

Parashat Behar 5774, 2014:

What Did Moshe Receive at Mount Sinai?

Rabbi David Etengoff

Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yechiel, sister, Shulamit bat Menachem, Chaim Mordechai Hakohen ben Natan Yitzchak, Yehonatan Binyamin ben Mordechai Meir Halevi, Shmuel David ben Moshe Halevy, and the refuah shlaimah of Yosef Shmuel ben Miriam and Devorah bat Chana.

Our *parasha* begins with the following three *pasukim* (verses):

And the L-rd spoke to Moses on Mount Sinai saying, Speak to the children of Israel and you shall say to them: When you come to the land that I am giving you, the land shall rest a Sabbath to the L-rd. You may sow your field for six years, and for six years you may prune your vineyard, and gather in its produce, But in the seventh year, the land shall have a complete rest a Sabbath to the L-rd; you shall not sow your field, nor shall you prune your vineyard. (*Sefer Vayikra* 25:1-3, this and all Bible and Rashi translations, *The Judaica Press Complete Tanach*)

These verses, beginning with a reference to Mount Sinai and an introduction to the Laws of Shemittah, prompted Rashi (1040-1105) to restate one of the most famous questions in Torah study:

on Mount Sinai: What [special relevance] does the subject of Shemittah [the “release” of fields in the seventh year] have with Mount Sinai? Were not all the commandments stated from Sinai? However, [this teaches us that] just as with Shemittah, its general principles and its finer details were all stated from Sinai, likewise, all of them were stated - their general principles [together with] their finer details - from Sinai. This is what is taught in *Torath Kohanim* (25:1).

Rashi's summary of this passage from *Midrash Torath Kohanim* is based upon Rabbi Akiba's opinion, as found in a Mishnaic period discussion that is quoted three times in *Talmud Bavli*:

R. Ishmael says: General laws were proclaimed at Sinai and particular laws in the Tent of Meeting. R. Akiba says: Both general and particular laws were proclaimed at Sinai, repeated in the Tent of Meeting, and stated the third time in the plains of Moab. (*Sotah* 37b, translation, *Soncino Talmud*, see *Hagigah* 6a and *Zevachim* 115b for the two other instances)

Clearly, Rashi embraced the *Torath Kohanim's* approach to the *machlochet* (dispute) between Rabbi Ishmael and Rabbi Akiba when he championed Rabbi Akiba's position. The Rambam (1135-1204), as well, pursues this orientation in his introduction to his *Commentary on the Mishnah*.

The scholarly dispute between Rabbis Ishmael and Akiba leads to two significantly different interpretations of the well-known first Mishnah in *Pirkei Avot* (*Ethics of the Fathers*). When the *Mishnah* states: “*Moshe kibale Torah mi'Sinai*” (“Moshe received the Torah at Mount Sinai”), it is not only speaking about the process of the Revelation at Mount Sinai; it is speaking, as well, about the content of the Revelation. According to Rabbi Ishmael, only the general overarching principle of a particular *halacha* (Jewish law) was given to Moshe at Mount Sinai. By way of illustration, in Rabbi Ishmael's schema, Moshe received the prohibition of consuming blood, in general, during the Revelation (see *Sefer Vayikra* 7:26-27; and 17:10-14). He did not, however, receive a detailed definitional structure as to what constitutes prohibited blood (mammals and birds) and permissible blood (fish). These details, according to Rabbi Ishmael's approach, were explicated afterwards, in the *Ohel Moed* (the Tent of Meeting, the Portable Desert Sanctuary). Rabbi Akiba, however, would have maintained that the aforementioned halachic information was given to Moshe in one fell swoop during the 40 days and nights he spent communing with Hashem on Mount Sinai. Clearly, the famous phrase, “*Moshe kibale Torah mi'Sinai*,” is open to a variety of very different analyses. In my estimation, it is precisely this dynamism and willingness to accept multiple and multifaceted interpretations of the “big questions” in Judaism that has enabled us to not only survive,

but to thrive over millennia. Moreover, this orientation has been the driving force behind a never-ending search for *emet* (truth) by the greatest and holiest minds among our people.

Now that we understand that *Moshe kibale Torah mi'Sinai* is one more glorious step toward comprehending the majesty of Hashem's Torah, we are ready to ask an important question: "Why does *Pirkei Avot* begin with this introductory statement?" Rabbeinu Ovadiah Bartenura (known as "the Rav" or "the Bartenura," d. approximately 1500) responded to this query in his astute examination of our phrase. His comments speak volumes regarding the nature and significance of ethical behavior within the grand scheme of Torah and mitzvot:

I must state that this tractate is not based upon any particular mitzvah from among the mitzvot of the Torah; it is, therefore, unlike the rest of the tractates of the *Mishnah*, in that it is entirely composed of moral and ethical exhortations. [In truth,] the wise men of the nations [i.e., Socrates, Plato, and Aristotle] also wrote works [of this nature] according to what they imagined in their hearts to be moral and ethical behaviors and how one ought to act with their fellow man. This is precisely why the Mishnaic Sage (*hatanna*) begins this tractate with the phrase "*Moshe kibale Torah mi'Sinai*;" to teach you that the moral and ethical statements in this tractate were not contrived by the Sages of the *Mishnah* based upon their [mere human] intellects. Rather, everything contained herein was said [by G-d] at Mount Sinai, from He who revealed Himself at Sinai.

The Bartenura is teaching us a highly relevant lesson for our time; namely, ethical behavior and moral action are the fundamental basis of the Torah way of life. They are not extras or acts of *lifnim meshurat hadin* (going beyond the letter of the Law). They are the Law! In short, moral behavior toward our fellow Jews, and to all mankind, is no less a mitzvah than any other mitzvah – even though it is broad-based and general, rather than specific in nature. In short, our ethics and morality are G-d-given and absolute.

Thus, in mankind's greatest moment, "*Moshe kibale Torah mi'Sinai*." Let us always

remember that we received the Torah, in all of its *kedushah* (holiness), as a complete system and blueprint to live our lives. May Hashem give us the wisdom and discernment to remember this as we continue on our journey from Pesach to the Festival of Shavuot, and its reenactment of the Sinaitic Revelation. *V'chane yihi ratzon.*

Shabbat Shalom

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