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*In Memory of Rabbi Abraham Leibtag*  
**Shiurim in Chumash & Navi by Menachem Leibtag**  
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**for PARSHAT VA-ETCHANAN & EKEV**

The first two parshiot of 'kriyat shema' surround us each and every day of our lives. In the following shiur, as we begin our study of the main speech of Sefer Devarim, we'll explain why these two 'parshiot' are so important,

[This shiur will also serve as a continuation to our introductory shiur on Sefer Devarim, as it discusses in greater detail the overall structure of the main speech.]

**INTRODUCTION**

Our introductory shiur on Sefer Devarim discussed how the first 26 chapters of Sefer Devarim divide into two speeches:

**1. The introductory speech (chapters 1-4);**

- explaining why forty years have passed, followed by a short 'pep-talk' to prepare the nation for their conquest of the land, and the laws that they'll need to keep.

**2. The main speech (chapters 5-26);**

- in which Moshe reviews the actual set of laws (originally given at Har Sinai) that Bnei Yisrael must keep as they establish their nation after they conquer the Land, adding some 'rebuke' as he reviews them.

The following shiur will focus more directly on the internal structure of this main speech, showing how and why its commandments neatly divide into two distinct sections:

**SETTING THE FRAMEWORK**

Recall how Moshe Rabbeinu began his main speech with the story of how and when these mitzvot (which he is about to teach) were first given (see 5:1-28). In that story, we find an important detail that will help us understand why this speech divides into two sections.

As you review that story, pay careful attention to God's response to the people's request that Moshe should teach them laws, instead of hearing them directly from God:

"Go say to them: 'Return to your tents', but you [Moshe] remain here with Me and I will transmit to you:  
- the **mitzva** & the **chukim u-mishpatim** - which you shall teach them..." (see 5:27-28).

Note the key phrases "**ha-mitzva**" & "**chukim u-mishpatim**" in this pasuk. As we continue our study of Sefer Devarim we will show how often these two phrases are repeated, and how they will introduce the two key sections of main speech:

- A) - **ha-mitzva** [chapters 6 to 11]
- B) - **chukim & mishpatim** [chapters 12-26]

To see how this develops, we must carefully follow the continuation of Moshe's speech (from this point).

Now that Moshe has told the story of how he received these laws, he is now ready to teach them, but first - he interjects a few words of encouragement concerning their importance:

"You shall keep [these laws] to do them as God has commanded you...in all the way which God has commanded you, in order that you may live and be well, and prolong your days in the land which you shall possess" (5:29-30).

At this point, Moshe is finally ready to 'tell over' those laws which he received on Har Sinai, as he explained in 5:28. Note Moshe's next remark:

"ve-zot ha-mitzva, ha-chukim ve-hamishpatim..."  
"And **this** is the **mitzva** and the **chukim u-mishpatim** that God had commanded **me to teach you** to observe on the land which you

are about to inherit" (6:1).

Compare this pasuk with 5:28, noting how Moshe refers once again to this very same phrase- '**ha-mitzva, chukim & mishpatim**'. Clearly, 6:1 serves as the introduction [note the word 'zot'] to the mitzvot that he will now teach.

Even though the mitzvot should begin in the next pasuk, Moshe once again grabs this opportunity to explain their importance:

"[Keep these laws] so that you will fear the Lord your God, to keep **all** His statutes and commandments, which I command you... so that your days may be prolonged. Hear therefore, O Israel, and observe them - so that you will prosper... as God has promised you - in the land flowing with milk and honey" (see 6:2-3).

**THE OPENING STATEMENT**

With these introductory comments finally complete, Moshe is now ready to begin the mitzvot themselves - which begin with the famous pasuk of:

"shema Yisrael, Hashem Elokeinu, Hashem echad" (6:4).

Now we can appreciate why this pasuk is so important, for it serves as the opening statement that begins that entire set of laws that continues through chapter 26.

Even though we all know this pasuk by heart, it's not so simple to translate - for it is not clear whether it is making two points, i.e.

- (1) Hashem is OUR God [and nobody else's]
- (2) Hashem is ONE - i.e. He is the ONLY God

Or, if it is making only one point, that:

- (1) Hashem WHO is our God - He is the ONLY God

The difference between these two translations is immense. The first implies that 'our God' is the best; sort of like - we have the true God, and every other religion is wrong. The second implies that the God who we have a special covenant with - He is the only God - hence it becomes incumbent upon us to represent him properly.

In the context of Sefer Devarim, the second understanding makes much more sense - for this opening statement of the law section is thematically linked to Moshe Rabbeinu's introductory statement - at the beginning of this speech:

"**Hashem Elokeinu** karet imanu brit b'Chorev"

[Hashem, our God make a covenant with **us** at Mount Horev /=Mount Sinai] (see 5:2)

Therefore, it makes sense that "Hashem Elokeinu" (in 6:4) relates to that same theme. If so, then Moshe is prefacing the laws that will follow with an important statement explaining why it is so important for the nation to keep these laws. The God with whom Am Yisrael has joined in covenant [to represent Him as a nation] - He is the only God - and hence, these laws must be kept meticulously.

Recall as well that Moshe had made a similar statement - relating to this same theme - earlier in his first speech (in chapter four), when he explained their underlying purpose:

"See [comprehend] that I am teaching you [in the speech that will follow] **chukim u-mishpatim** that God had commanded **me to teach you** to observe on the land which you are about to inherit [compare with 6:1]

Observe them & keep them; for this is your wisdom and your understanding **in the eyes of other nations**, so that when they hear all these laws, shall say: 'Surely this great nation is a wise and understanding people.' For what great nation is there, **that had God so close to them**, as Hashem our God when ever we call upon Him... (see 4:5-8)

**THE FIRST LAW**

This most basic principle of faith and purpose - of "Hashem Elokeinu Hashem Echad" - is followed by one of the most important mitzvot - for it is a law that relates to one's overall

attitude toward serving God and keeping His laws:

"And thou shalt love the **Lord** thy God with all your heart, and all your soul... And these words [i.e. the laws of the main speech] which I command thee this day, shall be upon thy heart. And you shall teach them repeatedly to your children, and speak about them..." (see 6:5-7).

[Review 6:4-6, noting how they introduced by 6:1-3.]

From this point on, we find a complete set of laws, interspersed with many words of rebuke, which continue all the way until the end of chapter 26.

[This overall structure was discussed in last week's shiur, but it is recommended that you take a few minutes to scan through chapters 6 thru 26 to verify this point.]

## THE TWO SECTIONS

These laws cover a wide range of topics; however, we will now show how they divide into two distinct sections. To explain why, let's return to the key phrase, which was repeated in 5:28 and 6:1, that sets the stage for this division.

"ve-zot ha-mitzva, ha-chukim ve-hamishpatim..."

"And **this** is the **mitzva** and the **chukim u-mishpatim** that God had commanded me to teach you..." (6:1).

We posit that this entire speech divides into **two** sections, corresponding to these two headers:

A) the **Ha-mitzva** section - chapters 6-11

[Parshiot Va-etchanan thru Ekev]

B) the **Chukim & Mishpatim** section - chapters 12-26

[Parshiot Re'eh, Shoftim, Ki Tetzeh, & Ki Tavo]

To explain how this division works, let's start with the unit that is easy to identify.

## 'HEADERS' & 'FOOTERS'

Towards the beginning of Parshat Re'eh, we find a short introduction to a specific set of laws that is clearly referred to as '**chukim u-mishpatim**'. To verify this, review these psukim:

"For you are about to pass over the Jordan to go in to inherit the land which God is giving you... [There] you shall observe to keep all these **chukim & mishpatim** that I set before you this day" (see 11:31-32).

"**These** are the **chukim & mishpatim** that you are to keep in the land which God gave to your forefathers..." (see 12:1).

As you review chapter 12, note how this opening pasuk (12:1) **introduces** a lengthy list of laws that Bnei Yisrael must keep upon entering the land - which continues on all the way until the end of chapter 26!

To 'balance' this 'header', towards the end of the speech we find another special pasuk that forms a very appropriate summary (what we refer to as a 'footer') for this entire unit:

"On this day, God is commanding you to keep these **chukim & mishpatim**, keep them with all your heart..." (see 26:16).

[Again, if you have time, scan chapters 12 thru 26, noting how there are no 'new headers' in the interim. Note also how many parshiot begin with the word 'ki' [when/if] and 'lo' [do not...], typical for a set of laws (just as we found in the set of laws in Parshat Mishpatim)!]

It was rather easy to identify this matching 'header' and 'footer' for the "**chukim u-mishpatim**" section. Now, we must work 'backwards' to identify the less obvious 'header' & 'footer' for the '**ha-mitzva**' section.

Let's start by taking a closer look at the pasuk that opens the mitzvot of the main speech (as we explained above, i.e. 6:4):

"Hear o Israel, the Lord is our God... and you shall **love** God with all your heart and all your soul... and **these**

instructions which I '**metzaveh**' [command] you today, teach them to your children..." (see 6:4-6).

This paragraph certainly sounds like an introduction to a set of mitzvot. But to understand what makes this unit special, we consider its opening commandment - to love God ['ahavat Hashem' / see 6:5].

Recall that the Torah refers to this unit as "**ha-mitzva**" - which implies **the** mitzva - or possibly **the** most important mitzva! [In Hebrew grammar, this type of 'heh' is known as 'heh ha-yedi'a' - which stresses the word that follows.]

We posit that the Torah refers to the commandment of 'ahavat Hashem' as - **ha-mitzva** - for it is **the** [most important] mitzvah.

Note as well how the phrase that follows the mitzva of ahavat Hashem is: "ve-hayu ha-devarim ha-eileh asher anochi **metzaveh** etchem..." ]

Thus, we conclude that the 'header' for the **ha-mitzva** section is 'shema Yisrael... ve-ahavta...'; now we must locate its 'footer'.

As we would expect to find the 'footer' before the next section begins, let's take a look towards the end of chapter 11.

At the conclusion of Parshat Ekev we find a very 'worthy candidate' for a closing pasuk for this section:

"If, then, you faithfully keep – **ha-mitzva ha-zot** - that I command you, to **love** God... to follow His laws and to attach yourselves to Him. Then I will help you conquer the Land..." (see 11:22-25, noting its context!).

Here, not only do we find our key word – **ha-mitzva**, but the same context as well in regard to ahavat Hashem - loving God. Furthermore, this section serves as an appropriate summary, for here the Torah promises should Bnei Yisrael keep the proper attitude of ahavat Hashem, then God will surely assist them with the conquest of the Land.

[As you review 11:26-30, notice how these psukim form a small 'buffer' between these two sections, as the chukim u-mishpatim clearly begin with 11:31-32 which lead right into 12:1. / Note as well how the chapter division seems to have missed this rather obvious point.]

Up until now, we have found textual support for dividing the mitzvot of the main speech into two distinct sections. Now, we must find the primary theme of each section by examining their contents.

## SECTION #1 - HA-MITZVA: 'Ahavat Hashem'

The theme of the **ha-mitzva** section is quite easy to identify, for its opening pasuk - as the famous pasuk of 'Shma Yisrael' says it all:

"**Shma Yisrael**... and you shall **love** the Lord your God with all your heart and soul... and these laws which I "**metzaveh**" - command you this day..." (see 6:4-6).

Note how this general theme of 'to love God in every walk of life' continues in each subsequent parshia which follows.

For example:

\* Upon conquering the land, you may inherit an entire city with houses already built and vineyards already planted, etc. Don't let this affluence cause you to forget God... (6:10-15).

\* When your children (who did not go through the desert experience) will ask you **why** we have to keep all these mitzvot, remind them and teach them about all the events of Yetziat Mitzrayim... (6:20-25).

\* When you conquer your enemy, don't intermarry! etc. (7:1-5).

\* If you become fearful of your enemy, don't worry, remember what God did to Mitzrayim, He can help you as well. (7:17-25).

\* Don't act in a rebellious manner as your forefathers did in the desert (see chapters 8-10).

\* As Eretz Canaan does not have a constant water source (like the Nile in Egypt), you will be dependent on the rainfall in this new land. Therefore, recognize that it is God who gives you rain (and not any other god / see 11:10-15).

In fact, when we examine this unit more carefully, we find that these mitzvot simply apply this theme of "ahavat Hashem" [the love of God] to the various situations which will arise as Bnei Yisrael will enter the land. To verify this, see 6:10,18; 7:1,13,16,22; 8:1,7; 9:1,4-6; 11:10-12,13-17, & 22-25!

Furthermore, note how the concluding parshia of this section promises Bnei Yisrael with a reward, should they indeed follow God with the proper attitude:

"If, then, you faithfully keep – **ha-mitzva ha-zot** - that I command you, to **love** God.... to follow His laws... then God will help you **conquer** these nations... every foot step that you take will become your land [to its widest borders]. No man shall stand up against you..." (see 11:22-25).

This promise forms an appropriate conclusion to this **ha-mitzva** section, as God promises Bnei Yisrael His assistance in their conquest of the land, should they indeed keep the proper attitude towards Him.

And for a finale, the final psukim of chapter 11 (see 11:26-30) conclude this section by promising a **blessing** or a **curse** on the land, depending if Bnei Yisrael will continue to keep this "**ha'mitzvah**", once they settle the land.

[Note how the topic of this buffer section in 11:26-30 continues in chapter 27 (after the main speech is over); iy"n, we'll deal with this structure in the shiur on Parshat Ki Tavo.]

## KRIYAT SHEMA

With this background, we can better appreciate Chazal's choice of the first two parshiot of kriyat shma.

Recall that the opening parshia of the **Ha-mitzva** section was none other than the **first parshia** of kriyat shema (6:4-9). Recall also that this section ended with the 'concluding psukim' in 11:22-25.

With this in mind, note now how the 'parshia' which precedes these finale psukim is none other than the **second parsha** of kriyat shma - 've-haya im shamo'a...'. [To verify this, review 11:10-22.]

In other words, the first two parshiot of kriyat shma form the **bookends** of the **ha-mitzva** section, for it begins with 'Shma Yisrael... ve-ahavta' (6:4-8) and ends with 've-haya im shamo'a..' (11:13-21).

This could explain why Chazal chose that we read **both** these parshiot to fulfill our daily obligation of Torah study [which is based on 6:6 - 've-hayu ha-devarim ha-eileh asher anochi metzaveh...'].

Based on this pasuk alone, one could conclude that we are required to read the entire **ha-mitzva** section on a daily basis. However, since this section is too lengthy, it is sufficient if we recite only its opening and closing parshiot. However, by reading these two parshiot, it is as though we have read (and hopefully internalized) all of the mitzvot included in this entire section.

[The Mishna at the end of the seventh perek of Masechet Sota arrives at a similar conclusion in regard to reading Sefer Devarim at the **Hakhel** ceremony (see Sota 41a). There, instead of reading the entire speech, the custom was to read the first parsha of **Shema** (6:4-8) and then skip to the last parsha of **Shema** (11:13-21).]

## SECTION # 2 - THE CHUKIM & MISHPATIM UNIT

Review once again the concluding psukim of chapter 11, noting the smooth transition from the **mitzva** section - to the **chukim** u-mishpatim section, noting the key phrases and theme:

"... Now that you are crossing the Jordan to inherit the Land... keep these **chukim & mishpatim** that I am teaching you today" (11:31-32).

With this transition, we flow right into the opening pasuk of **section # 2**, which details these laws (see 12:1):

"**These** are the **chukim & mishpatim** that you are to keep **in the land** which God gave to your forefathers..."

The many chapters which follow this opening pasuk contain numerous laws that Bnei Yisrael must keep upon entering the land. However, in contrast to the laws relating to proper attitude in the **ha-mitzva** section, the laws in Section #2 are more specific in nature. For example, here we find laws concerning when and where to build the permanent bet ha-mikdash (chapter 12), dietary laws (chapter 14), laws of 'aliya la-regel' on the Holidays (chapter 16), laws about appointing judges and political leaders (chapter 17), and a full assortment of civil laws (see chapters 19-25). This list continues until the end of chapter 26. [Recall, that chapter 27 begins a new speech.]

As we should expect, this unit also contains a very appropriate conclusion:

"God commands you today to keep these **chukim & mishpatim**, keep them with all your heart and soul. You have affirmed this day that the Lord is your God, that you will walk in His ways..."

The Lord has affirmed this day that you are, as He promised, His **am segula**... and you shall be, as He promised [at Har Sinai] a **holy** nation to the Lord your God" (see 26:16-19).

[The shiurim to follow will discuss the nature of this unit in greater detail.]

In summary, we have identified the two very distinct sections of the main speech of Sefer Devarim and explained the nature of their distinction:

(A) The **Ha-mitzva** section (chapters 6 thru 11) contains several mitzvot and various rebukes that encourage Bnei Yisrael to keep the proper attitude toward God as they conquer the land.

(B) The **Chukim & Mishpatim** section (chapters 12 thru 26) contains an assortment of more specific laws that Bnei Yisrael must follow once they inherit the land.

Now, we can suggest a reason for this manner of presentation.

## THE PROPER BALANCE

So which section is more important? The **ha-mitzva** section - which deals with proper attitude [sort of like a **musar** sefer], or the **chukim & mishpatim** section - which details the specific mitzvot that one must keep [sort of like a **Shulchan Aruch**]?

[Any 'yeshiva bachur' faces this dilemma every time he sets up his daily schedule. How much time to dedicate to musar and how much time to halacha.]

The summary pasuk of Section #2 (quoted above) alludes to the proper balance between them:

"This day, God commands you to keep these **chukim & mishpatim**, and you should keep them with **all your heart** and all your soul..." (26:16).

This 'finale' closes not only the **chukim & mishpatim** section, but also beautifully relates it back to the **ha-mitzva** section. These **chukim** u-mishpatim must be kept **with all your heart and soul** - 'be-chol levavcha u-vechol nafshecha'.

[Note once again the textual parallel between this closing pasuk and the opening pasuk of the first section: "ve-ahavta et Hashem Elokecha - be-chol levavcha u-vechol nafshecha" - and you shall **love** God with all your heart and all your soul..." (see 6:5, compare with 26:16)].

This obvious parallel stresses how the specific laws of the **chukim** u-mishpatim section must be kept with the proper attitude of "**ahavat Hashem**", as explained in the first section!

Only with the solid base of "ahavat Hashem" is it possible to fulfill the more specific laws in the proper manner. And only with a comprehensive set of specific laws is it possible to maintain "ahavat Hashem" as a daily way of life.

shabbat shalom,  
menachem

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## FOR FURTHER IYUN

### A. BACK TO HAR SINAI

To better appreciate this entire unit and its concluding remarks, we must recall that the mitzvot of this main speech should actually be considered an integral part of Ma'amad Har Sinai. [Recall from last week's shiur that God's original intention was to give these mitzvot directly to Bnei Yisrael immediately after the Ten Commandments!]

With this in mind, carefully read the final psukim of the speech, noting their thematic (and textual) parallel to the Torah's description of Ma'amad Har Sinai in Sefer Shmot (especially Shmot 19:3-6).

Note how these psukim reflect the covenant made between God and Bnei Yisrael at Har Sinai:

"... You have taken upon yourselves today that **He will be your God** and that you will follow His ways and laws...

- God has affirmed on this day that **you will be His special people- 'am segula'**... as He spoke to you [at **Har Sinai** (see Shmot 19:5-6)]. And to set you above all nations to be His glory and Name (reputation)... that you shall be an "**am kadosh**" as He spoke to you [at Har Sinai]" (26:16-19).

Considering that these mitzvot are an integral component of Ma'amad Har Sinai, it is only fitting that Moshe concludes this speech by summarizing the most basic elements and purpose of that covenant.

### B. SOME 'ADDITIONS'

Go through the **Ha-mitzva** section of Sefer Devarim (i.e. chapters 6-11) and try to determine which parshiot were 'added' now by Moshe in the fortieth year and which parshiot seem to be a word for word repeat of what God had first commanded him on Har Sinai forty years earlier.

1. Note that many mitzvot sound as though Moshe Rabbeinu is speaking to Bnei Yisrael as they left Egypt, and as though they themselves went out of Egypt and witnessed the plagues etc.

Does the above distinction explain this?

See 6:16, why is 'masa' the only or best example of a rebellion against God? When did this rebellion take place? Wasn't here a more recent rebellion? (e.g. Mei meriva...)

Compare 7:7-11 to 9:4-7, use the above observation to explain the apparent discrepancy between these psukim.

Why is chapter 8 clearly an 'add on'? Does this 'add on' fit in thematically to the main topic of the **Ha-mitzva** section?

### C. TWO TYPES OF 'YIR'A' - A mini-shiur

As we discussed in last week's shiur, chapter 5 details the events which took place at Ma'amad Har Sinai when Bnei Yisrael were overcome with fear. In Sefer Shmot (see 20:14-18), we find what appears to be a parallel account of the same event. Let's compare them.

We begin with the account in Sefer Devarim, when Bnei Yisrael request that Moshe Rabbeinu act as an intermediary immediately after the completion of the Ten Commandments:

"Let us not die, then, for this fearsome fire will consume us; if we hear the voice of God any longer, we shall die! For what mortal ever heard the voice of the living God speak out of the fire, as we did, and lived? You go closer and hear all that Hashem says; then you tell us everything that Hashem tells you, and we will listen and do it" (5:22-24).

God concedes to this request [note the positive aspect attributed to this fear]:

"I have heard the plea that this people made to you; they did well to speak thus. **May they always be of such mind**, to revere Me and follow all my Commandments..."

Sefer Shmot records a very similar incident that took place immediately following the Ten Commandments, which according to some commentators (see Ibn Ezra) describes the same event: "All the people saw the thunder and lightning..., and when the people saw it, they fell back and stood at a distance and asked Moshe: You speak to us and we will listen, but let not God speak to us, lest we die. Moshe answered them: **Be not afraid**, for God has come only in order to test you, and in order that the fear of Him may be with you forever..." (Shmot 20:15-17).

Although Rashi and Ramban explain that this event (in Shmot) took place either before or during the Ten Commandments, for the purpose of this mini-shiur, we will follow Ibn Ezra's shitta which understands that both accounts describe the same event.

There is one major discrepancy between these two accounts: In Sefer Shmot, Moshe is not pleased with this fear, while in Sefer Devarim, God praises it!

It seems as though Moshe prefers that Bnei Yisrael confront God directly during Ma'amad Har Sinai, while God Himself endorses a more distanced relationship. Could this discrepancy reflect a dispute between Moshe and God regarding the value of fearing God?

An understanding of the two forms of 'yir'at Hashem' - the fear of God - can help us appreciate this controversy.

### TYPE I: Positive (or Constructive) Fear

When one recognizes God's infinite greatness, even though he may be enthralled with the possibility of encountering the Almighty, out of humility he feels that it be improper to confront Him directly. This fear is commendable, for it reflects an ideal balance between possible closeness and necessary distance.

### TYPE II: Negative Fear

On the other hand, a person not interested in any relationship with God would view a divine encounter such as Har Sinai as a nuisance, for it is meaningless to him. Fearful of its inherent danger, he prefers distance and limited responsibility. This type of fear of God, like a 'child running away from school', can ruin a relationship.

### THE MACHLOKET

It seems that Moshe Rabbeinu, based on his experience with Bnei Yisrael since the time of the Exodus, is concerned that the people's fear stems from the latter reason. Therefore, he is unhappy with Bnei Yisrael's request that he act as their intermediary. He encourages them to stay at Har Sinai.

God, on the other hand, aware of the nature of man's haughtiness, stresses the positive aspect of this fear. He agrees with Bnei Yisrael's request, sends them to their tents, and gives the mitzvot to them thru Moshe instead.

Nonetheless, when the mitzvot of the main speech actually begin, we find a beautiful resolution of this conflict.

Because God is indeed aware of Moshe's worry that there is a danger of the distance caused by yir'at Hashem, God chooses to begin the mitzvot, which He gives via Moshe to Bnei Yisrael with the commandment of ahavat Hashem - the love of God! "Shema Yisrael... and you must love the Lord your God with all your heart and with all your soul and with all your might" (6:4-5). To counter this potential danger of 'too much yir'a', God begins with the mitzva of **ahavat Hashem!** The love of God and the proper appreciation of His laws assure that one's fear will strengthen his relationship, rather than weaken it.