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בס"ד

Parashat Vayelekh Part II Deuteronomy 31

1. Prediction or Warning?

It is difficult to understand G-d's (apparently) definitive, predictive statements concerning the behavior of the Israelites at some point after Moses' death. He informs Moses that "this people will rise and stray after the alien gods of the land into the midst of which they will have entered, and forsake Me and annul My covenant that I have cut with them" and dire punishment is then in store for them (Deut. 31:16-21). If it is a given that the children are going to turn to idolatry and dreadful chastisement will necessarily befall them – וְהָיָה לְאָכַל וּמִצָּאָהוּ רְעוּת רְבוּת וְצָרוֹת ("they shall be devoured, and many evils and troubles will find them" [v. 17]) – will it not thoroughly deflate and demoralize the parents? Can people be expected to fully dedicate themselves to build a future in the land if they know for a fact that it will all be demolished regardless of their best efforts, and perhaps in the near future?

What about the many declarations of free will such as, "Life and death I place before you, blessing and curse; choose life in order that you may live, you and your offspring" (Deut. 30:19), and implied throughout the Torah? Surely it is not only for the individual, but also for the nation. What about the many Deuteronomy verses depicting unending blessings for obedience to G-d's will: "Observe His laws ... in order that you will endure living on the land ... all the days" (4:40); "In order that your days and the days of your children be many on the land ... as long-lasting as the days of the heavens over the earth" (11:21); "Love (be loyal to) Hashem your G-d ... for He is your life and the length of your days to dwell on the land ..." (30:20); "And their children who do not know shall hear and learn to fear Hashem your G-d all the days that you live on the land ..." (31:13), and others?

Among the first lessons the Torah teaches, from the account of the creation of man in the image of G-d

through the narratives of Adam and Eve with the forbidden fruit and Cain's slaying of Abel, is the salient, fundamental principle that human beings possess free will.

If at a particular time G-d suspends free will and decrees sinfulness upon the Israelites why should they be punished for their compelled actions?

The Rambam addressed this latter aspect of the problem posed by our passage along with a similar difficulty that arises in a case associated with a prophecy G-d granted to Abraham (then Abram). He informed the future patriarch that his descendants will be enslaved and afflicted and that subsequently the oppressor nation will be punished (Gen. 15:13-14). The Rambam asked, why should the oppressors be punished if G-d decreed upon them to do what they did? His answer:

For [in Deut. 31:16] He did not decree on any particular individual to stray but each and every one of those who strayed to serve idols, had he desired not to serve idols, could have refrained from doing so. The Creator was not making known except what is the way of the world. It is comparable to saying, "In this nation there will be righteous people and sinful people." Because of such a statement a sinful person cannot say, "It already was decreed upon me to be a sinful person because [G-d] informed Moses that there will be sinful people in Israel." It is like the statement, "For there shall not cease to be poor in the land" (Deut. 15:11). Similarly with the Egyptians, each one of those who abused and harmed the Israelites, had he chosen not to so do, the power was in his hands, for He did not decree on any particular person (M. T. *Hilkhot Teshubah* 6:5).

Many have considered such an explanation appropriate only when dealing with relative values,

such as criteria defining the poor (“For there shall not cease to be poor in the land”), but when defining the sinful behavior of our passages that involves the exercise of free will it appears inadequate. In his glosses on the Rambam, in referring to our Deuteronomy passage, the Rabad asked (with ironic humor): “Were G-d to say to those who strayed after idolatry, ‘Why did you stray, I did not mention you by name that you should say I decreed it upon you?’ the straying individuals could respond, ‘On whom did Your decree fall, on those who did not stray?’” We will venture an explanation of the passage after addressing Moses’ statements concerning future sinning.

Moses’ assertion later in our chapter, telling the people that he knows they will sin after his death (Deut. 31:27, 29), is of a different nature than the Deity’s statement to the same effect. Moses can and should be understood as expressing his personal opinion. This is indicated in the text since Moses explicitly bases himself on his experience with the people and on his personal reasoning (v. 27). Perhaps he spoke in an exaggerated manner as a preventive measure, calculated to keep the Israelites in line, but ultimately to be understood in the conditional mode. It surely seems to be the case that when he spoke of future national idolatry and doing evil in G-d’s eyes in Deuteronomy 4:25, which he said would be followed by divine retribution including exile and the possibility of repentance, he was speaking in an “if and when” mode. Before he mentioned the chastisement he stated: “I call heaven and earth this day to testify against you that you will [then] quickly perish from the land” (4:26). Such invoking of witnesses is consistent with the concept of providing warning as a deterrent measure, contrary to an absolute prediction. Moses’ citing of future transgressing in Deuteronomy 30:1 is an expansion of his statement of chapter 4.

In our context (31:27), when Moses vigorously presented his case to the people regarding their mediocre level of commitment and expressed his concern for their behavior after his death, he does not quote G-d’s apparently definitive pronouncement about the future. This is especially significant since he had just heard G-d’s words on exactly that subject. S. D. Luzzato assumes that G-d’s words were communicated only to Moses (which may very well be although Joshua was with him in the Tent of

Meeting at that time), and Moses decided against quoting Him to the nation. Instead, he substituted remarks based on his personal “opinion” so that his audience should not despair when confronted with G-d’s statement of unavoidable sin and retribution.

However, it seems inappropriate to impute such machinations to Moses, especially as there was soon to be a public written record of G-d’s communication available. Moses might then be perceived as a manipulator. And this explanation does not address the main problem. It is much more likely that Moses spoke in an “opinion” mode because, after all is said and done, the nation did possess free will (however the difficulties in explaining G-d’s words are to be resolved) and he was attempting to influence its exercise for the good.

This implies that we must understand G-d’s definitive, predictive statements to Moses in this manner. Perhaps they should be interpreted as a type of דְּבָרָה תוֹרָה פְּלִשׁוֹן בְּגִי אָדָם (“the Torah speaks in the language of man”), using hyperbole, as sometimes is the case in non-legal biblical texts. Or perhaps G-d’s words should also be straightaway taken as “if and when,” with the necessary but unwritten qualifying word or clause to be understood and mentally supplied by the reader at the appropriate point in the statement. They may have been stated or written as they are to transmit a particular effect but nevertheless to be understood as “if and when.” If so, in verses 16-18 G-d may be telling Moses: “After you pass away, if Israel abandons Me I will conceal My countenance from them such that they will suffer tremendously until they recognize that I was the cause of their suffering, that it is My policy that I conceal My countenance from those who turn to idolatry.” This might have been calculated to prompt Moses to make a final great effort to motivate the people to remain faithful.

Articulating a statement that is conditional without explicitly specifying that it is so, relying on context, common sense or perhaps voice modulation to help express the meaning, is an attested literary style in the Torah. Consider Exodus 3:18. G-d told Moses וְשָׁמְעוּ לְקוֹלְךָ (“They [the elders of Israel] shall hearken to your voice”). The words translate as definitive, predicting what will happen. However, from the context it is clear that G-d was saying, “assuming they will listen to you,” or “after they listen to you,” despite there not being any word in the statement referring to its

qualification. Otherwise, how would it be possible for Moses to respond וְלֹא יִשְׁמְעוּ בְּקוֹלִי (“They will not hearken to my voice” [Exod. 4:1]). Surely it is inconceivable that Moses would outright contradict G-d’s definitive prediction that was just communicated to him. As we point out in our study on *Parashat Shemot Part IV*, the Midrash that criticizes Moses for this response is surely not *peshat*.

In the continuation of that Exodus narrative, G-d accepted Moses’ response (basically agreeing that they may not listen) and went on, without a hint of criticism, giving him two wondrous signs to show the people. In the midst of showing him the signs, He said, “In order that they should believe” (v. 5) After demonstrating the second sign, G-d said “If they do not believe you ... regarding the first sign they will believe you regarding the second sign,” again apparently in the predictive mode. Yet He followed that statement with an expression of His own uncertainty, explicitly stating, “and if they do not believe to both these signs” (v. 9). Thus, stating words in a apparently definitive mode that are to be understood as “when and if” is merely a style or characteristic of the language.

Human free will as regards G-d’s commands is a fundamental principle of the Torah, taught from its very beginning and assumed throughout its books. G-d’s foreknowledge must be understood in a way that does not render free will impossible, as the garden of Eden narrative teaches. The great thinkers upon the Torah have made this clear in their various ways. Despite their tremendous emphasis on this principle, some rabbinic statements have implied that foreknowledge and human free will exist together on the same particle of choice at the same time, statements probably often addressed to a specific audience for a specific purpose. But free will is the basic principle regardless of how the matter of foreknowledge is understood. Some see quantum mechanics as providing an explanation. The Ralbag stated that ultimately it is necessary to assume that the Deity’s foreknowledge does not cover the specifics of human free will prior to man’s choosing, but that He gains the knowledge of man’s acts only upon man’s acting. It was His will to so establish the creation.

2. Brief Comment on the Conclusion of Deuteronomy

After Moses provides the text of the Song (Deut. 32:1-43), followed by a few words of encouragement, G-d gave him final instructions regarding his passing away. At that point, if we take these passages as being in chronological order (contrary to Ibn Ezra), Moses recited his parting blessings to the tribes (chapter 33), which comprise his last spoken words in the Torah. The final passage that narrates Moses’ death and Joshua’s assumption of the mantle of leadership (chapter 34) closes the historical survey with which Moses began his oration at the beginning of Deuteronomy. At the end of chapter 3 he left off with mention of his imminent death and topics connected to it, including G-d’s instructions to him to ascend the mountaintop to view the promised land and to prepare Joshua for his new role. These topics are resumed in the final verses, closing the historical framework and embedding the covenant in a book-like framework, thus completing Deuteronomy and with it the Torah. Clearly, Deuteronomy possesses a high degree of organization and internal unity, with the covenant governing the structure and contents of virtually the entire book.

As the Sinai covenant that was contracted shortly after the Exodus was ultimately never abrogated – or more correctly, was reinstated – since G-d forgave Israel’s molten calf transgression, from both the legal and theological standpoints the covenant of the steppes of Moab was a reaffirmation of the original one. Moses did provide much legislation in the stipulations of the steppes of Moab version that had not been incorporated in the previous books of the Torah, laws which had he not transmitted in the days before his passing away would have been part of the Oral Law. As covenant reaffirmation but including much new material, it surely was appropriate for Moses’ design of the book to be one in which it could be recognized throughout that it was closely linked to the earlier covenant, elaborating, expanding and expounding upon it. Indeed, this was a matter manifest through the placement of the Decalogue, clearly acknowledged as the core of the original covenant, at the beginning of Deuteronomy’s section of stipulations, and the extensive subsequent linkage of legislation to it.

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