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בס"ד

Parashat Yitro Part I Exodus 18: Jethro's Visit

1. On Context and Linkage

The narrative of Jethro's visit to his son-in-law Moses is located between Israel's battle with Amalek and the lawgiving, three subjects that appear in succession. However, there is a considerable school of thought (*b. 'Abod. Zar. 24, Zebah. 116; Mekhilta; Rashi; Ibn Ezra*) that views Jethro's visit as having occurred after the lawgiving but, for an unspecified reason, was placed before it. Since important consequences are attached to this issue, we will survey the major arguments proffered for each side. We will first comment on the proximity of the Amalek, Jethro and lawgiving passages and present some general remarks on Jethro.

Ibn Ezra suggested that the Jethro narrative was placed immediately following the Amalek episode in order to contrast the latter's hatred for Israel with Jethro's love. It indicates to Israel that just as it is required to battle Amalek it is obliged to treat Jethro's descendants with compassion, an objective that historically required discriminating care. Before King Saul battled Amalek (1 Sam. 15:6), he took care to warn the Kenite tribe, descendants of Moses' father-in-law (Judg. 1:16), to remove themselves from the vicinity of Amalek so that they not be harmed, since they had been kind to the Israelites upon their leaving Egypt.

Expanding on Ibn Ezra, M.D. Cassuto pointed out the high concentration of striking literary correlations between the Amalek and Jethro narratives, demonstrating the intent at the time of composition that they be interpreted in close association with each other.

- וַיָּבֹא עַמְלֵק וַיִּלְחָם ("Amalek came and made war") is in contrast to וַיָּבֹא יִתְרוֹ... וַיִּשְׁעָלוּ אִישׁ לְרֵעֵהוּ לְשָׁלוֹם ("Jethro came... and they ascended one to his neighbor in peace")

("Jethro came... and they greeted one man to another for peace").

- Moses there instructs Joshua לָנוּ אֲנָשִׁים (select men for us [to battle,]) while here וַיִּבְחַר מֹשֶׁה אַנְשֵׁי חַיִל ("Moses selects men of valor") for the judiciary.
- There וַיֵּשֶׁב [מֹשֶׁה] ("Moses sits") to pray for divine assistance in the battle, whereas here וַיֵּשֶׁב מֹשֶׁה ("Moses sits") to dispense justice.
- In the battle, Moses' hands were כְּבִיד ("heavy"), while here the task of dispensing justice is כְּבִיד ("heavy").
- There, מֶחֱרָה ("the morning") following Amalek's coming, Moses is נֶצֶב ("stationed") on the mountaintop; here מִמְּחֻרָה ("the morning following [Jethro's arrival],") the Israelites are נֶצֶב ("stationed") before Moses.
- The battle with Amalek extended until sundown, similar to Moses' judging, which continued until evening.
- The concluding phrase in the Amalek passage views the long term: מִלְחָמָה לְהָ' בְּעַמְלֵק מִדֹּר דָּר ("a war for Hashem against Amalek, generation after generation"). This contrasts with Jethro's final words regarding Israel, עַל מְקוֹמוֹ יָבֹא בְּשָׁלוֹם ("to its destination it will arrive in peace"). In both, the closing clause forms an "envelope" with the opening.

The linkage surely appears to be there.

Cassuto considered the Jethro account an appropriate introduction to the lawgiving because it replaces the negative passions engendered by the Amalek narrative with positive feelings fostered by a non-Israelite who admired and was helpful to Israel. This notion is congruent with G-d's promise at revelation that Israel will be a treasured nation in the world. In addition, assuming the account of Jethro's visit is in

chronological order, the judiciary system he recommended would have helped prepare the way for the lawgiving.

Jethro's proposals actually covered more than a judiciary. He also addressed the need to have a system to disseminate law as well as to provide guidance and instruction in it (18:20). Indeed, the hierarchy of "chiefs of thousands, chiefs of hundreds," etc. (v. 21), containing "heads upon the nation" (v. 25), appears to contain the infrastructure of a broad civil administration. In the Amalek section a national military capacity was instituted. The linkage of our passage to it – expanding on Cassuto – may point to the establishment of a complete governmental framework that was awaiting the final ingredient, the lawgiving. The elaboration of the latter will take up most of the rest of the Torah (see Propp, AB commentary on Exodus p. 634).

The fact that the details of the Jethro narrative appear just before revelation also seems intended to transmit several lessons of moral instruction that should be internalized prior to that monumental event. As concerns a basic yet most crucial matter such as delegating authority for administering justice, Moses was initially deficient and benefited from another's advice. His modesty, manifested in his willingness to accept criticism and correction and learn from others, is an aspect of his worthiness to lead Israel into the lawgiving. This is an important example for all Israel. Even the greatest of men cannot be an expert in everything. We should all have this disposition to realize that we could profit from the insight of others. And on the threshold of its transcendent experience, Israel is taught that it should not think of itself as required to live in a self-contained world that precludes learning to improve and advance from outside its circle. On the contrary, there is great insight and wisdom in the world from which it could and should benefit.

2. Regarding Jethro

Jethro represents the finest of priests. This is supported by the basic facts that Moses – who cannot tolerate injustice and exploitation of others – married his daughter and remained with him, shepherding his flock. Moses was apparently willing to continue doing so indefinitely, until G-d called upon him to return to

Egypt (4:18). It also says something about Moses' father-in-law that, when he heard his daughters speak of the Egyptian man who rescued them from the shepherds, he asked them why did they not invite him over for a meal and that "he gave Zipporah his daughter to Moses" (Exod. 2:21).

In our chapter Moses accorded Jethro great public honor. Jethro rejoiced upon hearing of Hashem's intervention on behalf of Israel and recited a wonderful blessing. If not monotheistic he surely appears to have been on the path to becoming so. In any event, his praise, עָתָה יָדַעְתִּי כִּי גָדוֹל ה' מִכָּל הָאֱלֹהִים ("Now I know Hashem is greater than all the gods") (18:11) should be interpreted in accordance with the linguistic conventions of the times. This is similar to other such formulations in Tanakh (see Exod. 15:11; Deut. 3:24; Ps. 86:8; 89:7; 96:4b; 135:5) that express the appreciation for the greatness and uniqueness of Hashem, not at all implying belief that the "others" mentioned are true gods. They may be angels and heavenly ministers, or the formulations may be addressing what other people think. The contexts in all these cases clearly demonstrate that the expressions should not be seen as manifesting belief in idolatry.

In a statement that is one of the longest biblical diatribes against idolatry, the psalmist begins by employing many of the same words as did Jethro: כִּי אֲנִי יָדַעְתִּי כִּי גָדוֹל ה' וְאֲדַרְשׁוּ מִכָּל אֱלֹהִים "For I know that Hashem is great, and our Master, [greater] than all the gods" (Ps. 135:5) followed by "Whatever Hashem desires He has made, in heaven and upon earth, in the seas and all the depths." After several verses of recounting some aspects of Hashem's greatness the psalmist continues with derision of idolatrous beliefs: "The idols of the nations are silver and gold, the work of men's hands; they have mouths but do not speak, they have eyes but do not see...there is no breath in their mouths" (vv. 15-17).

Jethro's "Now I know" may very possibly be meant as, "Now I have it confirmed beyond the shadow of a doubt," similar to the meaning of that phrase when Hashem uttered it to Abraham upon his passing the *aqedah* test: "Now I know that you fear G-d" (Gen. 22:12).

Aaron and the elders of Israel acknowledged Jethro's eminence by partaking of his sacrificial meal. Jethro is

a Midianite, a descendant of Abraham (Gen. 25:2). Some of the patriarch's "gifts" that he presented to his sons (Gen. 25:6) were likely of a spiritual and educational nature associated with his religious worldview and probably remained with his descendants to a certain extent, a topic we will touch on in the next paragraph. (Abraham's intention in fathering more children in his later years after the birth of Isaac was in all probability a reflection of his interest in instilling more values into the world.) It should be noted that despite Israel's problems with Midian and its idolatry as described in Numbers 25 and Judges 6–8, some of Jethro's descendants – the Kenites – maintained long-term cordial relations with Israel (Judg. 4:11; 1 Sam. 15:6; 30:29; 1 Chron. 2:55; Jer. 35).

Whether Jethro came before the lawgiving or not, the placement of his arrival, counsel and note of departure beforehand constitutes an important statement. It proclaims that he played no role in regard to the content of the immediately following subjects, the covenant and lawgiving. This may have been an extremely relevant statement in those times. Some modern scholars claim to have uncovered evidence that at a time roughly contemporaneous with *Mattan Torah*, in the region of Midian, which was a loose confederation of diverse tribes, a nomadic tribe was developing a religious system without paganism (see our comments on Deut. 33:2 in our study on *Vezot Haberakhah Part I*). If so, we may assume that Jethro, as their priest, was one of their leaders and perhaps the preserver of the Abrahamic tradition. But his input into Israelite culture is emphasized as being ancillary to the lawgiving and to be differentiated from the content of the theophany that follows.

Number symbolism points toward Jethro's prominent status. His name is attested seven times in our passage (and it should be recalled that he had seven daughters), indicative of his having achieved eminence and completion in the pre-covenant sphere. It also informs us that he was not within the covenant proper, which is symbolized by the number eight. The $\eta\text{-}\eta\text{-}\eta$ stem in reference to him (denoting being Moses' father-in-law) is attested thirteen times in our passage. This associates his linkage to Moses with his having achieved a level of relating to the one G-d, thirteen being the *gematria* of *ehad*, (see our study *On Number Symbolism in the Torah from the Work of Rabbi*

Solomon D. Sassoon). It is very possible that this refers to inspiration and guidance he received from Moses during those many years they lived in close proximity.

3. Before or After the Lawgiving?

It is a well-founded principle of biblical exegesis that passages are not necessarily chronological – $\text{אֵין מְקַדֵּם וּמְאַחֵר בַּתּוֹרָה}$ ("There is no early or late in the Torah" [b. *Pesah*. 6b]). Nevertheless, chronological order is assumed unless there is compelling evidence to regard it otherwise (see Ramban). Many have claimed to see such evidence in the case of Jethro's visit. We will cite some of the major arguments and the parrying responses.

Jethro came "to the desert where [Moses] was encamped, *Har HaElokim* (the Mountain of G-d)" (Exod. 18:5). The reference is to the site of the lawgiving, thus implying that his visit was after the lawgiving. Not that the term *Har HaElokim*, in and of itself, is an indication that the lawgiving had already occurred, for we earlier read that Moses led Jethro's flock to *Har HaElokim* (3:1) and Aaron went there to greet Moses upon the latter's return to Egypt (4:27). It is possible that *Har HaElokim* was a site considered holy from pre-Mosaic days. Even had the site received its designation from the lawgiving, it is usual for the Torah to employ names of geographic sites anachronistically (as Ibn Ezra often points out, citing the case of "Dan" in Gen. 14:14).

The argument is based on the fact that prior to the account of Jethro's coming, the Israelites were encamped at Rephidim, the site of the battle with Amalek (17:8). Following the Jethro story we read that the Israelites traveled from Rephidim to the Sinai Desert where *Har HaElokim* is located (19:1,2), at which point the Torah describes the preliminaries to the lawgiving followed by the lawgiving. Thus, Jethro must have come after the lawgiving while the Israelites were still encamped at Sinai and for some reason the account of it was inserted beforehand.

Others counter that even had Jethro come to *Har HaElokim* in the days before the lawgiving there may have been reason not to narrate the brief account of the Israelites' having traveled there beforehand. The Torah may have wanted to keep the account of the

Israelites' arrival at Sinai attached to the essential purpose for which they came there in order to create a cohesive unit of the lawgiving narrative. This would be a minor case of "there is no early or late in the Torah," merely delaying mention of the Israelites' arrival at the lawgiving site until after the Jethro narrative was concluded. But Jethro's short visit could have been in those days before the lawgiving.

The Ramban elaborates. Moses obviously had sent advanced word to Jethro where he could meet the Israelites. He probably informed him that they were going to the well-known site of *Har HaElokim*, but of course did not know the exact date they would arrive there. (Moses knew it was on the agenda from the beginning of his mission, when G-d informed him of it at the burning bush [Exod. 3:12].) Jethro may have arrived at *Har HaElokim* while the Israelites were in the neighboring region of the desert on their way there, and sent his message to Moses from there. Carefully parsing our verse 5, the Ramban points out that it states Jethro had arrived at the "desert at which Moses was encamped, *Har HaElokim*," meaning Jethro arrived at *Har HaElokim* while Moses was still on the way in the desert. Alternatively, *Har HaElokim* itself may refer to the larger desert region.

Another indication cited to place Jethro's visit after the lawgiving is that Moses declares he makes known to the people "G-d's statutes and teachings" (18:16). However, these may refer to "natural" religious law and the nation's cumulative traditions. There also was the matter of *שָׁם לֹוּ הָקָוּ וּמִשְׁפָּט* ("there He established for them statutes and ordinances") of Marah (15:25) that may have referred to a partial divine lawgiving prior to the Sinai lawgiving (as assumed in *b. Sanh.* 56b). In any event, the portrayal of Moses dispensing justice and teaching G-d's statutes to the people on an individual basis is consistent with what we might imagine the situation to have looked like before a comprehensive lawgiving had occurred (S.D. Luzzato).

Some consider Jethro's sacrifices – "*olah* and *zebahim* to G-d" (18:12) – an indication that he came after the lawgiving (even post-tabernacle, in the second year), since there is no record of a sacrificial altar that was erected before the lawgiving. However, as a non-Israelite priest, Jethro was permitted to bring sacrifices to G-d even before an official Israelite sacrificial altar was established. He surely possessed

spiritual dignity and did acknowledge the uniqueness of Hashem, the G-d of Israel, a point mentioned immediately prior to his bringing the sacrifices. Non-Israelites were not necessarily required to adhere to the extensive demands of the second commandment; it may have been sufficient to recognize the uniqueness of the one supreme G-d, who may have been thought to have had heavenly "ministers" subordinate to Him (see Deut. 4:19).

Rabenu Abraham the son of the Rambam writes that his father assumed Jethro came after the lawgiving because of practical considerations. There was not ample time before the lawgiving for someone living in Midian to have heard about the Exodus, travel with Moses' family to meet him, observe him in action, proffer advice and be present when Moses implements it. However, this argument has been viewed as overemphasizing for Torah narrative the standard way things are done in the world. People do not usually hear about events, plan a trip, travel many days, observe an administrative system in action, recommend major changes and see them implemented in less than a span of many months or years. But theoretically, there surely was adequate time for all this to have taken place in the month and a half between the Exodus and the lawgiving considering that Midian was not that far from Horeb. This is especially the case when people are anxiously tuned in and ready, willing and able to get on with an exciting agenda. Many Torah narratives occur in a much shorter time frame than generally is the case with events of comparable detail.

Our passage concludes with the statement that Moses sent his father-in-law home and he returned to his land (Exod. 18:27). In Numbers 10:29, during the second year from the Exodus (subsequent to the lawgiving) Moses asks *Hobab ben Re'uel HaMidiani hoten Moshe* to remain with Israel, praising him with, "and you have been for us as eyes." If Hobab is Jethro, based on Judges 4:11, which terms Hobab *hoten Moses*, and if we understand Moses' praise as referring to Jethro's Exodus 18 advice, that would mean that Jethro was living among Israel during the second year. It is far-fetched to assume that he went home, returned to Israel and took leave again.

However, the Exodus statement that he departed does not necessarily mean that he did so at that time. Even

had it been at a later time it would have been appropriate to place notice of it with the narrative concerning him as a fitting close to the chapter. That type of “There is no early or late in the Torah,” in order to complete the account of a subject, is common in the Torah. Also, Hōbab may be Jethro’s son (Ibn Ezra) and it may have been he who was around in the second year. *Hōten* may possibly designate a marriage relative and in the Judges verse may mean “brother-in-law.” That it may be Re’uel, Hōbab’s father, who was Jethro, Moses’ father-in-law, is consistent with a straightforward reading of Exodus 2:18.

Ibn Ezra draws what he considers decisive proof that Jethro came after the lawgiving from Moses’ fortieth year review in Deuteronomy 1. After relating that G-d gave instructions to proceed from Hōreb (the lawgiving site) to the promised land, Moses said, “At that time...I requested you select heads...and I instructed your judges,” etc. (Deut. 1:9-18). He continues, “we traveled from Hōreb” (1:19), indicating that the charge to the judges was the last significant event at Hōreb before departing, clearly post-lawgiving. Since this latter discussion appears to refer to Jethro’s advice in Exodus 18, he must have come after *Mattan Torah*.

Abarbanel rejects this proof. He posits that although Jethro came before the lawgiving and gave his recommendations then, their implementation was after that event, as related in Deuteronomy. According to him, the last four verses of the Exodus 18 passage that speak of Moses’ setting up the judiciary and Jethro’s departure (vv. 24-27) are out of chronological order but placed with the passage to keep the story intact. In a similar vein but going even further, the Tosafists (*b. Abod. Zar. 24b*) assume that Jethro’s arrival was before the lawgiving but his advice (v. 13 ff.) was given afterwards.

It is noteworthy that the Deuteronomy 1 passage varies significantly from the Exodus 18 account. In Deuteronomy, Jethro is not mentioned nor hinted at in any way. Moses initiates the idea of establishing a leadership infrastructure and asks the Israelites to select heads according to their tribes. They do so and with the tribal heads he sets up a judicial hierarchy – “chiefs of thousands, chiefs of hundreds” etc. – and instructs the judges. In Exodus 18, after Jethro’s advice, Moses himself selects men from among all

Israel and there is no mention of a tribal dimension. Also, the criteria are different. In Deuteronomy, the emphasis is on intellectual qualities: “wise, discerning and men of stature to your tribes.” In Exodus, character traits are stressed: “men of valor, G-d-fearing, men of truth who hate ill-gotten gain.” Some have assumed that both sets of criteria were required and some were written in one account and some in the other account. Abarbanel interprets this matter to mean that Moses did not do precisely as Jethro advised but adapted his suggestions in accordance with his own judgment and firsthand knowledge of Israel’s situation.

The Ramban proffers a strong proof that Jethro came before the lawgiving. The Torah states that Moses related to Jethro all that Hashem did to Pharaoh and Egypt as well as all the travail the Israelites encountered on the journey from which Hashem delivered them (Exod. 18:8). What about the unique event that stands at the pinnacle of the enterprise, the lawgiving? Had it already occurred Moses surely would not have omitted it? Along the same line of thought, after Moses related to Jethro what transpired, the Torah states that Jethro was joyous over all the good Hashem did for Israel, namely, that He saved the nation from the hands of Egypt (v. 9). What about the culmination of the entire narrative, the lawgiving? And why is his blessing of Hashem (v. 10) focused only on His saving activity with not a hint to His lawgiving? These questions cannot be answered by referring to the fact that Jethro was a non-Israelite. The laws of the Torah are Israel’s “wisdom and discernment in the eyes of the peoples who will hear of these statutes and proclaim, ‘surely a wise and discerning people is this great nation’” (Deut. 4:6).

Immediately after the lawgiving (that is, after the Decalogue and the three chapters of law that are attached to it), Hashem calls to Moses to ascend the mountain and be there for a period of time, so that He may give him the tablets (24:12). Before ascending – perhaps not aware that he would be away for forty days but knowing that G-d’s summons involved at least a number of days – he left instructions for his absence. He told the elders, “Await for us here until we return to you” (v. 14) and he designated Aaron and Hūr to be in charge, “whosoever has a litigation matter shall approach them” (v. 14). Does this shed any light on whether Jethro had as yet arrived? Of

course according to Abarbanel, even if he had already made his recommendations they would not as yet have been implemented.

In any event, the golden calf episode occurred before Moses descended from the mountain. Immediately upon his rejoining the camp he was fully involved in extensive efforts to correct the nation and obtain national forgiveness. If Jethro came after the

lawgiving, the Exodus 18 description of the reception he received and the scene that he observed of “all the people coming to Moses from morning to night” could not have taken place until at least a number of months later. It is hard to imagine how Israel managed during that extended period of time, subsequent to the lawgiving, without a structured judicial system.

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