

## DEUTERONOMY

### D'VARIM

**1** These are the words that Moses 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, <sup>2</sup>it is eleven days from Horeb to Kadesh-barnea by the Mount Seir route.—<sup>3</sup>It was in the fortieth year, on the first day of the eleventh month, that Moses addressed the Israelites in accordance with the instructions that the Eternal had given him for them, <sup>4</sup>after he had defeated Sihon king of the Amorites, who dwelt in Heshbon, and King Og of Bashan, who dwelt at Ashteroth [and] Edrei. <sup>5</sup>On the other side of the Jordan, in the land of Moab, Moses undertook to expound this Teaching. He said:

<sup>6</sup>The Eternal our God spoke to us at Horeb, saying: You have stayed long enough **[DS1]** at this mountain. <sup>7</sup>Start out and make your way to the hill country of the Amorites and to all their neighbors in the Arabah, the hill country, the Shephelah, the Negeb, the seacoast, the land of the Canaanites, and the Lebanon, as far as the Great River, the river Euphrates. <sup>8</sup>See, I place the land at your disposal. Go, take possession of the land that the Eternal swore to your fathers, Abraham, Isaac, and Jacob **[DS2]**, to assign to them and to their heirs after them.

<sup>9</sup>Thereupon I said to you, “I cannot bear the burden of you by myself. <sup>10</sup>The Eternal your God has multiplied you until you are today as numerous as the stars in the sky.—<sup>11</sup>May the Eternal, the God of your fathers **[DS3]**, increase your numbers a thousandfold, and bless you as promised.—<sup>12</sup>How can I bear unaided the trouble of you, and the burden, and the bickering! <sup>13</sup>Pick from each of your tribes **men** **[DS4]** who are wise, discerning, and experienced, and I will appoint them as your heads.” <sup>14</sup>You answered me and said, “What you propose to do is good.” <sup>15</sup>So I took your tribal leaders, wise and experienced **men** **[DS5]**, and appointed them heads over you: chiefs of thousands, chiefs of hundreds, chiefs of fifties, and chiefs of tens, and officials for your tribes. <sup>16</sup>I charged your magistrates at that time as follows, “Hear out your fellow **men** **[DS6]**, and decide justly between any **one** **man** and a fellow Israelite or a stranger **[DS6]**. <sup>17</sup>You shall not be partial in judgment: hear out low and high alike. Fear no **man** **[DS7]**, for judgment is God’s. And any matter that is too difficult for you, you shall bring to me and I will hear it.” <sup>18</sup>Thus I instructed you, at that time, about the various things that you should do.

<sup>19</sup>We set out from Horeb and traveled the great and terrible wilderness that you saw, along the road to the hill country of the Amorites, as the Eternal our God had commanded us. When we reached Kadesh-barnea, <sup>20</sup>I said to you, “You have come to the hill country of the Amorites which the Eter-

nal our God is giving to us. <sup>21</sup>See, the Eternal your God has placed the land at your disposal. Go up, take possession, as the Eternal, the God of your fathers **[DS8]**, promised you. Fear not and be not dismayed.”

<sup>22</sup>Then all of you came to me and said, “Let us send **men** **[DS9]** ahead to reconnoiter the land for us and bring back word on the route we shall follow and the cities we shall come to.” <sup>23</sup>I approved of the plan, and so I selected twelve of your **men** **[DS10]**, one from each tribe. <sup>24</sup>They made for the hill country, came to the wadi Eshcol, and spied it out. <sup>25</sup>They took some of the fruit of the land with them and brought it down to us. And they gave us this report: “It is a good land that the Eternal our God is giving to us.”

<sup>26</sup>Yet you refused to go up, and flouted the command of the Eternal your God. <sup>27</sup>You sulked in your tents and said, “It is **because the Eternal hates us that He** **[DS11]** **out of hatred for us that the Eternal** brought us out of the land of Egypt, to hand us over to the Amorites to wipe us out. <sup>28</sup>What kind of place are we going to? Our kinsmen **[DS11]** have taken the heart out of us, saying, ‘We saw there a people stronger and taller than we, large cities with walls sky-high, and even Anakites.’”

<sup>29</sup>I said to you, “Have no dread or fear of them. <sup>30</sup>None other than the Eternal your God, who goes before you, will fight for you, just as **He** **[DS12]** did for you in Egypt before your very eyes **[DS12]**, <sup>31</sup>and in the wilderness, where you saw how the Eternal your God carried you, as a **man** **[DS13]** carries **his** **son** **[DS13]**, all the way that you traveled until you came to this place. <sup>32</sup>Yet for all that, you have no faith in the Eternal your God, <sup>33</sup>who goes before you on your journeys—to scout the place where you are to encamp—in fire by night and in cloud by day, in order to guide you on the route you are to follow.”

<sup>34</sup>~~When the~~ **The** Eternal heard your loud complaint, ~~He was and, becoming angry,~~ **He** vowed: <sup>35</sup>Not one of these **men** **[DS14]**, this evil generation, shall see the good land that I swore to give to your fathers **[DS15]**—<sup>36</sup>none except Caleb son of Jephunneh; he shall see it, and to him and his descendants will I give the land on which he set foot, because he remained loyal to the Eternal.—<sup>37</sup>Because of you the Eternal was incensed with me too, ~~saying and He said:~~ You shall not enter it either. <sup>38</sup>Joshua son of Nun, who attends you, he shall enter it. Imbue him with strength, for he shall allot it to Israel. <sup>39</sup>Moreover, your little ones who you said would be carried off, your children who do not yet know good from bad, they shall enter it; to them will I give it and they shall possess it. <sup>40</sup>As for you, turn about and march into the wilderness by the way of the Sea of Reeds.

<sup>41</sup>You replied to me, saying, “We stand guilty before the Eternal. We will go up now and fight, just as the Eternal our God commanded us.” And **one after the other, you** **[DS16]** **all** girded yourselves with war gear **[DS16]** and recklessly started for the hill country. <sup>42</sup>But the Eternal One said to me, “Warn them: Do not go up and do not fight, since I am not in your

midst; else you will be routed by your enemies.”<sup>43</sup>I spoke to you, but you would not listen; you flouted the Eternal’s command and willfully marched into the hill country.<sup>44</sup>Then the Amorites who lived in those hills came out against you like so many bees and chased you, and they crushed you at Hormah in Seir.<sup>45</sup>Again you wept before the Eternal; but the Eternal would not heed your cry or give ear to you.

<sup>46</sup>Thus, after you had remained at Kadesh all that long time, <sup>2</sup>we marched back into the wilderness by the way of the Sea of Reeds, as the Eternal had spoken to me, and skirted the hill country of Seir a long time.

<sup>2</sup>Then the Eternal One said to me: <sup>3</sup>You have been skirting this hill country long enough; now turn north. <sup>4</sup>And charge the people as follows: You will be passing through the territory of your kinsmen<sup>[DS17]</sup>, the descendants of Esau, who live in Seir. Though they will be afraid of you, be very careful <sup>5</sup>not to provoke them. For I will not give you of their land so much as a foot can tread on; I have given the hill country of Seir as a possession to Esau. <sup>6</sup>What food you eat you shall obtain from them for money; even the water you drink you shall procure from them for money. <sup>7</sup>Indeed, the Eternal your God has blessed you in all your undertakings. [God]He has watched over your wanderings through this great wilderness; the Eternal your God has been with you these past forty years: you have lacked nothing.

<sup>8</sup>We then moved on, away from our kinsmen, the descendants of Esau, who live in Seir, away from the road of the Arabah, away from Elath and Ezion-geber; and we marched on in the direction of the wilderness of Moab. <sup>9</sup>And the Eternal One said to me: Do not harass the Moabites or provoke them to war. For I will not give you any of their land as a possession; I have assigned Ar as a possession to the descendants of Lot.—

<sup>10</sup>It was formerly inhabited by the Emim, a people great and numerous, and as tall as the Anakites. <sup>11</sup>Like the Anakites, they are counted as Rephaim; but the Moabites call them Emim. <sup>12</sup>Similarly, Seir was formerly inhabited by the Horites; but the descendants of Esau dispossessed them, wiping them out and settling in their place, just as Israel did in the land they were to possess, which the Eternal had given to them.—

<sup>13</sup>Up now! Cross the wadi Zered!

So we crossed the wadi Zered. <sup>14</sup>The time that we spent in travel from Kadesh-barnea until we crossed the wadi Zered was thirty-eight years, until that whole generation of warriors had perished from the camp, as the Eternal had sworn concerning them. <sup>15</sup>Indeed, the hand of the Eternal struck them, to root them out from the camp to the last man until they were finished off<sup>[DS18]</sup>.

<sup>16</sup>When all the warriors among the people had died off, <sup>17</sup>the Eternal One spoke to me, saying: <sup>18</sup>You are now passing through the territory of Moab, through Ar. <sup>19</sup>You will then be close to the Ammonites; do not harass them or start a fight with them. For I will not give any part of the land of the

Ammonites to you as a possession; I have assigned it as a possession to the descendants of Lot.—

<sup>20</sup>It, too, is counted as Rephaim country. It was formerly inhabited by Rephaim, whom the Ammonites call Zamzumim, <sup>21</sup>a people great and numerous and as tall as the Anakites. The Eternal wiped them out, so that [the Ammonites] dispossessed them and settled in their place, <sup>22</sup>as He<sup>[God]</sup> did for the descendants of Esau who live in Seir, when He wiped by wiping out the Horites before them, so that they dispossessed them and settled in their place, as is still the case. <sup>23</sup>So, too, with the Avvim who dwelt in villages in the vicinity of Gaza: the Caphtorim, who came from Crete, wiped them out and settled in their place.—

<sup>24</sup>Up! Set out across the wadi Arnon! See, I give into your power Sihon the Amorite, king of Heshbon, and his land. Begin the occupation: engage him in battle. <sup>25</sup>This day I begin to put the dread and fear of you upon the peoples everywhere under heaven, so that they shall tremble and quake because of you whenever they hear you mentioned.

<sup>26</sup>Then I sent messengers from the wilderness of Kedemoth to King Sihon of Heshbon with an offer of peace, as follows, <sup>27</sup>“Let me pass through your country. I will keep strictly to the highway, turning off neither to the right nor to the left. <sup>28</sup>What food I eat you will supply for money, and what water I drink you will furnish for money; just let me pass through—<sup>29</sup>as the descendants of Esau who dwell in Seir did for me, and the Moabites who dwell in Ar—that I may cross the Jordan into the land that the Eternal our God is giving us.”

<sup>30</sup>But King Sihon of Heshbon refused to let us pass through, because the Eternal had stiffened his will and hardened his heart in order to deliver him into your power—as is now the case. <sup>31</sup>And the Eternal One said to me: See, I begin by placing Sihon and his land at your disposal. Begin the occupation; take possession of his land.

<sup>32</sup>Sihon with all his men<sup>[DS19]</sup> took the field against us at Jahaz, <sup>33</sup>and the Eternal our God delivered him to us and we defeated him and his sons and all his mentroops. <sup>34</sup>At that time we captured all his towns, and we doomed every town—men<sup>[DS20]</sup>, women, and children—leaving no survivor. <sup>35</sup>We retained as booty only the cattle and the spoil of the cities that we captured. <sup>36</sup>From Aroer on the edge of the Arnon valley, including the town in the valley itself, to Gilead, not a city was too mighty for us; the Eternal our God delivered everything to us. <sup>37</sup>But you did not encroach upon the land of the Ammonites, all along the wadi Jabbok and the towns of the hill country, just as the Eternal our God had commanded.

<sup>3</sup>We made our way up the road toward Bashan, and King Og of Bashan with all his mentroops took the field against us at Edrei. <sup>2</sup>But the Eternal One said to me: Do not fear him, for I

am delivering him and all his **mentroops** and his country into your power, and you will do to him as you did to Sihon king of the Amorites, who lived in Heshbon.

<sup>3</sup>So the Eternal our God also delivered into our power King Og of Bashan, with all his **mentroops**, and we dealt them such a blow that no survivor was left. <sup>4</sup>At that time we captured all his towns; there was not a town that we did not take from them: sixty towns, the whole district of Argob, the kingdom **[DS21]** of Og in Bashan—<sup>5</sup>all those towns were fortified with high walls, gates, and bars—apart from a great number of unwallied towns. <sup>6</sup>We doomed them as we had done in the case of King Sihon of Heshbon; we doomed every town—men, women, and children—<sup>7</sup>and retained as booty all the cattle and the spoil of the towns.

<sup>8</sup>Thus we seized, at that time, from the two Amorite kings, the country beyond the Jordan, from the wadi Arnon to Mount Hermon—<sup>9</sup>Sidonians called Hermon Sirion, and the Amorites call it Senir—<sup>10</sup>all the towns of the Tableland and the whole of Gilead and Bashan as far as Salcah and Edrei, the towns of Og's kingdom in Bashan. <sup>11</sup>Only King Og of Bashan was left of the remaining Rephaim. His bedstead, an iron bedstead, is now in Rabbah of the Ammonites; it is nine cubits long and four cubits wide, by the standard cubit!

<sup>12</sup>And this is the land which we apportioned at that time: The part from Aroer along the wadi Arnon, with part of the hill country of Gilead and its towns, I assigned to the Reubenites and the Gadites. <sup>13</sup>The rest of Gilead, and all of Bashan under Og's rule—the whole Argob district, all that part of Bashan which is called Rephaim country—I assigned to the half-tribe of Manasseh. <sup>14</sup>Jair son of Manasseh received the whole Argob district (that is, Bashan) as far as the boundary of the Geshurites and the Maacathites, and named it after himself: Havvoth-jair—as is still the case. <sup>15</sup>To Machir I assigned Gilead. <sup>16</sup>And to the Reubenites and the Gadites I assigned the part from Gilead down to the wadi Arnon, the middle of the wadi being the boundary, and up to the wadi Jabbok, the boundary of the Ammonites.

<sup>17</sup>[We also seized] the Arabah, from the foot of the slopes of Pisgah on the east, to the edge of the Jordan, and from Chinnereth down to the sea of the Arabah, the Dead Sea.

<sup>18</sup>At that time I charged you **[men of Reuben, Gad, and Manasseh]** **[DS22]**, saying, “The Eternal your God has given you this country to possess. You must go as shock-troops, warriors all, at the head of your Israelite kin**smen** **[DS23]**. <sup>19</sup>Only your wives, children, and livestock—I know that you have much livestock—shall be left in the towns I have assigned to you, <sup>20</sup>until the Eternal has granted your kin**smen** a haven such as you have, and they too have taken possession of the land that the Eternal your God is assigning them, beyond the Jordan. Then you may return each to the homestead that I have assigned to him **[DS24]**.”

<sup>21</sup>I also charged Joshua at that time, saying, “You have seen with your own eyes all that the Eternal your God has done to these two kings; so shall the Eternal do to all the

kingdoms into which you shall cross over. <sup>22</sup>Do not fear them, for it is the Eternal your God who will battle for you.”

#### VA-ET'CHANAN

<sup>23</sup>I pleaded with the Eternal at that time, saying, <sup>24</sup>“O Eternal God, You who let Your servant see the first works of Your greatness and Your mighty hand, You whose powerful deeds no god in heaven or on earth can equal! <sup>25</sup>Let me, I pray, cross over and see the good land on the other side of the Jordan, that good hill country, and the Lebanon.” <sup>26</sup>But the Eternal was wrathful with me on your account and would not listen to me. The Eternal One said to me, “Enough! Never speak to Me of this matter again! <sup>27</sup>Go up to the summit of Pisgah and gaze about, to the west, the north, the south, and the east. Look at it well, for you shall not go across yonder Jordan. <sup>28</sup>Give Joshua his instructions, and imbue him with strength and courage, for he shall go across at the head of this people, and he shall allot to them the land that you may only see.”

<sup>29</sup>Meanwhile we stayed on in the valley near Beth-peor.

<sup>4</sup>And now, O Israel, give heed to the laws and rules that I am instructing you to observe, so that you may live to enter and occupy the land that the Eternal, the God of your **father-ancestors**, is giving you **[DS25]**. <sup>2</sup>You shall not add anything to what I command you **nor** **[DS26]** take anything away from it, but keep the commandments of the Eternal your God that I enjoin upon you. <sup>3</sup>You saw with your own eyes what the Eternal did in the matter of Baal-peor, that the Eternal your God wiped out from among you every person who followed Baal-peor; <sup>4</sup>while you, who held fast to the Eternal your God, are all alive today.

<sup>5</sup>See, I have imparted to you laws and rules, as the Eternal my God has commanded me, for you to abide by in the land that you are about to enter and occupy. <sup>6</sup>Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who on hearing of all these laws will say, “Surely, that great nation is a wise and discerning people.” <sup>7</sup>For what great nation is there that has a god so close at hand as is the Eternal our God whenever we call **upon Him** **[DS27]**? <sup>8</sup>Or what great nation has laws and rules as perfect as all this Teaching that I set before you this day?

<sup>9</sup>But take utmost care and watch yourselves scrupulously, so that you do not forget the things that you saw with your own eyes and so that they do not fade from your mind as long as you live. And make them known to your children **[DS28]** and to your children's children: <sup>10</sup>The day you stood before the Eternal your God at Horeb, when the Eternal One said to Me, “Gather the people to Me that I may let them hear My words, in order that they may learn to revere Me as long as they live on earth, and may so teach their children.”

<sup>11</sup>You came forward and stood at the foot of the mountain.

The mountain was ablaze with flames to the very skies, dark with densest clouds. <sup>12</sup>The Eternal One spoke to you out of the fire; you heard the sound of words but perceived no shape—nothing but a voice. <sup>13</sup>~~He~~[God] declared to you the covenant that ~~He~~you were commanded ~~you~~ to observe, the Ten Commandments; ~~and He inscribed,~~ inscribing them on two tablets of stone. <sup>14</sup>At the same time the Eternal commanded me to impart to you laws and rules for you to observe in the land that you are about to cross into and occupy.

<sup>15</sup>For your own sake, therefore, be most careful—since you saw no shape when the Eternal your God spoke to you at Horeb out of the fire—<sup>16</sup>not to act wickedly and make for yourselves a sculptured image in any likeness whatever: the form of a man or a woman, <sup>17</sup>the form of any beast on earth, the form of any winged bird that flies in the sky, <sup>18</sup>the form of anything that creeps on the ground, the form of any fish that is in the waters below the earth. <sup>19</sup>And when you look up to the sky and behold the sun and the moon and the stars, the whole heavenly host, you must not be lured into bowing down to them or serving them. These the Eternal your God allotted to other peoples everywhere under heaven; <sup>20</sup>but you the Eternal took and brought out of Egypt, that iron blast furnace, to be His God's very own people, as is now the case.

<sup>21</sup>Now the Eternal was angry with me on your account and swore that I should not cross the Jordan and enter the good land that the Eternal your God is assigning you as a heritage. <sup>22</sup>For I must die in this land; I shall not cross the Jordan. But you will cross and take possession of that good land. <sup>23</sup>Take care, then, not to forget the covenant that the Eternal your God concluded with you, and not to make for yourselves a sculptured image in any likeness, against which the Eternal your God has enjoined you. <sup>24</sup>For the Eternal your God is a consuming fire, an impassioned God.

<sup>25</sup>When you have begotten children and children's children and are long established in the land, should you act wickedly and make for yourselves a sculptured image in any likeness, causing the Eternal your God displeasure and vexation, <sup>26</sup>I call heaven and earth this day to witness against you that you shall soon perish from the land that you are crossing the Jordan to possess; you shall not long endure in it, but shall be utterly wiped out. <sup>27</sup>The Eternal will scatter you among the peoples, and only a scant few of you shall be left among the nations to which the Eternal will drive you. <sup>28</sup>There you will serve ~~man-made~~ gods of wood and stone, made by human hands, [DS29] that cannot see or hear or eat or smell.

<sup>29</sup>But if you search there ~~for the Eternal your God,~~ you will find ~~Him~~ the Eternal your God, if only you seek Him with all your heart and soul—<sup>30</sup>when you are in distress because all these things have befallen you and, in the end, return to and obey the Eternal your God ~~and obey Him~~. <sup>31</sup>For the Eternal your God is a compassionate God: He, who will not fail you nor ~~will He~~ let you perish; [God] He will not forget the covenant ~~which He~~ made on oath [DS30] with your fathers [DS31].

<sup>32</sup>You have but to inquire about bygone ages that came before you, ever since God created manhumankind [DS32] on earth, from one end of heaven to the other: has anything as grand as this ever happened, or has its like ever been known? <sup>33</sup>Has any people heard the voice of a god speaking out of a fire, as you have, and survived? <sup>34</sup>Or has any goddeity ventured to go and take ~~for himself~~ [DS33] one nation from the midst of another by prodigious acts, by signs and portents, by war, by a mighty and an outstretched arm and awesome power, as the Eternal your God did for you in Egypt before your very eyes? <sup>35</sup>It has been clearly demonstrated to you that the Eternal alone is God; there is none beside Himelse. <sup>36</sup>From the heavens He[God] let you hear Histhe divine voice [DS34] to discipline you; on earth He[God] let you see Histhe great divine fire; and from amidst that fire you heard HisGod's words. <sup>37</sup>And because Hehaving loved your father-ancestors [DS35], He[God] chose their heirs after them; HeHimself[God] personally [DS36], —in Hisgreat, divine might, —led you out of Egypt, <sup>38</sup>to drive from your path nations greater and more populous than you, to take you into their land and assign it to you as a heritage, as is still the case. <sup>39</sup>Know therefore this day and keep in mind that the Eternal alone is God in heaven above and on earth below; there is no other. <sup>40</sup>Observe HisGod's laws and commandments, which I enjoin upon you this day, that it may go well with you and your children after you, and that you may long remain in the land that the Eternal your God is assigning to you for all time.

<sup>41</sup>Then Moses set aside three cities on the east side of the Jordan <sup>42</sup>to which a manslayer[male] killer [DS37] could escape, one who unwittingly slew a fellow man[Israelite] [DS38] without having been hostile to him[the victim] [DS39] in the past; he could flee to one of these cities and live: <sup>43</sup>Bezer, in the wilderness in the Tableland, belonging to the Reubenites; Ramoth, in Gilead, belonging to the Gadites; and Golan, in Bashan, belonging to the Manassites.

<sup>44</sup>This is the Teaching that Moses set before the Israelites: <sup>45</sup>these are the decrees, laws, and rules that Moses addressed to the people of Israel, after they had left Egypt, <sup>46</sup>beyond the Jordan, in the valley at Beth-peor, in the land of King Sihon of the Amorites, who dwelt in Heshbon, whom Moses and the Israelites defeated after they had left Egypt. <sup>47</sup>They had taken possession of his country and that of King Og of Bashan—the two kings of the Amorites—which were on the east side of the Jordan <sup>48</sup>from Aroer on the banks of the wadi Arnon, as far as Mount Sion, that is, Hermon; <sup>49</sup>also the whole Arabah on the east side of the Jordan, as far as the Sea of the Arabah, at the foot of the slopes of Pisgah.

**5** Moses summoned all the Israelites and said to them: Hear, O Israel, the laws and rules that I proclaim to you this day! Study them and observe them faithfully!

<sup>2</sup>The Eternal our God made a covenant with us at Horeb.  
<sup>3</sup>It was not with our ~~fathers~~~~ancestors~~<sup>[DS40]</sup> that the Eternal made this covenant, but with us, the living, every one of us who is here today. <sup>4</sup>Face to face the Eternal One spoke to you on the mountain out of the fire—<sup>5</sup>I stood between the Eternal and you at that time to convey the Eternal's words to you, for you were afraid of the fire and did not go up the mountain—saying:

<sup>6</sup>I the Eternal am your God who brought you out of the land of Egypt, the house of bondage: <sup>7</sup>You<sup>[DS41]</sup> shall have no other gods beside Me.

<sup>8</sup>You shall not make for yourself a sculptured image, any likeness of what is in the heavens above, or on the earth below, or in the waters below the earth. <sup>9</sup>You shall not bow down to them or serve them. For I the Eternal your God am an impassioned God, visiting the guilt of the parents upon the children, upon the third and upon the fourth generations of those who reject Me, <sup>10</sup>but showing kindness to the thousandth generation of those who love Me and keep My commandments.

<sup>11</sup>You shall not swear falsely by the name of the Eternal your God; for the Eternal will not clear one who swears falsely by ~~His~~~~God's~~ name.

<sup>12</sup>Observe the sabbath day and keep it holy, as the Eternal your God has commanded you. <sup>13</sup>Six days you shall labor and do all your work, <sup>14</sup>but the seventh day is a sabbath of the Eternal your God; you shall not do any work—you<sup>[DS42]</sup>, your son or your daughter, your male or female slave, your ox or your ass, or any of your cattle, or the stranger in your settlements, so that your male and female slave may rest as you do. <sup>15</sup>Remember that you were a slave in the land of Egypt and the Eternal your God freed you from there with a mighty hand and an outstretched arm; therefore the Eternal your God has commanded you to observe the sabbath day.

<sup>16</sup>Honor your father and your mother, as the Eternal your God has commanded you, that you may long endure, and that you may fare well, in the land that the Eternal your God is assigning to you.

<sup>17</sup>You shall not murder.

You shall not commit adultery.

You shall not steal.

You shall not bear false witness against your neighbor.

<sup>18</sup>You ~~[men]~~ shall not covet your neighbor's wife<sup>[DS43]</sup>. ~~You shall not~~~~Likewise, none of you shall~~ crave your neighbor's house<sup>[DS44]</sup>, or ~~his~~ field, or ~~his~~ male or female slave, or ~~his~~ ox, or ~~his~~ ass, or anything that is your neighbor's.

<sup>19</sup>The Eternal One spoke those words—those and no more—to your whole congregation at the mountain, with a mighty voice out of the fire and the dense clouds. ~~He~~~~[God]~~ inscribed them on two tablets of stone, ~~which He and~~ gave ~~them~~ to me. <sup>20</sup>When you heard the voice out of the darkness, while the mountain was ablaze with fire, you came up to me, all your tribal heads and elders, <sup>21</sup>and said, “The Eternal our God has just shown us ~~a~~~~His~~ majestic Presence, and we have

heard ~~His~~~~God's~~ voice out of the fire; we have seen this day that ~~man~~~~humankind~~<sup>[DS45]</sup> may live though ~~addressed by~~ God ~~has spoken to him~~. <sup>22</sup>Let us not die, then, for this fearsome fire will consume us; if we hear the voice of the Eternal our God any longer, we shall die. <sup>23</sup>For what mortal<sup>[DS46]</sup> ever heard the voice of the living God speak out of the fire, as we did, and lived? <sup>24</sup>You go closer and hear all that the Eternal our God says, and then you tell us everything that the Eternal our God tells you, and we will willingly do it.”

<sup>25</sup>The Eternal heard the plea that you made to me, and the Eternal One said to me, “I have heard the plea that this people made to you; they did well to speak thus. <sup>26</sup>May they always be of such mind, to revere Me and follow all My commandments, that it may go well with them and with their children forever! <sup>27</sup>Go, say to them, ‘Return to your tents.’ <sup>28</sup>But you remain here with Me, and I will give you the whole Instruction—the laws and the rules—that you shall impart to them, for them to observe in the land that I am giving them to possess.”

<sup>29</sup>Be careful, then, to do as the Eternal your God has commanded you. Do not turn aside to the right or to the left: <sup>30</sup>follow only the path that the Eternal your God has enjoined upon you, so that you may thrive and that it may go well with you, and that you may long endure in the land you are to possess.

**¶**And this is the Instruction—the laws and the rules—that the Eternal your God has commanded [me] to impart to you, to be observed in the land that you are about to cross into and occupy, <sup>2</sup>so that you, your children, and your children's children may revere the Eternal your God and follow, as long as you live, all ~~His~~~~the divine~~ laws and commandments that I enjoin upon you, to the end that you may long endure. <sup>3</sup>Obey, O Israel, willingly and faithfully, that it may go well with you and that you may increase greatly [in] a land flowing with milk and honey, as the Eternal, the God of your ~~fathers~~~~ances-~~~~tors~~<sup>[DS47]</sup>, spoke to you.

<sup>4</sup>Hear, O Israel! The Eternal is our God, the Eternal alone. <sup>5</sup>You shall love the Eternal your God with all your heart, with all your soul, and with all your might. <sup>6</sup>Take to heart these instructions with which I charge you this day. <sup>7</sup>Impress them upon your children. Recite them when you stay at home and when you are away, when you lie down and when you get up. <sup>8</sup>Bind them as a sign on your hand and let them serve as a symbol on your forehead; <sup>9</sup>inscribe them on the doorposts of your house and on your gates.

<sup>10</sup>When the Eternal your God brings you into the land that ~~He~~~~was~~ sworn to your fathers<sup>[DS48]</sup>, Abraham, Isaac, and Jacob, to ~~be~~ assigned<sup>[DS49]</sup> to you—great and flourishing cities that you did not build, <sup>11</sup>houses full of all good things that you did not fill, hewn cisterns that you did not hew, vineyards and olive groves that you did not plant—and you eat your fill, <sup>12</sup>take heed that you do not forget the Eternal who

freed you from the land of Egypt, the house of bondage. <sup>13</sup>Revere only the Eternal your God and worship **Him[God]** alone, and swear only by **HisGod's** name. <sup>14</sup>Do not follow other gods, any gods of the peoples about you—<sup>15</sup>for the Eternal your God in your midst is an impassioned God—lest the anger of the Eternal your God blaze forth against you, **wipingand He wipe** you off the face of the earth.

<sup>16</sup>Do not try the Eternal your God, as you did at Massah. <sup>17</sup>Be sure to keep the commandments, decrees, and laws that the Eternal your God has enjoined upon you. <sup>18</sup>Do what is right and good in the sight of the Eternal, that it may go well with you and that you may be able to possess the good land that the Eternal your God promised on oath to your fathers**[DS50]**, <sup>19</sup>and that all your enemies may be driven out before you, as the Eternal has spoken.

<sup>20</sup>When, in time to come, your children ask you, “What mean the decrees, laws, and rules that the Eternal our God has enjoined upon you?” <sup>21</sup>you shall say to your children, “We were slaves to Pharaoh in Egypt and the Eternal freed us from Egypt with a mighty hand. <sup>22</sup>The Eternal wrought before our eyes marvelous and destructive signs and portents in Egypt, against Pharaoh and all his household; <sup>23</sup>and us **He[God]** freed from there, **that He might in order to[DS51]** take us and give us the land ~~that He had~~ promised on oath to our fathers**[DS52]**. <sup>24</sup>Then the Eternal commanded us to observe all these laws, to revere the Eternal our God, for our lasting good and for our survival, as is now the case. <sup>25</sup>It will be therefore to our merit before the Eternal our God to observe faithfully this whole Instruction, as **He[God]** has commanded us.”

<sup>7</sup>When the Eternal your God brings you to the land that you are about to enter and possess, and **He[God]** dislodges many nations before you—the Hittites, Girgashites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites, seven nations much larger than you—<sup>2</sup>and the Eternal your God delivers them to you and you defeat them, you must doom them to destruction: grant them no terms and give them no quarter. <sup>3</sup>You shall not intermarry with them: do not give your daughters to their sons or take their daughters for your sons. <sup>4</sup>For they will turn your children away from Me to worship other gods, and the Eternal's anger will blaze forth against you, ~~and He will~~ promptly **wipinge** you out. <sup>5</sup>Instead, this is what you shall do to them: you shall tear down their altars, smash their pillars, cut down their sacred posts, and consign their images to the fire.

<sup>6</sup>For you are a people consecrated to the Eternal your God: of all the peoples on earth the Eternal your God chose you to be **HisGod's** treasured people. <sup>7</sup>It is not because you are the most numerous of peoples that the Eternal **set His heart on grew attached to[DS53]** you and chose you—indeed, you are the smallest of peoples; <sup>8</sup>but it was because the Eternal favored you and kept the oath ~~He~~ made to your fathers**[DS54]** that the Eternal freed you with a mighty hand and

rescued you from the house of bondage, from the power of Pharaoh king of Egypt.

<sup>9</sup>Know, therefore, that only the Eternal your God is God, the steadfast God who keeps **Histhe divine** covenant faithfully to the thousandth generation of those who love **Him[God]** and keep **Histhe divine** commandments, <sup>10</sup>but who instantly requites with destruction those who reject **Him[God]**—never slow with those who reject **Him**, but requiring them instantly. <sup>11</sup>Therefore, observe faithfully the Instruction—the laws and the rules—with which I charge you today.

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<sup>12</sup>And if you do obey these rules and observe them carefully, the Eternal your God will maintain faithfully for you the covenant ~~that He~~ made on oath with your fathers**[DS55]**: <sup>13</sup>**He[God]** will favor you and bless you and multiply you; **He will — blessing** the issue of your womb**[DS56]** and the produce of your soil, your new grain and wine and oil, the calving of your herd and the lambing of your flock, in the land **that He swore sworn** to your fathers to **be assigned** to you. <sup>14</sup>You shall be blessed above all other peoples: there shall be no sterile male or female among you or among your livestock. <sup>15</sup>The Eternal will ward off from you all sickness; **He[God]** will not bring upon you any of the dreadful diseases of Egypt, about which you know, but will inflict them upon all your enemies.

<sup>16</sup>You shall destroy all the peoples that the Eternal your God delivers to you, showing them no pity. And you shall not worship their gods, for that would be a snare to you. <sup>17</sup>Should you say to yourselves, “These nations are more numerous than we; how can we dispossess them?” <sup>18</sup>You need have no fear of them. You have but to bear in mind what the Eternal your God did to Pharaoh and all the Egyptians: <sup>19</sup>the wondrous acts that you saw with your own eyes, the signs and the portents, the mighty hand, and the outstretched arm by which the Eternal your God liberated you. Thus will the Eternal your God do to all the peoples you now fear. <sup>20</sup>The Eternal your God will also send a plague against them, until those who are left in hiding perish before you. <sup>21</sup>Do not stand in dread of them, for the Eternal your God is in your midst, a great and awesome God.

<sup>22</sup>The Eternal your God will dislodge those peoples before you little by little; you will not be able to put an end to them at once, else the wild beasts would multiply to your hurt. <sup>23</sup>The Eternal your God will deliver them up to you, throwing them into utter panic until they are wiped out. <sup>24</sup>**He[God]** will deliver their kings into your hand, and you shall obliterate their name from under the heavens; no **manone[DS57]** shall stand up to you, until you have wiped them out.

<sup>25</sup>You shall consign the images of their gods to the fire; you shall not covet the silver and gold on them and keep it for yourselves, lest you be ensnared thereby; for that is abhorrent

to the Eternal your God. <sup>26</sup>You must not bring an abhorrent thing into your house, or you will be proscribed like it; you must reject it as abominable and abhorrent, for it is proscribed.

**8**You shall faithfully observe all the Instruction that I enjoin upon you today, that you may thrive and increase and be able to possess the land that the Eternal promised on oath to your fathers<sup>[DS58]</sup>.

<sup>2</sup>Remember the long way that the Eternal your God has made you travel in the wilderness these past forty years, ~~that He might in order to~~ test you by hardships to learn what was in your hearts: whether you would keep ~~His~~<sup>the divine</sup> commandments or not. <sup>3</sup>~~He~~<sup>[God]</sup> subjected you to the hardship of hunger and then gave you manna to eat, which neither you nor your fathers<sup>ancestors</sup><sup>[DS59]</sup> had ever known, in order to teach you that ~~mana~~<sup>human being</sup> does not live on bread alone, but that ~~man~~<sup>one</sup> may live on anything that the Eternal decrees<sup>[DS60]</sup>. <sup>4</sup>The clothes upon you did not wear out, nor did your feet swell these forty years. <sup>5</sup>Bear in mind that the Eternal your God disciplines you just as a ~~man~~<sup>parent</sup> disciplines ~~his son~~<sup>a child</sup><sup>[DS61]</sup>. <sup>6</sup>Therefore keep the commandments of the Eternal your God: walk in ~~His~~<sup>God's</sup> ways and ~~revere~~<sup>Him</sup>~~show reverence~~.

<sup>7</sup>For the Eternal your God is bringing you into a good land, a land with streams and springs and fountains issuing from plain and hill; <sup>8</sup>a land of wheat and barley, of vines, figs, and pomegranates, a land of olive trees and honey; <sup>9</sup>a land where you may eat food without stint, where you will lack nothing; a land whose rocks are iron and from whose hills you can mine copper. <sup>10</sup>When you have eaten your fill, give thanks to the Eternal your God for the good land ~~which He has given to~~ you.

<sup>11</sup>Take care lest you forget the Eternal your God and fail to keep ~~His~~<sup>the divine</sup> commandments, ~~His~~ rules, and ~~His~~ laws<sup>[DS62]</sup> which I enjoin upon you today. <sup>12</sup>When you have eaten your fill, and have built fine houses to live in, <sup>13</sup>and your herds and flocks have multiplied, and your silver and gold have increased, and everything you own has prospered, <sup>14</sup>beware lest your heart grow haughty and you forget the Eternal your God—who freed you from the land of Egypt, the house of bondage; <sup>15</sup>who led you through the great and terrible wilderness with its *seraph* serpents and scorpions, a parched land with no water in it, who brought forth water for you from the flinty rock; <sup>16</sup>who fed you in the wilderness with manna, which your fathers<sup>ancestors</sup><sup>[DS63]</sup> had never known, in order to test you by hardships only to benefit you in the end—<sup>17</sup>and you say to yourselves, “My own power and the might of my own hand have won this wealth for me.” <sup>18</sup>Remember that it is the Eternal your God who gives you the power to get wealth, in fulfillment of the covenant—~~that He made on oath with your fathers~~<sup>[DS64]</sup>, as is still the case.

<sup>19</sup>If you do forget the Eternal your God and follow other gods to serve them or bow down to them, I warn you this day that you shall certainly perish; <sup>20</sup>like the nations that the Eternal will cause to perish before you, so shall you perish—because you did not heed the Eternal your God.

**9**Hear, O Israel! You are about to cross the Jordan to go in and dispossess nations greater and more populous than you: great cities with walls sky-high; <sup>2</sup>a people great and tall, the Anakites, of whom you have knowledge; for you have heard it said, “Who can stand up to the children of Anak?” <sup>3</sup>Know then this day that none other than the Eternal your God is crossing at your head, a devouring fire; it is ~~He~~<sup>[God]</sup> who will wipe them out—~~He will~~—~~subduing~~<sup>subduing</sup> them before you, that you may quickly dispossess and destroy them, as the Eternal promised you. <sup>4</sup>And when the Eternal your God has thrust them from your path, say not to yourselves, “The Eternal has enabled us to possess this land because of our virtues”; it is rather because of the wickedness of those nations that the Eternal is dispossessing them before you. <sup>5</sup>It is not because of your virtues and your rectitude that you will be able to possess their country; but it is because of their wickedness that the Eternal your God is dispossessing those nations before you, and in order to fulfill the oath that the Eternal made to your fathers<sup>[DS65]</sup>, Abraham, Isaac, and Jacob.

<sup>6</sup>Know, then, that it is not for any virtue of yours that the Eternal your God is giving you this good land to possess; for you are a stiffnecked people. <sup>7</sup>Remember, never forget, how you provoked the Eternal your God to anger in the wilderness: from the day that you left the land of Egypt until you reached this place, you have continued defiant toward the Eternal.

<sup>8</sup>At Horeb you so provoked the Eternal that the Eternal was angry enough with you to have destroyed you. <sup>9</sup>I had ascended the mountain to receive the tablets of stone, the Tablets of the Covenant that the Eternal had made with you, and I stayed on the mountain forty days and forty nights, eating no bread and drinking no water. <sup>10</sup>And the Eternal gave me the two tablets of stone inscribed by the finger of God, with the exact words that the Eternal had addressed to you on the mountain out of the fire on the day of the Assembly.

<sup>11</sup>At the end of those forty days and forty nights, the Eternal gave me the two tablets of stone, the Tablets of the Covenant. <sup>12</sup>And the Eternal One said to me, “Hurry, go down from here at once, for the people whom you brought out of Egypt have acted wickedly; they have been quick to stray from the path that I enjoined upon them; they have made themselves a molten image.” <sup>13</sup>The Eternal further said to me, “I see that this is a stiffnecked people. <sup>14</sup>Let Me alone and I will destroy them and blot out their name from under heaven, and I will make you a nation far more numerous than they.”

<sup>15</sup>I started down the mountain, a mountain ablaze with fire, the two Tablets of the Covenant in my two hands. <sup>16</sup>I saw how you had sinned against the Eternal your God: you

had made yourselves a molten calf; you had been quick to stray from the path that the Eternal had enjoined upon you. <sup>17</sup>Thereupon I gripped the two tablets and flung them away with both my hands, smashing them before your eyes. <sup>18</sup>I threw myself down before the Eternal—eating no bread and drinking no water forty days and forty nights, as before—because of the great wrong you had committed, doing what displeased and vexed the Eternal and vexing Him. <sup>19</sup>For I was in dread of the Eternal's fierce anger against you; which moved the Eternal Him to wipe you out. And that time, too, the Eternal gave heed to me.—<sup>20</sup>Moreover, the Eternal was angry enough with Aaron to have destroyed him; so I also interceded for Aaron at that time.—<sup>21</sup>As for that sinful thing you had made, the calf, I took it and put it to the fire; I broke it to bits and ground it thoroughly until it was fine as dust, and I threw its dust into the brook that comes down from the mountain.

<sup>22</sup>Again you provoked the Eternal at Taberah, and at Massah, and at Kibroth-hattaavah.

<sup>23</sup>And when the Eternal sent you on from Kadesh-barnea, saying, “Go up and take possession of the land that I am giving you,” you flouted the command of the Eternal your God; —whom you did not put your trust in nor Him and did not obey Him.

<sup>24</sup>As long as I have known you, you have been defiant toward the Eternal.

<sup>25</sup>When I lay prostrate before the Eternal those forty days and forty nights, because the Eternal was determined to destroy you, <sup>26</sup>I prayed to the Eternal and said, “O Eternal God, do not annihilate Your very own people, whom You redeemed in Your majesty and whom You freed from Egypt with a mighty hand. <sup>27</sup>Give thought to Your servants, Abraham, Isaac, and Jacob, and pay no heed to the stubbornness of this people, its wickedness, and its sinfulness. <sup>28</sup>Else the country from which You freed us will say, ‘It was because the Eternal was powerless to bring them into the land that He had promised to them, and because of having He rejected them, that He [their god] brought them out to have them die in the wilderness.’ <sup>29</sup>Yet they are Your very own people, whom You freed with Your great might and Your outstretched arm.”

<sup>10</sup>Thereupon the Eternal One said to me, “Carve out two tablets of stone like the first, and come up to Me on the mountain; and make an ark of wood. <sup>2</sup>I will inscribe on the tablets the commandments that were on the first tablets that you smashed, and you shall deposit them in the ark.”

<sup>3</sup>I made an ark of acacia wood and carved out two tablets of stone like the first; I took the two tablets with me and went up the mountain. <sup>4</sup>The Eternal After inscribing on the tablets the same text as on the first, —the Ten Commandments that He the Eternal addressed to you on the mountain out of the fire on the day of the Assembly; and —the Eternal gave

them to me. <sup>5</sup>Then I left and went down from the mountain, and I deposited the tablets in the ark that I had made, where they still are, as the Eternal had commanded me.

<sup>6</sup>From Beeroth-bene-jaakan the Israelites marched to Moserah. Aaron died there and was buried there; and his son Eleazar became priest in his stead. <sup>7</sup>From there they marched to Gudgod, and from Gudgod to Jotbath, a region of running brooks.

<sup>8</sup>At that time the Eternal set apart the tribe of Levi to carry the Ark of the Eternal's Covenant, to stand in attendance upon the Eternal, and to bless in His God's name, as is still the case. <sup>9</sup>That is why the Levites have Levi has received no hereditary portion along with their its kinsmen: the Eternal is their its portion, as the Eternal your God spoke concerning them it [DS66].

<sup>10</sup>I had stayed on the mountain, as I did the first time, forty days and forty nights; and the Eternal heeded me once again: the Eternal agreed not to destroy you. <sup>11</sup>And the Eternal One said to me, “Up, resume the march at the head of the people, that they may go in and possess the land that I swore to their fathers [DS67] to give them.”

<sup>12</sup>And now, O Israel, what does the Eternal your God demand of you? Only this: to revere the Eternal your God, to walk only in His divine paths, to love Him, and to serve the Eternal your God with all your heart and soul, <sup>13</sup>keeping the Eternal's commandments and laws, which I enjoin upon you today, for your good. <sup>14</sup>Mark, the heavens to their uttermost reaches belong to the Eternal your God, the earth and all that is on it! <sup>15</sup>Yet it was to your fathers ancestors [DS68] that the Eternal was drawn in His out of love for them, so that He chose you, their lineal descendants, were chosen from among all peoples—as is now the case. <sup>16</sup>Cut away, therefore, the thickening about your hearts and stiffen your necks no more. <sup>17</sup>For the Eternal your God is God supreme and Lord supreme [DS69], the great, the mighty, and the awesome God, who shows no favor and takes no bribe, <sup>18</sup>but upholds the cause of the fatherless and the widow, and befriends the stranger, providing him with food and clothing.—<sup>19</sup>You too must befriend the stranger, for you were strangers in the land of Egypt.

<sup>20</sup>You must revere the Eternal your God: only Him your God shall you worship, to Him [God] shall you hold fast, and by His God's name shall you swear. <sup>21</sup>He [The Eternal] is your glory and He is your God, who wrought for you those marvelous, awesome deeds that you saw with your own eyes. <sup>22</sup>Your ancestors went down to Egypt seventy persons in all [DS70]; and now the Eternal your God has made you as numerous as the stars of heaven.

<sup>11</sup>Love, therefore, the Eternal your God, and always keep His God's charge, His God's laws, His God's rules, and His God's commandments.



<sup>2</sup>Take thought this day that it was not your children, who neither experienced nor witnessed the lesson of the Eternal your God—

~~God's~~<sup>His</sup> majesty, ~~His~~—mighty hand, ~~His—and~~ outstretched arm; <sup>3</sup>the signs and the deeds that ~~[God]~~<sup>He</sup> performed in Egypt against Pharaoh king of Egypt and all his land; <sup>4</sup>what ~~He~~<sup>[God]</sup> did to Egypt's army, its horses and chariots; how the Eternal rolled back upon them the waters of the Sea of Reeds when they were pursuing you, thus destroying them once and for all; <sup>5</sup>what ~~He~~<sup>[God]</sup> did for you in the wilderness before you arrived in this place; <sup>6</sup>and what ~~He~~<sup>[God]</sup> did to Dathan and Abiram, sons of Eliab son of Reuben, when the earth opened her mouth and swallowed them, along with their households, their tents, and every living thing in their train, from amidst all Israel—

<sup>7</sup>but that it was you who saw with your own eyes all the marvelous deeds that the Eternal performed.

<sup>8</sup>Keep, therefore, all the Instruction that I enjoin upon you today, so that you may have the strength to enter and take possession of the land that you are about to cross into and possess, <sup>9</sup>and that you may long endure upon the soil that the Eternal swore to your fathers<sup>[DS71]</sup> to assign to them and to their heirs, a land flowing with milk and honey.

<sup>10</sup>For the land that you are about to enter and possess is not like the land of Egypt from which you have come. There the grain you sowed had to be watered by your own labors, like a vegetable garden; <sup>11</sup>but the land you are about to cross into and possess, a land of hills and valleys, soaks up its water from the rains of heaven. <sup>12</sup>It is a land which the Eternal your God looks after, on which the Eternal your God always keeps ~~His~~<sup>an</sup> eye, from year's beginning to year's end.

<sup>13</sup>If, then, you obey the commandments that I enjoin upon you this day, loving the Eternal your God and serving ~~Him~~<sup>[God]</sup> with all your heart and soul, <sup>14</sup>I will grant the rain for your land in season, the early rain and the late. You shall gather in your new grain and wine and oil—<sup>15</sup>I will also provide grass in the fields for your cattle—and thus you shall eat your fill. <sup>16</sup>Take care not to be lured away to serve other gods and bow to them. <sup>17</sup>For the Eternal's anger will flare up against you, ~~and He will shut~~<sup>ting</sup> up the skies so that there will be no rain and the ground will not yield its produce; and you will soon perish from the good land that the Eternal is assigning to you.

<sup>18</sup>Therefore impress these My words upon your very heart: bind them as a sign on your hand and let them serve as a symbol on your forehead, <sup>19</sup>and teach them to your children—reciting them when you stay at home and when you are away, when you lie down and when you get up; <sup>20</sup>and inscribe them on the doorposts of your house and on your gates—<sup>21</sup>to the end that you and your children may endure, in the land that the Eternal swore to your fathers<sup>[DS72]</sup> to assign to them, as long as there is a heaven over the earth.

<sup>22</sup>If, then, you faithfully keep all this Instruction that I command you, loving the Eternal your God, walking in all ~~His~~<sup>God's</sup> ways, and holding fast to ~~Him~~<sup>[God]</sup>, <sup>23</sup>the Eternal will dislodge before you all these nations: you will dispossess nations greater and more numerous than you. <sup>24</sup>Every spot on which your foot treads shall be yours; your territory shall extend from the wilderness to the Lebanon and from the River—the Euphrates—to the Western Sea. <sup>25</sup>No ~~marone~~ shall stand up to you<sup>[DS73]</sup>; the Eternal your God will put the dread and the fear of you over the whole land in which you set foot, as promised.

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<sup>26</sup>See, this day I set before you blessing and curse: <sup>27</sup>blessing, if you obey the commandments of the Eternal your God that I enjoin upon you this day; <sup>28</sup>and curse, if you do not obey the commandments of the Eternal your God, but turn away from the path that I enjoin upon you this day and follow other gods, whom you have not experienced. <sup>29</sup>When the Eternal your God brings you into the land that you are about to enter and possess, you shall pronounce the blessing at Mount Gerizim and the curse at Mount Ebal.—<sup>30</sup>Both are on the other side of the Jordan, beyond the west road that is in the land of the Canaanites who dwell in the Arabah—near Gilgal, by the terebinths of Moreh.

<sup>31</sup>For you are about to cross the Jordan to enter and possess the land that the Eternal your God is assigning to you. When you have occupied it and are settled in it, <sup>32</sup>take care to observe all the laws and rules that I have set before you this day.

**12**These are the laws and rules that you must carefully observe in the land that the Eternal, God of your ~~fathers~~<sup>ancestors</sup><sup>[DS74]</sup>, is giving you to possess, as long as you live on earth.

<sup>2</sup>You must destroy all the sites at which the nations you are to dispossess worshiped their gods, whether on lofty mountains and on hills or under any luxuriant tree. <sup>3</sup>Tear down their altars, smash their pillars, put their sacred posts to the fire, and cut down the images of their gods, obliterating their name from that site.

<sup>4</sup>Do not worship the Eternal your God in like manner, <sup>5</sup>but look only to the site that the Eternal your God will choose amidst all your tribes as ~~His~~<sup>God's</sup> habitation, to establish ~~His~~<sup>the divine</sup> name there. There you are to go, <sup>6</sup>and there you are to bring your burnt offerings and other sacrifices, your tithes and contributions, your votive and freewill offerings, and the firstlings of your herds and flocks. <sup>7</sup>Together with your households<sup>[DS75]</sup>, you shall feast there before the Eternal your God, happy in all the undertakings in which the Eternal your God has blessed you.

<sup>8</sup>You shall not act at all as we now act here, ~~every man as he pleases~~each of us as we please<sup>[DS76]</sup>, <sup>9</sup>because you have not yet come to the allotted haven that the Eternal your God is giving you. <sup>10</sup>When you cross the Jordan and settle in the land that the Eternal your God is allotting to you, and He<sup>[God]</sup> grants you safety from all your enemies around you and you live in security, <sup>11</sup>then you must bring everything that I command you to the site where the Eternal your God will choose to establish His<sup>the divine</sup> name: your burnt offerings and other sacrifices, your tithes and contributions, and all the choice votive offerings that you vow to the Eternal. <sup>12</sup>And you shall rejoice before the Eternal your God with your sons and daughters<sup>[DS77]</sup> and with your male and female slaves, along with the [family of the] Levite in your settlements, for he has no territorial allotment<sup>[DS78]</sup> among you.

<sup>13</sup>Take care not to sacrifice your burnt offerings in any place you like, <sup>14</sup>but only in the place that the Eternal will choose in one of your tribal territories. There you shall sacrifice your burnt offerings and there you shall observe<sup>[DS79]</sup> all that I enjoin upon you. <sup>15</sup>But whenever you desire, you may slaughter and eat meat in any of your settlements, according to the blessing that the Eternal your God has granted you. The impure and the pure alike may partake of it, as of the gazelle and the deer. <sup>16</sup>But you must not partake of the blood; you shall pour it out on the ground like water.

<sup>17</sup>You may not partake in your settlements of the tithes of your new grain or wine or oil, or of the firstlings of your herds and flocks, or of any of the votive offerings that you vow, or of your freewill offerings, or of your contributions. <sup>18</sup>These you must consume before the Eternal your God in the place that the Eternal your God will choose—you and your sons and your daughters, your male and female slaves, and the [family of the] Levite<sup>[DS80]</sup> in your settlements—happy before the Eternal your God in all your undertakings. <sup>19</sup>Be sure not to neglect the [family of the] Levite as long as you live in your land.

<sup>20</sup>When the Eternal enlarges your territory, as promised, and you say, “I shall eat some meat,” for you have the urge to eat meat, you may eat meat whenever you wish. <sup>21</sup>If the place where the Eternal has chosen to establish His<sup>the divine</sup> name<sup>[DS81]</sup> is too far from you, you may slaughter any of the cattle or sheep that the Eternal gives you, as I have instructed you; and you may eat to your heart’s content in your settlements. <sup>22</sup>Eat it, however, as the gazelle and the deer are eaten: the impure may eat it together with the pure. <sup>23</sup>But make sure that you do not partake of the blood; for the blood is the life, and you must not consume the life with the flesh. <sup>24</sup>You must not partake of it; you must pour it out on the ground like water: <sup>25</sup>you must not partake of it, in order that it may go well with you and with your descendants to come, for you will be doing what is right in the sight of the Eternal.

<sup>26</sup>But such sacred and votive donations as you may have shall be taken by you to the site that the Eternal will choose. <sup>27</sup>You shall offer your burnt offerings, both the flesh and the

blood, on the altar of the Eternal your God; and of your other sacrifices, the blood shall be poured out<sup>[DS82]</sup> on the altar of the Eternal your God, and you shall eat the flesh.

<sup>28</sup>Be careful to heed all these commandments that I enjoin upon you; thus it will go well with you and with your descendants after you forever, for you will be doing what is good and right in the sight of the Eternal your God.

<sup>29</sup>When the Eternal your God has cut down before you the nations that you are about to enter and dispossess, and you have dispossessed them and settled in their land, <sup>30</sup>beware of being lured into their ways after they have been wiped out before you! Do not inquire about their gods, saying, “How did those nations worship their gods? I too will follow those practices.” <sup>31</sup>You shall not act thus toward the Eternal your God, for they perform for their gods every abhorrent act that the Eternal detests; they even offer up their sons and daughters in fire to their gods. **13** Be careful to observe only that which I enjoin upon you: neither add to it nor take away from it.

<sup>2</sup>If there appears among you a prophet or a dream-diviner, ~~and—he~~who gives<sup>[DS83]</sup> you a sign or a portent, <sup>3</sup>saying, “Let us follow and worship another god”—whom you have not experienced—even if the sign or portent ~~that he~~ named to you comes true, <sup>4</sup>do not heed the words of that prophet or that dream-diviner. For the Eternal your God is testing you to see whether you really love the Eternal your God with all your heart and soul. <sup>5</sup>~~Follow none but the Eternal your God, and revere none but Him; observe His commandments alone, and heed only His orders; worship none but Him, and hold fast to Him~~It is the Eternal your God alone whom you should follow, whom you should revere, whose commandments you should observe, whose orders you should heed, whom you should worship, and to whom you should hold fast. <sup>6</sup>As for that prophet or dream-diviner, he<sup>such a one</sup> shall be put to death<sup>[DS84]</sup>; for he<sup>having</sup> urged disloyalty to the Eternal your God—who freed you from the land of Egypt and who redeemed you from the house of bondage—to make you stray from the path that the Eternal your God commanded you to follow. Thus you will sweep out evil from your midst.

<sup>7</sup>If your brother, your own mother’s son, or your son or daughter, or the wife of your bosom, or your closest friend<sup>[DS85]</sup> entices you in secret, saying, “Come let us worship other gods”—whom neither you nor your fathers<sup>ances-</sup>tors<sup>[DS86]</sup> have experienced—<sup>8</sup>from among the gods of the peoples around you, either near to you or distant, anywhere from one end of the earth to the other: <sup>9</sup>do not assent or give heed to him<sup>any of them</sup>. Show him—no pity or compassion, and do not shield him<sup>cover up the matter</sup>; <sup>10</sup>but take his<sup>that person’s</sup> life. Let your hand be the first—against him to put him<sup>that person</sup> to death, and<sup>followed by</sup> the hand of the rest of the people—thereafter. <sup>11</sup>Stone him<sup>that person</sup> to death, for he<sup>having</sup> sought to make you stray from the Eternal your God, who brought you out of the land of Egypt, out of the house of bondage<sup>[DS87]</sup>. <sup>12</sup>Thus all Israel will hear and be

afraid, and such evil things will not be done again in your midst.

<sup>13</sup>If you hear it said, of one of the towns that the Eternal your God is giving you to dwell in, <sup>14</sup>that some scoundrels from among you have gone and subverted the inhabitants of their town, saying, “Come let us worship other gods”—whom you have not experienced—<sup>15</sup>you shall investigate and inquire and interrogate thoroughly. If it is true, the fact is established—that abhorrent thing was perpetrated in your midst—<sup>16</sup>put the inhabitants of that town to the sword and put its cattle to the sword. Doom it and all that is in it to destruction: <sup>17</sup>gather all its spoil into the open square, and burn the town and all its spoil as a holocaust to the Eternal your God. And it shall remain an everlasting ruin, never to be rebuilt. <sup>18</sup>Let nothing that has been doomed stick to your hand, in order that the Eternal may turn from His<sup>a</sup> blazing anger and show you compassion, and in His compassion increase you as He promised your fathers on oath to your fathers—<sup>19</sup>for you will be heeding the Eternal your God, obeying all His<sup>a</sup> the divine commandments that I enjoin upon you this day, doing what is right in the sight of the Eternal your God.

**14**You are children<sup>[DS88]</sup> of the Eternal your God. You shall not gash yourselves or shave the front of your heads because of the dead<sup>[DS89]</sup>. <sup>2</sup>For you are a people consecrated to the Eternal your God: the Eternal your God chose you from among all other peoples on earth to be His<sup>a</sup> treasured people.

<sup>3</sup>You shall not eat anything abhorrent. <sup>4</sup>These are the animals that you may eat: the ox, the sheep, and the goat; <sup>5</sup>the deer, the gazelle, the roebuck, the wild goat, the ibex, the antelope, the mountain sheep, <sup>6</sup>and any other animal that has true hoofs which are cleft in two and brings up the cud—such you may eat. <sup>7</sup>But the following, which do bring up the cud or have true hoofs which are cleft through, you may not eat: the camel, the hare, and the daman—for although they bring up the cud, they have no true hoofs—they are impure for you; <sup>8</sup>also the swine—for although it has true hoofs, it does not bring up the cud—is impure for you. You shall not eat of their flesh or touch their carcasses.

<sup>9</sup>These you may eat of all that live in water: you may eat anything that has fins and scales. <sup>10</sup>But you may not eat anything that has no fins and scales: it is impure for you.

<sup>11</sup>You may eat any pure bird. <sup>12</sup>The following you may not eat: the eagle, the vulture, and the black vulture; <sup>13</sup>the kite, the falcon, and the buzzard of any variety; <sup>14</sup>every variety of raven; <sup>15</sup>the ostrich, the nighthawk, the sea gull, and the hawk of any variety; <sup>16</sup>the little owl, the great owl, and the white owl; <sup>17</sup>the pelican, the bustard, and the cormorant; <sup>18</sup>the stork, any variety of heron, the hoopoe, and the bat.

<sup>19</sup>All winged swarming things are impure for you: they may not be eaten. <sup>20</sup>You may eat only pure winged creatures.

<sup>21</sup>You shall not eat anything that has died a natural death; give it to the stranger in your community to eat, or you

may sell it to a foreigner. For you are a people consecrated to the Eternal your God.

You shall not boil a kid in its mother’s milk.

<sup>22</sup>You shall set aside every year a tenth part<sup>[DS90]</sup> of all the yield of your sowing that is brought from the field. <sup>23</sup>You shall consume the tithes of your new grain and wine and oil, and the firstlings of your herds and flocks, in the presence of the Eternal your God, in the place where He<sup>[God]</sup> will choose to establish the divine name, so that you may learn to revere the Eternal your God forever. <sup>24</sup>Should the distance be too great for you, should you be unable to transport them, because the place where the Eternal your God has chosen to establish the divine name is far from you and because the Eternal your God has blessed you, <sup>25</sup>you may convert them into money. Wrap up the money and take it with you to the place that the Eternal your God has chosen, <sup>26</sup>and spend the money on anything you want—cattle, sheep, wine, or other intoxicant, or anything you may desire. And you shall feast there, in the presence of the Eternal your God, and rejoice with your household.

<sup>27</sup>But do not neglect the [family of the] Levite<sup>[DS91]</sup> in your community, for he has no hereditary portion as you have.

<sup>28</sup>Every third year you shall bring out the full tithe of your yield of that year, but leave it within your settlements. <sup>29</sup>Then the [family of the] Levite, who has no hereditary portion as you have, and the stranger, the fatherless, and the widow in your settlements shall come and eat their fill, so that the Eternal your God may bless you in all the enterprises you undertake.

**15**Every seventh year you shall practice remission of debts. <sup>2</sup>This shall be the nature of the remission: every<sup>all</sup> creditor<sup>s</sup> shall remit the due that he<sup>they</sup> claims from his<sup>their</sup> fellow [Israelites]; he<sup>they</sup> shall not dun his<sup>their</sup> fellow [Israelites] or kinsman<sup>[DS92]</sup>, for the remission proclaimed is of the Eternal. <sup>3</sup>You may dun the foreigner; but you must remit whatever is due you from your kinsmen.

<sup>4</sup>There shall be no needy among you—since the Eternal your God will bless you in the land that the Eternal your God is giving you as a hereditary portion—<sup>5</sup>if only you heed the Eternal your God and take care to keep all this Instruction that I enjoin upon you this day. <sup>6</sup>For the Eternal your God will bless you as promised: you will extend loans to many nations, but require none yourself; you will dominate many nations, but they will not dominate you.

<sup>7</sup>If, however, there is a needy person among you, one of your kinsmen in any of your settlements in the land that the Eternal your God is giving you, do not harden your heart and shut your hand against your needy kinsman<sup>[DS93]</sup>. <sup>8</sup>Rather, you must open your hand and lend whatever is<sup>him</sup> sufficient for whatever he<sup>to meet the needs</sup><sup>[DS94]</sup>. <sup>9</sup>Beware lest you harbor the base thought, “The seventh year, the year of remis-

sion, is approaching,” so that you are mean and give nothing to your needy kinsman and give him nothing. He—who will cry out to the Eternal against you, and you will incur guilt. <sup>10</sup>Give to him readily and have no regrets when you do so, for in return the Eternal your God will bless you in all your efforts and in all your undertakings. <sup>11</sup>For there will never cease to be needy ones in your land, which is why I command you: open your hand to the poor and needy kinsman in your land.

<sup>12</sup>If a fellow Hebrew, man—or woman—is sold to you, he shall serve you six years, and in the seventh year you shall set him free. <sup>13</sup>When you set him free, do not let him go empty-handed: <sup>14</sup>Furnish him out of the flock, threshing floor, and vat, with which the Eternal your God has blessed you. <sup>15</sup>Bear in mind that you were slaves in the land of Egypt and the Eternal your God redeemed you; therefore I enjoin this commandment upon you today.

<sup>16</sup>But should he say to you, “I do not want to leave you”—for he loves you and your household and is happy with you—<sup>17</sup>you shall take an awl and put it through his ear into the door, and he shall become your slave in perpetuity. Do the same with your female slave. <sup>18</sup>When you do set him either one free, do not feel aggrieved; for in the six years he has given you you have been given <sup>DS96</sup>double the service of a hired manworker. Moreover, the Eternal your God will bless you in all you do.

<sup>19</sup>You shall consecrate to the Eternal your God all male firstlings <sup>DS97</sup> that are born in your herd and in your flock: you must not work your firstling ox or shear your firstling sheep. <sup>20</sup>You and your household shall eat it annually before the Eternal your God in the place that the Eternal will choose. <sup>21</sup>But if it has a defect, lameness or blindness, any serious defect, you shall not sacrifice it to the Eternal your God. <sup>22</sup>Eat it in your settlements, the impure among you no less than the pure, just like the gazelle and the deer. <sup>23</sup>Only you must not partake of its blood; you shall pour it out on the ground like water.

**16**Observe the month of Abib and offer a passover sacrifice to the Eternal your God, for it was in the month of Abib, at night, that the Eternal your God freed you from Egypt. <sup>2</sup>You shall slaughter the passover sacrifice for the Eternal your God, from the flock and the herd, in the place where the Eternal will choose to establish the divine name. <sup>3</sup>You shall not eat anything leavened with it; for seven days thereafter you shall eat unleavened bread, bread of distress—for you departed from the land of Egypt hurriedly—so that you may remember the day of your departure from the land of Egypt as long as you live. <sup>4</sup>For seven days no leaven shall be found with you in all your territory, and none of the flesh of what you slaughter on the evening of the first day shall be left until morning.

<sup>5</sup>You are not permitted to slaughter the passover sacrifice in any of the settlements that the Eternal your God is giving you; <sup>6</sup>but at the place where the Eternal your God will choose to establish the divine name, there alone shall you slaughter the passover sacrifice, in the evening, at sundown, the time of day when you departed from Egypt. <sup>7</sup>You shall cook and eat it at the place that the Eternal your God will choose; and in the morning you may start back on your journey home. <sup>8</sup>After eating unleavened bread six days, you shall hold a solemn gathering for the Eternal your God on the seventh day: you shall do no work.

<sup>9</sup>You shall count off seven weeks; start to count the seven weeks when the sickle is first put to the standing grain. <sup>10</sup>Then you shall observe the Feast of Weeks for the Eternal your God, offering your freewill contribution <sup>DS98</sup> according as the Eternal your God has blessed you. <sup>11</sup>You <sup>DS99</sup> shall rejoice before the Eternal your God with your son and daughter, your male and female slave, the [family of the] Levite <sup>DS100</sup> in your communities, and the stranger, the fatherless, and the widow in your midst, at the place where the Eternal your God will choose to establish the divine name. <sup>12</sup>Bear in mind that you were slaves in Egypt, and take care to obey these laws.

<sup>13</sup>After the ingathering from your threshing floor and your vat, you shall hold the Feast of Booths for seven days. <sup>14</sup>You shall rejoice in your festival, with your son and daughter, your male and female slave, the [family of the] Levite, the stranger, the fatherless, and the widow in your communities. <sup>15</sup>You shall hold a festival for the Eternal your God seven days <sup>DS101</sup>, in the place that the Eternal will choose; for the Eternal your God will bless all your crops and all your undertakings, and you shall have nothing but joy.

<sup>16</sup>Three times a year—on the Feast of Unleavened Bread, on the Feast of Weeks, and on the Feast of Booths—all your males shall appear before the Eternal your God in the place that He[God] will choose. They shall not appear before the Eternal empty-handed, <sup>17</sup>but each with his own gift, according to the blessing that the Eternal your God has bestowed upon you.

#### SHOF'TIM

<sup>18</sup>You shall appoint magistrates and officials for your tribes, in all the settlements that the Eternal your God is giving you, and they shall govern the people with due justice. <sup>19</sup>You shall not judge unfairly: you shall show no partiality; you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just. <sup>20</sup>Justice, justice shall you pursue, that you may thrive and occupy the land that the Eternal your God is giving you.

<sup>21</sup>You shall not set up a sacred post—any kind of pole beside the altar of the Eternal your God that you may

make—<sup>22</sup>or erect a stone pillar; for such the Eternal your God detests.

**17**You shall not sacrifice to the Eternal your God an ox or a sheep that has any defect of a serious kind, for that is abhorrent to the Eternal your God.

<sup>2</sup>If there is found among you, in one of the settlements that the Eternal your God is giving you, a man or woman who has affronted the Eternal your God and transgressed ~~His covenant~~the Covenant—<sup>3</sup>turning to the worship of other gods and bowing down to them~~[DS102]~~, to the sun or the moon or any of the heavenly host, something I never commanded—<sup>4</sup>and you have been informed or have learned of it, then you shall make a thorough inquiry. If it is true, the fact is established, that abhorrent thing was perpetrated in Israel, <sup>5</sup>you shall take the man or the woman who did that wicked thing out to the public place, and you shall stone them~~at~~ man or woman, to death~~[DS103]~~.—<sup>6</sup>A person shall be put to death only on the testimony of two or more witnesses; ~~he must not~~no one shall be put to death~~[DS104]~~ on the testimony of a single witness.—<sup>7</sup>Let the hands of the witnesses be the first ~~against him~~ to put him~~[the condemned]~~ to death~~[DS105]~~, ~~and followed by~~ the hands of the rest of the people~~thereafter~~~~[DS106]~~. Thus you will sweep out evil from your midst.

<sup>8</sup>If a case is too baffling for you to decide, be it a controversy over homicide, civil law, or assault—matters of dispute in your courts—you shall promptly repair to the place that the Eternal your God will have chosen, <sup>9</sup>and appear before the levitical priests, or the magistrate in charge at the time, and present your problem. When they have announced to you the verdict in the case, <sup>10</sup>you shall carry out the verdict that is announced to you from that place that the Eternal chose, observing scrupulously all their instructions to you. <sup>11</sup>You shall act in accordance with the instructions given you and the ruling handed down to you; you must not deviate from the verdict that they announce to you either to the right or to the left. <sup>12</sup>Should ~~a man~~anyone act presumptuously and disregard the priest charged with serving there the Eternal your God, or the magistrate, that ~~man~~person shall die~~[DS107]~~. Thus you will sweep out evil from Israel: <sup>13</sup>all the people will hear and be afraid and will not act presumptuously again.

<sup>14</sup>If, after you have entered the land that the Eternal your God has assigned to you, and taken possession of it and settled in it, you decide, “I will set a king~~[DS108]~~ over me, as do all the nations about me,” <sup>15</sup>you shall be free to set a king over yourself, one chosen by the Eternal your God. Be sure to set as king over yourself one of your own people; you must not set a foreigner over you, one who is not your kinsman~~[DS109]~~. <sup>16</sup>Moreover, he shall not keep many horses or send people back to Egypt to add to his horses, since the Eternal has warned you, “You must not go back that way again.”

<sup>17</sup>And he shall not have many wives, lest his heart go astray; nor shall he amass silver and gold to excess.

<sup>18</sup>When he is seated on his royal throne, he shall have a copy of this Teaching written for him on a scroll by the levitical priests. <sup>19</sup>Let it remain with him and let him read in it all his life, so that he may learn to revere the Eternal his God, to observe faithfully every word of this Teaching as well as these laws. <sup>20</sup>Thus he will not act haughtily toward his fellows or deviate from the Instruction to the right or to the left, to the end that he and his descendants may reign long in the midst of Israel.

**18**The levitical priests, the whole tribe of Levi, shall have no territorial portion with Israel. They shall live only off the Eternal’s offerings by fire as their portion, <sup>2</sup>and shall have no portion among their brother tribes~~[DS110]~~: the Eternal is their portion, as promised.

<sup>3</sup>This then shall be the priests’ due from the people~~[DS111]~~: Everyone who offers a sacrifice, whether an ox or a sheep, must give the shoulder, the cheeks, and the stomach to the priest. <sup>4</sup>You shall also give him the first fruits of your new grain and wine and oil, and the first shearing of your sheep. <sup>5</sup>For the Eternal your God has chosen him and his descendants, out of all your tribes, to be in attendance for service in the name of the Eternal for all time.

<sup>6</sup>If a Levite would go, from any of the settlements throughout Israel where he has been residing, to the place that the Eternal has chosen, he may do so whenever he pleases. <sup>7</sup>He may serve in the name of the Eternal his God like all his fellow Levites who are there in attendance before the Eternal. <sup>8</sup>They shall receive equal shares of the dues, without regard to personal gifts or patrimonies.

<sup>9</sup>When you enter the land that the Eternal your God is giving you, you shall not learn to imitate the abhorrent practices of those nations. <sup>10</sup>Let no one be found among you who consigns ~~his~~ son or daughter to the fire~~[DS112]~~, or who is an augur, a soothsayer, a diviner, a sorcerer, <sup>11</sup>one who casts spells, or one who consults ghosts or familiar spirits, or one who inquires of the dead~~[DS113]~~. <sup>12</sup>For anyone who does such things is abhorrent to the Eternal, and it is because of these abhorrent things that the Eternal your God is dispossessing them before you. <sup>13</sup>You must be wholehearted with the Eternal your God. <sup>14</sup>Those nations that you are about to dispossess do indeed resort to soothsayers and augurs; to you, however, the Eternal your God has not assigned the like.

<sup>15</sup>~~The Eternal your God will raise up for you a prophet~~ ~~From among your own people~~~~[DS114]~~, ~~like myself~~; the Eternal your God will raise up for you a prophet~~[DS115]~~ like myself, ~~him~~whom you shall heed. <sup>16</sup>This is just what you asked of the Eternal your God at Horeb, on the day of the Assembly, saying, “Let me not hear the voice of the Eternal my God any longer or see this wondrous fire any more, lest I die.”

<sup>17</sup>Whereupon the Eternal One said to me, “They have done well in speaking thus. <sup>18</sup>I will raise up ~~a prophet~~ for them from among their own people; a prophet like yourself; in whose mouth I will put My words ~~in his mouth~~ and he who will speak to them all that I command ~~him~~; <sup>19</sup>and ~~if anybody who~~ fails to heed the words he [the prophet] speaks in My name, I Myself will call ~~him~~—to account [DS116]. <sup>20</sup>But any prophet who presumes to speak in My name an oracle that I did not command ~~him~~ to be uttered, or who speaks in the name of other gods—that prophet shall die.” <sup>21</sup>And should you ask yourselves, “How can we know that the oracle was not spoken by the Eternal?”—<sup>22</sup>if the prophet speaks in the name of the Eternal and the oracle does not come true, that oracle was not spoken by the Eternal; the prophet has uttered it presumptuously: do not stand in dread of ~~him~~ that person.

**19**When the Eternal your God has cut down the nations whose land the Eternal your God is assigning to you, and you have dispossessed them and settled in their towns and homes, <sup>2</sup>you shall set aside three cities in the land that the Eternal your God is giving you to possess. <sup>3</sup>You shall survey the distances, and divide into three parts the territory of the country that the Eternal your God has allotted to you, so that any man-slayer [male] killer [DS117] may have a place to flee to.—<sup>4</sup>Now this is the case of the manslayer/killer who may flee there and live: one who has killed/slain [DS118] another [DS119] unwittingly, without having been his/an enemy in the past. <sup>5</sup>For instance, a man goes [DS120] with his neighbor/another fellow [DS121] into a grove to cut wood; as his hand swings the ax to cut down a tree, the ax-head flies off the handle and strikes the other so that he dies. That man shall flee to one of these cities and live.—<sup>6</sup>Otherwise, when the distance is great, the blood-avenger, pursuing the manslayer/killer in hot anger, may overtake him and kill him/strike him down [DS122]; yet he did not incur the death penalty, since he had never been the other’s enemy. <sup>7</sup>That is why I command you: set aside three cities.

<sup>8</sup>And when the Eternal your God enlarges your territory, as He was sworn to your fathers, and gives you all the land that He was promised to be given to your fathers [DS123]—<sup>9</sup>if you faithfully observe all this Instruction that I enjoin upon you this day, to love the Eternal your God and to walk in His/God’s ways at all times—then you shall add three more towns to those three. <sup>10</sup>Thus blood of the innocent will not be shed, bringing bloodguilt upon you in the land that the Eternal your God is allotting to you.

<sup>11</sup>If, however, a person/man [DS124] who is the enemy of another lies in wait for him and sets upon him [the victim] and strikes him a fatal blow and then flees to one of these towns, <sup>12</sup>the elders of his town shall have him brought back from there and shall hand him over to the blood-avenger to be put to death; <sup>13</sup>you must show him no pity. Thus you will purge

Israel of the blood of the innocent, and it will go well with you.

<sup>14</sup>You shall not move your country-man’s/neighbor’s [DS125] landmarks, set up by previous generations, in the property that will be allotted to you in the land that the Eternal your God is giving you to possess.

<sup>15</sup>A single witness may not validate against a person any guilt or blame for any offense that may be committed; a case can be valid only on the testimony of two witnesses or more. <sup>16</sup>If a man/someone [DS126] appears against another [DS127] to testify maliciously and gives incriminating yet false testimony against him, <sup>17</sup>the two parties to the dispute shall appear before the Eternal, before the priests or magistrates in authority at the time, <sup>18</sup>and the magistrates shall make a thorough investigation. If the man/one who testified is a false witness, if he has/having testified falsely against his/a fellow Israelite [DS128], <sup>19</sup>you shall do to him/the one as he/the one schemed to do to his fellow/the other. Thus you will sweep out evil from your midst; <sup>20</sup>others will hear and be afraid, and such evil things will not again be done in your midst. <sup>21</sup>Nor must you show pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

**20**When you [an Israelite warrior] take the field [DS129] against your enemies, and see horses and chariots—forces larger than yours—have no fear of them, for the Eternal your God, who brought you from the land of Egypt, is with you. <sup>2</sup>Before you join battle, the priest shall come forward and address the troops [DS130]. <sup>3</sup>He shall say to them, “Hear, O Israel! You are about to join battle with your enemy. Let not your courage falter. Do not be in fear, or in panic, or in dread of them. <sup>4</sup>For it is the Eternal your God who marches with you to do battle for you against your enemy, to bring you victory.”

<sup>5</sup>Then the officials shall address the troops, as follows: “Is there anyone who has built a new house but has not dedicated it? Let him go back to his home, lest he die in battle and another dedicate it. <sup>6</sup>Is there anyone who has planted a vineyard but has never harvested it? Let him go back to his home, lest he die in battle and another harvest it. <sup>7</sup>Is there anyone who has paid the bride-price for a wife, but who has not yet married her? Let him go back to his home, lest he die in battle and another marry her.” <sup>8</sup>The officials shall go on addressing the troops and say, “Is there anyone afraid and disheartened? Let him go back to his home, lest the courage of his comrades flag like his.” <sup>9</sup>When the officials have finished addressing the troops, army commanders shall assume command of the troops.

<sup>10</sup>When you approach a town to attack it, you shall offer it terms of peace. <sup>11</sup>If it responds peaceably and lets you in, all the people present there shall serve you at forced labor. <sup>12</sup>If it does not surrender to you, but would join battle with you, you shall lay siege to it; <sup>13</sup>and when the Eternal your

God delivers it into your hand, you shall put all its males to the sword. <sup>14</sup>You may, however, take as your booty the women, the children, the livestock, and everything in the town—all its spoil—and enjoy the use of the spoil of your enemy, which the Eternal your God gives you.

<sup>15</sup>Thus you shall deal with all towns that lie very far from you, towns that do not belong to nations hereabout. <sup>16</sup>In the towns of the latter peoples, however, which the Eternal your God is giving you as a heritage, you shall not let a soul remain alive. <sup>17</sup>No, you must proscribe them—the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—as the Eternal your God has commanded you, <sup>18</sup>lest they lead you into doing all the abhorrent things that they have done for their gods and you stand guilty before the Eternal your God.

<sup>19</sup>When in your war against a city you have to besiege it a long time in order to capture it, you must not destroy its trees, wielding the ax against them. You may eat of them, but you must not cut them down. Are trees of the field human to withdraw before you into the besieged city? <sup>20</sup>Only trees that you know do not yield food may be destroyed; you may cut them down for constructing siegeworks against the city that is waging war on you, until it has been reduced.

**21** If, in the land that the Eternal your God is assigning you to possess, someone slain [\[DS131\]](#) is found lying in the open, the identity of the slayer not being known, <sup>2</sup>your elders and magistrates shall go out and measure the distances from the corpse to the nearby towns. <sup>3</sup>The elders of the town nearest to the corpse shall then take a heifer which has never been worked, which has never pulled in a yoke; <sup>4</sup>and the elders of that town shall bring the heifer down to an everflowing wadi, which is not tilled or sown. There, in the wadi, they shall break the heifer's neck. <sup>5</sup>The priests, sons of Levi, shall come forward; for the Eternal your God has chosen them [to minister to Him for divine service \[DS132\]](#) and to pronounce blessing in the name of the Eternal, and every lawsuit and case of assault is subject to their ruling. <sup>6</sup>Then all the elders of the town nearest to the corpse shall wash their hands over the heifer whose neck was broken in the wadi. <sup>7</sup>And they shall make this declaration: "Our hands did not shed this blood, nor did our eyes see it done. <sup>8</sup>Absolve, Eternal One, Your people Israel whom You redeemed, and do not let guilt for the blood of the innocent remain among Your people Israel." And they will be absolved of bloodguilt. <sup>9</sup>Thus you will remove from your midst guilt for the blood of the innocent, for you will be doing what is right in the sight of the Eternal.

KI TEITZEI

<sup>10</sup>When you [\[an Israelite warrior\]](#) take the field [\[DS133\]](#) against your enemies, and the Eternal your God delivers them into your power and you take some of them captive, <sup>11</sup>and

you see among the captives a beautiful woman and you desire her and would take her to wife, <sup>12</sup>you shall bring her into your house, and she shall trim her hair, pare her nails, <sup>13</sup>and discard her captive's garb. She shall spend a month's time in your house lamenting her father and mother; after that you may come to her and possess her, and she shall be your wife. <sup>14</sup>Then, should you no longer want her, you must release her outright. You must not sell her for money: since you had your will of her, you must not enslave her.

<sup>15</sup>If a [manhusband \[DS134\]](#) has two wives, one loved and the other unloved, and both the loved and the unloved have borne him sons, but the first-born is the son of the unloved one—<sup>16</sup>when he wills his property to his sons, he may not treat as first-born the son of the loved one in disregard of the son of the unloved one who is older. <sup>17</sup>Instead, he must accept the first-born, the son of the unloved one, and allot to him a double portion of all he possesses; since he is the first fruit of his vigor, the birthright is his due.

<sup>18</sup>If a [manparent \[DS135\]](#) has a wayward and defiant son [\[DS136\]](#), who does not heed his father or mother and does not obey them even after they discipline him, <sup>19</sup>his father and mother shall take hold of him and bring him out to the elders of his town at the public place of his community. <sup>20</sup>They shall say to the elders of his town, "This son of ours is disloyal and defiant; he does not heed us. He is a glutton and a drunkard." <sup>21</sup>Thereupon the [menresidents](#) of his town [\[DS137\]](#) shall stone him to death. Thus you will sweep out evil from your midst: all Israel will hear and be afraid.

<sup>22</sup>If a man [\[DS138\]](#) is guilty of a capital offense and is put to death, and you impale him on a stake, <sup>23</sup>you must not let his corpse remain on the stake overnight, but must bury him the same day. For an impaled body is an affront to God: you shall not defile the land that the Eternal your God is giving you to possess.

**22** If you see your fellow [Israelite](#)'s ox or sheep gone astray, do not ignore it; you must take it back to your [fellow-peer \[DS139\]](#). <sup>2</sup>If your fellow [Israelite](#) does not live near you or you do not know who [he \[the owner\]](#) is, you shall bring it home and it shall remain with you until your [fellow-peer](#) claims it; then you shall give it back [to him](#). <sup>3</sup>You shall do the same with [his that person's](#) ass; you shall do the same with [his that person's](#) garment; and so too shall you do with anything that your fellow [Israelite](#) loses and you find: you must not remain indifferent.

<sup>4</sup>If you see your fellow [Israelite](#)'s ass or ox fallen on the road, do not ignore it; you must [help him](#) raise it [together](#).

<sup>5</sup>A woman must not put on man's apparel, nor shall a man wear woman's clothing; for whoever does these things is abhorrent to the Eternal your God.

<sup>6</sup>If, along the road, you chance upon a bird's nest, in any tree or on the ground, with fledglings or eggs and the mother

sitting over the fledglings or on the eggs, do not take the mother together with her young. <sup>7</sup>Let the mother go, and take only the young, in order that you may fare well and have a long life.

<sup>8</sup>When you build a new house, you shall make a parapet for your roof, so that you do not bring bloodguilt on your house if anyone should fall from it.

<sup>9</sup>You shall not sow your vineyard with a second kind of seed, else the crop—from the seed you have sown—and the yield of the vineyard may not be used. <sup>10</sup>You shall not plow with an ox and an ass together. <sup>11</sup>You shall not wear cloth combining wool and linen.

<sup>12</sup>You shall make tassels on the four corners of the garment with which you cover yourself.

<sup>13</sup>A man [\[DS140\]](#) marries a woman and cohabits with her. Then he takes an aversion to her <sup>14</sup>and makes up charges against her and defames her, saying, “I married this woman; but when I approached her, I found that she was not a virgin.”

<sup>15</sup>In such a case, the girl’s father and mother shall produce the evidence of the girl’s virginity before the elders of the town at the gate. <sup>16</sup>And the girl’s father shall say to the elders, “I gave this man my daughter to wife, but he has taken an aversion to her; <sup>17</sup>so he has made up charges, saying, ‘I did not find your daughter a virgin.’ But here is the evidence of my daughter’s virginity!” And they shall spread out the cloth before the elders of the town. <sup>18</sup>The elders of that town shall then take the man and flog him, <sup>19</sup>and they shall fine him a hundred [shekels of] silver and give it to the girl’s father; for the man [\[DS141\]](#) has defamed a virgin in Israel. Moreover, she shall remain his wife; he shall never have the right to divorce her.

<sup>20</sup>But if the charge proves true, the girl was found not to have been a virgin, <sup>21</sup>then the girl shall be brought out to the entrance of her father’s house, and the [menresidents](#) of her town [\[DS142\]](#) shall stone her to death; for she did a shameful thing in Israel, committing fornication while under her father’s authority. Thus you will sweep away evil from your midst.

<sup>22</sup>If a man is found lying with another man’s wife, both of them—the man and the woman with whom he lay—shall die. Thus you will sweep away evil from Israel.

<sup>23</sup>In the case of a virgin who is engaged to a man—if a man comes upon her in town and lies with her, <sup>24</sup>you shall take the two of them out to the gate of that town and stone them to death: the girl because she did not cry for help in the town, and the man because he violated another man’s wife. Thus you will sweep away evil from your midst. <sup>25</sup>But if the man comes upon the engaged girl in the open country, and the man lies with her by force, only the man who lay with her shall die, <sup>26</sup>but you shall do nothing to the girl. The girl did not incur the death penalty, for this case is like that of [a man-one person](#) attacking [and murdering](#) another [and murdering](#)

[him](#) [\[DS143\]](#). <sup>27</sup>He came upon her in the open; though the engaged girl cried for help, there was no one to save her.

<sup>28</sup>If a man comes upon a virgin who is not engaged and he seizes her and lies with her, and they are discovered, <sup>29</sup>the man who lay with her shall pay the girl’s father fifty [shekels of] silver, and she shall be his wife. Because he has violated her, he can never have the right to divorce her.

**23** No man shall marry his father’s former wife, [\[DS144\]](#) so as to remove his father’s garment.

<sup>2</sup>No [one man](#) [\[DS145\]](#) whose testes are crushed or whose member is cut off shall be admitted into the congregation [\[DS146\]](#) of the Eternal.

<sup>3</sup>[\[DS147\]](#) No one misbegotten shall be admitted into the congregation of the Eternal; [none of his descendants](#) [no such descendant](#), even in the tenth generation, shall be admitted into the congregation of the Eternal.

<sup>4</sup>No Ammonite or Moabite shall be admitted into the congregation of the Eternal; none of their descendants, even in the tenth generation, shall ever be admitted into the congregation of the Eternal, <sup>5</sup>because they did not meet you with food and water on your journey after you left Egypt, and because they hired Balaam son of Beor, from Pethor of Aram-naharaim, to curse you.—<sup>6</sup>But the Eternal your God refused to heed Balaam; instead, the Eternal your God turned the curse into a blessing for you, for the Eternal your God loves you.—<sup>7</sup>You shall never concern yourself with their welfare or benefit as long as you live.

<sup>8</sup>You shall not abhor an Edomite, for [he](#) [such](#) is your kinsman. You shall not abhor an Egyptian, for you were a stranger in [his](#) [that](#) land. <sup>9</sup>Children [\[DS148\]](#) born to them may be admitted into the congregation of the Eternal in the third generation.

<sup>10</sup>When you [\[men\]](#) go out as a troop against your enemies, be on your guard against anything untoward. <sup>11</sup>If anyone among you has been rendered impure by a nocturnal emission, he must leave the camp, and he must not reenter the camp. <sup>12</sup>Toward evening he shall bathe in water, and at sundown he may reenter the camp. <sup>13</sup>Further, there shall be an area for you outside the camp, where you may relieve yourself. <sup>14</sup>With your gear you shall have a spike, and when you have squatted you shall dig a hole with it and cover up your excrement. <sup>15</sup>Since the Eternal your God moves about in your camp to protect you and to deliver your enemies to you, let your camp be holy; let [Him](#) [\[God\]](#) not find anything unseemly among you and turn away from you.

<sup>16</sup>You shall not turn over to [his](#) [the](#) master a slave who seeks refuge with you from [his](#) [that](#) master. <sup>17</sup>[He](#) [Such](#) [indi-](#) [viduals](#) shall live with you in any place [he](#) [they](#) may choose among the settlements in your midst, wherever [he](#) [they](#) pleases; you must not ill-treat [him](#) [them](#) [\[DS149\]](#).



<sup>18</sup>No Israelite woman shall be a ~~cult~~-prostitute, nor shall any Israelite man be a ~~cult~~-prostitute [DS150]. <sup>19</sup>You shall not bring the fee of a whore or the pay of a dog into the house of the Eternal your God in fulfillment of any vow, for both are abhorrent to the Eternal your God.

<sup>20</sup>You shall not deduct interest from loans to your ~~countrymen~~~~fellow Israelites~~ [DS151], whether in money or food or anything else that can be deducted as interest; <sup>21</sup>but you may deduct interest from loans to foreigners. Do not deduct interest from loans to your ~~countrymen~~~~fellow Israelites~~, so that the Eternal your God may bless you in all your undertakings in the land that you are about to enter and possess.

<sup>22</sup>When you make a vow to the Eternal your God, do not put off fulfilling it, for the Eternal your God will require it of you, and you will have incurred guilt; <sup>23</sup>whereas you incur no guilt if you refrain from vowing. <sup>24</sup>You must fulfill what has crossed your lips and perform what you have voluntarily vowed to the Eternal your God, having made the promise with your own mouth.

<sup>25</sup>When you enter ~~another man's~~ ~~fellow [Israelite]'s~~ [DS152] vineyard, you may eat as many grapes as you want, until you are full, but you must not put any in your vessel. <sup>26</sup>When you enter ~~another man's~~ ~~fellow [Israelite]'s~~ field of standing grain, you may pluck ears with your hand; but you must not put a sickle to your neighbor's grain.

**24**A man takes a wife and possesses her. She fails to please him because he finds something obnoxious about her, and he writes her a bill of divorcement, hands it to her, and sends her away from his house; <sup>2</sup>she leaves his household and becomes the wife of another man; <sup>3</sup>then this latter man rejects her, writes her a bill of divorcement, hands it to her, and sends her away from his house; or the man who married her last dies. <sup>4</sup>Then the first husband who divorced her shall not take her to wife again, since she has been defiled—for that would be abhorrent to the Eternal. You must not bring sin upon the land that the Eternal your God is giving you as a heritage.

<sup>5</sup>When a man has taken a bride, he shall not go out with the army or be assigned to it for any purpose; he shall be exempt one year for the sake of his household, to give happiness to the woman he has married.

<sup>6</sup>A handmill or an upper millstone shall not be taken in pawn, for that would be taking someone's life in pawn.

<sup>7</sup>If ~~a man~~~~one~~ [DS153] is found to have kidnapped—and ~~then enslaved or sold~~—a fellow Israelite, ~~enslaving him or selling him,~~ [DS154] that kidnapper shall die; thus you will sweep out evil from your midst.

<sup>8</sup>In cases of a skin affection he must be most careful to do exactly as the levitical priests instruct you. Take care to do as I have commanded them. <sup>9</sup>Remember what the Eternal your God did to Miriam on the journey after you left Egypt.

<sup>10</sup>When you make a loan of any sort to your ~~countryman~~~~compatriot~~ [DS155], you must not enter ~~his~~~~the~~ house to

seize ~~his~~~~the~~ pledge. <sup>11</sup>You must remain outside, while the ~~man~~~~person~~ to whom you made the loan brings the pledge out to you. <sup>12</sup>If ~~he~~~~the person~~ is ~~a~~-needy-~~man~~, you shall not go to sleep in ~~his~~~~that~~ pledge; <sup>13</sup>you must return the pledge ~~to him~~ at sundown, that ~~he~~~~its owner~~ may sleep in ~~his~~~~the~~ cloth and bless you; and it will be to your merit before the Eternal your God.

<sup>14</sup>You shall not abuse a needy and destitute laborer, whether a fellow ~~countryman~~~~Israelite~~ [DS156] or a stranger in one of the communities of your land. <sup>15</sup>You must pay ~~him~~ ~~his~~~~out the~~ wages ~~due~~ on the same day, before the sun sets, for ~~he~~~~the worker~~ is needy and urgently depends on it; else ~~he~~ ~~will~~~~a~~ cry to the Eternal ~~will be issued~~ against you and you will incur guilt.

<sup>16</sup>Parents shall not be put to death for children [DS157], nor children be put to death for parents: ~~a~~-~~person~~~~one~~ shall be put to death only for ~~his~~~~one's~~ own crime.

<sup>17</sup>You shall not subvert the rights of the stranger or the fatherless; you shall not take a widow's garment in pawn. <sup>18</sup>Remember that you were a slave in Egypt and that the Eternal your God redeemed you from there; therefore do I enjoin you to observe this commandment.

<sup>19</sup>When you reap the harvest in your field and overlook a sheaf in the field, do not turn back to get it; it shall go to the stranger, the fatherless, and the widow—in order that the Eternal your God may bless you in all your undertakings.

<sup>20</sup>When you beat down the fruit of your olive trees, do not go over them again; that shall go to the stranger, the fatherless, and the widow. <sup>21</sup>When you gather the grapes of your vineyard, do not pick it over again; that shall go to the stranger, the fatherless, and the widow. <sup>22</sup>Always remember that you were a slave in the land of Egypt; therefore do I enjoin you to observe this commandment.

**25**When there is a dispute between ~~men~~~~persons~~ [DS158] and they go to law, and a decision is rendered declaring the one in the right and the other in the wrong—<sup>2</sup>if the guilty one is to be flogged, the magistrate shall have ~~him~~~~the person~~ lie down and ~~shall supervise~~~~be given lashes in his presence~~ ~~the giving of lashes~~ [DS159], by count, as ~~his~~ ~~guilt~~ ~~warrants~~~~warranted by the offense~~. <sup>3</sup>~~He~~~~The guilty one~~ may be given up to forty lashes, but not more, lest being flogged further, to excess, your ~~brother~~~~peer~~ [DS160] be degraded before your eyes.

<sup>4</sup>You shall not muzzle an ox while it is threshing.

<sup>5</sup>When brothers dwell together and one of them dies and leaves no ~~son~~~~offspring~~ [DS161], the wife of the deceased shall not be married to a stranger, outside the family. Her husband's brother shall unite with her: he shall take her as his wife and perform the levir's duty. <sup>6</sup>The first ~~son~~~~child~~ that she bears shall be accounted to the dead brother, that his name may not be blotted out in Israel. <sup>7</sup>But if the man does not want to marry his brother's widow, his brother's widow shall appear before the elders in the gate and declare, "My husband's brother refuses to establish a name in Israel for his brother; he

will not perform the duty of a levir.”<sup>8</sup>The elders of his town shall then summon him and talk to him. If he insists, saying, “I do not want to marry her,”<sup>9</sup>his brother’s widow shall go up to him in the presence of the elders, pull the sandal off his foot, spit in his face, and make this declaration: Thus shall be done to the man who will not build up his brother’s house!<sup>10</sup>And he shall go in Israel by the name of “the family of the unsandaled one.”

<sup>11</sup>If two men get into a fight with each other, and the wife of one comes up to save her husband from his antagonist and puts out her hand and seizes him by his genitals, <sup>12</sup>you shall cut off her hand; show no pity.

<sup>13</sup>You shall not have in your pouch alternate weights, larger and smaller. <sup>14</sup>You shall not have in your house alternate measures, a larger and a smaller. <sup>15</sup>You must have completely honest weights and completely honest measures, if you are to endure long on the soil that the Eternal your God is giving you. <sup>16</sup>For everyone who does those things, everyone who deals dishonestly, is abhorrent to the Eternal your God.

<sup>17</sup>Remember what Amalek did to you on your journey, after you left Egypt—<sup>18</sup>how, undeterred by fear of God, he surprised you on the march, when you were famished and weary, and cut down all the stragglers in your rear. <sup>19</sup>Therefore, when the Eternal your God grants you safety from all your enemies around you, in the land that the Eternal your God is giving you as a hereditary portion, you shall blot out the memory of Amalek from under heaven. Do not forget!

#### KITAVO

**26**When you enter the land that the Eternal your God is giving you as a heritage, and you possess it and settle in it, <sup>2</sup>you<sup>[DS162]</sup> shall take some of every first fruit of the soil, which you harvest from the land that the Eternal your God is giving you, put it in a basket and go to the place where the Eternal your God will choose to establish the divine name. <sup>3</sup>You shall go to the priest in charge at that time and say to him, “I acknowledge this day before the Eternal your God that I have entered the land that the Eternal swore to our fathers<sup>[DS163]</sup> to assign us.”

<sup>4</sup>The priest shall take the basket from your hand and set it down in front of the altar of the Eternal your God.

<sup>5</sup>You shall then recite<sup>[DS164]</sup> as follows before the Eternal your God: “My father was a fugitive Aramean. He went down to Egypt with meager numbers and sojourned there; but there he became a great and very populous nation. <sup>6</sup>The Egyptians dealt harshly with us and oppressed us; they imposed heavy labor upon us. <sup>7</sup>We cried to the Eternal, the God of our fathers<sup>[ancestors]</sup><sup>[DS165]</sup>, and the Eternal heard our plea and saw our plight, our misery, and our oppression. <sup>8</sup>The Eternal freed us from Egypt by a mighty hand, by an outstretched arm and awesome power, and by signs and portents.—<sup>9</sup>He

brought<sup>[bringing]</sup> us to this place and gave<sup>[giving]</sup> us this land, a land flowing with milk and honey. <sup>10</sup>Wherefore I now bring<sup>[DS166]</sup> the first fruits of the soil which You, Eternal One, have given me.”

You shall leave it before the Eternal your God and bow low<sup>[DS167]</sup> before the Eternal your God. <sup>11</sup>And you shall enjoy, together with the <sup>[family of the]</sup> Levite<sup>[DS168]</sup> and the stranger in your midst, all the bounty that the Eternal your God has bestowed upon you and your household.

<sup>12</sup>When you have set aside in full the tenth part of your yield—in the third year, the year of the tithe—and have given it to the <sup>[family of the]</sup> Levite, the stranger, the fatherless, and the widow, that they may eat their fill in your settlements, <sup>13</sup>you shall declare<sup>[DS169]</sup> before the Eternal your God: “I have cleared out the consecrated portion from the house; and I have given it to the <sup>[family of the]</sup> Levite, the stranger, the fatherless, and the widow, just as You commanded me; I have neither transgressed nor neglected any of Your commandments: <sup>14</sup>I have not eaten of it while in mourning, I have not cleared out any of it while I was impure, and I have not deposited any of it with the dead. I have obeyed the Eternal my God; I have done just as You commanded me. <sup>15</sup>Look down from Your holy abode, from heaven, and bless Your people Israel and the soil You have given us, a land flowing with milk and honey, as You swore to our fathers<sup>[DS170]</sup>.”

<sup>16</sup>The Eternal your God commands you this day to observe these laws and rules; observe them faithfully with all your heart and soul. <sup>17</sup>You have affirmed this day that the Eternal is your God, <sup>[that in whose ways]</sup> you will walk <sup>[in His ways, that whose laws and commandments and rules]</sup> you will observe <sup>[His laws and commandments and rules]</sup>, and <sup>[that whom]</sup> you will obey <sup>[Him]</sup>. <sup>18</sup>And the Eternal has affirmed this day that you are, as promised, <sup>[His God’s]</sup> treasured people who shall observe all <sup>[His the divine]</sup> commandments, <sup>19</sup>and that <sup>[He God]</sup> will set you, in fame and renown and glory, high above all the nations that <sup>[He God]</sup> has made; and that you shall be, as promised, a holy people to the Eternal your God.

**27**Moses and the elders of Israel charged the people, saying: Observe all the Instruction that I enjoin upon you this day. <sup>2</sup>As soon as you have crossed the Jordan into the land that the Eternal your God is giving you, you shall set up large stones. Coat them with plaster <sup>3</sup>and inscribe upon them all the words of this Teaching. When you cross over to enter the land that the Eternal your God is giving you, a land flowing with milk and honey, as the Eternal, the God of your fathers<sup>[ancestors]</sup><sup>[DS171]</sup>, promised you—<sup>4</sup>upon crossing the Jordan, you shall set up these stones, about which I charge you this day, on Mount Ebal, and coat them with plaster. <sup>5</sup>There, too, you shall build an altar to the Eternal your God, an altar of stones. Do not wield an iron tool over them; <sup>6</sup>you must build the altar of the Eternal your God of unhewn stones. You shall offer on it burnt offerings to the Eternal your God, <sup>7</sup>and you shall sac-

rifice there offerings of well-being and eat them, rejoicing before the Eternal your God. <sup>8</sup>And on those stones you shall inscribe every word of this Teaching most distinctly.

<sup>9</sup>Moses and the levitical priests spoke to all Israel, saying: Silence! Hear, O Israel! Today you have become the people of the Eternal your God: <sup>10</sup>Heed the Eternal your God and observe Histhe divine commandments and His—laws, which I enjoy upon you this day.

<sup>11</sup>Thereupon Moses charged the people, saying: <sup>12</sup>After you have crossed the Jordan, the following shall stand on Mount Gerizim when the blessing for the people is spoken: Simeon, Levi, Judah, Issachar, Joseph, and Benjamin. <sup>13</sup>And for the curse, the following shall stand on Mount Ebal: Reuben, Gad, Asher, Zebulun, Dan, and Naphtali. <sup>14</sup>The Levites shall then proclaim in a loud voice to all the people of Israel:

<sup>15</sup>Cursed be anyone DS172 who makes a sculptured or molten image, abhorred by the Eternal, a craftsman's handiwork, and sets it up in secret.—And all the people shall respond, Amen.

<sup>16</sup>Cursed be hethe one who insults his—father or mother DS173.—And all the people shall say, Amen.

<sup>17</sup>Cursed be hethe one who moves hisa fellow countryman neighbor's DS174 landmark.—And all the people shall say, Amen.

<sup>18</sup>Cursed be hethe one who misdirects a blind person on histhe way DS175.—And all the people shall say, Amen.

<sup>19</sup>Cursed be hethe one who subverts the rights of the stranger, the fatherless, and the widow.—And all the people shall say, Amen.

<sup>20</sup>Cursed be hethe [man] who lies with his father's wife, for he has removed his father's garment.—And all the people shall say, Amen.

<sup>21</sup>Cursed be hethe one who lies with any beast.—And all the people shall say, Amen.

<sup>22</sup>Cursed be hethe [man] who lies with his sister, whether daughter of his father or of his mother.—And all the people shall say, Amen.

<sup>23</sup>Cursed be hethe [man] who lies with his mother-in-law.—And all the people shall say, Amen.

<sup>24</sup>Cursed be hethe one who strikes down hisa fellow countryman [Israelite] DS176 in secret.—And all the people shall say, Amen.

<sup>25</sup>Cursed be hethe one who accepts a bribe in the case of the murder of an innocent person.—And all the people shall say, Amen.

<sup>26</sup>Cursed be hewhoever will not uphold the terms of this Teaching and observe them.—And all the people shall say, Amen.

**28**Now, if you obey the Eternal your God, to observe faithfully all Histhe divine commandments which I enjoy upon you this day, the Eternal your God will set you high above all

the nations of the earth. <sup>2</sup>All these blessings shall come upon you and take effect, if you will but heed the word of the Eternal your God:

<sup>3</sup>Blessed shall you be in the city and blessed shall you be in the country.

<sup>4</sup>Blessed shall be the issue of your womb DS177, the produce of your soil, and the offspring of your cattle, the calving of your herd and the lambing of your flock.

<sup>5</sup>Blessed shall be your basket and your kneading bowl.

<sup>6</sup>Blessed shall you be in your comings and blessed shall you be in your goings.

<sup>7</sup>The Eternal will put to rout before you the enemies who attack you; they will march out against you by a single road, but flee from you by many roads DS178. <sup>8</sup>The Eternal will ordain blessings for you upon your barns and upon all your undertakings: He will bless you you will be blessed in the land that the Eternal your God is giving you. <sup>9</sup>The Eternal will establish you as HisGod's holy people, as He sworewas sworn to you, if you keep the commandments of the Eternal your God and walk in HisGod's ways. <sup>10</sup>And all the peoples of the earth shall see that the Eternal's name is proclaimed over you, and they shall stand in fear of you. <sup>11</sup>The Eternal will give you abounding prosperity in the issue of your womb, the offspring of your cattle, and the produce of your soil in the land that the Eternal swore to your fathers DS179 to assign to you.

<sup>12</sup>The Eternal will open for you Histhat bounteous store, the heavens, to provide rain for your land in season and to bless all your undertakings. You will be creditor to many nations, but debtor to none.

<sup>13</sup>The Eternal will make you the head, not the tail; you will always be at the top and never at the bottom—if only you obey and faithfully observe the commandments of the Eternal your God that I enjoy upon you this day, <sup>14</sup>and do not deviate to the right or to the left from any of the commandments that I enjoy upon you this day and turn to the worship of other gods.

<sup>15</sup>But if you do not obey the Eternal your God to observe faithfully all Histhe commandments and laws which I enjoy upon you this day, all these curses shall come upon you and take effect:

<sup>16</sup>Cursed shall you be in the city and cursed shall you be in the country.

<sup>17</sup>Cursed shall be your basket and your kneading bowl.

<sup>18</sup>Cursed shall be the issue of your womb and the produce of your soil, the calving of your herd and the lambing of your flock.

<sup>19</sup>Cursed shall you be in your comings and cursed shall you be in your goings.

<sup>20</sup>The Eternal will let loose against you calamity, panic, and frustration in all the enterprises you undertake, so that you shall soon be utterly wiped out because of your evildoing in forsaking Me. <sup>21</sup>The Eternal will make pestilence cling to you, until He hasputting an end to you DS180 in the land that

you are entering to possess. <sup>22</sup>The Eternal will strike you with consumption, fever, and inflammation, with scorching heat and drought, with blight and mildew; they shall hound you until you perish. <sup>23</sup>The skies above your head shall be copper and the earth under you iron. <sup>24</sup>The Eternal will make the rain of your land dust, and sand shall drop on you from the sky, until you are wiped out.

<sup>25</sup>The Eternal will put you to rout before your enemies; you shall march out against them by a single road, but flee from them by many roads; and you shall become a horror to all the kingdoms of the earth [DS181]. <sup>26</sup>Your carcasses shall become food for all the birds of the sky and all the beasts of the earth, with none to frighten them off.

<sup>27</sup>The Eternal will strike you with the Egyptian inflammation, with hemorrhoids, boil-scars, and itch, from which you shall never recover.

<sup>28</sup>The Eternal will strike you with madness, blindness, and dismay. <sup>29</sup>You shall grope at noon as athe blind man gropes [DS182] in the dark; you shall not prosper in your ventures, but shall be constantly abused and robbed, with none to give help.

<sup>30</sup>If you [a man] pay the bride-price for a wife, another man shall enjoy her. [DS183]

If you build a house, you shall not live in it. If you plant a vineyard, you shall not harvest it. <sup>31</sup>Your ox shall be slaughtered before your eyes, but you shall not eat of it; your ass shall be seized in front of you, and it shall not be returned to you; your flock shall be delivered to your enemies, with none to help you. <sup>32</sup>Your sons and daughters shall be delivered to another people, while you look on; and your eyes shall strain for them constantly, but you shall be helpless. <sup>33</sup>A people you do not know shall eat up the produce of your soil and all your gains; you shall be abused and downtrodden continually, <sup>34</sup>until you are driven mad by what your eyes behold. <sup>35</sup>The Eternal will afflict you at the knees and thighs with a severe inflammation, from which you shall never recover—from the sole of your foot to the crown of your head.

<sup>36</sup>The Eternal will drive you, and the king you have set over you, to a nation unknown to you or your fathersances- tors [DS184], where you shall serve other gods, of wood and stone. <sup>37</sup>You shall be a consternation, a proverb, and a byword among all the peoples to which the Eternal will drive you.

<sup>38</sup>Though you take much seed out to the field, you shall gather in little, for the locust shall consume it. <sup>39</sup>Though you plant vineyards and till them, you shall have no wine to drink or store, for the worm shall devour them. <sup>40</sup>Though you have olive trees throughout your territory, you shall have no oil for anointment, for your olives shall drop off. <sup>41</sup>Though you beget sons and daughters, they shall not remain with you, for they shall go into captivity. <sup>42</sup>The cricket shall take over all the trees and produce of your land.

<sup>43</sup>The strangers in your midst [DS185] shall rise above you higher and higher, while you sink lower and lower:

<sup>44</sup>hethey shall be your creditors, but you shall not be his- theirs; hethey shall be the head and you the tail.

<sup>45</sup>All these curses shall befall you; they shall pursue you and overtake you, until you are wiped out, because you did not heed the Eternal your God and keep the commandments and laws that Hewere enjoined upon you. <sup>46</sup>They shall serve as signs and proofs against you and your offspring for all time. <sup>47</sup>Because you would not serve the Eternal your God in joy and gladness over the abundance of everything, <sup>48</sup>you shall have to serve—in hunger and thirst, naked and lacking everything—the enemies whom the Eternal will let loose against you. He[God] will put an iron yoke upon your neck until He has you are wiped-you out [DS186].

<sup>49</sup>The Eternal will bring a nation against you from afar, from the end of the earth, which will swoop down like the eagle—a nation whose language you do not understand, <sup>50</sup>a ruthless nation, that will show the old no regard and the young no mercy. <sup>51</sup>It shall devour the offspring of your cattle and the produce of your soil, until you have been wiped out, leaving you nothing of new grain, wine, or oil, of the calving of your herds and the lambing of your flocks, until it has brought you to ruin. <sup>52</sup>It shall shut you up in all your towns throughout your land until every mighty, towering wall in which you trust has come down. And when you are shut up in all your towns throughout your land that the Eternal your God has assigned to you, <sup>53</sup>you shall eat your own issue, the flesh of your sons and daughters that the Eternal your God has assigned to you, because of the desperate straits to which your enemy shall reduce you. <sup>54</sup>He [DS187] who is most tender and fastidious among you shall be too mean to his brother and the wife of his bosom and the children he has spared <sup>55</sup>to share with any of them the flesh of the children that he eats, because he has nothing else left as a result of the desperate straits to which your enemy shall reduce you in all your towns. <sup>56</sup>And she who is most tender and dainty among you, so tender and dainty that she would never venture to set a foot on the ground, shall begrudge the husband of her bosom, and her son and her daughter, <sup>57</sup>the afterbirth that issues from between her legs and the babies she bears; she shall eat them secretly, because of utter want, in the desperate straits to which your enemy shall reduce you in your towns.

<sup>58</sup>If you fail to observe faithfully all the terms of this Teaching that are written in this book, to reverence this honored and awesome Name, the Eternal your God, <sup>59</sup>the Eternal will inflict extraordinary plagues upon you and your offspring, strange and lasting plagues, malignant and chronic diseases.—<sup>60</sup>He will bring back upon you all the sicknesses of Egypt that you dreaded so, and they shall cling to you. <sup>61</sup>Moreover, the Eternal will bring upon you all the other diseases and plagues that are not mentioned in this book of Teaching, until you are wiped out. <sup>62</sup>You shall be left a scant few, after having been as numerous as the stars in the skies, because you did not heed the command of the Eternal your God. <sup>63</sup>And as the Eternal once delighted in making you

prosperous and many, so will the Eternal now delight in causing you to perish and in wiping you out; you shall be torn from the land that you are about to enter and possess.

<sup>64</sup>The Eternal will scatter you among all the peoples from one end of the earth to the other, and there you shall serve other gods, wood and stone, whom neither you nor your ancestors [DS188] have experienced. <sup>65</sup>Yet even among those nations you shall find no peace, nor shall your foot find a place to rest. The Eternal will give you there an anguished heart and eyes that pine and a despondent spirit. <sup>66</sup>The life you face shall be precarious; you shall be in terror, night and day, with no assurance of survival. <sup>67</sup>In the morning you shall say, “If only it were evening!” and in the evening you shall say, “If only it were morning!”—because of what your heart shall dread and your eyes shall see. <sup>68</sup>The Eternal will send you back to Egypt in galleys, by a route which I told you you should not see again. There you shall offer yourselves for sale to your enemies as male and female slaves [DS189], but none will buy.

<sup>69</sup>These are the terms of the covenant which the Eternal commanded Moses to conclude with the Israelites in the land of Moab, in addition to the covenant which ~~He had~~ was made with them at Horeb.

**29** Moses summoned all Israel and said to them:

You have seen all that the Eternal did before your very eyes in the land of Egypt, to Pharaoh and to all his courtiers and to his whole country: <sup>2</sup>the wondrous feats that you saw with your own eyes, those prodigious signs and marvels. <sup>3</sup>Yet to this day the Eternal has not given you a mind to understand or eyes to see or ears to hear.

<sup>4</sup>I led you through the wilderness forty years; the clothes on your back did not wear out, nor did the sandals on your feet; <sup>5</sup>you had no bread to eat and no wine or other intoxicant to drink—that you might know that I the Eternal am your God.

<sup>6</sup>When you reached this place, King Sihon of Heshbon and King Og of Bashan came out to engage us in battle, but we defeated them. <sup>7</sup>We took their land and gave it to the Reubenites, the Gadites, and the half-tribe of Manasseh as their heritage. <sup>8</sup>Therefore observe faithfully all the terms of this covenant, that you may succeed in all that you undertake.

NITZAVIM

<sup>9</sup>You stand this day, all of you [DS190], before the Eternal your God—you ~~f~~ tribal heads, you ~~f~~ elders, and you ~~f~~ officials, all the men of Israel [DS191], <sup>10</sup>you ~~f~~ children, you ~~wives~~ women [DS192], even the stranger within your camp, from woodchopper to water ~~drawer~~ [DS193]—<sup>11</sup>to enter into the covenant of the Eternal your God, which the Eternal your God is concluding with you this day, with its sanctions; <sup>12</sup>to

~~the end that He may~~ in order to establish you this day as ~~His~~ God’s people and ~~in order to~~ be your God, as promised you and as sworn to your fathers [DS194], Abraham, Isaac, and Jacob. <sup>13</sup>I make this covenant, with its sanctions, not with you alone, <sup>14</sup>but both with those who are standing here with us [DS195] this day before the Eternal our God and with those who are not with us here this day.

<sup>15</sup>Well you know that we dwelt in the land of Egypt and that we passed through the midst of various other nations through which you passed; <sup>16</sup>and you have seen the detestable things and the fetishes of wood and stone, silver and gold, that they keep. <sup>17</sup>Perchance there is among you some man or woman, or some clan or tribe, [DS196] whose heart is even now turning away from the Eternal our God to go and worship the gods of those nations—perchance there is among you a stock sprouting poison weed and wormwood. <sup>18</sup>When ~~such a one~~ [for example] a man hears the words of these sanctions, he may fancy himself immune, thinking, “I shall be safe, though I follow my own willful heart”—to the utter ruin of moist and dry alike. <sup>19</sup>The Eternal will never forgive ~~him~~ such individuals; rather will the Eternal’s anger and passion rage against ~~that man~~ them, till every sanction recorded in this book comes down upon ~~him~~ them, and the Eternal blots out ~~his~~ their name from under heaven.

<sup>20</sup>[As for such a clan or tribe.] ~~t~~ The Eternal will single ~~them~~ it out from all the tribes of Israel for misfortune, in accordance with all the sanctions of the covenant recorded in this book of Teaching. <sup>21</sup>And later generations will ask—the children who succeed you [DS197], and foreigners who come from distant lands and see the plagues and diseases that the Eternal has inflicted upon that land, <sup>22</sup>all its soil devastated by sulfur and salt, beyond sowing and producing, no grass growing in it, just like the upheaval of Sodom and Gomorrah, Admah and Zeboiim, which the Eternal overthrew in ~~His~~ fierce anger—<sup>23</sup>all nations will ask, “Why did the Eternal do thus to this land? Wherefore that awful wrath?” <sup>24</sup>They will be told, “Because they forsook the covenant that the Eternal, God of their ~~fathers~~ ancestors [DS198], made with them ~~when He freed~~ upon freeing them from the land of Egypt; <sup>25</sup>they turned to the service of other gods and worshiped them, gods whom they had not experienced and whom ~~He~~ [God] had not allotted to them. <sup>26</sup>So the Eternal was incensed at that land and brought upon it all the curses recorded in this book. <sup>27</sup>The Eternal uprooted them from their soil in anger, fury, and great wrath, and cast them into another land, as is still the case.”

<sup>28</sup>Concealed acts concern the Eternal our God; but with overt acts, it is for us and our children ever to apply all the provisions of this Teaching.

**30** When all these things befall you—the blessing and the curse that I have set before you—and you take them to heart amidst the various nations to which the Eternal your God has banished you, <sup>2</sup>and you return to the Eternal your God, and

you and your children heed **HisGod's** command with all your heart and soul, just as I enjoin upon you this day, <sup>3</sup>then the Eternal your God will restore your fortunes and take you back in love. **He[God]** will bring you together again from all the peoples where the Eternal your God has scattered you. <sup>4</sup>Even if your outcasts are at the ends of the world, from there the Eternal your God will gather you, from there **He[God]** will fetch you. <sup>5</sup>And the Eternal your God will bring you to the land that your **fathersancestors** possessed **[DS199]**, and you shall possess it; and **He[God]** will make you more prosperous and more numerous than your **fathersancestors** **[DS200]**.

<sup>6</sup>Then the Eternal your God will open up your heart and the hearts of your offspring—**to** love the Eternal your God with all your heart and soul, in order that you may live **[DS201]**. <sup>7</sup>The Eternal your God will inflict all those curses upon the enemies and foes who persecuted you. <sup>8</sup>You, however, will again heed the Eternal and obey all **Histhe divine** commandments that I enjoin upon you this day. <sup>9</sup>And the Eternal your God will grant you abounding prosperity in all your undertakings, in the issue of your womb, the offspring of your cattle, and the produce of your soil. For the Eternal will again delight in your well-being, as **He—did**—in that of your **fathersancestors** **[DS202]**, <sup>10</sup>since you will be heeding the Eternal your God and keeping **Histhe divine** commandments and laws that are recorded in this book of the Teaching—once you return to the Eternal your God with all your heart and soul.

<sup>11</sup>Surely, this Instruction which I enjoin upon you this day is not too baffling for you, nor is it beyond reach. <sup>12</sup>It is not in the heavens, that you should say, “Who among us can go up to the heavens and get it for us and impart it to us, that we may observe it?” <sup>13</sup>Neither is it beyond the sea, that you should say, “Who among us can cross to the other side of the sea and get it for us and impart it to us, that we may observe it?” <sup>14</sup>No, the thing is very close to you, in your mouth and in your heart, to observe it.

<sup>15</sup>See, I set before you this day life and prosperity, death and adversity. <sup>16</sup>For I command you this day, to love the Eternal your God, to walk in **HisGod's** ways, and to keep **HisGod's** commandments, **HisGod's** laws, and **HisGod's** rules, that you may thrive and increase, and that the Eternal your God may bless you in the land that you are about to enter and possess. <sup>17</sup>But if your heart turns away and you give no heed, and are lured into the worship and service of other gods, <sup>18</sup>I declare to you this day that you shall certainly perish; you shall not long endure on the soil that you are crossing the Jordan to enter and possess. <sup>19</sup>I call heaven and earth to witness against you this day: I have put before you life and death, blessing and curse. Choose life—if you and your offspring would live—<sup>20</sup>by loving the Eternal your God, heeding **HisGod's** commands, and holding fast to **Him[God]**. For thereby you shall have life and shall long endure upon the soil that the Eternal swore to your fathers **[DS203]**; Abraham, Isaac, and Jacob, to give to them.

## VAYEILECH

**31** Moses went and spoke these things to all Israel. <sup>2</sup>He said to them:

I am now one hundred and twenty years old, I can no longer be active. Moreover, the Eternal has said to me, “You shall not go across yonder Jordan.” <sup>3</sup>**[DS204]TheIt is indeed** the Eternal your God **Himselfwho** will cross over before you; and **He—Himselfwho** will wipe out those nations from your path; and you shall dispossess them.—Joshua is the one who shall cross before you, as the Eternal has spoken.—<sup>4</sup>The Eternal will do to them as **He—didwas done** to Sihon and Og, kings of the Amorites, and to their countries, when **He[God]** wiped them out. <sup>5</sup>The Eternal will deliver them up to you, and you shall deal with them in full accordance with the Instruction that I have enjoined upon you. <sup>6</sup>Be strong and resolute, be not in fear or in dread of them; for **it is indeed** the Eternal your God **Himselfwho** marches with you: **He[God]** will not fail you or forsake you.

<sup>7</sup>Then Moses called Joshua and said to him in the sight of all Israel: “Be strong and resolute, for it is you who shall go with this people into the land that the Eternal swore to their fathers **[DS205]** to give them, and it is you who shall apportion it to them. <sup>8</sup>And **it is indeed** the Eternal **Himselfwho** will go before you. **He[God]** will be with you; **He—and** will not fail you or forsake you. Fear not and be not dismayed!”

<sup>9</sup>Moses wrote down this Teaching and gave it to the priests, sons of Levi, who carried the Ark of the Eternal's Covenant, and to all the elders of Israel.

<sup>10</sup>And Moses instructed them as follows: Every seventh year, the year set for remission, at the Feast of Booths, <sup>11</sup>when all Israel comes to appear before the Eternal your God in the place that **He[God]** will choose, you shall read this Teaching aloud in the presence of all Israel. <sup>12</sup>Gather the people—men, women, children, and the strangers in your communities—**[DS206]** that they may hear and so learn to revere the Eternal your God and to observe faithfully every word of this Teaching. <sup>13</sup>Their children, too, who have not had the experience, shall hear and learn to revere the Eternal your God as long as they live in the land that you are about to cross the Jordan to possess.

<sup>14</sup>The Eternal One said to Moses: The time is drawing near for you to die. Call Joshua and present yourselves in the Tent of Meeting, that I may instruct him. Moses and Joshua went and presented themselves in the Tent of Meeting. <sup>15</sup>The Eternal appeared in the Tent, in a pillar of cloud, the pillar of cloud having come to rest at the entrance of the tent.

<sup>16</sup>The Eternal said to Moses: You are soon to lie with your **fathersancestors** **[DS207]**. This people will thereupon go astray after the alien gods in their midst, in the land that they are about to enter; they will forsake Me and break My cove-

nant that I made with them. <sup>17</sup>Then My anger will flare up against them, and I will abandon them and hide My countenance from them. They shall be ready prey; and many evils and troubles shall befall them. And they shall say on that day, “Surely it is because our God is not in our midst that these evils have befallen us.” <sup>18</sup>Yet I will keep My countenance hidden on that day, because of all the evil they have done in turning to other gods. <sup>19</sup>Therefore, write down this poem and teach it to the people of Israel; put it in their mouths, in order that this poem may be My witness against the people of Israel. <sup>20</sup>When I bring them into the land flowing with milk and honey that I promised on oath to their fathers [DS208], and they eat their fill and grow fat and turn to other gods and serve them, spurning Me and breaking My covenant, <sup>21</sup>and the many evils and troubles befall them—then this poem shall confront them as a witness, since it will never be lost from the mouth of their offspring. For I know what plans they are devising even now, before I bring them into the land that I promised on oath.

<sup>22</sup>That day, Moses wrote down this poem and taught it to the Israelites.

<sup>23</sup>And He [God] [DS209] charged Joshua son of Nun: “Be strong and resolute: for you shall bring the Israelites into the land that I promised them on oath, and I will be with you.”

<sup>24</sup>When Moses had put down in writing the words of this Teaching to the very end, <sup>25</sup>Moses charged the Levites who carried the Ark of the Covenant of the Eternal, saying: <sup>26</sup>Take this book of Teaching and place it beside the Ark of the Covenant of the Eternal your God, and let it remain there as a witness against you. <sup>27</sup>Well I know how defiant and stiff-necked you are: even now, while I am still alive in your midst, you have been defiant toward the Eternal; how much more, then, when I am dead! <sup>28</sup>Gather to me all the elders of your tribes and your officials, that I may speak all these words to them and that I may call heaven and earth to witness against them. <sup>29</sup>For I know that, when I am dead, you will act wickedly and turn away from the path that I enjoined upon you, and that in time to come misfortune will befall you for having done evil in the sight of the Eternal, and vexed Him whom you vexed by your deeds.

<sup>30</sup>Then Moses recited the words of this the following poem to the very end, in the hearing of the whole congregation [DS210] of Israel: [DS211]

#### HAAZINU

<sup>32</sup> [DS212] Give ear, O heavens, let me speak;

Let the earth hear the words I utter!

<sup>2</sup> May my discourse come down as the rain,

My speech distill as the dew,

Like showers on young growth,

Like droplets on the grass.

<sup>3</sup> For the name of the Eternal I proclaim;

Give glory to our God!

<sup>4</sup> The Rock!—His whose deeds are perfect,

Yea, all His God’s ways are just;

A faithful God, never false,

True and upright is He indeed.

<sup>5</sup> Children unworthy Unworthy children of Him—

That crooked, perverse generation—

Their baseness has played Him God false.

<sup>6</sup> Do you thus requite the Eternal,

O dull and witless people?

Is not Hethis the Father [DS213] who created you;—  
[DS214] Fashioned you and made you endure [DS215]!

<sup>7</sup> Remember the days of old,

Consider the years of ages past;

Ask your fatherparent [DS216], hewho will inform you,

Your elders, theywho will tell you:

<sup>8</sup> When the Most High gave nations their homes

And set the divisions of the manhuman race [DS217],

He [God] fixed the boundaries of peoples

In relation to Israel’s numbers.

<sup>9</sup> For the Eternal’s portion is His this people;:

Jacob, His God’s own allotment.

<sup>10</sup> He [God] found himthem [DS218] in a desert region,

In an empty howling waste.

He [God] engirded himthem, watched over himthem,

Guarded himthem as the pupil of His God’s eye [DS219].

<sup>11</sup> Like an eagle who rouses his its nestlings [DS220],

Gliding down to his its young,

So did He [God] spread His wings and take himthem,

Bear himthem along on His pinions;

<sup>12</sup> The Eternal alone did guide himthem,

No alien god at His alongside.

<sup>13</sup> He [God] set himthem atop the highlands,

To feast on the yield of the earth;

He fed Nursing [DS221] himthem with honey from the  
crag,

And oil from the flinty rock,

<sup>14</sup> Curd of kine and milk of flocks;

With the best of lambs,

And rams of Bashan, and he-goats;

With the very finest wheat—

And foaming grape-blood was your drink.

<sup>15</sup> So Jeshurun grew fat and kicked—

You grew fat and gross and coarse—

He They forsook the God who made himthem

And spurned the Rock of his their support.

<sup>16</sup> They incensed Him [God] with alien things,

Vexed Him [God] with abominations.

<sup>17</sup> They sacrificed to demons, no-gods,

Gods they had never known,  
 New ones, who came but lately,  
 Who stirred not your fathers' forebears' fears.  
 18 You neglected the Rock that who begot you [DS222],  
 Forgot the God who brought labored to bring you forth.

19 The Eternal saw and was vexed  
 And spurned His these sons and His daughters [DS223].  
 20 He [God] said:

I will hide My countenance from them,  
 And see how they fare in the end.  
 For they are a treacherous breed,  
 Children with no loyalty in them.

21 They incensed Me with no-gods,  
 Vexed Me with their futilities;  
 I'll incense them with a no-folk,  
 Vex them with a nation of fools.

22 For a fire has flared in My wrath  
 And burned to the bottom of Sheol,  
 Has consumed the earth and its increase,  
 Eaten down to the base of the hills.

23 I will sweep misfortunes on them,  
 Use up My arrows on them:

24 Wasting famine, ravaging plague,  
 Deadly pestilence, and fanged beasts  
 Will I let loose against them,  
 With venomous creepers in dust.

25 The sword shall deal death without,  
 As shall the terror within,  
 To youth and maiden alike,  
 The suckling as well as the aged.

26 I might have reduced them to naught,  
 Made their memory cease among men human-  
kind [DS224].

27 But for fear of the taunts of the foe,  
 Their enemies who might misjudge  
 And say, "Our own hand has prevailed;  
 None of this was wrought by the Eternal!"

28 For they are a folk void of sense,  
 Lacking in all discernment.

29 Were they wise, they would think upon this,  
 Gain insight into their future:

30 "How could one have routed a thousand,  
 Or two put ten thousand to flight,  
 Unless their Rock had sold them,  
 The Eternal had given them up?"

31 For their rock is not like our Rock,  
 In our enemies' own estimation.

32 Ah! The vine for them is from Sodom,  
 From the vineyards of Gomorrah;  
 The grapes for them are poison,  
 A bitter growth their clusters.

33 Their wine is the venom of asps,  
 The pitiless poison of vipers.

34 Lo, I have it all put away,  
 Sealed up in My storehouses,

35 To be My vengeance and recompense,  
 At the time that their foot falters.  
 Yea, their day of disaster is near,  
 And destiny rushes upon them.

36 For the Eternal will vindicate His God's people  
 And take revenge for His God's servants,  
When He sees Upon seeing that their might is gone,  
 And neither bond nor free is left.

37 He [God] will say: Where are their gods,  
 The rock in whom they sought refuge,

38 Who ate the fat of their offerings  
 And drank their libation wine?

Let them rise up to your help,  
 And let them be a shield unto you!

39 See, then, that I, I am He the One;  
 There is no god beside Me.

I deal death and give life;  
 I wounded and I will heal:

None can deliver from My hand.  
 40 Lo, I raise My hand to heaven

And say: As I live forever,  
 41 When I whet My flashing blade

And My hand lays hold on judgment,  
 Vengeance will I wreak on My foes,  
 Will I deal to those who reject Me.

42 I will make My arrows drunk with blood—  
 As My sword devours flesh—

Blood of the slain and the captive  
 From the long-haired enemy chiefs.

43 O nations, acclaim His God's people!

For He'll avenge the blood of His servants,  
 Wreak vengeance on His foes,  
 And cleanse the land of His people's land [DS225].

44 Moses came, together with Hosea son of Nun, and recited all the words of this poem in the hearing of the people.

45 And when Moses finished reciting all these words to all Israel, <sup>46</sup>he said to them: Take to heart all the words with which I have warned you this day. Enjoin them upon your children, that they may observe faithfully all the terms of this Teaching. <sup>47</sup>For this is not a trifling thing for you: it is your very life; through it you shall long endure on the land that you are to possess upon crossing the Jordan.

<sup>48</sup>That very day the Eternal One spoke to Moses: <sup>49</sup>Ascend these heights of Abarim to Mount Nebo, which is in the land of Moab facing Jericho, and view the land of Canaan, which I am giving the Israelites as their holding. <sup>50</sup>You shall die on the mountain that you are about to ascend, and shall be



gathered to your kin, as your brother Aaron died on Mount Hor and was gathered to his kin; <sup>51</sup>for you both broke faith with Me among the Israelite people, at the waters of Meribath-kadesh in the wilderness of Zin, by failing to uphold My sanctity among the Israelite people. <sup>52</sup>You may view the land from a distance, but you shall not enter it—the land that I am giving to the Israelite people.

### V'ZOT HAB'RACHAH

**33** This is the blessing with which Moses, the man of God <sup>DS226</sup>, bade the Israelites farewell before he died. <sup>2</sup>He said:

<sup>DS227</sup>The Eternal came from Sinai; ~~He~~ <sup>And</sup> shone upon them from Seir; ~~He~~ <sup>God</sup> appeared from Mount Paran, And approached from Ribebboth-kodesh, Lightning flashing at them from ~~His~~ <sup>on the</sup> right. <sup>3</sup>Lover, indeed, of the people, Their hallowed are all in Your hand. They followed in Your steps, Accepting Your pronouncements, <sup>4</sup>When Moses charged us with the Teaching As the heritage of the congregation of Jacob. <sup>5</sup>Then ~~He~~ <sup>God</sup> became King in Jeshurun, When the heads of the people assembled, The tribes of Israel together.

<sup>6</sup>May Reuben live and not die, Though few be his numbers.

<sup>7</sup>And this he said of Judah:

Hear, Eternal One, <sup>DS228</sup> the voice of Judah And restore him to his people. Though his own hands strive for him, Help him against his foes.

<sup>8</sup>And of Levi he said:

Let Your Thummim and Urim Be with Your faithful one, Whom You tested at Massah, Challenged at the waters of Meribah; <sup>9</sup>Who said of his father and mother, “I consider them not.” His brothers he disregarded, Ignored his own children. Your precepts alone they observed, And kept Your covenant. <sup>10</sup>They shall teach Your laws to Jacob And Your instructions to Israel. They shall offer You incense to savor And whole-offerings on Your altar. <sup>11</sup>Bless, Eternal One, his substance, And favor his undertakings.

Smite the loins of his foes; Let his enemies rise no more.

<sup>12</sup>Of Benjamin he said:

Beloved of the Eternal, He rests securely beside ~~Him~~ <sup>God</sup>; ~~Ever does He~~ <sup>Who</sup> protects him ~~always~~. As he rests between ~~His~~ <sup>God's</sup> shoulders.

<sup>13</sup>And of Joseph he said:

Blessed of the Eternal be his land With the bounty of dew from heaven, And of the deep that couches below; <sup>14</sup>With the bounteous yield of the sun, And the bounteous crop of the moons; <sup>15</sup>With the best from the ancient mountains, And the bounty of hills immemorial; <sup>16</sup>With the bounty of earth and its fullness, And the favor of the Presence in the Bush. May these rest on the head of Joseph, On the crown of the elect of his brothers. <sup>17</sup>Like a firstling bull in his majesty, He has horns like the horns of the wild-ox; With them he gores the peoples, The ends of the earth one and all. These are the myriads of Ephraim, Those are the thousands of Manasseh.

<sup>18</sup>And of Zebulun he said:

Rejoice, O Zebulun, on your journeys, And Issachar, in your tents. <sup>19</sup>They invite their kin to the mountain, Where they offer sacrifices of success. For they draw from the riches of the sea And the hidden hoards of the sand.

<sup>20</sup>And of Gad he said:

Blessed be ~~He~~ <sup>the One</sup> who enlarges Gad! Poised is he like a lion To tear off arm and scalp. <sup>21</sup>He chose for himself the best, For there is the portion of the revered chieftain, Where the heads of the people come. He executed the Eternal's judgments And ~~His~~ <sup>God's</sup> decisions for Israel.

<sup>22</sup>And of Dan he said:

Dan is a lion's whelp That leaps forth from Bashan.

<sup>23</sup>And of Naphtali he said:

O Naphtali, sated with favor And full of the Eternal's blessing, Take possession on the west and south.

<sup>24</sup>And of Asher he said:

Most blessed of sons be Asher;  
 May he be the favorite of his brothers,  
 May he dip his foot in oil.  
<sup>25</sup>May your doorbolts be iron and copper,  
 And your security last all your days.

**DS229**<sup>26</sup>O Jeshurun, there is none like God,  
 Riding through the heavens to help you,  
 Through the skies in His majesty.

<sup>27</sup>The ancient God is a refuge,  
 A support are the arms everlasting.  
 He drove out the enemy before you  
 By His command: Destroy!

<sup>28</sup>Thus Israel dwells in safety,  
 Untroubled is Jacob's abode,  
 In a land of grain and wine,  
 Under heavens dripping dew.

<sup>29</sup>O happy Israel! Who is like you,  
 A people delivered by the Eternal,  
 Your protecting Shield, your Sword triumphant!  
 Your enemies shall come cringing before you,  
 And you shall tread on their backs.

<sup>34</sup>Moses went up from the steppes of Moab to Mount Nebo,  
 to the summit of Pisgah, opposite Jericho, and the Eternal

showed him the whole land: Gilead as far as Dan; <sup>2</sup>all Naphtali; the land of Ephraim and Manasseh; the whole land of Judah as far as the Western Sea; <sup>3</sup>the Negeb; and the Plain—the Valley of Jericho, the city of palm trees—as far as Zoar. <sup>4</sup>And the Eternal said to him, “This is the land of which I swore to Abraham, Isaac, and Jacob, ‘I will assign it to your offspring.’ I have let you see it with your own eyes, but you shall not cross there.”

<sup>5</sup>So Moses the servant of the Eternal died there, in the land of Moab, at the command of the Eternal. <sup>6</sup>**He[God]** buried him in the valley in the land of Moab, near Beth-peor; and no one knows his burial place to this day. <sup>7</sup>Moses was a hundred and twenty years old when he died; his eyes were undimmed and his vigor unabated. <sup>8</sup>And the Israelites bewailed Moses in the steppes of Moab for thirty days.

The period of wailing and mourning for Moses came to an end. <sup>9</sup>Now Joshua son of Nun was filled with the spirit of wisdom because Moses had laid his hands upon him; and the Israelites heeded him, doing as the Eternal had commanded Moses.

<sup>10</sup>Never again did there arise in Israel a prophet like Moses—whom the Eternal singled out, face to face, <sup>11</sup>for the various signs and portents that the Eternal sent him to display in the land of Egypt, against Pharaoh and all his courtiers and his whole country, <sup>12</sup>and for all the great might and awesome power that Moses displayed before all Israel.

**[DS1]** 1:6. *eloheinu dibber eleinu. . . . rav-lachem shevet* (NJPS: “God spoke to us. . . . You have stayed long enough”). The book’s opening describes Moses’ audience in the story as *kol yisrael . . . b’nei yisrael* (NJPS: “all Israel . . . the Israelites”; 1:1–3), and these terms are typically—but not always—gender inclusive. (On some instances where *b’nei yisrael* refers only to males, see my notes at Num. 1:45; 15:38; 26:2, 4, 64; 27:21.) Here these terms form the basis of the “you” whom the character of Moses is addressing throughout this book. The implied gender(s) of that audience must be gleaned from what he says to them—that is, what his remarks reflect about his audience. The question of their gender cannot be answered conclusively by this paragraph alone, nor solely by recourse to Deut. 29:9–10 or to Neh. 8:2–4; however, the matter can be settled by the cumulative impact of consistent evidence throughout the book and beyond: the “you” is gender inclusive.

In working my way through Deuteronomy, I provisionally took Hebrew references to “you” (and to “us”) as inclusive of women unless the local context indicates otherwise. In so doing, I did not run into significant problems. Indeed, I found that the book itself gives numerous clues to support an inclusive reading as the default. Eckart Otto points to one such example: “In Deut. 15:12 men and women were equally called *ach*, brother and sister, so that both of them were embraced by the concept of a brotherly and sisterly solidarity, which should be interpreted inclusively. . . . Since for the Deuteronomic author men and women were equally *achim* they were also equally addressed by ‘you’” (“False Weights in the Scales of Biblical Justice?” in *Gender and Law*, pp. 142–143). Therefore I have retained those inclusive readings where suitable. On how this works in practice, see my printed comment at 1:1.

Such an approach stands on a different footing than that of Harold C. Washington, who characterizes Deuteronomic law as “androcentric speech addressed for the most part to a generic masculine subject, [which] already relegates women to a secondary status. The female reader or hearer must constantly assess whether she is meant to be subsumed among the male-identified addressees of these texts” (“‘Lest He Die In Battle,’ in *Gender and Law*, p. 199). Rather, I infer (largely from indications in the biblical text itself) that the original historical audience of the text would have conceptually separated social gender from grammatical gender to a greater degree, taking the grammatically masculine language less literally than Washington’s description suggests. I address this question further in Methodology as well as in my notes at Exod. 20:2; Num. 18:11; Deut. 5:14 (and printed comment there), 12:12, and 28:68. No change to NJPS.

**[DS2]** 1:8. *la'avoteichem l'avraham l'yitzchak u-lya'akov* (NJPS: “to your fathers, Abraham, Isaac, and Jacob”). Technically, I think the NJPS comma before Abraham is misleading, because the list “Abraham, Isaac, and Jacob” is restrictive—clarifying the preceding clause: these are the (only) “fathers” to whom a promise was sworn. This recurs several times in Deuteronomy. Hence, “to your fathers Abraham, Isaac, and Jacob.” (This is not a matter of gender per se.)

**[DS3]** 1:11. *elohei avoteichem* (NJPS: “the God of your fathers”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here the term alludes to the patriarchs and matriarchs, whom Genesis underscored as all being lineal descendants of Terah. In other words, Sarah, Rebekah, Rachel, and Leah are a crucial part of the biological lineage (Naomi Steinberg, *Kinship and Marriage in Genesis*). The matriarchs also comprise part of the spiritual lineage, as Genesis makes clear: each matriarch worshipped this same God. In sum, an ancient Israelite audience would have understood *avot* here as including both patriarchs and matriarchs.

NJPS seems to have missed the inclusive sense here. To convey that sense accurately, I substitute a gender-neutral rendering. Hence, “the God of your ancestors.” (NRSV: “the God of your ancestors.”)

**[DS4]** 1:13–15. *anashim* (NJPS: “men”). The gender sense of the group term *anashim* is taken from the context. In this case, the text’s ancient audience would have taken as a given that Moses intended to limit these leaders to men only. The salient issue, then, is not the candidates’ maleness (men as opposed to women) but rather their having distinguished themselves (these individuals as opposed to the average person). In the parallel account, Exod. 18:21 ff., *anashim* appears only in the construct form (*anshei*). Thus there it has the sense of “individuals who possess the quality of”; whereas here, free-standing, its sense is “persons of distinction or rank” (Ibn Ezra at Exod. 18:21 likens the nuance here to that in Exod. 17:9 and Num. 13:3; compare also Gen. 34:21; Exod. 4:19, 10:7, 16:20; Num. 1:5, 17; 11:26; 13:2, 16, 31; 16:2; Deut. 1:22–23). (In contrast to the Exodus account, here Moses explicitly draws upon the tribal hierarchy; v. 15.)

NJPS’s literal rendering distorts the perspective of the ancient audience. I render instead in terms of the more specialized sense of *anashim* here. Hence, “personages.” (NRSV: “individuals”; but “men” in Exod. 18:21 ff.)

**[DS5]** 1:16. *sh'mo'a bein acheichem* (NJPS: “hear out your fellow man”). The grammatically masculine relational noun *ach* (literally, “brother”) is often used figuratively; it takes its gender sense from the context and the topic. In this case, an ancient Israelite audience would have assumed that women were

among the expected disputants. Furthermore, the verse goes on (see next note) to juxtapose *ach* with *ger* (“stranger”) in such a way as to imply that *ach* refers to everyone who is relationally closer than a stranger, i.e., another Israelite (Adele Berlin, pers. comm., 5/7/04). Indeed, Deuteronomy consistently employs *ach* in a gender-inclusive sense; in 15:12, *ach* explicitly includes both men and women. At our verse, Jeffrey Tigay explains the general metaphor: “Deuteronomy regularly uses this term to emphasize the equality and fraternity of all Israelites, whether king or servant, prophet or priest.”

Presumably NJPS intended “man” in a gender-inclusive sense (indeed, later in the verse it renders *ach*—in a different construction—as “fellow Israelite”). For clarity, a more clearly inclusive equivalent is warranted. (Rendering *ach* throughout Deuteronomy will vary, depending upon the context—sometimes “kin” or “peer” may be more appropriate—and upon the juxtaposition of the synonym *rei-a*, which also means “fellow [Israelite]”; see discussion *infra*.) Hence, “hear out your fellow Israelites.” (NRSV: “give the members of your community a fair hearing.”)

**[DS6]** 1:16. *bein ish u-vein achiv u-vein gero* (NJPS: “between anyone and a fellow Israelite or a stranger”). In this construction, the term *ish* is used in an indefinite sense (“anyone”); thus the grammatically masculine possessive inflections that refer to *ish* are gender-inclusive unless the topic suggests otherwise. Likewise with *ach* (see the previous note) and *ger* (see my note at Num. 9:14). Here the topic (justice) is not restricted by gender.

NJPS renders all three terms in a gender-neutral way. No change to NJPS. (NRSV: “between one person and another, whether citizen or resident alien.”)

**[DS7]** 1:17. *lo taguru mi-p’nei ish ki ha-mishpat leilohim hu* (NJPS: “Fear no man, for judgment is God’s”). As these notes repeatedly show, the term *ish* takes its social-gender sense from the context. In this case, *ish* is counterposed with God, which casts it in a generic light: mere mortals. Gender is beside the point. Presumably NJPS intended “man” in a generic sense. For clarity, I substitute a more clearly gender-neutral term. Hence, “Fear no one, for judgment is God’s.” (NRSV: “you shall not be intimidated by anyone, for the judgment is God’s.”)

**[DS8]** 1:21. *ka-asher dibber YHVH elohei avotecha lach* (NJPS: “as the Eternal, the God of your fathers, promised you”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Early in production I changed “fathers” to “ancestors” throughout the Torah. I later realized, however, that in the specific context of God’s *promises of land*, an ancient audience would have heard the term *avot* as referring to the patriarchs spe-

cifically. That’s because in ancient Israel the ancestral land holding was patrilineal—typically inherited and controlled by males. (Compare my rendering in situations regarding other gendered social institutions; see my notes to Exod. 12:3, Lev. 24:14, 26:7; Num. 11:12.) This is one of the passages in which I neglected to reverse the change in the printed edition. Thus for consistency the rendering here should probably be changed in a future printing back to say “. . . the God of your fathers, . . .” (Contrast v. 11, above.) (NRSV: “. . . the God of your ancestors, . . .”)

**[DS9]** 1:22. *nishl’chah anashim l’faneinu* (NJPS: “let us send men ahead”). The term *anashim* has a wide semantic range and must be read contextually. The same term was used in the parallel account of Num. 13:2. Gender is not the issue here; to an ancient Israelite audience, the requirement that the scouts be men would go without saying. Rather, it is that persons of distinction be selected; see my note at Num. 13:2–3. Further, here the original proposal (as restated by Moses) does not say “let us send reconnoiterers ahead” (using a participle) but rather “let us send *anashim* ahead to reconnoiter”; this underscores that the special sense of *anashim* is intended. In such a situation, it would be natural to insist that all of the candidates have already proven themselves.

The NJPS rendering is unduly literal. I seek a term that acknowledges the specialized usage here. Hence, “notables.” (NRSV: “let us send men ahead of us.”)

**[DS10]** 1:23. *va’ekach mi-kem sh’neim-asar anashim* (NJPS: “so I selected twelve of your men”). On *anashim*, see the previous note. Again, NJPS is unduly literal; the same solution is in order. Hence, “so I selected twelve of your notables.” (NRSV: “and I selected twelve of you.”)

**[DS11]** 1:28. *acheinu* (literally, “our brothers”; NJPS: “our kinsmen”). The fact that the subjects are men was not germane to the argument. True, the scouts’ being men lent them credibility in the (sexist) view of the people (women included)—but the opposing viewpoint was propounded also by men. More to the point, the scouts’ gender provided grounding for the Israelites’ figure of speech: *acheinu* expressed their emotional fusion with their trusted leaders—and their emotional distance from Moses. The figure is a pointed one and would have been apparent to the ancient Israelite audience, who considered a brother to be a man’s closest kin. Compare Num. 32:6 (“Are your brothers to go to war while you stay here?”) and see my note there.

The non-literal NJPS rendering as “kinsmen” has a plain-sense basis: the scouts were truly the kin of the tribes whom they represented. Yet (as Moses recounts the episode) the people are not simply stating facts but rather rant-

ing; their tone accords with more hyperbolic language. During the production of the printed edition, I, like NJPS, overlooked this nuance; and in the spirit of NJPS at Exod. 2:11, I moved toward a more clearly neutral rendering. In a future printing, however, the rendering here should probably be changed to “our brothers.” (NRSV: “kindred.”)

**[DS12]** 1:30. *adonai eloheichem . . . hu yillachem lachem . . . k'chol asher asah* (NJPS: “None other than the LORD your God . . . will fight for you, just as He did”). See printed comment. The NJPS rendering captures well the emphatic construction of the Hebrew word order and the force of the resumptive pronoun *hu*. (Compare 31:3–8 and 32:6.) However, the supplied pronoun ought to be recast in gender-neutral terms, for clarity. Hence, “. . . just as [God] did.”

**[DS13]** 1:31. *ka-asher yissa ish et b'no* (NJPS: “as a man carries his son”). See printed comment. The grammatical construction is indefinite; the noun *ish* and the grammatically masculine possessive suffix that refers to it take their gender sense from the context, both topical and rhetorical. Regarding the topic, the issue here is “God’s protection of Israel from danger,” as Jeffrey Tigay points out; Tigay perceives the image employed here as male, of God as father (n. 2 at 14:2). Because of the special role that fathers played in ancient Israel, the text would have had good reason to cast this image’s child carrier specifically as a father. The father’s protective role in ancient Israel is highlighted in situations when the father is absent: persons without a father are classed as “orphan” even while their mother is alive (*yatom*; Exod. 22:23, Ps. 109:8, Lam. 5:3; so too in nearby Phoenicia and Ugarit, according to S. David Sperling (*JANES* 19 [1981], p.155, n. 56, citing work by Y. Avishur on poetic word-pairs). Throughout the Bible, children who lack a father are exemplars of socially vulnerable persons in need of special protection. Looking more broadly at the figurative usages of “father,” John Pilch and Bruce Malina conclude that “in the Bible, anytime anyone is called a ‘father’ who is not a biological father, the title refers to the role and status of a patron” (*Biblical Social Values*, pp. 133–134; as quoted in Leeb, p. 37). This concept seems to have been widespread, for Tikva Frymer-Kensky writes that in Akkadian, the very term “fatherhood” meant protection and intercession (*In the Wake of the Goddesses*, 165).

At the same time, in the ancient Israelite audience’s social milieu, it appears that the carrying of children—to keep them from harm—was a quintessentially *maternal* function (Carol Meyers, “Everyday Life,” pp. 255–56). In fact, the clearest instance of a parent carrying a child in the Bible may be Hagar with Ishmael on her “shoulder” (Gen. 21:14). (Sperling contends that the text alludes to a custom for men to carry children on a journey, as in

Num. 11:12. However, the case in Numbers does not seem applicable because there the carrying is specifically not a father's function but that of some other male.)

Because the father was the paradigm of protection, we must wonder why the text here uses the term *ish* rather than the more pointed term *av* ("father"), and furthermore, why the chosen image involves the act of carrying rather than another figure of protection. The wording thus implies that gender is not at stake. Therefore, an ancient Israelite audience would have taken *ish* in its gender-neutral sense: the *parental* role is Moses' focus in the simile, not specifically a mother's or a father's role.

NJPS, which was very sensitive to the indefinite usages of *ish*, may well have meant "man" and "his" in a generic sense. At any rate, I am substituting more clearly gender-neutral language. Hence, "as a parent carries . . ." (NRSV: "just as one carries . . .")

Meanwhile, with regard to *ben*, I know of no reason to believe that parents protected their children differentially on the basis of the child's gender; that is, an ancient Israelite audience would have taken the term inclusively here. Hence, ". . . a child." (NRSV: ". . . a child.")

**[DS14]** 1:35. *im yir'eh ish ba-anashim ha-eileh* (NJPS: "not one of these men . . . shall see"). Here *ish* has an indefinite sense: "anyone." The group term *anashim* has a wide semantic range and takes its gender sense from the context. See printed comment. In cases like this that allude to a census (Num. 1:2, 14:29; cf. 26:2), I have typically inserted a qualifying phrase for clarity, because the reason for the text's focus on men only is not obvious to the contemporary audience. Such an insertion seems warranted here as well. Hence, "not one of the men [counted in the census] . . . shall see." (NRSV: "not one of these . . . shall see.")

**[DS15]** 1:35. *la-avoteichem* (NJPS: "to your fathers"). In the specific context of God's *promises of land*, an ancient audience would have heard the term *avot* as referring to the patriarchs specifically. That's because in ancient Israel the ancestral land holding was a patrimony—typically inherited and controlled by males. (See also Exod. 13:5, Num. 11:12. Compare the rendering in situations regarding other social institutions in which a man represents a larger group; see the reasoning in my notes to Exod. 12:3, Lev. 24:14 and 26:7.) No change to NJPS. (NRSV: "to your ancestors.")

**[DS16]** 1:41. *va-tachg'ru ish et k'lei milchamto* (NJPS: "you all girded yourselves with war gear"). Who exactly is the "you" being addressed? Generally speaking, this third-person idiom with *ish* (literally, "man") is distributive, meaning "each" or "every." However, to render it generically here may be



misleading, for only the men engaged in that battle—and even among them, the Levites and a few others did not take part. But clearly Moses is resorting to exaggeration, holding those present responsible for the deeds of those who (in actuality) have since died. If so, then out of respect for his rhetoric, should the NJPS rendering be left as is?

There is a larger issue here, one that recurs in Deuteronomy. As Moses speaks to the people, he singles out various subsets of his Israelite audience in turn, addressing them as special representatives of the whole, while everyone else listens in. Some of the sub-audiences include: men of the two-and-a-half Transjordanian tribes (3:18); parents of young children or prospective parents thereof (6:20); heads of households and (if married men) their wives (12:7); adult males of fighting age only (20:1); and everyone except priests/Levites (numerous passages, in which the latter are referred to as “them” rather than “you”). Such sudden, unannounced shifts make for engaging rhetoric; they increase a speech’s inherent interest to the audience as a whole.

In the present case, the text’s ancient Israelite audience would have picked up the shift in Moses’ address of gender. The signal is that Moses refers to weaponry, which was an emblem of masculinity throughout the ancient Near East both in literature and in rites of birth, healing, and burial (see the sources cited in Kathleen McCaffrey, “Reconsidering Gender Ambiguity in Mesopotamia,” p. 383). To the ancient audience, it would have gone without saying that Moses was suddenly directing his remarks to the men.

However, the text’s contemporary audience expects authors or speakers to *explicitly* signal a change of audience. Thus when they read NJPS, according to which Moses says “you all,” it sounds like inclusive language and is confusing. Readers may then wonder whether Moses has all along been speaking only to males (or conversely, whether Israelite women “girded [them]selves with war gear”). Therefore, in situations where questions may arise as to the implied gender of “you,” clarifying insertions do seem to be in order at the transitions. Hence, “one after the other, you [men] girded yourselves with war gear.” (NRSV: “all of you strapped on your battle gear.”)

**[DS17]** 2:4, 8. *acheichem . . . acheinu* (NJPS: “your kinsmen . . . our kinsmen”).

On *ach*, see my first note at 1:16. Here, the reference is to *b’nei esav hayosh’vim ba-se’ir* (NJPS: “the descendants of Esau, who live in Seir”); there is no gender-marked language or activity to indicate that only males are intended. Presumably NJPS intended its rendering in an inclusive sense. For clarity, I substitute a more clearly gender-neutral term. Hence, as per NJPS 15:7 (end): “your kin . . . our kin.” (NRSV has “kindred.”)

[DS18] 2:15. *ad tumam* (literally, “until their finishing”; NJPS: “to the last man”). As at Num. 14:35, NJPS resorts to an English idiom that has become more clearly sexist over time. For clarity, I substitute a more clearly gender-neutral idiom. Hence, “until they were finished off.” (NRSV: “until all had perished.”)

[DS19] 2:32–33; 3:1–3. *am* (NJPS: “men”). This group term takes its gender sense from the context. Here the context is military; see my note at Exod. 14:6. To an ancient Israelite audience, the fact that the warriors are male would go without saying. NJPS recognized the military sense yet its rendering is imprecise. I substitute language that better reflects the ancient understanding. NJPS seemed to prefer a plural rendering of the collective *am*, which suggests “troops” rather than “army.” Hence, “troops.” (NRSV: “people.”)

[DS20] 2:34; 3:6. *m'tim* (NJPS: “men”). This relatively rare term seems to mean “male”—certainly so in this context (apparently to include noncombatants, for the combatants had already been killed). No change to NJPS.

[DS21] 3:4, 10, 21. *mamlachah* (NJPS: “kingdom”). This noun is grammatically feminine. The ancient Near Eastern realms to which the Bible refers by the term *mamlachah* (see Deut. 28:25) were not always governed by males. (The Bible does not directly employ the term *mamlachah* for the dominion of the unnamed queen of Sheba [I Kings 10].) Women did occasionally rule, the most well-known being Hatshepsut in Egypt and Sannurmat in Assyria. Such rulers tended to be styled as an interim ruler (“regent”) or in some cases as “king.” That is, as monarchs they were considered exceptional by their own people—including those who officially recorded their words and deeds. Their royal authority was conveyed via masculine symbols. Thus before she became a ruler, Hatshepsut was portrayed as a woman; some years after she became a ruler, as wearing a beard and men’s clothing (Kathleen McCaffrey, “Reconsidering Gender Ambiguity in Mesopotamia,” pp. 390–391). Likewise, a pedestal of Sannurmat’s statue proclaimed a keen awareness of her unusual achievement: “Nature made me a woman yet I have made myself to rival the greatest men” (David E. Jones, *Women Warriors*, p. 114, citing Amanda Salmonson, *Encyclopedia of Amazons* [1991], p. 232). On Deborah as a women warrior leader in ancient Israel, see my note at 17:14. The exceptions seem to prove the rule that the normative ruler of a realm was a king. This leads me to conclude that the text’s ancient Israelite audience would also have presumed that a *mamlachah* was a “kingdom,” even though the Hebrew term is not explicitly gendered.

The NJPS rendering accurately reflects the ancient Near Eastern under-

standing better than would a gender-neutral term such as “dominion” or “realm.” (Note that in 3:13, NJPS renders *mamlechet og* as “under Og’s rule”; and in 17:18, also in reference to a king, NJPS renders *mamlachto* as “royal.”) No change to NJPS. (NRSV: same as NJPS.)

**DS22** 3:18. *va-atzav etchem* (NJPS: “I charged you”). On clarifying insertions, see above at 1:41; the same reasoning applies here. Hence, “I charged you [men of Reuben, Gad, and Manasseh].” (NRSV: same as NJPS.)

**DS23** 3:18, 20. *acheichem* (NJPS: “your . . . kinsmen”). The grammatically masculine relational noun *ach* (literally, “brother”) is often used figuratively; it takes its gender sense from the context and the topic. Here, Moses is quoting his earlier words to prospective warriors regarding their role. One could posit that the text’s ancient Israelite audience would have in the foreground of their minds the concrete image of two gendered social institutions that operate on behalf of the people as a whole—namely, the (male) warriors from other tribes conquering the land (v. 18) and (male) homesteaders then taking title to its land holdings (v. 20). Yet compared to the similar context in Num. 32:6, gender is less at stake. Here what seems to be paramount is the warriors’ role in the national mission: ultimately they will march at the head not only of their fellow warriors but of all the Israelites who cross the Jordan; and not only the Israelite menfolk will be granted “a haven” (v. 20). Furthermore, Deuteronomy otherwise consistently employs *ach* in a gender-inclusive sense, such that already at this point in the book the audience might treat this key word as a technical term that emphasizes a sense of connection rather than gender; see my first note at 1:16, and at 2:4. On balance, it seems to me that the ancient audience would understand *ach* here in gender-inclusive terms.

NJPS renders in male terms. For clarity, I substitute a term that puts the emphasis on reciprocity rather than on gender. Hence, “kin.” (NRSV: “kindred.”)

**DS24** 3:20. *v’shavtem ish li-yrushato asher natati lachem* (literally, “and you may return, a man to his homestead that I have assigned to you (pl.)”; NJPS: “then you may return each to the homestead that I have assigned to him”). The term *ish* and the possessive pronoun that refers to it have a distributive meaning; they take their gender sense from the identity of the referent. Here the subject is the tribes’ warriors—that is, men. The NJPS rendering “to him” (rather than the literal “to you”) was as a matter of English style, as the then-correct pronoun for the antecedent “each.” But it accurately reflects the gender sense that an ancient Israelite audience would infer. No change to NJPS. (NRSV: “each of you may return to the property that I have given to you.”)

**[DS25]** 4:1. *et-ha-aretz asher YHVH elohei avoteichem notein lachem* (NJPS: “the land that the Eternal, the God of your fathers, is giving you”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Early in production I changed “fathers” to “ancestors” throughout the Torah. I later realized, however, that in the specific context of promised *land*, an ancient audience would have heard the term *avot* as referring to the patriarchs specifically. That’s because in ancient Israel the ancestral land holding was patrimonial—typically inherited and controlled by males. (Compare my rendering in situations regarding other gendered social institutions; see my notes to Exod. 12:3, Lev. 24:14, 26:7; Num. 11:12; etc.) This is one of the passages in which I neglected to reverse the change in the printed edition. Thus for consistency the rendering here should probably be changed in a future printing back to say “. . . the God of your fathers, . . .” (NRSV: “. . . the God of your ancestors, . . .”)

**[DS26]** 4:2. NJPS: “You shall not add anything to what I command you or take anything away from it.” I have made a copyediting change to NJPS for the sake of what I understand to be good grammar. Hence, “. . . nor take anything away from it.” (Not a gender-related change per se.)

**[DS27]** 4:7. *b’chol kor’einu elav* (literally, “in all our callings to him”; NJPS: “whenever we call upon Him”). A neutral rendering is needed. English idiom does not require that the object be specified; it is clear from the context. Hence, “whenever we call.”

**[DS28]** 4:9. *l’vanecha* (literally, “to your sons”; NJPS: “to your children”). The gender sense of *ben* and its plural *banim* comes from the context. Here I see no reason why an ancient Israelite audience would construe this term narrowly: all of one’s descendants—not only the males—need to hear about God’s gifts to the people. NJPS has rendered in gender-neutral terms. No change to NJPS.

**[DS29]** 4:28. *ma’aseh y’dai adam* (literally, “the work of the hands of human beings”; NJPS: “man-made”). The term *adam* is often gender-neutral, depending upon the context. Here the implicit emphasis is on “human beings” as opposed to “God.” Presumably NJPS intended its rendering “man-made” in a gender-inclusive sense. Nowadays, however, that term is understood as a false generic (Miller and Swift, *The Handbook of Nonsexist Writing*). A more clearly gender-neutral term is needed. Hence, adopting NRSV’s felicitous English, “made by human hands.” (Richard Elliott Friedman: “the work of human hands”; Robert Alter: “human handiwork.”)

**[DS30]** 4:31. *asher nishba* (NJPS: “which He made on oath”). See my note at Exod. 13:5. Even without an active subject, the context still makes clear that

God is the agent who made the promise. (An oath doesn't just happen on its own. And who else could the oath's maker have been if not God?) As elsewhere in the Torah, I have rendered this phrase with a passive construction throughout Deuteronomy ("that was made on oath," or more briefly, "made on oath").

**[DS31]** 4:31. *et-brit avotecha* (NJPS: "the covenant . . . with your fathers"). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here the term alludes to Abraham, Isaac, and Jacob: God covenanted with them in their capacity as (male) heads of their corporate households. An ancient Israelite audience would have taken the term *avot* here as referring to the patriarchs specifically. (Compare my rendering in situations regarding other gendered social institutions; see my notes to Exod. 12:3, Lev. 24:14, 26:7; Num. 11:12. See also my note at Num. 20:15.) Here and throughout Deuteronomy, no change to NJPS. (NRSV: "the covenant with your ancestors.")

**[DS32]** 4:32. *adam* (NJPS: "man"). See my note at 4:28; the same reasoning applies here. From context, the gender sense is inclusive. Presumably NJPS meant "man" in its neutral sense. A more clearly inclusive rendering is called for. Hence, "humankind." (NRSV: "human beings.")

**[DS33]** 4:34. *hanissah elohim lavo lakachat lo* (NJPS: "has any god ventured to go and take for himself"). The plural subject *elohim* is referred to by a masculine singular pronoun *lo*; the gender sense must be taken from the context. In Deuteronomy, Moses often evidences a belief that some of his listeners are drawn not only to gods but also to one or more goddesses. Here an ancient Israelite audience would understand that Moses is comparing God not only to other gods but also to goddesses.

Presumably NJPS intended "god . . . himself" in a gender-neutral sense. I substitute a more clearly inclusive rendering. hence, "any deity." Regarding the pronoun, the idiom *lakach l'* can mean "to appropriate, get, procure" (BDB). Elsewhere, NJPS has rendered it simply as "take" (Gen. 6:21, 45:19; Deut. 22:7; but cf. Num. 8:16 and Deut. 7:25), which if used here would recognize the physical removal of the people from Egypt. The rendering "take" alone is also sufficient to convey God's establishing ownership, sovereignty, and attachment (see Deut. 4:20 and Tigay's comment there); as a Webster's usage note states, "TAKE is a general term applicable to any manner of getting something into one's possession and control." Hence, "has any deity ventured to go and take." (NRSV: "has any god ever ventured to go and take . . . for himself.")

[DS34] 4:36. *kolo* (NJPS: “His voice”). In Deuteronomy, in the numerous instances when the grammatically masculine possessive suffix refers to God while the word “God” already appears in the same verse, I am often rendering the possessive as an adjective, “the divine” (rather than as “God’s”). Other examples include: the divine fire, divine might, the divine laws, the divine covenant, the divine commandments, the divine name. This is a reflex in English of Deuteronomy’s distinctive rhetoric. It is an aesthetic and equivalent English idiom that happens to be gender neutral. (However, I seek to avoid creating situations where the reader might misunderstand this adjective to mean that the modified noun itself is considered *to be* divine, rather than that it *derives from* the Divine.) Hence, “the divine voice.”

[DS35] 4:37. *v'tachad ki ahav et avotecha va-yivchar b'zar'o acharav* (NJPS: “And because He loved your fathers, He chose their heirs after them”). The term *avot* is plural, so that the masculine singular language is best understood in a collective sense. The gender sense of *avot* and its pronouns comes from the context. Here the context is of divine love and of lineage; the reference is to the descendants of Terah, the point of origin for establishing Israelite lineage (Naomi Steinberg, *Kinship and Marriage in Genesis*). The Torah pointedly establishes that Sarah, Rebekah, Rachel, and Leah were Terah’s lineal descendants (revised edition, p. 58). Thus an ancient Israelite audience would have understood *avot* in its inclusive sense, here and also in 10:15. Hence, “And having loved your ancestors, [God] chose their heirs after them.” (NRSV: “. . . ancestors . . .”)

[DS36] 4:37. *b'fanav* (literally, “with His face”; NJPS: “He Himself”). As Tigay points out, this is the Hebrew equivalent of “in person”: “The idiom emphasizes that God used no intermediary (such as an angel) in freeing Israel but, as a sign of His favor, freed them personally.” So too one opinion of Ibn Ezra here; see *JPS Notes* at Exod. 33:14, which cites many authorities as saying that the idiomatic force of “face” (both there and here) is “self” or “Presence.” Given Christianity’s appropriation in contemporary America of references to God’s “person,” Jewish readers tend to be a bit skittish about talk of God doing things “personally.” However, it is really no more of a metaphoric stretch than to speak—as the verse also does—about God’s loving, choosing, and driving out. Alternatively: “[God] directly” or “God’s own self” or “God’s own Presence” (similar to Targum Onkelos’ use of “*Sh'china*” at Exod. 33:14, and NRSV’s “with his own presence” here). Hence, “[God] personally.”

[DS37] 4:42. *rotzei-ach* (NJPS: “a manslayer”). See printed comment, my note at Num. 35:6, and my note at Deut. 19:3, below. Hence, “a [male] killer.” (NRSV: “a homicide.”)

[DS38] 4:42. *re'eihu* (NJPS: “fellow man”). The basic sense of the male term *rei-a* is one “with whom one stands in reciprocal relations” (*BDB*). The term gains its force and its social-gender sense from the context; see both my note and printed comment at Lev. 19:13. Here the term refers to the victim of homicide, whom the Torah consistently refers to in gender-neutral terms; see my printed comment at Num. 35:11, my note at Lev. 2:1, and cf. Gen. 9:5. The usage here is indefinite (akin to “someone”). The ancient audience would have taken for granted that the whole asylum system, being a response to the Israelite institution of blood-avenger, applies only to Israelite killers and victims.

The NJPS rendering as “fellow” nuances the indefinite usage appropriately (see my note at Deut. 19:4). Presumably NJPS intended “man” in its neutral sense. For clarity, I substitute a more inclusive term, adopting the rendering employed at Lev. 19:13. Hence, “fellow [Israelite].” (NRSV: “another person.”)

[DS39] 4:42. *v'hu lo sonei lo* (NJPS: “without having been hostile to him”). See the previous note. Presumably NJPS intended “him” in its neutral sense. For clarity, I substitute a more inclusive term. During production of the printed edition, I made a straight substitution and marked it with square brackets: “without having been hostile to [the victim].” For consistency in style, however, the rendering here should probably be changed in a future printing to match the rendering in 19:4 of the same wording: “without having been an enemy.” (NRSV: “the two not having been at enmity.”)

[DS40] 5:3. *avoteinu* (NJPS: “our fathers”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here it is counterposed with “us”—all of the Israelites who are presently alive; thus *avot* seems to have an inclusive sense: those who came before us. NJPS seems to have missed the inclusive nuance. I substitute a more gender-neutral rendering. Hence, “our ancestors.” (NRSV: “our ancestors.”)

[DS41] 5:7. *I'cha* (“you” [masc.]; NJPS: “you”). The Decalogue is couched in the grammatically masculine singular. Athalya Brenner asks, “Am I, a female reader, to view myself as unproblematically included in that form of address?” Noting that the ostensibly generic language does not necessarily include women, she concludes, upon consideration of the contents and formulations of the Decalogue, that they “overtly implicate an all-male audience” (“An Afterword: The Decalogue—Am I an Addressee?”). On how the an-

cient audience would have understood the linguistic usage and expressions to which she refers, see my note at Exod. 20:2 and the next three notes, below. No change to NJPS.

[DS42] 5:14. *atah* (“you” [masc.]; NJPS: “you”). The address continues to use a grammatically masculine singular form, yet here—in this commandment’s list of household roles—the lack of mention of a wife is conspicuous by its absence. Tikva Frymer-Kensky makes a cogent case that “the omission of a phrase ‘and your wife’ shows that the ‘you’ that the law addresses includes both women and men, each treated as a separate moral agent” (“Deuteronomy,” *Women’s Bible Commentary*, p. 59; so, too, Richard Elliott Friedman, *ad loc.*; contra Marc Brettler, who maintains that “you” is ambiguous with regard to gender, *Women in Scripture*, p. 192). On the Torah’s use of the masculine singular “you” to include a wife, see my note at Num. 18:11 and my printed comment here. A parallel way to explain the wording here is that it conveys that in the absence of the usual male head of household, his senior wife is the responsible party; see my note at Deut. 12:12. No change to NJPS.

[DS43] 5:18. *lo tachmod eishet rei-echa* (NJPS: “you shall not covet your neighbor’s wife”). On how the topic implicitly alters the meaning of “you,” see printed comment. Similarly Marc Brettler: “It is important to recall that in certain aspects the husband was the *ba’al*, or ‘lord’ of his wife, having exclusive right to her sexuality. This would explain the one-sided nature of the commandment” (*Women in Scripture*, p. 192). Adele Berlin elaborates: “Coveting a woman presumably means wanting her sexually. A married woman (‘your neighbor’s wife’) is off limits for any man except her husband. But the same is not true for a woman. An unmarried woman *could* covet her neighbor’s husband and even end up married to him. . . . *The laws for sexual boundaries are different for men and women in a polygamous society* [emphasis added]. . . . More to the point, the things coveted are possessions of the head of household. A husband is never anyone else’s possession” (pers. comm., 5/4/04 and 5/7/04). So, too, Richard Elliott Friedman, at 5:14.

The ancient Israelite audience took as a given an inherent gender asymmetry of sexuality. To them, the unannounced shift in address from the people as a whole to only its menfolk would have been unremarkable; it would go without saying. However, to a contemporary audience—which holds different assumptions about gender—the NJPS rendering comes across as startlingly neutral. A clarifying insertion is warranted to avoid misleading the reader. (Cf. my note at Exod. 20:14.) Hence, “you [men] shall not covet your neighbor’s wife.” (NRSV: “neither shall you covet your neighbor’s wife.”)



[DS44] 5:18. *v'lo titaveh beit rei-echa* (NJPS: “you shall not crave your neighbor’s house”). See my printed comment. Only the first part of the verse—the one regarding a wife (see previous note)—was not applicable to a woman. An ancient Israelite audience would have understood the second part of the law as applying to women as well—just like the earlier entries in the Decalogue. (Both the change in operative verb and the small paragraph break in Torah scrolls suggest that v. 18’s halves may be seen as two separate commandments; but cf. the Exodus parallel with its different formulation.)

NJPS does not reflect a shift in address in this half of the verse. The text’s contemporary audience, which holds gender assumptions different from its ancient audience, is here likely to miss the implicit shift in address back to the generic “you” of the prior commandments. To enable the contemporary reader to track the ancient conversation, I adapt the rendering. Hence: “Likewise, none of you shall crave your neighbor’s house.” (NRSV inserts a paragraph break, followed by “Neither shall you desire your neighbor’s house.”)

[DS45] 5:21. *adam* (NJPS: “man”). See my note at 4:32. The proximity of v. 23 underscores that the intended contrast between God and mortals is pointed. Hence, “humankind.” (NRSV: “someone.”)

[DS46] 5:23. *mi chol basar* (NJPS: “what mortal”). The term *basar* is grammatically masculine, yet the reference is gender neutral; see previous note. NJPS renders idiomatically yet is properly generic. No change to NJPS. (NRSV: “who is there of all flesh.”)

[DS47] 6:3. *avotecha* (NJPS: “your fathers”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here the sense is inclusive; see my note at 1:11. Hence, “your ancestors.” (NRSV: “your ancestors.”)

[DS48] 6:10. *la-avotecha* (NJPS: “to your fathers”). See my note at 1:8.

[DS49] 6:10. *asher nishba . . . latet* (literally, “[regarding] which [he] was sworn . . . to give”; NJPS: “that He swore . . . to assign”). In this expression, the first verb is a passive inflection (although understood in an active sense as “[he] swore”) and the second one is an infinitive. When an active subject is specified, I have let stand NJPS’s rendering of both parts of the idiom as active: “that the Eternal swore . . . to assign.” However, when (as here) the subject is only implied, the rendering transfers the verb’s focus from the swearer to the oath (the object of the swearing): “sworn . . . to be assigned.” This is a functional equivalence; the message conveyed is the same, but without having to ascribe gender to God.

[DS50] 6:18. *la-avotecha* (NJPS: “to your fathers”). See my note at 1:35.

- [DS51] 6:23. *l'maan* (NJPS: “that He might”). In seeking a gender-neutral equivalent, I note that NJPS in 2:30, 8:3, etc., rendered the same word as “in order to.” Frankly, I cannot account for why NJPS rendered the word differently in different places; the difference in nuance escapes me. Hence, here and elsewhere: “in order to.” (NRSV: “in order to.”)
- [DS52] 6:23. *la-avoteinu* (NJPS: “to our fathers”). See my note at 1:35.
- [DS53] 7:7. *chashaq* (NJPS: “set His heart on”). NJPS chose an equivalent English idiom that required supplying a possessive pronoun—which is not in the Hebrew. Consistent with *BDB*, I propose a different idiom that is gender neutral: “grew attached to.”
- [DS54] 7:8. *la-avoteichem* (NJPS: “to your fathers”). See my second note at 4:31.
- [DS55] 7:12, 13. *la-avotecha* (NJPS: “to your fathers”). See my second note at 4:31.
- [DS56] 7:13. *p'ri vitn'cha* (literally, “fruit of your belly,” where, as Ibn Ezra notes, “belly” is a expansive term for “uterus”; NJPS: “the issue of your womb”). An expression used also at 28:4. Richard Elliott Friedman notes a linguistic matter: “The word ‘your’ in this phrase is masculine, and so some have interpreted it as meaning that the woman’s womb was thought to belong to her husband. But that is questionable because the entire list of blessings in these verses . . . is formulated in the masculine singular, so the reference to the womb was just understood as taking a masculine possessive pronoun like the rest of the list.” Rather, the inference is questionable because the second-person masculine singular often includes women, and furthermore the (gender) identity of “you” shifts fluidly in the course of Moses’ speeches; see, e.g., my notes at 1:6, 5:7, 5:14, 12:12, and 28:68. No change to NJPS. (NRSV: “the fruit of your womb.”)
- [DS57] 7:24. *lo yiyatzev ish b'fanecha* (NJPS: “no man shall stand up to you”). The term *ish* is often used impersonally (“one”) and takes its gender sense from the context. Here it refers to those who would oppose Israelite hegemony. Although in general an ancient Israelite audience would expect resistance from combatants—i.e., men—the absolute nature of the claim would lead them toward an inclusive reading. The speaker is Moses, who knew from his own early childhood experience that women as well as men could play a significant role in the defense of their national group. Later Israelite history would also bear this out: Deborah; Jael; the woman of Thebez; Delilah; etc. Here NJPS has missed the inclusive nuance. I substitute a more clearly neutral rendering. Hence, “no one shall stand up to you.” (NRSV: “no one . . .”)

- [DS58] 8:1. *la-avoteichem* (NJPS: “to your fathers”). See my second note at 4:31.
- [DS59] 8:3. *avotecha* (NJPS: “your fathers”). The gender sense of *avot* comes from the context. Here the context speaks of divine care during the wilderness wanderings, such as the provision of manna. Not only did such care involve the entire people, but also for Moses to portray God now as having cared for the entire populace would only magnify God’s greatness in the eyes of his audience. Thus the text’s ancient Israelite audience would have understood *avot* in its inclusive sense. NJPS missed the inclusive nuance. For accuracy I substitute a gender-neutral term. Hence, “your ancestors.” (NRSV: “your ancestors.”)
- [DS60] 8:3. *adam . . . adam* (NJPS: “man . . . man”). This grammatically masculine term takes its gender sense from the context. Here the statements are categorical and would be weakened by a restricted reading. An Israelite audience would have taken *adam* in its generic sense. Presumably NJPS employed “man” in its generic sense. For clarity, I am substituting a more clearly neutral rendering. Hence, “a human being . . . one.” (NRSV: “one . . . one.”)
- [DS61] 8:5. *ka-asher y’yasser ish et b’no* (NJPS: “just as a man disciplines his son”). See printed comment and my notes at Exod. 21:7, Num. 12:14, and especially Deut. 1:31; see further Carol Meyers, *Discovering Eve*; Prov. 1:8, 4:1–4. In the ancient Israelite audience’s social milieu, it appears that the disciplining of children was shared by both parents. Thus that audience would have had little cause to take *ish* in a restricted sense in this indefinite setting. Hence, “just as a parent disciplines a child.” (NRSV: “as a parent disciplines a child.”)
- [DS62] 8:11. NJPS: “Take care lest you . . . fail to keep the divine commandments, rules, and laws, which I enjoin upon you today.” According to the rules of English punctuation, the “which” clause is restrictive, so that the preceding comma should be deleted: “Take care lest you . . . fail to keep the divine commandments, rules, and laws which I enjoin upon you today.” (This is not a matter of gender per se.)
- [DS63] 8:16. *avotecha* (NJPS: “your fathers”). See my note at 8:3. Hence, “your ancestors.” (NRSV: “your ancestors.”)
- [DS64] 8:18. *la-avotecha* (NJPS: “to your fathers”). See my second note at 4:31.
- [DS65] 9:5. *la-avotecha* (NJPS: “to your fathers”). See my note at 1:8.
- [DS66] 10:9. *l’levi . . . echav . . . nachalato . . . lo* (NJPS: “the Levites . . . their kinsmen . . . their portion . . . concerning them”). The topic, concerning

“Levi” not receiving a land holding, is couched in the grammatically masculine singular. Although title to land was in men’s hands normally (but not always; see my comment at Num. 27:8–11), an ancient Israelite audience would not have viewed that gendered social institution as being in the foreground here. Rather, the singular language points toward either Levi son of Jacob (yielding “his brothers” for *echav*), or toward Levi collectively as a tribe. The last half of the verse, which refers to Levi as being God’s “portion,” reads consistently with the rest of the Torah only when taken on the tribal level—that is, to the period after the dedication of priests and Levites as cultic functionaries (see Num. 18:19–24; cf. Gen. 49:5–7). Thus the ancient audience would have taken this verse’s references to “Levi” in a tribal sense, as being the foreground meaning. (Compare my note at 18:2.)

The NJPS rendering obscures the tribal scope of this passage; regarding the gender ambiguity of the rendering “Levites,” see my note at Exod. 2:1. For precision, I substitute a tribal-oriented rendering. Hence, “Levi along with its kin . . . its portion . . . concerning it.” (NRSV: “Levi . . . his kindred . . . his inheritance . . . promised him.”)

**DS67** 10:11. *la-avotam* (NJPS: “to their fathers”). See my note at 1:35.

**DS68** 10:15. *ba-avotecha* (NJPS: “to your fathers”). See my note at 4:37.

Hence, “to your ancestors.” (NRSV: “on your ancestors.”)

**DS69** 10:17. *adonei ha-adonim* (literally, “lord of lords”; NJPS: “Lord supreme,” understanding the Hebrew idiom as a superlative). Although the grammatically masculine term *adon* can theoretically have a gender-neutral sense, in biblical practice that does not seem to have been the case; see my note at Exod. 5:22. At any rate, the text’s ancient Israelite audience would have ascribed male gender to the figure of speech, for that would naturally heighten the imagery in their eyes; see printed comment. The NJPS rendering adequately conveys the male nuance. No change to NJPS.

**DS70** 10:22. *b’shiv’im nefesh . . . avotecha* (NJPS: “your ancestors . . . seventy persons in all”). The term *nefesh* is generally a gender-neutral term, while *avot* takes its gender sense from the context. According to Gen. 46:7, Jacob brought with him his “daughters and his sons’ daughters,” although in the list of seventy in Gen. 46:8–27, only one daughter and one granddaughter are mentioned; and the fact that daughters-in-law were not counted is actually noted (46:26). Further, there would have been other members of the household (such as slaves). The number seventy, aside from being apparently approximate and typological (Sarna at Exod. 1:5), seems to reflect a patrilineal accounting (Naomi Steinberg, *Kinship and Marriage in Genesis*, p. 130). However, I’m not clear as to how Dinah and Serah then remain a part of the

count. The actual number of persons was far more than seventy, if the unnamed women are counted. At any rate, the ancient Israelite audience would have understood the reference as gender inclusive.

NJPS has rendered the terms in a gender-inclusive sense, except for the supplied phrase “in all,” which is misleading. Hence, I delete “in all.” (NRSV: “your ancestors . . . seventy persons.”)

[DS71] 11:9. *la-avoteichem* (NJPS: “to your fathers”). See my note at 1:35.

[DS72] 11:21. *la-avoteichem* (NJPS: “to your fathers”). See my note at 1:35.

[DS73] 11:25. *ish* (NJPS: “man”). See above at 7:24. Hence, “one.” (NRSV: “one.”)

[DS74] 12:1. *elohei avotecha* (NJPS: “God of your fathers”). See my note at 1:11. Hence, “God of your ancestors.” (NRSV: “the God of your ancestors.”)

[DS75] 12:7. *atem u'vateichem* (literally, “you and your houses”; NJPS: “together with your households”). The address is in the grammatically masculine plural, whose gender sense must be taken from the context. See printed comment, and below at v. 12, and see 14:26. No change to NJPS. (NRSV: “you and your households together.”)

[DS76] 12:8. *ish kol ha-yashar b'evinav* (literally, “every man [doing] what is right in his own sight”; NJPS: “every man as he pleases”). As Jeffrey Tigay notes, the apparent reference is to offering sacrifices—an activity in which gender is not at stake (see my notes to Lev. 1:2, 1:2–4, 1:5–6, and the next note, below). For a gender-neutral rendering, I continue the second-person plural language that was used in the verse’s prior clause, which yields: “each of us as we please.” (NRSV: “all of us according to our own desires.”)

[DS77] 12:12. *u-smachtem . . . atem u-vneichem u-vnoteichem* (literally, “And you shall rejoice . . . you with your sons and your daughters”; NJPS: “And you shall rejoice . . . with your sons and daughters”). As in v. 7, the address is in the grammatically masculine plural, whose gender sense must be taken from the context. The male householder’s wife is conspicuously missing from the list of household members (here and in v. 18). As Jeffrey Tigay reasons at 12:7, Moses is actually addressing wives along with their husbands: “According to 16:18, only males were required to attend pilgrimage festivals. However, since verses 12 and 18 [of chap. 12] indicate that daughters and females slaves were typically present, the text can hardly expect wives to remain at home; it must include them in the ‘you’ to whom the law is addressed (halachic exegesis takes ‘households’ as an explicit reference to them).” Likewise Carol Meyers concludes: “Wives are not designated apart

from the masculine ‘you,’ which thus is being used in a neuter sense to designate the senior male-and-female conjugal pair of a family group” (*Women in Scripture*, p. 224); compare my notes at Exod. 20:2, 10; Lev. 10:14; Num. 18:11; and Deut. 5:7, 14.

From the resumptive syntax in the present verse (literally, “you shall rejoice . . . you”), Georg Braulik draws a conclusion that impacts our reading of much of Deuteronomy. He insightfully explains how this verse’s phrasing fixes the gender sense of many verbs thereafter:

The addressed “you” does not yet belong to the actual list. Deuteronomy wants to define the same legal entitlement for husband and wife to be in charge of the sacrificial ritual. At the same time, however, it wants to exclude the still dependent sons and daughters as well as the servants from this prerogative. Thus, the actual list constitutes a parenthesis, which is included only where the ritual concerns all participants, namely on “eating” and/or “rejoicing.” If the woman had been mentioned here, the remaining finite verbs would have only the free man as addressee. Thus, however, all masculine singular forms of the corresponding laws on sacrifices and feasts textually-pragmatically have to be applied to both men and women. Owing to the “you” referring to the woman, and her being missing in the actual list, she is singled out from the “house” and authorized for the corresponding sacrificial acts like the man.

Consequently, Braulik concludes, the following activities—all couched in masculine singular language—are to be understood in gender-inclusive terms: *ta’aleh olotecha . . . ta’aseh* (NJPS: “you shall sacrifice your burnt offerings and . . . you shall observe [all that I enjoin upon you],” 12:14); *v’asita olotecha . . . v-dam z’vachecha yishafech* (“you shall offer your burnt offerings [on the altar] . . . and of your other sacrifices, the blood shall be poured out [on the altar],” 12:27); *asser t’asser* (“you shall set aside a tenth part,” 14:22); *kol b’chor . . . takdish* (“you shall consecrate . . . all . . . firstlings,” 15:19); *missat nidvat yad’cha asher titten* (“offering your freewill contribution,” 16:10); *shivat yamim tachog* (“you shall hold a festival . . . seven days [in the place that the Eternal will choose],” 16:15); *v’anita v’amarta* (“you shall then recite [before the Eternal your God],” 26:5); *heveiti* (“I now bring [the first fruits],” 26:10); *v’hinnachto . . . v’hishtachavita* (“you shall leave it [before the Eternal your God] and bow low,” 26:10); and *v’amarta* (“you shall declare [before the Eternal your God],” 26:13) (“Were Women, Too, Allowed to Offer Sacrifices in Israel?” p. 937–939). (Braulik’s reading here reinforces my conclusion regarding the gender of “you” in Deuteronomy in general; see my note at 1:6.)

(Although this does not enter into the present translation question, I can add here: From the biblical perspective, the question of who actually per-

forms the various steps of presenting an offering is not the key issue with regard to women's participation in sacrificial offerings. Braulik has cogently and persuasively argued that in the Bible, eating is what constituted full participation: "the sacrifice was always the concern of all persons involved, even when they 'merely' took part in the communal sacrificial meal" [p. 923]. Whether this was also the perspective of the Israelite audience is hard to say for sure, although the consistency of diverse biblical narrative and lore on sacrifices suggests that it was.)

Another case to be considered with regard to the masculine "you" is that of an autonomous female, such as a widow or divorcée who may have had control of flocks and herds (and children and slaves) of her own. Such a case would have been relatively rare compared to the typical case of a male-headed corporate household. Nevertheless, an ancient Israelite audience would have been familiar with such cases, because such a woman would stand out by being atypical; the Israelites typically would have known of at least one widow or divorcée in their own extended family or in a neighboring village. This awareness would have prompted them to understand the text's wording in inclusive terms: Moses is technically addressing only those who have both sons and daughters and also own slaves, yet such householders are paradigmatic; everyone grants that his words apply also to women who have only daughters or to those who own no slaves. In the same way, they apply to women without husbands. Adele Berlin concurs that female heads of households, while rare, would have been expected to "follow the same regulations if they came to the central sanctuary" (pers. comm., 5/10/04).

The NJPS rendering is appropriately gender inclusive. No change to NJPS. (NRSV: "And you shall rejoice . . . you together with your sons and your daughters.")

**DS78** 12:12. *v'-ha-levi . . . ki ein lo chelek . . .* (NJPS: "along with the Levite . . . for he has no . . . allotment"). Deuteronomy seems to equate the grammatically masculine term *ha-levi* with the priesthood; that is, *ha-levi* is one who lives in a local village yet serves occasionally in the central sanctuary (18:1, 6–9). The present passage is one of several in Deuteronomy that tell Israelites to include *ha-levi* in sacrificial celebrations; the reason given for sharing is *ha-levi*'s lack of land that would otherwise provide an economic base for levitical households. The text's ancient Israelite audience would not view *ha-levi* in isolation but rather as a part of his household, the society's basic economic unit upon which individuals typically depended for their survival (Carol Meyers, *Discovering Eve*, p. 123). Thus the audience would presume that the (adult male professional) Levite stands for all members of a levitical household. The context supports that way of thinking, given the

text's emphasis on inclusiveness in celebration, and because the need for sustenance logically applies not only to the (adult male professional) Levite. Yet to that ancient audience, the Levite himself would nevertheless occupy the foreground spotlight: here we can make out the contours of one of those gendered social institutions in which a male represents a larger group (see my notes to Exod. 12:3, Lev. 10:14, 24:14, 26:7; Num. 8:9, 11:12, 15:24, 27:21; Deut. 1:21; etc.).

The NJPS rendering reflects the foreground sense. Unlike the ancient audience, however, the contemporary audience thinks in individualistic terms and thus is unlikely to envision the family (with its females) in the background when the rendering says merely "the Levite." To convey the ancient understanding to the contemporary audience, a clarifying insertion is in order. Hence, "along with the [family of the] Levite . . . for he has no . . . allotment." (NRSV: "and the Levites . . . since they have no allotment.")

**[DS79]** 12:14. *ta'aleh olotecha . . . ta'aseh* (NJPS: "you shall sacrifice your burnt offerings and . . . you shall observe [all that I enjoin upon you]"). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)

**[DS80]** 12:18–19. *ha-levi* (NJPS: "the Levite"). See my second note at 12:12. Hence, "the [family of the] Levite." (NRSV: "the Levites.")

**[DS81]** 12:21. *lasum sh'mo* (NJPS: "to establish His name"). See my note at 4:36; hence, "to establish the divine name." I have made this same substitution (untracked) for the six further instances where the NJPS phrase "to establish His name" appeared in Deuteronomy.

**[DS82]** 12:27. *v'asita olotecha . . . v-dam z'vachecha yishafech* (NJPS: "you shall offer your burnt offerings [on the altar] . . . and of your other sacrifices, the blood shall be poured out [on the altar]"). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)

**[DS83]** 13:2. *navi o cholem chalom v'natan* (NJPS: "a prophet or a dream-diviner and he gives"). The grammatically masculine term *navi*, along with the verbs that refer to it, take their gender sense from the context. Here the usage is indefinite and the prophetic activity is proscribed. The ancient Israelite audience, knowing of women whom the Bible matter-of-factly refers to as prophets (including Moses' sister, Miriam) would have taken the present instance in its most inclusive sense.

Presumably NJPS intended "he" in its gender-neutral sense. For clarity, I substitute more clearly gender-neutral language. One option is to pluralize; however, the singular language here is germane, because rhetorically speaking it isolates the false messenger as a lone deviant. Hence, "a prophet or a



dream-diviner who gives . . .” (NRSV: “if prophets or those who divine by dreams . . . promise.”)

**[DS84]** 13:6. *v’ha-navi ha-hu . . . yumat* (NJPS: “As for that prophet . . . , he shall be put to death”). The previous note established that *navi* has a gender-neutral sense in this passage. But here the word order is disjunctive, which poses a special challenge in rendering. The NJPS rendering “as for” captures well the Hebrew idiom, although it requires a resumptive pronoun. For clarity, I continue to seek a gender-neutral equivalent. Hence, “As for that prophet . . . , such a one shall be put to death.” (NRSV: “but these prophets . . . shall be put to death.”)

**[DS85]** 13:7. *ki y’sit’cha achicha ven emmecha o vincha o vit’cha o eishet cheikecha o rei-acha asher k’nafshecha ba-seiter* (NJPS: “If your brother, your own mother’s son, or your son or daughter, or the wife of your bosom, or your closest friend, entices you in secret”). My printed comment explains that the passage (vv. 7–11) is couched in grammatically masculine language that treats the brother as paradigmatic. I no longer believe that this is so (although my present understanding does not alter the outcome in this particular case).

As we have seen repeatedly, and as I have discussed in Methodology, the text’s Israelite audience would normally read the male language in a law as gender-inclusive, in the absence of any indication that gender is at stake. If so, then the text mentions daughter and wife here *not* in order to show that this is a gender-inclusive law, for that goes without saying. Why then? There is a chain of reasoning: Because of the secretive nature of this sin, the text needs to mention the most trusted of relationships—one’s brother, whose role in the family is to protect the other members (cf. the word order also in 28:54; cf. printed comment at Ezek. 22:11, p. 796). However, the term *ach* usually has a figurative sense in Deuteronomy (to mean “fellow Israelite” and the like); the text thus needs to stress that it is being literal here. Yet if it said simply *achicha ven emmecha* (“your brother, your own mother’s son”) and nobody else, that would still not make the point that a brother is employed here as the paradigm for all other relationships—for one might resort to the pretense that anyone but a brother is an acceptable conspirator. Only by mentioning several close relationships including daughter and wife does the text make its point clear.

At any rate, the ancient audience would have perceived the masculine verbal inflection as having an inclusive force. No change to NJPS. (NRSV: “If anyone secretly entices you—even if it is your brother . . .”)

**[DS86]** 13:7. *va-avotecha* (NJPS: “nor your fathers”). See my note at 1:11. Hence, “nor your ancestors.” (NRSV: “nor your ancestors.”)

**[DS87]** 13:9–11. *lo toveh lo . . . u-skalto ba’avanim va-met ki vikkesh* (NJPS: “do not assent . . . to him. . . stone that person to death, for he sought”). See previous note: regardless of one’s explanation for why women are mentioned in v. 7, the wording there clearly requires the ancient audience to take the male language in these verses as gender inclusive.

NJPS has intended its rendering in male terms in vv. 9–11 to have a neutral sense. I substitute a more clearly gender-neutral translation here. Because of the rhetorical emphasis on hunting down every last apostate, pluralizing seems less fitting than continuing to couch the wording in singular terms. Hence, “do not assent . . . to any of them. . . stone that person to death for having sought.” (NRSV: “you must not yield to any such persons. . . stone them to death for trying.”)

**[DS88]** 14:1. *banim atem* (literally, “you are sons [emphatically]”; NJPS: “you are children”). The male relational noun *ben* takes its gender sense from the context. Here women are part of the plural “you” whom Moses is addressing (see next comment), so that the ancient audience would have understood the plural *banim* inclusively. The NJPS rendering is inclusive. No change to NJPS. (NRSV: same as NJPS.)

**[DS89]** 14:1. *lo titgod’du . . . la-met* (NJPS: “you shall not gash yourselves . . . because of the dead”). The second-person language is masculine plural, which can have a neutral sense. Here the ancient audience, knowing that women embodied and enacted public mourning in ancient Israel (Meyers, “Everyday Life,” p. 256), would have surely taken Moses as including women in the scope of his “you.” (That he is also speaking to men is confirmed by the next verse, where his second-person singular address refers to the Israelite people as a whole, in contrast to other peoples.) The NJPS rendering is inclusive. No change to NJPS. (NRSV: like NJPS.)

**[DS90]** 14:22. *asser t’asser* (NJPS: “you shall set aside a tenth part”). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)

**[DS91]** 14:27, 29. *ha-levi* (NJPS: “the Levite”). See my second note at 12:12. Hence, “the [family of the] Levite.” (NRSV: “the Levites.”)

**[DS92]** 15:2. *kol ba’al masheh . . . lo yiggosh et-re’eihu v’et-achiv* (NJPS: “every creditor . . . he shall not dun his fellow or kinsman”). The subject of the passage, the male term *ba’al masheh*, refers to one whose status derives from the possession of funds to lend. It takes its social-gender sense from the context (cf. Exod. 21:28–29). Because women occasionally functioned as creditors

across the ancient Near East and over a wide span of time, I presume that the text's Israelite audience would have considered a woman to be a potential creditor. Having no reason to expect her to be free to disregard the sabbatical laws, they would thus have taken *ba'al* inclusively.

As for the object, the relational nouns *rei-a* (literally, "fellow") and *ach* (literally, "brother") are formally masculine yet are often used figuratively and can have an inclusive sense (see my note at Lev. 19:13 and my first note at Deut 1:16). Here they refer to debtors. Because the text's ancient audience knew of women as debtors (II Kings 4:1) and had no reason to expect them to be treated differentially under the law, they would have taken these male terms inclusively.

NJPS renders in male terms, which it arguably intended in their generic sense. For clarity, I substitute more clearly gender-inclusive language. Here the subject can be taken as a singular collective: "every creditor" is equivalent to "all creditors," whose plural formulation is gender neutral in English. Hence, "all creditors . . . they shall not dun their fellow [Israelites] or kin." (NRSV: "every creditor . . . not exacting it of a neighbor who is a member of the community.")

**[DS93]** 15:7. *me-achad achecha . . . me-achicha ha-eyyon* (NJPS: "one of your kinsmen . . . against your needy kinsman"). The relational noun *ach* (literally, "brother"), formally masculine, is here used figuratively: any Israelite (cf. my first note at 1:16). Because the text's ancient audience knew of women as the paradigmatic poor (II Kings 4:1; Ruth 2), and because the Bible is filled with exhortations to support widows, it stands to reason that they would have taken *ach* here in an inclusive sense.

Based on the rendering of *eyyon* as "needy person" rather than as "needy man," NJPS intended its renderings of *ach* to be gender inclusive. I substitute a more clearly gender-neutral equivalent. The term "kin" has both a singular and plural sense. Hence, "one of your kin . . . against your needy kin." (NRSV: "a member of your community . . . toward your needy neighbor.")

**[DS94]** 15:8. *dei machsoro asher yechar lo* (literally, "enough for his need that is lacking to him"; NJPS, rendering idiomatically: "sufficient for whatever he needs"). As the previous note indicates, this male language in NJPS is intended in a neutral sense; a more clearly inclusive rendering is now warranted. I choose an equivalent idiom: "whatever is sufficient to meet the need." (NRSV: "enough to meet the need, whatever it may be.")

**[DS95]** 15:12. *ki yimmacher l'cha achicha ha-ivri o ha-ivriyah* (literally, "if is sold to you your brother, the Hebrew-male or Hebrew-female"; NJPS: "if a fellow Hebrew, man or woman, is sold to you"). On this phrase's implication

for understanding gender in Deuteronomy's language, see Eckart Otto's comment adduced in my note to 1:6. Here I will focus on the challenge of rendering this passage.

The situation described in vv. 12–18 is couched in grammatically masculine language, even though both a man and a woman are explicitly mentioned at the start. Robert Alter explains: “Grammatically, masculine gender remains dominant, so . . . the text goes on to speak of ‘he’ . . . representing both.” Although that reasoning applies well to some passages (such as Exod. 35–36; see Alter's note at Exod. 35:22), it does not fit here. Rather, vv. 12b–17a are actually discussing the male slave only, as becomes evident in v. 17b: “Do the same with your female slave.”

In other words, the text must mention the *ammah* (“female slave”) in v. 17b for some purpose other than to show that this is a gender-inclusive law, for that intent would already have been clear from v. 12 (as Alter believed). Indeed, even the mention of the Hebrew-female in v. 12 is unnecessary: the male formula *achiv ha-ivri* alone is sufficient to convey an inclusive sense in Jer. 34:14, as vv. 9–16 there make clear. Further, the text's Israelite audience would have been inclined to read the male language here in a legal passage as gender-inclusive anyway; see Methodology.

Thus regarding both of the mentions of a female slave in this passage (Deut. 15:12b, 17b) raise the same question: why state something that otherwise would—and usually does—go without saying? Unlike in 13:7, the scope of *ach* does not seem to be at issue; to establish the figurative sense of *ach* here, it would have been sufficient to say *achicha ha-ivri* (literally, “your brother the Hebrew”). It thus appears that gender itself is at stake in this law.

How so? Although the audience would normally expect a female slave to be treated the same as a male slave with regard to a worker slave (cf. Exod. 21:20, 26–27; Jer. 34:9–16), this expectation does not necessarily apply to a slave-wife: “When a parent sells a daughter as a slave, she shall not go free as male slaves do” (Exod. 21:2–7; see my notes there). Deuteronomy here seems to be underscoring that even with regard to a slave-wife, women and men should be treated the same; it emphasizes the resonant national symbolism of slavery (v. 15) over against the society's more usual asymmetric regulation of sexual relations. (I am not suggesting, as have commentators that Jeffrey Tigay cites, that Deuteronomy is here talking about *only* the case of the slave-wife; rather, it has in view all kinds of Hebrew slaves.)

To reiterate, the text's original audience would say that in the context of v. 17b, vv. 12b–17a are actually discussing the male slave only.

NJPS renders ambiguously; its construction of v. 12 does not make clear whether its male language is intended in a restrictive or an inclusive sense. If

I now insert em dashes, it will clarify that the passage’s many pronouns referring back to the slave are gender-specific. Hence, “if a fellow Hebrew man—or woman—is sold to you.” (NRSV renders v. 12 inclusively: “if a member of your community, whether a Hebrew man or a Hebrew woman, is sold to you”; it then inserts “a male slave” at the start of v. 13 to clarify that the subject of the succeeding verses is a man.)

**[DS96]** 15:18. *b’shalleich’cha oto chofshi . . . avad’cha* (NJPS: “when you do set him free . . . he has given you”). From v. 17b, it’s clear that v. 18 must be read inclusively. NJPS here employs male language in a neutral sense. I substitute more clearly neutral language. Hence, “when you do set either one free . . . you have been given.” (NRSV renders in the plural: “when you send them out . . . they have given you.”)

**[DS97]** 15:19. *kol b’chor . . . takdish* (NJPS: “you shall consecrate . . . all . . . firstlings”). On the inclusive gender sense of the intended actor, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)

**[DS98]** 16:10. *nidvat yad’cha asher titten* (NJPS: “offering your freewill contribution”). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)

**[DS99]** 16:11, 14. *v’samachta . . . atah* (“you [sing.] shall rejoice”). On the inclusive gender sense (so too Jeffrey Tigay, Adele Berlin, and Carol Meyers), see at 5:14, 12:7, and especially my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)

**[DS100]** 16:11, 14. *ha-levi* (NJPS: “the Levite”). See my second note at 12:12. Hence, “the [family of the] Levite.” (NRSV: “the Levites.”)

**[DS101]** 16:15. *shivat yamim tachog* (NJPS: “you shall hold a festival . . . seven days [in the place that the Eternal will choose]”). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)

**[DS102]** 17:2–3. *ish o ishah asher ya’aseh . . . va-yeilech va-ya’avod . . . va-yishtachu* (NJPS: “a man or woman who has affronted . . . turning to the worship . . . and bowing down”). Without a doubt, here, as elsewhere, masculine singular language bears a gender-inclusive sense; see also Exod. 21:21; 36:8–38; Lev. 13:29–39; Deut. 13:7, 11. The NJPS idiomatic rendering (like KJV and OJPS) is appropriately gender-inclusive. No change to NJPS. (NRSV: “a man or woman who does . . . going to serve . . . and worshipping.” Robert Alter: “a man or a woman who does . . . and they go and worship . . . and bow.”)

**[DS103]** 17:5. *v’hotzeita et ha-ish ha-hu o et ha-ishah ha-hi asher asu et hadavar ha-zeh . . . et ha-ish o et ha-ishah u-skaltam ba-avanim va-meitu*

(NJPS: “you shall take the man or the woman who did that wicked thing . . . and you shall stone them, man or woman, to death”). In referring to the culprit, the Hebrew construction repeatedly varies in number: singular nouns, plural verb, singular nouns, plural direct-object suffix, and a plural verb. This is fairly unusual even for Hebrew, because elsewhere masculine singular language is sufficient to convey an inclusive meaning—indeed, such has just been the case in vv. 2–3; see previous note (but cf. Num. 5:6). The rhetorical point of this usage may be that the culprit is operating beyond the bounds of normal discourse, and that the apostasy will spread if not checked at the start. What is clear is that the text goes out of its way to emphasize the culpability of women. Perhaps this is a case like 15:12, where gender is at stake, perhaps because in that society it was the mother who oriented young children to the world (Carol Meyers, “Everyday Life,” p. 256). And in pre-modern societies, people explained the workings of the world in terms of deities.

At any rate, the sense is without a doubt gender inclusive. NJPS employs the pronoun “them” in a singular sense (also found in KJV, OJPS, and Robert Alter). Because that usage is at odds with URJ and JPS house style, I opt for a more grammatically uniform English construction. Hence, “. . . and you shall stone that man or woman to death.” (NRSV: “. . . and you shall stone the man or woman to death.”)

**[DS104]** 17:6. *yumat ha-met lo yumat* (NJPS: “a person shall be put to death . . . he must not be put to death”). The grammatically masculine language takes its gender sense from the topic. The text’s ancient Israelite audience, recognizing that women as well as men were liable for the death penalty (v. 5), would have taken this language in an inclusive sense.

By translating *met* as “person,” NJPS shows that it intends “he” in a neutral sense. For clarity, I substitute more clearly gender-neutral language. Hence, “. . . no one shall be put to death.” (NRSV: “the death sentence shall be executed; a person must not be put to death.”)

**[DS105]** 17:7. *tihyeh-bo va'rishonah lahamito* (literally, “be against him at the beginning to kill him”; NJPS: “be the first against him to put him to death”). On the inclusive gender sense of the masculine language, see the previous three notes. NJPS intended “him” in a neutral sense. For clarity, I substitute a more clearly gender-neutral idiom that is equivalent to the Hebrew idiom. Hence, “be the first to put [the condemned] to death.” (NRSV: “be the first raised against the person to execute the death penalty.”)

**[DS106]** 17:7. *kol ha-am* (literally, “the whole people”; NJPS: “the rest of the people”). See printed comment. No change to NJPS.

[DS107] 17:12. *ha-ish . . . ha-ish ha-hu* (NJPS: “a man . . . that man”). The term *ish* takes its gender sense from the context (cf. my note at 7:24; 11:25). The ancient Israelite audience would take this male language in an inclusive sense: it could hardly be the case that Moses would allow women to flout judicial rulings. Hence, “anyone . . . that person.” (So too NRSV.)

[DS108] 17:14–20. *melech* (NJPS: “king”). The term and the references to it are grammatically masculine. On its male social-gender sense, see my note at 3:4. A major role of the monarch is to serve as commander-in-chief in war: “We must have a king over us, that we may be like all the other nations: Let our king . . . go out at our head and fight our battles” (I Sam. 8:19–20). Given the cultural norm that prowess in battle is a measure of masculinity, that would seem to make a *male* monarch normative. (See also the mention of “wives” in v. 17.)

A counterexample to the claim that the ancient audience would expect only men to serve as leaders in battle is the Song of Deborah (Judges 5). Indeed it portrays that woman as the leader of a war effort. Yet the picture in Judges 5 is at odds with two other biblical passages (Judges 4 and I Sam. 12:11) that cast Barak as the military hero of that battle. Susan Ackerman is probably correct when she attributes the tension between these versions to the difference between narrative prose and hymnal poetry: “Verisimilitude . . . need not exclusively direct the poem’s authors in their depictions of women or in their descriptions of what women can and cannot do. The poem thus can evoke a military role for Deborah . . . despite the fact that such a role would not be normally found in Israel’s male-dominated world” (*Warrior, Dancer, . . .*, p. 67). One could explain the unstated message of Deborah’s poetic portrayal as a gendered taunt: “Even our women are more powerful than their men!” (see Geoffrey Miller, “A Riposte Form in the Song of Deborah”). On women warrior leaders in the ancient Near East, see my note at 3:4.

NJPS renders the passage in male terms. No change to NJPS. (NRSV: like NJPS.)

[DS109] 17:15. *mi-kerev achecha . . . asher lo achicha hu* (NJPS: “one of your own people . . . one who is not your kin”). The male term *ach* (literally, “brother”) is counterposed with *ish nochri* (“a foreigner”), giving *ach* a figurative sense—as is common in Deuteronomy; see my first note at 1:16. It bears a nuance of kinship. To the ancient Israelite audience, the male component of the term would be in the background, even though the reference is to a king.

NJPS has rendered the term broadly (“people . . . kin”; cf. 18:15). No

change to NJPS. (NRSV: “one of your own community . . . one who is not of your own community.”)

**DS110** 18:2. *b’kerev echav* (literally, “in the midst of his brothers”; NJPS: “among their brother tribes”). The Hebrew in vv. 1–2 fluctuates in number between referring to the priests (plural) and the tribe of Levi (singular). (So NJPS; commentators and translators actually differ as to whether a singular inflection near the end of v. 1 refers to Levi or to God; cf. Robert Alter.) In this context, the ancient Israelite audience would not take the inflected plural of *ach* as a literal reference to the siblings of Levi son of Jacob, but rather as a figure of speech on the tribal level; see my note at 10:9.

For the sake of consistent English idiom, NJPS renders in the plural throughout vv. 1–2. It is the plural formulation that requires rendering *echav* as “brother tribes” rather than “its kin” as in 10:9. The supplied word “tribes” reflects the use of the singular inflection in Hebrew. This then allows *ach* be rendered as “brother,” bringing out the background sense of the tribes’ having been said to originate from Jacob’s sons. That allusion would be needlessly lost by rendering this word in gender-neutral terms (e.g., “fellow tribes”). No change to NJPS. (NRSV: “among the other members of the community.”)

**DS111** 18:3. *ha-am* (NJPS: “the people”). This group term takes its gender sense from the context. The syntax equates it with the term that immediately follows: *zov’chei ha-zevach* (literally, “those who slaughter a sacrificial animal”; NJPS: “everyone who offers a sacrifice”). Various considerations suggest that the offering—including slaughter—of sacrifices was not a gender-marked activity; see my notes at Lev. 1:2, 5. Thus an ancient Israelite audience would have taken *am* here in its inclusive sense. NJPS reflects the inclusive nuance. No change to NJPS. (NRSV: same as NJPS.)

**DS112** 18:10. *ma’avir b’no u’vito* (NJPS: “one . . . who consigns his son or daughter”). The term *ma’avir* is nominally male and grammatically masculine, so that the possessive suffixes that refer to it are also masculine. Such language takes its gender sense from the context, including the topic. Carolyn Pressler’s observation regarding Exod. 21:7 (NJPS: “when a man sells his daughter as a slave”) seems relevant here: “It seems likely that the term ‘father’ could implicitly include the mother. In the absence of the father, an Israelite mother appears to have had the authority to sell or surrender her children into slavery (cf. II Kings 4:1). A range of cuneiform documents also record the sale of children by mothers” (“Wives and Daughters, Bond and Free,” in *Gender and Law*, pp. 166–167). In general, a mother did have considerable authority; Meyers has noted that “the authority of the senior female



in Israelite families, at least with respect to internal governance jurisdiction, seems to be the same as that of the senior male, a situation that is optimal for family dynamics and management in the farming households in which most Israelites lived” (*Women in Scripture*, p. 195). In short, the text’s ancient Israelite audience took for granted that women (in some circumstances) had considerable control over the disposition of their children. On that basis, the audience would have presumed (if not from direct experience) that women had the potential to “consign” their child “to the fire.” Thus they would have taken the language at hand in a gender-inclusive sense.

The NJPS rendering employs “he” in a neutral sense. For clarity, I substitute a more clearly gender-neutral rendering. Hence, “one . . . who consigns a son or daughter.” (So too NRSV).

**DS113** 18:10–11. *kosem k’samim . . . v’doresh el ha-metim* (NJPS: “one . . . who is an augur . . . one who inquires of the dead”). The text lists seven participles (3ms) that refer to certain roles (augur, soothsayer, diviner, sorcerer, spell-caster, ghost-consulter, dead-inquirer). Based on various evidence in the Bible and ancient Near East, women as well as men were known in all such roles. Here in the context of a legal ban, the text’s original audience would have understood the male language inclusively.

NJPS renders the terms inclusively (“one who . . .” rather than “he who . . .”). No change to NJPS. (NRSV: like NJPS.)

**DS114** 18:15. *mi-kirb’cha me-achecha* (literally, “from your midst, from your brothers”; NJPS: “from among your own people”). On the figurative sense of *ach*, see my note at 17:15. To the ancient Israelite audience, the sense of kinship is in the foreground, not the male component of the term. NJPS renders accordingly. No change to NJPS. (NRSV: same as NJPS.)

**DS115** 18:15. *navi . . . elav tishma’un* (NJPS: “a prophet . . . ; him you shall heed”). The male term *navi* is here an indefinite noun, such that its social-gender sense must come from the context. The Bible calls several women “prophets.” Thus the text’s ancient Israelite audience would take *navi* in an inclusive sense. NJPS seems to employ the emphatic “him” in a gender-neutral sense. For clarity, I now recast the sentence in more clearly gender-neutral terms, although the rendering loses some of the syntactic emphasis as a result. Hence (in addition to reordering the phrases), “a prophet . . . whom you shall heed.” Perhaps in a future printing this should be changed to: “a prophet . . . ; such a person you shall heed.” (NRSV: “a prophet . . . you shall heed such a prophet,” while its notes point out that *navi* can also be taken as a collective and rendered in the plural.)

**DS116** 18:19. *v'hayah ha-ish asher lo yishma el d'varai . . . anochi edrosh me-immo* (NJPS: “if anybody fails to heed the words . . . I Myself will call him to account”). The noun *ish* is here indefinite and takes its social-gender sense from the context. Here it refers to one who disregards God’s word and will be punished for it. Thus the ancient Israelite audience would have taken *ish* inclusively. From its inclusive rendering of *ish* (“anybody”), NJPS shows that it intended “him” in its neutral sense. For clarity, I now rephrase slightly so as to bring out the neutral force. Hence, “anybody who fails to heed the words . . . I Myself will call to account.” (NRSV: “anyone who does not heed the words . . . I myself will hold accountable.”)

**DS117** 19:3. *kol rotzei'ach* (NJPS: “any manslayer”). Like any male term, *rotzei'ach* can have an inclusive sense in certain contexts. On the male sense here, see my printed comment and my note at Num. 35:6. (Verses 1–13 focus on relatively straightforward scenarios; for a list of some mitigating factors that the text does not directly account for, see Timothy M. Willis, *The Elders of the City*, pp. 89 ff., esp. 134–137. The apparent omission from consideration here of a female killer should be seen in this light. That the Israelites knew that a woman could kill can be inferred from what is taken for granted in Ezek. 16:38–41; 23:45–47. Yet in the world of the ancient Near East, her gender would be an additional legal complication—one that would obscure the principles that the text is pointing to.)

The NJPS rendering as “manslayer” is problematic on two counts: it is unduly gender inclusive with regard to the perpetrator, and it is a false generic with regard to the victim. See further at Num. 35:6. Hence, “[male] killer.” (NRSV: “any homicide.”)

**DS118** 19:4. *yakkeh* (literally, “struck [down]”; NJPS: “killed”). In the parallel formulations in Num. 35:11, 15, I changed the NJPS rendering “killed” to “slain,” to keep the term distinct from the new rendering of *rotzei'ach* as “killer” rather than “manslayer” (see previous note). Hence here, too, “slain.” (NRSV: “killed.”)

**DS119** 19:4. *re-eihu* (NJPS: “another”). Because the relational noun *rei-a* is employed indefinitely here, it gains its social-gender sense from context; see both my note and printed comment at Lev. 19:13, and my note at Deut. 4:42 (NJPS: “fellow man”), where the topic is the same and the wording is practically identical. Here *rei'a* refers to the victim of homicide, a role where gender is not at stake in Israelite eyes (see my printed comment at Num. 35:11, my note at Lev. 2:1, and cf. Gen. 9:5). The text’s ancient audience would thus have understood *rei-a* here in an inclusive sense.

The NJPS rendering emphasizes the indefinite usage, which is fittingly

gender-inclusive. However, it is somewhat misleading to a contemporary audience, which is likely to read a universal sense into the word “another”: any human being. Yet to the ancient audience it would have gone without saying that the whole asylum system, being a response to the Israelite institution of blood-avenger, applies only to Israelite killers and victims. The basic sense of *rei-a* as someone “with whom one stands in reciprocal relations” (*BDB*) is germane. During the preparation of the printed edition, I overlooked this consideration and made no change to NJPS here. To better reflect the perceptions of the ancient audience, and for consistency with my rendering in the parallel context in 4:42, the rendering should probably be changed in a future printing to “a fellow [Israelite].” (NRSV: “another person.”)

**DS120** 19:5. *yavo* (NJPS: “a man goes”). This verse gives an example to illustrate the principle stated in the previous verse. The inadvertent killer is described in grammatically masculine terms. Given that the system of asylum applies only to male killers (see my note at v. 3), gender is at stake here: the ancient Israelite audience would have understood this language in its male social-gender sense: a particular man.

NJPS renders via male language. Indeed, the biblical text does not specify “man”; the word is supplied by NJPS for clarity. This is appropriate. No change to NJPS. (NRSV renders the killer in gender-neutral terms: “someone goes.”)

**DS121** 19:5. *et re-eihu . . . et re-eihu va-met* (NJPS: “his neighbor . . . the other so that he dies”). As in the previous verse, the usage of *rei-a* is indefinite: any neighbor. Yet here, by virtue of being part of an illustration, it takes on gender specificity. Right away, the text’s ancient audience would have understood the male term and its grammatically masculine pronouns in their male social-gender sense.

NJPS clings to the indefinite usage, beginning the case with neutral language (“his neighbor . . . the other”), which sets up a needless surprise for the reader when the victim finally turns out to be a man. Ascription of gender improves clarity in an example case; a reader is not likely to infer wrongly that it was okay to kill a *woman* accidentally. To reflect the ancient understanding more accurately, I substitute a more masculine equivalent at the start. Hence, “another fellow . . .” (NRSV renders the victim in gender-neutral terms: “another . . . the other person who then dies.”)

**DS122** 19:6. *hikkahu nefesh* (literally, “he struck him, a life”; NJPS: “kill him”). The NJPS rendering clashes with a broader editorial decision; see at 19:4. I seek an equivalent idiom. The mention of *nefesh* in this passage is unusual enough to be noteworthy, but how much to make of it? Its role is am-

biguous also at 19:11, where NJPS has “strikes him a fatal blow” for *v’hikkahu nefesh va-met*.” NJPS rendered *ha-makkeh* as “slayer” in Num. 35:24, suggesting “slay him” here, although that is not common English parlance. Another possible rendering is “take his life,” but stylistically this is undesirable because it clashes with the preceding phrase, “overtake him.” In Exod. 3:12, NJPS renders *va-yach* as “struck down,” which seems apropos here. Hence, “strike him down.” (NRSV: “put . . . to death.”)

**DS123** 19:8. *la-avotecha . . . la-avotecha* (NJPS: “to your fathers . . . your fathers”). See my note at 1:35 and my second note at 4:31. No change to NJPS.

**DS124** 19:11. *ish* (NJPS: “person”). This term takes its social-gender sense from the context. On the male sense here, see my printed comment and my note at Num. 35:6—the ancient Israelite audience would understand that the asylum laws apply only to a male killer. Gender is at stake here. The NJPS rendering “person” is misleadingly generic in this context. Hence, “man.” (NRSV: “someone.”)

**DS125** 19:14. *rei’acha* (NJPS: “your countryman”). On the nuances of the male term *rei-a*, which takes its social-gender sense from the context, see my second note at 19:4 and my note at 19:5. Here the usage is indefinite; it alludes to anyone whose landmarks you would be tempted to move, so as to expand your own property. The ancient Israelite audience, knowing that some women owned land, even if temporarily (Num. 27:8; II Kings 8:3–6), would have taken *rei-a* here in an inclusive sense.

The NJPS rendering is a false generic. I substitute a more clearly gender-neutral rendering. In Deut. 5:17–18, NJPS rendered *rei-a* as “neighbor,” and it is precisely one’s neighbor’s landmarks that one would be tempted to move. Hence, “neighbor.” (NRSV: “neighbor.”)

**DS126** 19:16. *ki yakum ed chamas* (NJPS: “If a man appears . . . to testify maliciously”). Here the usage of *ed* (“witness”) is indefinite. The ancient Israelite audience would have taken this male term in its inclusive sense, because gender is not at stake in the situation; see my note at Lev. 5:1.

In contrast to KJV and OJPS, NJPS renders in male terms: it supplies the word “man” as part of its idiomatic construction. I substitute a gender-inclusive equivalent. Hence (and similarly throughout the passage), “If someone appears . . . to testify maliciously.” (NRSV: “if a malicious witness comes forward . . .”)

**DS127** 19:16. *b’ish* (NJPS: “against another”). Here the usage of *ish* is indefinite, so that it takes its social-gender sense from the context. The reference is to anyone who is assailed by false testimony. An ancient Israelite audience could surely imagine false testimony against a woman; thus they would have

understood *ish* in its frequent generic sense (and similarly throughout the passage in reference to the victim). The NJPS rendering reflects the indefinite usage. No change to NJPS. (NRSV: “someone.”)

**DS128** 19:18. *v’achiv* (literally, “against his brother”; NJPS: “against his fellow”). On the social gender of the accuser, see my first note at v. 16. As for the social gender of the accused, it is noted repeatedly in the book’s commentary (see also my note at 1:16) that the male term *ach* is used figuratively, as a matter of rhetoric, to convey that Israelites ought to regard all fellow Israelites as close family, in terms of loyalty and fair dealings. Such is the case here. The ancient Israelite audience would have taken *ach* here in its gender-inclusive sense.

NJPS renders the reference to the accuser via male language, employed in a neutral sense. For clarity, I substitute more clearly neutral wording. As for the accused, see my note at Lev. 5:21 for the problem with the noun “fellow.” As a gender-neutral substitute, I had originally proposed “peer,” but as Adele Berlin pointed out, one could then infer that—as in the Laws of Hammurabi—the law applies only to persons on the same socioeconomic level. Following NJPS in 1:16, I instead choose “fellow Israelite.” Hence, “against a fellow Israelite.” (NRSV: “against another.”)

**DS129** 20:1. *ki tetzei la-milchamah* (NJPS: “when you take the field”). From the content of this passage, the ancient Israelite audience would instantly recognize that Moses has narrowed his focus and is now addressing in particular the adult males of fighting age. On the need for the translation to signal such transitions in the scope of the audience when gender is at stake, see at 1:41. Hence, “when you [an Israelite warrior] take the field.” (NRSV: “when you go out to war.”)

**DS130** 20:2. *am* (literally, “people”; NJPS: “troops”). This group term has both a broader and a more restricted sense. Based on the topic at hand, the ancient Israelite audience would take *am* in its narrower sense; cf. the previous note. Throughout this passage on warfare, NJPS likewise renders this term in its narrower sense (see JPS *Notes* and cf. Num. 20:20, 31:32), accurately conveying the gender picture to contemporary readers. No change to NJPS. (NRSV: “troops”).

**DS131** 21:1, 2, 3, 6. *chalal* (literally, “pierced”; NJPS: “someone slain; corpse”). Like grammatically masculine nouns in general that apply to human beings, the term *chalal* takes its social-gender sense from the context. Gender is not at stake here, as the Torah confirms elsewhere (Num. 19:14–18, 31:17–19). Thus the text’s ancient audience would take this term

in its gender-inclusive sense. NJPS likewise renders inclusively. No change to NJPS. (NRSV: “body”; Robert Alter: “slain person; corpse.”)

**[DS132]** 21:5. *l’shar ’to* (literally, and NJPS: “to minister to Him”). To avoid needlessly ascribing gender to God, I substitute an equivalent English idiom: “for divine service.”

**[DS133]** 21:10. See my note at 20:1.

**[DS134]** 21:15. *ki tihyena l’ish sh’tai nashim* (NJPS: “if a man has two wives”). The force of the masculine noun *ish* varies greatly with context. Here the text’s ancient audience would immediately recognize that the case is restricted to a married man, i.e., a husband. The NJPS rendering as “man” seems to reflect asymmetric English usage that has since been largely abandoned (according to *Bride’s Book of Etiquette*, 8th edn. [1999], most Christian clergy no longer say, “I now pronounce you man and wife”). Although rendering as “man” preserves the parallel opening wording in vv. 18 and 22, such structural considerations are not a particular concern of the contextual approach to plain-sense translation, because they are not in the foreground. I substitute a more precise rendering of *ish*, as did NJPS elsewhere (e.g., Num. 5:13; Deut. 28:56). Hence, “if a husband has two wives.” (NRSV: “if a man has two wives”; NLT: “suppose a man has two wives.”)

**[DS135]** 21:18. *ki yihyeh l’ish ben* (NJPS: “if a man has a . . . son”). Again, the force of the masculine noun *ish* varies greatly with context. Here the usage is indefinite: anyone in the following situation. The text’s ancient audience would immediately recognize that the case is restricted to someone with a child, i.e., a parent. Gender is not at stake in the legal case at hand; indeed, the passage twice mentions both father and mother as parties to the case. Thus the Israelite audience, who perceived the authority of both parents in roughly equal terms, would take *ish* here in a gender-inclusive sense (cf. my notes at Exod. 21:7, Num. 12:14, and Deut. 1:31, 8:5).

The NJPS rendering seems mechanical, or perhaps intends “man” in a neutral sense. I substitute a rendering that more clearly reflects the ancient understanding. Hence, “if a parent has . . .” (On the rendering of *ben*, see the next note.) (NRSV: “if someone has . . .”; NLT: “suppose a man has . . .”)

**[DS136]** 21:18. *ben* (NJPS: “son”). In some cases, the relational noun *ben*, although nominally male, can have an inclusive sense. Carol Meyers has argued against such an inclusive sense here, on the grounds that in ancient Israel, most women married and in so doing, moved away from home: a daughter would not have been in a position to be rebellious in the manner described (*Women in Scripture*, ad loc.). Yet a daughter could reach majority in her parents’ household and—for a variety of reasons—still not be married.

Thus despite the prevailing patrilocal custom, the text's ancient Israelite audience would have known situations, albeit relatively rare, where a grown daughter, too, was in a position to rebel. Perhaps this is what Micah alluded to when he observed that "daughter rises up against mother" (Mic. 7:6). (Cf. my note at Exod. 21:15.) Tikva Frymer-Kensky remarks, "Girls were certainly not allowed to be drunk and disorderly" ("Virginitiy in the Bible," p. 96). As discussed in Methodology, I presume that the audience would have been inclined to read legal texts inclusively so long as gender was not at stake.

Arguably, however, gender is indeed at issue here, such that this case refers only to a son (and so Frymer-Kensky reads it, albeit without explanation; *idem*, pp. 95–96). Consider the nature of the charges: the Bible elsewhere associates being "a glutton and a drunkard" not with concerns related to women (such as a daughter's loss of virginity or ability to attract a husband), but rather with (men's) poor leadership (Isa. 28:7, 56:9–12) and impoverishment (Prov. 23:20–21). This suggests that the expression may be a male trope, although it's hard to be sure because the Bible so overrepresents concerns related to men. Another consideration is the case in 22:13 ff., which also deals with offspring. Its wording, penalties, and motive clause are all similar to those of the case at hand, inducing the reader to view them as parallel cases (as articulated by Carolyn Pressler, *View of Women*, p. 86). Deuteronomy thus offers two cases of insubordinate offspring, one of which is clearly a daughter; the two contrasting insubordinations suggest that the other case must be dealing with a son. That is, the text seems to presume that when men behave irresponsibly, they manifest it openly, via a show of disloyalty and underfunctioning. In contrast, when women behave irresponsibly, they manifest it quietly, via subversion and secrecy. By negative definition, the two cases are reflecting the Torah's gender expectations—albeit not necessarily social realities—more so than most of the Torah's laws.

In other words, while a woman *could* have become "disloyal . . . defiant . . . a glutton and a drunkard," in the rhetoric of gender *it would go without saying* that she would not do so.

Such a reading strikes me as consistent with the presentation of gender in the rest of the Bible and in ancient Near Eastern literature (I have not researched this exhaustively). Here I must distinguish the present case from the laws of Exod. 21:15, 17 and Deut. 27:16, regarding insulting, cursing, or striking one's parent. For those laws I infer an inclusive reading even though such behavior arguably was likewise not considered "feminine." The difference is that despite the gender norm, in real life it is not so uncommon for either sons or daughters to lash out at parents in anger. (This is not merely a

psychological projection on my part from post-modern American culture to an ancient one, because such behavior by daughters is also attested for late antiquity and the Middle Ages in rabbinic and Geniza literature.) In contrast, the situation portrayed in the present case strikes me as more emblematically male in its characterization.

Such an argument is not conclusive, yet on balance I imagine that the text's ancient audience would have taken the language in this case in a male sense. NJPS renders in male terms. No change to NJPS. (NRSV: "son.")

**DS137** 21:21. *kol anshei iro* (NJPS: "all the men of his town"). Here the construct form of *anashim* means (in the words that *BDB* used for similar situations) "resident in, or belonging to a place"; it takes its social-gender sense from the context (cf. *kol ish yisra'el*, Deut. 27:14). Here it refers to those who stone to death a convicted outlaw. Arguably if one woman (the mother) has an active role in prosecuting the case, other local women could likewise be involved in execution of the sentence. Timothy M. Willis, in providing comparative examples from present-era kinship-based societies, mentions a case in which a "confirmed thief" was hanged by "his elder brother and his mother," and another case where an "incorrigible thief" was buried alive by her sister (*The Elders of the City*, pp. 164–165). But such cross-cultural evidence is far from conclusive with regard to a case tried formally before (male) elders.

It may be that in ancient Israel it was the men who were adept at throwing stones—much as it was men who handled swords—and thus served as executioners (see Ezek. 23:45–47). If so, however, to the ancient audience it would have gone without saying that the present term refers to men.

In referring to the executioners, the text does not seem to afford readers a view of a gendered social institution (such as might be implied by a slightly different formulation, *kol ha-anashim asher ba-iro*); rather, it emphasizes that the executioners (who, practically speaking, cannot be a very large number) are representing the settlement as a whole—its women as well as its men. In other words, gender is in the background, not the foreground.

NJPS may have intended "men" in a neutral sense. At any rate, I substitute language that more precisely reflects the foreground sense. Hence, "all the residents of his town." (NRSV: "the men of the town.")

**DS138** 21:22. *v'chi yihyeh v-ish chet mishpat mavet . . . oto* (NJPS: "if a man is guilty of a capital offense . . . him"). The term *ish* takes its social-gender sense from the context. Here it refers to a person who is being executed. The text's ancient Israelite audience knew that a woman as well as a man was liable in capital offenses. Absent any evidence that gender is at stake (no pun intended), I have otherwise for legal texts presumed that the audience would



have construed male language in neutral terms (see Methodology).

During production of the printed book, I imagined that to the ancient audience, it would have gone without saying that one does not expose a woman's body in this way. Thus I let stand the NJPS rendering in male terms. Since then, I have not been able to find evidence to sustain that gender assumption. Unfortunately, as Adele Berlin points out, "The Bible does not speak to the difference between the execution of a man and a woman" (5/11/04). Perhaps in a future printing, the rendering should be made gender neutral. (NRSV: "when someone is convicted of a crime punishable by death . . . him." This seems to have been one of the cases alluded to in the NRSV notice "To the Reader": "Only very occasionally has the pronoun 'he' or 'him' been retained in passages where the reference may have been to a woman as well as to a man.")

**DS139** 22:1–4. *et shor achicha . . . l'achicha. V'im lo karov achicha elecha. . . et chamor achicha* (NJPS: "your fellow's ox . . . to your fellow. If your fellow does not live near you. . . your fellow's ass"). It is noted repeatedly in the commentary (see also my note at 1:16) that Deuteronomy uses the male term *ach* (literally, "brother") figuratively, as a matter of rhetoric, to convey that Israelites ought to regard all fellow Israelites as close family, in terms of loyalty and fair dealings. Such is the case here. Regarding the social-gender sense, the text's ancient Israelite audience knew that women did own livestock. Because gender is not at stake in these laws, the ancient Israelite audience would have taken *ach* in its gender-inclusive sense (see Methodology).

NJPS renders *ach* and its references via male language, employed in a neutral sense. For clarity, I substitute more clearly gender-neutral language, which involves making a choice among several candidate renderings: "neighbor, fellow Israelite, peer." (I employ "fellow" only as an adjective—not as a noun; see my note at Lev. 19:13.) The condition "if your *ach* does not live near you" (v. 2) tends to disqualify "neighbor" in this context; for other problems with that rendering, see at Lev. 19:13. The remaining question is whether the force of *ach* here is "regardless of the effort or expense" (so Jeffrey Tigay at 15:12), which would suggest the rendering "fellow Israelite," or whether the sense is "regardless of social station" (so Tigay at 1:16), which would suggest the rendering "peer." It seems to me not only that both aspects are in the foreground but also inseparable in practice. In similar situations where neither term alone would suffice, it appears that NJPS employed both such terms: "when you enter a fellow's field . . . you must not put a sickle to your neighbor's grain (23:26), where both "fellow" and "neighbor" render the same term, *rei-a*. I do the same in this passage. Hence, "your fellow Israelite's ox . . . to your peer. If your fellow Israelite

does not live near you. . . . your fellow Israelite’s ass.” (NRSV similarly: “your neighbor’s ox . . . to their owner. If the owner. . . your neighbor’s donkey.”)

**[DS140]** 22:13–29. *ki yikkach ish ishah* (NJPS: “a man marries a woman”). The grammatically masculine term *ish* takes its social-gender sense from the context. In this passage, which involves various sexual crimes, gender is definitely at stake. The text’s ancient Israelite audience would no doubt understand *ish* in its male sense. NJPS renders in male terms. No change to NJPS.

**[DS141]** 22:19. *ki hotzi shem ra* (literally, “for he has brought out a bad name”; NJPS: “for the man has defamed”). The subject is not mentioned but logically the reference is to the wrongdoer. Yet the immediately preceding male noun is the father. Hebrew idiom tolerates such ambiguity more so than does English idiom. Thus NJPS supplies “the man” for clarity, because if it said merely “he,” the construction would not sufficiently specify the antecedent. No change to NJPS.

**[DS142]** 22:21. *anshei irah* (NJPS: “the men of her town”). The reasoning at 21:21 applies here, too. Hence, “the residents of her town.” (NRSV: “the men of her town.”)

**[DS143]** 22:26. *yakum ish al re'eihu u-rchatzo* (NJPS: “a man attacking another and murdering him”). In this construction, the usage of the grammatically masculine terms *ish* and *rei-a* is indefinite; their social-gender sense comes from the context. (NJPS rendered the similar expression *ish el re'eihu* idiomatically as “at one another” in Gen. 43:33, and likewise *ish et re'eihu* as “each other” and as “together” in I Sam. 20:41.) Neither the language or the content limits either the murderer or the victim to being male in this analogy. The text’s ancient Israelite audience would have taken both terms in their inclusive sense.

The NJPS rendering of *re'eihu* as “another” is generic; it presumably intended “him” in its neutral sense, and perhaps also for “man.” I substitute a more clearly inclusive idiom. (Compare Exod. 21:14, where I rendered a parallel formulation, *yazid ish al re'eihu*, as “a person schemes against another.”) Hence, “one person attacking and murdering another.” (NRSV: “someone who attacks and murders a neighbor . . .”)

**[DS144]** 23:1. *lo yikkach ish et eishet aviv* (NJPS: “no man shall marry his father’s former wife”). The reasoning at 22:13 applies here, too, both for *ish* and for *av*. No change to NJPS.

**[DS145]** 23:2. *lo yavo f'tzua dakka* (NJPS: “no one whose testes are crushed . . . shall be admitted”). The verbal inflection is grammatically masculine. It re-

fers to a person with biologically male sex characteristics: gender is germane. Given my assumption that ancient Israel recognized only two genders (see Methodology; cf. 22:5), I handily conclude that the original audience would have taken the male language in its male sense.

NJPS supplies the word “one” as the implied subject, but it is falsely generic—unduly imprecise when referring to only one gender. Hence, “no man whose testes are crushed.” (NRSV: “no one . . .”)

**DS146** 23:2, 3, 4, 9. *bi-k’hal Yhvh* (NJPS: “into the congregation of the LORD”). The basic meaning of the noun *kahal* is “assembled group of people”; the specific people involved and the purpose of the assembly varies and is defined by context (Hossfeld and Kindl, “*qahal*,” *TDOT*, pp. 551 ff.). The term *kahal* alone does not seem to have a definite social-gender sense. In some contexts it refers to a group of only men (e.g., Num. 11:7; Josh. 8:35; Judg. 20:2; 21:5, 8; 1 Sam. 17:47). But an ancient Israelite audience would surely take the term inclusively in other, cultic settings (e.g., Exod. 16:3; Lev. 16:17, *kol k’hal yisra’el*; most occurrences in Numbers; Deut. 5:19; Deut. 31:30 and 1 Kings 8:14, *kol k’hal yisra’el*; I Kings 8:65; Jer. 44:15; Joel 2:16; Ezra 10:1; Neh. 8:2–4; II Chron. 30:13). Jeffrey Tigay (ad loc.) equates it with *edah* (“community”), which has a similarly wide semantic range.

The present passage uses a special formula, *k’hal Yhvh*, six times in quick succession—a term that is rare elsewhere (but echoed in Lam. 1:10, *k’hal lach*; Neh. 13:1, *k’hal ha-elohim*), and this argues for a technical sense here, although Tigay (ad loc.) takes *kahal* as merely the short form of the longer names. Christopher Wright seems to be correct when he concludes that “this body is not quite coextensive with the whole nation” (ad loc.). Unfortunately, context gives mixed clues as to the social-gender sense. On one hand, J. G. McConville (ad loc.) sees here the military connotation of *kahal* because that would explain why this passage is followed by one on military matters (vv. 10 ff.); if so, then this would be a *kahal* comprised of men. Similarly, in Mic. 2:5 (*k’hal Yhvh*), the association is with land ownership, which suggests an assembly of men (cf. Richard D. Nelson, ad loc.). On the other hand, the allusion to this passage in I Kings 11:1–2 (see next note) presumes a gender-inclusive sense of *k’hal Yhvh*.

Perhaps *k’hal Yhvh* never was so specific a body that it had a definite social-gender sense. At any rate, I apply my decision rule that in the absence of clear indications of a male-only sense here (vv. 2–9), the text’s ancient audience would take *kahal* as an inclusive term (see Methodology).

The NJPS rendering comes across as gender inclusive; cf. my note at v. 9. (However, if *k’hal Yhvh* was taken as restricted to males, then “congrega-

tion” would be a misleading rendering, for in English that is nowadays understood as a gender-inclusive term. Better then would be Jeffrey Tigay’s capitalized rendering as “Assembly,” for that would suggest a specialized leadership body.) No change to NJPS regarding “congregation.” (NRSV: “the assembly of the LORD”; this seems to be meant inclusively; see my note at v. 9.)

**DS147** 23:3, 4, 8. *mamzer . . . lo yavo lo . . . ammoni u-moavi . . . lo yavo lahem . . . adomi . . . ki achicha hu . . . mizri . . . v'artzo* (NJPS: “one misbegotten . . . none of his descendants . . . Ammonite or Moabite . . . none of their descendants . . . an Edomite . . . he is your kinsman. . . . an Egyptian . . . in his land”). Like most grammatically masculine terms for categories of human beings, *mamzer* (“misbegotten”) and the various masculine gentilic terms in this passage can be taken in either a male-only or an indefinite (gender-inclusive) sense. Here the immediate context is vague if not laconic. Interpreters have read the text in male-only ways, often based on evidence that lies far from the present context. For example, Targum Pseudo-Jonathan reportedly understood the issue in vv. 2–3 as the ability to take an Israelite wife, implying that *mamzer* is a male-only term (Israel Drazin, *Targum Onkelos to Deuteronomy*, p. 211, n. 2). Meanwhile, Richard Elliott Friedman (ad loc.) argues for a male-only meaning of *moavi* (“Moabite”), based on the fact that according to the Book of Ruth, the Moabite woman Ruth was twice welcomed to marry an Israelite. The Talmud (Yev. 77a) reads it that way, as does Ibn Ezra (at v. 2; cf. Rashi here). Furthermore, McConville, who takes *kahal* as a reference to the Israelite army (see previous note) suggests that the point in this passage is that an outsider man can marry an Israelite woman but still not fight in God’s army, perhaps so as not to attract doubt about his trustworthiness during wars against his homeland.

On the other hand, some speculate that the Book of Ruth was written in implicit protest of this law, as if Deuteronomy had meant “Moabite” inclusively. More pointedly, the author of I Kings 11:1–2 appears to read the present passage inclusively: “King Solomon loved many foreign women in addition to Pharaoh’s daughter—Moabite, Ammonite, Edomite, . . . from the nations of which the Eternal had said to the Israelites, ‘ . . . none of them shall join you’ . . .” As the NJPS footnote there acknowledges, the only extant source for that allusion to a divine law against marrying women from those four nations is the present passage. (In his forthcoming book *How to Read the Bible*, Marc Zvi Brettler understands Deut. 23:8–9 instead as permitting marriage with Egyptians and Edomites “three generations after Moses” and thus sees Kings as extending the intent of Deuteronomy’s law in its condemnation of Solomon. Meanwhile, the story concerning an Edomite man in

I Sam. 21:8 is ambiguous in this regard, because it does not tell us on what grounds he was “detained before the LORD”: it may have been because of his identity as an Edomite, or it may have been temporary ritual impurity, as the NJPS translators’ note holds.)

Yet we cannot expect the text’s ancient Israelite audience to have understood the present passage’s plain sense on the basis of texts in Kings or Ruth or even the following passage in Deuteronomy. Rather, they would have relied upon their own gender and ethnic boundary assumptions in forming a more immediate opinion. In this regard we must consider Shaye Cohen’s contention that patrilineality was the Torah’s assumed standard for inherited membership in the people (“The Origins of the Matrilineal Principle in Rabbinic Law”). Cohen bases his argument partly on the wording of Lev. 24:10, wherein a “son of an Israelite woman and an Egyptian man” is clearly not considered a full Israelite by the narrator, and he would not be entitled to the Israelite patrimony of land (Milgrom, *AB*, ad loc.). The distinction implies that the converse case—the child of an Israelite man and an Egyptian woman—would have received a patrimony and also would have been considered an insider with regard to cultic rules (such as those restricting the invocation of God’s name). Did the text’s ancient Israelite audience share this view? I would not think it safe to draw that conclusion on the basis of the Bible alone, for its ideology may not have matched the prevailing norm in this respect. I am not aware of extrabiblical evidence that would support the idea that for the Israelites, the ethnic or national origin of wives and mothers was of no consequence. However, if the text’s ancient Israelite audience indeed held a patrilineal definition of citizenship, then the text here would not have needed to specify that only males were meant, for it would have gone without saying.

Otherwise, none of the terms in this passage seem necessarily restricted to men by the immediate context. As in the previous note, I am applying my decision rule that in the absence of clear indications of a male-only sense here, the text’s ancient audience would read the terms (and the masculine inflections that refer to them) inclusively (see Methodology). This is a best guess, far from certain.

NJPS seems to have intended its rendering in a neutral sense; at any rate, it presents no clear obstacle to such a reading. For clarity, I substitute more clearly gender-neutral wording as needed. Hence, “one misbegotten . . . no such descendant . . . Ammonite or Moabite . . . none of their descendants . . . an Edomite, for such is your kin. . . . an Egyptian . . . in that land.” (Perhaps in a future printing, some of the wording in vv. 3–4 should be recast for precision and consistency: “one misbegotten . . . no descendant of such . . .

Ammonite or Moabite . . . no descendants of such . . .”) (NRSV: “those born of an illicit union . . . none of their descendants . . . Ammonite or Moabite . . . any of the Edomites, for they are your kin . . . any of the Egyptians . . . in their land.”)

**DS148** 23:9. *banim* (NJPS: “children”). This plural relational noun, while nominally male, sometimes appears in an inclusive sense. To the extent that *k’hal Yhvh* is an inclusive term (and so I have taken it; see my note at v. 2), then so is *banim*. The NJPS rendering is gender inclusive. No change to NJPS. (NRSV: “the children.”)

**DS149** 23:16–17. *eved* . . . *adonav* . . . *imcha yeshev* . . . *lo tonenu* (NJPS: “his master . . . a slave . . . he shall live with you . . . you must not ill-treat him”). The term *eved* is grammatically masculine, and it takes on a definite male sense when counterposed with one of the terms for a female slave (*amah* or *shifchah*; e.g., 16:11). But the female terms are absent here, such that *eved* could be taken in a collective, gender-inclusive sense. (That *eved* would have a neutral sense is supported not only by the plural’s function in that capacity [*avadim*] (e.g., Exod. 13:3; Lev. 25:55; Deut. 6:21; II Kings 4:1) but also by its relatedness to the terms for service or labor [*avodah*] and for slavery [*avdut*], which are not gender marked. An instance where male language (*ach*) is clearly used generically to refer to slaves is Jer. 34:8–16.) Regarding the present context regarding a runaway slave, Carolyn Pressler writes: “It is quite unlikely that the law was understood as applying only to male slaves; the cuneiform laws do not treat male and female fugitive slaves differently. Rather, [*eved*] should be understood generically in this instance” (“Wives and Daughters,” p. 168; see further her n. 50). That is, given that gender is not at stake, the text’s ancient audience would have taken this law’s wording as gender-inclusive.

The NJPS rendering may well have intended its male language in its neutral sense. For clarity, I substitute more a clearly gender-neutral rendering. Given the collective sense of *eved* in this context, a plural rendering is appropriate where necessary to avoid gender specificity, bearing in mind that a singular rendering better conveys the basic sense that each person counts. Therefore I choose a hybrid approach. Hence, “the master . . . a slave . . . such individuals shall live with you . . . you must not ill-treat them.” (NRSV: “slaves . . . their owners . . . they shall reside with you . . . you shall not oppress them.”)

**DS150** 23:18. *k’deshah* . . . *kadesh* (NJPS: “cult prostitute . . . cult prostitute”). See printed comment. Gender per se is not at stake here; given the juxtaposition of the two technical terms, it’s clear that the first (which is grammati-

cally feminine) refers to a woman while the second (which is grammatically masculine) refers to a man. The problem here is that the context is so vague that it's not clear what the terms mean. These terms have undergone re-evaluation among scholars since NJPS was issued, as reflected in the 1999 revised Genesis edition (now published for the first time as part of the present book); there, Chaim Stern rendered *k'deshah* as "courtesan" (38:21), while Gunther Plaut modulated his earlier support for the NJPS rendering as "cult prostitute" (with his endnote now stating that "biblical scholars disagree about the precise activity of the *k'deshah*").

For *k'deshah*, the NJPS translators were guided by the perceived root meaning of "holy"; at Gen. 38:21, JPS *Notes* (citing Benno Jacob) explains: "*K'deshah* is a 'sacred prostitute,' one associated with a shrine or the like." (Yet NJPS at Hosea 4:14 renders merely as "prostitute.") Apparently their thinking was similar for *kadesh*, which has attested yet vague cultic associations (I Kings 14:24; 15:12; 22:47; II Kings 23:7). However, the traditional (OJPS/KJV) rendering understood the passage differently: "harlot . . . sodomite" (which accorded with the Talmud).

Of the scholars I recently consulted, nearly all agree that "cult prostitute" is *not* correct, given the absence of evidence that cultic prostitution existed in the ancient Near East (Jeff Tigay [ad loc. and Excursus 22]; Tamar Kamionkowski [pers. comm., 1/8/04]; Tikva Frymer-Kensky [*In the Wake of the Goddesses*]; David Sperling [pers. comm., 4/3/04]; and Elaine Adler Goodfriend [*Women in Scripture*, ad loc.]). Only Richard Elliott Friedman stands by "sacred prostitute," on the basis of the context of the next verse. At any rate, even the others disagree as to what *is* correct! Tigay argues for deleting "cult" and rendering both terms simply as "prostitute"; and Kamionkowski concurs. On the other hand, Frymer-Kensky in effect would delete "prostitute" and leave "cult": "Clearly, the *kadesh* and *k'deshah* were involved in some form of [non-sexual] worship . . . that was discarded by the evolving tradition of Israel" (p. 201); and Sperling concurs. Meanwhile, Goodfriend splits the difference, contending that *k'deshah* is a "common prostitute" whereas *kadesh* means a type of unauthorized priest.

The best I can do here is to follow Stern and Plaut's lead in Gen. 38:21 (for consistency), rendering as "courtesan . . . prostitute," while noting the scholarly controversy in the commentary. (Again, this is not a matter of gender per se.) (NRSV: "temple prostitute.")

**DS151** 23:20. *l'achicha . . . la-nochri . . . u-l'achicha* (NJPS: "to your countrymen . . . to foreigners . . . to your countrymen"). The relational noun *ach* (literally, "brother"), when juxtaposed with *nochri*, is used figuratively (see my note at 1:16); this usage can have a gender-inclusive sense, depending upon

the context. In this case the reference is to a debtor. The ancient Israelite audience knew of women as debtors (cf. 24:17b; II Kings 4:1) and I know of no reason to think that they were treated differently from male debtors in the eyes of the law. Thus the audience would have taken this law inclusively.

NJPS takes these terms as collectives, rendering them in the plural; its reason for doing so is not clear, but the effect conveys an inclusive sense. However, “countrymen,” which may have been intended in its neutral sense, has come to be seen as a false generic. For clarity, I substitute a more clearly gender-neutral rendering. Hence, “to your fellow Israelites . . . to foreigners . . . to your fellow Israelites.” (NRSV: “another Israelite . . . a foreigner . . . another Israelite.”)

**DS152** 23:25–26. *rei’echa . . . rei’echa . . . rei’echa* (NJPS: “another man’s . . . another man’s . . . your neighbor’s”). The relational noun *rei-a* (literally, “fellow”) is formally masculine yet is often used figuratively and can have an inclusive sense (see my note at Lev. 19:13, my first note at Deut 1:16, and at 4:42). Here it is employed indefinitely to refer to the owner of a vineyard or a field of grain. The text’s ancient Israelite audience, knowing that women as well as men owned agricultural land (cf. II Kings 8:1–6; Ruth 4:3, 5, 9), would have interpreted this law as gender inclusive.

In its early printings (including the first edition of our *chumash*), NJPS rendered all three instances of *rei-a* in these two verses as “neighbor.” Yet the Hebrew term does not map directly onto any one English term. Apparently the translators came to view the twofold substitution of “another man’s” as a necessary corrective to the impression that *rei-a* refers to non-Israelite neighbors (see *JPS Notes*, pp. 38–39, and at Lev. 19:13, 16); if so, their replacement did not really solve the problem. Or perhaps they meant to signal that the law applied also when away from home (i.e., when the property owner is an Israelite other than a neighbor, strictly speaking). Apparently they retained “neighbor” in the final instance to convey the mutual, relational sense of *rei-a*. More to the point, “another man’s” creates a misleading impression with regard to the gender sense. I substitute more clearly gender-neutral language that reflects the NJPS intent; see my discussion at Lev. 19:13. Hence, “a fellow [Israelite]’s . . . a fellow [Israelite]’s . . . your neighbor’s.” (NRSV: “your neighbor’s . . . your neighbor’s . . . your neighbor’s.”)

**DS153** 24:7. *ish* (NJPS: “man”). This term, although grammatically masculine, takes its gender sense from the context. Here it refers to a kidnapper. Given the assumptions of the text’s ancient Israelite audience as I understand them, it not would not have been unthinkable that a woman might have been a kidnapper, especially as an accomplice. Gender is not at stake. As with laws in



general they would have understood this one in an inclusive sense, taking *ish* (and the masculine inflections that refer to it) in their neutral sense.

The NJPS rendering conjures up a male image. To reflect the ancient understanding more accurately, I substitute a gender-neutral equivalent. Hence, “one.” (NRSV: “someone.”)

**DS154** 24:7. *mei-echav mi-b'nei yisrael v'hitammer bo u-mcharo* (literally, “from among his brothers, from among the Israelites”; NJPS: “a fellow Israelite, enslaving him or selling him”). Both of the male terms *ach* and *ben* are often used figuratively; both take their social-gender sense from the context. Here they refer to the victim of kidnapping, so that the usage is indeed figurative. The text’s ancient Israelite audience would not have thought that God’s law would penalize the kidnapping of male and female victims differentially, for the Torah consistently values human life as such, regardless of gender (e.g., Gen. 9:6; Exod. 21:28–32); gender is not at stake. Thus the audience would have understood *ach* and *ben* (and the masculine object suffixes that refer to the victim) in their gender-inclusive sense.

By its rendering the nouns as “a fellow Israelite,” NJPS indicates a gender-inclusive reading, such that “him” must be meant in its neutral sense. For clarity, I recast the sentence to avoid gendered pronouns, following Jeffrey Tigay’s gloss on the qualifying clause: “it is a capital crime . . . only if the victim has been enslaved or sold” (ad loc.). Hence, “—and then enslaved or sold—a fellow Israelite.” (NRSV: “another Israelite, enslaving or selling the Israelite.”)

**DS155** 24:10–13. *v'rei-acha . . . el beito . . . v'ha-ish . . . yotzi* (NJPS: “to your countryman . . . his house . . . the man . . . brings . . . out”). On *rei-a*, see my note at 23:25–26; on *ish*, cf. my first note at 24:7: these terms take their social-gender sense from the context. In this case, they refer to a debtor (cf. Exod. 22:24). The ancient Israelite audience knew of women as debtors (cf. 24:17b; II Kings 4:1) and I know of no reason to think that gender is at stake in this law. Thus the audience would have taken the wording inclusively, including the grammatically masculine suffixes and inflections that refer to the main terms.

Presumably NJPS intended its male language in a neutral sense, and it clearly opted for a sense of *rei-a* with a wider geographic locus than “neighbor.” For clarity, I substitute gender-neutral wording. Hence, “to your compatriot . . . the house . . . the person . . . brings . . . out.” (NRSV: “your neighbor . . . the house . . . the person . . . brings . . . out.”)

**DS156** 24:14–15. *sachir . . . me-achecha o me-gercha . . . ani hu . . . yikra alecha el Yhvh* (NJPS: “laborer . . . whether a fellow countryman or a

stranger . . . he is needy . . . he will cry to the LORD”). Like many nominally male terms that are grammatically masculine, they take their social-gender sense from the context. On *ach*, see my second note at 1:16; and on *ger*, see my first note at Num. 9:14. In a legal text like this, given that gender is not at stake, the ancient Israelite audience would understand such references to a vulnerable worker in a gender-inclusive sense.

NJPS has rendered to some extent in male terms, which may have been intended in their neutral sense. For clarity, I substitute more clearly gender-inclusive wording. Like NJPS in 1:16, and like my renderings in 19:18, 22:1–4, and 23:20, I render *ach* as “fellow Israelite.” The singular Hebrew terms could be taken as collectives and thus rendered in the plural. However, rendering in the singular conveys the implication that each person counts. In one instance, doing so seems to require a passive construction, which is acceptable because from the context the active agent’s identity remains clear. (For an instance where NJPS likewise renders an active verb passively, see *v’hikkahu* as “be given lashes” in 25:2.) Hence, “laborer . . . whether a fellow Israelite or a stranger . . . the worker is needy . . . a cry to the Eternal will be issued.” (NRSV: “laborers, whether other Israelites or aliens . . . they are poor . . . they might cry to the LORD.”)

**DS157** 24:16. *avot al banim . . . ish b’chet’o* (NJPS: “parents . . . for children . . . a person . . . only for his own crime”). The relational nouns *av* (literally, “father”) and *ben* (literally, “son”) take their social-gender sense from the context. Especially their plurals can have an inclusive sense. Meanwhile, the noun *ish* is employed in a distributive construction, such that its gender sense (and that of the possessive pronominal suffix that refers to it) also is taken from context. Here all of these terms refer to those guilty of capital crimes and their family members. Gender is not at stake. Thus the text’s ancient Israelite audience would take the male language in this law in its gender-inclusive sense (see Methodology).

NJPS rendered *avot* and *banim* inclusively here. Its rendering of *ish* as “person” indicates that the pronoun “his” was intended in its neutral sense. For clarity, I substitute more clearly gender-neutral language. Hence, “parents . . . for children . . . one . . . only for one’s own crime.” (NRSV: “parents for their children . . . their own crimes . . . persons.”)

**DS158** 25:1–3. *riv bein anashim* (NJPS: “a dispute between men”). The plural noun *anashim* has a wide semantic range and takes its social-gender sense from the context. (For gender-inclusive usages, see my note at Exod. 21:18; see also my rendering of Exod. 21:22, Num. 9:6–7, 14:22, and NJPS at 22:9.) Here the reference is to disputants. The text’s ancient Israelite audience surely would have known of women as disputants because of the friction

naturally arising while people are “probably more often with people of their own gender during much of the work day” (Carol Meyers, pers. comm.) (cf. I Kings 3:16–28 and my note at Lev. 5:1); and at any rate women who were property owners would have had occasion to seek judicial relief from a dispute (cf. II Kings 8:3–6). Furthermore, the punishment of flogging probably applied to women as well as men. Adele Berlin notes that the practice was known in the ancient Near East: “There are at least two cases of women being flogged, in the Middle Assyrian laws, parag 7 and 40” (pers. comm.). Another datum is that the Sages later considered both women and men liable to be flogged (M. Makkot 3:14). In short, the audience would not have seen the activities in this passage as gender marked, and so would have taken the language inclusively.

In this passage, NJPS renders the disputants in male terms, perhaps intending such language in a neutral sense. At any rate, I substitute more clearly gender-inclusive wording, as needed for accuracy. Hence, “a dispute between persons,” and so on. (NRSV: “two persons have a dispute.”)

**DS159** 25:2. *shofet . . . l'fanav* (literally, “judge . . . to his face”; NJPS: “magistrate . . . in his presence”). The term for the role of “magistrate” is grammatically masculine, and the usage is indefinite; thus the term could have a gender-inclusive sense here. According to archaeological evidence, “*shofet*” was an ad hoc role in ancient Israel rather than a professional title (“Of all the hundreds of bullae and seals with names and titles of officials, none that I am aware of have *shofet*,” Carol Meyers, pers. comm., 2/21/04). This leaves the (slim) possibility that a woman could have served as judge, especially given Deborah’s example in Judges. It may be that the ancient Israelite audience would have taken the present language in their gender-inclusive sense, although this is far from certain.

The NJPS rendering uses male language. A gender-neutral rendering requires recasting the sentence and resorting to a different English idiom. Hence, “the magistrate . . . shall supervise.” (NRSV: “the judge . . . in his presence.”)

**DS160** 25:3. *achicha* (NJPS: “your brother”). On the term *ach*, see often in these Deuteronomy notes, starting at 1:16. Here the usage is figurative and to the ancient audience, the sense would have been gender-inclusive (see my note at 25:1). The NJPS rendering is in male terms. For accuracy, I substitute a neutral alternative. Hence, “your peer.” (NRSV: “your neighbor.”)

**DS161** 25:5. *u-ven ein lo . . . v'hayah ha-b'chor asher teled* (NJPS: “and leaves no son . . . the first son that she bears”). The grammatically masculine relational nouns *ben* and *b'chor* take their social-gender sense from the linguistic

context, topical context, or both. With regard to *ben*, Zafriira Ben-Barak finds that “if Scripture does not clearly counterpose *ben* with *bat* (as in . . . Num. 27:8) . . . and if it does not clearly indicate a male child (Jer. 20:15), the word *ben* alone can be taken as referring to both genders” (*Y’rushat banot*, p. 104; my transl.). My analysis supports that conclusion; on such instances where the singular *ben* is not in construct yet appears to have an inclusive sense, see my notes at Exod. 10:2, 32:27–29; Deut. 1:31.

As for *b’chor*, the Bible sometimes employs it in apposition with other male markers. In some instances (e.g., when the father is unknown, as with livestock), *b’chor* needs to be qualified because it can refer to the firstborn of a mother, and often “the first to open a womb” is female (cf. Jer. 4:31). This explains the usage *b’chor* . . . *ha-zachar*, Deut. 15:19. Other instances, however, suggest that an ancient audience tended to understand *b’chor* alone as generic—for example, the text employs the qualifying terms *zachar*, Num. 3:40, 43; and *ben*, e.g., Deut. 21:15–16; Exod. 4:22–23; Jer. 20:15. Apparently the term *b’chor* was not in itself sufficient to fix the male sense. (Less likely explanations for the extra terms are that such apposition was for the sake of emphasis or a rhetorical key word.) This view of *b’chor* as pliable with regard to its social gender is in accord with the view of Gershon Brin (n. 14, p. 213) but contra that of Carolyn Pressler (*View of Women*, p. 65).

The present passage’s wording echoes that of Num. 27:3–4, 8, particularly the phrase *u-ven ein lo* (Num. 27:8; Deut. 25:5). In Numbers, a particular deceased man has five daughters: in that context, *ben* clearly means “son.” Paradoxically, though, if one understands *ben* in Deut. 25:5 the same way, the result is a legal contradiction: whereas surviving daughters inherit in the Numbers case, they would not do so according to Deuteronomy (for otherwise there would be no need for the specified levirate marriage procedure). By linking the two texts linguistically, the Torah forces readers to consider the possible presence of daughters in the Deuteronomy case and make a choice: either understand *ben* consistently and conclude that the two laws disagree, or else interpret *ben* differently in order for the laws to agree.

In her 2003 book, Zafriira Ben-Barak follows the first course, contending on the basis of the wording in Num. 27 that *ben* must mean “son” in Deut. 25. (She sees the resulting disagreement between the laws as being a function of historical development.) However, her argument is reversible: one could as easily claim that on the basis of the legal ruling in Num. 27, *ben* cannot mean “son” in Deut. 25 but rather “child.” (Such is the harmonizing approach of the Septuagint, the Talmud, and some other interpreters.)

Samuel Driver (ad loc.), citing August Dillman, advanced a different argument about the gender of the key terms, based on the wording. He con-

tended that if the law had intended to be gender inclusive, it would “certainly” have used a more clearly gender-inclusive term such as *zera* (seed) or *ben o bat* (son or daughter; cf. Deut. 18:10). (Jeffrey Tigay also adopts this argument, *ad loc.*) However, the converse argument is equally reasonable: if the law had intended to exclude daughters, it would “certainly” have used a more clearly masculine term, such as *ben zachar* (male offspring). The latter argument has more empirical backing than is usually recognized. In the Torah, the plain sense of a relational or group term can shift within the same passage and even the same verse, let alone from one book to another. Furthermore, my translator’s notes have identified dozens of instances in the Torah where arguably the ancient audience would take nominally male terms in an inclusive sense.

In short, the linguistic arguments are inconclusive: taken by itself, the wording is ambiguous with regard to the social gender of the key terms.

Proceeding to consideration of the topic, the terms *ben* and *b’chor* in this case each refer to offspring who are legally able to “uphold the name” of the deceased (v. 6) and “build his house” (v. 9)—that is, to assure the continued viability of the household, as exemplified by the integrity of its patrimony and the reckoning of lineage (Thompson and Thompson, “Some Legal Problems in the Book of Ruth,” p. 87; Eryl Davies, “Inheritance Rights,” pp. 141–142; Carolyn Pressler, *View of Women*, pp. 66–73). What social gender qualifies for this function? More precisely, what assumptions in this regard would the text’s ancient audience have brought to the passage at hand?

Ancient Israelite society was patrilineal; normally a son inherited the patrimony and carried on the family line. And it was patrilocal—a female first-born (like daughters in general) tended to leave the homestead upon marriage. Yet the present case deals not with those default practices but rather with an exceptional situation: a father who died without having otherwise made inheritance arrangements. The drive for preserving the corporate household as a viable entity was extremely strong, partly because it was the society’s basic economic unit: “one of the most strictly observed social principles in the ancient Near East was the preservation of the family patrimony” (Ben-Barak, “Inheritance by Daughters,” p. 22; see also her “Mutual Influences,” p. 8).

By the time that the Torah came together as a normative document, the text’s audience would have been familiar with various stratagems that enabled a female to be an heir and even to transmit her father’s lineage to her son, so as to preserve the household as an entity (Num. 27:1–11; Josh. 17:3–6; Judg. 11:34–35 (a thwarted plan); I Chron. 2:34–35; see also my notes and/or comments at Num. 5:8, 27:11). Such arrangements had been

known across the ancient Near East for centuries, not only in urban Mesopotamian societies but also in more rural Western Semitic nations: that the daughter inherited in the absence of sons was “the preferred solution universally” (Zafirra Ben-Barak, “Mutual Influences,” p. 8). Apparently this custom was a sort of open secret, in that despite extant evidence of its widespread and longstanding practice, the only extant supporting law or statement of principles in the entire ancient Near East appears in Num. 27:8–11 (Ben-Barak, “Inheritance by Daughters,” p. 22; see also her *Y’rushat banot*, esp. pp. 271–272; for the early post-exilic community, see Tamara Eskenazi, “Out from the Shadows,” p. 35).

If this was already their society’s customary practice, Deuteronomy’s audience would have had no inclination to understand the passage in question in a way that excluded daughters from heirship. Nor, given the customary paucity of legal statements, would they have expected the text to mention daughters outright. In short, in ancient Israel it would have gone without saying that the existence of a daughter would obviate the need for levirate marriage, and that in case of such a marriage, a female firstborn would (somehow) be able to perpetuate the deceased’s corporate household. This is yet another case of the audience’s bias for understanding legal terms broadly in order to cover as many cases as possible (see Methodology). Therefore I conclude that the audience would have taken both *ben* and *b’chor* in this context as gender-inclusive terms.

In contrast, the NJPS translators were convinced that this passage was restricted in its scope. They held that the text simply did not consider daughters in its purview (Mayer Gruber, pers. comm., 5/19/04, citing a presentation by Harry Orlinsky). Thus their rendering takes both *ben* and *b’chor* in their male-gender senses. I substitute gender-neutral terms to reflect the ancient understanding as determined above. Hence, “and leaves no offspring . . . the first child that she bears.” (NRSV: “and has no son . . . the firstborn whom she bears.”)

**DS162** 26:1–15. These two passages are framed in the second-person masculine singular, with declarations in the first-person singular. Moses here narrows his focus, addressing only a portion of his Israelite audience; as Jeffrey Tigay remarks, “The farmer, the typical Israelite, is addressed” (v. 2). That is, Moses is charging the head of household (typically, a male) with responsibility for making these declarations (see vv. 11, 12). The text’s ancient Israelite audience—knowing that such responsibility would devolve upon the household’s senior female in the absence, or unavailability of, a senior male—would have understood the address as gender inclusive. Thus there is no need for further clarification of gender; see at 12:7 and the notes below

for particular verbs. With regard to the “you” or the “I,” no change to NJPS. (NRSV: similar to NJPS.)

- [DS163] 26:3. *la-avoteinu* (NJPS: “to our fathers”). See my note at 1:35. No change to NJPS. (NRSV: “to our ancestors.”)
- [DS164] 26:5. *v’anita v’amarta* (NJPS: “you shall then recite [before the Eternal your God]”). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)
- [DS165] 26:7. *elohei avoteinu* (NJPS: “the God of our fathers”). See my note at 1:11. Hence, “the God of our ancestors.” (NRSV: “the God of our ancestors.”)
- [DS166] 26:10. *heveiti* (NJPS: “I now bring [the first fruits]”). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)
- [DS167] 26:10. *v’hinnachto . . . v’hishtachavita* (NJPS: “you shall leave it [before the Eternal your God] and bow low”). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)
- [DS168] 26:11, 12, 13. *ha-levi* (NJPS: “the Levite”). See my second note at 12:12. Hence, “the [family of the] Levite.” (NRSV: “the Levites.”)
- [DS169] 26:13. *v’amarta* (NJPS: “you shall declare [before the Eternal your God]”). On the inclusive gender sense, see my first note at 12:12. No change to NJPS. (NRSV: like NJPS.)
- [DS170] 26:15. *la-avoteinu* (NJPS: “to our fathers”). See my note at 1:35. No change to NJPS. (NRSV: “to our ancestors.”)
- [DS171] 27:3. *elohei avotecha* (NJPS: “the God of your fathers”). See my note at 1:11. Hence, “the God of your ancestors.” (NRSV: “the God of your ancestors.”)
- [DS172] 27:15. *arur ha-ish* (NJPS: “cursed be anyone”). The term *ish*, although grammatically masculine, takes its social-gender sense from the context. Here it refers to an idolator or apostate. Gender is not at stake: the Bible consistently holds both men and women accountable for idolatry and apostasy (see, e.g., 13:7). The text’s ancient Israelite audience would have no grounds for taking *ish* in a male-only sense.
- Similarly, one can hardly have imagined that only men were forbidden to do what is mentioned in the rest of the curses listed; indeed, sexual relations with beasts (v. 21) is explicitly forbidden to both men and women in Lev. 18 and 20. As Tikva Frymer-Kensky wrote with regard to the laws, “It is only when the text considers sexual lust that it stops being inclusive” (“Deuteronomy,” *Women’s Bible Commentary*, p. 59).

NJPS renders *ish* in inclusive terms and the rest of the list in male terms—presumably in a gender-neutral sense, except for those sexual taboos that obviously apply only to males. I substitute more clearly inclusive language in the list where applicable: “Cursed be the one who . . .” Meanwhile, I employ insertions to clarify that certain items apply only to males: “Cursed be the [man] who . . .”

Although only the first entry contains *ish*, NRSV renders the entire list as “Cursed be anyone who . . .,” perhaps understanding *ish* as implied throughout. However, NJPS chose to differentiate stylistically between the first entry (which in the Hebrew has a distinctive verb form and response formula) and the rest, so I will do the same.

**DS173** 27:16. *makleh aviv v'imo* (NJPS: “he who insults his father or mother”). See my discussion at the parallel law of Exod. 21:15. Absent definite marking for gender, the ancient Israelite audience would have taken this law in an inclusive sense (see Methodology). On the rendering, see previous note. Hence, “the one who insults father or mother.” (NRSV: “anyone who dishonors father or mother.”)

**DS174** 27:17. *rei-a* (NJPS: “fellow countryman”). See my note at 19:14. Hence, “neighbor.” (NRSV: “neighbor.”)

**DS175** 27:18. *ivver ba-darech* (NJPS: “a blind person on his way”). To the text’s ancient Israelite audience, the grammatically masculine term *ivver* has a generic sense in legal settings where gender is not at stake; see my note at Exod. 4:11 and Methodology. Meanwhile the idiom *ba-darech* is not marked for social gender. NJPS’s rendering of *ivver* gender-inclusively as “blind person” indicates that when it supplied the word “his” as a matter of English idiom, it intended a neutral sense. For clarity, I substitute more clearly gender-neutral wording, intending “on the way” as elliptical for “who is on the way to a destination.” Hence, “on the way.” (NRSV: “on the road.”)

**DS176** 27:24. *rei-a* (NJPS: “fellow countryman”). See my note at 23:25–26 and cf. at 27:17. Hence, “fellow [Israelite].” (NRSV: “neighbor.”)

**DS177** 28:4. *p'ri vitn'cha* (NJPS: “the issue of your womb”). See my note at 7:13. No change to NJPS.

**DS178** 28:7. *yanusu l'fanecha* (NJPS: “they . . . will flee from you”). The address in this long passage is couched in the second-person masculine singular. On the (gender) identity of the “you,” see my notes at 1:6 and at Lev. 26:7, 8: the sudden mention of battle does *not* indicate that Moses’ audience is male. Yet many contemporary readers—imagining that the biblical text excludes women from its purview—might conclude from the present verse that the “you” throughout this passage is addressing only men. Hence, the



rendering probably should be changed in a future printing to “The Eternal will put to rout before [your army] the enemies who attack you; they will march out against you by a single road, but flee from [your army] by many roads.” (NRSV: “they shall . . . flee before you.”)

**DS179** 28:11. *la-avotecha* (NJPS: “to your fathers”). See my note at 1:35. No change to NJPS.

**DS180** 28:21. *ad kalloto ot’cha* (literally, “until his ending you”; NJPS: “until He has put an end to you”). The Hebrew infinitive must be rendered idiomatically in English. I choose a gender-neutral alternative idiom: “until putting an end to you.” (NRSV: “until it has consumed you.”)

**DS181** 28:25. *mamlachot ha-aretz* (NJPS: “kingdoms of the earth”). See my note at 3:4. No change to NJPS. (NRSV: same as NJPS.)

**DS182** 28:29. *ha-ivver* (NJPS: “a blind man”). This is an indefinite usage of the grammatically masculine term *ivver*. To the text’s ancient Israelite audience, such a usage has a generic sense where gender is not at stake. Cf. my note at 27:18. The NJPS rendering is unduly gender-specific. Taking the singular noun as a collective, I can render in the plural. Hence, “the blind.” (NRSV: “blind people.”)

**DS183** 28:30. *ishah t’ares* (NJPS: “if you pay the bride-price for a wife”). Here Moses implicitly narrows the audience being directly addressed, focusing on men. The transition warrants being made explicit in translation (see at 1:41). Hence, “if you [a man] . . .”

Meanwhile, the topics in v. 30b and what comes afterward are not limited to males only, so I have inserted a paragraph break in mid-verse, in order to make the distinction. (The text’s ancient Israelite audience knew from experience that women, too, built houses, planted vineyards, owned animals, and raised children. Because the textual cues they received on these topics throughout the Bible was consistent with their experience, they would have read this passage inclusively.)

**DS184** 28:36. *va-avotecha* (NJPS: “or your fathers”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here the term refers to predecessors in general: all those who might have visited or heard about faraway nations of the world. An ancient Israelite audience would have had no reason to take *avot* here in a gender-restricted sense.

NJPS seems to have missed the inclusive sense here. To convey that sense accurately, I substitute a gender-neutral rendering. Hence, “or your ancestors.” (NRSV: “nor your ancestors.”)

**DS185** 28:43–44. *ha-ger asher b'kirb'cha* (NJPS: “the stranger in your midst”).

On the social-gender sense of an indefinite usage of the grammatically masculine term *ger*, see my note at Num. 9:14. Here gender is not at stake; the text’s ancient Israelite audience would have taken *ger* and inflections and pronouns that refer to it in their gender-inclusive sense.

NJPS renders in male terms, presumably intending “he” and “his” in their neutral sense. For clarity, I substitute gender-neutral wording. I take the singular noun as a collective and render in the plural—which only amplifies the sense of distress implied by the text. Hence, “the strangers.” (NRSV: “aliens.”)

**DS186** 28:48. *ad hishmido otach* (literally, “until he [or: it] exterminates you”; NJPS: “until He has wiped you out”). The textual remove from the mention of God suggests an impersonal sense of this verbal infinitive. Indeed, elsewhere, NJPS has rendered the infinitive construction impersonally: *ad haavido otach* (NJPS: “until it has brought you to ruin,” where “it” refers to the oppressive nation; v. 51). This suggests “until it wiped you out” for the present expression, but then the antecedent of “it” would appear to be the “iron yoke,” which is misleading. A more impersonal rendering would be “until you are wiped out,” although NJPS used that rendering for the *niph-al* infinitive: *ad hishsham'dach* (v. 45). Yet it renders that same *niph-al* infinitive a few verses later with a passive idiom: “until you have been wiped out” (v. 51). Under the circumstances, it’s not possible to be more precise. Hence, “until you are wiped out.”

**DS187** 28:54. *ha-ish ha-rach b'cha* (NJPS: “he who is most tender . . . among you”). The noun *ish* refers to someone with a wife (v. 54) and is counterposed with a woman (v. 56). Being thus marked for gender here, the text’s ancient Israelite audience would take the word *ish* to mean “man.” No change to NJPS. (NRSV: “even the most refined . . . of men among you.”)

**DS188** 28:64. *va-avotecha* (NJPS: “nor your ancestors”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here the term refers to predecessors in general: all those who might have had a positive experience relating to another deity. An ancient Israelite audience would have had no reason to take *avot* here in a gender-restricted sense. Indeed, NJPS rendered inclusively here. No change to NJPS. (NRSV: same as NJPS.)

**DS189** 28:68. *v'hitmakartem sham l'oy'vecha la'avadim v'lishfachot* (NJPS: “you shall offer yourselves for sale to your enemies as male and female slaves”). The verb is (second-person) plural while the possessive suffix is (second-person) singular. Coming at the end of a long passage couched in the

second-person masculine singular, this clause once again demonstrates that in Hebrew the grammatically masculine “you” can include women as well as men—that Moses has all along been addressing both genders in the purview of the covenantal community. (So too Marc Brettler, *Women in Scripture*, ad loc.) No change to NJPS. (NRSV: same as NJPS.)

**DS190** 29:9–10. *atem nitzavim . . . kulchem* (NJPS: “you stand . . . all of you”). Who is the plural “you” that is being addressed? The NJPS translation of this passage is inconsistent in this regard: the pair of em dashes indicate that the enclosed list of subgroups define “all of you”—that is, as if “you” meant “everybody,” yet the rendering “your wives” in v. 10 understands the “you” as referring only to “all the men of Israel.” The translator’s challenge is how best to take *kulchem* seriously and show that the “you” does *not* refer only to the men.

Adele Berlin suggests an approach worth considering: “The force of *kulchem* is ‘each and every one of you.’ . . . ‘You stand this day, all of you’ introduces and applies to both verses. . . . The corporate whole is being addressed, and its parts are being referred to. . . . Perhaps leave out the word ‘you’ and ‘your’ – don’t translate the suffix at all” (pers. comm., 5/11/04). The result would read: “You stand this day, all of you, before the Eternal your God—tribal heads, elders, and officials, all the men of Israel, children, women, even the stranger within your camp, from woodchopper to water-drawer— . . .”

My preferred approach is instead to render the *-chem* suffix explicitly as if it applied to the collectivity. In other words, I understand the suffix to reiterate that “each of you subgroups is part of the collective.” Rather than leave “you” out altogether, its repetition better conveys the rhetorical force of the repeated Hebrew suffix. Hence, in idiomatic English, “you tribal heads, you elders, and you officials, . . . you children, you . . .” (NRSV retains “your” in each instance.)

**DS191** 29:9. *kol ish yisrael* (NJPS: “all the men of Israel”). The noun *ish* is marked for gender in this context, given a mention of children and women in the next verse. The text’s ancient Israelite audience would recognize that *ish* here has a male sense. NJPS takes it as such, and as a collective, rendering in the plural. No change to NJPS. (NRSV: “all the men of Israel.”)

**DS192** 29:10. *n’sheichem* (NJPS: “your wives”). As established in my note to 29:9–10, the “you” is the entire community. The NJPS rendering here is both confusing and misleading, for it implies that the “you” is only the men. Hence, “you women.” (NRSV: “your women.”)

[DS193] 29:10. NJPS: “waterdrawer.” No such word in English; as a matter of copyediting, “water drawer” is to be preferred. (Not a gender-related change per se.)

[DS194] 29:12. *la-avotecha* (NJPS: “to your fathers”). See my note at 1:8. No change to NJPS. (NRSV: “to your ancestors.”)

[DS195] 29:14. *yeshno po immanu omed* (NJPS: “those who are standing here with us”). The language is grammatically masculine singular. It refers to everyone who is present. In the context of vv. 9–10, the text’s ancient Israelite audience would understand the social-gender sense as inclusive. NJPS conveys the ancient sense by rendering via inclusive (pluralizing) language. No change to NJPS. (NRSV combines this clause with the start of v. 13: “not only with you who stand here with us.”)

[DS196] 29:17–27. *ish o ishah* (NJPS: “man or woman”). The juxtaposition with *ishah* marks *ish* as having a male sense. Meanwhile, the present phrase explicitly assigns a gender-inclusive sense to the grammatically masculine singular language in vv. 18–19 that refers back to an individual “man or woman” perpetrator, including the noun *ish* again in v. 19. (Starting in v. 20, the mention of a *shevet* [“tribe”] refers back to the “clan or tribe” mentioned in v. 17, which accords with the collective and plural references to the perpetrator in the rest of the passage.)

NJPS renders *b’shomo* in v. 18 as “when such a one hears,” which is gender inclusive, while rendering the other references to the perpetrator via male singular language, presumably intended in its neutral sense. For clarity, I substitute clearly gender-neutral wording, the arrangements for which are complex. A plural rendering of this passage (starting in v. 18) seems suitable except that it could be misconstrued as condemning only a conspiracy, not an individual. Yet I cannot find a felicitous neutral singular equivalent to “he may fancy himself.” Therefore I make only the “man” the subject of v. 18 as an illustrative, gender-specific case (“when [for example] a man hears . . .”; cf. 13:7, 15:12), followed in v. 19 by a general, gender-inclusive, plural statement of principle: “the Eternal will never forgive such individuals . . .”), as an echo of the list in v. 17.

At the start of v. 20, NJPS had rendered the Hebrew singular *v’hivdilo* (literally, “will separate him/it”) via a plural—“will single them out”—with a footnote that says “i.e., clan or tribe, v. 17.” I prefer to incorporate the footnote into the text as an insertion, to indicate the shift in focus from individuals to a collective (“[As for such a clan or tribe,]”), and then “them” can be changed to the more literal singular “it.” (NRSV renders the whole passage in the plural.)

**[DS197]** 29:21. *v'amar ha-dor ha-acharon b'neichem asher yakumu me-achareichem* (NJPS: “and later generations will ask—the children who succeed you”). The relational noun *banim* (plural of *ben*) is grammatically masculine; its social-gender sense comes from the context and consideration of whether an expansive reading supports the (rhetorical) point. Here it refers to all those who come after Moses’ present audience. Gender is not at stake. Thus the text’s ancient Israelite audience would take *banim* in its inclusive sense. NJPS renders inclusively (as does even KJV, OJPS, Everett Fox, and Robert Alter). No change to NJPS. (NRSV: similar to NJPS.)

**[DS198]** 29:24. *elohei avotam* (NJPS: “God of their fathers”). See my note at 1:11. Hence, “God of their ancestors.” (NRSV: “the God of their ancestors.”)

**[DS199]** 30:5. *el ha-aretz asher yar'shu avotecha* (NJPS: “to the land that your fathers possessed”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here the term refers generally to those who would come to possess title to a landholding in the Land of Israel. That’s because in ancient Israel, the ancestral land holding was patrimonial—typically inherited and controlled by males. Early in production I changed “fathers” to “ancestors” throughout the Torah. Now, however, I realize that in reference to possession of the ancestral land, an ancient audience would have heard this instance of *avot* as referring to men. (Compare my rendering in situations regarding other gendered social institutions; see my notes to Exod. 12:3, Lev. 24:14 and 26:7. See also my note at Num. 20:15 and Deut. 1:35.) This is one of the passages in which I neglected to reverse the change in the printed edition. Thus for consistency the rendering here should probably be changed in a future printing back to say “. . . that your fathers possessed.” (NRSV: “into the land that your ancestors possessed.”)

**[DS200]** 30:5. *v'hirb'cha me-avotecha* (NJPS: “will make you . . . more numerous than your fathers”). Here, in contrast to earlier in the verse, the term refers to the populace in general. Even granted that only men are counted in censuses, the male population could not grow large without the female population also doing so. An ancient Israelite audience would have had no reason to restrict *avot* here to its gender-restricted sense. NJPS missed the inclusive nuance here. Hence, “. . . more numerous than your ancestors.” (NRSV: same as NJPS.)

**[DS201]** 30:6. NJPS: “Then the Eternal your God will open up your heart and the hearts of your offspring to love the Eternal your God with all your heart and soul . . .” For less awkward style, I have inserted an em dash to separate the two occurrences of “Eternal God” in this verse: “Then the Eternal your God

will open up your heart and the hearts of your offspring—to love the Eternal your God with all your heart and soul . . .” (This is not a matter of gender per se, but because of the gender-related changes, readers will surely be more sensitive than before to God-language that sounds repetitive for no apparent reason.)

**[DS202]** 30:9. *al-avotecha* (NJPS: “in that of your fathers”). Compare at v. 5. Here the term refers to the people and its general welfare. Even granted that men would be expected to hold title to most of the wealth, the resulting “delight” would be shared by all. An ancient Israelite audience would have had no reason to restrict *avot* here to its gender-restricted sense. NJPS missed the inclusive nuance here. For accuracy, I substitute an inclusive rendering. Hence, “in that of your ancestors.” (NRSV: “. . . ancestors.”)

**[DS203]** 30:20. *la-avoteinu* (NJPS: “to our fathers”). See my note at 1:8. No change to NJPS. (NRSV: “to our ancestors.”)

**[DS204]** 31:3–8. *adonai elohecha hu over l’fanecha hu yashmid et ha goyim ha-eileh . . . hu ha-holech imach . . . v’lo ya’azveka* (NJPS: “The Eternal your God Himself will cross over before you; and He Himself will wipe out those nations. . . the Eternal your God Himself marches with you: He will not . . . forsake you”). In 4:37, NJPS employed “Himself” to render the Hebrew word for “face,” but here it is used to render the combination of emphatic word order and the addition of emphatic *hu*; see my note there. Because of the actions described, the masculine language in this passage would have been understood as part of the evoked image of God as (male) warrior. However, the gender seems to occupy the background relative to the expression of God’s direct and “personal” involvement. That is, while the normal grammatically masculine inflections do reinforce Moses’ portrayal of God as military commander, the latter imagery stands on its own. Therefore I render in neutral terms (while mentioning the gender overtone in a printed comment). For the emphatic word order in vv. 3, 6, and 8, I render in emulation of NJPS in v. 7 (*atah tavo*, “it is you who shall go”): “It is the Eternal your God who . . .” And to convey the idiomatic force of *hu*, I render contextually as “indeed,” akin to NJPS in I Kings 18:39 (*adonai hu ha-elohim*, “the LORD alone is God”). Hence, “It is indeed the Eternal your God who will cross over before you, and who will wipe out those nations. . . it is indeed the Eternal your God who marches with you: [God] will not . . . forsake you.”

**[DS205]** 31:7. *la-avotam* (NJPS: “to their fathers”). See my note at 1:35. No change to NJPS. (NRSV: “to their ancestors.”)

**[DS206]** 31:12. *hak’heil et ha-am ha-anashim v’ha-nashim v’ha-taf v’gercha asher bi-sh’arecha* (NJPS: “Gather the people—men, women, children, and

the strangers in your communities—”). This verse provides a datum for establishing the semantic range of the grammatically masculine group term *am*: here it is defined as including women. (So, too, Carol Meyers, *ad loc.*, and also Marc Brettler at 32:19, in *Women in Scripture*. Elsewhere, however, it is often used in a male-only sense. Most of the time, its social-gender sense is ambiguous.)

Meanwhile, the grammatically masculine plural group term *anashim* takes its social-gender sense from context. By virtue of the juxtaposition with *nashim*, the text’s ancient Israelite audience would have taken *anashim* in its male-only sense. No change to NJPS. (NRSV: similar to NJPS.)

**[DS207]** 31:16. *shochev im avotecha* (NJPS: “lie with your fathers”). The term *avot* can have either a male-only or an inclusive sense, depending upon context. Here the reference is to the body’s burial after death. Although family lineage was reckoned through the father, archaeological evidence suggests that the ancient Israelites buried both men and women together in their family plots (Adele Berlin, *pers. comm.*, 5/11/04). Meanwhile, the expression appears in only one other place in the Torah, in Gen. 47:30 (cf. Gen. 49:29), in the mouth of Jacob, whose body would be laid to rest in the paradigmatic Israelite burial site in the cave of Machpelah, which included both patriarchs and matriarchs (Gen. 49:31), all being lineal descendants of Terah. For both reasons, the text’s ancient audience would have taken the present expression in a gender-inclusive sense. Jeffrey Tigay explains “fathers” as meaning “ancestors” (*ad loc.*).

NJPS appears to have missed the inclusive nuance. I substitute a gender-inclusive rendering. Hence, “lie with your ancestors.” (NRSV: “. . . ancestors.”)

**[DS208]** 31:20. *la-avotav* (literally, “to its fathers”; NJPS: “to their fathers”). See my note at 1:35.

**[DS209]** 31:23. *vay-tzav* (“he appointed”; NJPS: “He charged”). The capital letter shows that NJPS presumes that not Moses but rather God is the implied subject, following Saadia, Rashi, and Ramban (Jeffrey Tigay, *ad loc.*); I have edited accordingly. Hence, “[God] charged.”

**[DS210]** 31:30. *b’oznei kol kahal yisrael* (NJPS: “in the hearing of the whole congregation of Israel”). According to Jeffrey Tigay (*ad loc.*), here the term *kahal* refers to “the entire nation, formally convened for the occasion,” as opposed to its more restrictive (male-only) sense as “the national governing Assembly.” Practically speaking, of course, Moses could not have been audible to all (600,000+) men, let alone the entire nation. But the fiction here is the same as that used throughout Deuteronomy, which presents itself as a

speech of Moses to “all Israel” (1:1). That is, to the text’s ancient Israelite audience, the sense of the whole would be more in the foreground here than the precise means of dissemination. (Contrast, e.g., my notes at Exod. 12:3; Lev. 24:14; Num. 8:9.) No change to NJPS.

**DS211** 31:30. *divrei ha-shirah ha-zot* (NJPS: “the words of this poem . . .”). NJPS ends this verse with a colon, for the poem itself follows in the Torah immediately. However, when the Torah is apportioned into sections (*s’darot*), to render *ha-zot* as “this” no longer makes sense, because the poem being referred to does not appear in proximity. The new literary context prompts a change in the translation, for clarity. Hence, “the words of the following poem . . .” (ending with a period). (This is not a gender-related change per se.)

**DS212** 32:1–43. See my printed comment on pp. 1398–1399: My overall sense of this poem is that it fluidly combines images of God’s relationship to Israel as father and as mother. Mayer Gruber, citing Yehezkel Kaufmann, has aptly asserted that “what is implicit throughout the Hebrew Scriptures . . . [is] that the Lord is neither specifically male nor specifically female. God is above and beyond both sexes. Hence to the very same extent that the God of Israel can be compared to a father, the God of Israel can and should be compared also to a mother” (“The Motherhood of God,” p. 8; however, I disagree with Gruber’s conclusion that only in Isaiah are images put forth of God as mother). I have edited this poem’s translation so as to make both the “father” and the “mother” images more explicit, for they support each other. As usual, I resort to a gendered rendering only in the immediate vicinity of those figures of speech that clearly warrant it.

**DS213** 32:6. *avicha* (literally: “your father”; NJPS: “the Father”). See my printed comment: In a highly gendered society like ancient Israel, gender-based metaphors like this rang with a compelling resonance that would be silenced if rendered in neutral terms. This is not to suggest that the role of mother was trivial. Indeed, Carol Meyers has established that in the settlement period, the authority of the senior wife-mother of a *beit av* (“household,” the society’s basic economic unit) essentially matched that of its senior father-husband. Tikva Frymer-Kensky (*Goddesses*, p. 163, n. 12) sees the metaphor here as conveying hope, that is “the promise of an eternal bond that remains unbroken even through difficult times”—which (as I understand it) is a parental, rather than only a fatherly, trope. However, while the respective roles of “mother” and “father” overlapped; however, they were not the same (see my note at 1:31). No change to NJPS.



**[DS214]** 32:6. *halo hu avicha . . . hu as'cha* (NJPS: “Is not He the father . . . fashioned you”). Here the male pronoun *hu* is an emphatic term whose idiomatic force is not necessarily about social gender; indeed, in the second instance NJPS does not even translate *hu* directly. See my notes at 1:30 and 31:3–8. Here I render the pronoun in more clearly neutral terms (in accord with our general approach to God language), then insert an em dash in between the two versets, in order to show the poetic structure more clearly, lest the rendering be mistaken as indicating simply a sequence of three verbs. Hence, “Is not this the Father . . . —fashioned you.”

**[DS215]** 32:6. *va-ychon'necha* (NJPS: “and made you endure”). Jeffrey Tigay (ad loc.) comments that this verb is associated with father imagery in Ugaritic literature, and on that basis I take it that the text’s ancient Israelite audience would understand this as a verb that projects male gender as part of its foreground sense. Tigay translates it as “brought you into existence.” To me, however, it seems that the ancient audience would not perceive the initial, biological function of a father as being the most salient. More worthy of one’s gratitude would be the ongoing function of a father (that is, the paradigmatic father, the senior father of a *beit av*): ensuring the continued viability of the household (see my printed comment to v. 6; cf. Num. 12:7, 14, which portray God as a [male] head of a *bayit*). (In other words, the audience would perceive the poetic parallelism as progressive rather than repetitive.) The NJPS rendering conveys that ongoing function. No change to NJPS. (NRSV: “and established you”; Everett Fox: “and established you”; Richard Elliott Friedman: “and reared you”; Robert Alter: “set you unshaken.”)

**[DS216]** 32:7. *avicha* (literally, “your father”; NJPS: “your father”). The male noun *av* takes its social-gender sense from the context; occasionally it seems to have the generic sense of “parent” (and Hebrew lacked a word for “parent” in the sense of one who raises children). See my printed comment. According to Carol Meyers, in ancient Israel it was the mother who socialized young children (“the day-to-day interactions of mothers with children in the household were of foundational significance in passing most aspects of Israelite culture from one generation to the next”; “Everyday Life,” p. 256). In a society without formal schooling, it might well be left to a mother to address the basic question of human social organization mentioned by the poem. In short, gender is not at stake here. Thus the ancient Israelite audience would have taken *av* in its generic sense. (That is, the couplet’s parallelism of *av/zaken* proceeds outward in scope from homestead to village.) Hence, “your parent.” (NRSV: “your father.”)

**[DS217]** 32:8. *b'nei adam* (literally, “sons of Adam/man”; NJPS: “man”). Here *b'nei* has the sense of “members of a group or category.” Thus the text’s ancient Israelite audience would take the male relational noun *ben* in its generic sense. NJPS intended its rendering as “man” in its generic sense. For clarity, I substitute a more clearly gender-neutral rendering. Hence, “the human race.” (NRSV: “the peoples”; Everett Fox: “the human-race”; Richard Elliott Friedman: “the peoples”; Robert Alter: “peoples.”)

**[DS218]** 32:10–13, 15. *yimtza'eihu . . . y'sov'venhu . . . va-yittosh . . . y'shuato* (NJPS: “He found him . . . He engirded him. . . he forsook . . . his support”). Contrasting with the preceding mention of plural entities (“nations” and “peoples”; v. 8), this poetic passage contains singular verbal inflections and pronouns. These masculine singular constructions refer to the *am* (“people”) in v. 9a and to the parallel *ya'akov* (“Jacob”) in v. 9b; and starting in v. 15, to Jeshurun (a poetic name for Jacob/Israel). Strictly speaking, this repeated figure of speech is not a personification, because what is said does not relate directly to the life of that patriarch. Thus the ancient Israelite audience would perceive “the people of Jacob” rather than “the person of Jacob” as being in the foreground. (This sharpens the point in my 4/29/05 note at Num. 24:7–9.)

Translations handle this metaphoric language in a variety of ways. In the parallel situation in the poetry of Num. 24:7–9, in which Jacob’s symbolizing the nation also prompted masculine singular inflections, NJPS rendered those inflections as “them.” But here, NJPS rendered in terms of the figure (“him”), which seems the least accurate portrayal of the ancient understanding. Rather, an appropriate rendering would be either “it” (namely, the people of Jacob) or “them” (rendering the singular collective in the plural). I will take the latter course for consistency with Num. 24 and also for clarity, because “it” could be taken as referring to other antecedents in the vicinity. Hence, “them” throughout. (NRSV here likewise preserves the singular: “him.” Everett Fox employs a masculine singular rendering in vv. 10–11 and 15, but “them” in 12–13, apparently for clarity. Richard Elliott Friedman renders the masculine inflections as “it”—referring directly to the people. Robert Alter renders in terms of “him.”)

**[DS219]** 32:10. *k'ishon eino* (NJPS: “as the pupil of His eye”). This refers to protecting the pupil, a human reflex action regardless of gender. There is no reason to render this figure in gendered terms. Hence, “as the pupil of God’s eye.”

**[DS220]** 32:11–12. *neshar . . . kino* (NJPS: “eagle . . . his nestlings”). The noun *neshar* is grammatically masculine, so that the pronouns referring to it are also masculine; in Hebrew, the animal’s sex is not necessarily the same as its

grammatical gender. Carol Meyers has written that the present image depicts God’s “maternal care” for Israel (*Women in Scripture*, p. 526). However, several experts on birds state that *both* the father and the mother of this species (either the eagle or, according to some experts, the griffon vulture) take part in raising the nestlings and teaching them to fly; indeed, the family groups of eagles—like those of some other birds of prey—are led by their females (see, e.g., the sources cited in the printed comment to this verse). This may explain why KJV (and OJPS) rendered the male possessive suffix as “her” rather than “his.” An ancient Israelite audience—being largely rural—was much more likely than the contemporary audience to have been familiar with raptors; at any rate, the ancient audience had no reason to take *neshet* as referring to a bird of one sex or the other. (Even if one believes that the Israelites conceived of God as male, it does not follow that God had to be compared to only males among the animals.)

NJPS may have meant “his” in its neutral sense; if so, a more clearly gender-neutral rendering is now warranted. Hence, “. . . its nestlings.” (NRSV: “. . . its nest”; so too Everett Fox and Richard Elliott Friedman. Robert Alter: “. . . his nest.”)

**DS221** 32:13. *va-yenikeihu* (literally, “He suckled him”; NJPS: “He fed him”).

The verb has a grammatically masculine inflection, yet the action itself is biologically a female act. In my view, the paradox is only apparent: the implied subject is God, for whom a grammatically masculine inflection is the best way to express inclusiveness—that is, God’s overarching Unity; although God is being likened to a mother, a feminine inflection would not make theological sense. I believe that the text’s ancient Israelite audience would not have been troubled by the surface dissonance, for as I have argued all along with regard to social gender, they would not have confused the grammatical aspect of the language with the content of its message.

Furthermore, the entire verse, which focuses on God’s sustaining the people, would have had a feminine cast in the view of the ancient audience. As Carol Meyers writes, “The household tasks of women in ancient Israel included . . . preparing and serving food. . . . These activities . . . were largely a women’s domain. Therefore, biblical texts acclaiming God as a provider of . . . food . . . evoke culturally specific images of women’s tasks” (*Women in Scripture*, p. 527).

NJPS glosses over the motherly action attributed to God. (Apparently the translators held that the nursing act is figurative, representing the provision of sustenance, and therefore it did not need to be rendered so concretely. Yet this is poetry—the concreteness of the image matters.) Minimally what is needed is a rendering that conveys the female image without the distraction

of a hyperliteral, gendered pronoun. Hence, I resort to a gerund: “nursing him.” (NRSV: “he nursed him”; Everett Fox: “he suckled them”; Richard Elliott Friedman: “had it suck”; Robert Alter: “he suckled him.”)

**DS222** 32:18. *y’lad’cha . . . m’chol’lecha* (NJPS: “that begot you . . . who brought you forth”). Scholars and recent translators seem to agree that the second of these two verbs projects a female image; cf. Isa. 51:2. (On the paradox of a grammatical masculine construction with female action, see my note at v. 13.) Those interpreters note, however, that the biological sex projected by the first verb is more ambiguous. Jeffrey Tigay (cited in my printed comment) notes here cautiously that these verbs “may have been chosen to suggest the image of a mother. The first is used far more often [in the Bible] for giving birth than for fathering, and the second refers literally to the mother’s labor pains.” Tikva Frymer-Kensky understands the first verb as “gave birth to (or begot),” that is, as being probably a female-based image but plausibly male (*Goddesses*, p. 164). Mayer Gruber takes the first verb as a male term, in light of particular Deuteronomistic usage (“The Motherhood of God”). Given the context of the poem’s otherwise gender-balanced rhetorical features—the male image in v. 6 and the female image in v. 11, the employment of a gender-inclusive eagle simile (vv. 11–12), and the paired male/female pattern in human beings (vv. 19, 25; see next note)—I take it that the text’s ancient Israelite audience would understand the first verb here as a male image. (That is, the couplet’s parallelism employs a complementary male/female pair.)

As for NJPS, it conveys a male image with the first verb, and a female image with the second verb. However, it seems to me that in the latter case, the rendering has obscured the basic allusion to labor pains. Hence, “who begot you . . . who labored to bring you forth.” (NRSV sees the first verb’s imagery as possibly male: “that bore you [footnote: or “that begot you”] . . . who gave you birth”; Fox sees both images as female: “that birthed you . . . that produced-you-in-labor”; Richard Elliott Friedman sees only the second image as female: “that fathered you . . . who bore you.” Robert Alter sees both images as female: “your bearer . . . who gave you birth.”)

**DS223** 32:19. *banav u-vnotav* (NJPS: “His sons and His daughters”). From the mention of females here and in v. 25 (“youth and maiden alike”), Marc Brettler concludes that “the poem thus explicitly includes women within its intended audience” (*Women in Scripture*, ad loc.). At the same time, I think the mention—not once but twice—of both human genders together also reinforces, on a literary level, the poem’s employment of both male and female imagery for the Deity. In other words, the dual-gender imagery is neither accidental nor merely imagined.

[DS224] 32:26. *enosh* (NJPS: “men”). This grammatically masculine noun, a singular collective, is generally reserved for poetry. It always has a generic sense. NJPS renders with a male term that is intended in its neutral sense. For clarity, I substitute a more clearly gender-neutral rendering. Hence, “human-kind.” (NRSV: “humankind”; Everett Fox: “mortals.”)

[DS225] 32:43. *v'chiper admato amo* (NJPS: “And cleanse the land of His people”). The NJPS translation is unfortunately ambiguous. Thus Jeffrey Tigay hastens to say, “that is, cleanse His people’s land” (ad loc.). For years, I (and presumably others) have misread the NJPS rendering, understanding it as referring to the Exile, as if the Israelites were the indirect object of “cleanse”—the dirt to be wiped off the land. Admittedly that reading does not fit the context. Even so, I am adopting a less ambiguous formulation: “And cleanse His people’s land.” (NRSV: “and cleanse the land for his people”; Fox: “effecting-atonement for the soil of his people”; Richard Elliott Friedman: “and make atonement for His land, His people.”) (This is not a matter of gender per se.)

[DS226] 33:1. *ish ha-elohim* (NJPS: “the man of God”). The grammatically masculine noun *ish* takes its social-gender sense from the context. This is the only appearance of this phrase in the Torah, and it appears to be a somewhat anachronistic application of a title that occurs with some frequency in the Prophets. Thus Jeffrey Tigay (ad loc.) takes its plain sense as “a prophet,” citing five other passages in the Deuteronomic History where that meaning in context is clear (which doesn’t exhaust the list). The Bible portrays persons with this title as being recognizable by their appearance, perhaps due to special dress (cf. Judges 13). Now, some Israelite prophets were women; gender does not seem to have been at stake in this role. (Conceivably the ancient Israelites might have called a particular woman the grammatically feminine equivalent, *eshet ha-elohim*, but such an expression is not found in the Bible.) Moses’ maleness is not in the foreground. Arguably, then, the text’s ancient Israelite audience would take *ish* in its associative sense: one who is of God (cf. *anshei ha-bayit*, Gen. 39:11 [NJPS: “the household”]; *ish yisra’el*, Deut. 27:14 [NJPS: “people of Israel”], Judg. 7:14 [NJPS: “the Israelite”]; *anshei david*, I Sam. 23:3 [NJPS: “David’s men,” i.e., his warriors]). That is, *ish* here refers to the “office” of prophet rather than to the individual who holds the office.

At the same time, it’s possible to understand the plain sense of the present phrase more contextually. Thus Saadia Gaon comments, “God’s emissary”; Ibn Ezra comments, “to make known that it was via prophecy that he blessed them [i.e., the Israelites]”; and Nachmanides comments, “to convey that his blessing will be upheld,” taking *elohim* adjectivally (“godly”).

NJPS renders in male terms, which seems mechanical—not reflecting the probable ancient understanding. During production of the printed edition, I made no change to NJPS on the grounds that *ish ha-elohim* would not have been applied to a woman. But that now seems beside the point. Generally and in accord with contemporary principles for the use of gendered language in English writing, I have avoided rendering with the word “man” except where gender is at stake, even in cases such as this—where *ish* is applied to a specific person who has a definite and known gender. The situation here is akin to styling an office as “chairperson” even though it is a man who currently holds the position. The challenge is to find a gender-neutral English rendering that is accurate and not too awkward. All the usual synonyms for “prophet” (e.g., “augur” or “soothsayer”) emphasize foretelling the future, which is not germane for Moses in general yet may be construed as such in this context—his final blessing of the people. Or one could construe the expression more literally as “God’s associate,” “God’s familiar” (cf. Num. 12:6–8), or “God’s correspondent.” Alternatively, it could be represented by an adjectival phrase: “divinely inspired.” In a future printing, the rendering should probably be changed; of the many options I prefer “God’s familiar” because it seems compatible with the views of all four commentators cited above. (NRSV: “the man of God.”)

**[DS227]** 33:2–5. *mi-ymino . . . vayhi . . . melech* (NJPS: “His right” . . . “He became King”). At least to some extent, the poetic imagery here is masculine: the warrior whose weapon flashes like lightning (or: whose lightning flashes like a weapon) in v. 2, and being acclaimed king by the (male) assembly in v. 5. On the human plane, gender is germane in these activities. The concreteness of these gendered figures would have stood in the foreground of the ancient audience’s mental image. The present translation conveys the foreground as the plain sense of the text, by definition (see Methodology).

How did the ancients see their kings? In their royal inscriptions, Mesopotamian kings boasted not only of their conquests but also of their administration of justice and their beneficial deeds toward the poor, orphans, etc. (Yochanan Muffs, *Love and Joy*, p. 57). The list of royal epithets used in Mesopotamia was long, yet by far the most common characterization of a king was as “shepherd,” which emphasized the caring and nurturing aspects of the office (Julia Asher-Greve, “Feminist Research and Mesopotamia,” p. 232). This is what the Bible meant by calling God a “king” (Muffs, *op. cit.*). It explains why in this passage God is portrayed both as a warrior (v. 2) and as “lover of the people” (v. 3). To the ancient audience, both aspects were part of the “masculinity” of the image.

Although *melech* (king) was a meaningfully gender-marked term to the

ancient audience, there is a danger that the contemporary audience will misconstrue the term “king,” for (at least in the U.S.) that title bears the connotation of arbitrary, dictatorial rule. As Yochanan Muffs lamented, “We do not have an adequate conception of what kingship meant in the ancient world” (op. cit.). To my mind, this problem of translation does not warrant avoiding the term “king” but rather educating the reader. See my printed comment here, and my note at 17:14–20. No change to NJPS.

**DS228** 33:7. NJPS: “Hear, O LORD the voice of Judah.” According to the norms of English punctuation, a comma is needed after God’s name when used in direct address: “Hear, O LORD, the voice of Judah.” (Not a matter of gender per se.)

**DS229** 33:26–29. *u-vga’avato . . . va-ygaresh . . . va-yomer* (NJPS: “in His majesty . . . He drove out . . . by His command”). As explained in my printed comment, the gendered imagery is germane in this poetic passage. NJPS renders with male pronouns. No change to NJPS.