

MOSES' MISPLACED SPEECH INVITING HIS FATHER-IN-LAW TO JOIN THE ISRAELITES

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INTRODUCTION

For the past decade or more, Professor Leon Kass has been working on a draft-commentary of the biblical book of Exodus. Professor Kass, the distinguished Professor Emeritus of Humanities at the University of Chicago, has already authored an important commentary on the Book of Genesis entitled *The Beginning of Wisdom*; this book is projected to be its sequel.

In his draft commentary on Exodus, Chapter 18,¹ Professor Kass raises several incisive questions in his analysis of the narrative. In one of the footnotes he mentions that the word for “father-in-law,” appears 13 times in the chapter; a seemingly innocuous remark. But those who have studied Buber, Casuto and other 20 and 21st century literary commentaries on the Biblical text, recognize that there are often key words (*leitworts* as they are called in the German, *millot mafteach* in the Hebrew) that help the reader identify key concepts or themes of many sections of the Torah.² Those key words appear multiple times in a specific text, often in multiples of seven.³ In the current instance, and not at all surprisingly, the name “Jethro” appears seven times in Chapter 18 of Exodus, a perfect “key-word” identifying the Torah portion that is his namesake. Mindful of that, it seemed somewhat surprising that the pronoun for Jethro’s name, “father-in-law” (of Moses), appears only 13 times – one short of the multiple of seven – 14 – that would have made it an additional, complementary, key word in the chapter.

A similar 13/14 disparity is raised by Rabbi Elchanan Samet in his commentary on the Torah portion of Chayei Sarah.⁴ Samet, in closely reading Chapter 23 of Genesis describing Abraham’s purchase of the burial cave for Sarah, noticed that the words for “burial” (*k-b-r*) and for “Sarah” (or its pronoun – *may-toh* - Abraham’s “deceased”) are each found a total of 13 times. Both thirteens, one number short of being a multiple of seven, puzzled him. Clearly the theme of that narrative was Abraham purchasing a burial place for his beloved, deceased wife. It seemed incongruous that the key words for

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burial plot and for Abraham's wife would not be found 14 times. Samet went looking for the 14th mention of each term. At the end of that Torah portion he found those terms in the brief narrative telling of Abraham's passing and his burial in the cave of Machpela alongside his wife, Sarah. There, the words "buried" as well as "Sarah" are each found one more time, bringing each of the two key words to 14.

Samet conjectured that this is an example of what he came to term a *sippur mefutzal* – a "split narrative" – a phenomenon which takes place only rarely in the Torah.⁵ In a split narrative, a single story is written, but is then split into two separate parts in the final editing process. This is done for chronological, literary or educational purposes. In this instance in Genesis, although written as one narrative about the purchase of the carefully selected burial plot for the first matriarch of the Israelites, the Torah split the story into two – the first part immediately following Sarah's death to describe Abraham's purchase of the cave and Sarah's burial within it; the second part, after describing at length the intervening events of Abraham's life (his servants' mission to find a wife for Isaac; and Abraham's later years in which he fathered several additional children), to record Abraham's passing and burial in the cave alongside his wife. Thus, for chronological reasons, the story of Abraham's purchase of the cave of Machpela as the ancestral burial plot for the first matriarch of the Israelites, which was written as one, longer, single story, was split in its final redaction into two segments – the larger part at the beginning and the smaller part at the conclusion of the same Torah portion, even though it was originally written as one, single, cohesive narrative.

Later on in Genesis, Samet again points to a story that was split – Jacob's blessings of Ephraim and Manasseh, which he demonstrates, persuasively, was moved from the chronological time that it took place – upon Jacob's arrival in Egypt recorded in the Torah portion of *Vayigash* – to the days before his death, recorded in Torah portion of *Vayehi*. In this instance, the split story appears in two separate Torah portions albeit in the same book of Genesis with the shorter part appearing in the earlier Torah portion of *Vayigash* and the longer part of the story appearing, 42 verses later, in the following Torah portion of *Vayehi*. There, the split takes place not for chronological reasons as occurred in *Chayei Sarah*, but for literary reasons: while the first portion of *Vayigash* deals with the descent of Jacob and his family to Egypt,

the Torah portion of *Vayehi* deals with Jacob's death and his blessings of his descendants prior to his death. The story was split to keep the reader focused in each Torah portion on its own organizing, literary theme.⁶ In this case, the split narrative can be linked to the exegetical principle, often cited by Rashi, of *eyn mukdam umeuchar batorah* – the Torah, in its final form, is not always arranged in the order in which it historically took place, and which Samet claims, in which the story was originally composed.

By analogy, Professor Kass's footnote that the word for "father-in-law" appears 13 times in Exodus 18, raises the question whether this chapter too might involve a split story, and if so, where the other part of the story, containing the 14th mention of Moses' father-in-law, might be found.

The answer is not found in the book of Exodus but in Numbers 10:29-32, in the Torah portion of *Be'ha'alotcha*, the only other place in the Torah after the Torah portion of Jethro which mentions Moses' father-in-law (in the Hebrew: *choten Moshe*). That passage, which appears in the discussion of the preparation and beginning of the Israelite journey to the Promised Land, describes Moses' invitation to his father-in-law to accompany the Israelites on their journey. As an incentive, Moses offers his father-in-law a portion of the bounty in the soon-to-be conquered land. Despite Moses' generous offer, the passage appears to end inconclusively, and the reader is left uncertain as to whether his father-in-law accepts or declines Moses' offer, choosing instead to return to his own land.

In fact, the entire passage concerning Moses' invitation to his father-in-law in the Book of Numbers is perplexing. The mention of Moses' father-in-law, about whom the Torah has been silent since the middle of the book of Exodus, seems literally to come out of nowhere, and as stated, the end of that short passage leaves the reader hanging without a certain conclusion.⁷ Furthermore, Jethro is called by Moses, "Hovav", rather than "Jethro," and identified as "the son of Reuel" leading commentaries to speculate whether this indeed referred to Jethro or to his son. In short, that passage begs for interpretation.

Thus, the reader is faced with a rather minor anomaly in the Torah portion of Jethro, 13 mentions of the word "father-in-law," and a possible solution, the 14th mention of "Moses' father-in-law" in an even more mystifying story in the Book of Numbers.

A close reading of the Numbers passage and that of chapter 18 in Exodus, begins to reveal several important literary connections between the two passages; clues that point to the hypothesis that the two are not separate stories taking place about a year apart, as the Torah's chronology seems to suggest, but one story, taking place at the same time and place. The two may in fact be one cohesive narrative that, like the Genesis examples that Samet cited above, was split in the final redaction of the Torah's text into two parts. Moreover, because of another insight of Samet regarding the architecture and construction of the classical biblical story,⁸ the reader may be able to discern where in the Exodus story of Jethro those four verses were originally placed and how to restore them to their original location.⁹

This reconstituted narrative, when put together to form a single whole, seems to read more clearly, coherently and cohesively than when the two are read as separate stories. As to why the story was split in the Torah, this paper will argue that, like the story of Jacob's blessings, the story was split to keep the reader focused on the thematic thrust of each book. It is another example of *ayn mukdam u'meuchar batorah*, the Torah is not describing chronology but teaching its lessons thematically.

THE STORY OF JETHRO IN THE HISTORY OF BIBLICAL HERMENEUTICS

In the annals of biblical commentary, the chronology of the story involving Jethro has a long history of being viewed as obscure and uncertain. In TB *Zevachim* 116a there is an Amoraic difference of opinion between the sons of R. Hiyya and R. Yehoshua Ben Levi as to when the story of Jethro coming to the Israelite encampment took place, either before or after the giving of the Torah. And even before them, there is a Tannaitic difference of opinion recorded on the same page as to what it was that Jethro "heard" (Ex. 18:1) that apparently moved him to come visit the Israelite encampment: R. Yehoshua contending it was the war with Amalek while R. Elazar Hamodai claiming that it was the revelation of the Torah.

Among medieval commentators on the Torah, Rashi sides with R. Yehoshua, commenting that it took place following the war with Amalek. Ramban, who is always reluctant to deploy *ayn mukdam umeuchar batorah* unless he is forced to do so by an explicit verse in the Torah itself^{d10} does likewise; he reads the story of Jethro as occurring where it says it took place, immediately

following the war with Amalek, and prior to the giving of the Torah. Ibn Ezra takes a definitive position contrary to Rashi and Ramban and goes one step further, arguing both in his long and short commentary that this entire episode actually took place not only after the revelation of the Torah, but after the Tabernacle had been built, in the second year after leaving Egypt. In other words, Ibn Ezra postulates that the episode in Exodus, describing Jethro's arrival and counsel to Moses, and the episode in Numbers where Moses invites Jethro to remain with the Israelites as they journey to the Promised Land, are intertwined, not only in geographical place (at the foot of Mount Sinai, where they encamped for approximately one full year) but in chronological time (towards the end of their sojourn near the mountain). Part of his proof is Moses recounting in Deuteronomy 1:6-18, of the moment in time when God told him to lead the people away from Mount Sinai towards the Promised Land. There, Moses laments that the Israelites were so numerous and fractious that he could not lead them by himself. With the people's consent, he then appointed heads of thousands, hundreds, fifties and tens to judge the people – following the precise advice that Jethro suggested to him in Exodus 18.¹¹ This would indicate, Ibn Ezra reasoned, that Jethro's counsel took place not after the war with Amalek, as Exodus 18 implies, during the early months of the first year after the Israelite people left Egypt, but concurrently with Numbers 10, in the second month of the second year as they were about to embark on their journey to the Promised Land.

Finally, in the 19th century, Shmuel David Luzatto, comes to the conclusion that this story and the one in Numbers are actually describing a single set of events, but that in Exodus, the end of the story is written in the general form, and in Numbers the Torah describes what transpired in greater detail. To Luzatto, the last verse in Exodus 18, and perhaps the last four verses, including the appointment of the judges, actually take place in Numbers, but is told in a general way in Exodus to bring the reader there some tentative closure.¹²

Samet's insight into the biblical text and teaching about a split story, raises the possibility for the contemporary reader of reading the two stories as a single, coherent, narrative unit taking place at the same time, but then split and placed in two different strategic locations of the Torah: one right before the revelation of the Torah at Sinai and one right before beginning the journey to the Land of Israel. As to whether the single story took place before the

revelation at Sinai, as Rashi and Ramban argue, or afterwards, in the second year after the Exodus, as Ibn Ezra insists, the evidence is inconclusive. To see the different points of view, read Ibn Ezra and the Abarbanel's point-by-point refutation of his arguments in their respective commentaries on Exodus 18.

RE-READING EXODUS 18

The story of Jethro's arrival to the Israelites encampment in Exodus 18 is actually easily divisible into two parts. The first part, begins with Jethro's "hearing" about what happened to the Israelites, his arrival in the Israelite encampment and concluding with the dinner held in his honor led by Aaron and the Israelite elders (Ex. 18:12). The second part begins "on the next day" when Jethro witnesses Moses judging the people from morning till evening (Ex: 18:13ff.). The second story includes Jethro's counsel to Moses to establish a hierarchy of judges and concludes with Moses implementing Jethro's advice and Jethro returning to his own, native land.¹³

In the first half of Exodus 18, one exegetical question which the *Mekhilta* raises is why Moses was not explicitly mentioned when Aaron and the elders attended the state dinner welcoming Moses father-in-law. The midrashic answer, that Moses in effect made himself invisible to serve as the waiter at the event, is a beautiful one in its own right with deep moral resonance. It is based on Genesis 18, where Abraham hosts and waits on his three distinguished guests in similar fashion.¹⁴ But the question on a simple *pshat* level remains: where was Moses?¹⁵

It is plausible that Moses was indeed present at the dinner honoring his father-in-law.¹⁶ His presence is revealed by (re)inserting Numbers 10:29-32 immediately after Exodus 18:12 and before Exodus 18:13 from where it was excised in the Torah's final editing process.¹⁷ This is what may have transpired: Moses stood up after the dinner honoring Jethro and addressed the following generous offer to his father-in-law, the first non-Israelite statesman to come visit the Israelites. Beginning, as speeches at these dinners normally commence, with flowery language praising the guest of honor, Moses addresses his father-in-law not with the name that he has been called till now, "Jethro," but rather with a term of endearment: "Chovav" ("beloved one"). Jethro had after all, virtually adopted Moses as member of his own clan – providing him with a home, a wife, and a meaningful occupation as his shep-

herd. He was certainly “beloved” to Moses.¹⁸ Moses goes on, *son of Reu-el* (“shepherd of God”), *the Midianite*. Here too, Moses may be using an epithet to refer to Jethro who was the “priest of Midian” who had just come to recognize the superiority of the God of the Israelites (Ex. 18:11). To validate Jethro’s recognition of God he therefore honors him with the epithet “God’s shepherd.”¹⁹ Moses continues, by referring to Chovav as “the Midianite,” giving honor to the place from which his father-in-law journeyed to see Moses. Moses then concludes his salutation to Jethro by referring to himself in the 3rd person, “Father-in-law of Moses” as that may have been a convention of speech in that time when speaking publicly. He then proceeds to lay out his offer to Jethro: “We are setting out for the place of which the Lord has said, ‘I will give it to you.’ “Come with **us** and **we** will be good towards you; for the Lord has promised to be good towards Israel.”²⁰ Jethro, however, demurs: “I will not go,” he replied to him, “but will return to my native land.”

Moses, is not easily to be dissuaded: “He said, “Please do not leave **us**, inasmuch as you know where **we** should camp in the wilderness and can be **our** guide. So if you come with **us**, then the good that God’s goodness will bestow on **us** will be extended as goodness towards you.”

Moses invited Jethro to join the Israelites in their journey to the good land and to benefit from the goodness promised by God to the people once they arrived. Jethro, as is still the case in the Middle East when offered an unearned gift, politely demurred, saying, in effect, thank you for the kind gesture, but stating that he intended to return to his native land and birthplace. Moses then doubled down on his offer, taking a different tack. Moses pleaded that Jethro not abandon the Israelites, since, as he knew how to locate their encampment in the desert, he would be “eyes” for them on their coming journey, guiding them through the vast, barren wasteland till they reached the borders of the Promised Land. In other words, understanding his father-in-law’s reluctance to accept an unearned gift, Moses reframed his offer to make him understand that his father-in-law would earn his reward by serving in an important and meaningful role for the people. Moses then reiterates in even stronger terms the bounty in which he would partake - presumably a piece of the land - as part of the goodness that God has promised Israel. Not wanting to seem obstinate or to again reject his son-in-law’s offer in front of all the

assembled, Jethro apparently kept his peace, or maybe better put, kept his own counsel for the evening, and remained silent.

Note that Moses addresses his offer to Jethro in Numbers 10:29-32 consistently in the plural form: *to join us on our journey* etc. He does not say: join **me**, nor does he speak about the Israelites in the third person – join the **people**, as he had till then in Exodus 18:8, rather he says join “us.” This fits the context of the occasion as Moses is speaking in front of Aaron and the assembled elders of Israel. His invitation is given on behalf of all the assembled – the plural “we/us,” – requesting that Jethro join them on their journey and share in their reward when they reach their destination.

These four verses conclude the story of Jethro’s arrival at the camp, which, when put together with the first 12 verses of Jethro, now comprise a total of 16 verses.

The Torah then continues with the second half of the story on the following day, with Jethro witnessing how Moses tries to administer the affairs of justice for the Israelites from morning to night without let-up. *And it was on the following day . . .* Here Jethro, breaks his silence and shares his counsel with Moses. This section is comprised of a total of 15 verses.

Why place the four verses from Numbers 10 in the seam between Jethro’s arrival and his counsel to Moses the following day?

First, there is the matter of the number of verses and words found in the stories as reconstituted. Samet has argued that one of the marks of a single story in the Torah, is that it is split into parts of roughly equal length both in terms of verses and words.²¹ Currently, chapter 18 of Exodus telling the story of Jethro, consists of two parts, the first, twelve verses long, totaling 177 words, describes Jethro’s journey, arrival and welcome to the Israelites; and the second part, describing his counsel to Moses on establishing a system of governance, consisting of 15 verses and comprised of 241 words. These are two parts of unequal length. When the four verses of Numbers, comprising 66 words, are added to the first part, where it seems to belong in the original story, the two parts come out to be almost exactly of equal length: 16 verses and 243 words in the first part and 15 verses of 241 words in the second part. This is too close to be coincidental.

Second, adding these four verses to the first part, picks up on two facts that are mentioned in the first part of the Exodus story, which makes the four

verses more coherent: Jethro's locating the Israelite encampment in the desert (Exodus 18:5), and his jubilation and bearing witness to the goodness that God has bestowed upon the Israelites in redeeming them from Egypt (Exodus 18:9). Recognizing that Jethro had successfully tracked and located the Israelites encampment in the vast wilderness, and then recognized God's goodness towards the Israelites, Moses extends the offer to Jethro to partake of the future goodness that God has promised to the Israelites – in return for guiding the camp during their upcoming desert journey (Num. 10:29-32).

This fulfillment and promise of goodness, creates a certain irony in the second story that takes place on the following day: Moses had depicted his father-in-law as being the “eyes for the encampment of the Israelite people.” However, what Jethro is an eye-witness to in the encampment, is Moses, his beloved son-in-law, trying to lead and judge the people all by himself. Moses spoke the truth without knowing it – Jethro was indeed eyes for the people – but what Jethro's eyes saw was not where to camp in the desert – what Moses expected him to see and to thereby benefit the Israelites – but rather the system of justice (or lack thereof) that Moses was relying upon within the encampment which Jethro “saw” and understood was not sustainable (Ex. 18:14, 17, 18). Jethro therefore advisedly uses the term “lo tov,” “not good” to describe Moses' improvised system of justice. Jethro is, in effect, saying: your past has been a good one; and your future, as you have told me God has promised you, may similarly be filled with a five-fold goodness; but what you are doing now is not good, threatening your ability to successfully bring the Israelites to the good land.

Third, there is also a parallelism between the conclusion of the first half of the re-constituted narrative, where Moses extends the offer to Jethro, but Jethro's final answer remains unclear; and the conclusion of the second half of the reconstituted narrative, where Jethro's final decision comes into focus and is finalized. In the first part, Jethro explicitly demurs to Moses' first offer but does not explicitly demur to Moses' second generous offer in front of the other guests at the State dinner; in the second part, his answer to Moses invitation to join the Israelites is implicit in what he tells Moses in Exodus 18:23, two-thirds of the way through that part of the story, and explicit in the final verse, forming a chiasmic structure of the narrative. In Ex. 18:23, he says that if Moses follows his counsel, then Moses will succeed *and his people will*

come to their place in peace. That is, the Israelites will arrive in their place – informing Moses in not so many words, that he, (Jethro), still intends to return to his place, his native land. Moses understood Jethro’s allusion, so that in the final verse in Exodus, Moses reluctantly allows Jethro to return to his land – the land that Jethro told him at the State dinner to which he planned to return - not the land destined for the Israelites. The word used to bid his father-in-law farewell, *va-yi-sha-lach* – is the same, strong *pi-el* form of the word “to send” that Moses used with Pharaoh when he requested that they be set free. Like Pharaoh, he frees Jethro, as it were, against Moses’ will and better judgment, to return to Jethro’s own homeland.

Of additional relevance is that by parsing and stitching this story back together, several important key-words come to light which indicates that the Exodus and Numbers segments in fact form a carefully constructed, single narrative: Moses’s name is found 21 times in the combined story. This exactly parallels the number of times that Jethro’s pronoun, “father-in-law,” appears (14 times) when added to the number of times that his proper name, Jethro, appears (7 times) – a total of 21 times. Moses and Jethro are, of course, the two interlocutors in the story and, for purposes of this story, function as equals.

But there is another central character in the story – the Israelites, *Am Yisrael*, the subjects of both the first and second half of the story. When the two halves of the unified story are combined, the proper noun for the Jews, “*Yisrael*,” appears 7 times and the pronoun referring to the People, “*Am*,” is found 14 times, again equaling 21.²² Putting this all together, we find that “Moses”, his “father-in-law, Jethro,” and “Am, Yisrael” are each found 21 times – but only when the stories of Exodus and Numbers are combined.

There is one additional key word that appears in a multiple of seven – actually, exactly seven times – when the stories are combined: the word, “*tov*,” good. The word “good” is found five times in Numbers 10:29-32. There it seems redundant, almost forced into the text: “Come with us and we will be good towards you; for the Lord has promised to be good towards Israel . . . So if you come with us, then the good that God’s goodness will bestow to us will be extended as goodness towards you.”²³ But when Numbers 10:29-32 is reinserted into Exodus 18, where the word “good” appears two times (Ex. 18:9 & 18:17) it means that the word “good” (*Tov*) appears a total of seven

times in the story as a whole, making the word “good” another *leitwort* characterizing Jethro’s arrival and presence among the Israelites.

In the Torah, the last time that the word “good” appears 7 times in one story, is in the Creation story of the universe found in Genesis 1. One might say that the ordered creation of the physical universe and the ordered creation of the judicial universe of “Am Yisrael,” are both, from the Torah’s perspective, “good.” They also both create the framework for what follows – the command by God of Adam in chapter 2 of Genesis instructing him how to live, and the Commandments by God to the Israelites, that follow in chapters 20-23 of Exodus, instructing them how to live.

So why then does the Torah parse this amazing, perfectly symmetrical story and then place the two segments in separate places, upending its symmetry? Because as the principle of *ayn mukdam u’meuchar batorah* postulates, more than symmetry or chronology, the Torah is concerned with thematic, educational clarity. First as Ibn Ezra already points out, the brunt of the story is placed in Exodus, even though it occurred, in his judgment, a year later. It is done so, in order to juxtapose and contrast Jethro’s goodness with Amalek’s evil in the Exodus story that immediately precedes it (Ex. 17:8-16).²⁴

Second, the text in Exodus 18 is leading the reader toward the establishment of the judicial system and its content – the Law of the Torah. Before the content of the Law is laid out, a framework, in which to insert that content is necessary.²⁵ Exodus 18 provides that judicial framework. In contrast, this point in the Exodus narrative is not the appropriate place for the reader to be reminded of the Promised Land as it would distract from, and perhaps diminish, the build-up toward the revelation at Mount Sinai, which takes place in the following chapters.²⁶

In Numbers, on the other hand, the Torah is preparing the reader to follow the people as they embark on their journey away from Mount Sinai to the Land of Israel.²⁷ All the preparations are put into place – the ordering of the camp during the march, the pillar of cloud and pillar of fire leading the people during the march, the fashioning of the trumpets and the meaning of their soundings to signal the commencement and conclusion of each march,²⁸ – in short, all the finishing touches that are necessary for the journey to commence. Moses’ invitation to his father-in-law is the last of the finishing touches before embarking on that journey. The very next words following

Moses' invitation to Jethro are, *they set out on their journey from God's Mount* towards the Land of Israel. In that context, Moses is inviting his father-in-law to join the people on that journey to their final goal, the good and spacious land, and giving him a role, as the people's scout, to help them find the best places to camp along the way in order to get there.

To keep the readers of the Torah focused on each theme in its respective and appropriate place in the text, the Torah split this almost perfectly symmetrical story into two: focusing on the establishment of the Law in Exodus 18 and on the journey to the Promised Land in Numbers 10. Still having done so, the Torah left enough dangling pieces, clues if you will, for the reader to piece back together, so as to appreciate the cohesiveness and artistic mastery of the original narrative.

Finally, in addition to recovering its literary symmetry, an important moral lesson might emerge from reconstituting the story into its original, cohesive whole. The reader might recall that when Moses journeyed to Midian in chapter two of Exodus, Jethro graciously offered him a home in Jethro's country, Midian, in which Moses agreed to reside (Exodus 2:21); he further provided Moses with a family – Moses' wife, Tzipora, who bore Moses's children (Exodus 2:21-22; 18:3,4), and a job, as his father-in-law's shepherd (Exodus 3:1). It was fitting that when Jethro now journeyed from Midian to Moses, that Moses should reciprocate Jethro's kindness by offering him a home in the future country of the Israelites, Israel; the opportunity to stay reunited with his family – his son in law, his daughter and two grandchildren who he had brought with him; and a meaningful job as the people's eagle scout in the desert. Moses did not wait a year to extend this generous offer to Jethro as is implied in its current placement in the 10th chapter of Numbers; he extended it to his father-in-law on the very day of his arrival in the camp of the Israelites, right after dining with him. This was payback to Jethro who had extended his generosity to Moses on the very day of his arrival in Jethro's encampment in Midian, there too, after first dining with him (Exodus 2:20).

In the reconstituted story Moses served his father-in-law more than a single meal; in a demonstration of measure for measure, one of the underlying principles of the Torah, he offered him a permanent home, the closeness of his immediate family and a meaningful role among the nation.

So why did Jethro turn him down? Perhaps simply, like the people of Israel who were yearning to return to their ancestral homeland, Jethro too yearned to return to his homeland, because as Dorothy famously said in the Wizard of Oz, “there is no place like home” (Numbers 10:30).²⁹

APPENDIX : THE PROPOSED RECONSTITUTED BIBLICAL TEXT

Jethro priest of Midian, Moses' father-in-law, heard all that God had done for Moses and for Israel His people, how the Lord had brought Israel out from Egypt. So Jethro, Moses' father-in-law, took Zipporah, Moses' wife, after she had been sent home, and her two sons – of whom one was named Gershom, that is to say, “I have been a stranger in a foreign land”; and the other was named Eliezer, meaning, “The God of my father was my help, and He delivered me from the sword of Pharaoh.” Jethro, Moses' father-in-law, brought Moses' sons and wife to him in the wilderness, where he was encamped at the mountain of God. He sent word to Moses, “I, your father-in-law Jethro, am coming to you, with your wife and her two sons.” Moses went out to meet his father-in-law; he bowed low and kissed him; each asked after the other's welfare, and they went into the tent. Moses then recounted to his father-in-law everything that the Lord had done to Pharaoh and to the Egyptians for Israel's sake, all the hardships that had befallen them on the way, and how the Lord had delivered them. And Jethro rejoiced over all the goodness that the Lord had shown Israel when He delivered them from the Egyptians. “Blessed be the Lord,” Jethro said, “who delivered you from the Egyptians and from Pharaoh, and who delivered the people from under the hand of the Egyptians. Now I know that the Lord is greater than all gods, yes, by the result of their very schemes against [the people].” And Jethro, Moses' father-in-law, brought a burnt offering and sacrifices for God; and Aaron came with all the elders of Israel to partake of the meal before God with Moses' father-in-law. Moses said to Chovav, son of Reu-El, the Midianite, Moses father-in-law: “We are setting out for the place of which the Lord has said, ‘I will give it to you.’ “Come with us and we will be good towards you; for the Lord has promised to be good towards Israel.” “I will not go,” he replied to him, “but will return to my native land.” He said, “Please do not leave us, inasmuch as you know where we should camp in the wilderness and can be our eyes. So if

you come with us, then the good that God's goodness will bestow on us will be extended as goodness towards you."

On the next day, Moses sat to judge the people while the people stood about Moses from morning until evening. 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 until evening?" Moses replied to his father-in-law, "It is because the people come to me to inquire of God. 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." But Moses' father-in-law said to him, "The thing you are doing is not good; you will surely wear yourself out, and these people as well, for the task is too heavy for you; you cannot do it alone. 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, 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. You shall also seek out from among all the people capable men who fear God, trustworthy men who spurn ill-gotten gain. Set these over them as chiefs of thousands, hundreds, fifties, and tens, and let them judge the people at all times. Have them bring every major dispute to you, but let them decide every minor dispute by themselves, making it easier for yourself by letting them share the burden with you. If you do this – and God so commands you – you will be able to bear up; and all these people too will arrive at its home in peace." Moses heeded his father-in-law and did just as he had said. Moses chose capable men out of all Israel, and appointed them heads over the people – chiefs of thousands, hundreds, fifties, and tens; and they judged the people at all times: the difficult matters they would bring to Moses, and all the minor matters they would decide themselves. Then Moses bade farewell to his father-in-law and he went on his way to his own land.

NOTES

1. The author was privileged to be part of a reading group at Shalem College in the 2017-18 academic year that responded to Professor Kass's draft commentary.
2. On the *leitwort*, see, for instance, Yitzchak Etshalom, *Between the Lines of the Bible*, Volume 1, (New York: Yashar Books, 2006) pp. 191-204.
3. The seven-fold repetition of a specific word or a concept in the Biblical text can be seen as being akin to the personal signature of the Divinely inspired author/redactor of the Torah. It

allows the careful Biblical reader to know that there are no accidents in the final version of the biblical text - that every word in the Torah's stories, like every detail in the story of the seven days of creation, was carefully and intentionally chosen in its final redaction. For a similar point of view, see Daniel Langer, *The Seventh and the First – The Divine Thread of the Torah* (Jerusalem, Urim Publications, 2012).

4. Available in printed form in Hebrew in: *Studies in the Weekly Parasha, Second Series, Vol. 1* (Tel Aviv: Yediot Books, 2009) pp. 82-101. A summarized, digital, English version is found at: <http://etzion.org.il/en/there-avraham-was-buried-and-sarah-his-wife>.

5. Ibid, pp. 96-97, fn #18, where Samet cites 3 additional examples of split stories in the Bible. Although this notion of a split narrative may at first seem uncomfortable to the traditional reader of the Torah, one might predicate it on the Talmudic opinion of R. Yochanan in TB *Megilla* 60a that the Torah was revealed to Moses piecemeal, “scroll by scroll,” and then redacted – edited and arranged by Moses at the end of his life, by appropriate theme and association (Deuteronomy 31:24-26). This is not only true of the narrative portions but also of the legal portions, the commandments in the Torah. For an example of the latter see the commentary of Chizkuni on Exodus 34:32. An example from the rabbinic tradition of something akin to a split narrative, is the *Mekhilta's* understanding that Leviticus 25 and 26 were part of the “Book of the Covenant” that Moses read to the people in Exodus 24:7 and to which the people verbally assented with the words, *na-aseh ve-nishma*, “we shall obey and we shall listen.” Despite belonging in *Parshat Mishpatim* of the book of Exodus, prior to describing the event in which the Book of the Covenant was read and affirmed by the people, the chapters of the Sabbatical/Jubilee and Tochacha were moved in the Torah's final editing to the end of Leviticus, apparently for thematic reasons. See, also, Chizkuni on Exodus 24:7.

6. Samet's discussion of this split is found in his Hebrew Torah commentary on *Vayehi: Studies in the Weekly Parasha, Third Series, Vol. 1* (Tel Aviv: Yediot Books, 2012) pp. 240-258.

7. So shrouded in mystery is the entire episode in Numbers, that we are not even certain whether the invitation was addressed to Moses' father-in-law or to his brother in law – see Ibn Ezra's commentary on Numbers 10:29.

8. Elchanan Samet, *Studies in the Weekly Parasha, Third Series, Vol. 1* (Tel Aviv: Yediot Books, 2009) pp. 46-47, pp. 77-78.

9. See Appendix I at the conclusion of this essay for the reconstituted story.

10. An example of that is Numbers 1:1, which takes place on the first day of the second month of the second year after the Israelites left Egypt which precedes Numbers 7:1 and 9:1, which take place during the first month of the second year after the Jews left Egypt. See my, *The Genesis of Leadership* (Vermont: Jewish Lights Publishing, 2006) p. 200, suggesting why the Torah's narrative in Numbers does not follow its customary chronological order.

11. If the appointment of the judges took place as they were getting ready to embark on their journey to the Promised Land, then one wonders where the story of God instructing Moses to gather the seventy elders (Numbers 11) fits in. It is possible that after Jethro gave him this advice to appoint judges, Moses did not know how to go about identifying the appropriate judges by himself. He was, after all, an outsider, to the Israelites. Therefore, God instructed him to appoint the seventy elders, who knew the people as insiders do, and who, in addition, would be imbued with some of Moses prophetic spirit to assist him in identifying the 78,600 individuals capable of

comprising the heads of tens, fifties, hundreds and thousands. Although this is far from seamless, this may be a plausible way of reconciling Exodus 18, with Numbers 11 and Deuteronomy 1:15.

12. Luzzato's understanding is akin to the Sages statement: "The language of the Torah is sparse in one place, but robust in another place" (TJ *Rosh Hashanah*, 17a, Chapter 3, Halachah 5).

13. Since the stories appear to be entirely independent of each other, Samet, in the first series of his Hebrew commentary on the Torah portion of Yitro (p. 206), conjectures that these are two separate stories. This paper suggests, using his methodology, that they in fact constitute one, single story with the missing section, linking the two parts of the narrative in Exodus, being Numbers 10:29-32.

14. See *Mekhila*, on Exodus 18:12. Professor Kass has come up with a brilliant insight of his own to explain Moses' absence, which the reader of his forthcoming commentary on Exodus will discover for themselves.

15. The verse states that *Aaron and the Elders of Israel came to break bread with Moses' Father in Law before God*. The text should have stated ... "break bread with Moses AND his Father in Law."

16. Rashbam, in his commentary on 18:12, concludes that Moses was present and explains that Moses' presence was not explicitly mentioned because the dinner took place in Moses' tent where his presence was self-evident.

17. See Appendix I

18. This interpretation of "Chovav" is per Abravanel's commentary on Numbers 10:29.

19. Alternatively, perhaps "God's shepherd" (Reu-el) refers to the actual name of Jethro's father who is mentioned in passing in Exodus 2:18.

20. In an article sent to me by Professor Jonathan Grossman, <https://etzion.org.il/en/moshe-and-chovav>, in response to reading an earlier draft of this paper, he refers to Moses' initial offer to Jethro as being: "both lyrical and ceremonious, as a result of the repetition of consonant sounds in the request and the promise: "Lekha (go), itanu (with us), ve-hetavnu (and we shall be good), lakh (to you)." Professor Grossman's insightful, close reading, lends support to the thesis that these "lyrical and ceremonious words" were spoken by Moses in his formal speech at the festive state dinner honoring his father-in-law.

21. Elchanan Samet, *Studies in the Weekly Parasha, First series, Vol. 1*, (Tel Aviv, Yediot Books, 2009) on *Parshat Vayera*, pp. 46-47 and *Parshat Vayetze*, pp. 77ff.

22. Thus, the mention of both Jethro and Yisrael are found 7 times as proper nouns, while the pronouns of "father-in-law" and "nation" are each found 14 times.

23. In Numbers 10, the five-fold repetition of the root word *tov* – 'good' is clearly meant to be contrasted to the four-fold use of the root word *ra* – 'evil' – in the story of the Israelites' devolution in Numbers 11:1-15.

24. By placing the two stories side by side, it serves to link the two in the mind of the Biblical reader. Later on in I Samuel 15, this juxtaposition turns out to have practical consequences. Saul warns the Kenites (Jethro's clan) to remove themselves from among the Amalekites who were about to be attacked by Saul's army (avenging the evil that the Amalekites wrought upon the Israelites when the latter left Egypt). He does so, the text tells us, in order to reward the Kenites for the goodness that their ancestor, Moses's father-in-law, extended to the Israelites after leaving Egypt.

25. When the Torah portion of *Mishpatim* begins with the words “and these are the laws that you shall place before them”, the *Midrash Tankhuma* (*Mishpatim* 6) comments that “them” refers to the expert judges – presumably those very judges that were previously appointed by Moses in Exodus 18:23 who were to judge (*‘ve-shaftu’*) the people and to adjudicate (*‘yish-pu-tu’*) the smaller matters by themselves. It is also worth noting, that creating the structure and only then the content of the law, parallels how Bezalel constructs the Mishkan, in Exodus 36 ff. – first building the Mishkan’s external structure and only then its furnishings (see TB *Berakhot* 55a cited by Rashi on 38:22).

26. The Land of Israel will only be mentioned after the Revelation of the laws, towards the end of the Torah portion of *Mishpatim* (Ex. 23:20-33), right before concluding the ratification of the covenant at Sinai (Ex. 24:1-8).

27. In Professor Grossman’s article cited in note 20, he points out that the word for “journey” (n –s –a) appears a total of 28 times (4 x 7) in the section of Numbers leading to its’ commencement, making it a key word of this whole section. One of those 28 usages of the word is in Numbers 10:29. This too lends support to why this four verse section, inviting Moses’ father-in-law to join the Jewish journey to the Promised Land, was moved from Exodus 18 to Numbers 10.

28. Samet comments on *Parshat Behaalotkha*, in his *Studies in the Weekly Parasha, Third Series, Vol. 2:* (Tel Aviv, Yediot Books, 2015) pp. 224 ff.) that the section regarding the fashioning of the trumpets, was uprooted from the fashioning of the other appurtenances of the Tabernacle in the book of Exodus, where, by virtue of its content and language, it rightfully belongs (either immediately before, or after, the description of the fashioning of the pitcher and wash basin – Exodus 30:17-21). Presumably, in the Torah’s final redaction, it is placed in Numbers 10:1-10, for the same reason that the Jethro episode is placed in that chapter - to frame it within the final preparations for beginning the journey towards the Promised Land.

29. This runs contrary to the opinion of many commentators, including Rashi, that Jethro later returned to join the Israelites and remained with them (for which Judges 1:16, and 4:11 could act as proof-texts; however, these texts could actually prove the opposite: that they remained separate and apart from the Israelites but were considered loyal friends and allies who the Israelites took pains to protect – see, *ibid.* I Samuel 15:6). Jethro’s double words, *artzi*, ‘my country’ and *moladiti*, ‘my birthplace,’ in refusing Moses’ offer to journey to the land of Israel (Numbers 10:30), evokes, by contrast, Abraham’s courageous decision to leave both his country and birthplace in order to journey to the land in response to God’s call (Genesis 12:1,4); Rebecca’s courage to do the same (see, Genesis 24:4, 58); and Ruth’s decision, several hundred years later, to leave her country and birthplace to journey to the land of Israel, permanently joining the Israelites (Ruth 1:16, 2:11). Contrary to the aforementioned commentators, it seems that despite Moses’ best efforts, Jethro was unwilling to do what Abraham, Rebecca and Ruth were willing to do: to cut their ties to their homeland, join the Israelites and journey to the Promised Land.
