**PARASHAT HASHAVUA**

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This parasha series is dedicated

in memory of Michael Jotkowitz, z"l.

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**PARASHAT DEVARIM**

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**The Story of the Spies:**

**The Contradictions Between Shelach and Devarim**

**By Rav Elchanan Samet**

I. INTRODUCTION

 A comparison between Moshe's account of the incident of the spies in our parasha with its initial presentation in Parashat Shelach reveals dozens of differences between the two accounts. We may categorize these discrepancies into four groups:

1. the omission from our parasha of many details found in the account in Parashat Shelach;
2. changes within the details common to both accounts;
3. additional information in our parasha not presented in Shelach;
4. outright contradictions between the two parshiyot.

 We will focus on category D, the contradictions, since they pose the most serious problems from an exegetical standpoint. The most obvious contradiction arises already at the outset of the two accounts, specifically regarding the impetus behind the decision to dispatch scouts. Whereas Parashat Shelach records the Almighty's having initiated the mission with an explicit command to Moshe (Bemidbar 13:1-2), in Parashat Devarim, Moshe attributes the initiative to the people (Devarim 1:22). This contradiction yields many ramifications regarding other issues, as well, such as the nature of Moshe's involvement, the character of the spies themselves, and the very content of the mission:

1. In Parashat Shelach, Moshe simply follows the divine command: "Moshe sent them from the wilderness of Paran, by God's command" (Bemidbar 13:3). In our parasha, by contrast, Moshe acts in accordance with the people's request, which had "found favor in his eyes" (Devarim 1:23). Here, he dispatches the scouts of his own volition.
2. In His command to Moshe in Parashat Shelach, God also singles out by name the people chosen for this mission. Moshe complies and appoints "men, the heads of Benei Yisrael" (Bemibdar 15:3). In our parasha, however, the people do not recommend any individuals for the mission, and Moshe assigns the task to "twelve people, one person per tribe" (Devarim 1:23). Though in both accounts Moshe sends one spy from each of the twelve tribes, our parasha omits their names, which do appear in Shelach, and does not even identify them as the tribal leaders of Benei Yisrael.
3. Our parasha explicitly informs us as to the intended content of the mission, recording the nation as requesting, "Let us send men ahead to reconnoiter the land for us and bring back word on the route we shall follow and the cities we shall come to" (Devarim 1:22). The nation asked for a scouting mission as part of their preparation for the imminent conquest of Eretz Yisrael. The purpose of the mission as presented in Parashat Shelach, however, is far less clear. God tells Moshe very plainly, "And they shall scout the land of Canaan that I am giving to Benei Yisrael" (Bemidbar 13:2). Apparently, due to the ambiguity regarding the mission's purpose, Moshe felt compelled to present the scouts a list of questions and instructions, directing them as to what they should pay attention to when they scout the land (Bemidbar 13:17-20). (Our parasha says nothing about these questions, since in this context they would be superfluous: the mission's purpose has already been clearly defined by the people.) However, even Moshe's detailed questions and instructions do not sufficiently clarify the mission's goal. Is it military, intended as part of the preparations for the conquest, or economic-geographic, for the purposes of settling the land? Or is the mission intended to serve some other function?

II. WHY IS MOSHE DENIED ENTRY INTO THE LAND?

 Before addressing this critical discrepancy between the two accounts, we must first turn our attention to yet another question that arises from a comparison between the two parshiyot. As part of his account in our parasha, Moshe quotes the Almighty's oath forbidding the current generation from entering the Promised Land (Devarim 1:35-36). Moshe then adds two startling verses: "Because of you God was incensed also with me, and He said: You shall not enter [the land] either. Yehoshua, son of Nun, who attends you, he shall enter it. Imbue him with strength, for he shall allot it to Yisrael" (1:37-38). Moshe then cites God's further comments concerning the nation.

 What did Moshe mean in verse 37? The Rishonim by and large understood this as a reference to Moshe's sin at Mei Meriva, which occurred a full thirty-eight years after the incident of the spies. Moshe thus inserts this verse as but a parenthetical statement. But if so, why did Moshe mention this here at all? The Ramban answers, "He wished to mention together the punishments of all those forbidden from entering the land, for this all resulted from their sins."

 One must confess, however, that a reader unfamiliar with the incident of Mei Meriva (Bemidbar 20:1-13) would, without any difficulty, interpret these two verses as a reasonable continuation of God's response to the incident of the spies. He would easily read this unit (Devarim 1:34-40) as follows: God was angered by the people's refusal to proceed to Canaan and issued two similar punishments, sparing one individual from each. First, He decreed that the entire generation would perish in the wilderness, with the exception of Kalev, who did not participate in the wrongdoing. Secondly, Moshe, the nation's leader, is "also" punished "because of" the nation. Among the leadership, Yehoshua, Moshe's attendant and Kalev's partner in opposing the scouts, was spared from the decree. He will enter the land and inherit Moshe's position.

 According to this reasonable interpretation of the text, then, Moshe was denied entry to the land because of the sin of the spies. If so, we must ask an obvious question: Wherein lies Moshe's sin? After all, in the incident of the spies, he resisted the nation's rebellion and harshly rebuked them (Devarim 1:29-33)! Moshe appears to attribute his punishment not to any sin of his own, but rather to that of the people: "BECAUSE OF YOU God was incensed also with me." His punishment thus seems to have resulted from his "ministerial responsibility." He was the leader and the one who stood behind the scouting mission (verse 23).

 Indeed, one exegete among the Rishonim adopts a similar approach in explaining the verses in our parasha: Rav Yitzchak Abarbanel. His comments here possibly mark one of his most important, novel interpretations. We cite here one segment from his commentary to our parasha:

Indeed, Moshe Rabbenu sinned. When Yisrael requested scouts… this led to the decree against them that they will not enter the land… God saw… that it is right, just and fair that [Moshe], who brought about this, will not enter. Since Israel sinned intentionally while he sinned inadvertently and with good intentions, God wanted to preserve Moshe's honor, that his decree should not be included in the nation's decree in Parashat Shelach. He delayed His wrath just as… [He did] for Aharon for the incident of the calf. When, in Parashat Chukat… Moshe became angry by saying, 'Listen, you rebels!'… [God] saw fit at that moment to punish them for their previous sins. Thus, Mei Meriva served as the means towards an end, rather than the actual cause.

 Abarbanel brings thirteen proofs to confirm his approach. He concludes that the Torah associated Moshe and Aharon's punishment with the minor transgression of Mei Meriva "in order to preserve their honor and not to combine them with the sinners of Israel… so as to conceal it, such that only the select few called by God will sense the truth of the matter."

 According to this approach, the verse in our parasha, "Because of you, God was incensed also with me," seems to mark yet another contradiction between the two parshiyot. Any responsibility on Moshe's part for the incident of the scouts can arise only from the account in Parashat Devarim, according to which he suppthe idea and dispatched the spies based on his own calculations. In Parashat Shelach, however, Moshe operates only in complete compliance with the divine imperative; by this account, Moshe cannot bear any responsibility for what transpired.

 Even within the account in Devarim, however, it is difficult to justify the severe punishment against Moshe and the harsh expression "hitanaf" ("[God] was incensed") purely on the grounds of some vague "super-responsibility" as the nation's leader, without ascribing to him any actual guilt for something he did wrong.

III. THE HARMONIZING APPROACH

 Most Rishonim tried to combine both parshiyot into a single account based on the principle, "The words of Torah are 'poor' in one place and 'rich' in another place." Meaning, the Torah at times provides little information about a given topic in one context and fills in the material later. Rashi, Ibn Ezra and Ramban share a common assumption: the nation first came forth requesting a scouting mission, and God's command to Moshe in Parashat Shelach constitutes a response of one type or another to their request. (The commentaries disagree about whether the nation's request was made in good faith or not, and consequently disagree about the nature of God's reply.)

 In effect, these commentaries "superimpose" Parashat Shelach onto Parashat Devarim. Thus, for example, the Ramban explains the purpose of the scouting mission and the series of questions given to the spies as being military in nature, as explicitly stated in Parashat Devarim. He therefore interprets Moshe's charge to the scouts in Parashat Shelach in military terms, in light of the verses in Devarim.

 This general approach, in all the forms in which it appears, raises one serious difficulty. The stones of this mosaic, which together combine to form the single story, ignore one another in startling fashion, such that a reader of only one of the two parts would be completely misled. For this reason, as well as another that we will now see, we cannot accept this approach to resolving the discrepancies.

IV. "TARIM" VS. "MERAGLIM"

 [In my VBM shiur on Parashat Shelach](https://etzion.org.il/en/tanakh/torah/sefer-bamidbar/parashat-shelach/shelach-sin-spies) regarding the sin of the “spies,” I analyzed Shelach as a self-contained unit. Only after understanding the account in Shelach in its own terms can we deal with the discrepancies between this account and the one in Devarim. Let us therefore briefly review the conclusions of that shiur.

 The Hebrew verbs generally used in Tanakh to denote spying are "r.g.l," "ch.p.r." and "ch.k.r." Yet not one of these appears in the account of the incident of the scouts in Parashat Shelach. Instead, that parasha employs the rare verb, "t.o.r.," which appears twelve times in that account and emerges as the key word throughout the story as recorded there. This verb generally denotes movement for the sake of identifying and selecting a desired item or territory. Thus, in Shelach, God commanded Moshe to send men "…to scout ['ve-yaturu'] the land of Canaan, which I am giving to Benei Yisrael." Meaning, the "scouts" were actually sent to choose the land that the Almighty had already chosen to give to Benei Yisrael.

 The mission of the "tarim" did not relate to military preparation for conquest. Rather, Benei Yisrael, represented by one leader of each tribe, were to join God's selection of Eretz Yisrael. The Almighty wanted Benei Yisrael to receive the land after having become somewhat familiar with it, thus choosing it on their own. Indeed, the questions Moshe instructs the spies to answer are not of a military nature. Rather, Moshe posed these questions to outline for the people the defining characteristics of the land. In this way, Benei Yisrael would have some concrete picture of the good land they would soon receive, and would then enter Eretz Canaan enthusiastically, having selected it for themselves.

 In the end, however, the majority of those selected as "tarim" rejected the land. They were afraid of completing the grand historic process of the exodus from Egypt and entry to the promised land. They chose to abuse their position and reverse their mission: rather than leading Benei Yisrael to choose the land for themselves willingly, they incited the people to refuse the land. They did this first by slightly shifting their report from the geographical plane, the only area about which they were asked, to the military sphere, such that they would appear as simply responding to the questions posed to them. They thus alluded to the perceived impossibility of capturing the land. They presented their case more explicitly in their disputation with Kalev: "We cannot go up against the nation, for it is stronger than us." They concluded their remarks with slanderous lies about the land - "It is a land that consumes its inhabitants," indicating that even were the conquest within reach, it would not be worth their while.

 In summary, Parashat Shelach presents the following portrait: Rather than fulfilling their task of describing the land in terms that would lead the nation to choose it as their own, the "tarim" rejected God's gift, effectively diverting the divine historical process from its planned route.

V. ALLUSIONS IN EACH PARASHA TO THE MISSION OF THE OTHER

 This definition of the mission of the "tarim," as opposed to the military spying mission of the "meraglim" outlined in Parashat Devarim, further sharpens the contrast between the two accounts. It also explains why God commanded Moshe to initiate the mission in Parashat Shelach, while the nation took the appropriate and reasonable initiative in Devarim (to which Moshe responded favorably). Furthermore, we understand why high-ranking officials were selected for the task in Shelach, while anonymous individuals were appointed in Devarim.

 We should emphasize at this point that we are not distinguishing between a positive mission in Shelach and an illegitimate one in Devarim. To the contrary, both were acceptable and even vital, as both served as part of the nation's preparation for their imminent entry into the land.

 Let us therefore proceed to the next question: do these two very different descriptions of two very different missions "know" of one another? In other words, does Parashat Shelach contain any allusion of the existence of a different mission serving a different function, and does Parashat Devarim allude to the mission of Parashat Shelach?

 Regarding both parshiyot, the answer is in the affirmative. Parashat Devarim alludes to a non-military assignment by mentioning the selection of "twelve people, one man per tribe" to participate in the mission, an entirely unreasonable method from a military standpoint. In order to "spy" for the purposes mentioned by Benei Yisrael in Parashat Devarim, not only is there no need to send such a large delegation, but doing so could torpedo the entire plan. (Case in point: Yehoshua sent only two spies to Jericho.) Nor is there any need to send a representative from each tribe for a military mission. Thus, even a reader unfamiliar with Parashat Shelach could detect in Moshe's conduct a purpose beyond that for which the nation requested a scouting mission.

 This impression grows stronger as we read the spies' report in Devarim (1:25): "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.'" This report of the land's agricultural quality seems entirely out of context here, in the description of the military spy mission. Of what relevance is the land's fruits to "the route we shall follow and the cities we shall come to?" Clearly, this segment of the scouts' report relates to Moshe's instructions to the "tarim," as recorded in Parashat Shelach (Bemidbar 13:18-20): "See what kind of country it is… Is the country in which they dwell good or bad… Take pains to bring back some of the fruit of the land."

 We find the converse phenomenon in Parashat Shelach. Moshe dispatches the "tarim" to instill a love for the land within the hearts of Benei Yisrael. Moshe's questions directed them to describe to the nation Canaan's appeaand qualities. As we discussed, the "tarim" shifted their report from the specific questions they were asked to the military realm. But the question arises, why did they choose specifically this method of discouraging the nation from entering the land? Apparently, the military issue was not altogether foreign to their mission.

 In the previous section we noted that at the beginning of their report, the "tarim" made a point of appearing to answer Moshe's questions. In truth, this assertion is imprecise. They concluded their initial presentation with the following information (13:29): "Amalekites dwell in the Negev region; Hittites, Yevusites, and Amorites inhabit the hill country; and Canaanites dwell by the sea and along the Jordan." This demographic survey does not address any of Moshe's questions. Why did they mention this? The answer appears to be found in the description of the mission in Sefer Devarim: "They will bring back word on the route we shall follow and the cities we shall come to." In fulfillment of this charge, the "tarim" inform the nation of the inability to penetrate the land's borders, as it is blocked in all directions. The military nature of their report becomes more explicit in their second address: "We cannot go up against the nation, for it is stronger than us."

 It turns out, then, that although each parasha describes a mission with a clearly-defined character, each of the accounts also alludes to the other.

VI. RESOLVING THE DISCREPANCIES

 The path has now been paved to reconcile the contradictory accounts of this incident. We, too, work under the assumption that each of the two parshiyot requires the other, and we may reconstruct the events only based on both accounts. However, our approach differs in two ways from that taken by the Rishonim.

A) We suggest reversing the sequence conventionally suggested by the Rishonim. God's command to dispatch the twelve tribal leaders preceded and is independent of the nation's request of spies.

B) We do not view the two accounts as part of a single story describing a mission for one specific purpose. To the contrary, the key to resolving the discrepancies lies specifically in the vast difference between the two initiatives and the two missions that served such different functions. Nevertheless, we will claim that the two discrepant missions were combined in fact, as will be explained.

 After Moshe received the divine command to send the twelve tribal leaders to survey the land, and after he assigned them by name, the nation submitted their request to send military spies. Moshe decided to use the existing delegation for this purpose as well, in order to obtain the information necessary for the imminent military campaign.

 This mixing of responsibilities proved disastrous. True, each of the two purposes was necessary in itself, but combining the two was like mixing meat and milk: two permissible entities combine together to form a forbidden compound.

 If Moshe had assigned two or three qualified individuals - not necessarily tribal leaders - as spies, they would have reported their findings to Moshe alone, as spies would normally do (see Yehoshua 2:23). Then, even if they would have reached the same conclusions as did ten of the "tarim," i.e. that Benei Yisrael could not feasibly conquer the land, they would not have discouraged the entire nation. Moshe would have explained to them that the Almighty has unlimited power with which to assist them, and the disheartening report would have stopped there without ever reaching the public.

 More likely, however, if Moshe had sent a small handful of military personnel to spy, they would never have arrived at this conclusion. They would have concentrated on reporting the suitable routes of entry, as their mission required, without ever addressing the chances of victory, an issue regarding which they were never asked.

 It is hard to imagine how the second mission, that of the "tarim," would have proceeded were Moshe to have kept the two missions apart. Even if the ten "tarim" would have sought to discourage the people, they would not have had the opportunity to do so as easily as they did as a result of their combined mission. The added military responsibilities allowed them to shift their report away from Moshe's questions towards the issue of military feasibility without arousing suspicion or criticism. After all, the military information was now included in their mission. Moreover, they intentionally blurred the lines between the two areas, the land's external qualities and the military situation, so that no single report would be entirely positive.

 In addition, the double mission allowed them to present their military assessment to the entire nation, rather than to only Moshe, since their first report, which God commanded them to deliver, was intended from the outset for the public's ear. Thus the ten "tarim"-spies benefited from favorable conditions under which to incite the nation and execute their plan.

 One final question remains. Why does Moshe, in Parashat Devarim, focus on the military spy mission underlying the entire incident? We can suggest several reasons:

1. Moshe may do so in order to complement the account in Parashat Shelach and to clarify the complex background to the mission. He does this by creating a "mirror image" of the story presented in Shelach: just as the "tarim" strayed from the endearing description of the land to the military report, so did the spies deviate from their strictly military role to describe the quality of the land.
2. Moshe may have wished to underscore the people's fickleness as manifest in this incident. At first they speak with a fervent military spirit and preparedness to enter the land, prompting them to initiate action to further the cause of conquest. Just forty days later, fear and mistrust bring them to refuse defiantly to proceed.
3. Most importantly, Moshe's description of the events provides the background necessary to understanding his responsibility for what transpired. Assigning the spy mission to twelve men previously appointed to an entirely different task constituted a grave error on Moshe's part, on account of which the sin occurred.

 One of the important results of the sin of the scouts, which Moshe seeks to emphasize, is the divine decree barring his entry into the land and Yehoshua's appointment as successor. Moshe reiterates this point time and time again throughout his monologue in Sefer Devarim: from here, at the outset of the sefer, through his final remarks in Parashat Vayelekh (chap. 31).

(Translated by David Silverberg)

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