



ICJW Bea Zucker Online Bible Study Program

“The Five Books of Moses: Contemporary Issues and Classic Perspectives”

By Dr. Bonna Devora Haberman

44 Devarim — Fate in Our Hands

Text

דברים א

כב ותקרבוני אלי כלכם ות' אמרו ונשלחה אנשים לפנינו ויחפרו-לנו את-הארץ וישבו א' תנו דבר את-
הדרך אשר נעלה-בה ואת הערים אשר נב' א אליהן. כג וייטב בעיני הדבר ואקח מכם שנים עשר אנשים
איש אחד לשבט. כד ויפנו ויעלו ההרה ויב' או עד-נחל אשכ' ל וירגלו א' תה. כה ויקחו בידם מפרי
הארץ ויורדו אלינו וישבו א' תנו דבר וי' אמרו טובה הארץ אשר-יהוה אל' הינו נ' תן לנו. כו ול' א אביתם
לעל' ת ותמרו את-פי יהוה אל' היכם. כז ותרגנו באהליכם ות' אמרו בשנאת יהוה א' תנו הוציאנו מארץ
מצרים לתת א' תנו ביד האמ' רי להשמידנו. כח אנה אנחנו ע' לים אחינו המסו את-לבבנו לאמר עם
גדול ורם ממנו ערים גד' לת ובצורת בשמים וגם-בני ענקים ראינו שם. כט ואמר אלכם ל' א-תערצון
ול' א-תיראון מהם. ל יהוה אל' היכם הה לך לפניכם הוא ילחם לכם ככ' ל אשר עשה אתכם במצרים
לעיניכם. לא ובמדבר אשר ראית אשר נשאך יהוה אל' הין כאשר ישא-איש את-בנו בכל-הדרך אשר
הלכתם עד-ב' אכם עד-המקום הזה. לב ובדבר הזה אינכם מאמינים ביהוה אל' היכם. לג הה לך לפניכם
בדרך לתור לכם מקום לחנו תקם באש לילה לרא' תקם בדרך אשר תלכו-בה ובענן יזמם. לד וישמע
יהוה את-קול דבריכם ויקצ' וישבע לאמר. לה אם-יראה איש באנשים האלה הדור הרע הזה את
הארץ הטובה אשר נשבעתי לתת לאב' תיכם. לו זולתי כלב בן-יפנה הוא יראנה ולו-אתן את-הארץ
אשר דרך-בה ולבניו יען אשר מלא אחרי יהוה. לז גם-בי התאנף יהוה בגללכם לאמר גם-אתה ל' א-
תב' א שם. לח יהושע בן-נון הע' מד לפניך הוא יב' א שמה א' תו חזק כי-הוא ינחלנה את-ישראל. לט
וטפכם אשר אמרתם לבז יהוה ובניכם אשר ל' א-תדעו היום טוב ורע המה יב' או שמה ולהם אתננה והם
יירשוה.

Devarim 1

22 Then all of you came to me and said, "Let us send people ahead to reconnoiter the land for us and bring back word on the route we shall follow and the cities we shall come to." 23 I approved of the plan, and so I selected twelve of your people, one from each tribe. 24 They made for the hill country, came to the wadi Eshcol, and scouted it out. 25 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 Lord our God is giving to us." 26 Yet you refused to go up, and flouted the command of the Lord your God. 27 You sulked in your tents and said, "It is because the Lord hates us that S/He brought us out of the land of Egypt, to hand us over to the Amorites to wipe us out. 28 What kind of place are we going to? Our kinspeople 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.'" 29 I said to you, "Have no dread or fear of them. 30 None other than the Lord your God, who goes before you, will fight for you, just as S/He did for you in Egypt before your very eyes, 31 and in the wilderness, where you saw how the Lord your God carried you, as a person carries his/her child, all the way that you traveled until you came to this place. 32 Yet for all that, you have no faith in the Lord your God, 33 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." 34 When the Lord heard your loud complaint, S/He was angry. S/He vowed: 35 Not one of these people, this evil generation, shall see the good land that I swore to give to



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your fathers — 36 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 Lord. 37 Because of you the Lord was incensed with me too, and S/He said: You shall not enter it either. 38 Joshua son of Nun, who attends you, he shall enter it. Imbue him with strength, for he shall allot it to Israel. 39 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.

Context

Moshe opens the last book of the Torah after the revelation in the desert. He recounts the divine instruction to possess the Promised Land. Before heading on, Moshe describes the formation of a hierarchy – heads and chiefs of tribes down to chiefs of tens. These representatives help Moshe bear the burdens of leadership and a justice system. The people call to send scouts to appraise the Land. Against their demoralizing report, Moshe encourages the people that God is with them. The outcome of their pessimism is that all but Yehoshua and Calev are barred from entering the Land, as is Moshe. Those who tried to go forward after the decree were defeated by the Amorites. The rest were condemned to wander until the younger generation is ready to possess the Land. Turning back into the wilderness, the people must pass through the lands of Seir, Moav, and Ammon - carefully without provoking conflict. With God's help, the Israelites engage and defeat Sihon and Og when they refuse to grant the Israelites peaceful passage. These lands Moshe gave to the tribes of Reuben, Gad and part of Menashe on the condition that their warriors help with the conquest beyond the Jordan River. Moshe charges and encourages Yehoshua who will be the future leader of the conquest.

Explorations

The Book of Devarim is very different from the other four books of the Torah. Devarim is explicitly and completely related in Moshe's personal voice. In a series of long speeches, he retells events and reiterates laws from his own perspective. There are many variances between the versions in Devarim, and the way they appear in the rest of the Torah – in the books of Shmot and Bamidbar. There are seeming contradictions and also blatant omissions of extremely significant events in Moshe's experience.

Near the beginning of our parasha, Moshe tells of the creation of the judicial hierarchy among the Israelites. In Shmot, the text is clear that his father-in-law, Yitro intervenes in a dysfunctional situation - Moshe is exhausting himself dealing with all legal cases.

Shmot 18

13 Next day, Moses sat as magistrate among the people, while the people stood about Moses from morning until evening. 14 But when Moses' father-in-law saw how much he had to do for the people, he said, "What is this thing that you are doing to the people? Why do you act alone, while all the people stand about you from morning

Devarim 1

9 Thereupon I said to you, "I cannot bear the burden of you by myself. 10 The Lord your God has multiplied you until you are today as numerous as the stars in the sky. — 11 May the Lord, the God of your fathers, increase your numbers a thousandfold, and



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until evening?" 15 Moses replied to his father-in-law, "It is because the people come to me to inquire of God. 16 When they have a dispute, it comes before me, and I decide between one person and another, and I make known the laws and teachings of God." 17 But Moses' father-in-law said to him, "The thing you are doing is not right; 18 you will surely wear yourself out, and these people as well. For the task is too heavy for you; you cannot do it alone. 19 Now listen to me. I will give you counsel, and God be with you! You represent the people before God: you bring the disputes before God, 20 and enjoin upon them the laws and the teachings, and make known to them the way they are to go and the practices they are to follow. 21 You shall also seek out from among all the people capable people who fear God, trustworthy people who spurn ill-gotten gain. Set these over them as chiefs of thousands, hundreds, fifties, and tens, and 22 let them judge the people at all times. Have them bring every major dispute to you, but let them decide every minor dispute themselves. Make it easier for yourself by letting them share the burden with you. 23 If you do this — and God so commands you — you will be able to bear up; and all these people too will go home unwearied." 24 Moses heeded his father-in-law and did just as he had said.

bless you as S/He promised you. — 12 How can I bear unaided the trouble of you, and the burden, and the bickering! 13 Pick from each of your tribes people who are wise, discerning, and experienced, and I will appoint them as your heads." 14 You answered me and said, "What you propose to do is good." 15 So I took your tribal leaders, wise and experienced people, and appointed them heads over you: chiefs of thousands, chiefs of hundreds, chiefs of fifties, and chiefs of tens, and officials for your tribes. 16 I charged your magistrates at that time as follows, "Hear out your fellow people, and decide justly between any man and a fellow Israelite or a stranger. 17 You shall not be partial in judgment: hear out low and high alike. Fear no man, for judgment is God's. And any matter that is too difficult for you, you shall bring to me and I will hear it." 18 Thus I instructed you, at that time, about the various things that you should do.

In Shmot, Yitro advises Moshe to institute the system that in Devarim Moshe takes full credit for initiating - without mentioning Yitro at all. Accepting the advice of a *foreigner*, a person who did not experience the Exodus, about the entire legal-political structure of the nation is bold and open-minded. In Devarim, Moshe withholds this information about his source from the young generation.

In Shmot, there is no mention of the tribal divisions – the appointees are from “all the people”, whereas in Devarim, Moshe makes the tribal leaders into judges.

Though Moshe enters the Torah at the helm of the Jewish People during the slavery in Egypt, and leads the Exodus, this foundational narrative is nearly absent from Devarim. So also Korach's rebellion is not mentioned. Once we are aware of these differences between Devarim and other books of the Torah, they are difficult to ignore - they challenge us to interpret them, and to try to make sense of the order, meaning, and even authorship of the text.

Let us compare the above text about the scouts from our parasha with the very detailed version in Bamidbar (see our lesson, “37 Shlach — We look like Grasshoppers!”). The following table summarizes some of the differences.



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Bamidbar 13-14	Devarim 1
God commands Moshe to send scouts.	Moshe approves the people's own request that they send scouts.
The scouts report about the goodness of the Land and about the giants and their fortifications.	The people report their disillusionment about the cities, walls, and giants.
Calev urges the Israelites to go forward into the Land and to fight to possess it.	Moshe encourages the Israelites to follow through and enter the Land, promising divine support in battle and the divine nurture of a parent to a child.
The scouts spread evil reports about the Land.	The scouts speak of the goodness of the Land; the people refuse to go up to the Land.
The Israelites prefer to head back to Egypt.	The Israelites claim that God took them out of Egypt and brought them to the Land out of hatred – to be destroyed.
The people assemble a rebellion against Moshe and Aharon, and threaten to pelt them with stones.	The people complain.
God threatens pestilence and to disown the Israelites. Moshe intervenes with God, and pleads for mercy for the sake of the great divine Name. God accedes to Moshe's request, and kills by plague only the scouts and people who spread evil reports about the Land. The rest will wander for 40 years – one year per day of the scouts excursion - until the older generation dies and the young people can enter the Land.	God punishes the adults by prohibiting them from entering the Land. God includes Moshe in the same punishment - on account of the Israelites, he will not enter the Land.
God orders the Israelites to journey on – back into the wilderness.	Moshe reminds the Israelites of how the Israelites were turned back into the wilderness. God charges Moshe to strengthen Yehoshua, for he will allot the portions of the Land to the children.

From the very outset, the accounts differ. In Bamidbar, God initiates the scouting expedition, whereas in Devarim, the people initiate it. Many commentators settle this discrepancy by interpreting the wording in Bamidbar together with Devarim,

'Send for yourself' According to your own understanding. I am not commanding you, but if you wish, you may send [scouts]. Since the Israelites had come [to Moses] and said, “Let us send people ahead of us,” as it says, “All of you approached me...” (Devarim 1:22), Moshe took counsel with the Shekhinah . S/He [God] said, “I told them that it is good, as it says, ‘I will bring you up from the affliction of Egypt...’ (Shmot 3:17). (Rashi's commentary on Bamidbar 13:2 –



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following Sota 64:2 and Midrash Tanchuma 5).

This approach massages away the apparent contradiction by showing how each passage compliments and fills in the other. Rashi and Ramban take a similar approach to the discrepancy between the versions with regard to the reports of the spies. Based on Sifri (chapter 23), they attribute Moshe's statement, "[It is a good land that the Lord our God is giving to us](#)" (Devarim 1:25) to Calev and Yehoshua, though the text does not give any such indication. These commentators fail to settle why in Devarim Moshe ignores the negative reports of the other ten spies.

At certain moments, Moshe seems to behave with more humility in our parasha than in Bamidbar. When the scout incident escalates, in Bamidbar, the people actively rebel and threaten Moshe and Aharon. Moshe intervenes directly with God, and protects them from divine anger. Devarim does not mention Moshe's eloquent defense that elicits God's mercy and prevents destruction. In Devarim, Moshe exaggerates the whole people's negative attitude and culpability – ignoring the negative reports brought by the scouts themselves.

In Bamidbar, the Israelites question divine judgement. They speak of their fear of near-certain defeat in the Land, and conclude that they would rather turn back to Egypt. In Devarim, the Israelites directly challenge divine motives. While they also express fear, they accuse God of hatred and plotting to kill them.

The most stunning difference between the two accounts concerns the reason why Moshe is barred from the Land. Speaking in the divine voice in Bamidbar, the text indicts Moshe for striking the rock to extract water rather than speaking to it, and thereby lays responsibility for Moshe's fate squarely on his own shoulders.

But the Lord said to Moses and Aaron, "Because you did not trust Me enough to affirm My sanctity in the sight of the Israelite people, therefore you shall not lead this congregation into the land that I have given them." Those are the Waters of Meribah—meaning that the Israelites quarreled with the Lord—through which S/He affirmed Her/His sanctity. (Bamidbar 20:12-13)

When Moshe re-visits the incident in our parasha, he blames the people for preventing him from fulfilling his ultimate desire and destiny,

[Because of you the Lord was incensed with me too, and S/He said: You shall not enter it either. \(Devarim 1:37\)](#)

In the penultimate verse of the Torah, Moshe cites the Bamidbar version – the divine explanation for his fate,

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; 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. (Devarim 32:50-51)

The following midrash enhances this explanation – again contradicting our parasha,

Moshe said before God: 'Sovereign of the Universe, let my actual sin be written down for future generations so that Israel may not say, "Moshe falsified something in the Torah" or, "he spoke



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something which he had not been commanded"; and they shall know that it was merely because of the water [that I was punished]." (Midrash Rabbah Devarim 2:6)

The scout incident pre-dates the scene of the Waters of Meribah – how could the decree banning Moshe from entering the Land have happened *before* the incident with the stone? – and the text explicitly states that the decree results from hitting the stone at the Waters of Meribah.

Some try to solve this contradiction by referring to the entire chain of events that precipitated God's harsh judgement of Moshe. Commenting on the contradiction between the two versions of the scout incident, Saadiah Gaon, Kli Yakar, Sforno, and Ohr ha-Hayyim interpret as follows. Were it not for the faithlessness of the scouts that resulted in 40 years of desert wandering, Miriam would not have died in the desert. The well, which had accompanied them in her merit, would not have dried up. There would not have been drought, and therefore, there would have been no need to speak to the stone – the scene that occasioned the decree. In this indirect way, the scouts did cause the sequence of events that led Moshe to squander his privilege to enter the Land.

Concerning the scouts, in Devarim, Moshe focuses the dispute between the people and himself, exaggerating polar positions and attributing full responsibility to the Israelites as a collective. He rebukes the past generation harshly for resisting the divine plan to enter the Land. Moshe must have had a motive for blaming the people. While he concentrates on the people's guilt, he also chooses to share with them his vulnerability. By blaming the people for God's anger at him, for ruining his ultimate hope – he demonstrates how his fate is sealed with their parents. However great a prophet and leader he is, Moshe does not succeed to overcome the limitations of his people. With bitter knowledge of his predicament - "I cannot bear the burden of you by myself" (Dev. 1:9), Moshe urges toward a possibility for the new generation to move on and enter the Land with some wisdom gained from the folly and evil of their parents.

Questions for Discussion

- Why does Moshe not tell the people about Yitro and his advice? Consider whether he fears that the views of the next generation who did not experience the Exodus firsthand might have narrowed and they might not accept a *foreigner*? Discuss whether you observe this trend in our generation – within and outside Jewish communities, or do you perceive growing open-mindedness and respect for approaches from *outside* Jewish purview?
- The concept of “social entrepreneur” is gaining popularity; philanthropists are becoming “investors”, and the “bottom-line” and “profitability” calculations are increasingly accepted methods of administering community affairs. Evaluate the growing trend in Jewish communities to adopt business models of organization and leadership – based on the for-profit sector. See also the study link below.
- What motives do you attribute to Moshe for his altered version of the reason that he is barred from entering the Land in our parasha? Might his rebuke aim to educate the young generation to take responsibility – or what? Based on your interpretation of Moshe's



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motives, evaluate whether his selective modification of events is justifiable. Does it work, in your opinion – why or why not?

Study Links

“By filling a communal need through a for-profit vehicle, the venture is part of a global trend that blurs the border between the for-profit and non-profit realms.”

Concerning business models for the Jewish community, see “[Investing in Value.](#)”

See Moshe Anisfeld's essay, “[Why was Moses barred from leading the people into the promised land?: A Psychological Answer](#)”.

Summary of Issues

The re-telling of portions of the Torah in Devarim emphasizes different aspects, alters certain elements, and eliminates particular details from the parallels in Shmot and Bamidbar. These variances invite us to compare and contrast versions - we explore the same incidents from different points of view. This study is instructive about the unfolding of leadership and the development of the Israelite community, and offers insight into the process of passing tradition on from one generation to the next. In particular, the incident of the scouts reveals Moshe's choices about how he relates to those who will succeed him and venture beyond the limits of his own personal fate.

Methods & Observations

Parshat Devarim barely relates in any specific way to women. The conversation Moshe narrates uses male plural forms - nouns and verbs - to refer to the people as a whole, to the judges, to the warriors who fight with Sihon and Og, to the scouts, to the messengers (Dev. 2:26), and to the tribes. While most translations refer to *anashim* as “men”, we have no way to determine the extent to which women are included in or excluded from these categories. In one verse, the text records that the women, children, and flocks of the tribes of Reuven, Gad and part of Menashe will remain on the other side of the Jordan while their “shock troop” warriors will lead the conquest of the Land (Dev. 3:18-19).

Given the dominance of largely unfounded and unfalsifiable assumptions about women's roles, and the customary translations that ignore and/or exclude women, even where women are not explicitly mentioned, I translate in a gender inclusive manner – both in reference to people and the divine. In this way, we render in words the possibility of women *inside*. We thereby take in our own hands the decision to read and write ourselves into our sacred texts and all that flows from them.

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