



The Torah of Exile

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The danger, when the two tribes decide to stay on the other side of the Jordan, is not just that we might become two peoples: it is that we may develop two Torahs.

In the final days before his death, Moshe revisits Reuven and Gad's decision to stay on the other side of the Jordan:

דברים ג:יח, כ

וְאַתֶּם בָּעֵת הַהוּא לֵאמֹר ה' אֱלֹהֵיכֶם נָתַן לָכֶם אֶת הָאָרֶץ הַזֹּאת לְרִשְׁתָּהּ חִלּוּצִים תַּעֲבְרוּ לִפְנֵי אֶחָיֶכֶם
בְּנֵי יִשְׂרָאֵל כָּל בְּנֵי חִיל... וְשִׁבְתֶּם אִישׁ לְרִשְׁתּוֹ אֲשֶׁר נָתַתִּי לָכֶם:

Devarim 3:18, 20

At that time I commanded you, saying, "Your God has given you this country to possess.
You must go as shock-troops, warriors all, at the head of your Israelite kin.... Then you may
return each to the home that I have assigned to you."

Reuven and Gad's story, in Moshe's telling, is a simple one. They have an obligation to the rest of their brethren, the Jewish people who will settle on the far side of the Jordan. Once that obligation is fulfilled, they can return to their wives and children and settle in their homes.



But there is nothing simple about the way the relationship between the tribes on the two sides of the Jordan plays out.

The book of Yehoshua offers another chapter to the story: shortly after settling in their land, the tribes that remained behind build an altar. The Jews in Eretz Yisrael, seeing what they think is a forbidden structure, assume that their brothers have abandoned the covenant. While they prepare for war, they send messengers, asking the tribes how they could have done such a thing, and begging them to return to the fold.

But the Jews in Israel misunderstood. This isn't an abandonment, their brothers on the other side of the Jordan explain. This is a monument—one that we build to remind not just our children of who they are and where they came from, but yours as well. A monument to ensure that your children can never turn to ours and say, you no longer have a stake in the God of Israel.¹

While civil war is averted, the answer the trans-Jordanian tribes offer is still devastating. Their decision to build the monument stems from a fundamental lack of trust, and an assumption that the tribes settled within Israel proper will eventually come to see them as outsiders. In building the monument, they are trying to prevent a day when the ten tribes will no longer see the two as part of the same project.

While the two tribes do not say so explicitly, they fear a power imbalance: they are worried that one day the ten tribes will use their presence within the land to argue that they alone are the Jewish project's authentic heirs. Those outside the land, they may argue, are inauthentic and have no stake in the God of Israel.

¹ Yehoshua 22:10-34.



What is unclear, however, is why the two tribes anticipate that the river between them and the ten will bring things to this point of alienation. Why do they anticipate that separation will lead to a lack of recognition between the two sides of the Jordan, and why do they see participation in the covenant as the place where the conflict will erupt?

The Emet L'Ya'akov,² in his commentary on the rift between Yosef and his brothers, offers us a pathway towards understanding what exactly the tribes of Reuven and Gad were afraid might happen. Trying to ascertain the real reason for the brothers' jealousy, the Emet L'Ya'akov draws on a *midrash* that says that, before he arrived in Haran, Ya'akov studied Torah in the *beit midrash* of Shem and Ever, Noah's son and grandson.³

The unique quality of that Torah, the Emet L'Ya'akov states, is that it is the Torah of exile: Torah that is designed to help us navigate the reality of life in messy, difficult circumstances.

Ya'akov, who knew that Yosef would be the first of his sons to live in exile, transmitted that Torah to Yosef, but not to his brothers. It is Torah that Yosef would need, but the brothers, in their different world, would not be able to understand. And when the brothers saw Yosef acting on that Torah, they became angry, because they thought that what he was doing was forbidden.

אמת ליעקב על בראשית כח

שם, בנו של נח שנפלט מדור המבול, ניצל לא רק ממי המבול אלא גם מסביבתם של אנשי דור המבול ומהשחתתם.... מכיון שיוסף היה זה שהתגלגל לסביבת הרשעים והיה צריך לעמוד לבדו נגד כל הנסיונות שעמדו לו,.... היה יעקב מוכרח למסור דוקא לו את התורה המיוחדת הזאת, תורת הגלות, תורת שם ועבר. ...באמת מצינו שישנה תורת ארץ ישראל, היינו מצות התלויות בארץ, כמו כן יש לנו תורת הגלות, כי שם הנסיונות אחרים וההלכות שונות.

² R. Ya'akov Kamenetsky (Russia and US, 1891-1986).

³ In, e.g., Bereishit Rabbah 63:10 and 84:8.



Emet L'Ya'akov on Bereishit 28

Shem, Noah's son who escaped from the generation of the Flood, was saved not only from the floodwaters but also from the environment and corruption of the Flood generation....

Since Joseph was the one who ended up in the environment of the wicked and had to stand alone against all the trials that faced him... Jacob had to transmit specifically to him this special Torah, the Torah of exile, the Torah of Shem and Ever... just as there is a Torah of the Land of Israel, meaning commandments dependent on the land, similarly we have a Torah of exile, because there the trials are different.

Torah is different—must be different—depending on what world we live in. There are aspects of Torah that the brothers, living in their safer world, did not need. Yosef, destined to make his way through the ordeals of Egypt, needed different Torah, Torah that could withstand—and help him withstand—a darker, more complicated world.

Torah's ability to grow in response to the circumstances we find ourselves in, to branch out into both a "Torah of the Patriarchs" and a "Torah of Shem and Ever," is vital for the Jewish people to be able to make sense of ourselves, the world, and the Torah wherever we find ourselves. But that branching out can also lead to fractures. If the brothers had heard the Torah of Shem and Ever, it likely would have been not only unrecognizable, but also deeply disturbing to them. It would have been a Torah that addressed questions that, to them, might have been unimaginable. It may have been, in some ways, a darker sort of Torah for a darker sort of world. Yosef, meanwhile, may have found the "Torah of the Patriarchs," unsupplemented by the "Torah of Shem and Ever," uninspiring and naive. It may have looked, to him, like the Torah of a different world, one whose lofty ideals could not address the difficulties of reality.

Yosef and his brothers only live apart for seventeen years, after which they are reunited and, presumably, once again develop a shared understanding of Torah. The two tribes and the ten,



on the other hand, face a permanent separation. Their Torah will branch out—as it must. But over time, they fear, that branching may create fractures. Perhaps, one day, the ten tribes will look across the Jordan at the Torah of the two and see something unrecognizable. Perhaps they will find a Torah so foreign to them and their reality that they will be unable to see it as Torah at all. And on that day, Reuven and Gad fear, the ten tribes will turn to the two across the river and declare that their Torah has diverged so far that they no longer have a stake in the God of Israel at all.

When Reuven and Gad build their altar, they are trying to create a monument to their common starting point, an object that their descendants can turn to in the face of such an accusation. Yes, they might say, we have created different types of Torah, influenced by our different homes and circumstances. But both schools of Torah, yours and ours, stem from the era when this altar was built, when our ancestors still understood each other. And that means that somehow, if we try, we may be able to learn together and understand each other once more.

But the altar is only half a solution to the problem of divergent Torahs. The other half lies earlier in the chapter: the point at which, on the brink of civil war, the ten tribes decide to send messengers across the Jordan. Faced with something they do not understand, with an action that seems heretical, the ten tribes make a courageous decision: instead of immediately going to war and trying to force the two tribes to destroy the object that, to them, seems antithetical to Judaism, the ten tribes decide to ask a question and give the two tribes the opportunity to explain.

It is easy, from a distance, to interpret others decisions as abandonment. It is too easy to look at what we don't recognize and prepare to fight because we feel betrayed. It is terrifyingly



easy to do what the tribes across the Jordan were so afraid of, to turn to our brothers and say, “If you do this, if you say this, you have no share in the God of Israel.”

But if we choose differently—if we choose to ask—we open the door to possibility. Not just possibility to avert tragedy, but the possibility to understand. The possibility to hear other people’s Torah, Torah which might feel foreign, and begin to learn what it may have to teach us as well.

There are no easy answers to the problem of a people divided by rivers, and the story of the tribes does not leave us with a simple moral. The problem is complex: the brothers must honor their Torah, and Yosef must honor his, and the ten tribes are right to be angry if their brothers really have betrayed the covenant.

But we can continue to decide to ask questions and to send messengers across the river.

Because we must—if we are to survive as a people—find an alternative to those terrifying words, “You have no share in the God of Israel.”

