

# PARASHAT DEVARIM

## The Differences between Devarim and Earlier Accounts

By Rav Yonatan Grossman

This week, we begin to read Moshe's long address at the plains of Moav, which is the essence of Sefer Devarim. During the course of this speech, Moshe reminds the nation of different events that occurred to Am Yisrael, from its exodus from Egypt until its arrival at the plains of Moav.

Most of these events are cited as part of the nation's preparation for a new covenant that God intends to forge with Israel on the plains of Moav, and they embody a sort of "protocol" that precedes a legal contract.

Reiterating these events a second time invites us, the students, to carefully compare the events as they appear in Sefer Shemot and Bamidbar - to the description that Moshe gives of these events here in Sefer Devarim.

This comparison has double value: First, we can learn additional details about the described event, details omitted the first time. Second, in Sefer Devarim, we hear about these events from the perspective of Moshe, a new perspective for us, that illuminates the event in a new and different light.

There are occasionally more significant differences between the description of the event in the original text and Moshe's description. These differences border on contradictions between the story that the Torah tells us during Israel's journey in the desert and the story that Moshe, who is describing apparently the same events, tells. In these situations, one must address the differences that appear between the stories and try to find a solution.

For example, at the beginning of the parasha, Moshe describes the administrative hierarchy in Israel: "And I spoke unto you at that time saying: 'I am not able to bear you by myself ... Get you, from each one of your tribes, men of wisdom, understanding, and knowledge, and I will make them heads over you. And you answered me and said: The thing which you have spoken is good for us to do. So I took the **HEADS OF YOUR TRIBES**, men of wisdom and 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 the matter that is too difficult for you, you shall bring to me, and I will hear it.'" (Devarim 1:9- 17)

This hierarchy, made up of "captains of thousands, and captains of hundreds, and captains of fifties, and captains of tens" and at whose head stands Moshe, to whom the

most difficult legal problems are brought, is known to us already from the beginning of parashat Yitro. There we read about the creation of this legal system, and these two descriptions resemble one another closely. However, there are two interesting differences: 1. In parashat Yitro, the matter is presented as advice from Yitro to Moshe: "And Moshe's father-in-law said to him: 'The thing that you do is not good. You will surely wear away both you and this people that is with you ... Hear now my voice and I will give you counsel...'" (Shemot 18:17-19). The continuation of Yitro's speech contains the suggestion that is detailed in Devarim, but here, in Moshe's description of the same event, Yitro is not mentioned. Moshe takes sole credit for the suggestion - "And I spoke to you" - as if he was the one who came up with the idea for this national legal system. 2. Secondly, there is a difference regarding the judges themselves. Moshe says that he took "the heads of the tribes ... and officers, tribe by tribe." In other words, the heads of the tribes were turned into the judges of the nation. In contrast, in Yitro's proposal and its fulfillment in Sefer Shemot, this tribal division is not mentioned at all: "And Moshe chose able men out of all Israel and made them heads over the people" (Shemot 18: 25).

I have chosen to open the shiur with this example, not only because it appears in the beginning of the parasha, but also, because this is an exemplary example for a text where the differences are not significant enough to constitute an outright contradiction between the two stories. We do not have a contradiction here, even if we learn something new from Moshe's description.

From the fact that Moshe does not credit Yitro with the proposal, we may infer that when Moshe proposed the idea to the nation, he did not disclose that Yitro had proposed it but took credit for it himself. It is possible that Moshe and Yitro feared that the nation would reject this proposal, which stood to influence their entire lives, if it was a proposal from a stranger who was not part of the nation and did not experience the slavery and then the redemption from Egypt. This proposal might have been rejected if the nation had known its source, and therefore Moshe concealed this information.

The second difference that I mentioned is very instructive for the comparison method of learning. While it is true that in parashat Yitro there is no hint that the tribal heads were chosen specifically for the roles of judging, in our parasha of Devarim Moshe states explicitly that he is choosing the "heads of the tribes." However, we must remember the passage of time between when the event occurred and when Moshe is speaking, and one must take into account the differences in status that occurred in the interim.

It is possible that when Moshe chose the judges, they actually were no more than "... able men, who fear God, men of truth, hating unjust gain..." (Shemot 18:21), and they became judges to the nation. In the meantime, their stature grew within the nation, and they naturally evolved into the leaders who represent the different tribes.

Now, when Moshe stands in the plains of Moav, some 38 years after the original event, the judges are tribal heads (even if we are speaking of the same individuals, since that generation had died). The role of judge has been given content and power over the years by the nation. In any case, we are not confronting a contradiction when we read the two

descriptions, but we are looking at the regular progress of an intact society. Moshe points to "tribal heads" and says that these are the ones he chooses as judges. They were not chosen because they were "tribal heads" but rather, as a result of having been chosen as judges, they were given the status of "tribal heads."

If the story of appointing judges is not steeped in difficult contradictions, the next story that Moshe focuses on is one of the more famous contradictions in the Torah - the parasha of the spies. We will point to the main differences between the story in parashat Shelach and the description brought by Moshe in our parasha:

1. Moshe opens by saying: "And you came near to me, every one of you, and said: 'Let us send men before us, that they may search the land for us ... and the thing please me well'" (Devarim 1: 22-23). According to Moshe, the initiative to send spies to the land of Canaan came from the nation. In comparison, in the beginning of parashat Shelach, we read: "And the Lord spoke to Moshe saying: Send out men, that they may spy out the land of Canaan..." (Bamidbar 13:1-2). In other words, this was carried out by Divine initiative.

2. The argument whether to inherit the land of Canaan or not, that is carried out in parashat Devarim between the nation and Moshe ("Then I said unto you: 'Dread not, neither be afraid of them' Devarim 1:29-33), is completely missing from parashat Shelach. There, it seems that Moshe does not take part in the ongoing argument between Calev and Yehoshua and the others.

3. Most importantly, while the sin of the spies in Shelach is clear and explicit, since the text expands on the evil report of the land they brought back, in Moshe's address the spies are depicted completely differently. "And they brought us back word and said: Good is the land that God gives us. Yet you would not go up, but rebelled against the commandment of God" (25-26). From Moshe's address it appears that the spies praised the land and said that it was good. There is no criticism of the land, and Moshe places the blame for not going up and inheriting the land on the nation's shoulders - the people were those who rebelled against the word of God!

Chazal and the commentaries of the Middle Ages offered various explanations of these contradictions. For example, with regard to the first problem - who initiated the mission - they answer: "'Send for you' - by your choice; I do not command this of you. If you wish - send. For Israel came and said 'Let us send men before us,' and Moshe consulted the Shekhina" (Rashi's commentary at the beginning of Shelach, following the Bavli, Sota 64:2 and the Midrash Tanchuma 5). In other words, the request for the spies came from the nation and this is mentioned by Moshe in his address in Devarim; while God's acquiescence to the matter is cited in parashat Shelach. However, this explanation gives rise to another question - why in Shelach is one aspect of the initiative (the Divine aspect) emphasized while Moshe ignores this point in his address here and emphasizes a different aspect (the nation's initiative).

Rashi continues this approach with regard to the third question as well. When Moshe quotes the words of the spies: "Good is the land which God gives us," Rashi attributes this to Yehoshua and Calev (Rashi there, and see Ramban). Rashi is relying on the Sifri (chapter 23). And still we may ask: Why does Moshe ignore the words of the ten other spies and only mention the words of Yehoshua and Calev who did not spread an evil report about the land?

It seems to me that the answer can be found in the general atmosphere that emerges from Rashi and the Midrash. In actuality, these commentaries argue that the story itself contains both descriptions - that of Shelach and that of Devarim; however, in each place there is a different emphasis with different details. One time God's approval is mentioned and one time the will of the nation is mentioned; one time the sin of the spies and one time the words of Yehoshua and Calev.

Why is there a different emphasis in Moshe's speech from that which is emphasized in parashat Shelach? For this we must understand the purpose of the historical review that Moshe is conducting on the eve of the new covenant that is to be forged.

In light of the historical description, Moshe wishes that the nation understand the value of the Torah's existence and God's word: "And now O Israel, heed the statutes and the ordinances which I teach you, to do them, that you may live, and go in and possess the land which God of your fathers gives you" (ibid. 4:1). Since Moshe has an educational purpose for this review of the events of Israel in the desert, it is important for him to emphasize the nation's situation and the spiritual level of the public at these events. The story of the spies in parashat Shelach focuses on the sin of the spies, while Moshe, addressing Am Yisrael, focuses on the sin of the nation. The ten spies who issued an evil report on the land are not important now; what is important is the refusal of the nation to go up and inherit the land.

The main characters in parashat Shelach are the spies, but Moshe places a harsh spotlight on the behavior of the nation, in its reaction to the mission of the spies. It seems to me that this then clarifies the different aspects that we have pointed out:

A. Moshe emphasizes the request of the nation to send spies, since the nation is the central character of the story now, and the people need to learn a lesson from this incident.

B. In parallel to the argument within the group of spies, which we read about in parashat Shelach, an argument begins between Moshe and the nation. It is this argument that Moshe focuses on, because for him the nation is the focus and the essence.

C. Moshe is interested at pointing the accusing finger at the nation leaving them no room for excuses (for example by letting them blame the negative report of the spies), and therefore, he wants to lessen the weight of the spies' words while emphasizing the capitulation of the nation. Within the spies there were two groups, and in the end, the nation in its entirety decided to adopt the negative version. Therefore, Moshe quotes the

words of Yehoshua and Calev - "the land is good," thereby increasing the guilt of the nation.

In today's shiur, we dealt with two examples of the discrepancies between Moshe's narration and the description known to us from the previous books. The first discrepancy was found to be a difference rooted in the passage of time, and the second discrepancy was rooted in Moshe's objective for giving the speech. In this manner we should continue examining Moshe's other recapitulations of historical events.

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