MOTIVE CLAUSES IN THE LAWS OF DEUTERONOMY: THEIR FORMS, FUNCTIONS AND CONTENTS

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Introduction

THE PURPOSE of this study is to describe the numerous "motive clauses" attached to the laws of Deuteronomy. This will be accomplished by classifying them according to "form"—the type of conjunction with which the motive clauses generally open—on the one hand, and according to groups distinguished by similar "content" on the other.

As a rule, one or two examples of the type under discussion will be cited in full, for the purpose of illustration, and the other clauses in the same class will be referred to by chapter and verse only. Some cases of special interest—if they present a problem, or if an illuminating analogy is to be made with similar statements of the law in other Codes, etc.—will be discussed more fully.

Gemser (1953, p. 50) defined the motive clauses as follows: "grammatically subordinate sentences in which the motivation for the commandment is given." This definition is too narrow, since in some cases it is very difficult (if not impossible) to demonstrate the "grammatical subordination" of the clauses. Rather, a "logical" subordination is to be sought in them. What is really important is the function of these clauses and not the exact type of their subordination. From a functional point of view it is sufficient to state that

1. Examples may be found in the section "Prefatory and Asyndetic Motivations."
motive clauses are "sentences in which the motivation, or reason for the commandment, is given."

It is important to distinguish between motive clauses of laws and ordinary motive speech. By "motive speech" is meant parentic exhortations to keep the commandments, wherein motives for keeping the Torah as a whole are given. Von Rad (1953, p. 15) terms this "preaching about the commandments." Such "preaching" appears mainly in the speeches before and after the main body of the Deuteronomic law (chapters 12–26), namely in chapters 1–11 and 27–34. Such motives are not dealt with in this essay.²

As regards the number of motive clauses, Gemser (1953, p. 51) states that he counted in the laws of Deuteronomy "99 paragraphs (subjects or cases) with 61 motive clauses giving the high percentage of 60, and when subcases and less certain motivations are counted in, a total of 129 cases with 71 motivations giving 55%." Gemser does not give a list of either the laws or their motive clauses, and I am reluctant to engage in guesswork as to which cases he included in his count. However, a short glance at the examples cited in the following sections will show that I arrived at over a hundred cases of motive clauses!³ On the other hand, Weinfeld's statement (1960, pp. 89ff) that "at the side of every law (in Deut) stands a motivation," is either loose wording or a gross exaggeration.

Several laws have two motives, each beginning generally with a different formal conjunction. These will be mentioned twice; once in the form under discussion, and again in the section "Double Motivations." As against such doubly motivated laws, a few others have motive clauses which open asyndetically, without any formal conjunction. Those will be mentioned in the section "Prefatory and Asyndetic Motivation."

I. Forms and Functions of Motive Clauses

1. מ" ("for, because") clauses

The second commandment of the Deuteronomic Decalogue has the following clause as its sanction:

"for I . . . am a jealous God, visiting the sins of the fathers upon the children . . . "

In a similar vein, stressing the Lord's quality as a zealous or avenging God, the third

2. The Talmud takes even such passages as Deut 6:18 ("do what is right and good . . . ") as statements of law, giving this as the reason for the law that appraised property seized on account of debt is always redeemable, cf. Baba mesi'a 35a.

3. Indeed, I am not sure that I have exhausted all the possibilities or that even more cases of motivation could not possibly have been arrived at!
commandment reads (5:11): . . . *כִי לָא יִנְהָה* ("for the Lord will not clear . . .").

**Cases of special interest**

1. The injunction to love the stranger reads (10:19):

   "You must love the stranger, for you were strangers in the land of Egypt"). This verse must be taken with Ibn Ezra and the new J.P.S. translation as a command, not merely good advice and preaching. Ibn Ezra sees a double motive in this law, the first being the fact that God loves the stranger (5:18). That it is possible to command to love can be learned from the injunction "Love thy neighbor as thyself" (Lev 19:18). The motive "for you were strangers in the land of Egypt" agrees verbatim with Exod 22:20, 23:9 (JE) and Lev 19:34 (H), which show similar concern for the stranger.

2. The injunction against accepting bribes has a motive clause taken from Wisdom Literature and is in the Wisdom style of three beats (16:19):

   "for bribes blind the eyes of the wise and upset the plea of the just"). This, according to Weinfeld (1960, p. 91), marks the influence of Wisdom Literature on Deuteronomy.

3. The law against destroying the fruit trees around a besieged city gives two different motivations both beginning with בִּכְי. As a first utilistic ground it is said (20:19)

   "for you eat from it"). A second reason is added in the form of a question לֹא־הָאָדָם עַל הָהָדָם לֹא־הָאָדָם עַל הָהָדָם ("is the tree of the field human to withdraw before you under siege?").

**Functions of the בִּכְי clauses**

In almost all clauses cited above the function of the conjunction בִּכְי is one of a "causal" or "explanatory" nature. In only one or two clauses can it be shown

4. Further instances of the בִּכְי form are to be found in laws concerning the following: intermarriage (7:3-4); destruction of Canaanite places of worship (7:5-6); gold graven images (7:25-26); eating blood (12:23); the false prophet (8:4); seduction into idolatry (13:7-12); the flesh of a carcass (14:21); tithes (14:27-29); the Release (15:2); lending money (15:10-11); Passover (16:1); massot (16:3); Succot (16:15); the priestly revenues (18:1-5); the rights of the first born (21:15-17); the burial of the hanged (21:22-23); false charges (22:18-19); true charges of infidelity (22:20-21); rape of a betrothed girl (22:26-27); abhorring Edomites and Egyptians (23:8); purity of the holy camp (23:10-15); payment of vows (23:22; the parallel law in P [Num 30:3] is not provided with a motive clause); pawning the mill, or upper millstone (24:6); and timely payment of hired servants (24:14-15).
to be of a promissory nature. In the injunction to lend to the needy, even right
before the Year of Release, it states (15:10) . . . יכ בָּנָלָל הַדְּבַר הַזָּה בָּרֵךְ (‘‘for because of this matter the Lord will bless you. . .’’). However, this is
not an ordinary ḫalāla clause, as it has an additional conjunction בָּנָלָל (‘‘because
of’’) attached to it, which may account for it opening a promissory clause. Also
with regard to the festivities to be held during the Feast of Booths, the motive
clause opening with יכ is of a promissory nature (16:15): . . . יכ יברך ה (‘‘for the Lord . . . will bless you in all your
crops and all your undertakings’’). Out of the thirty-odd instances of motive
clauses adduced in this section, we have only two cases of promissory charac-
ter opening with יכ, a rather insignificant number.

2. 1 / 1 (‘‘and, the result’’) clauses

The law of the king forbids him to acquire many horses and to take many
wives. The clauses stating the reasons for these prohibitions both open with 1
(17:16–17):

וְרָכָּל יָרָכָּל וַלֶּסֶמָּה וַלֶּסֶמָּה אֲחַת חֲמָסֶק לָשָׁמֶה . . . לָא יְרָכָּל לָשָׁמֶה . . . לָא סֵר לָבָטַר (‘‘But he shall not keep many horses, thus he will not
send the people back to Egypt . . . and he shall not have many wives, lest his
heart go astray. . .’’). The Sabbath commandment has as an additional mo-
tive clause (5:15) . . . יָרָכָּל יִכְּנֶה הֵינֶה בֹּאְרָמִים מַצָּרֵים (‘‘And so you shall
remember that you were a slave in the land of Egypt. . .’’).

Cases of Special Interest

(1) The motive clause in the law of the Hebrew slave (15:12–18) is rather
problematic. The law states (a) that the slave is to be set free in the
seventh year (v. 12); and (b) that upon his release he is to be furnished
with gifts (v. 14). The next verse states the motive thus:

וְךִנְּרָת יִכְּנֶה הֵינֶה בֹּאְרָמִים מַצָּרֵים יִפְדֶּר הַזָּה בָּרֵךְ (‘‘And so you shall remember that you were a slave
in the land of Egypt and the Lord your God redeemed you; therefore I
enjoin this commandment upon you today’’). The problem is whether
the motive refers to (a), or (b), or perhaps both.

Here is how the medieval commentators tackle the problem: Rashi
takes it to refer to the furnishing of gifts only; Rashi seems to agree
with his grandfather. Sforno (on v. 15) suggests that both (a) and (b)
are included in the motive, stating: ‘‘For not only did He deliver you
from slavery, but furnished you out of the money of those who en-
slaved you.’’

5. Ibn Ezra and Nahmanides are silent on the matter.
(2) A similar case of divided opinion is the motive (or motives) given for the injunction to bury those punished by hanging (21:23): יִכְלָלָה מֵאֲרוֹם הַיָּמִין וָלַא הַשָּׁמֶשׁ אֶזְמָה אֵשֶׁר אֱמוּתָה ("for he that is hanged is an affront to God and you shall not defile the land"). Driver (1895, pp. 248–249) seems to suggest that the main motive is in the second clause יָמִין הַשָּׁמֶשׁ אֵשֶׁר אֱמוּתָה. The new J.P.S. translation seems to suggest that the entire verse is one motive. Rashbam and Nahmanides hold, apparently, that both clauses in v. 23 are equally important motives. Finally, Rashi apparently takes only the first clause יִכְלָלָה מֵאֲרוֹם הַיָּמִין as the motive.

(3) An interesting case of motivation is afforded in the law on pledges (24:12–13). The law concerning the pledge of a poor man is based on Exod 22:25–26. But, whereas the motive in Exodus ends with a warning to the lender: לָעָה כִּי בֹשַׁע אֵלֶּיהָ נַעֲמָא חַן אֵלֶּיה ("therefore, if he cries out to Me, I will pay heed, for I am compassionate"), the Deuteronomic law ends with a blessing for the lender: "וַיֶּחֶם ... בֵּשָׁלֶמֶת וְחָלֹךְ וְזָודֵהוּ ("that he may sleep in his garment and bless you, and it will be to your merit ...").

Functions of the י/י clauses

In the majority of the cases cited, the function of the י/י is to introduce the goal or aim of the preceding law. In all such cases the correct translation of י/י is "so as," "in order (not) to," "so that," "thus you will," etc. Such are the clauses in the laws of the king; the purging of the community from evil; the resting of the slave on the Sabbath, and most others in this section. In a few cases one could possibly agree with Gemser (1953, p. 53 and note 6) that the conjunction י/י is a "Wav explicativum or epexegeticum." Such may be the clauses in 15:15; 16:12; 24:18, 21. In this function the י is similar to the ב—it explains or elaborates upon the reason for the law.

6. Cf. Num 35:33–34 that murder defiles the land. Cf. also Ibn Ezra on v. 23, his second view "and according to plain sense . . ."

7. This probably reflects Deuteronomy's strong emphasis on the idea of reward as a motive for commandments; cf. below the section "The Idea of Reward as a Motive." Further examples of motive clauses opening with י are to be found in various laws concerning the purging of the community by administering the specified punishment (as in 13:6; 17:7; 19:13; 19:19; 21:9; 21:21 and 22:21; see, however, the controversy between Ibn Ezra and Nahmanides on the matter); seduction into idolatry (13:12); Shavuot (16:12); cities of refuge (19:10); exemption from battle (20:8); the parapet (22:8); exemption from the army (24:5); justice towards hired servants (24:15); and justice towards the meek (=the stranger, the fatherless and the widow) (24:17–18). To this last instance cf. Exod 22:20–21, and Lev 19:33 giving the identical motive.

8. However, also in these few cases one can understand the clause introduced by the י as the goal, aim, or result of the law.
3. "so that, to the end that, thus") clauses

One of the motives given for the Sabbath commandment in the Deuteronomic Decalogue reads (5:15): "למען י niezbędn יעבד (''so that your slave may rest''). The king is enjoined to write for himself a copy of the Torah from the standard copy which was in the custody of the Levitical priests, and study it daily. The purpose of all this is stated as follows (17:18–20): "למען יมากมาย את ההארים לישמר את כל דברי התורה והשכינה The translation of the new J.P.S. edition is interesting in its different emphasis: "... so that he may learn to revere the Lord his God, to observe faithfully every word of this Teaching... to the end that he and his descendants may reign long in the midst of Israel." This would make the first "למען יมากมาย" introduce a "result" of the injunction; namely, if he reads the Torah daily he will learn to fear the Lord, whereas the second "למען יมากมาย" by this rendition, introduces the "purpose" of the said law. However, even a "result" is a sufficient motive.

Cases of special interest

(1) The law concerning phylacteries and maṣʿūzōt is stated twice (with slight variation of expression): 6:6–9 and 11:18–20. The next verse (11:21) is a motive clause opening with "למען י鸷ב יوسائل רמי: ימען ("to the end that you and your children may endure in the land...."'). However, this clause is exceptional in that it serves as a motive not only for verses 18–20 (which contain laws), but rather for the entire group of verses 13–20, most of which are general exhortations to keep the laws.

(2) The law on usury (23:20–21) has parallels in JE, Exod 22:24, and in H, Lev 25:36–37. Both H and Deuteronomy have motive clauses attached, but the difference in emphasis is significant: whereas H introduces the motive of "fear of God" (which is characteristic of H), Deuteronomy introduces the idea of reward (which permeates the

9. When one contrasts this motive with the one given in the Exodus Decalogue (Exod 20:11), the humanistic tendency of Deuteronomy is apparent.

10. See Driver (1895, p. 211) on 17:18 for the meaning of this term.

11. See Driver (1895, p. 212) summary of vv. 18–20 and Smith (1918, p. 225) on v. 18 for an explanation of this passage.

12. Cf. Amos 2:7 where it is obvious that the דלת אני means "the result" and not, of course, "the purpose" or "goal"!

entire book of Deuteronomy). H has the borrower's welfare in mind—Deuteronomy the lender's. 14

Functions of the לָוֵשׁ Clauses

As indicated in the second example cited above (the law of the king), this form has two distinct functions: (a) In the majority of cases (12 out of 17), לָוֵשׁ introduces a clause of a "promissory" nature, some divine blessing resulting from observing the commandment in question; (b) in five cases, לָוֵשׁ introduces the result at which the legislator aims by the law—a certain spiritual or psychological attitude. The distinction is in some cases a narrow one—since a change of the spiritual attitude in the desired direction can also be regarded as a blessing from God—however, it ought not to be overlooked entirely. 15

4. מִתְנָבֵה ("abomination") Motivations

There are 12 so-called מִתְנָבֵה laws in Deuteronomy. These motivations belong by their form to the יִבְרָכָה clauses, since they generally open with יִבְרָכָה. They are, however, homogeneous in character, all having as their motivation the fact that the prohibited actions are "abhorrent to the Lord." The central word in them is מִתְנָבֵה.

There is, in my opinion, a basic theme (although it is highly varied) underlying the majority of the laws—the ways of the idolatrous nations, not to be imitated by the Israelites. The subjects treated in the מִתְנָבֵה laws are: cult of images, Canaanite cults and cultic usages (7:26, 12:31, 13:15, 17:4), child offering, all kinds of divination (18:9-12), temple prostitution (23:18-19), sacrifice with a blemish (17:1), unclean animals and birds (14:3),16 curse of the image-cult (27:15), remarrying one’s divorcée (24:4), the use of double weights and measures (25:13-16), extermination of the Canaanite peoples (20:18), and the wearing of men’s clothes by women and vice versa (22:5).

14. Cf. likewise the differences in motivation between Deuteronomy and H in the law on gleanings (Deut 24:19-22 and Lev 19:9-10, 23:22) and the law on weights and measures (Deut 25:13-16 and Lev 19:35-36). Additional instances of יִבְרָכָה clauses in Deuteronomy one finds in laws concerning the following: blood prohibition (12:25); doom of the idolatrous city (13:18); tithes (14:23); tithes in the third year (14:29); massot (16:3); judges (16:20); freeing of the mother bird (22:7); and public reading of the Torah (31:9-13).

15. Gemser (1953, p. 54) misses the distinction altogether and treats the יִבְרָכָה form as though it had only one function, namely, "promissory."

16. Nahmanides on 14:3 points out that this verse is the motive for the prohibition of unclean birds and animals.
Cases of Special Interest

(1) In the law against divinations (18:9-12) it would appear that the motive begun in verse 12 (ם חבסה ה) is carried over and elaborated upon in verses 14-15, which are the opening verses of a new law, that of the prophet. Verses 14-15 are therefore an additional motive clause, explaining why Israel is not to practice the forms of divination mentioned in vv. 10-11: apart from these practices being "abhorrent to the Lord," they are superfluous since Israel is to have prophets.

(2) One of the above cases appears in the Dodecalogue of Curses (27:15), i.e., the first curse prohibiting the image-cult with the motive חבסה ה. But it cannot for that reason be argued that it ought not to have been included, since a curse is only a stronger form of prohibition.

(3) The motive for the extermination of the Canaanite peoples is somewhat different in form, as it begins with the conjunction ילל. However, it is nonetheless a חבסה motivation in its continuation (20:18): ""so that they should not teach you to do all the abhorrent things that they have done for their gods. . ."".

5. ילל ("'lest"') Clauses

The opposite of the promissory ילל clauses are those beginning with the conjunction ילל, which are of a dehortative nature. I found five cases of such disuasive motivation in Deuteronomy:17 the cities of refuge are instituted (19:6) . . . ילל פרוות נאuario הדוה סחי הזרחה ("'lest the blood-avenger pursue the manslayer. . ."")); the four exemptions from military service are three times motivated by a clause with the conjunction ילל (20:5-7): ילל מיות במלוחמה ("'lest he die in battle") and the fourth time with ילל (verse 8).18

Function of the ילל Clause

ילל introduces a motive clause of a dehortative character, designed to dissuade one from some action "'lest" an undesired result should follow. Only in the injunction to institute cities of refuge does the legislator have in mind a positive act (setting aside of cities of refuge). But also here the result of failing

17. The ילל clause in 6:15 is a case of "'motive speech"' and cannot be considered.
18. The other three laws in which ילל opens the motive clause involve: forty stripes (25:3); sowing a vineyard with two kinds (22:9); burning the graven images of the Canaanites; and taking the gold and silver on them (7:25).
to comply with this demand would be undesired, namely the spilling of innocent blood.

6. **“therefore”** Clauses

In a few cases the motivation is taken up again and strengthened by the composite conjunction **“therefore”**. These are not, properly speaking, motivations in their own right, but rather give the opportunity to reiterate the law on the strength of the just stated motive.

Four cases of such clauses come to mind in Deuteronomy:

1. The second motivation in the Sabbath-commandment reads (5:15):

   "You shall remember that you were a slave in the land of Egypt and the Lord your God freed you from there . . . therefore the Lord your God has commanded you to observe the Sabbath day”.

2. One is to assist the poor by lending him money, even though it be close to the Year of Release (15:11):

   "for there will never cease to be needy ones in the land, therefore I command you: open your hand to your brother. . .”.

3. The law of the Hebrew slave terminates in the motive (15:15):

   "You shall remember that you were a slave in the land of Egypt and the Lord your God redeemed you, therefore I command you this thing today”). The problem of what provision in the law this clause refers to was discussed in the **“because”** clauses.

4. Also the motivation in the paragraph on the cities of refuge is strengthened by **“because”** (19:6–7):

   "lest the avenger of blood pursue the manslayer . . . therefore I command you, saying: You shall separate three cities”.

7. **“because”** Clauses

Twice the composite conjunction **“because”** introduces the motive clause:

1. (22:24): When a man lies with a betrothed virgin in a city, both of them shall be stoned to death, the young woman **“because she did not cry for help in the town”**, and the

19. We find similar strengthening by **“therefore”** in the law of the Hebrew slave (15:15) and in the paragraph on the cities of refuge (19:6–7).
mancano (‘‘because he violated his neighbor’s wife’’).

(2) The Ammonites and Moabites are forbidden to enter the Lord’s assembly (23:3–4) (‘‘because they did not meet you with food and water’’).

These are the only two cases of such clauses in Old Testament law. Their function is explanatory, justifying the penalty provided for by the law.

8. הת nhật את ואשר (‘‘since, because’’) Clauses

Twice the composite conjunction הת nhật את ואשר introduces the motive clause:

(1) (21:14): When one no longer desires the captive woman, one must release her outright and not enslave her;²⁰ one is forbidden to sell her for money: הת nhật את ואשר (‘‘since you had your will of her’’).

(2) (22:28–29): If a man seizes an unbetrothed girl and lies with her and they are discovered, he is to pay her father fifty shekels of silver, marry the girl and never divorce her הת nhật את ואשר (‘‘because he has violated her’’).

9. ואשר (‘‘for, because’’) Clauses

Twice the conjunction ואשר alone introduces the motive clause:

(1) (16:21–22): One is not to erect an אשר of any tree beside God’s altar, or set up a stone pillar ואשר אשא נא ה’ אלוהים (‘‘for such the Lord your God detests’’).²¹

(2) The second reason for the exclusion of the Ammonites and Moabites from the assembly of the Lord is (23:5) ואשר שכר עלפי את בני ישראל (‘‘and because they hired Balaam son of Beor... to curse you’’).

The function of ואשר is to introduce an explanatory motive clause and must be rendered ‘‘because, for.’’ ואשר has the meaning of ‘‘because’’ elsewhere in the Bible,²² and also the shortened form 쉴 in rabbinic literature has the meaning ‘‘because.’’

10. Double Motivations

In a number of cases double motivations occur, the two motives being introduced either by the same conjunction or by two different ones.

²⁰ For the meaning of see Driver (1895, p. 245, note 14) and the new J.P.S. translation.
²¹ The motive אשא שבת refers to both the אשר and the stone pillar.
(1) (7:25): One is not to take the silver and gold on the graven images of the Canaanites firstly because it is abhorrent to the Lord your God ("lest you be snared by it"); and secondly because it is for your own good ("for it is for your own good").

(2) The two grounds for assisting the needy by lending money are (15:10-11): (a) ‘for on account of this the Lord your God will bless you...’; (b) ‘for there will never cease to be needy ones in your land...’, and then comes the strengthening (c) ‘therefore I command you: open your hand...’.

11. Prefatory and Asyndetic Motivations

By "prefatory motivations" I mean motives which come before the law itself is stated, so to speak, "prefacing" it. "Asyndetic" means "not connected by conjunctions." All the examples of "prefatory motives" are also asyndetic, but not vice versa. It is in these cases that it is not easy to show the "grammatical" subordination, as will be seen from the examples that follow.

(1) The prohibition of gashing oneself and of shaving the front of one's head because of the dead is motivated by the preceding clause (14:1) ‘You are children of the Lord your God’. In the next verse the ground for the prohibition is elaborated upon thus: ‘For you are a people consecrated to the Lord your God—the Lord chose you from among all peoples on earth to be His treasured people’). The medieval commentators are agreed that ‘You are children of the Lord your God’ is the principal motive. Also Driver (pp. 155-157) takes this as one of the motives.

(2) The pericope on unclean birds and animals is prefaced by the motive (14:3): ‘You shall not eat anything abhorrent’. Both Ramban and Driver understood this as the motive.

23. For the meaning of the phrase see Driver (1895, p. 105) and Sforno, who represent different viewpoints.

24. Additional cases of double motivation are in laws concerning: destroying fruit trees during a siege (20:19); remarrying one’s divorcee after she married another man (24:4); and just weights (25:15-16).

25. Rashi states: ‘Because you are God’s children and it behooves you to be handsome and not gashed...’. Ibn Ezra writes: ‘And the meaning of [reason for ‘children’; since you are God’s children therefore do not gash yourselves...']. Ramban is vague, but also takes this as at least one of the motives, while Rashbam is silent on the matter.
(3) The command to blot out the memory of Amalek from under heaven (25:19) is prefaced by a lengthy motive taking up two verses (vv. 17–18): "Remember what Amalek did to you on your journey after you left Egypt—he surprised you on the march and cut down all the stragglers in your rear, while you were famished and weary . . . ". The motive refers to the incident related in Exod 17:8–16. There Moses pronounces judgment on Amalek (v. 16): "The Lord will be at war with Amalek throughout the generations"), which is explained in Deuteronomy to mean that His chosen people are to be instrumental in God’s war with Amalek.

(4) In treating leprosy the Israelites are to attend carefully to the directions of the Levitical priests, for (24: 8–9): "You should remember what the Lord your God did to Miriam on the journey after you left Egypt". Rashbam is right in viewing this as the motive for the preceding injunction, stating: "for surely you will remember what God did to Miriam"—adding the conjunction "and" to the otherwise asyndetic motive. In the last case the motive is asyndetically introduced, but it is not prefatory.

II. Classification of Motives by their Common Contents

Having discussed the forms and functions of the motive clauses in detail, it remains to classify them more generally according to their common contents. Can the motive clauses in the laws of Deuteronomy be arranged into groups of motives, each of which would be distinguished by a common idea or content running through them? In answer to this question two approaches will be outlined.

Gemser (1953, pp. 56–60) makes a valuable distinction between four basic types of motives:

1. Motive clauses of a simply "explanatory" character, e.g., in the law dealing with the rape of a betrothed virgin. Both the man and the woman are to be stoned to death (22:24), the girl עָלָי נָבָר אֲשֶׁר לָא ("because she did not cry for help in the town"), and the


27. Ramban, however, takes v. 9 (etc.) as a separate precept: "In my opinion it is a positive commandment . . . it is a warning not to slander"). He rejects Rashi who, apparently, also took it as a motive.
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man יַעֲרֹנָה אֱשֶׂר גָּנַה אֶל אֱשֶׂר רִעוֹת (''because he violated his neighbor’s wife’’).

(2) Clauses in which the “ethical” contents are clearly discernible, e.g., the reason given for the Sabbath commandments (5:14): לְמַעַן יָגוּת צַעְרְכֵן וּבְיִמּוֹנָה (''so that your male and female slave may rest as you do’’).

(3) Motives of a “religious” kind. Such are all the קֵינָה laws in Deuteronomy, e.g., the law against wearing men’s clothes by women and vice versa (22:5): כִּי תַעֲבֹר חֲלָלָה לְאִישׁ אַלּוֹ (''for whoever does these things is abhorrent to the Lord your God’’).

(4) Finally, clauses of “religious-historical” contents, which urge the fulfilling of the commandment by reference to and on the ground of God’s holy acts in history (“Heilstaten”), such as the deliverance from Egypt and the granting of the land of Canaan as a heritage. An example of these is the second motivation of the Sabbath commandment in Deut 5:15: והֵ noqa
... כִּי הָעָבְרָה קֵינָה בָּאָרֶץ מִצְרָיִם וְפָרְדָה הָאָלָה (''And so you shall remember that you were a slave in the land of Egypt and the Lord redeemed you from there...’’). In the next commandment (5:16), to honor one’s father and mother, the second “Heilstat,” the giving of the land, is referred to.

However, a number of Gemser’s examples are ill-chosen, because he confuses explanatory clauses with ethical ones.28 Moreover, valuable as Gemser’s distinctions are, they are too broadly conceived.

In order to bring out more clearly the nature of Deuteronomistic law as reflected in its motive clauses, we shall classify them somewhat differently, into the following types (sufficiently, but not too broad in character):

1. **Humanistic motives.**
2. **Motives which emphasize Israel’s election and holiness as a people.**
3. **Clauses whose motives consist of a promise of Divine reward.**
4. **Motive clauses of a didactic nature.**

Some of the more striking examples in each of the four groups follow.

1. **Humanistic Motives**

   Weinfeld (1961, p. 241, footnote) gives a convenient classification of Humanist Laws peculiar to Deuteronomy, not all of which have motives attached to them. Of those which have, the following may be mentioned:

   (1) Laws emphasizing the value and dignity of human life, such as those concerning roof battlements (22:8): לָא חָסִים דָּמָי בְּכוֹתָר צָלְל

28. E.g., the motives in 19:6, 10; 22:24–26; 24:6; 25:6 (to mention only a few), which bear unmistakably ethical and humanistic stamps, are used as examples of “explanatory clauses.”
In this connection it is illuminating to contrast the humanistic motivation in Deuteronomy of the Sabbath commandment (5:14) with the motive in Exod 20:11, which is religious-theological in character. Weinfeld argues that the humanistic tendency, exhibited in the above examples (and many others), marks the influence of Wisdom Literature on Deuteronomy. However, it may just as easily be the result of prophetic teaching.

2. Israel's Election by God and Their Holiness as Motives

Israel is described as being chosen by God from among all other peoples on earth to be His treasured people. Hence they are also a holy people (בשornings יתב ויהי עם עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי עם ויהי With the motive in Exod 20:11, which is religious-theological in character. Weinfeld argues that the humanistic tendency, exhibited in the above examples (and many others), marks the influence of Wisdom Literature on Deuteronomy. However, it may just as easily be the result of prophetic teaching.

2. Israel's Election by God and Their Holiness as Motives

Israel is described as being chosen by God from among all other peoples on earth to be His treasured people. Hence they are also a holy people. The fact of their election obliges Israelites to conduct themselves with holiness and nobility. On these grounds, customs and behavior which are repulsive to the refined soul are forbidden to Israel. In this class of acts belong all the so-called "laws discussed above. Since these deeds are "abhorrent to the Lord," they are not to be practiced by His chosen, holy people. This is how these motivations ought to be understood. It is significant that precisely such repugnant customs as gashing oneself, shaving the front of one's head and the eating of unclean birds and animals are
forbidden on the grounds of Israel's election and holiness and their being "abhorrent" acts, respectively (14:1–21).

3. The Idea of Reward as a Motive

In this category fall all of Gemser's "historico-religious" motive clauses, since the deliverance from Egypt and the granting of Canaan are also viewed in the light of reward to the forefathers and their children. But if this category is even broader and includes many more motivated laws than Gemser's, it is at the same time also the more revealing of Deuteronomy's aim.

According to Weinfeld (1960, pp. 8–15, 104–105) the entire idea of reward in all its aspects, promulgated by Deuteronomy, finds its parallels and its origin in Wisdom Literature, both general and Israelite. However, as remarked above in reference to the humanistic motives, Deuteronomy's doctrine of reward cannot be restricted to Wisdom Literature. No theology postulating an ethical God could operate without the notion of reward and punishment. Such a doctrine is equally central to prophetic teaching, and in some passages, as in Isa 3:10–11, is applied even to the individual.

As reward for observing the commandments Deuteronomy offers many inviting things:

1. "The good life," which here is to be taken in a very broad sense to include well-being, longevity, and happiness. All these are motives in specific laws, such as those concerning honoring one's parents (5:16); blood prohibition (12:25,28); justice in court (16:20); the king (17:20); willful murder (19:13); freeing the mother-bird (22:7); and just weights and measures (25:15).

2. As a reward for assisting the poor, which entails relinquishing part of one's property, Deuteronomy promises that the Lord will bless all the enterprises one undertakes. Examples may be found in the laws concerning tithes (14:28–29); usury (23:20–21); freeing the Hebrew slave (15:18); and gleanings for the poor (24:19).

3. The motive of inheritance of the land is dominant throughout Deuteronomy. In this respect Deuteronomy differs from Wisdom Literature. Whereas in Wisdom Literature this implies continued individual residence on ancestral land undisturbed, in Deuteronomy it is a matter of national inheritance of the promised land. This is in line

31. Cf., for example, 4:37–38; 7:8–9; 8:17–18; 11:9,21.
32. For the emphasis of "happiness" in particular cf. 12:19; 16:15; 26:11. The good life is also the prime motive in the general exhortations and preaching to keep the commandments, those we labelled "motive speech"; cf. 4:40; 5:30; 6:3,18.
with Deuteronomy's introduction of the concept of a "holy people," and its national aim. The severest punishment is therefore the loss of the "motherland" (4:26–27; 11:17).

4. Didactic Motives

The basic aim of Deuteronomy is to educate the chosen people and show them the way of life; how to walk in His paths and serve Him with all their hearts and souls. These are the ultimate motives for all the precepts, the entire Torah, and this is all for their own good (10:12–13; 11:27–28; 28:1–14; 30:15–20).

However, in order to remain in God's favor one is not to provoke His judgment and punishment by deeds that are hateful to Him. Kaufmann (1960, vol. 1, p. 53) points out that, among the books of the Torah, only Deuteronomy embodies the idea that punishment also serves an educational purpose.

This is marked by the recurrent phrase ישמעו יראה ("they will hear and be afraid"), which justifies the punishment in the following cases:

1. Enticer into idolatry (13:12)—וכל ישראל ישמעו יראה ולא ישפויי ("thus all Israel will hear and be afraid, and will not continue doing such evil things in your midst").

2. One who disregards the decision of the supreme court (17:13)—וכל הכהyms ישמעו יראה ולא יידעו עוד ("All the people will hear and be afraid and will not act presumptuously again").

3. False witness (19:20)—והרחשיםนมמשים יראה ("... the others will hear and be afraid ... ").

4. The incorrigible son (21:21)—וכל ישראל ישמעו יראה ("... all Israel will hear and be afraid").

Further instances of didactic motivations are: one is prohibited from intermarrying (7:4): נכייסראתבשרמאמתי�ועבראליםאחיםאחים ("for he will turn your son away from Me and they will worship other gods..."); the king is instructed to have a copy of this Torah written for him and study it daily (17:18–19): כלשלשלמהאתהאליםלשרמאכלדבריםהוהיה ("... so that he may learn to revere the Lord his God, to observe every word of this Torah"); Israel is commanded to exterminate the Canaanite peoples (20:18): כלשלשלמהאתהאליםלשרמאכלتوقعבותיאהר ("so that they should not teach you to do all the abhorrent things that they have done for their gods...").


35. Elsewhere in the Bible this idea is expressed in Ps 94:12 and Prov 3:11–12, and is basic to the Elihu speeches in Job 32–37.
Furthermore, the idea of reward, discussed in the previous section, is basically an educational one. Therefore, each motive clause which promises a reward for fulfilling the commandment is at once a didactic motive.

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