

Parsha D'varim

These are the words that I wrote for this week's drash:

This parsha begins the fifth book of the Bible, the book of D'varim. It is also called *Mishneh Torah* in Hebrew, the *repetition of the Torah* (Hertz, D'varim XVII, 18; p. 824). The Hertz *xumash* kindly tells us that Greek-speaking Jews translated this name as *Δευτερονομιον*, or "Second Law," which became "Deuteronomium" in Latin and ultimately "Deuteronomy" in English (Hertz, p. 735). Immediately, we may ask: "Why did Moses need to repeat the Torah?" Permit me to tantalize you for the moment—I promise to answer my own question.

*Sefer D'varim* has a different structure than the first four books of the *xumash*. For 30 out of 34 chapters, Moses alone speaks. Moses for all his adult life has been the umbilical cord between God and Israel, transmitting spiritual nourishment from the Creator to His at times unruly and rebellious children. These words are Moses' monologue, the last time that he will convey *divrei Elohim* to His people. Moses repeats the recent history of his people's wanderings, travels, conquests, and experiences, emphasizing God's involvement with B'nai Israel and His covenant with His chosen people. In three discourses, Moses repeats the Torah to the generation that grew up in the desert, reminding them in the third discourse of the covenant between God and Israel and the dire penalties for failing to observe the words of the covenant. Moses tells B'nai Israel that if they obey the words of the covenant, then they will receive the Promised Land as their rightful inheritance, and if they disobey God's word and turn their hearts away from the Lord and worship other gods, they shall surely perish (XXX, 15-18). His final admonition to the assembled multitudes is "*Oovaxartah baxayyim lma'an tixye atah v'zar'ekhah*," "therefore choose life, that thou mayest live, thou and thy seed" (XXX, 19, p. 882).

Why does Moses do all the talking? He knows that his stewardship of B'nai Israel is coming to an end. In Chapter I, v. 37-38 (pp. 741-742), Moses foretells his own death and the transmittal of his task of leadership. Here, in the *Mishneh Torah*, he is on his figurative deathbed dictating his ethical will to his children. He does not have much time left, so he is passing on the moral legacy by which he has lived his life so that his putative children might live their lives by it. Is he confident that the Children of Israel will take God's Torah into their hearts? He knows better, having led the rebellious and reluctant tribes for 40 years. Thus, the Blessings and the Curses (XXVIII 1-14, 15-68, pp. 865-72) promising reward and punishment are the carrot and stick with which Moses hopes to encourage his people "to love the Lord thy God, to hearken to His voice, and to cleave unto Him," (XXX 20, p. 883). The Blessings verses are 14 in number, while there are almost four times as many Curses verses as there are Blessings. A very thick stick, indeed!

What is of interest to me is the values implied in the Blessings and the Curses. Most of them are relevant today. I summarize the Curses thusly:

1. God will bring you lower than when you were in Egypt, totally undoing His efforts to spread His Torah. This debasement of his Chosen People is essentially an admission of Divine failure in attempting to favorably influence the human enterprise toward high standards of ethical conduct. It is reminiscent of the Flood, when God performed a Diluvial reboot of his Creation.
2. Your daily existence will be a struggle against not only the foreigner and the stranger, but against your very own brethren. I am reminded of the Middle Eastern proverb, "I against my cousin, I and my cousin against the stranger."
3. You will have no sense of peace or rest or calm. You will have no Sabbath.
4. You will spend your miserable lives in total inescapable anxiety cursing the day you were born. You will dread the dawn of every new day.
5. You will live a life of utter futility, gathering no satisfaction or sense of purpose from any activity.

Obviously, Moses sensed a certain ambivalence on the part of B'nai Israel to live up to its part of the bargain. The Rabbis in the Talmud recorded this reluctance succinctly in the phrase "*na'ase v'nishma*’." These words come from the Midrash in which God offers the Torah to His people and holds Mount Sinai over their heads in gentle encouragement until they proclaim "we will do and we will listen." Unquestioning obedience followed by attentive engagement. This obeisance is echoed in the words of the Aleynu prayer, "...to thee every knee must bend, every tongue vow allegiance."

I offer a developmental interpretation of *Sefer D'varim, mishneh haTorah*:

1. The generations in Egypt represent a gestation period in the womb of Egyptian culture. Seventy families went down from Canaan into Egypt, sojourned there for 430 years (Exodus XII, 41, p. 259), and increased to roughly 600,000 men on foot (Exodus XII, 37, p. 259) or more precisely, 603,550 men able to go to war at the time of the Exodus (Numbers I, 46, p. 571). This may be the longest pregnancy in recorded history!
2. The Exodus from Egypt symbolizes the birth of the nation of Israel in that the two walls of water of the *Yam Suf* (remember the awesome scene from *The Ten Commandments*?) represent the birth canal, and the Hebrew slaves must pass through it to flee from the pursuing Egyptian armies. In doing so, they signify their willingness to become *b'nai brit* (what a great name for a Jewish organization!).

3. The difficult years in the desert are a suitable metaphor for the relationship between any teenager and parents thereof. The incessant murmurings against Divine authority and constant complaints about Moses' leadership and the hardships of desert life are mirrored by a child's emergence into young adulthood: there is begrudging recognition of parental authority and discomfort with the state of dependency. The adult autonomy of "being on your own" is as desirable as the Promised land, and as distant.
4. Moses, the umbilical cord between God and B'nai Israel, the last remnant of the birth experience, must be symbolically severed so that B'nai Israel can go forward under its own native-born leadership to claim its promised inheritance and fulfill its manifest destiny, as proclaimed by God.
5. I propose the following metaphor to describe the significance of the Torah to the Jewish people: Insects and other invertebrates have instinct to completely guide their lives, but no freedom of will. The hard chitinous exoskeleton protects them but restricts their physical growth and range of motion. We humans, by contrast, have much less instinct to program our movements, infinitely more personal freedom, and an endoskeleton that gives us much flexibility of movement. Since we have relatively little instinct, we are compensated by our ability to learn from experience. The Torah serves as our *moral exoskeleton* so that we can express ourselves within its liberating confines. This concept may sound like a paradox, but I believe that it contains a piece of truth. The state of affairs wherein no limits are placed upon human behavior is called "anarchy," literally, "no ruler," and without governments to order men's lives, life would be, as the English political philosopher Thomas Hobbes put it, "nasty, brutish, and short." Freedom has meaning only within the concept of boundaries placed upon actions. Thus do I suggest that the Torah, by indicating what we may and may not do as directed by the *mitsvot*, performs the same function as an invertebrate's inflexible exoskeleton and we find our range of motion enhanced, rather than restricted, by God's law.

Thus I concluded my drash on parshat D'varim. But I still had not answered my own question, "Why did Moses need to repeat the Torah?" and couldn't come up with a good response. So I sought out my meandering peripatetic mentor, Resh Nebbish. I looked for him in bookstores and found him not. I looked for him in the bakery and followed a trail of pastry crumbs to his favorite coffee shoppe and saw a table of empty cake plates and espresso cups. I began to feel *nebichdik*, looking for Resh Nebbish. Then I had a flash of inspiration: I'll use an Internet search engine to help me locate him. Maybe a phone number search or an email search will ferret him out to me!

As it turns out, I was finally on the right track. He did, indeed, have a home page on the World Wide Web. His URL was *ReshNebbish.jew*. I shouldn't have been surprised: Resh Nebbish was a happening kind of guy, always on the forefront of *mishugas* and new ideas. His web page contained excerpts from his book, *Divrei Resh Nebbish*, which was mostly quotations from his *drashot*. I saw some that I recognized: "Archetypes are the eigenvectors of personality", "Culture is the exoskeleton of vertebrate humanity", "My existence is the stage upon which my being is played out", and "Dubito ergo credo." I emailed him my question and got a reply soon after. He had ignored my question and instead written about a book he was reading:

"Nice to hear from you again. You haven't looked me up for more than a year, and I was beginning to wonder if you still walked the planet. I've been reading a great book, called *The View from Nebo* by Amy Dockser Marcus. It seems that Biblical 'truth' is not always congruent with archaeological 'truth,' so far as the historical record can be considered to be any touchstone of rectitude. We don't have time machines that can carry us back twenty or thirty centuries to when these Biblical events were supposed to have happened as reported in *Xamishah Xumshei Torah*, so we have to do a lot of interpolation and imputation of who did what to whom and when did they do it.

For example, take the end of the book of D'varim. Moses goes up from the plains of Moab to Mount Nebo to look out on the Promised Land, to which he is denied entry. Even the lowest peak is 700 meters above the surrounding hills. For one so feeble that he 'can no more go out and come in' presumably of a tent (XXXI, 2, p. 887), the ascent must have been brutally exhausting. The *xumash* does not describe what Moses found when he finished his ascent, but archaeological digs have revealed artifacts dating back from the fourth millennium B.C.E. This time period is called 'Late Chalcolithic and Early Bronze Ages.' There are mounds that represent the ruins of ancient settlements and *dolmens*. Dolmens are stone structures often used as tombs. They are made of huge stones in a circular formation with an opening to the rising sun in the east, with a circular rock serving as a capstone. So, *Har Nevo* had been used as a burial site long before Moses went up 'to the top of Pisgah, that is over against Jericho.' (XXXIV, 1, p. 915) In my mind's eye, I always visualized a clearing or other reasonably flat space among rocks where Moses stood, tapped his staff on the ground once as a signal as if to say 'One to beam up, Lord' before God energized his Divine Transporter. But, to be honest, many different peoples with many different traditions have long inhabited the Middle East, so I ought not to be surprised that there had been prior indications of human habitation.

How Moses died is not indicated in the *xumash*. We are told in Chapter XXXIV that he went up the mountain, saw the panorama of the Promised Land, and died. He was 120 years old, and we honor his memory with the phrase 'may you live to 120 years.' Nor was his eyesight dimmed, and the phrase '*yashar koxakhah*' still had meaning for him.

I imagine the following dialogue between God and Moses, the only human ever to glimpse the Divine Presence and survive the experience:

God: Moses, you climbed all that way up that dusty hill to see what your children are going to inherit. Take a look at the view—isn't it marvelous?

Moses: Lord, it is indeed splendid. It's such a shame that I won't be able to cross over the Jordan! I gave my life to those murmurers and whiners and it's really unfair that I can't enjoy the fruits of my labors. I'm very disappointed in you, Lord. I deserve better.

God: Moses, I'm sorry, but that wasn't the arrangement that I planned for you. If you went with them, they would always look up to you, and ignore Joshua, who will succeed you. They need new leadership, one of their own generation. The umbilical cord must be cut to let the infant survive on its own. Moses, you must be tired after that climb. Why don't you lay down and rest?

Moses: Yes, Lord, I'm very tired. That climb was really hard. Ah, I see that you've prepared a soft place for me to stretch out. I'll just close my eyes for a little while.

And God bent over Moses and gently kissed him on the lips, drawing out the soul from his faithful servant, who slept ever onward."

Well, I was deeply impressed with his poetic imagery, but he still had not answered my question. I sent Resh Nebbish email again, typing "Repetition of the Question" in the Subject line, attached a copy of my drash, and waited for his answer. He wrote back:

"Nice words, really nice words. You make good analogies between God's creation and God's law. But I have a little problem with the concept of the Torah being the moral exoskeleton of mankind. Invertebrate exoskeletons are sufficient for those creatures whose instincts dictate their behavior and which cannot learn from their experiences. No changes are possible in the genetic programming of such beings because, as the saying goes, 'phylogeny recapitulates ontogeny.' This phrase, which sounds like Greek to you because it *is* mostly Greek, describes the physical fact that individual members of a species derive their characteristics from the genetic matrix of the family to which they belong. It's an obscure and learned way of saying that the little invertebrate can't go beyond its programming. And that's where I part company with your analogy of the Torah as a moral exoskeleton.

Twice, we are told not to add to God's word nor to diminish it (IV, 2, p. 756, and XIII, 1, p. 805). If we abide literally by this injunction against change, we lose our ability to adapt to changing times and circumstances. So, the Rabbis over time have gone into the construction business, building fences around the Torah where necessary, to extend the Law and keep its interpretation fresh and relevant to modern times. We get into trouble when we try to use Torah as a straitjacket to deny and constrict change. I believe that it is a fundamental principle of human behavior that desire cannot be denied, it can only be channeled. To create effective venues for our energies is a constant challenge at all stages of our lives.

I could go on, and I will.

Thus, I suggest a different model, a dynamic model with the potential for growth built into it. The chambered nautilus is an invertebrate that is enclosed in a shell, like a snail. When it grows bigger, it extends the existing shell outward, moves into the enlarged space, and builds a platform behind itself with a hole in it for attachment. By analogy, the Torah guides our life by indicating the limits and strictures of human existence, with the provision that we can expand these confines and modify them appropriately to match our living conditions. Like the animal, we use the hole in the shell to represent the connection to our living tradition, which dates back to the Creation."

Wow. I felt my eyes crossing as I read his words. Great stuff. Really deep thoughts. Impressive concepts. But I still wanted an answer to my question, so I sent him a third email with the phrase "Repetition of the Question Redux" in the Subject line. I also asked him where he got his considerable insights from.

He answered me tersely: "I derive my considerable insights from the depths of my organic being. The answer to your question is to be found in Chapter II, Verse 14."

I looked up verse 14 in Chapter 2 and read that 38 years had passed in the desert and that all the members of the generation had been "consumed," even valuable people like the warriors. I take the verse to mean that all those malcontents, the murmurers and disbelievers like those in verse I, 27, were edited out of the script. The warriors, too, were removed, because they were associated with the years of slavery in Egypt. The stage was being cleared for fresh faces and renewed purpose. Conquering and occupying the Promised Land was not going to be a picnic, even with Divine assistance. Finally, I had my answer: Moses repeats the Torah to the assembled Children of Israel to give them a sense of destiny and renewed commitment to the Divine plan. The generation to which he speaks did not bear witness at Sinai—they weren't born then. He charges them with the obligation to continue God's work as outlined in the Torah after his heavy mantle of leadership is transferred to Joshua, son of Nun.

You know, Resh Nebbish is a totally awesome dude. I am constantly amazed at his ability to separate the wheat from the chaff, to penetrate to the heart of an issue, to part the clouds which obscure the heavens above. I was puzzled for pages about why Moses repeated the Torah, and he merely pronounces a *pasuk* in passing that resolves my inquiry. Such erudition! Jung and easily Freudened, I rejoiced and James Joyce'd when I came to the reasonably profound insight that you can't jump over your shadow, but it can trip you up. Thank you for your attention.

### Bibliography

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