

## BEHAR BEHUKOTAI - SELECTED SHORTS

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ויקרא כ"ה:א:

(א) וַיְדַבֵּר ה' אֶל־מֹשֶׁה בְּהַר סִינַי לֵאמֹר:

### Leviticus 25:1

(1) *The LORD spoke to Moses on Mount Sinai.*

Vayikra starts with God speaking from the Tent of Meeting and ends with laws that go back to Mount Sinai. This prompts Rashbam to note that these laws were given prior to the construction of the Tabernacle. Underlying this is the idea that the Torah is not in chronological order. Rashi asks, *מה ענין שמטה אצל הר סיני*, “What is the law of the sabbatical year doing at Mount Sinai?” In modern Hebrew, this expression has become idiomatic for, “What’s this got to do with the price of tea in China?” In other words, what’s the connection? Why are these laws stated here? Rashi delivers a homily that just as the laws of the sabbatical year are laid out in all of their particularity at Sinai, so too, all the laws were delineated in their particularity at Sinai. In other words, Sinai is the ultimate source for all legislation, written and oral, even that which is yet to be codified. All systems of law require a foundation, what legal scholars call a *grundnorm* (foundational norm). Just as the Constitution is the *grundnorm* for the U.S. the Torah is the *grundnorm* for the Jewish people. The Constitution has its origins in Philadelphia, the Torah has its origins at Mount Sinai.

ויקרא כ"ה:ב:

(ב) דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אָנִי נֹתֵן לָכֶם וְשָׁבַתָּה הָאָרֶץ שְׁבַת לַה':

### Leviticus 25:2

(2) *Speak to the Israelite people and say to them:*

*When you enter the land that I assign to you, the land shall observe a sabbath of the LORD.*

Imagine then standing at Sinai and hearing these words. The land is not far, still a few weeks’ journey. You are a freed slave. You’ve worked with bricks and mortar and degrading labor. You are just learning how to live and think as a free person. Do you know anything about how to grow crops, let alone the seasons, the climate in the land of Israel, and the myriad of details necessary to subsist off the land? Maybe you know something; here though, the Torah asserts two principles that are repeated: God is the “landlord” of the land, and God orders time. The

Israelite who dwells in the land lives in “divine space” and “divine time.” “Where am I?” and “What time is it?” are the two basic questions that construct identity.

ויקרא כ"ה:י"ד

(י"ד) וְכִי־תִמְכְּרוּ מִמֶּכֶר לְעַמִּיתְךָ אֹךְ קָנָה מִיָּד עַמִּיתְךָ אֶל־תִּתְּנוּ אִישׁ אֶת־אֶחָיו:

### Leviticus 25:14

(14) *When you sell property to your neighbor, or*

*buy any from your neighbor, you shall not wrong one another.* The Torah does not construct utopias, it structures relationships between real people, with real circumstances. When people do business with one another, there has to be a basic assumption of fairness, otherwise how could society function? Therefore, you have to create a norm whereby people don’t take advantage of one another. For example, you can’t ask someone a price of an object without an intent to purchase. You can’t change a negotiated price once agreed upon. You can’t say one day, your intellectual property is protected and take it away the next.

ויקרא כ"ה:כ:

(כ) וְכִי תֹאמְרוּ מֵהַיָּמִן כָּל בְּשִׁנְהַי שְׁבִיעֵת הֵן לֹא נִזְרַע וְלֹא נִאֶסְף אֶת־תְּבוּאָתָנּוּ:

### Leviticus 25:20

(20) *And should you ask, “What are we to eat in*

*the seventh year, if we may neither sow nor gather in our crops?”* One of our themes in

Leviticus is behind each law is a story. And here the story is quite understandable: you are a farmer; you live in divine space on divine time.

You know that every 7<sup>th</sup> year is a sabbatical, you accept that; but you also know that every 50<sup>th</sup> year there is a jubilee. (You should only live so long!) So what if you are in the 6<sup>th</sup> year of the 7<sup>th</sup> cycle of years, (which would be year 48 of the 50 year cycle). You are worried that year 49 is a sabbatical and year 50 is a great “reset” year which is also a sabbatical. How are you going to function? What are you going to eat? It’s a reasonable concern. Here the Torah answers that God will “command is blessing” on the 6<sup>th</sup> year so that you will have enough of a harvest to eat on year 7, 8, and 9 and be able to plant for the following year. What constitutes the “blessing”? Let’s take a cue from Joseph. The blessing is located in the divine-human partnership.

ויקרא כ"ה:ל"ו  
(לו) אלתתקח מאתו גִּשְׁוֹד וּמִרְבִּית וְנִבְאָת מֵאֱלֹהִים וְתִי אֲחִיד עִמָּךְ:

**Leviticus 25:36**

(36) *do not exact from him advance or accrued interest, but fear your God. Let him live by your side as your kinsman.* What is the relationship between lenders and borrowers? How does an economy function? How do lenders mitigate their risk and yet still have incentive to lend? Economies need credit, otherwise it would be difficult to function. And yet, there are rules for this, and a basic principle. *וְתִי אֲחִיד עִמָּךְ*: literally, “that your brother may live with you.” Underpinning the economy is a persistent emphasis on relationships and interdependence.

ויקרא כ"ו:ג-ד'  
(ג) אִם-בְּהִקְחִי מִלְכוֹ וְאֶת-מִצְוֹתַי תִּשְׁמְרוּ וְעִשִּׂיתֶם אֹתָם: (ד) וְנָתַתִּי גִשְׁמִיכֶם בְּעֵתָם וְנִתְּנָה הָאָרֶץ יְבוּלָהּ וְעֵץ הַשָּׂדֶה יִתֵּן פְּרִיָו:

**Leviticus 26:3-4**

(3) *If you follow My laws and faithfully observe My commandments, (4) I will grant your rains in their season, so that the earth shall yield its produce and the trees of the field their fruit.* The covenant entails provisions of blessing for its upkeep and punishment for its violation. Key to understanding the land of Israel is understanding its seasonal rhythms and its dependence on heavenly disposition for rain in its season. Unlike Egypt that was dependent on the seasonal rhythms of the Nile, its ebbs and flows, Israel is dependent on the “rain in its season” the “*yoreh*” the early rain and the “*malkosh*” the later rain. When you can plan and harvest without worry, when the seasons function according to the rhythm that was set already by God at creation, and when you live in harmony with that seasonal rhythm, that’s the ultimate blessing.

ויקרא כ"ו:ו'  
(ו) וְנָתַתִּי שְׁלוֹם בְּאֶרֶץ וְשָׁכַבְתֶּם וְאִיו מִתְּרִיד וְהִשְׁבַּתִּי תִּגְהַר רָעוּל מִן-הָאָרֶץ וְחָרַב לֹא-תֵעָכֵר בְּאֶרְצְכֶם:

**Leviticus 26:6**

(6) *I will grant peace in the land, and you shall lie down untroubled by anyone; I will give the land respite from vicious beasts, and no sword shall cross your land.* But there are dangers within and beyond your habitation. Societies always have the potential for internal strife and external threat. Here, rather poetically, the Torah is promising that adherence to the mitzvot

provides internal cohesion and fortification against external enemies. A shared covenantal commitment and purpose is a necessity for national security.

ויקרא כ"ו:יא'  
(יא) וְנָתַתִּי מִשְׁכְּנִי בְּתוֹכְכֶם וְלֹא-תִגְעַל נַפְשִׁי אֶתְכֶם:

**Leviticus 26:11**

(11) *I will establish My abode in your midst, and I will not spurn you.* The ultimate blessing: God will dwell in your midst.

ויקרא כ"ו:מ"ו'  
(מו) אֵלֶּה הַחֻקִּים וְהַמִּשְׁפָּטִים וְהַתּוֹרָה אֲשֶׁר נָתַן ה' בֵּינֵנוּ וּבֵין בְּנֵי יִשְׂרָאֵל בְּהַר סִינַי בְּיַד-מֹשֶׁה: (פ)

**Leviticus 26:46**

(46) *These are the laws, rules, and instructions that the LORD established, through Moses on Mount Sinai, between Himself and the Israelite people.*

ויקרא כ"ז:ל"ד'  
(לד) אֵלֶּה הַמִּצְוֹת אֲשֶׁר צִוָּה ה' אֶת-מֹשֶׁה אֶל-בְּנֵי יִשְׂרָאֵל בְּהַר סִינַי:

**Leviticus 27:34**

(34) *These are the commandments that the LORD gave Moses for the Israelite people on Mount Sinai.* These verses are the coda to Vayikra. Note the different words for the laws: הַחֻקִּים וְהַמִּשְׁפָּטִים וְהַתּוֹרָה. There are different nuances to each of them. What is the difference between a “law” and a “rule”, an “instruction” and a “commandment”? In our present circumstance we are asking the same questions: what is the difference between a “mandate” and a “guideline.”? A “statute” an “order” a “ruling” or an “emergency provision”? The Torah is the foundation of a legal system, and legal systems are comprised of all sorts of categories of laws and rules. One of the fault-lines in contemporary Judaism is how our various constituencies adhere to its legal system and indeed, how that legal system is organized. But beyond the idea of law is what law attempts to do, namely, to create a living society. What is fascinating about the laws of Leviticus is that each one, even those pertaining to the sacrificial rites, discloses a story. Placing a hand on an animal is a story about ownership; sectioning the animal on the altar narrates the covenantal moment at Sinai; the dietary laws recall creation; the Holiness Code tells the story of relationships, and the entire system overall is constructed to fashion a people holy to God charged with bringing God’s presence into the world. Shabbat Shalom!