of which is described in Exodus 24.

At that point (Exod. 25) the Torah prescribes instructions for the Tabernacle (the "dwelling place" for the divine presence), which included an ark that would be the repository for the tablets. This sanctuary was also to serve as the portable vehicle to perpetuate Israel's Mount Sinai experience, providing the privilege to have the Deity's presence manifest within the nation on its travels. Once in operation, divine communications to Israel were to be transmitted via the Tabernacle's Tent of Meeting, a term referring to the site where the meeting between G-d and Israel's leader takes place. Instructions for construction of the Tabernacle and its articles, as well as details of their fulfillment, extend to the very end of the book of Exodus.

The first verse of Leviticus states, "He called to Moses, Hashem spoke to him, from the Tent of Meeting, saying..." (Lev. 1:1). That verse is the only

superscription that asserts that G-d's communication emanated from the Tent of Meeting. It was unnecessary to repeat the point with the many succeeding "And Hashem spoke to Moses" formulations, as all subsequent divine communications are understood to be from there, the location designated for that purpose from the initiation of the sanctuary project. No other superscription in the book mentions the location from which the law was transmitted, Mount Sinai, except that of our *Parashat Behar*, the subject we are presently addressing.

The Leviticus legislation from chapter 1 onward, proceeding from the Tent of Meeting, is a continuation of the covenant stipulations that had commenced with the lawgiving on Mount Sinai. The Tabernacle program was added to the Sinai lawgiving after covenant finalization had begun but before it was concluded. The final component of covenant protocol that had not been fulfilled in Exodus was the recital of the blessings and curses, a detail fulfilled immediately following *Parashat Behar* in the first chapter of *Parashat Behuqqotai* (Lev. 26). At that point the Mount Sinai covenant was completed and instructions for organization of the camp and travel preparations were ready to begin, subjects that appear at the beginning of the book of Numbers. Hence, *Parashat Behar* (Lev. 25) is the final chapter of covenant stipulations.

Although there is another chapter (27) in Leviticus that follows the blessings and curses, it is clear that the blessings and curses are the finale to the Covenant. The last chapter contains many laws that primarily deal with acts and obligations that contribute toward support of the sanctuary and the priests and appears to be in the nature of an appendix to the book. The chapter includes vows of pledges of valuations of individuals, donations of animals, consecrations of property, fees for redemption from the sanctuary for what is permitted to be redeemed, the giving of firstlings, the sanctity of all *h□erem*, and agricultural and animal tithes. Some modern commentators suggest that this chapter may have been placed at the very end because, though it clearly belongs in Leviticus, there was no previous appropriate location for it. Indeed, it does not belong with any of the previous law groupings that had been conceptually organized as advancing toward the book's high point of the holiness regulations and its applications.*

As the superscription of *Parashat Behar* is the very last one within the covenantal stipulations context, it is extremely significant that it begins with, “Hashem spoke to Moses at Mount Sinai.” It links the sanctuary program being concluded with the Mount Sinai experience of *Parashat Yitro* (Exod. 20) to which it is attached. It also corresponds to the Tent of Meeting superscription that is attested in the first verse of Leviticus that established the new locus of prophetic communication. It thus confirms the connection and equivalency between Tent of Meeting prophecy and that of Mount Sinai, a matter of monumental importance. As the nation had not moved since arriving at Sinai (Exod. 19) – the Tabernacle was still there – it was justified to cite either the Tent of Meeting or Mount Sinai as the source of the communication. The singular, strategic use of Mount Sinai introducing the last communication in the program reflects equivalency between the two. Thus, embedded in the literary fabric of the Torah is the principle that Tent of Meeting prophecy was as valid and binding as that of Sinai, and the principle was undoubtedly being established for the coming time when the Tent of Meeting will have moved from Mount Sinai. This answers the first question of the four proposed above.

3. Regarding the Second Question

The recognition that *Parashat Behar* closes a section of covenant stipulations also explains an otherwise mystifying detail regarding the *parasha's* ending. When dealing with a lengthy contract, one that requires a number of pages or tablets, it appears that it was considered appropriate to summarize or allude to the core stipulations before concluding. As we shall demonstrate, that is exactly what occurs here.

The last verse integral to the primary subject matter of *Parashat Behar* explained why a sold Israelite goes free at the Jubilee: “For the Israelites are My slaves...whom I brought forth from the land of Egypt, I, Hashem your G-d” (Lev. 25:55). This statement is an unmistakable paraphrase of the Decalogue’s opening proclamation: “I, Hashem, am your G-d, who brought you forth from the land of Egypt, the house of bondage” (Exod. 20:2). This would have been an appropriate closing to the “stipulations” section, harking back to its beginning. However, there is one more valuable detail to be added.

The succeeding verse (Lev. 26:1 – we will soon discuss why this verse was established as the beginning of a new chapter) provides an extensive digest of the prohibitions associated with idolatry, paralleling the second commandment of the Decalogue. It forbids *elilim*, *pesel* and *masebah*, and elaborates – perhaps defines – the Decalogue’s *temunah* prohibition with *eben maskit* (Ibn Ezra: figured stone used in idolatrous service). The next verse (26:2) calls for observance of the Sabbath (the fourth commandment), and reverence for the sanctuary.** Given that the sanctuary is described as the place where Hashem’s name resides, reverence for the sanctuary is an expansion of the third commandment, which enjoins reverence for His name. (See our study *Parashat Qedoshim and the Decalogue*.) Thus, the stipulations section closes with a brief review of the four לְמַקּוֹם אֲדָם לְמַקּוֹם אֲדָם לְמַקּוֹם אֲדָם לְמַקּוֹם אֲדָם commandments (those between man and G-d) proclaimed at the beginning of the Decalogue, reinforcing the foundational principles of the covenant.

The underlying concept operative in prescribing these two verses just where they are seems to be reflected in a talmudic passage. In a discussion regarding the proper format for a contract, Rabbi Johanan states (*b. B. Bat.* 161b): אֶרְיֵךְ לְחִזּוֹר עֲנִינּוּ שֶׁל שְׂטָר בְּשִׁטָּה אֲחֻרָּנָה – it is necessary to review the essence of a contract in the final line. Although the subsequent talmudic discussion, stemming from later generations, interprets this rule as a device to prevent forgery, the explanation may have undergone a slight modification. Its use at the end of a multiple-page list of stipulations serves to ensure that the essence not be overlooked or underemphasized in the multiplicity of details, a measure not far removed, if removed at all, from the requirement to preclude any falsification of stipulations.

Those who divided the biblical text into the chapter divisions popular today, which differ from Jewish tradition in a number of places, did not perceive the linkage between these two verses and the preceding subject matter. Hence, they began a new chapter with these verses, taking them as an introduction to the blessings and curses – not a likely construal. The Masoretic text, on the other hand, included these two verses with the preceding material, signified by a *petuh*□a break – the lacuna that generally separates

“paragraphs” in a Torah scroll – that was placed right after them.

4. On Questions Three and Four

The penultimate verse of chapter 26 (v. 45) concludes the section of blessings and curses; with it, the elements of covenant protocol are completed and the covenant contracted between G-d and Israel is finalized. In this verse G-d continues and expands upon the consolation provided in the previous few verses that follow the end of the devastation portrayed in the curses. He sounds an optimistic note on behalf of the generation that may have suffered the devastation and exile described in earlier verses of the curses. He explicitly declares that at that bleak time that may one day materialize He will recall the covenant that He established with those whom He redeemed from Egypt. His concluding statement employs language reminiscent of the opening verse of the Decalogue concerning that past redemption, thus creating an overarching thematic and literary *inclusio* with it.

Thus, the verse that follows (the final verse of chapter 26), closes the lengthy section of the Torah that constitutes a major part of its program, extending back to the initiation of the Sinai Covenant in Exodus. Although this verse does not close the book of Leviticus, it is a grand, all-inclusive summary – the first such after the lawgiving. It speaks of the preceding “*h□uqim, mishpatim* and *torot* that Hashem gave between Himself and the Israelites at Mount Sinai through Moses” (Lev. 26:46). This refers to the vast body of law that Hashem had transmitted beginning upon Israel’s arrival at the site of the lawgiving through the book of Exodus and including all that had preceded in the book of Leviticus. The fact that Leviticus was to contain another chapter – and will thus require another closing verse – cannot preclude providing a closing verse at the appropriate location that concludes the covenant program. The clause “that Hashem gave between Himself and the Israelites,” a denotation of relationship, is an explicit reference to the covenant with its emphasis on the stipulations being between two parties, differentiating it from the laws in the chapter to follow, where such a clause is not attested.

The final verse of Leviticus (27:34) speaks only of *misvot*. That term was there employed in its generic sense of referring to all the laws of the book and possibly was chosen because it did not appear in the previous chapter’s conclusion. Thus, the final verse stands in a complementary relationship with the conclusion of the previous chapter. It emphasizes Moses’ prominent role as intermediary between G-d and Israel: “These are the *misvot* that Hashem commanded Moses to the Israelites.” In the close of the previous chapter, the emphasis was given to the concept of relationship, while the intermediacy of Moses was there relegated to the end of the verse. In any event, questions three and four have been answered.

It should be noted that the final verses of both Leviticus 26 and 27 each mention Mount Sinai as the location for the just-concluded legislation. As final verses, both also serve the purpose of highlighting the importance of the two locales of revelation, Mount Sinai and the Tent of Meeting, and connote the equivalence between them.

The only other similar citation of Mount Sinai concluding a statement of law in Leviticus is in the last verse of chapter 7 (v. 38), which is the closing of an essentially self-contained section of sacrifice regulations (comprising two subsections) that began at the very beginning of the book. Speaking of all the categories of sacrifices (mentioned in the preceding verse) whose laws had been transmitted from chapter 1 onwards, that concluding verse states “that Hashem commanded Moses at Mount Sinai.” As a verse concluding a section that began with the first verse of the book that highlighted the Tent of Meeting it was also an appropriate spot to point to the equivalence of the two loci of Hashem’s Revelation.

That concluding verse (7:38) is extremely complex. In its first segment it states “that Hashem commanded Moses at Mount Sinai.” Its second segment states: “On the day He commanded the Israelites to offer their sacrifices to Hashem *בְּמִקְדָּשׁ הַיְבֵשֶׁת*” (“in the wilderness of Sinai”). The latter term obviously refers to the national encampment and the Tent of Meeting as opposed to Mount Sinai proper. The juxtaposition of commands at Mount Sinai and those in the wilderness of Sinai (which at that point were

essentially about sacrifices) seems to equate the Deity's commands at both locations.

Endnotes

* One may wonder if the topics of the last chapter are located where they are to connect the theme of redemption of home and property, so prominent in it, to the promise of national redemption cited at the conclusion of the curses. There is a degree of literary association between the two final chapters that supports such a view. We base this on a manner of expounding that seems to have been popular in biblical times, based on literary allusions and "stream of consciousness" associations. When and if the exile vision of the curses materializes, these cases of redemption would subtly help recall the potential national redemption and provide reinforcement to having hope for the future. (The book of Genesis ends with Joseph's expression of confidence in a future national redemption while at the conclusion of the

book of Numbers there is a citation of retaining the familial portion of land inheritance.)

** The identical verse that calls for observing the Sabbath and revering the sanctuary appears earlier in Leviticus, in 19:30. The verb here used to mandate reverence for the sanctuary – תִּירָאֵי (Lev. 26:2) – is also employed in Leviticus 19:3 for mandating reverence for mother and father. That verse also includes a call for Sabbath observance with the identical phrase that is here prefixed to the call to revere the sanctuary – אַתָּה וְשִׁבְתֵי תִשְׁמְרוּ. Both verses serve as unmistakable recollections of two successive Decalogue commandments in inverted sequence (the fourth and third commandments here, the fifth and fourth there) in contexts clearly intended to link with the Decalogue. Given all the apparently intentional allusions, it appears possible that it is here intended to correspond to 19:3 as well as to the Decalogue.

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