

Parshiot Matot - Masei, 5780, 2020:

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The Covenants of Har Sinai and Arvot Moav

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, Chana bat Shmuel, Yehonatan Binyamin ben Mordechai Meir Halevi, Shoshana Elka bat Avraham, Tikvah bat Rivka Perel, Peretz ben Chaim, Chaya Sarah bat Reb Yechezkel Shraga, Shmuel Yosef ben Reuven, the *Kedoshim* of Har Nof, Pittsburgh, and Jersey City, and the *refuah shlaimah* of Mordechai HaLevi ben Miriam Tovah, Moshe ben Itta Golda, Yocheved Dafneh bat Dinah Zehavah, Reuven Shmuel ben Leah and the health and safety of our brothers and sisters in Israel and around the world.

The second of our two *parshiot*, Parashat Masei, is the final *parasha* of *Sefer Bamidbar*. It concludes in this manner: “These are *hamitzvot v’hamishpatim* that Hashem commanded the children of Israel *b’yad Moshe* — through Moses, *b’Arvot Moav* — in the plains of Moab by the Jordan at Jericho.” (36:13, this and all *Tanach* translation, *The Judaica Press Complete Tanach* with my emendations) In contrast, Parashat Bechuchotai, the closing *parasha* in *Sefer Vayikra*, ends with the following *pasuk*: “These are *hamitzvot* that Hashem commanded *et Moshe* — to Moses, to [tell] the children of Israel on Mount Sinai.” (27:34)

A careful reading of these two *pasukim* reveals several significant points of divergence. The final *pasuk* of Parashat Masei includes the term *mishpatim*, that it is absent from Parashat Bechuchotai. Parashat Masei utilizes the expression “*b’yad Moshe*,” instead of “*et Moshe*,” as found in Parashat Bechuchotai. Then, too, Parashat Masei was stated “in the plains of Moab by the Jordan at Jericho,” while Parashat Bechuchotai was uttered “on Mount Sinai.” In sum, while these verses are somewhat parallel, they differ substantively in terminology and place of proclamation.

In his work *Ha'emek Davar*, the Netziv *zatzal* (Rav Naftali Tzvi Yehudah Berlin, 1816-1893) notes that the absence of the term *mishpatim* in the final verse of Parashat Bechuchotai presents us with a conceptual challenge, since “*Sefer Vayikra* contains many instances of *dinei mamonot* — laws dealing with monetary matters” that constitute a significant portion of *mishpatim*. This leads him to reinterpret the meaning of *mishpatim* as it appears in the final verse of Parashat Masei, and explore the reason why *mishpatim* were included in the pronouncement on *Arvot Moav*, and not on Mount Sinai:

The meaning of *mishpatim* herein [is different than its standard interpretation], since in our case it refers to *hachakirot* — the analyses and distinctions that stem from the *yud gimmel middot* — the 13 hermeneutic principles... And on Mount Sinai, this exegetical modality was the sole province of Moshe and his immediate family, as we find in *Talmud Bavli, Nedarim* 38b... [Moreover,] it was only on the Plains of Moav that Moshe began to explain the Torah in its totality [to the entire people] inclusive of its most intricate analytical details... (*Sefer Bamidbar* 36:13, translation, brackets and underlining my own)

The Netziv’s novel explanation of *hamishpatim* in our verse is an authentic intellectual tour de force, for in so doing, he enables us to understand precisely why this term was utilized on the Plains of Moav (Parashat Masei), and not in the context of the revelation at Mount Sinai (Parashat Bechuchotai).

We have now examined two of the three highly significant differences between our two *pasukim*. The third, wherein Parashat Masei utilizes the expression “*b’yad Moshe*,” and Parashat Bechuchotai writes “*et Moshe*,” is beautifully explained by Rabbeinu Bahya ben Asher (1255-1340) in his *Commentary on the Torah*. Therein he contrasts the nature of the *britot* — covenants — at Mount Sinai and on the Plains of Moav:

The [underlying rationale of this] matter [focuses upon the nature] of the first covenant they accepted upon themselves at Horeb [Mount Sinai]. This remained in effect until the King [Hashem] at His table [in Heaven] nullified it when they [the Jewish people] rebelled against Him by honoring the image of an ox [the Golden Calf] ...and he [Moshe] threw down the *luchot*. (Parashat Masei 36:13, this and the following translation and brackets my own)

According to Rabbeinu Bahya, while the covenant enacted at Mount Sinai was invalidated as a result of our collective behavior, the *brit Arvot Moav* is everlasting:

...for even if the mountains were to be shaken and every rock were to be removed from its place, this covenant will never be rent asunder, for the rope of love [that binds us to the Almighty] will never be broken — by forging His covenant with us, we were brought to a level of universal recognition and greatness...And thus we find the following inspiring verse toward the conclusion of the Torah: “These are the words of the covenant, which Hashem commanded Moses lichrote — to forge — with the children of Israel in the land of Moab, besides the covenant which he made with them in Horeb.” (*Sefer Devarim* 28:69)

In Rabbeinu Bahya’s estimation, Moshe’s roles at *Har Sinai* and *Arvot Moav* were decidedly different. At *Har Sinai*, Moshe led the Jewish people to accept the Torah; subsequently, however, many of our ancestors engaged in the *Chet HaEgel* (the sin of the Golden Calf). Moshe understood that these actions made this *brit* null and void and in response, on his own volition, he destroyed this first set of *luchot*. The correctness of his reaction was revealed in the Almighty’s famous praise: “*ye’yashar kochacha she’shibarta!* — May your strength ever grow because of your having broken the *luchot!*” (*Talmud Bavli, Shabbat* 87a)

In stark contrast, at *Arvot Moav*, Moshe served as Hashem’s direct emissary and enacted the eternal *brit* between the Almighty and our nation that has enabled us to miraculously thrive until our own historical moment. Little wonder, then, that the short-lived *Har Sinai* covenant was designated by Hashem as “*et Moshe*,” whereas the *brit* at *Arvot Moav*, with its permanent bonds of love, is forever emblazoned in our hearts and minds as “*b’yad Moshe*.”

Shabbat Shalom, and may Hashem in His great mercy remove the *magafah* from *klal Yisrael* and from all the nations of the world.

Past *drashot* may be found at my blog-website: <http://reparashathashavuah.org>
They may also be found on <http://www.yutorah.org> using the search criteria Etengoff and the *parasha*'s name.

The email list, *b'chasdei Hashem*, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added, please do not hesitate to contact me via email <mailto:rdbe718@gmail.com>.

*** My audio *shiurim* on the topics of *Tefilah* and *Tanach* may be found at: [**http://tinyurl.com/8hsdpd**](http://tinyurl.com/8hsdpd)

*** I have posted 164 of [**Rabbi Soloveitchik's**](#) English language audio *shiurim* (MP3 format) spanning the years 1958-1984. Please click on the highlighted link.