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בס"ד

Parashat 'Eqeb Part I Between Shema' and Vehayah (Deut. 6:10-11:12)

The *Shema' Yisrael* passage initiates the *misvot* segment of the *misvot*, *huqim* and *mishpatim* (the three units of the Deuteronomy law compendium) that comprise G-d's "stipulations" of His covenant with Israel. Elaboration of the *misvot* continues for more than five chapters through the end of *Parashat 'Eqeb* (Deut. 11:25), at which point Moses turns to the *huqim*. In accordance with the definition of *misvot* in Deuteronomy, this first group of laws is basically focused on the *mesaveh* (the commander), describing the commitment an Israelite is to have toward G-d and the covenant with Him as well as consequences for compliance or noncompliance. Essentially, this section expounds and expands the first and second commandments of the Decalogue. Since these two commandments are foundational, they come first in the Decalogue and their expansion comes first in the law compendium that follows.

The *Shema' Yisrael* verse is the heading for this section of laws. As pointed out in our previous study, the two succinct declarations contained in that verse – *Hashem Elokenu* and *Hashem Ehad* (Deut. 6:4) – recall the first two commandments of the Decalogue. The following verse – which begins with *ve'ahabta et Hashem Elokekha* ("and you shall love Hashem your G-d") – and the rest of that six-verse passage, summon Israel to a full and multifaceted devotion to those fundamental concepts. "These words" must be internalized, taught to the children, spoken about at every opportunity, bound upon the arm and the forehead and written on the doorposts.

To appreciate the unity of the *misvot* section and its strict adherence to its central purpose we will briefly examine each passage that follows *Shema'* through the end of the section in 11:25. We will note that there is not a single instruction expounded in these chapters that directly fits into the categories of *huqim* and

mishpatim. (For our definitions of these three classes of law see our study on *Parashat Va'ethanan Part I*.)

The first passage following that of *Shema'* (6:10-15) is a direct application of the first two commandments; indeed, it may be viewed as an extension of them. It refers to G-d's coming fulfillment of His oath to the patriarchs (the precursor of the national covenant) to give the land to their descendants and to other benefactions that will accompany that act. It contains several paraphrases from the Decalogue formulations of the first two commandments and is thus a type of supplement to the *Shema'*. In this passage, Moses warns the Israelites that when they take possession of the land with its full-blown development and partake of its bounty to satiety they should not forget Hashem. This is the negative formulation that parallels the positive one of recognizing Hashem as G-d that is the essence of the Decalogue's opening proclamation. The descriptive clause reinforcing the demand, namely, אֲשֶׁר הוֹצִיאָךְ מֵאֶרֶץ מִצְרַיִם מִבֵּית עַבְדִּים ("who took you forth from the land of Egypt, the house of bondage" [5:6]) is virtually identical to the corresponding clause in the Decalogue's opening verse; here Moses speaks of the Deity in third person, while there the Deity speaks in first person.

The passage continues with several phrases of elaboration, extensions of the first two commandments: "Hashem your G-d shall you fear," "Him shall you serve" and "by His name shall you swear" (v. 13). "Him shall you serve" (וְאֵתוֹ תַעֲבֹד) is a reversal to a positive precept of the second commandment's prohibition against serving other gods, וְלֹא תַעֲבֹדֵם. In the final two verses of the passage (vv. 14-15) Moses exhorts Israel not to follow the other gods of the surrounding nations, employing the term for other gods that is used in the second commandment, אֱלֹהִים אֲחֵרִים. He reinforces the demand

with אֱלֹהֵיךָ ה' קַנָּא ("for Hashem your G-d is a jealous G-d"), words identical to those within the second commandment in slightly different form.

The next passage (6:16-19) begins with Moses warning the Israelites not to test Hashem as they did at Massah. In the Massah and Meribah narrative, testing G-d was defined as questioning "is Hashem in our midst or not?" (Exod. 17:7). This implies that if Hashem did not respond to the Israelites' request in a time and manner they deemed appropriate they would assume that He is absent from their midst; consequently, they would feel justified to neglect Him. This is an unacceptable proposition. It is not as extreme a transgression as that addressed in the previous passage's command not to forget or abandon Hashem, but it is a point on the line that may lead to it, hence it also is a violation of the covenant. Rather, the next verse continues, the Israelites should be committed to fulfill Hashem's precepts in a manner that stems from a frame of mind of always being on guard and cautious not to transgress, indicated with שָׁמֹר תִּשְׁמְרוּן, a doubling of the verb "keep," implying extra diligence.

Further in the passage, Moses shifts from plural to singular and states: "You should do what is right and good in Hashem's eyes." Fulfillment of this responsibility requires constant consciousness of the values G-d prescribes and a determined will to counteract any temptation to neglect those values, in all one does. Each individual is called upon to judge what is proper to do in all cases by sincerely invoking human conscience. Law, by its nature, sometimes develops in a manner that may exempt an individual from performing an action that in a particular circumstance may be called for but could not be legislated. As the sages commented on the requirement to do "what is right and good in Hashem's eyes," it sometimes calls on the individual to go beyond the basic law.

The sages illustrated such obligations superimposed upon the law with certain paradigmatic applications. For example, a case in which a debtor lost his land to his creditor due to nonpayment of his loan by the due date should not necessarily be deemed closed. Although all the details of the land appropriation had been executed in a legal manner under the aegis of the court, if the debtor subsequently acquired the means, he was permitted to redeem his original land because

"you should do what is right and good in Hashem's eyes" (*b. B. Mesi'a* 16b; also see the case of בֵּר מְצָרָא [the adjacent neighbor], *b. B. Mesi'a* 108a).

This passage's precepts are all extensions and correlates of the basic covenant principle and the first commandment.

In the following passage (6:20-25) Moses touches on what was a widely attested feature of covenants, that of providing for the continuity of the relationship by informing the children of it. He assumes that children will naturally inquire regarding the meaning of the manifold ritual practices they observe their parents fulfilling and instructs the parents regarding their response to them. Parents must teach their children of the redemption from slavery and the Exodus, inform them that G-d fulfilled the oath He made to the forefathers, elaborate on His commanding the laws for the nation's benefit, speak of the necessity of fulfilling them and explain that there will be reward for compliance. The specified details constitute a concise distillation of the substantive elements of a covenant: historical backdrop, benefactions performed, oath and its fulfillment, stipulations and reward.

Here, Moses framed the requirement to teach children in the format of, "When your son asks you tomorrow, 'What are these testimonial laws, statutes and ordinances...?'" (v. 20). Earlier in the chapter, in regard to the Decalogue laws, he had said, "And you shall teach them to your son" (v. 7). Our formulation has been seen as alluding to the pedagogical practice of teaching through encouraging children to ask questions. It parallels the Exodus 13 format in regard to teaching the children about the Exodus (Exod. 13:6 and 13). (In its way, the Passover Haggadah expands on this matter.)

The ensuing passage (7:1-11) deals with another aspect of covenantal application. When in their land, the Israelites must safeguard their relationship with G-d from idolatrous influences that may result from contact with the seven nations of the land. Thus, the law requires complete elimination of those nations (as nations) and prohibits establishing treaties with them, favoring them or intermarrying with them. In a corollary of the Decalogue's second commandment, the Israelites are told that they must destroy the Canaanite altars and all artifacts of religious service.

Moses inserts in this passage an array of incentives and confidence-building statements. He recalls G-d's oath to the patriarchs and points out His ongoing loyalty to it. He invokes an extensive paraphrase from the second commandment, namely, to be cognizant of G-d's faithfulness to His loyal followers and their progeny into the distant future and His strict justice for those who reject Him. Moses' statement, *שָׁמַר הַבְּרִית וְהַחֶסֶד* ("who keeps the covenant and kindness to those who love Him and keep his commandments to the thousandth generation" [7:9]) is a variant of the Decalogue's *וַעֲשֵׂה חֶסֶד לְאֲלֵפִים לְאַהֲבֵי* ("who does kindness to the thousands [of generations] to those who love Me and keep My commandments" [5:10]). Moses terms the Israelites *עַם קְדוֹשׁ* ("a holy nation") and reminds them that it was chosen to be a *סֵגֻלָּה* (a treasure), reminiscent of the Exodus verses that introduced the covenant that employed those terms (Exod. 19:5-6). The whole passage directly revolves around the covenant and the first and second commandments.

Through all these five passages beginning with the *Shema* there is systematic forward movement in elaboration of *misvot* with virtually no repetition of basic subject matter. In accordance with their direct covenantal import these topics lend themselves to brief prompts of reward and punishment that Moses consistently inserts. In the next verse Moses begins a fuller statement of reward and punishment interlaced with moral instruction.

The following pericope (which opens *Parashat 'Eqeb*), begins with *וְהָיָה יַעֲקֹב תִּשְׁמָעוּן אֶת הַמִּשְׁפָּטִים הָאֵלֶּה* ("And as a result of your hearkening to these ordinances" [Deut. 7:12]) and concludes with *יַעֲקֹב לֹא תִשְׁמָעוּן וְגו'* (as a result of your not hearkening to the voice of Hashem your G-d" [8:20]). Here, Moses presents several statements of reward for obedience to G-d, and, in the final two-verse passage of the "envelope," a warning of retribution for abandoning Him. Throughout, the essential principles of the covenant are prominent. He speaks of G-d's intervention on behalf of the nation, encouraging the people to face up to their responsibilities and trust in Him. He calls upon the Israelites not to fear the other nations in the land that they are soon to enter, but to remember G-d's doings in Egypt and to look forward to similar help from Him. They should remember His wondrous, sustaining leadership through the wilderness, and to appreciate

the educative purpose of the difficulties He subjected them to. Moses cautions them not to become haughty and forget G-d in future times of prosperity and not to attribute successful materialistic achievement to their own efforts. They should realize that G-d is providing them the wherewithal to succeed in fulfillment of His covenantal commitments that He pledged to their forefathers.

In chapter 9, Moses expands on this theme. He warns the Israelites that when G-d enables them to possess the land they should not misinterpret their success and feel personally righteous and deserving of His benefaction. Their possessing the land will be due to the wickedness of its prior inhabitants and because of G-d's commitment to His oath to the patriarchs. On their own, the Israelites were not deserving of such beneficence.

At this point, having mentioned the Israelite's unworthiness, Moses takes the opportunity to recall their past sinful behavior and warn them about their tendency to violate G-d's commands. He reminds them of several specific instances of past transgressions with the almost disastrous results that they had (9:6 ff.). He focuses at great length on the molten calf apostasy, as it was an annulment of the covenant. He quotes the prayer he proffered on that occasion, which, among other things, invoked G-d's covenant with the patriarchs and His deep investment in the covenant with the nation.

Moses' sustained and vigorous sermonizing against self-aggrandizement and self-righteousness acknowledges the enormous threats these all-too-common human characteristics pose to authentic commitment to the covenant. He engages in balancing the effect of his remarks. He encourages the people to find satisfaction and be proud of their relationship with G-d and have confidence that He will be available for them, but also strives to prevent them from becoming overly confident and haughty.

After his review of the calf episode and covenant annulment, in chapter 10 Moses relates of details associated with the covenant's restoration. This includes an account of the second set of tablets, their inscription, and the construction of an ark for their keeping. He narrates several attached items including G-d's selection "at that time" of the Levites to "carry

the ark of the covenant of Hashem.” This is viewed by many as an allusion to the Levites’ praiseworthy behavior in responding to Moses’ call for men to step forward to confront the calf worshipers, as described in Exodus 32. Most everything here (Deut. 10:1-11) revolves around the covenant.

At that point, after the lengthy digression of reprimand and warning, and upon approaching the end of the *misvot* section, Moses provides a concise summary of G-d’s requests of Israel, the key items that he had mentioned before. He presents them as precepts that are eminently understandable and achievable. He introduces them with a rhetorical question to the effect that there is nothing extraordinary about them, they can be defined and encapsulated in a brief synopsis and so can be easily grasped and fulfilled. He declares: וְעַתָּה יִשְׂרָאֵל מָה ה' אֱלֹהֶיךָ שֶׁאֵל מְעַמְךָ כִּי אֵם (“And now, Israel, what is it that Hashem your G-d asks of you? Only this...”).* He proceeds to cite the following items: to revere Him, to walk in His ways, to love Him, to serve Him, to observe His *misvot* and *huqot* (10:12-13). Of course, these are the essential demands of the Covenant. At the conclusion of the list he adds the thought that it is all “for your own good.”

Although fulfilling the enumerated items surely involves a great deal of dedication – “to observe His *misvot* and *huqot*” connotes a whole code of law – Moses’ articulation is focused on the reasonableness of the general commitment and of all the details involved. It is אֵם כִּי, “only this,” nothing else, all rational and justifiable, and all for your good.

In the succeeding verses (10:14–11:12) Moses heightens Israel’s motivation to its commitment by describing G-d’s towering eminence, His integrity and His compassionate nature. Heavens and earth belong to Him, yet He chose the forefathers and their progeny from all the nations. He thus directs the Israelites to appreciate their status.

Hashem is “G-d of gods and master of masters,” who shows no [unlawful] favor and takes no bribe. The latter negates cultic service of all kinds that is performed with ulterior motives or improper intentions. He does justice for the orphan and widow and loves the stranger: וְאַהֲבַתֶּם אֶת הַגֵּר (“and you shall love the stranger” [v. 19]). Moses continues to detail G-d’s awesome doings and extraordinary benefactions

for Israel, then returns to the nation’s *misvot* responsibilities and consequences for compliance or noncompliance. He concludes this segment with a description of the promised land as one upon which G-d’s attention is focused the whole year long. At this point comes the וְהָיָה אִם שָׁמַע תִּשְׁמְעוּ passage (11:13 ff.), the topic of our coming study.

Endnote

* Virtually the identical rhetorical question employing the identical literary structure with the same words or synonyms is found in Micah, the only duplicate of this type of question in Scripture: וּמָה ה' דוֹרֵשׁ מִמֶּךָ כִּי אֵם (Mic. 6:8). Together with the opening clause of that verse, it translates, “He has told you, O man, what is good and what Hashem seeks of you, only this.” There has been much discussion concerning who is the subject of the “he” that did the telling. It does not appear to be Hashem since the speaker promptly refers to Hashem in the third-person. There is no antecedent to the pronoun in the verse or in the immediately preceding three verses. Rabbi S. D. Sassoon understood the “he” to be Moses as per our Deuteronomy verse, in what may very likely have been a well-known aphorism of Moses that did not require explicit attribution. In addition, in that Micah context Moses had been mentioned four verses previously (v. 4), the only time he is mentioned in Micah. The rabbi understood Micah’s message to have been based on Moses’ formulation in that Deuteronomy 10 passage. The prophet’s encapsulation constitutes three items: “to do justice, love *hesed* and walk modestly with your G-d,” all of which may be seen to be derivatives, in the language of a different century, of Moses’ list.

To do justice and love *hesed* (עֲשׂוֹת מִשְׁפָּט וְאַהֲבַת הַסֵּד) are exemplified in Moses’ description of G-d’s nature in the succeeding verses of the Deuteronomy 10 passage: He is עֹשֶׂה מִשְׁפָּט יְתוּם וְאַלְמָנָה וְאַהֲבָה גֵּר לְתַת לוֹ לֶחֶם (“Who does [achieves] justice for the orphan and widow and loves the stranger to give him bread and garment” [Deut. 10:18]). Moses followed the latter statement with וְאַהֲבַתֶּם אֶת הַגֵּר (“You should love the stranger” [v. 19]), specifically calling on Israel to emulate G-d to manifest *hesed*. Micah’s third item, וְהָיָה אִם שָׁמַע תִּשְׁמְעוּ (“and walk modestly with your G-d”) contains the לְתַת linkage with Moses’ formulation of לְלַכַּת בְּכָל דְרָכָיו.

Although the rabbi didn't mention it, the following appears appropriate to add. In that Deuteronomy passage, Moses' description of Hashem's relationship with the Israelites, as well as of His concern for the underprivileged, brings out His extraordinary modesty. Although He is the Supreme Being of the universe and everything belongs to Him לה' אלקיך השמים ושמי השמים וְהָאָרֶץ וְכָל אֲשֶׁר בָּהּ (Deut. 10:14), He cares about the progeny of the forefathers and the orphan, widow and stranger. Micah's formulation brings out Israel's obligation to emulate G-d in his call to "walk modestly with your G-d." In addition, Micah's assertion that "He has told you, O man, what is good" (מָה טוֹב) plays on Moses' statement לְטוֹב לְךָ.

It is noteworthy that in the two Micah verses prior to the one we are discussing the prophet rhetorically asked how can he best approach Hashem: "Shall I approach Him with burnt offerings ... Would Hashem be pleased with thousands of rams ... Shall I give my first-born for my transgression, the fruit of my body for my sins?" (Mic. 6:6-7). Many cultures, including many Israelites, then understood sacrificial service in and of itself to be an important component of the path to G-d, an approach that may very well be defined as "bribery." Moses' statement that G-d does not take bribes is apparently to be understood along these lines. Moses' description of G-d's nature to do justice and kindness (v. 18) immediately follows his statement that He does not accept bribes (v. 17) exactly as recorded in Micah.

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