

BEHUKOTAI: Shiur by Harav Yosef Dov Soloveitchik ZT"L.

- The Rav ZT"L compares the two tochechas, one in Behukotai and one in Ki Tavo, with particular emphasis on Moshe's changing role, and the relationship of Torah Sheb'al Pe to Torah Shebiketav, as well as the comparison of Moshe Rabbenu's status to that of the Avot.

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Berachos Ukelalos (referred to as the Tochecha) are found in Vayikra (Bechukosai) and Devarim (Ki Tavo). The Gemara (Megilla 31b) comments that one is permitted to pause in the middle of the Tochecha in Ki Tavo while one may not do so when reading the Tochecha in Bechukosai. The Gemara explains that the Tochecha in Bechukosai was given in the plural form and Moshe relayed them *Mpi Hagevurah*, with a direct transmission from Hashem. The Tochecha in Ki Tavo was given in the singular form and Moshe stated them on his own, *Mpi Atzmo*. Tosfos immediately comments that *Mpi Atzmo* means that they were given through *Ruach Hakodesh*.

The Rav asked why we distinguish between parts of the Torah to say that this part came from *Pi Hagevurah* while this part came from *Pi Moshe*? ALL of Torah is *Mpi Hagevurah*, divinely given by Hashem, so why distinguish within the Tochecha?

The Rav explained that in the Tochecha in Bechukosai, Moshe was given the Berachos Ukelalos as the representative, as well as a member of *Knesses Yisrael*. Moshe's role was that of a messenger to transmit the message from Hashem to *Bnay Yisrael*. Hence the plural form is used to include all of *Bnay Yisrael*. In Ki Tavo, Hashem wanted that Moshe should speak to the people using his own name and warn them of the consequences of their actions if they do not follow the Torah of Hashem. However, in both Bechukosai and Ki Tavo, the Berachos Ukelalos were determined and ordained by Hashem.

In Bechukosai, Hashem speaks directly to *Bnay Yisrael*, for example and I will provide rain in its proper time. Moshe is included as a recipient of this favor from Hashem, just like all other members of *Knesses Yisrael*. Moshe's role was limited to his being the appointed messenger to relay the message to *Bnay Yisrael*. There are 2 parties involved in the covenant in Bechukosai: Hashem and *Knesses Yisrael*, and there is one messenger who is also a member of the second party: Moshe.

In the covenant of Ki Tavo, the role of Moshe changed. The nature of this covenant was with each individual member of *Bnay Yisrael*, for example it says "*Vhayisa Meshuga*" (and you will become depraved) in singular form. Hashem wanted that Moshe should be the *Mashbia*, the one who administers the oath, to *Bnay Yisrael*. In this Tochecha, there are 3 parties involved in the covenant: Hashem, Moshe and *Knesses Yisrael*.

The Rav asked why was Moshe's role different in each of the *Tochachot*? The Rav explained that

the first Tochecha was given by Hashem to Moshe prior to the breaking of the first Luchos Habris. We find in Parshas Mishpatim that Moshe sprinkled blood on the people and said that Hashem is making a covenant with Bnay Yisrael based on ALL these things, Al Kal Hadevarim Ha'ayleh. This Bris included the reading of the Berachos Ukelalos from Bechukosai. According to Rashi, this ceremony took place right before Bnay Yisrael received the Torah at Sinai, on the fourth day of Sivan. That is why we read Bechukosai prior to Shavuot, as its contents were part of the covenant that Hashem made with Knesses Yisrael at Sinai. The second Tochecha was given after the breaking of the Luchot and the receipt of the second set of Luchot, in fact 38 years later in Arvos Moav. What changed in this time?

The Rav said that according to the Bais Halevi, prior to the breaking of the first set of Luchos, there was no difference between Torah Sh'bichtav and Torah Sh'beal Peh. Torah Sh'beal Peh was to be a written portion of Torah Sh'bichtav. The breaking of the Luchos was the event that changed the character of Torah Sh'beal Peh from a written one to one that was to be handed down via the Mesorah. So when Moshe gave the Tochecha in Ki Tavo, this difference between Torah Sh'beal Peh and Torah Sh'bichtav had taken place. It is interesting to note that in the Krisas Bris in Parshas Mishpatim that revolves around the Berachos Ukelalos that are mentioned in Bechukosai, the Torah uses the phrase Al Kal Hadevarim while in Devarim, it uses the phrase Al Pi Hadevarim. The difference is that in Mishpatim Torah Sh'bichtav and Torah Sh'beal Peh were to be transmitted in the same way. In Devarim, where Torah Sh'beal Peh existed as an oral tradition, the Torah uses the phrase Al Pi to indicate that Torah Sh'beal Peh as a unique entity was included in this covenant. After the breaking of the Luchos, Torah Sh'bichtav alone was to be written, while Torah Sh'beal Peh was Nimseres L'Moshe, transmitted to Moshe and he was charged with the responsibility of transmitting it to Bnay Yisrael, hence the term Mesorah, which means that it was given to Moshe.

With this, the Rav explained the role of Moshe in each Tochecha. In Bechukosai, where everything was to be included as part of Torah Sh'bichtav, Moshe's role was limited to a plain messenger, he is not yet considered to be Rabban Shel Yisrael, teacher of Israel. Hashem alone is the Mashbia of Bnay Yisrael. Hence the Gemara says that Moshe said these Berachos Ukelalos Mpi Hagevurah. However with the receipt of the second Luchos, Torah Sh'beal Peh was given exclusively to Moshe. He became Rabban Shel Yisrael, teaching it to each and every member of Bnay Yisrael and was rewarded with the Karnay Ohr. Therefore the Gemara says that Moshe said them Mpi Atzmo, to indicate that he was the Mashbia of Bnay Yisrael and the covenant obliged Bnay Yisrael to follow Torah Sh'bichtav and Torah Sh'beal Peh.

The Rambam asks (on the verse Lo Kam Navi Od Byisrael Kmoshe) that in Parshas Vaayra, Hashem tells Moshe that He appeared to Avraham by a different name. The Midrash comments that Hashem is saying that the patriarchs were on a higher level than Moshe. The Rambam explains that Moshe must be looked at from 2 points: before and after the breaking of the Luchos. Indeed, prior to the breaking of the first Luchos, the patriarchs were on a higher level than Moshe. Though Moshe was the messenger charged with the task to relate the Berachos Ukelalos and the covenant with Hashem to the people, this did not, in and of itself, raise him above the patriarchs. Only with the second Luchos, did Moshe become the Adon Haneviim, the greatest of all prophets. Essentially, Moshe became a part of Torah. This greatness was expressed through Moshe's role as teacher of Israel, transmitter of Torah Sh'beal Peh and the

Mashbia of Bnay Yisrael obligating them to keep for all time the Torah Sh'beal Peh that he taught them. The Krisas Bris in Ki Tavo was different in that it included both Torah Sh'bichtav and Torah Sh'beal Peh.

It is because of this status of Moshe, that not believing in Moshe is tantamount to not believing in Hashem. The Gemara says that Moshe Mpi Atzmo means that Moshe in his role of teacher and Mashbia said them. The Tochecha is repeated in Devarim because the one in Bechukosai involved only Hashem and Bnay Yisrael. In Ki Tavo the Tochecha is between Hashem, Moshe and Bnay Yisrael.

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(Submitted by Nisson Shulman)