

## Parashat Devarim

As we begin to study Sefer Devarim let us commence with a few comments about its provenance. As with any literary work, it will help us to understand the meaning of Sefer Devarim if we can appreciate who wrote it, when it was written, and for what purpose. Perhaps to some here this morning these questions are asking for a restatement of what is to them at least bleedingly obvious. After all, doesn't everyone know and accept that Sefer Devarim was written by Moshe? While it is certainly true that the Mosaic authorship of Devarim is commonly held - particularly in Orthodox Jewish and Evangelical Christian quarters - it must be observed that this belief is nowhere stated in either Sefer Devarim or the Torah in general. Indeed, the internal evidence of Sefer Devarim suggests that this is not in fact the case. As Devarim 34:5,7 states, "Then Moshe, the servant of the LORD, died there in the land of Moab... Moses was one hundred twenty years old when he died; his sight was unimpaired and his vigour had not abated." Even the most ardent believer in the Mosaic authorship of Sefer Devarim must admit that it would have been fairly impossible for Moshe to have written retrospectively about his own death! Indeed, I am struck by two statements in the opening paragraph of Sefer Devarim - statements which obviously help set the framework for what follows in the book. Thus we read, "Eleh hadevarim asher diber Moshe el-kol-Yisra'el be'ever haYarden bamidbar ba'Aravah mol Suf beyn-Paran uveyn-Tofel veLavan vaChatserot veDi Zahav." "These are the words that Moshe addressed to all Israel on the other side of the Jordan. - Through the wilderness, in the Arabah near Suph, between Paran and Tophel, Laban, Hazeroth, and Di-zahab." Again in verse 5 we are pointedly told, "On the other side of the Jordan, in the land of Moab, Moshe undertook to expound this Teaching." Now granted, it's entirely possible for someone to read Sefer Devarim, or any other book of the Bible for the matter, many times and to miss small details, but this small detail has huge implications. Obviously the statement "on the other side of the Jordan" means that whoever wrote Sefer Devarim was situated in Eretz Yisrael. In other words, since Moshe died outside the Land it is impossible that he actually wrote Sefer Devarim. A traditional response to this has been to suggest that if not Moshe then Yehoshua was the author, which would of course have the benefit of keeping the narrator close in spirit and in time to Moshe, for as Devarim 34:9 states, "Yehoshua son of Nun was full of the spirit of wisdom, because Moshe had laid his hands on him; and the Israelites obeyed him, doing as the LORD had commanded Moshe." But the internal evidence of Sefer Devarim would seem to discount Yehoshua. As we read in Devarim 34:10, "Never since has there arisen a prophet in Israel like Moses, whom the LORD knew face to face." Of course this statement would be pretty meaningless if Yehoshua was the author of Sefer Devarim and little to no time had elapsed since Moshe's death. To the contrary then, this statement would suggest that a considerable period of time had elapsed since Moshe's death before Sefer Devarim was written! We have this confirmed for us from other internal evidence of Sefer Devarim. In our portion, Devarim 2:12, for instance, we read, "Moreover, the Horim had formerly inhabited Seir, but the descendants of Esav dispossessed them, destroying them and settling in their place, as Israel has done in the land that the LORD gave them as a possession." The author describes the conquest of the Cisjordan as something that happened in the past; by definition, this must have been written

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*after* the settlement period, that is well after Yehoshua had died. Moreover, Devarim 3:11 adds, "Now only King Og of Bashan was left of the remnant of the Rephaim. In fact his bed, an iron bed, can still be seen in Rabbah of the Ammonites...." As Professor Christopher Rollston comments in an article at [TheTorah.com](http://TheTorah.com), "The text refers to Og's enormous bed as being in the capital city of Ammon, Rabbah. How did it get there? Would it not have been in Og's palace in the Bashan, now Israelite territory? This implies that the author is living at a much later time, and that the bed has somehow made its way from the Bashan to Rabbah and is on display there for any who care to see."

There is much more we could say about this but time does not suffice right now. Needless to say, however, I think we can quite confidently assert that Moshe did *not* write Sefer Devarim. In fact from the internal evidence of the book it is likely that Sefer Devarim does not date from the 13th Century BCE, i.e. contemporaneous with Moshe and Yehoshua and the settlement, but most probably dates from in and around the 7th Century BCE - i.e. sometime in between the fall of the northern Israelite Kingdom but *before* the fall of the Southern Kingdom. As Bernard Levinson, an eminent Professor of Classical and Near Eastern Studies, writes in the Jewish Study Bible, "Deuteronomy is likely not Mosaic in origin. More probably, the core of the book was written sometime during the 7th century BCE by educated scribes associated with Jerusalem's royal court. It has long been recognised that there are very striking similarities between the distinctive religious and legal requirements of Deuteronomy and the account of the major religious reform carried out by King Josiah in 622 BCE. That reform had been inspired by the discovery in the Temple of a "scroll of the Teaching" (2 Kings 22:8). Josiah's reform restricted all sacrificial worship of God to Jerusalem and removed foreign elements from the system of worship (technically, the 'cultus'); it culminated in the celebration of the first nationally centralised Passover at the Temple in Jerusalem (2 Kings chs 22-23). So strongly do these royal initiatives correspond to the distinctive requirements of Deuteronomy that scholars have long identified the "scroll of the Torah" discovered in Josiah's Temple as Deuteronomy, and thus have assigned the book a 7th century date."

The 'discovery' of the scroll of the Torah, reported in Mlakhim Bet, has always been something of a curiosity to me. As we read, "Hilkiyahu the cohen hagadol said to Shafan the secretary, "I have found the scroll of the Torah in the house of Adonai." Hilkiyah gave the scroll to Shafan, who read it.... Shafan the secretary... told the king, "Hilkiyah the cohen hagadol gave me a scroll." Then Shafan read it aloud before the king. After the king had heard what was written in the scroll of the Torah, he tore his clothes. Then the king issued this order to Hilkiyah the cohen, Achikam the son of Shafan, 'Akhbor the son of Mikhayah, Shafan the secretary and 'Asayah the king's servant: "Go; and consult Adonai for me, for the people and for all Y'hudah in regard to what is written in this scroll which has been found. For Adonai must be furious at us, since our ancestors did not listen to the words written in this scroll and didn't do everything written there that concerns us." So Hilkiyahu the cohen, Achikam, Akhbor, Shafan and 'Asayah went to Huldah the prophet, the wife of Shalum the son of Tikvah, the son of Harchas, keeper of the wardrobe — she lived in the Second Quarter of

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Yerushalayim — and spoke with her. She told them, “Adonai the God of Isra’el says to tell the man who sent you to me that Adonai says this: ‘I am going to bring calamity on this place and on its inhabitants, every word in the scroll the king of Y’hudah has read; because they have abandoned me and offered to other gods, in order to provoke me with everything they do. Therefore my anger will burn against this place and will not be quenched.’ But you are to tell the king of Y’hudah, who sent you to consult Adonai, that Adonai the God of Isra’el also says this: ‘In regard to the words you have heard, because your heart was tender, and you humbled yourself before Adonai when you heard what I said against this place and its inhabitants — that they would become an object of astonishment and cursing — and have torn your clothes and cried before me, I have also heard you, says Adonai. Therefore I will gather you to your ancestors, you will go to your grave in peace, and your eyes will not see all the calamity I am going to bring on this place.’” First of all we must ask, how was it possible that the Torah had been lost in the Temple for perhaps hundreds of years? Hardly! But then again perhaps the scroll that had been ‘discovered’ was actually the very recently written scroll of Devarim? As the Jewish Study Bible boldly declares, “The contents of this *scroll* and Josiah’s and the people’s reaction to it suggests that it was some form of the book of Deuteronomy.” Richard Friedman is equally as bold, “The book that the priest Hilkiah said he found in the Temple in 622 BC was Deuteronomy.” In fact many others, such as early Church Fathers including Jerome, have said that the book that was read to King Joisah was Deuteronomy. Modern scholarship concurs with the findings of the WML De Wette who in the early part of the nineteenth century investigated the origins of Devarim. He said that Devarim was not an old Mosiac book that had been lost for a long time and then found by the priest Hilkiah. Devarim, De Wette said, was written not long before it was ‘found’ in the Temple, and the ‘finding’ was just a charade. The book was written to provide grounds for Josiah’s religious reform.” As Freedman explains, “For example, the first commandment in the law code of Deuteronomy is to sacrifice to God only at a single place. Josiah did just that. He tore down all places of worship outside of the Temple. But this brought all the influence and income of the religion to the Jerusalem Priesthood, and it was a Jerusalem Temple priest who had found the book. Was centralisation of worship an old practice that had been lost some generations before Josiah? Or was it something new, conceived by the priestly leaders of Josiah’s own time to justify a religious reform that was in their own interest? De Wette pointed out that in the books of Samuel and Kings the early figures in Israel’s history know nothing of any centralisation law. Samuel, the prophet-priest-judge who anoints Saul and David, sacrifices in more than one place. The first three kings, Saul, David, and Solomon, also sacrifice at altars in various places. The text of the history in the books of Samuel and Kings, nonetheless, does not criticise Samuel, Saul, David, or Solomon for this at all. De Wette concluded that, from the earliest period of the history of the people in the land, there was no evidence of the existence of a law requiring that worship be in only one central place. From the law of centralisation and other matters, De Wette concluded that the Book of Deuteronomy was not a long-lost document, but rather was written not long before its ‘discovery’ by Hilkiah.”

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The purpose of Sefer Devarim, according to De Wette, was to legitimise the religious reforms that King Yoshiyahu was already making, and the effect of this was to elevate King Yoshiyahu to star status among the priests, as if this king was a new incarnation of Moshe. De Wette went so far as to call the writing and 'discovery' of Sefer Devarim a 'pious fraud' practiced both by the Jerusalem priests who likely wrote also 'discovered' it, and King Yoshiyahu, the new best king since sliced bread, whose religious reforms Devarim endorsed. These are strong words. However, if Sefer Devarim did actually come about in this way then I believe we should find empathy and understanding with the motivations of both king and priests in the pressing context of the time. To say that the Judeans were facing an existential crisis is to put it mildly, for they had recently witnessed the destruction of the northern Kingdom. Thousands of refugees had fled south seeking succour in Yoshiyahu's land, bringing with them horrendous tales of indiscriminate Assyrian slaughter, unspeakable barbarities, torture, rape, pillage and deportation. This Bas-relief from Nineveh portrays Assyrians impaling Israelites on spikes. Another here shows Assyrians counting the decapitated heads of their enemies. Indeed, the Assyrian wolves were already sniffing around the borders of the southern Kingdom looking for their next dinner! Thus a state of absolute crisis prevailed in the south. Josiah and the priests wondered what could be done to keep the enemy at bay and naturally their thoughts turned heavenward. It was clear to them that the northern Kingdom had fallen because of idolatry, and since the Assyrians were obviously therefore God's chosen instrument of punishment both king and priests therefore dedicated themselves to religious reform in the south. Their purpose was simply to bring the people back to Hashem. Not only is Sefer Devarim conspicuous for its stress on the centralisation of worship, but at its core is a retribitional theology which, for sure, states several blessings for obedience but it places *far* greater stress on curses for disobedience. This naturally reflected the southerners' total fear of the existential threat of Assyria and then also of Babylonia. This relative over emphasis on curses is itself reflected in the fact that while the blessings for obedience are detailed in just twelve verses in Devarim 28, the curses for disobedience are almost five times longer at 53 verses! Indeed, as we read through those curses it is possible to see close parallels in them to the events of the Assyrian destruction of the northern kingdom. The imprecations of Devarim 28 had actually happened in the north just recently. The message of Sefer Devarim to the southerners was therefore clear: be faithful to Hashem, support King Yoshiyahu and the priests in their reforms or the same things that happened in the north will happen to you! The chroniclers of the time lauded praise on Yoshiyahu for bringing the southern kingdom back to Hashem. Among the lists of good and bad kings in the books of first and second Kings and in first and second Chronicles Josiah is singled out for fulsome praise. Mlakhim Bet 22:2 thus declares that, "He did what was right from Adonai's perspective, living entirely in the manner of David his ancestor and turning away neither to the right nor to the left." Moreover, Mlakhim Bet 25:5 adds that, "No previous king was like him; because he turned to Adonai with all his heart, with all his being and with all his power, in accordance with all the Torah of Moshe; nor did any king like him arise afterwards." A pretty resounding approval of King Yoshiyahu, as I'm sure you'll agree! So why don't we hear more about Yoshiyahu? Why isn't he preached upon as much as King David with whom he is favourably compared? Perhaps

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because it all went horribly and suddenly wrong. It is a great of irony that, in contradiction to all the promises of blessing in Sefer Devarim, King Yoshiyahu didn't even live past his 38th year. Surely, according to Sefer Devarim, long life and a peaceful kingdom should have been his? After all, do we not read in Devarim 28, "Adonai will cause your enemies attacking you to be defeated before you; they will advance on you one way and flee before you seven ways." And yet King Yoshiyahu, the one whom Scripture declares was perhaps the greatest of all Israelite kings next to David, was killed by an Egyptian arrow while fighting against the Egyptian Pharaoh at the Battle of Megiddo. Other more evil kings lived longer lives and enjoyed longer reigns. This salient fact, along with other Biblical works of counter testimony like Kohelet and Iyov, put the retribitional theology of Sefer Devarim into relief and should cause us to stop and think about how we interpret God's actions in our own lives. The truth is that bad things happen to good people and good things happen to bad people and that's just how the cookie of life crumbles. As Kohelet argues, when good or bad things happen it's not necessarily anything to do with God. Yeshua concurred saying that God, "makes his sun shine on good and bad people alike, and he sends rain to the righteous and the unrighteous alike." Sefer Devarim's theology of blessing and curses, so particularly beloved of evangelical Christians, was a product of its time; it was a desperate response to an existential Judean crisis - an attempt to ward off impending doom. In the end, regardless of Yoshiyahu's reforms, the southern kingdom fell just as the north had - a victim of the rapidly changing geo-political realities of the ancient Middle East in which small kingdoms such as Judah simply could not find a space to exist any more in the midst of the great empires of first Assyria, then Babylon, Greece and Rome.