

Fundamental Issues in the Study of *Tanakh*  
By Rav Amnon Bazak

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Dedicated in memory of  
Joseph Y. Nadler, z"l, Yosef ben Yechezkel Tzvi  
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**Shiur #4f: Duplication and Contradiction (continued)**

**Three Themes Unique to *Sefer Devarim***

**1. Morality as the basis for commandments in *Devarim***

In our discussion on *Devarim* until now we have noted that in the unit concerning the Hebrew servant, Moshe emphasizes the ethical obligations of the master towards his servant, with the basis of this demand lying in the exhortation to "remember that you were a slave in the land of Egypt" (15:15).

This expression, which occurs five times over the course of *Devarim*, is a motif that reflects the emphasis in Moshe's speech on the moral dimension of the commandments, in contrast – or in addition – to the religious aspect that is emphasized in the other books of the Torah. The best-known example in this regard is the rationale for Shabbat as set forth in the two different formulations of the Ten Commandments. In *parashat Yitro* in *Sefer Shemot*, the mitzva is presented as pertaining to the man-God relationship, with its purpose being to **remember** the Creation of the world:

"Remember the Shabbat day to sanctify it... **For [in] six days God made the heavens and the earth**, the sea, and all that is in them, **and He rested on the seventh day**; therefore God blessed the Shabbat day and sanctified it." (Shemot 20:8-11)

By contrast, in *parashat Vaetchanan* in *Devarim*, Moshe repeats the Ten Commandments and presents Shabbat in a very different light: Shabbat is a moral-social commandment whose goal is to provide rest for the servant.

"Observe the Shabbat day to sanctify it... **in order that your manservant and your maidservant shall rest like you. And you shall remember that you were a servant in the land of Egypt**, and the Lord your God brought you out of there with a strong hand and an outstretched arm; therefore the Lord your God commands you to observe the Shabbat day." (Devarim 5: 12-15)

In this instance, the rationale for the command rests upon a recollection of Israel's experience of servitude in Egypt.

Another example of a commandment whose description takes on a distinctly moral character when it appears in *Devarim* is the commandment of rejoicing on the festivals. When the commandment appeared in *Vayikra*, it is mentioned in the context of the four species:

"And you shall take for yourselves on the first day the fruit of a beautiful tree, branches of the date palm, and twigs from the tree with thick bark, and willows of the river, and **you shall rejoice** before the Lord your God seven days."  
([Vayikra 23:40](#))

The rejoicing appears here as an expression of thanks to God, performed through the bringing of the four species.<sup>[1]</sup>

In *Devarim* by contrast, the joy of the festival is a far more socially-oriented concept, which entails the involvement of the more vulnerable sectors of society – once again, based on the moral imperative that arises from the memory of slavery in Egypt:

"And you shall remember that you were a servant in Egypt... and you shall rejoice in your festival – you and your son and your daughter, and your manservant and your maidservant, and the Levite and the stranger and the orphan and the widow who are in your gates." (Devarim 16: 13-15)

The principle finds expression in several more commandments,<sup>[2]</sup> yet the examples we have seen until now appear sufficient to demonstrate the general phenomenon of the role that morality plays in the commandments in *Devarim*. The reason for this becomes clear when we consider the context and setting of *Devarim*. Moshe delivers his speeches as the nation is about to cross the Jordan and enter the land, undergoing a great transformation from a nomadic people to a nation living in its own land. For this reason, Moshe regards it as essential to emphasize the social aspect of the commandments, as a fundamental condition to sustain Israel's presence in the land for the coming generations. The memory of the exodus from Egypt will accompany them as the basis of their commitment to behave morally and ethically towards the weak and the vulnerable among them.

## 2. God's love of Israel in *Devarim*

Moshe's speeches are the only sources in the Torah that treat the relationship between God and Israel from a perspective of love. *Devarim* speaks of God's love for Israel, in verses such as,

"It is not because you are more numerous than any other nation that God set His love upon you and chose you, for you were the fewest among all the nations; [rather,] **it was out of God's love for you**, and for Him to keep the oath which He swore to your forefathers..." (7:7-8);

"The Lord your God would not listen to Bil'am, and the Lord your God transformed the curse into a blessing, for the Lord your God loves you." (23:6)

Likewise, it is only in *Devarim* that we find the reciprocal command for Israel to love God:

"You shall love the Lord your God with all your heart, and with all your soul, and with all your might" (6:5);

"You shall love the Lord your God and observe His charge and His statutes and His judgments and His commandments for all time." (11:1)

Here, again, it seems that the reason for this is connected to the context of *Devarim*, being set on the eve of entry into the land. This is indicated in Moshe's parting speech at the end of *Devarim*, where he describes the process of repentance that Israel will undergo after being exiled from the land as punishment for their sins. First we read,

"And you shall return to the Lord your God, and obey Him... and the Lord your God will bring back your captivity, and have mercy upon you, and gather you back from all of the nations... and the Lord your God will bring you to the land which your forefathers inherited, and you shall take possession of it, and He shall be good to you, and multiply you more than your fathers." (30:2-5)

Only afterwards does Moshe say,

"And the Lord your God will circumcise your heart and the heart of your descendants, to love the Lord your God with all your heart, and with all your soul, that you may live." (ibid., 6)

In other words, love of God is possible only in the Land of Israel – the land upon which God's eyes rest "from the beginning of the year until the end of the year" (see 11:12). Only in the land can the relationship between God and Israel reach a level that may properly be called "love." For this reason, it is just prior to entry into the land that Moshe permits himself to mention this concept to describe the bond between God and the nation.

### **3. The Sanctity of the People in *Devarim***

Another principle that is conspicuous in Moshe's "speech of the *mitzvot*," (chapters 5-26 of *Devarim*) in contrast to the other books of the Torah, is the special level of sanctity attributed to the people as a whole. *Parashat Emor* in *Vayikra* sets forth various laws pertaining to the sanctity of the *kohanim* (priests), including the following prohibition:

"They shall not make a bald patch on their head, nor shall they shave the corners of their beard, nor make any cut in their flesh. They shall be holy to their God, and shall not profane the Name of their God, for it is the offerings of the Lord made by fire, the bread of their God, that they offer up; therefore they shall be holy." ([Vayikra 21:5-6](#))

The source of the *kohanim's* special holiness lies in the fact that they minister in the *Mishkan* and administer the sacrificial services. This status requires conduct on a certain level, and forbids them from various practices such as making a bald spot or cutting themselves. In the continuation of the discussion, this holiness also prohibits *kohanim* from eating forbidden foods:

"That which dies of itself, or is torn by beasts, he [the kohen] shall not eat of it, to defile himself with it" (ibid. 22:8).

In *Devarim*, by contrast, Moshe treats the whole people as holy, and for this reason the entire nation bears the same restrictions as those given to the *kohanim* in *Vayikra*:

"You are children to the Lord your God; you shall not gash yourselves, **nor make a baldness between your eyes for the dead**. For you are a **holy nation** unto the Lord your God, and the Lord your God has chosen you to be a **special possession for Himself out of all the nations** that are upon the face of the earth." ([Devarim 14:1-2](#))

"**You shall not eat any animal that dies of itself**; you shall give it to the stranger who is in your gates, that he may eat it, or you may sell it to a foreigner, for **you are a holy nation** unto the Lord your God." (ibid. 21)

The discrepancy between *Vayikra* and *Devarim* in this regard is not necessarily contradictory, since we may posit that there are two levels of holiness: where *Vayikra* speaks of the holiness of the *kohanim*, Moshe in *Devarim* introduces the idea that these laws actually apply to the entire nation.<sup>[3]</sup> Indeed, over the course of the speech of the *mitzvot* it becomes clear that Moshe understands the halakhic dimension of the holiness of Israel as finding expression not only in prohibitions but also in rights and entitlements normally reserved for the *kohanim* or *leviim*. For example, after the rebellion of Korach, the Torah addresses the *kohanim* and speaks of their obligations and their rights. *Inter alia*, we read of the giving of the firstborn to the *kohen*:

"But the firstborn of an ox, or the firstborn of a sheep, or the firstborn of a goat, you shall not redeem, they are holy; you shall sprinkle their blood upon the altar... and **their meat shall be yours, just as the breast of elevation offering and the right thigh are yours.**" ([Bamidbar 18:17-18](#))

Further on, the Torah talks about the tithes given to the *leviim*:

"And to the children of Levi, behold, I have given all the tithes in Israel as their share, in return for the service which they perform – the service of the Tent of Meeting." (ibid. 21)

Moshe's speech in *Devarim* however, indicates that it is Israel themselves who are entitled to partake of the firstborn animals:

"Every firstborn male that is born of your cattle and your flocks you shall dedicate to the Lord your God... **you shall eat it before the Lord your God**, year by year, in the place which the Lord shall choose – you and your household." ([Devarim 15:19-20](#))

And in the only place in *Devarim* where mention is made of tithes, the same idea recurs:

"You shall surely tithe all of the increase of your seed that the field brings forth, year by year. **And you shall eat it before the Lord your God**, in the place where He will choose to cause His Name to rest – the tithe of your corn, of your wine, of your oil, and the firstborn of your herds, and of your flocks" (ibid. 14:22-23).<sup>[4]</sup>

How are we to explain this phenomenon of the sanctity of Israel that appears so prominently in *Devarim*? It would seem that on the eve of the entry into the land, Moshe describes a utopian reality – the ideal situation of Israel. The whole nation was indeed supposed to be imbued with the same sanctity as that of the *kohanim*, but only if Israel were truly deserving of their status as a holy nation. This question – of whether Israel merit God's benevolence and designation as a holy nation – is one of the central themes of Moshe's speeches throughout *Devarim*. On the one hand, he asserts – as we have seen in the verses discussed above, as well as in other places – the people are indeed holy:

"For you are a holy nation unto the Lord your God; the Lord your God has chosen you to be a special possession for Himself out of all the nations that are upon the face of the earth." ([Devarim 7:6](#))

This continues the vision that was presented prior to the revelation at Sinai, where we are told:

"And now, if you will diligently obey Me and observe My covenant, then you will be My special possession out of all the nations, for all the earth is Mine. And you shall be for Me a kingdom of *kohanim* and a holy nation." ([Shemot 19:5-6](#))

On the other hand, this vision itself hints strongly that this holiness is not automatic; rather, it is contingent upon observance of the commandments. This idea, too, recurs in Moshe's speeches on the eve of the entry into the land:

"The Lord shall establish you for Himself as a holy nation, as He promised you, **if you keep the commandments of the Lord your God and follow in His ways.**" ([Devarim 28:9](#))

The holiness of Israel will be expressed only if the nation observes the commandments and follows the way of God. Thus the ideal of Israel living in the land as a holy nation is always presented alongside the awareness that such a status is conditional upon the people living up to the obligations that are at the heart of the lofty vision.

In this sense, there is a connection to another instance in Moshe's speeches where the utopian vision and gritty reality are presented alongside one another. On the one hand, Moshe declares that there is seemingly no need for the legislation regarding cancellation of debts, since there will be no loans and no poor people:

**"But there shall be no poor person among you,** for the Lord shall surely bless you in the land which the Lord your God gives to you as an inheritance, to possess it – **only if you diligently obey the Lord your God,** to observe and to perform all of these commandments which I command you this day." ([Devarim 15:4-5](#))

However, even this formulation suggests that ultimately the idyllic economic situation is dependent upon observance of the commandments, and therefore Moshe establishes only a few verses later:

**"For the poor shall never cease from the midst of the land;** therefore I command you, saying, you shall surely open your hand to your brother, to your poor and to your needy who are in your land." (ibid. 11)

This command rests upon Moshe's clear assumption that the people will sin and be exiled from the land, as he states explicitly in several places during his speeches (such as 4:25-27; 30:1).

The same idea applies holds true with regard to Israel and their holy status. Moshe describes the nation in an ideal state, where they are worthy of eating of the firstborn of the animals and of the tithes of the produce, just as the priests who serve in the Temple do. In practice, however, these laws may well never be implemented – for Israel will not reach the level of holiness that will create this reality. Nevertheless, as they are about to enter the land, Moshe sees fit to present the people with the aspiration to be a holy nation, as something for which they should strive in their life in the land.

## Conclusion

We have examined several points here that illustrate the special nature of *Devarim*, with its idiosyncratic style and unique ideas. We have explained why Moshe, in his speeches, treats identical topics with different emphases

founding *Devarim* and in the other books of the Torah. Identification of such themes allows us to explain the variations between his words in *Devarim* and the text elsewhere. Obviously, the scope of this *shiur* does not allow for an exhaustive discussion of the entire book, but I believe that the examples that we have addressed here offer an overall approach to *Devarim* as a whole. Moreover, they provide a convincing response to the questions raised by Biblical scholars from de Witte onwards regarding the disparities between *Devarim* and other books of the Torah.

(To be continued)

Translated by Kaeren Fish

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<sup>[1]</sup> The Yerushalmi (*Sukka* 3:11; p. 54a) records a dispute as to whether the rejoicing here is over the four species or over the festive sacrifices, but the plain reading of the text contains no mention of the sacrifices in these verses, and it therefore seems more reasonable to accept the view that the rejoicing is over bringing the four species.

<sup>[2]</sup> We might briefly note an interesting example: the story of Amalek is presented in [Shemot\(17:8-16\)](#) as the first war waged against Israel, and as the first blow to God's "deterrent effect" which is described at length in the Song of the Sea (*ibid.* 15:14-16). For this reason, God Himself fights against Amalek, and promises to do so also in the future: "For **I shall surely erase the memory** of Amalek from under the heavens" (*ibid.* 17:14). In the description in *Devarim*, in contrast (25:17-19), the emphasis is on the negative moral aspect of Amalek's act towards Israel: "For meeting you on the way, and attacking the stragglers who trailed after you, while you were tired and weary" (*ibid.*, 18). Hence, the obligation concerning Amalek is placed specifically upon Israel: "**You shall erase the memory** of Amalek from under the heavens; you shall not forget" (*ibid.*, 19).

<sup>[3]</sup> As Ramban comments ([Devarim 14:1](#)): "Now it is made clear that Moshe commanded them thus not only owing to the stature of the *kohanim*; rather, all of the congregation is holy, 'You are all sons of the Lord your God' – like the *kohanim*; hence you too should observe this commandment, just as they do."

<sup>[4]</sup> Rashi explains, in accordance with the halakha set down by *Chazal*: "'You shall eat it before the Lord your God' – this is addressed to the *kohen*, for we already know that this is one of the gifts given to the *kohanim*." However, this interpretation is difficult to reconcile with the plain meaning of the text.