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בס"ד

## Parashat Debarim Part I Deuteronomy 1–3

### 1. Overview

The book of Numbers closes in the fortieth year from the Exodus with the Israelites encamped on the steppes of Moab,\* spread along the eastern bank of the Jordan River, poised to cross into the promised land (Num. 25:1; 33:50; 35:1). G-d had already told Moses to ascend the mount to view the land He was giving to Israel at which time “you shall be gathered to your kin, you too, as was Aaron your brother” (Num. 27:12-13). Joshua had been officially designated as the new leader and Moses had “placed his hands upon him and instructed him” (Num. 27:23). At the time that G-d commanded Moses to avenge Israel from Midian, He added, “then you shall be gathered to your kin” (Num. 31:2).

When the battle with Midian was successfully completed the reader expects Moses to take care of any final matters, ascend the mount and pass away (Num. 27:12-13; 31:2). All that would necessarily be expected in this fourth book of the Torah are some final few verses concerning Moses’ death such as are found at the end of Deuteronomy. With that, the closing of the book of Numbers would be the closing of the books of the Torah.

However, it turns out that an important procedure pertaining to strengthening the identity of the Israelites as a people covenanted with G-d had yet to be addressed, namely, the reaffirmation of the G-d-Israel covenant with the new generation. True, the covenant G-d had enacted with the Israelites in the first year shortly after the Exodus was understood to be binding on their children. But the general practice pertaining to suzerain-vassal covenants of the ancient Near East (the proximate model for the G-d-Israel covenant) was that when a

new leader was installed or conditions were radically altered, as was the case with Israel’s circumstances, the principals executed a covenant renewal. In large part it is to this purpose that the Torah’s fifth book is formally directed.

As we shall see in coming studies, Moses fulfilled a substantial portion of this objective with a grand oration to the nation that he presented as his valedictory address (a widespread custom of prominent leaders of the ancient world when they were close to death). While complying with the essentials of contemporary covenant renewal protocol, this oration included a historical survey, moral and theological instruction, exhortations, inspirational “sermons,” a major law compendium, a definition of Israel’s relationship with G-d and a section of blessings and curses. It extends over the great majority of the book (from the beginning through 28:68).

At the end of his oration Moses prescribes a ceremony associated with finalization of covenant renewal but the fulfillment of which he instructed should be postponed until the nation would actually be in the promised land and the new leader installed. Thus, Joshua’s writing the basic teaching on large stones shortly after Israel’s entry into the land, followed by the recital of the blessings and curses in the presence of all the Israelites (Josh. 8:30-35), was virtually a continuation and completion of the covenant renewal ceremony enacted by Moses before his death. As we shall see in our study *The G-d-Israel Covenant: On Meaning and Format*, all substantial elements of ancient Near Eastern suzerain-vassal covenants were duly included in Deuteronomy.

Moses begins the last six chapters with a description of the major national assembly convened for the “cutting” of the covenant (29), followed by teaching of the possibility of repentance when and if necessary (30). He

writes the teaching (“this Torah”), transmits it to the priests and elders, and provides for a septennial national gathering to periodically publicly review the teaching (31). Before closing, the book includes a solemn poem (the *Song of Ha’azinu* [32]) designed to provide an ongoing appeal to popular memory to remain committed to G-d, followed by Moses’ blessings to the individual tribes (33). The last chapter (34) speaks of Moses’ ascending the mount and passing away and Joshua’s succession.

Moses’ oration touches upon many narrative details and laws that are also found in the other books of the Torah. Consequently, the book has colloquially, including rabbinically, been called *Mishneh Torah*, in the sense of “repetition of the Torah,” in accordance with one meaning of the word *mishneh*. It should be stressed, however, that by no means is Deuteronomy a repetition in different words of the other books. Its narratives that parallel those of the other books usually contain significant variations, many of its laws are not found in the other books and many laws of the other books are not found in it.

Moses employed the term *mishneh torah* once, when speaking of the obligations of a possible future king. He stated that the king must write for himself *mishneh hatorah hazot* (Deut. 17:18). *Targum Onqelos* and some sages took the term as mandating that the king was to write a copy of the whole Torah. Some understood it to mean that he was to write two copies of the Torah, one to be with him wherever he goes and the other to be placed with his valuables (*b. Sanh.* 21b). Others took it as requiring him to write “a copy of this teaching,” namely Deuteronomy, or a specific portion of Deuteronomy. In popular usage its application to the book of Deuteronomy as repetition of the Torah persisted.

Consistent with this colloquial name, the Septuagint translated *mishneh hatorah* as “this second Law,” taking Deuteronomy as a “repetition.” It is from there that the book’s Greek name derived followed by the English “Deuteronomy.” But considering that Deuteronomy contains many narrative details and laws that are not found in the other books and vice versa, the correct translation of *mishneh hatorah hazot* appears to be “a copy of this

teaching.” Joshua wrote on the stones *mishneh torat moshe*, that is, “a copy of the teaching of Moses” (Josh. 8:32). Thus, there is no biblical basis to call Deuteronomy *Mishneh Torah*.

The most popular Hebrew name for the fifth book is *Debarim*, based on its opening phrase אֵלֶּה הַדְּבָרִים.

Moses began his address on the first day of the eleventh month of the fortieth year from the Exodus, a matter of five weeks at most before his passing away and Joshua’s assumption of leadership. The exact date of Moses’ death is not provided (probably to discourage memorial ceremonies that may lead to deification, perhaps the reason the Torah made the point that his burial spot is unknown [Deut. 34:6]). But based on other specified details it appears that his death could not have occurred later than the seventh day of the twelfth month, though very possibly earlier, a matter impossible to determine from the text. The Israelites crossed the Jordan on the tenth day of the first month of the forty-first year (Josh. 4:19). This was preceded by a thirty-day mourning period for Moses (Deut. 34:8) and probably also by at least the three days that transpired until the two spies Joshua sent to Jericho returned (Josh. 2:22; 3:2), a mission that does not appear to have been carried out during the mourning period. Joshua’s instructions to the people to prepare provisions, “for in three days” they were to cross the Jordan River (Josh. 1:11), must also be taken into account. Those days, the account of which is not in chronological order with the spy episode, did not coincide with the days the spies were away, for Joshua would have awaited their report before making such a definitive announcement.

## 2. On the Prologue

Deuteronomy opens with a five-verse introduction (that we will discuss in detail in our coming study) formulated in the third person. Immediately following it Moses begins his extensive oration. This comprises several discourses recorded in first person, which, with few exceptions (mostly introductory phrases and several narratives concerning Moses’ last days toward the end of the book) constitute all of Deuteronomy. This is in sharp contrast to the Torah’s other four books, which are wholly set in the anonymous “narrator” mode. As a valedictory address, Moses touches upon major events that occurred under his charge in a manner calculated to encourage the nation to maintain its trust in G-d and

commitment to His laws. Far more than elsewhere in the Torah, he vigorously asserts the monotheistic principle and emphasizes the importance of loyalty to G-d. He portrays the righteous, just and humanitarian society that Israel is called upon to establish and transmits numerous laws, many mentioned for the only time in the Torah.

In the larger structure of the book, *Parashat Debarim* and the first part of *Parashat Va'ethannan* (from the beginning through 4:40) comprise a two-part prologue to what follows. Until the end of chapter 3 the discourse is within the framework of the itinerary of the forty years from the Exodus to the present moment. In chapter 4 the emphasis is changed into a powerful motivational thrust to prepare the Israelites for a review of the Decalogue, the highlight of the covenant renewal. In accordance with prologues of contemporary covenants transacted between a suzerain and vassal, in which the former invariably introduced his demands with a recounting of benefactions with which he provided the latter,\*\* Moses' prologue cites a number of G-d's benefactions on Israel's behalf.

In chapter 1 verse 6, Moses begins his review of key events of Israel's history of the past forty years. He starts from the point when the nation was still stationed at Horeb (the site that parallels Sinai of the book of Exodus), subsequent to the lawgiving, when G-d instructed the Israelites to proceed to the land of Canaan. He stresses G-d's commitment to them as well as His interest in settling them in the land that He promised to their forefathers. Indeed, G-d is portrayed as anxious to have the nation move forward; the first of His words quoted are, "It is long enough that you have dwelt at this mountain, direct yourselves and travel and get to the hill country of the Amorites ... get there and possess the land" (Deut. 1:6-8). Moses emphasized that the long delay to the present moment was the result of Israel's sinfulness, contrasting the previous generation's faithlessness with G-d's faithfulness and His favorable plans for the new generation.

Why did Moses begin his historical survey from a point following the lawgiving? Why did he not start with that momentous event, the high point of Israel's history? Judging from the following portion of his address (ch. 4) it appears that he had an

oratorical purpose in mind. When his narrative would reach the present time he would backtrack and provide a dramatic and elaborate discussion of that unique event to serve as the conclusion of the prologue. In this way he would more effectively prepare his audience for the presentation of G-d's demands, which would begin with recalling the Decalogue (ch. 5). The setting and background would segue into that proclamation.

The first item that Moses raised after mentioning G-d's instructions to begin traveling from Sinai was that "at that time" he (Moses) had complained to the people that he was no longer able to bear their burdens alone. They had become so numerous (and he prayed that G-d should continue greatly increasing their numbers) that their many grievances and quarrels overwhelmed him (1:9 ff.). That problem led to the implementation of a comprehensive judiciary system, the outlines of which Moses briefly describes. Perhaps he began with this subject because it acknowledges G-d's fulfillment of His promise to the patriarchs to greatly multiply their descendants, understandably bringing with the blessing commensurate increase in the complaints and disputes that inevitably arise in daily life. (Moses' statement that he had said to the people, "here you are today numerous as the stars in the sky" [Deut. 1:10] corresponds to G-d's multiple citations of that metaphor to the patriarchs [Gen. 15:5; 22:17; 26:4], "softening" his complaint by pointing to fulfillment of the blessing.)

In addition, beginning with the judiciary had great symbolic value. It emphasized G-d's great concern to ensure justice and fairness for all – Israelite and stranger, small and great – and foreshadows a primary goal of the law code that follows. Moses' review for his present audience of the instructions he gave the judges, to be righteous and courageous in judgment (Deut. 1:16-17), was an opportunity to buttress this message.

Some have seen Moses' choosing to begin his review with an expression of his inability to cope with the situation alone as a manifestation of his exceedingly great modesty; he informs his audience that from the beginning he required help from many others.

After reviewing the episode of the spies and its disastrous aftereffects, Moses raised the nation's hopes for successful entry into the land. He pointed out that G-d had already granted the neighboring nations – Seir (Edom), Moab and Ammon, all relatives of the

forefathers – their patrimony. He enabled them to dispossess the previous inhabitants of their lands, mighty as they were. This signifies that it is now time for Him to grant Israel the land He had designated to it and that He will now enable it to dispossess the present inhabitants of that land. By retelling the story of the great recent military victories over the mighty kings Sihon and Og, he demonstrates how G-d cared for Israel and fostered confidence in His ongoing providence.

An underlying principle that runs through Moses' words is that the nation controls its destiny; obedience to G-d will bring it success.

## **Endnotes**

\* Based on the Numbers 21 narratives, this appears to be the land that Israel had recently conquered from Sihon, which the latter had previously conquered from Moab, not necessarily impinging on Moab's present territory. The "steppes of Moab" appellation remained even after the conquest of Sihon.

\*\* See our study *The G-d-Israel Covenant: On Meaning and Format*.

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