

SH'MITTAH AND SINAI

by Rabbi Yitzchak Etshalom

I

WHAT DOES SH'MITTAH HAVE TO DO WITH SINAI?

"And God spoke to Mosheh **B'har Sinai**, saying:" Our Parashah opens with this familiar phrase, set off with a twist. Instead of the usual "And God spoke to Mosheh, saying:", we are told that the following series of commands were given **B'har Sinai** - (presumably) "**on top of** Mount Sinai." This phrasing is odd, as follows: We hold one of two positions regarding the giving of Mitzvot. Either Mosheh received the entire corpus of Law when he was on top of the Mountain, or else he received the first section of the Law on top of Sinai, received more Mitzvot inside the Mishkan - and still more in the plains of Mo'av before his death. If we hold that all of the Mitzvot were given on Sinai, then why does the Torah underscore that these particular Mitzvot (those presented in Chapters 25 and 27 of Vayyikra) were spoken atop the mountain? Conversely, if we hold that, subsequent to the construction of the Mishkan, all Mitzvot were given (beginning with the first chapter of Vayyikra) in the Mishkan - then why is this "earlier" section written later?

II

RASHI'S ANSWER

Rashi - and many other Rishonim - is sensitive to this anomaly. The first comment of Rashi on our Parashah (citing the Torah Kohanim) is:

*"What is the association between **Sh'mittah** (the Sabbatical year - i.e. the first Mitzvah in our Parasha) and Sinai? After all, weren't all Mitzvot given at Sinai? Rather, to teach you that just as all of the rules and details of Sh'mittah were given at Sinai, so were all of the rules and details of all Mitzvot given at Sinai."*

Rashi's answer (see also S'forno, Ramban and Ibn Ezra for different responses to this question) leaves us only a bit more satisfied. We now understand that Sh'mittah is a model for all the Mitzvot - but why Sh'mittah? Why not idolatry, Shabbat or some other area of law?

Before suggesting another answer, I'd like to pose several other questions on our Parashah:

1. In v. 2, we are told that when we come to the Land, it shall rest (every seven years). This "rest" is called a "Shabbat for God". How can land, which is inanimate, experience a Shabbat? All of our Shabbat-associations until this point have been oriented towards people (and, perhaps animals - we are not allowed to make them work on Shabbat). Why does the Torah refer to the "year of lying fallow" as a Shabbat?
2. Subsequent to the laws of Sh'mittah, the Torah commands us to count seven series of Shabbat-years, totaling forty-nine years. The fiftieth year will be called a **Yovel** (Jubilee), which will involve the blasting of a Shofar and the freeing of all indentured servants and land. Why is this year called a Yovel and why is the blasting of the Shofar the "catalyst" for this freedom?
3. Further on in the Parashah, the Torah delineates a series of Mitzvot affecting social welfare - beginning with support for fellows who are suffering, helping them redeem their land etc. Why are these Mitzvot in our Parashah - shouldn't they be in Parashat Mishpatim (Sh'mot 21-23) with the rest of civil and criminal laws?
4. Finally, our Parashah ends with a verse which shows up elsewhere in Torah (Vayyikra 19:30): "Observe My Shabbatot and revere My Sanctuary, I am YHVH". What is the meaning behind this twofold command?

III

"B'HAR" - "ON" OR "AT" THE MOUNTAIN?

To address our first concern, we have to investigate the meaning of the phrase "B'har Sinai". Although many translations render it "on top of Mount Sinai", this is not the only proper reading. In several other places in the Torah (e.g. Bamidbar 28:6, D'varim 1:6), this phrase can only be translated "at Mount Sinai". I'd like to suggest a similar read here: "God spoke to Mosheh AT Mount Sinai, saying." The difference between the two is significant, as follows:

Although the Mishkan was dedicated at the end of Sefer Sh'mot, and we were told that the Cloud would rest on it "during all of our travels", that doesn't mean that those travels began immediately. The entire book of Vayyikra, which was given by God in the Mishkan (see Vayyikra 1:1), was also given "At Mount Sinai"! In other words, since the B'nei Yisra'el had constructed the Mishkan at the foot of the mountain - and that's where they remained throughout the book of Vayyikra (and ten chapters into Bamidbar), all of these Mitzvot were simultaneously given **Me'Ohel Mo'ed** (from the Mishkan) and **B'har Sinai**.

Once we establish that "b'Har Sinai" does not exclude **me'Ohel Mo'ed**, we have to ask why the Torah chose to highlight the "Mishkan" component during the first part of Vayyikra - and to highlight the "Sinaitic" component in our section.

We will be able to understand this once we reconsider the first Mitzvot in our Parashah. The Torah teaches us that the Land of Israel needs a Shabbat. We asked why this year is called "Shabbat". When we remember that Shabbat was woven into the creation of the world, we can easily understand the message. Just as the weekly Shabbat is not associated with an external event, but is part of the fabric of creation (see B'resheet 2:1-3), so is Shabbat a part of the nature of the Land. In other words, the Land of Israel is (so to speak) alive - and must be treated with that sensitivity.

IV

TWO KINDS OF SANCTITY

When we compare the sanctity of the Ohel Mo'ed with that of Sinai, we discover that whereas the Mishkan was holy because of God's Presence which rested there as a result of B'nei Yisra'el's work (donation, construction and dedication), Sinai was already holy before we got there (Sh'mot 3:1). This was the first "place" that they ever encountered which had inherent holiness!

When the Torah highlights that these Mitzvot were given at Mount Sinai, it is reminding us that there are two types of holiness which we will encounter in the Land - "constructed" holiness, which we imbue by conquering and settling Eretz Yisra'el - and "inherent" holiness, which has been there from time immemorial. This dimension of holiness is the reason why the land itself needs a Shabbat. That is why the Parashah is captioned as being said "b'Har Sinai".

Once we see the association between Sinai and the Land, it is easier to understand the role of the Shofar blast in the Yovel - and the reason the year is called a Yovel. When we first stood at Sinai, God revealed His Law to us. This Revelation was accompanied with the blast of a Shofar - which the Torah calls a **Yovel!** (Sh'mot 19:13). In other words, the Jubilee year is a commemoration of the Sinai experience, again reminding us of the inherent holiness of location - the Sinai model in Eretz Yisra'el.

We can now understand the inclusion of the various social-welfare Mitzvot in this Parashah: Each of them is associated with one of two directives: **Ki Li ha'Aretz** (the Land belongs to Me) or **Li B'nei Yisra'el Avadim** (the B'nei Yisra'el are My slaves). All of these Mitzvot are reminders that our ownership of the Land or of each other (as slaves) is merely an illusion and must be "corrected" every fifty years.

We can now address the double phrasing at the end of our Parashah: "Observe My Shabbatot and revere My Sanctuary, I am YHVH". As mentioned, the sanctity of Shabbat is built into creation, it is part of the fabric of reality. Conversely, the sanctity of the Mishkan is a constructed holiness in which Man's role is indispensable. The Torah is reminding us that both types of holiness are Godly and become unified within the matrix of Halakhah - "I am YHVH."

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