

WHO AUTHORIZED ISRAELITE SETTLEMENT EAST OF THE JORDAN?

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Presumably, the last logistical hurdles had been overcome, the last backsliding arrested, and the new generation of Israelites stand poised to enter the Promised Land of Canaan. Suddenly, out of the blue comes an unexpected and extremely upsetting request to the aging leader Moses. It seems that the newly conquered Amorite lands of Kings Sichon and Og on the east side of the Jordan River were good grazing country. So the leaders of the tribes of Reuben and Gad, who had many cattle, approach Moses with the following innovative request: *'Let this land be given to your servants for a possession, bring us not over the Jordan'* (Num. 32:5). Moses' immediate reaction is a passionate and extended outburst of anger and bitterness (32:6-15), accusing them of repeating the grievous sin of the *meraglim* [scouts or spies] because of which that entire generation was not permitted to enter the land and perished in the wilderness.

What Moses found dangerous in the request was the deleterious psychological effect it would have upon the other tribes. After all, the lands of Sichon and Og had been conquered by the united effort of all the tribes. For two of the tribes to now appropriate for themselves the fruits of that combined effort, for them to declare the war over for themselves and to leave to the others alone the burden of conquering the more difficult portions ahead, was manifestly unfair. *'Shall your brothers go to war and you shall sit here?'* (32:6). Moses realizes that even if the land west of the Jordan could be conquered without the help of these two tribes, receiving their portions now would create envy and jealousy among the others and weaken the unity of Israel as a nation.

But, of course it was all a misunderstanding. Spokesmen for the two tribes immediately hasten to point out that their intention is, for the time being, to settle only their women, children and livestock in the conquered lands.

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However, their fighting men will cross the Jordan and fight alongside their brothers as a vanguard force [*halutzim*] and not return until the inheritance of the other tribes has been won. Moses agrees to the arrangement and so the matter is resolved.¹

In retrospect, the offer to send their fighting men to help the other tribes certainly removes the basis for Moses' initial objection. However, it would seem that a more important issue remains unaddressed. By whose authority are the two tribes granted permission to settle on the east bank at all? In the text it is to Moses and Moses alone that the request is directed. It is Moses who vehemently objects and who, upon learning the full plan, grants the request. There is no mention of Moses consulting God. Is it plausible that Moses, who for much less significant issues seeks the advice of God, would take upon himself the responsibility for such a momentous decision? Is this very different in principle than if some of the tribes had petitioned to remain in the oasis of Kadesh Barnea?²

All of the references to the land, beginning with the promises to the Patriarchs, speak of "the land" of Canaan, which in the days of Moses had a particular geographic referent. While its north-south boundaries were never precise, a sea and a river determined its east-west limits, it did not include lands east of the Jordan.³ In terms of its precise location for those situated on the east side of the Jordan, it was always *when you will cross the Jordan* (Deut. 27:2). While it is adjacent to the land of Canaan, settlement on the east bank by a goodly segment of the adult male population of the nation constitutes a major expansion and modification of the original Divine plan. So, by whose authority is this request of the two tribes granted?

Before we attempt an answer, let us examine some rabbinic comment on this matter:

1. The rabbis condemn the two tribes for assigning greater importance to their material wealth than to the value of living in the greater sanctity of Canaan, and declare that as the reason they were the first to be exiled⁴ (see I Chron. 5:26). Contributing to this was the fact that the lands east of the Jordan lacked the natural defenses of Canaan, and was more exposed to incursions from empires to the north and tribal coalitions from the east and south.

2. From the beginning, the advocates of settlement on the east side of the Jordan are given as the *b'nei Reuven* and *b'nei Gad*. However, when Moses decides to grant their request we suddenly hear of the presence of another group, half of the tribe of Manasseh (Num. 32:33).

This is explained in various ways:

a. During the general fighting on the east side of the Jordan, one of the Manasseh clans had conquered a large section of the Gilead and Bashan but had hesitated to make any radical requests for settlement.⁵ Once the tribes of Reuben and Gad took that daring step, these Manasseh clans joined in.

b. Realizing that over time the distance and different conditions might create a sense of alienation between the tribes east and west of the Jordan, Moses decides to split one of the larger tribes, placing half on one side and half on the other. The idea is that the strong family and tribal ties would keep the two groups in contact with each other. One of the commentators adds that the tribe of Manasseh was chosen because it was known to have a strong knowledge of and attachment to tradition.⁶

3. A recent study suggests that splitting the tribe of Manasseh had far more serious consequences than could have been known at the time.⁷ According to the Book of Joshua, the Manasseh clans on the west side in Canaan did not conquer the Canaanite cities in the Jezreel and Bet Shean valleys, leaving the Canaanite population living there until well into the period of the United Kingdom.⁸

It is estimated that the total amount of *land* that remained unconquered long after the death of Joshua was about 20 percent of the total, corresponding to the 20 percent of the adult male population composing the two-and-a-half tribes permitted to settle on the east side of the Jordan. This implies that in the absence of the population that chose to settle east of the Jordan, the rest of the tribe of Manasseh had sufficient alternative land so that they had no real incentive to go up against the fortified Canaanite cities.

Since, as it turns out, the move of the two-and-a-half tribes was not such a happy one, at least in terms of its long-term consequences, the question of responsibility becomes more urgent. On whose authority was the move permitted?

I wish to offer an interpretation which is suggested by the special way the text handles the story of the spies *meraglim*, to which Moses originally

compared the request of the tribes of Reuben and Gad. The first few chapters of the Book of Numbers deal with various matters which occurred in the Sinai wilderness during the second year after the Exodus. Chapter 13, however, begins abruptly as follows: *And the Lord spoke unto Moses saying: 'Send you [shelah lekha] men that they may spy out the land of Canaan'* (Num. 13:1). Clearly, it is God Himself who is here depicted as initiating matters, and who instructs Moses to send forth the spies. And yet in the retelling by Moses in his farewell address, the story is quite different: *And all of you came close to me and said: 'Let us send men before us that they may search the land for us And the matter pleased me well and I took twelve men of you . . .'* (Deut. 1:22-23).

Were we to have this latter source only, we would conclude that Moses on his own authorized the mission of the spies at the behest of the people. Putting the two texts together, however, the rabbis, not implausibly, explain the words of God to Moses: *shelah lekha* as *Send according to your understanding*. I do not command you, if you so desire, send.⁹ Indeed, this is supported by the next verse in Numbers which states: *And Moses sent them from the wilderness of Paran al pi haShem* (13:3) ("with God's permission" – Rashi). Therefore, after much reconciling of misleading sources, it turns out, that this disastrous project – the sending of the spies – was demanded by the people, judged positively by Moses and, when consulted, God granted permission.¹⁰

May I suggest that the reason why the initiation of this important historical event was not clearly set forth at the beginning was to deflect the fixing of responsibility for its terrible consequences away from both God and Moses. The reason for Moses' acquiescence is quite understandable. Although fully aware of the unnecessary nature of the trip, Moses knew that refusing to accede to the people's demand would only invite suspicion that he had something to hide. God, however, who foresees the future, might have been expected to take steps which could have prevented what ultimately happened. By blurring the origins of the spies' mission, the text wishes to focus upon the unreadiness of the people for entrance into Canaan.

This same approach to a very similar situation is used in our case of the request of the two tribes. The question by whose authority the right of settlement was granted to the two tribes is deliberately obscured. Once again,

as with the spies, the initial request (or demand) comes from the people. And, as in the case of the spies, the long-term dangers implicit in granting the request are quite apparent to Moses. Unquestionably, wisdom and prudence require that the Divine plan be adhered to, and that these powerful tribes should be held to making their homes on the west side of the Jordan. But, as in the case of the spies, Moses, the leader in the here and now, must weigh the consequences of refusing their request. The relationship between Moses and the people at that point is quite different than it was 40 years earlier. Then, as newly liberated slaves in a "wilderness" environment, they were totally dependent upon Moses for every aspect of their existence. The new generation, however, had experienced a certain degree of self-sufficiency and feels more independent. As a leader "on his way out" it would be much more difficult for Moses simply to assert his authority.

It was his judgment, time bound as it was, that all things considered, once these tribes offered to send their fighting men as a vanguard the immediate positive factors outweighed the possible negative.¹¹

There are two texts which suggest that Moses did consult God. After Moses confirms the agreed conditions, we read: *And the b'nei Reuven and the b'nei Gad answered saying: 'As the Lord has said unto thy servants so will we do'* (Num. 32:31). In other words, Moses had agreed to the stipulated conditions *in the name of God*. The other reference is to be found in the Book of Deuteronomy where Moses recapitulates the story: *'And I commanded you at that time saying: The Lord your God has given you this land [east of the Jordan] to possess it'* (Deut. 3:18). Once again, since we are dealing here with an unscheduled and unexpected event which ultimately has negative consequences, the role of God is kept in the dim background.

The biblical God is preeminently the God of history, for which He has plans, goals and timetables. However, having given man freedom, God is prepared to entertain detours, delays and modifications of the basic plan. When Israel is young, the Omniscient One leads him by the hand via byways in order to avoid pitfalls.¹² However, as Israel gets older and insists on going his own way, God may sadly let him do it, for sometimes that is the only way one learns. As the rabbis have noted: "A man is led on the road he wishes to take."¹³

NOTES

1. See Joshua 22 which is entirely devoted to the return of the two-and-a-half tribes to their portions on the east side of the Jordan. Not, however, without further misunderstanding.
2. Kadesh Barnea is an oasis, rich in springs, at the southern edge of the land of Canaan and was the center of the Israelite stay in the wilderness for many years.
3. Genesis 12:5. See Benjamin Mazar, "Canaan and the Canaanites," in *Biblical Israel* (Jerusalem: Magnes Press, 1992) pp. 16-22.
4. Midrash Bamidbar Rabba 22:7.
5. See Deuteronomy 3:12-14.
6. *Ha'emek Davar* on Deuteronomy 3:16.
7. Yakov Noy in *Hatzofeh*, July 29, 2005.
8. See Joshua 17:11-13; Judges 1:27-28; Judges 3:1-5.
9. See Rashi and Ramban on Numbers 13:2.
10. See Rashi on Deuteronomy 1:22.
11. One notes a certain consistency in Moses' policies. When he has the opportunity, he opts for a more populous people and for a more extensive land. In leaving Egypt, it was Moses' decision, according to the sages, to take along a "mixed multitude" (Ex. 12:38) of non-Israelites. And now he opts to join the land east of the Jordan to a "Greater Israel." Perhaps he took literally the Divine Promise: *Every place the sole of your foot shall tread shall be yours* (Deut. 11:24).
12. See Exodus 13:17-18.
13. Makot 10a.



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