

**PARSHAT DEVARIM**

[shiur revised 5765]

Why are there so many details in Parshat Devarim that appear to contradict what was written earlier in Chumash?

[For example, the story of: the "meraglim" (1:22-40 vs. Bamidbar 13:1-22), whose idea it was to appoint the judges (see 1:12-18 vs. Shmot 18:13-26), and how we confronted Edom in the fortieth year (see 2:4-8 vs. Bamidbar 20:14-).

In contrast to the 'heretical' solutions offered by the 'bible critics' - in the following shiur we suggest a very simple and logical reason for these discrepancies - based on our understanding of the overall theme and structure of Sefer Devarim, as discussed in our introductory shiur.

Therefore, we must begin our shiur with a quick review of the conclusions of that shiur - in order to understand the purpose of Moshe Rabeinu's first speech, which comprises the bulk of Parshat Devarim.

[If you didn't read that shiur, it is available on the web-site at [www.tanach.org/dvarim/dvarint.pdf](http://www.tanach.org/dvarim/dvarint.pdf).]

**INTRODUCTION**

In the first four chapters of Sefer Devarim, Moshe Rabeinu delivers a speech to Bnei Yisrael, which serves as an introduction to his 'speech of Mitzvot' - the main speech (chapters 5 thru 26).

In that 'main speech', Moshe teaches a complete set of laws that Bnei Yisrael must keep as they conquer the Land, and establish their nation. Even though Moshe first received (and taught) those laws forty years earlier, he must teach them one last time, before his death - as the new generation now prepares to enter the Land.

Our shiur will demonstrate how the first speech introduces the main speech, which will then enable us to explain why its details may differ from their parallel accounts in Sefer Shmot and Bamidbar.

We begin our study by noting how and where the first speech begins.

**THE OPENING LINE**

In our introductory shiur, we explained how the first four psukim of Parshat Devarim (1:1-4) serve as an intro to the entire book, and hence introduce the main speech (that doesn't begin until chapter five). It is specifically the fifth pasuk that introduces the first speech: "In Transjordan in Moav, - 'ho'eel Moshe" - Moshe BEGAN explaining this TORAH saying:..." (See 1:5, and Rashi!)

[The phrase "ha'Torah ha'zot" refers to the main speech (that begins in chapter five), as Sefer Devarim consistently uses the word "torah" in this context - see 4:44, 17:18 and 27:3 & 8.]

Hence, the next pasuk begins the actual speech - with Moshe telling Bnei Yisrael:

"Hashem spoke unto us in Chorev [=Har Sinai] saying: 'You have dwelt long enough in this mountain; "turn you, and take your journey, and go to the hill-country of the Amorites and unto all the places... the land of the Canaanites, as far as the great river, the river Euphrates. "

Behold, I am giving you the land: **go in and possess it**, which Hashem swore unto your forefathers..." (see 1:6-8)

When Moshe begins his speech by retelling how Bnei Yisrael left Har Sinai, it may appear that he is simply beginning a short historical review of everything that happened during their journey in the desert. However, as we read on, we'll see how the details that Moshe Rabeinu recalls, relate directly to the topic of the main speech. Let's explain why he begins with 'leaving Har Sinai'.

**DEJA - VU**

Recall that the mitzvot of the main speech were first given to Moshe at Har Sinai, and they were taught at that time, because Bnei Yisrael were supposed to travel from Har Sinai directly to the Land of Israel. Now, it is forty years later, and the new generation is in a very similar situation, i.e. ready to enter the land. Just as Moshe had taught their parents' generation these laws at Har Sinai - now he is teaching the new generation.

As the laws of the main speech relate to what Bnei Yisrael must do when they enter the land, Moshe begins his speech by explaining to the nation why forty years have passed since these laws were first given.

This neatly explains why the story of the spies emerges as the primary topic of chapter one (see 1:19-45) - for that sin was the principal reason for this forty year delay. [If Sefer Devarim was a simply a review of Chumash, then there are many other stories that Moshe should have mentioned beforehand!]

However, before Moshe retells the story of the spies, he inserts a short 'digression' regarding the appointment of judges, as detailed in 1:9-18, which at first glance appears to be superfluous.

Let's take a look at what this 'digression' includes; afterward we will suggest a reason for its inclusion.

**WHAT DO JUDGES HAVE TO DO WITH ALL THIS?**

Review 1:6-22, noting how it would have made much more sense for Moshe to go from 1:8 directly to 1:19 (please verify this on your own). Nonetheless, this more logical flow is 'interrupted' by what appears to be an unrelated statement:

"And I spoke unto you 'at that time', saying: 'I am not able to lead by myself...' (1:9)

Moshe's statement, even though it sounds at first bit negative, does not have to be understood as a complaint. In fact, the next two lines come precisely to counter that impression:

"Hashem has multiplied you, and, behold, you are this day a multitude as the stars of heaven. Hashem, the God of your fathers, should make you a thousand times so many and bless you, as He promised you! (1:10-11)

[btw, note the parallels to Breishit 15:5-7!]

Moshe's inability to carry the burden of the entire nation stemmed from their population growth, which Moshe now explains was the fulfillment of a divine blessing.

In fact, based on the context of 1:6-8, the phrase "b'et ha'hi" [at that time] in 1:9 must relate to the time when Bnei Yisrael first left Har Sinai - as recorded in chapter 11 in Sefer Bamidbar. And sure enough, we find almost that identical wording in a statement that Moshe had made precisely 'at that time':

"lo uchal anochi l'vadi la'set et kol ha'am..." - I myself am not able to lead this nation... (see Bamidbar 11:14!)

In response to Moshe's 'complaint', God commanded Moshe to share his leadership with the 'seventy elders' (see Bamidbar 11:16-29). That response is reflected in Moshe next statement in his speech in Sefer Devarim, explaining how his burden of leadership was alleviated by the appointment of judges, in a hierarchical system of leadership:

"How can I alone bear your cumbrance, and burden, and disputes? [Therefore,] Get you, from each one of your tribes, wise men, and understanding, and full of knowledge, and I will make them heads over you... So I took the heads of your tribes, wise men, and full of knowledge, and made them heads over you, captains of thousands, and captains of hundreds, and captains of fifties, and captains of tens, and officers, tribe by tribe. And I charged your judges at that time, saying: 'Hear the causes between your brethren, and judge righteously between a man and his brother, and the stranger that is with him... and the case that is too hard, you shall bring unto me, and I will hear it'. (See 1:12-17.)

[Note that even though this may sound like a similar account Parshat Yitro (see Shmot 18:13-26), based on the context, the primary parallel is to Bamidbar chapter 11. See also Ibn Ezra (and Rashi) in Shmot 18:13, who

explain that this story of the appointment of judges actually took place after the Torah was given, and hence, that chapter is out of place. Note as well how Shmot 18:27 may be parallel to Bamidbar 10:29-33!]

But what is the thematic importance of Moshe's discussion about the appointment of these judges? Even if those events took place 'at that same time' [see 1:9], these details don't appear to share any thematic connection to the story of the spies, nor to the laws of main speech! So why does Moshe mention it at all?

### JUDGES AND/OR TEACHERS

The answer to this question lies in the next (and final) pasuk of this 'digression':

"And I commanded **you** [the people] 'at that time' - et kol ha'DEVARIM - all the things which you should do." (see 1:18)

Pay attention to the phrase "va'atzave **etchem**" - which must refer to the people, and not the judges.

[You can prove this by simply comparing "v'atzave **et shofteichem**" in 1:16, to "v'atzave **etchem**" in 1:18!]

This short pasuk, even though it is often 'overlooked', connects everything together. Moshe explains that at that time, i.e. after appointing the judges, as Bnei Yisrael prepared to leave Har Sinai, he had commanded the people in regard to all the - DEVARIM - which they must do.

But what are those 'DEVARIM'?

Based on our introductory shiur, the answer should be obvious! These are the same '**devarim**' that:

- the opening pasuk of Sefer Devarim refers to (see 1:1)
- "v'hayu ha'devarim ha'eyleh" refers to (see 6:6)
- which are none other than the laws of the main speech of Sefer Devarim! [See Ibn Ezra & Chizkuni on 1:18.]

This makes perfect sense, for that special set of laws (that require constant repetition /"mishne Torah") relate to what Bnei Yisrael will need to keep when they enter the land. Therefore, when Bnei Yisrael first left Har Sinai forty years earlier, Moshe had taught the people these laws - **with the help of these judges**; and now forty years later, he reminds the people of those events, as he is about to teach them those laws one last time.

As it is the responsibility of the appointed judges to assist with the teaching of these laws (and their implementation /see 27:1-8!), Moshe includes those events at the beginning of his introductory speech.

Unfortunately, that generation failed. It is now Moshe's hope [and goal], that this generation will fare much better.

As Moshe's introductory speech focuses on Bnei Yisrael's need to be prepared for their conquest of the land, and their need to study the relevant laws, it actually makes sense that he mentions the appointment of judges first - for they will be the key towards the success of this endeavor. [Note as well 16:18 in the main speech.]

Finally, this interpretation of the word "devarim" in 1:18, explains why Moshe continues his speech by returning to their journey from Chorev to Kadesh Barnea (see 1:19). Based on our understanding that 1:2 describes how the laws of the main speech were taught and studied during the eleven day journey from Chorev to Kadesh Barnea (see Ibn Ezra), then the detail in 1:18-19 refer to this very same point!

### WHERE'S YITRO?

This interpretation can also explain why Yitro himself is not mentioned in this speech. Even though Devarim 1:15-17 may sound very similar to Shmot 18:14-22, the purpose of Moshe's speech is not to give a complete historical review of every event that transpired in the desert. Instead, it focuses on this special set of laws that Moshe is about to teach.

Therefore, there is no need to mention (at this time) whose original idea it may have been to set up this hierarchal judicial system. Instead, it is important to know that the judicial system that

has been set up is there to serve the people, and it will facilitate their ability to establish themselves as God's nation in the land. [See again 27:1-8, noting again the parallel to Bamidbar chapter 11.]

### WHO SENT THE SPIES?

Moshe continues his speech with the story of the "meraglim" [the spies]. As we explained, his purpose is to explain to the new generation why the first generation failed, in hope that they will fare better. Therefore, Moshe retells those events from that perspective, blaming the people (more than their leaders) for the failure of that generation - for he wants to make sure that the people do not become fearful again (as their parents did).

Note how critical this point is; for if one understands Sefer Devarim as a review of Chumash, then he is confronted with unachievable task of resolving the obvious contradictions between these two accounts. However, once it is understood that Moshe is telling over those events as part of a 'pep-talk', it makes perfect sense that he emphasizes only the details that are relevant to the theme of his speech.

For example, as leadership is an underlying theme is Sefer Bamidbar, Parshat Shelach highlights the fault of the nation's leaders in those events. In contrast, as Moshe is worried that the nation may 'chicken out' once again, he will emphasize that generation's fear and lack of faith & motivation.

[To ascertain what really happened would require a lot of 'detective' work, but recording those events in their entirety was neither the goal of Sefer Bamidbar nor Sefer Devarim!

You could compare this to twoTV cameras (one in the end zone and one on the sideline) filming a football game. Even though each camera is filming the same game, each one only shows the game for its own angle.]

### THE MAAPILIM

Moshe includes the story of the "maapilim" (see 1:40-45), for it forms the conclusion of the "mergalim" incident. However that specific story, and those that follow, may have been included for an additional reason.

Moshe Rabeinu seems to be quite fearful (and rightly so) that the nation may 'chicken out' once again. In fact, realistically speaking, the people have some very good reasons to worry. Let's review them.

First of all, the last time they tried to conquer the land of Israel (see Bamidbar 14:40-45), they suffered a whopping defeat. Now Moshe may have explained that this was because God was not in their midst. However, surely the skeptics among them may have retorted that the very idea of conquering the land of Canaan was futile from the start (see Bamidbar13:31-33).

Furthermore, only less than a year earlier, the entire Israelite nation was challenged by the army of Edom, demanding that they not dare trespass their land (see Bamidbar 20:14-21). Instead of fighting, Moshe led them though a lengthy 'by-pass road'. Surely, many of the 'right-wingers' among the people viewed this as a sign of weakness. If they couldn't stand up to the threats of Edom, how could they stand up to the threats of all the nations of Canaan!

Finally, it may look a little suspicious that Moshe's encouraging words that the time has now come to conquer the land just so happens to coincide with his announcement of retirement!

Any (or all) of the above reasons may have raised doubts among the people. Therefore, in his opening speech, Moshe must allay these fears by explaining the divine reason for those actions:

- 1) The 'maapilim' lost because God was not in their midst (see 1:42)
- 2) We didn't trespass Edom, for 'family' reasons (see 2:4-8)
- 3) We didn't trespass Moav for similar reasons (see 2:9-12)
- 4) We waited forty years because of "chet ha'mergalim (see 2:13-17)
- 5) We didn't attack Amon for divine reasons as well (see 2:18-23)

To summarize, we have shown the underlying logic behind the flow of topic in Moshe's opening speech (through at least the middle of chapter two), by considering the purpose of that speech .

### THE PEP-TALK

Let's show now how the next section of this speech forms a reasonable continuation for this 'pep talk'.

In contrast to all the events that people may have viewed as a sign of weakness, Moshe now goes into minute detail of how Bnei Yisrael achieved remarkable success in their military campaign against Sichon & Og (see 2:24 thru 3:20).

Note how in Moshe's account of the war against Sichon and Og, we find many more details than were recorded in Sefer Bamidbar. The reason why is simple, for that battle is Moshe's best proof (for this new generation) that God is indeed capable of helping them, and hence - 'no need to fear'.

Even the settlement of the two and half tribes in Transjordan (see 3:12-20) is presented in a positive light, for it provides addition support to Moshe's claim that it is indeed possible to successfully conquer the mighty nations of Canaan. Moshe presents those events to show that battle against Canaan has already begun, and thus far has been quite successful! Crossing the Jordan, and entering the land won't be something 'new', but rather a continuation of the task that has already been partially fulfilled.

Simply note, how Moshe concludes this section of this speech with these words of encouragement:

"And I commanded Yehoshua at that time, saying: '**Your own eyes have seen** all that Hashem has done unto these two kings; so shall the LORD do unto all the kingdoms where you go. You shall not fear them; for the LORD your God, He it is that fights for you.'" (see 3:21-22)

In case you didn't notice, we've already reached the conclusion of Parshat Devarim.

In Parshat Ve'etchanan, Moshe will continue this speech, by explaining why he himself will not be coming with them (once again, for divine reasons/ see 3:23-27).

ly"n we will continue this study of Moshe's opening speech next week. Till then,

shabbat shalom  
menachem

#### FOR FURTHER IYUN

1. Based on the shiur, attempt to explain the actual differences between the Torah's account of "chet ha'meraglim" here in Sefer Devarim and in Parshat Shelach.

2. Compare the account of the Bnei Yisrael's battle against Sichon and Og here in contrast to the account in Parshat Chukat. Explain why the account in Devarim lays more emphasis on the nature of these battles as conquest.

3. Recall our study of 1:9, and the phrase "ba'et ha'hee":  
"And I told you AT THAT TIME saying: 'I can no longer carry the burden of leading you by MYSELF.'" (1:9)

Even though this may sound like Yitro's observation that Moshe is working too hard (see Shmot 18:13-18), it can't be for two simple reasons:

1) Moshe says that it was his own complaint.

2) The pasuk says "b'et ha'hee" - AT THAT TIME, i.e. the time that they left Har Sinai on their journey to Eretz Canaan, and Yitro came almost a year earlier (or at least some six months earlier, see Rashi Shmot 18:13).

However, there is a much better source in Parshat B'haalotcha that matches this pasuk not only chronologically, but also thematically and textually! Recall that immediately after Bnei Yisrael left Har Sinai (note Bamidbar 10:33-36), we encountered the sin of the "mitavim" (see Bamidbar 11:1-10). Let's take a look now at Moshe's reaction to that sin:

"And Moshe said to God: Why have you been so evil to me by putting the BURDEN of leading this people ("masa ha'am") upon me! Did I give birth to them... I MYSELF CAN NO LONGER CARRY THE BURDEN [to lead] this nation for it is too much for me..." (see 11:11-15)

Note how (1) this story takes place "ba'et ha'hee" - at this exact time - as Bnei Yisrael leave Har Sinai on their journey. (2) Moshe

Rabeinu himself complains that he can no longer carry the burden of their leadership; and (3) we find the identical Hebrew words "lo uchal anochi L'VADI LA'SET et kol ha'am ha'zeh" (Bamidbar 11:14/ compare Devarim 1:9)!

Furthermore, recall God's reaction to Moshe's complaint - He takes from Moshe's spirit ["ruach"] and divides it among the seventy elders of Israel, i.e. the nation's religious leadership. Thematically, this fits in very nicely with Moshe's opening speech, for now (in Sefer Devarim) we find Moshe's leadership being passed on to a new generation of leaders. Furthermore, it is precisely the job of these national leaders to teach and clarify the laws that Moshe will now teach them in his main speech. As noted in 1:18:

"And I commanded you at that time - all of the DEVARIM that you must do."

#### A SUMMARY OF THE FIRST SPEECH

The following outline reviews the main points of the first speech. It can serve as a review of this week's shiur, and preparation for next week's shiur:

##### A) INTRO

1:1-5 Opening narrative explaining background of the main speech. (what, when, where, etc.)  
[the 'double introduction']

##### B) FROM HAR SINAI TO ARVOT MOAV

The reason for the 40-year delay.

1:6-11 The original trip from Har Sinai to Eretz Yisrael, (what should have happened back then, instead of now).

1:12-18 Moshe's leadership shared with the elders etc. (they will help lead, judge, and teach the laws)

1:19-40 "Chet ha'Meraglim" - the REASON why that generation did not enter the Land, and why forty years have passed.  
[Accented in this account is not to fear nations of Canaan like the previous generation had feared them.]

2:1-23 The journey from Kadesh, around Har Seir until Nachal Zared. The death of "Dor HaMidbar" (2:14-16)  
Explaining why Edom, Moav & Amon were not trespassed.  
[Edom, Moav, and Amon were not attacked due to a divine command and NOT because Bnei Yisrael were not able to fight them!]

2:24-30 The challenge of Sichon to battle, God's involvement /2:30)

2:31-3:22 The war against Sichon, and Og King of Bashan, Conquest of most of Transjordan, Inheritance of Reuven and Gad, and Menashe', and their promise to assist in the conquest of Canaan.  
[Note God's assurance to assist the people, based on these events in 3:20-22.]

3:23-29 Moshe's final request to see the Land.

##### C) INTRODUCTION TO THE MITZVOT

4:1-24 General principles regarding mitzvot in forthcoming speech, i.e. not to add or take away, their purpose- to be a example for other nations, not to worship God through any type of intermediary after Moshe dies.

4:25-40 a 'mini- tochacha', your punishment should you not follow these forthcoming mitzvot, and the eternal option to do 'teshuva'.

4:41-49 - A short narrative explaining how Moshe designated the three cities of refuge in Transjordan, followed by several introductory psukim for the forthcoming main speech.]