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# דור לדור

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### **NEW EDITORS**

With the passing this year of Dr. Louis Katzoff, Z"L, Editor, and Chaim Abramowitz, Z"L, Assistant Editor, a new editorial committee was constituted.

### **EDITOR**



SHIMON BAKON

Dr. Shimon Bakon was director of Jewish Education for the communities of Bridgeport, Conn. and Springfield, Mass. While in Springfield, he was instrumental in establishing there a branch of Boston Hebrew College. For more than ten years he served as its administrator and as lecturer in Jewish Philosophy. He came on Aliyah in 1974, and shortly after began his association with Dor le Dor.

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Rabbi Dr. Joshua J. Adler served as a US Army chaplain. Director of United Synagogue Eastern Penna. Region, and spiritual leader of Congregation Chisuk Emuna, Harrisburg Penna. He came on Aliyah with his family in 1972 and has been lecturing and teaching at various teachers colleges in Israel and for Tzahal.

141 3118

Dr. David Wolfers is a medical practitioner and demographer who, since his retirement in Jerusalem in 1976, has devoted his time to the study and translation of the Book of Job. He is the author of numerous scientific articles and co-author of several books on aspects of the international population problem.

# MANAGING EDITOR



JOSHUA J. ADLER

In the previous issue of "Dor le Dor" (XVI, No. 2) we memorialized the passing of Dr. Louis Katzoff, founder of "Dor le Dor" and its editor from 1972 to 1987. In this issue we pay additional tribute to his memory by publishing posthumously articles which Dr. Katzoff did not live to see in print.

יהי זכרו ברוך

# FREE TO SET A KING OVER THEE

### BY LOUIS KATZOFF

When you shall come unto the land which the Lord your God gives you, and shall dwell therein; and you shall say אשימה עלי מלך I will set a king over me, like all the nations that are about me; שום תשים עליך מלך Then thou shalt in any wise set him king over thee (Deuteronomy 17:14–15).

How shall we interpret the first words of verse 15: Thou shalt in any wise set him king over thee — שום חשים עליך מלך. Does this sound like a strong affirmative statement — i.e. in the double use of the word — שום חשים, almost like a mix; i.e. you are instructed "to set a king over you." Or does it mean, as Hertz points out in his commentary, שום חשים means "thou mayest certainly set a king," namely, "monarchy is not commanded like the appointment of judges — but permitted."

Note that the word "permitted" (in Hertz commentary) is in italics — in order to emphasize the aspect of permission, but not a מצוה.

The new JPS rendering is more explicit: You shall be free to set a king over yourself. It clearly refers to "permission" — not a commandment. Is there perhaps a third approach, i.e. asking for a king is not forbidden, but it is improper. Monarchy as such is denigrated, and to ask for it is, to say the least, very undesirable.

### THE CHARISMATIC LEADER-WARRIOR

Let us see how Jewish history related to this question: During the period of the Judges, before the advent of Israelite monarchy, Israelites were repeatedly attacked by the neighboring peoples — the Ammonites, Moabites, Midianites and

everyone else. From time to time, the Israelites were in need of a charismatic leader—warrior to save them from their recurring predicaments. One such hero was Gideon who led his people to victory against the Midianites. The populace asked him to become their king: Rule over us — you, and your son, and also your grandson (Judges 8:22). Gideon's response was most surprising: I will not rule over you myself, nor shall my son rule over you (Judges 8:23).

It was not just humility that prompted Gideon to reject the offer of rulership.

— ה' ימשול בכם The Lord shall rule over you (8:23). With prophetic insight, he saw that Israel's destiny was bound up with God's dominion and not with temporal kingship. Only the Almighty could be King over Israel, not mortal man. No one dare challenge God's exclusive sovereignty.

### THOUGHT OF KINGSHIP WON'T LET GO

But the Pandora's box was opened. Once requested, the thought of kingship would not let go. A generation later, the son of Gideon made an abortive attempt to establish a monarchy — and he did this with extreme violence. In three years, it was all over. Civil strife put an end to that attempt. The question of a monarchy would not arise again; i.e. not until the prophet Samuel comes upon the stage of history.

All the elders of Israel assembled and came to Samuel at Ramah and said to him: You have grown old, and your sons have not followed your ways. Therefore, appoint a king for us, to govern us like all other nations.

Samuel 8:4-5

Samuel was displeased and he prayed to the Lord. Apparently, he was taken aback by such a request and he turned to God for advice. And the Lord replied to Samuel: Heed the demand of the people, for it is not you whom they have rejected, it is Me they have rejected as their King (I Samuel 8:7). The people's demand for an earthly king was an act of disloyalty to God and a rejection of His absolute sovereignty. Furthermore, man's independence will certainly be curtailed, if not completely destroyed. God tells Samuel: Heed their demand, but warn them solemnly, and tell them about the practices of any king who will rule over them: הגרח להם משפט המלך אשר ימלוך עליהם. Samuel tries to dissuade the people from their request. He cautions them about the despotic rights a monarch would have over his subjects. He enumerates the demands which the king will make upon his people:

144 LOUIS KATZOFF

This will be the manner of the king who will rule over you. He will take your sons as charioteers and horsemen. They will have to plow his fields, reap his harvest, and make his weapons and the equipment for his chariots. He will take your daughters as perfumers, cooks and bakers. He will seize your choice fields, vineyards and olive groves, and give them to his courtiers. He will take a tenth part of your grain, and of your flocks. And you shall become his slaves.

I Samuel 8:11-15

The מלכני מלכני מלכני ההוא מלפני מלכנם אשר בחרתם לכם ולא יענה ה' אתכם ביום ההוא The day will come when you will cry out because of the king whom you yourselves have chosen — and the Lord will not answer you on that day (I Samuel 8:18).

Were the people convinced? No!! They said, We must have a king over us—that we may be like all the other nations. We shall be like all the nations. Let our king rule over us and go out before us and fight our battles (I Samuel 8:19-20). In the end God capitulates: (8:22) And the Lord said to Samuel: Heed their demand and appoint a king. But neither God nor Samuel is happy. Saul is appointed king—the first king in Israel. As we know, Saul did not have an easy time with the prophet—who seizes on certain occasions to blast the king—for some miscarriage of his instructions. And indeed, the end of the first king Saul was quite tragic.

### MONARCHY NOT DISPARAGED

Let us return to the verses in Deuteronomy (Ch. 17). In light of what transpired between the prophet Samuel and the children of Israel, how shall we understand the verse: אום חשים עליך מלך? From the text it is clear that the monarchy is not disparaged. It certainly is not prohibited. If so, how shall we explain the events in the Book of Samuel? Did the prophet go counter to what the Torah says about monarchy? This question takes on more poignancy when we see what the Talmud says about establishing a kingship in ancient Israel:

"Rabbi Judah: רכך היה רבי יהודה אומר: שלש מצוות נצטוו ישראל בכניסתן לארץ "Rabbi Judah: Three מצוות were given to Israel upon their entrance to the Promised Land, and one of them was: להעמיד להם מלך, to select a king for themselves."

Sanhedrin 20b

And so, the words of שום חשים עליך מלך are in the nature of a mitzvah - a

commandment to fulfill once in the Promised Land. Maimonides, in his Book of Laws, יד החזקה, brings this statement of Rabbi Yehuda — to point out that it was incumbent upon the Israelites to ask for a king — for it is a mitzvah.

How then shall we reconcile the account in the Book of Samuel with the words of Deuteronomy? Perhaps Maimonides himself will furnish the answer. Immediately after quoting the Talmud on the three commandments that ישראל were to perform upon entry to Israel, Maimonides asks the following question: "Since initiating a kingship is a mitzvah — why was God — blessed be He — antagonistic to the request for a king?"

The answer is: It depends upon the manner of the request: לפי ששאלו בחרעומה. The Israelites came to the prophet complainingly. It was not in order to fulfill the mitzvah of establishing a kingship but to tell him that they were tired of him, for he was old and could lead his people no longer. דה אחה זקנה שימה לנו מלך מלו מלך עליהם בי אחה אותך מאסו בי אם אותי מאסו ממלוך עליהם For it is not you Samuel whom they have rejected — it is Me they have rejected as their king.

The fuller explanation of Maimonides is evident as well in the Talmud: תניא רבי אליעזר אומר: זקנים שבדור כהוגן שאלו.

Rabbi Eliezer: The elders of the generation made a fit request, as it is written: חנה לנו מלך לשפטנו  $Give\ us\ a\ king\ to\ govern\ us$ , i.e. to bring security, order and tranquillity in our land. But the עמי הארץ — the vulgar people spoiled it all — אבל עמי הארץ שבהן קלקלו שנאמר, והיינו גם אנחנו ככל The coarse ones said: Give us a king so that we may be like all the nations around us.

Sanhedrin 20b

to be just like other nations! God and his prophet Samuel had higher aspirations for the people of Israel. לשפטנו — To govern — to establish a just society, that would be a worthy reason for establishing a state authority like a kingship. But to take on the trappings of just any ordinary nation — this certainly is not to be encouraged.

Israel must be different! Which ordinary nation would possess the quality of kingship like the kind we read in Deuteronomy 17:18:

When he is seated on his royal throne, he shall make a copy of the Torah

146 LOUIS KATZOFF

written for him by the levitical priests. Let it — the Torah — stay with him, and let him read it all his life, so that he may learn to revere the Lord, his God, to observe faithfully every word of this teaching and the laws therein, so that his heart not be lifted up above his brethren — לבלחי רום לבבו מאחיו. Thus he will not act haughtily toward his fellows or deviate from the instruction contained in the teaching.

Deuteronomy 17:18-20

Kingship is a mitzvah providing it is for a high and noble purpose. Indeed the book of Samuel is not so far apart from what we read in Deuteronomy.

# LOOKING AND PRIVACY

### BY LOUIS KATZOFF

So Isaac stayed in Gerar. When the men of the place asked him about his wife, he said, "She is my sister," for he was afraid to say "my wife," thinking, "The men of the place might kill me on account of Rebekah, for she is beautiful." When some time had passed, Abimelech king of the Philistines, looking out of the window, saw Isaac fondling his wife Rebekah. Abimelech sent for Isaac and said, "So she is your wife! Why then did you say: She is my sister?"

Genesis 26:6-9

It is my aim to discuss the Jewish concept of privacy — as it relates to seeing what is happening on the other side of the fence, or what's doing in the neighbor's kitchen. In noting the words used by the Bible in our story of Isaac (26:8) — when some time had passed, Avimelech, king of the Philistines, looking out the window, saw Isaac fondling his wife Rebekah, it would seem that this was a case where the windows of the king were so close to Isaac's home that, by merely looking out the window, he could see what was going on in his neighbor's house.

It might be of interest to look into the problem of privacy in cases of homes

looking out toward each other. How does the Jewish legal system view this problem? In the Talmud the issue is called: היזק ראיה שמיה היזק או לאו שמיה היזק או לאו שמיה היזק Is looking across into the neighbor's domain considered real damage — a subject treated rather analytically at the beginning of the tractate בתרא.

The first משנה starts off with an innocent declarative law: השותפין שרצו לעשות שרצו שרצו לעשות "If joint owners agree to make a partition - a or - in a courtyard, they should build a wall in the middle."

The גמרא, which is the elaboration of the law stated in the משנה, raises the question: What is meant by the word מחיצה? Does it mean an actual wall? Or perhaps some form of partition, marking off the two sides, but not necessarily a wall.

About what issue does the question revolve? And here begins a protracted debate on the real question: When partners come to an understanding to divide the אמבר, should the partition be of such material that one cannot look through and see what is going on, on the other side?

And this hinges on the legal aspect of the formula היזק ראיה שמיה היזק או לאו שמיה היזק. If looking through constitutes actual damage, one can force his neighbor to block the openings by building a solid wall.

The Talmud goes on to discuss this question first on the assumption that היוק — that looking does not constitute real damage, that is, looking is not a violation of privacy. In the style of a ממרא discourse, a half dozen different sources are brought in to refute this assumption, and each refutation is warded off. Then, the Talmud starts from the opposite end, i.e. from the assumption that היוק ראיה שמיה היוק — that looking is a violation of privacy and therefore the law should require the plugging of holes in the partition — and again the Talmud brings in several contradictions to this assumption, and again these are parried.

What is the final conclusion of the Talmud? Is it really important to know? What is of prime importance is to see how sensitive the Sages were in this issue. The final פסק דין really is that looking is a form of damage — and this damage must be rectified by the one who causes it.

This conclusion is especially noteworthy when we compare the הלכה on another Talmudic issue: על המזיק או על הניזוק להרחיק את עצמו. If one plants a tree in his private field — and eventually the roots spread out and damage the neighbor's well, the verdict is that the aggrieved party cannot force the owner of

148 LOUIS KATZOFF

the tree to remove it. Now, even Rabbi Yossi who holds this view, i.e. על הניווק that such indirect damage is not culpable, yet in a case of what – that such indirect damage is not culpable, the rabbis call גירוה דילה where his arrows, in a metaphorical sense, penetrate the injured party's domain, - this is called a direct damage.

Deprivation of privacy through looking into the neighbor's house - and in our modern technical age of extending the concept of looking by tapping the wires of private homes - these fall into the category of direct damage as though arrows were shot which pierced the home and damaged it.

A home is a man's castle and may not be invaded, even by looks or by bugging. There once lived a pagan soothsayer (Balaam) who was not too friendly to the people of Israel. When he was invited by the king of Moab to curse the Israelites, he could not curse, but instead he extolled their praises in the words: מה טובו אהלך יעקב משכנותיך ישראל How goodly are thy tents, O Jacob, thy dwelling places, O Israel.

What did he see that sparked this great compliment? And the rabbis' comment is as follows: על שראה פתחיהם שאינם מכוונים זה מול זה. The modesty of the ancient Israelites was so that the opening flaps of their tents did not face each other. Such is the sensitivity for the sanctity of privacy.

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# ADAM'S MISSING YEARS

### EVOLUTION OF A LEGEND

### BY SOL LIPTZIN

The idea that it was possible to prolong a person's life by the voluntary contribution of periods of time has persisted in Jewish folklore until the present and has found literary expression in romantic tales and lyrics.

The first person who was believed to have made such a contribution was Adam, the father of mankind.

According to the Bible, Methuselah lived longer than any human being since the creation of man. His span of life was nine hundred and sixty nine years. This grandfather of Noah was not originally destined to exceed everyone in longevity. This fate was to have been Adam's. The first created man was to have lived a thousand years. the equivalent of one of God's days. However, according to the Zohar, the basic cabbalistic text, when the Lord caused future generations to pass in review before Adam, the latter noticed that to the precious soul of David there were granted but a few moments of life. Adam thereupon besought God to take away seventy of the thousand years allotted to him and bestow them upon this descendant.

God acceded to Adam's wish and accepted this sacrifice. According to Yalkut Shimoni of the thirteenth century, which included legends compiled from earlier sources, a deed of this gift of seventy years was drawn up. It was signed by Adam and witnessed by God and by the angel Metatron, who at times served as heavenly scribe.

This Jewish legend, which evolved in the course of many centuries and was modified as it circulated from mouth to mouth, paralleled aspects of non-Jewish legends. But there is no evidence that it influenced them or was influenced by

1 Louis Ginsberg, Legends of the Jews. Philadelphia, 1938, I, 61; V, 82.

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150 SOL LIPTZIN

them. Such an early parallel legend was that of Alcestis, who sought to prolong the life of her husband Admetus, by offering up for him all her remaining years. The best surviving version of this Greek legend is the drama of Euripides which was staged in Athens in 438 B.C.E. and influenced writers since the Renaissance. These included Hans Sachs, the Meistersinger of Nuremberg (1551), Alexander Hardy (1602), Christoph Wieland (1772), Vittorio Alfieri (1798), Johann Gottfried Herder (1802), and Hugo von Hofmannsthal (1893). Among musical adaptations, the best known are those of Handel (1727) and Gluck (1767).<sup>2</sup>

Widely diffused is also a medieval legend of the simple maiden who volunteered to offer up the remainder of her years to save her lord who was stricken with leprosy and could only be cured by a blood transfusion, the blood of a virgin. This legend is beautifully treated in the German poetic epic of Hartmann von Aue in 1190. It was adapted for modern readers by Henry Wadsworth Longfellow in *The Golden Legend* (1851) and by Gerhart Hauptmann in one of his most magnificent dramas, *Der arme Heinrich* (1902).<sup>3</sup>

The theme that Adam gave up part of his life-span to David was also reported in several Arabic sources. According to these sources, however, Adam gave up only forty years, not seventy. The document of the gift was drawn up by God. Angels affixed their signature to it. Later on, when the Angel of Death came to Adam to take his soul from him, Adam confronted him with the words: "My time is not yet over; I still have forty years of life." Thereupon, the Angel of Death showed him the signed document and Adam agreed to give up his soul.<sup>4</sup>

The Zohar, which reported on Adam's gift of seventy years to David, mentions a different version which also circulated among Jews. It ascribed the gift to the Patriarchs rather than to the father of mankind. Abraham's life span was to have been 180 years, even as were the years of Isaac. However, Abraham only lived 175 years. What happened to his missing five years? The answer was that, unlike Isaac, who spent the last of his 180 years in Hebron and then passed away, Abraham gave up his last five years as his donation to his descendant

Karl Heinemann, Die tragischen Gestalten der Griechen in der Weltliteratur, Leipzig, 1930,
 1, 117-154.

<sup>3</sup> John Krumpelmann, Longfellow's Golden Legend and the Armer Heinrich Theme in Modern German Literature, Journal of English and Germanic Philology (1926), XXV, 173-192.

<sup>4</sup> Max Grünbaum, Neue Beiträge zur semitischen Sagenkunde, Leipzig, 1893, p. 64.

ADAM'S MISSING YEARS 151

David. Jacob, whose life span was to have equalled but not exceeded Abraham's, died in his 147th year, because he donated 28 of his 175 years to prolong David's life. Joseph, who was to have lived as long as his father, did not survive beyond 110 years, because he gave up 37 of his 147 years so that David might complete the full life cycle of three score and ten.

Why could not later generations follow the example of Adam or of Abraham, Jacob and Joseph in voluntarily sacrificing part of their lives for a precious descendant who was otherwise doomed to an early death or even to a deserving contemporary? Popular imagination gradually evolved the notion that, as a last resort, when all other means such as prayers, incantations and medicines, failed, gifts of days, months or years could be donated to prolong the life of a beloved or revered person. If the mortally ill individual recovered, this was proof of the efficacy of such a sacrifice.

This belief was widely disseminated from generation to generation and was especially popular among the Jewish masses in the townlets of Eastern Europe. The belief was, of course, ridiculed as a superstition in enlightened circles but it persisted. However, it was not until the closing decades of the nineteenth century that it found adequate literary expression, as in the romantic Yiddish poem of S.S. Frug, *Dem Shames's Tochter*, the romantic Hebrew ballad of David Frishman, *Hanedava*, and the romantic tale of I.L. Peretz, *Mesiras Nefesh*.

# **BROWNING'S JOCHANAN HAKKADOSH**

Robert Browning, who was often fascinated by Jewish themes — biblical, talmudic, and mystical — especially in the last decade of his life, could have come across this theme from two possible sources.

The more probable source was the tradition that Rabbi Jochanan ben Zakkai, even as Moses, Hillel, and Akiva, also lived to be 120 years. He attained to this old age because his contemporary disciples and admirers volunteered to contribute a part of their life expectancy to him so that he might continue to dispense of his learning and wisdom.<sup>5</sup>

The second source may have come to him in the early 1880's, when the victims of Russian pogroms streamed to England by the thousands, bringing with them

<sup>5</sup> W. C. DeVane, A Browning Handbook New York, 1935, p. 471; J. B. Lieberman, Robert Browning and Hebraism, Jerusalem, 1934.

152 SOL LIPTZIN

treasures of Jewish folklore. He used the theme of the gift of time from one person to another as the framework for his philosophic poem *Jochanan Hakkadosh*, completed on December 22, 1882, and composed during the preceding months of that year.

The poem never attained the popularity of his "Rabbi ben Ezra," because of its excessive length and also because of its greater obscurity. It deserves more attention, nevertheless, because it embodies Browning's final thoughts on so-called "eternal questions."

Rabbi Jochanan Hakkadosh is not an historical personality but a character of Browning's imagination, voicing the poet's views on basic problems of life and death with which he wrestled throughout his creative life. Jochanan was the name given to several rabbis, the most prominent of whom was Jochanan ben Zakkai, who survived the Roman siege of Jerusalem and established at Yavne the most important seat of learning immediately after the fall of the Jewish state. Hakkadosh was an appellation frequently given to the sage Judah Hanassi, compiler and editor of the *Mishnah* more than a century after Jochanan ben Zakkai. By combining the name of Jochanan and of Hakkadosh, Browning gave greater weight to the authority of his fictitious sage. Readers of the poem could then more easily accept the narration that disciples were prepared to volunteer months of their life to prolong their master's life.

The setting of the poetic tale was Schipas, a supposed seat of learning in Persia. The name is reminiscent of Shiraz, an important Jewish community of the Talmudic era.

Jochanan is dying. As he surveys his past life, he finds no lasting meaning in it. He was, at various stages, lover, poet, warrior, statesman. Now he recognizes too late that he loved unwisely, when he wrongly assumed that beauty was mated with meekness and discretion. He then devoted himself to poetry as his main interest, but also found little wisdom in it. Nor did the warrior's calling satisfy him. Even the power he later came to wield as statesman proved to be folly. He will now die as a failure. His grief-stricken disciples, who are gathered about him, wonder what could be done to prolong his life so that he might continue his search for ultimate meaningfulness of existence.

They are aware of a last resort, the donation by compassionate persons of a portion of their own life to the more valuable life of their saintly master. A donation could be a year, a month, a day, or even an hour. The assembled crowd

of old and young admirers is prepared to make gifts of time, and thus enable their rabbi to live on for centuries. However, the sage does not want the misery of too prolonged an existence. He will accept only a single year to round out his span of four score years. He will take only three months from each of four mature disciples and rejects with thanks the laudable offers of the younger pupils.

Jochanan recovers and lives out another full year but is no nearer to the discovery of absolute truth. Love, war, song, statesmanship have all proved to be not gold but dross, as far as final insight is concerned.

Without the sage's awareness, however, a young boy has smuggled in an additional gift of three months of life in the hope that such a prolongation would enable his master to dispense additional wisdom. Yet, the only further conclusion the sage arrived at was the "confirmation of ignorance by knowledge." Ignoramus et ignorabimus. The most that we, finite beings, can attain to is an awareness of our ignorance, since the primal clarity of truth is darkened here on earth. Only in the realm beyond death will the pure elixir of truth become available to us. Here, on our imperfect planet, griefs and joys are alike vanity of vanities. Here truths are confused by our imperfect perceptions. The intuition of the heart lets us retain hope and is more to be trusted than reason, which is both an aid and a hindrance to final insights. Reason is a light which only partially lets us penetrate the darkness about us. We should boldly plunge into the darkness with the torch of reason but obscurity will still surround us. Right and wrong, good and evil, shade and shine, dream and reality, are only irreconcilable from our present view. They will be fused and reconciled in the never-ending Beyond after the soul's deliverance from the flesh.

Jochanan's last discourse, before the grave claimed him, expresses Browning's final conclusions on problems with which he wrestled throughout his later years.

### FRUG'S DEM SHAMES'S TOCHTER

Before the end of the decade in which Browning wrote his "Jochanan Hakkadosh" the trilingual poet S.S. Frug published his Yiddish poetic narrative *Dem Shames's Tochter (1888)*. It was based on oral versions of the ancient legend which circulated among the agricultural colonists of his native province of Kherson in Southern Russia and which he undoubtedly heard from his father, a

154 SOL LIPTZIN

teacher of Hebrew and Hebraic lore to the children of the townlet. 7

In Frug's poem, as in Browning's, the revered person for whom contributions of time are made is an aged rabbi beloved by the entire community. However, the Yiddish lyricist, who was born in 1860 and who was still in his twenties, was not interested in philosophical speculations on ultimate realities. He had come under the influence of Heinrich Heine, whose love poems and romantic legends were widely imitated by aspiring Yiddish writers. He, therefore, enriched the popular Jewish legend with an imagined romantic experience, the adoration of a young girl for the old rabbi who had taught her to read, to write, to follow the ways of righteousness, and to strive for deeds of piety.

When young Deborah heard that the rabbi was on the point of death, she aroused her father, the sexton, to summon the Jewish men to hasten to the synagogue in order to recite psalms and prayers for the rabbi's recovery. Their pleas to the Creator, however, were of no avail. More desperate measures were then resorted to. A candle was fashioned of the same height as the rabbi. It was wrapped in a Tallith and buried in a grave. But the Angel of Death was not deluded. A last desperate step remained; a collection was taken up, not of money but of time. An appeal was made to men and women, old and young, to donate a day or more to prolong the rabbi's life. The record of these donations was inscribed in a scroll which was to be placed in the Holy Ark of the synagogue. The bearers of the scroll passed from house to house to gather more signatures. When they reached the house of the sexton, Deborah stopped them and asked them to inscribe her gift, the gift of her entire life. Their efforts to dissuade her from such a tremendous sacrifice were in vain. Even her father's tears did not help. When the completed scroll was returned to the synagogue and locked up in the Holy Ark, the dying rabbi rose from his sick bed, invigorated and rejuvenated. On the same day Deborah passed away.

The rabbi lived on, year after year and decade after decade, while time took its toll of the townlet's inhabitants. Children matured, aged, and died. The rabbi continued to interpret God's law to his congregation. Every year, on the anniversary of Deborah's death, he said Kaddish for her. The passing years did not age him but sadness frequently overcame him. At night, in the midst of his religious studies, he heard the sweet voice of his departed pupil and he saw her

<sup>7</sup> S. S. Frug, Ale Shriften, New York, 1910, 224-236.

ADAM'S MISSING YEARS 155

face floating before him. He wished he could atone for having been the cause of her untimely death. He brooded on what would have been had she not sacrificed her preordained years. She would have become a bride in the course of time. She would have sung lullabies to her children. She would have led her daughter to the wedding canopy and would have witnessed her son developing into a famous scholar. Hers would have been the calm, dutiful existence of a Jewish matron. The rabbi's soul was rent with guilt and remorse. Every night resounded with his anguished prayers for death. Still he lived on, a gaunt, lonely relic, evermore estranged from the changing scene around him. Finally, the hour struck when Deborah's originally allotted span of life would have ended and the rabbi was released from life's ordeal to join his pupil in eternity.

### FRISHMAN'S HANEDAVAH

There is a close resemblance between Frug's Yiddish version of the folk legend and the Hebrew ballad *Hanedava* by David Frishman, his younger contemporary. Frishman, who was born in 1865, was a prolific writer from the closing 1880's to his death in 1922, both in Hebrew and Yiddish, in prose and verse. Like so many Jewish poets of his generation, he too came under the influence of Heine and this influence is reflected in this ballad.<sup>8</sup>

Frishman must have been familiar with Frug's poetic narration of the popular legend, since it appeared in the same periodical in which he published his own early Yiddish lyrics. When he composed his Hebrew ballad, however, he did not center it about an old rabbi. He did not accept the idea that a young girl, even of a romantic disposition, would be so fascinated by her aged mentor that she would give up her life to prolong his life. If she were to make such a supreme sacrifice, there was a greater likelihood that she would do so because of overwhelming love for a young person. It could be an aspiring Talmudic prodigy in order not to defy entirely the Jewish tradition that prized learning as a supreme value and conceived of a rabbi as the most worthy recipient of contributions of time.

Frishman's poem consists of four parts. The first part begins in the solemn tone of a traditional hymn recited on Rosh Hashanah and Yom Kippur, the days

<sup>8</sup> David Frishman, Kol Kitve, Shirim, Warsaw, 1924, I, 110-118.

156 SOL LIPTZIN

when there is inscribed and sealed in the heavenly record who shall live and who shall die during the coming year. Nevertheless, there are circumstances that can avert the decree of death. Repentance helps. So does fasting of an entire community from dawn to dusk. Prayers and the recitation of Psalms may ascend to God's abode and move the All-merciful to pity. A special ritual at the cemetery can keep the dead at rest in their graves and retain those who hover between life and death among the living. But if nothing avails, there is still a last resort, the contribution of time from living persons to the dying one.

The first part of the ballad ends with the introduction of the two principal characters. There is a tender description of the beautiful Batshua, who has been acquainted with these legendary beliefs since childhood and has matured in a pure, modest, religious home. Her home faced the townlet's House of Learning, where talented lads were immersed all day in the study of Torah and other sacred works. The most brilliant of the young scholars inflamed the heart and imagination of the maiden when she looked out of her window.

The second part of the ballad is devoted to Batshua's singing and day dreaming of a golden-haired, harp-playing, psalm-intoning youth along the banks of the Jordan. This youth, like David of ancient days, would be anointed at Hebron and win a kingdom that stretched from Dan to Beersheva.

In the third part of the ballad, Batshua's day dreams are shattered by a sudden, piercing outcry; the most brilliant of the young Torah scholars is dying. The call is going out to assemble at the House of Worship and to pray for his recovery. However, no prayers, no charity, no cemetery rituals have any remedial effects. As a last resource, the rabbi and his assistants go from street to street and from house to house soliciting contributions of time. In their hands is a parchment in which the donations of precious days, weeks, months, perhaps even of a year or more are recorded, in order to lengthen the fading life of the dying lad. Many contribute, the rich and the poor, some more, some less. The rabbi inscribes, as his share, *chai*, eighteen months of his own life. When he nears Batshua's house, trembling comes over her. Suddenly a strange voice bursts from her: "All my life, all my life, for the dying person... All my years, all my years, I give to him."

The concluding part of the ballad shows the aftermath. At the ringing of the midnight bell, the dying lad opens his eyes to a renewed life. At the same moment, Batshua closes her eyes and her soul is drawn heavenward.

### PERETZ: MESIRES NEFESH

Frishman's ballad ranks among the finest of this genre in Modern Hebrew. Its theme, the voluntary offering of a maiden's remaining years so that a doomed young scholar might live on, serves as the climax of Y.L. Peretz's Yiddish novelette *Mesires Nefesh.* 9

The heroine of this tale is Miriam, the charming, righteous daughter of Reb Hiya of Safed. When she learns from her father, the head of Safed's Yeshiva, that among his pupils was the penitent Hananya, who had begun as a prodigy, had sinned arrogantly, had suffered grievously, and as part of his atonement was doomed to die on the eighth day after his marriage, she undertakes to marry him and to avert the heavenly decree by sacrificing herself for him.

On the eighth day, when the wedding festivities were coming to an end, she espied the poisonous snake which had been sent by the Angel of Death to bite the unsuspecting Hananya. While the latter was discoursing with her father about a holy text, she made her way from the house to the garden, disguised in his garments. She prayed that the Creator of the Universe might accept her sacrifice so that her husband's life might be prolonged and so that he become a great scholar in Israel. The snake, mistaking her for Hananya, moved ever closer to her and injected its fatal venom.

When her soul ascended to heaven, the snake's error and her true identity were discovered, and she was told to get back to her body. She refused, claiming that nobody could be required to suffer twice the agony of dying. She would go back on condition that her first death be accepted in lieu of Hananya's death. Her wish was granted by the heavenly host and her soul was returned to her body. 10

The evolution of the Jewish legend down the centuries has removed it far from its original source, the explanation for Adam's missing years, his gift of time to avert the premature death of his royal descendant David. In the course of this evolution, the legend survived orally to the present day as the gift of time by members of a Jewish community to an adored and worthy religious leader and in recent literary transformation as the self-sacrificing act of a pure Jewish maiden for a beloved young scholar, whose life she valued as more precious than her own.

<sup>9</sup> Peretz, ed. Sol Liptzin, Yivo Bilingual Edition, New-York, 1947, pp. 30-109.

<sup>10</sup> Liora Seevi, "Mesires Nefesh, Eine jüdische Erzählung" im Spuren, Festschrift für Theo Schumacher, Stuttgart, 1986, pp. 387-412.

### "EYE FOR EYE"

### BY SHIMON BAKON

The term "eye for eye" is highly charged emotionally. In certain circles with anti—Jewish bias it has become one of the most tangible symbols of the "divide" between the so-called Old and New Testaments. In their view, "eye for eye" stands for harsh justice of the former, as opposed to the demand for love of the latter. Such bias bursts forth quite undisguised when a highly respected American weekly, reporting on the retaliatory measures taken by Israeli forces against brutal terrorist acts, called them: "Two eyes for an eye!".

In Roman terminology, lex talionis is quite respectable, and is still used by many countries to penalize murder. It is only in recent times that the lex talionis for murder has been commuted by enlightened countries to a life sentence.

### FROM BIBLE TO TALMUD

In the Pentateuch the legislation "eye for eye" appears three times. <sup>1</sup> It is perhaps of some significance that it never recurs in the entire Biblical literature, spanning one thousand years, which includes many historical, prophetic and wisdom books. Neither do we find one instance in which this lex talionis was ever applied. When we reach Rabbinic legislation, this term is clearly used as pecuniary compensation, an equitable punishment that fits the crime. It is claimed by some scholars that this was due to the humanizing effort of the sages, who softened the harsh biblical injunction.

In the Talmud<sup>2</sup> nine Rabbis, representing various schools, ask one and the same question. If the Divine Law states "eye for eye", why, then, compensation? Their arguments that the biblical intent from the start was financial compensation rather than literal application, rank in importance with their unanimous interpretation and its implications. Those scholars who consider the

- 1 Ex. 21:24; Lev. 24:20; Deut. 19:21.
- 2 Baba Kama, 83-84.

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"EYE FOR EYE" 159

Talmudic verdict as an "humanizing" effort, fail to realize that certainly in the time of these Rabbis and their schools, the "eye for eye" was not in practice, and that their discussions were meant only to bring further proof why this biblical law could only have meant fair compensation and nothing more from its inception.

The Sages of the Talmud use every permissible rule of exegesis to elucidate this point. Thus, since it is stated in Leviticus "he that smiteth a man" and "he that smiteth a beast," the rule of analogy applies, and just as compensation is paid to the one, so also to the other.

Another Sage uses the tour de force of the following logic. "In Numbers 35:31 it is stated 'you shall take no ransom for the life of a murderer'... that is, not for the murderer but for injuries inflicted — even for loss of limbs, though they cannot be restored."

Abbaye, finding support in the School of Hezekiah, suggest that the pecuniary compensation is derived from the principle of fair justice, based on common sense: "It is stated 'eye for eye: life for life' (Ex. 21), but not life and eye for eye." Since the taking of the eye may cause his death, this could not have been intended.

That all the Rabbis were unanimous in their argumentation was in itself a rarity in Talmudic literature. Most clearly, they did not legislate the principle of fair compensation.

One can also find support for this assumption in the fact that we have no record of an argument on this issue between Saducees and Pharisees, with the former sticking to the literal interpretation of the Pentateuch, and the latter emphasizing Biblical law as interpreted by Oral Law. It is perhaps equally important that an argument on the literal application of "eye for eye" did take place during the Karaite separation from the mainstream of Judaism, between Saadya Gaon and the School of Karaites.<sup>3</sup>

### THE SETTING: EXODUS 21

Let us examine Exodus 21, the setting and the pattern within which "eye for eye" makes its appearance. It has to be viewed as an integral part of legislation that deals with homicide, intentional and unintentional (12-14); with assault

<sup>3</sup> See Ibn Ezra's comment on Ex. 21:24.

160 SHIMON BAKON

leading to injuries (18-27); injuries or death caused by the "goring ox" (28-32); and loss of property.

Professor Moshe Greenberg has stated: "It is not possible to comprehend the law of any culture without an awareness of its key concepts and value-judgements. Comparing individual laws of various systems could be misleading." 4

Lex talionis, indeed, was widespread in antiquity, and is well documented in the Code of Hammurabi, but scholars who extrapolate that this same law was adopted by the Bible, have done so without carefully checking the evidence, or with intention aforethought to denigrate the uniqueness of the Bible. No doubt there are points of contact between the two value-systems, but what makes for uniqueness are those significant points in which they differ. Following are some salient differences.

### SUPREME VALUE OF HUMAN LIFE

For intentional murder, the Bible prescribes unequivocally ... He shall be put to death (v. 12). Already in Genesis (9:5) we read:

And surely, your blood of your lives will I require Whosoever sheddeth man's blood, by man shall his blood be shed For in the image of God made He man.

Having committed an unforgivable sin against God, an uncompromising death penalty is required.<sup>5</sup> Furthermore, being irreplaceable, human life cannot be measured in terms of money or property, therefore no ransom is allowed. On the other hand, Near Eastern law on homicide "recognizes the right of the slain man's family to agree to accept a settlement in lieu of the death of the slayer." While Biblical law insists on financial settlement for theft or property damage, "in Babylonian law breaking and entering, looting, trespassing, presumably for theft, and theft of another's possession, is punishable by death."

- 4 Some Peculiarities of Biblical Criminal Law, Moshe Greenberg, Jewish Expression (Ed. Judah Goldin) p.20.
- 5 The Talmudical tendency to mitigate capital punishment is well known. Thus, according to Mishna Makkot 1:10, Rabbis Tarfon and Akiba state: "If we had been in the Sanhedrin, no one would have been put to death." See: "At The Mouth of Two Witnesses" by the author Dor le Dor Vol. XII 3.
  - 6 The Babylonian Laws, Driver and Miles Legal Commentary p. 20.
  - 7 Ibid p. 27.

"EYE FOR EYE" 161

If homicide was unintentional, the Bible appoints cities of refuge whither he may flee (v. 13), whereas in Babylonian law, for instance, if a physician wounds a man while performing an operation, causing his death, the physician's hands are to be chopped off.<sup>8</sup>

### VICARIOUS PUNISHMENT

Exodus 21:31 contains an obscure verse, which deals with a goring ox that killed a person:

Whether it (the goring ox) has gored a son, or gored a daughter according to this judgement shall it be done to him.

The Bible offers here the possibility of "redemption" money for loss of life sustained, but why stress that the same law holds good in the cases of sons and daughters gored to death? This can only be understood when compared to the principle of "measure for measure" in the Code of Hammurabi, as illustrated in the following law:<sup>9</sup>

If a man strikes the daughter of a (free man).

if that woman dies, they shall put his daughter to death.

Thus the Bible categorically opposed vicarious punishment that was so prevalent at that time in the Near East. Individual culpability was stressed as expressed in the following: (Deut. 24:14):

Fathers shall not be put to death for children

Neither shall children be put to death for the father

Every man shall be put to death for his own sin.

This was already recorded in Biblical time. When Jehoash, king of Judah, was assassinated by two of his servants, his son Amaziah slew the servants who had assassinated his father, but the children of the murderers he put not to death, in keeping with what is written in the Book of the Law of Moses. 10

Upon closer examination it becomes clear that these differences are not coincidental, but reflect two diametrically opposed views on life. There seems to be a conscious effort on the part of Biblical legislation to counteract practices current among peoples with whom Israel was, or was to be, in contact:

<sup>8</sup> p. 218 of opus cited.

<sup>9</sup> p. 209-210 ibid.

<sup>10</sup> II Kings 12:21-22; 14:5-6.

162 SHIMON BAKON

Mesopotamian, Egyptian, Canaanite. These Biblical laws are a logical extension of the exhortation:

After the doings of the land of Egypt, wherein you dwelt and after the doings of the land of Canaan, whither I bring you shall ye not do.

Leviticus 18:3-5

### THE CASE OF THE PREGNANT WOMAN

If men strive together and hurt a woman with child So that her fruit depart, and yet no harm follow... Then he shall pay as the judges determine But if any harm follow, then thou shalt give Life for life, eye for eye!"

Exodus 21:22-24

This is obviously an integral part of the legislation which was discussed previously, dealing with intentional or unintentional assault leading to death and injury. We have noted that for each of these offences the Bible prescribes specific penalties. In the light of these laws, when we examine the case of the pregnant woman who lost her unborn child because of two men engaged in a fight, serious questions arise. What is the meaning of "life for life" if "any harm follow"? Can we seriously maintain that the Bible decrees the death penalty for the perpetrator of this tragic mishap? It was clearly an unfortunate circumstance that the woman was close to the spot where the fight occurred, therefore the damage was done unintentionally, and for that the Bible set aside cities of refuge.

Even more incomprehensible is the "eye for eye" within the context of bodily injuries. Only a few verses back the Bible clearly legislated compensation for "loss of time" and "therapy." <sup>11</sup> Furthermore, a few verses later <sup>12</sup> it is stated: If a man strikes the eye of his bondsman, he shall let him go free for his eye's sake. <sup>13</sup> It is preposterous to assume that causing bodily injury, such as the loss of an eye or tooth to a bondsman, will result in his going free, while striking the eye or tooth of a free man shall be penalized by causing the perpetrator to lose either an eye or an a tooth.

- 11 The Talmud also added compensation for pain, shame etc.
- 12 Ex. 21:26
- 13 Also this remarkable piece of legislation in the matter of treatment of a bondsman, is in clear opposition to the whole spirit of the Code of Hammurabi.

"EYE FOR EYE" 163

### FROM ONE MANNER OF LAW TO FAIR JUSTICE

The well known biblical "one manner of law" is contained in Lev. 24:24.

You shall have one manner of law as well for the stranger as for the homeborn For I am the Lord your God.

The Sages of the Talmud utilized this dictum when they rationalized why the biblical intention of lex talionis could only have meant fair compensation. Thus Rabbi Shimon bar Yochai argued: "What will you say, a blind person puts out the eye of a 'seeing' man?" There can be no question that in Talmudic legislation the principle of one manner of law had been expanded not only to apply to every individual, stranger and homeborn, but also to signify fair and equitable justice.

One could equally argue that the same principle already holds true for the Bible. How else can one interpret the following verses in Leviticus? 14

He that smites a man mortally, shall surely be put to death But he that smites a beast mortally, shall make it good. Life for life, eye for eye...

The Biblical intent is clearly revealed here. For intentional homicide the offender loses his life. Offences against property (such as loss of a beast) are to be made good by a monetary compensation.

Thus "life for life," "eye for eye" have turned into a legal term signifying the proper penalty for crimes committed. The judgement of the severity of the crime is viewed from the vantage point of the biblical value system which decrees five interrelated principles:

- a. Destroying a human life is a cardinal sin, for which no ransom can be taken.
- b. Offences against property cannot be punished by death.
- c. Intention and individual culpability are clearly defined aspects of its system.
- d. Bodily injuries, due to assault, can be made good by compensating for loss of time and for therapy.
- e. There is one manner of law to be applied, irrespective of one's station in life.

# THE CYRUS CYLINDER AND ISAIAH 40-50

### BY AARON LICHTENSTEIN

The Cyrus Cylinder is an inscribed, barrel-shaped clay cylinder, which purports to have been commissioned by Cyrus the Great (557-529 B.C.E.), the founder of the Persian Empire. Written in cuneiform script, the Cylinder was uncovered at Babylon during 1879, and was packed off to the British Museum in London. The discovery aroused considerable excitement because of parallels to Ezra 1 and II Chronicles 36, dealing with Cyrus's edict of liberation for the Hebrew captives in Babylonia.

There also are striking similarities of motif to be found in the Cyrus Cylinder and in the Book of Isaiah, from chapter 40 on, where Cyrus is twice mentioned by name. The Cylinder attributes the Persian king's successes to the Babylonian agenda of its god Marduk:<sup>1</sup>

Marduk [who does care for]... on account of (the fact that) the sanctuaries of all their settlements were in ruins and the inhabitants of Sumer and Akkad had become like dead, turned back (his countenance) and he had mercy. He scanned and looked (through) all the countries, searching for a righteous ruler willing to lead him. (Then) he pronounced the name of Cyrus, king of Anshan, declared him the ruler of all the world. He made the Guti country and all the Manda-hordes bow in submission to his feet. and he (Cyrus) did always endeavour to treat according to justice the black-headed whom he (Marduk) had made him conquer. Marduk, the great lord, a protector of his people, beheld with pleasure his good deeds and his upright mind (and therefore) ordered him to march against his city Babylon. He delivered into his (i.e. Cyrus's) hands Nabonidus, the king who did not worship him (i.e. Marduk). All the inhabitants of Babylon as well

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<sup>1</sup> James Pritchard, editor, Ancient Near Eastern Texts (ANET), Princeton University Press, 1955, p. 315. Biblical quotes are from a new English translation by Harold Fisch in The Holy Scriptures, Jerusalem: Koren Publishing, 1984.

as of the entire country of Sumer and Akkad, princes and governors (included), bowed to him (Cyrus) and kissed his feet, jubilant that he (had received) the kingship...

In Isaiah (45:1-4) the same Persian success is on the agenda of the God of Israel:

Thus says the Lord to his anointed, to Koresh, whose right hand I have held, that I may subdue nations before him, and loose the loins of kings: that I may open before him doors and gates which shall not be shut: I will break in pieces the gates of brass, and cut in sunder the bars of iron: and I will give thee the treasures of darkness, and hidden riches of secret places, that thou mayst know that I, the Lord, who call thee by thy name, am the God of Yisra'el: For Ya'aqov my servant's sake, and Yisra'el my elect, I have even called thee by thy name.

In the Cylinder, Cyrus is the man "Bel and Nebo love, whom they want as king to please their heart," and Marduk too is pleased with Cyrus's performance:

Marduk, the great lord, was well pleased with my deeds and sent friendly blessings to myself, Cyrus, the king who worships him, to Cambyses, my son, the offspring of [my] loins, as well.

Similarly, the Lord of Isaiah, in 48:14–16, is disposed with love for Cyrus: He whom the Lord loves, he will do his pleasure on Bavel, and his arm shall be on the Kasdim. I, even I, have spoken; indeed, I have called him: I have brought him, and he shall succeed in his way.

The Cylinder has Cyrus reestablishing Babylonian and Assyrian sacred chapels on behalf of Marduk:

(As to the region) from... as far as Ashur and Susa, Agade, Eshnunna, the towns Zamban, Me-Turnu, Der as well as the region of the Cutians, I returned to (these) sacred cities on the other side of the Tigris, the sanctuaries of which have been ruins for a long time, the images which (used) to live therein and established for them permanent sanctuaries I (also) gathered all their (former) inhabitants and returned (to them) their habitations. Furthermore, I resettled upon the command of Marduk, the great lord, all the gods of Sumer and Akkad whom Nabonidus has brought into Babylon to the anger of the lord of the gods, unharmed, in their (former) chapels, the places which make them happy.

And in parallel fashion Isaiah 44:28 has the Lord saying:

166 AARON LICHTENSTEIN

...that says of Koresh, He is my shepherd, and shall perform all my pleasure: and saying to Yerushalayim, Thou shalt be rebuilt: and to the temple, Thy foundation shall be laid.

To Isaiah (47:11) Cyrus is for the Lord "The man of my counsel;" just as in the Cylinder, "Marduk goes by his side like a friend." What shall we make of these similarities? Is there a reason, beyond expected coincidence, for them? A reconsideration of the Cylinder is in order, for to begin with, its point of view is inappropriate for Cyrus. In it Cyrus gives credit to the Babylonian gods for his victory. Why no mention of Ahura Mazda, the good god of Persia. Another Persian king, Xerxes (485-465), left an inscription (ANET p. 316) that begins:

Ahuramazda is the great god who gave (us) this earth, who gave (us) that sky, who gave (us) mankind, who gave to his worshipers prosperity, who made Xerxes, the king, (rule) the multitudes (as) only king, give alone orders to the other (kings). Thus speaks king Xerxes: These are the countries — in addition to Persia — over which I am king under the "shadow" of Ahuramazda, over which I hold sway.

Such language is what is expected and what is missing in the Cyrus Cylinder. The Cylinder, thus, is best seen as a collaborator's text. It presents the point of view of the vanquished Babylonians in an effort to find favor with the conquerors; it explains Persia's victory over Marduk's people by saying Marduk wanted it that way. It expresses ideas found in another Akkadian inscription, "Nabonidus and the Clergy of Babylon" (ANET p. 312), and scholars have already suggested that the Cyrus Cylinder should be seen as the handiwork of Babylon's clergy.<sup>2</sup>

The Cyrus Cylinder is in Akkadian, for Babylonians, by Babylonians, and it does not present us with the true Cyrus. Isaiah (45:5-7) gives a more accurate representation of Cyrus:

I am the Lord, and there is none else, there is no God beside me: I girded

<sup>2</sup> Sidney Smith, Isaiah Chapters XL-LV: Literary Criticism and History. The Schweich Lectures of the British Academy. London: Oxford University Press, 1944. In part, my study is a reconsideration of Sidney Smith's important lectures. See Morton Cogan's Imperialism and Religion: Assyria, Judah, and Israel in the Eighth and Seventh Centuries B.C.E., University of Montana: Society of Biblical Literature and Scholars Press, 1974, page 32, where the Cylinder is characterized as "the propagandistic Cyrus cylinder."

thee, though thou hast not known me: that they may know from the rising of the sun, and from the west, that there is none beside me. I am the Lord, and there is none else, I form the light, and create darkness: I make peace, and create evil: I, the Lord do all these things.

These verses are a rejoinder alluding to Persian theology which projects two dieties: Ahriman, who is the force of darkness and evil, and Ahura Mazda who is the god of light and righteousness. For no doubt, back in Persia the victor gave credit to native Persian strategic, political, and religious superiority. Persian priests, who had read out the pre-battle omens for Cyrus predicting his victory, must have chafed at the audacity of the Babylonian scribes who were claiming credit for Cyrus's conquest of them. Indeed, just such an international dispute can provide the needed setting for a major theme in Isaiah. Isaiah enters the name of God in the competition, against the claims for Marduk, Nebo, Bel, Ahura Mazda, and probably for some other national deities. Concerning which Isaiah 48:14:

All of you, assemble yourselves, and hear: which among them has declared these things?

Isaiah (48:3-7) anticipates the counterclaims of the pagan forces, and the Lord responds:

I have declared the former things from the beginning; and they went out of my mouth, and I reported them; I did them suddenly, and they came to pass. Because I know that thou art obstinate, and thy neck is an iron sinew, and thy forehead brass; I have even from the beginning declared it to thee; before it came to pass I showed it thee; lest thou shouldst say, My idol has done them, and my carved idol, and my molten image has commanded them. Thou hast heard, now see all this and will you not declare it? I have shown thee new things from this time, hidden things, which thou didst not know.

Repeatedly, Isaiah conjures up the image of formal debate and heated disputation (45:20-21):

Assemble yourselves and come, draw near together, you that are escaped of the nation: they have no knowledge, those that carry about their wooden carved idol, and pray to a god that cannot save. Declare and bring them near; let them take counsel together: who declared this from ancient time? who told it from that time? did not I the Lord?

168 AARON LICHTENSTEIN

Cyrus is the "bird of prey from the East", whose advent is declared by the Lord from the beginning, from yore (46:9-11):

I am God, and there is none like me, declaring the end from the beginning, and from ancient times the things that are not yet done, saying. My counsel shall stand, and I will do all my pleasure; calling an eagle from the east, the man that executes my counsel from a far country.

God's argument seems based on His proving He predicted the Cyrus victory, whereas other claims — such as the one in the Cyrus Cylinder — came later or after the fact. Isaiah names his audience as witness to the prophecy (43:9-10):

Let all the nations be gathered together, and let the peoples be assembled: who among them can declare this, and announce to us former things? let them bring forth their witnesses, that they may be justified: or let them hear, and say. It is truth. You are my witnesses, says the Lord.

These passages sweep the reader back and forth through time, alternately placing him at the time of the prophecy and its realization. Thus Isaiah 44:6-8:

Thus says the Lord the King of Yisra'el, and his redeemer the Lord of hosts: I am the first, and I am the last; and beside me there is no God. And who is like me? Let him proclaim it, let him declare it, and set it in order for me, from when I appointed the eternal people; let them relate for themselves the things that will come, and are to be. Fear not, neither be afraid: have not I told thee from that time, and have declared it? for you are my witnesses.

Isaiah's chapter 41 frames together the prediction of the Cyrus victory, the anticipation that divinities would claim credit for that victory, the proof of God's responsibility for Cyrus per Isaiah's prophecy, and the reports of the prophecy's realization. Thus Isaiah 41:21–27:

Produce your cause, says the Lord; bring forth your strong reasons, says the King of Ya'aqov. Let them bring them forth, and tell us what shall happen: let them relate the former things, what they were, that we may consider them, and know the latter end of them; or declare us things to come. Declare the things that are to come hereafter, that we may know that you are gods; indeed, do good, or do evil, that we may be dismayed, and behold it together. Behold, you are of nothing, and your work of nought: an abomination is he that chooses you. I have raised up one from the north, and he is come: from the rising of the sun, and he shall call upon

my name: and he shall come upon princes as upon mortar, and as the potter treads clay. Who has declared from the beginning, that we may know? and beforetime, that we may say, He is right? There is none that told, none that declared, not one even that heard your words.

It is possible to read the text as the early, unified prophecy or to read it as incorporating successive levels of updating prior to Isaiah's canonization. However, it is clear that the text projects the prophet as proclaiming Cyrus's advent — for on this prediction rests the heaping proof of God's efficacy. Further, the dauntless repetition of how God wins the international debate supports a reading by which these selfsame phrases constitute the proof in writing that it could not have been Marduk or others who arranged for Cyrus. Such a text published, and such a prophecy announced, could have given rise to a competitive international clamor, such as is reflected in the Cyrus Cylinder, claiming mystical credit for bringing on Cyrus. Such a text as Isaiah's, published or known early on, could be at the root of the similarities of language found in the biblical and in the historical writings under consideration here.<sup>3</sup>

3 Xenophon (cirea 400) seems likewise to be aware of language such as Isaiah's, in that he terms Cyrus the Shepherd of God. Josephus likewise interprets the II Chronicles 36 statement, "The Lord stirred up the spirit of Cyrus," as meaning that Isaiah's very prediction of his success moved Cyrus: "This was known to Cyrus by his reading the book which Isaiah left behind... Accordingly, when Cyrus read this, and admired the divine power, an earnest desire and ambition seized upon him to fulfil what was so written" (William Whiston, editor, Josephus: Complete Works, Grand Rapids: Kregel Publishing, p. 228 and notes).

Our reading of Isaiah is in contradistinction to the standard textbook understanding, which informs "The final development of Hebraic monotheism is customarily ascribed to the writer of the second half of the Book of Isaiah" (The Western World, W. Adams et al. New York: Harper and Row, 1968, volume I, p. 41).

Our reading also obviates the need for a second prophet Isaiah, from a literary standpoint. For a close reading of Isaiah 40-66 which omits a simultaneous consideration of the Cyrus Cylinder, see Zvi Kaplan, *Mimayanei Qedem* (Hebrew), Jerusalem: Mossad Harav Kook, 1979, pp. 12-40. Kaplan's otherwise perceptive readings would leave Isaiah's God sounding like a chest-thumping Tarzan.

For the variety of critical interpretations on Isaiah 40-66, and the ongoing search for a sound reading, see Irving M. Zeitlin, *Ancient Judaism*, Biblical Criticism from Max Weber to the present, Cambridge, Polity Press, 1984, pages 260-269.

### THE SAGA OF THE FIRST BORN

### BY BENJAMIN GOODNICK

Even those superficially acquainted with the Bible are aware of the friction between Jacob and Esau over the assumption of first-born rights. Jacob stood accused of "stealing" the birth-right from Esau, an act seeming to leave a taint on former's character. This issue, causing a fraternal rift affecting their lifelong relationship, must have been of great significance to them both.

Of course, no actual "stealing" took place; the incident simply reflected Jacob's strong desire to obtain the first-born status. There was a bonafide agreement; a perfectly legal contract (food for the famished in exchange for an oath relinquishing the birth-right) was transacted. After the fact, as always, there are regrets; yet, the text states that Esau left the scene despising the birth-right (Gen. 25:32, 34).

The Jacob-Esau relationship was aggravated by Jacob's deception — this time instigated by Rebekah, Jacob's mother — of his father, Isaac, in order to receive the blessing intended for Esau. This second loss enkindled Esau's wrath against Jacob. Realistically, the right of the first-born would have been meaningless without Jacob's obtaining father's prime blessing.

Indeed, this is not the only instance in the Bible where an old father approaching his end, makes oral commitments legally binding. This happens in Jacob's blessings of his sons and David's selection of Solomon as his regal heir. To these we can add, for further cofirmation, cuneiform documents of this period which similarly describe cases of a father on his death-bed bestowing the birthright on a selected son. <sup>1</sup>

1 See E. A. Speiser, "I Know Not the Day of My Death," *Journal of Biblical Literature*, LXXIV, (pp. 252-256).

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### PRECEDENCE OF YOUNGER SONS

As we survey the whole biblical scene, we note that this phenomenon, of a younger son gaining precedence over the older, is far from rare. Indeed, it would seem to become the more frequent pattern.

The following list contains most of the main biblical characters involved in these situations: Abel (over Cain), Abraham (the youngest brother), Isaac (over his half-brother Ishmael), Judah (over Reuben), Ephraim (over Manasseh), Moses (over his older brother), David (over all his older brothers), and Solomon (over his older brothers).

It would appear, then, that the Bible is intent on proving some points.

Let us see how these selections, these changes in first-born status, were made. For some we have reasons, for others we do not. A few depend on direct divine choice. For example, at the very beginning of his sojourn, Abraham was told abruptly and directly: Go forth from your native land... I will make you a great nation..." with no hint as to the actual circumstances of that event. Moses had an earlier history before meeting the voice of the Almighty out of the bush saying ...I shall send you to Pharaoh and you shall free the people... The two are assigned missions of long duration and of momentous purpose.

There are a number of talmudic and midrashic tales about Abraham and Moses which seem to reveal the possible reasons for their being chosen. Abraham is perceived as the first to recognize a universal deity, the first iconoclast in a pagan land, the breaker of the very idols his own father made and sold.<sup>2</sup>

Moses is revealed as the tender leader of his flock of sheep, kind and deeply concerned for their welfare. Therefore, he was chosen to be "shepherd of my people Israel..." (Ex. Rabba 2:2-3). Nor was Moses willing, among other reasons, to enter into what he considered his older brother's domain (Ex. Rabba 3:16).

The biblical text, however, offers no such clues. The only hint, in the case of Abraham, is that he was the only brother who persisted, with his father, when they set out together... for the land of Canaan. Moses, it is stated, seemed to be aware of his kinship with the Hebrews and defended them against Egyptian

<sup>2</sup> Gen. Rabba 64:4, 95:2 and T. Bavli Pes. 118á

172 BENJAMIN GOODNICK

cruelty. Still, these instances are not used to justify choosing them as leaders of a "great people" (Gen. 12:2 and Ex. 3:10).

In Abraham's situation, it is apparent that both his brothers had died, and his father Terah soon thereafter (Gen. 11:31-32). Moses, on the other hand, demurred when he was offered the leadership; he had to be told that his older brother would be pleased to learn that Moses would lead the people of Israel and, in addition, would act as his spokesman (Ex. 4:10-16).

Of all those named above, Jacob was the only one who negotiated to become the "older brother" through purchasing the right of the first-born.

Aside from Rebekah, two other mothers, the Bible relates, obtained rights for their sons: Sarah for her son, Isaac, by insisting that his half-brother, Ishmael, be sent away; and Bathsheba, by holding her husband, King David, to his promise (otherwise not stated) to make her son, Solomon, king after him (I Kings 1:17).

In these latter two instances, the Bible does clarify that these preferences over the original claimants had merit. Ishmael was the son of a non-Hebrew and indulged in inappropriate behavior; Sarah was afraid of his influence over her son. Solomon's older brothers had already claimed the kingship during the life of their father — to the extent of causing civil war in the kingdom. Solomon had remained on the sidelines, rejected and innocent and, later, when enthroned, prayed for guidance.

In the story of Abel and Cain, it is clearly stated that the former was preferred because he brought the best of his flocks. Cain's jealousy is noted and he is warned that, if he chooses, he can overcome his feelings. This is the only instance where the one preferred does not gain from his selection (Gen. 4:3-8).

The patriarch Jacob, in his later years, makes two of these selections of younger sons. He picks Judah as the leader while acknowledging that Reuben, the first-born, should have had that position. However, Reuben's weaknesses made him unfit (Gen. 49:3–4 and 8–10). Jacob also pronounced Ephraim, the younger of Joseph's sons, as the more qualified to lead (i.e., rather than Manasseh) (Gen. 48:17–19). Here the reason is not given; the fact is simply stated.

In the case of the anointment of David, we find a different process. The Prophet Samuel was sent on a mission to select a new king to replace Saul, already expendable because of his disobedience. Samuel is impressed at first with David's older brothers — by their outer appearance — and is about to anoint each

one in turn. He is held back by the divine command not to be overwhelmed by this facade (as he had been in the case of Saul). Finally, David was brought back from grazing his father's sheep to be anointed (I Sam. 16:1-13).

Again, his selection is not fully clear, though David's later deeds attested to his ability to lead. Still, he did relate to Samuel the events of his determination and strength in overcoming wild beasts as he protected his flocks.

### THE SIGNIFICANT PRINCIPLE

We see, then, deliberate, dramatic transfers of first-born rights to the younger / youngest son. Moreover, these incidents occurred to outstanding individuals, totally involved in and vital to the history and continuity of the Jewish people. It must be assumed then that a significant principle is being enunciated.

Does this mean, is this an open statement, that first-born rights are being abrogated? Let us see. As to primogeniture, we find, from the beginning of Genesis until the end of Chronicles, throughout the whole gamut of the biblical text, genealogical lists continually distinguishing the first-born son from the other children.<sup>3</sup> This is found even in the case of non-Israelites: Sidon is named the first-born of Ishmael (I Ch. 1:29). Thus, despite the apparent abrogation and denial of first-born rights viewed above, confirmation of the "primacy" of the first-born continued.

We are, thus, faced with a paradox: On the one hand, the rights of the first-born are denied and, on the other, they are supported. One aspect is certain: The status must have worth, since everyone is fighting to retain or obtain that position.

Why does that status have worth? What is the original source of its merit? The simplest, most direct answer is found in Jacob's blessing of his sons as he addresses Reuben (Gen. 49:3): ... My might and first-fruit of my vigor, exceeding in honor... This statement is confirmed in another passage (Ps. 78:51) referring to the first-born of Egyptians as ... the first-fruits of their vigor in the tents of Ham. The first-born son would appear to represent the first evidence of the father's reproductive powers, the strength and durability of his family, tribe, or race. He, the son, was proof of the continuity of the generations.

<sup>3</sup> e.g., Gen. 5:6-31; I Ch. 2:43, 8:1, 8.39.

174 BENJAMIN GOODNICK.

If so, what then are the values and perquisites that thereto adhere? The first-born son, by virtue of his birth, held first "rank" and first "honor." His was the legitimacy of leadership, the chieftainship or kingship, of his domain. He received as his inheritance (Deut. 21:17) a double portion of all he possesses, since he is the first fruit of his vigor...

But this was not all. The position appeared to carry along an aura of sanctity. The first-born, installed as chief, prince or patriarch, became the religious functionary, responsible for the religious welfare of his group and symbolizing their moral-ethical outlooks. He embodied the spiritual-secular leadership, a powerful position. In a sense, his person was the guarantor of the maintenance of the established, accepted order.

Basically, the term first-born, no matter to which son applied, was considered a title of esteem, ascribing greatness, honor and valor. Thus the biblical text states (Ex. 4:22): Israel, my first-born son, (Jer. 31:10). Ephraim, my first-born, and elsewhere.

By contrast, the significance of primogeniture is also found in negative associations. The prophet says (Zach. 12:10) that the people of Judah shall grieve as over the death of a first-born. Micah(6:7) pleads: Shall I give my first-born for my transgressions... (i.e., shall I give up my most prized possession to compensate for my wrong-doing?). Even more tragic is the tale of the King of Edom who slaughtered his own first-born (the future king) on the wall of his city to alleviate Israel's siege; so powerful was the sacrificial symbol.

A similar degree of power and sanctity is attributed to the first-born of herds and flocks. Note the juxtaposition of first-born man and beast in the slaughter of the tenth plague (Ex. 12:29 and Num. 3:17) and in their sacred selection (Ex. 22:28–29). Moreover, when they are released from their consecrated duty, they must be redeemed by a priest, the son through a coin (Num. 3:47) and the animal through a substitute (Ex. 34:19). Indeed, Joseph, an outstanding son, is described (Deut. 33:17) as a first-born bull in his majesty...

The religious function as part of the first-born's duties probably arose during pastoral travels. Our own patriarchs set up altars for divine worship in various locales in Canaan. With the new institution of the central tabernacle a special class of men, the Levites, was chosen (Num. 3:41 and 8:18) to carry out the various religious activities attendant on the divine service (Num. 8:6–22) (i.e., other than the priestly functions of Aaron and his sons).

#### RESOLVING THE CONFLICT

After establishing the worth of primogeniture, how do we resolve the seeming conflict i.e., of denying that position and yet supporting it? Perhaps we can do so by reviewing the biblical perspective. The Bible perceives the world as being governed by physical and social laws, firmly set. They cannot be lightly annulled, but may be modified or briefly suspended by a higher claim, namely, religiomoral-ethical principles (e.g., as in the case of the splitting of the Red Sea).

Let us apply this approach to our understanding of the incidents linked with the laws of primogeniture. What overriding factors "bent" the laws of the first-born? On what basis do individuals retain or lose their first-born status? An analysis of the factors in these changes would appear to support the operation of moral-ethical principles or, put another way, the presence of negative character traits (i.e., wherever a reason seems to be indicated or implied). Again, this is all premised on the biblical concept that a human being's actions are deliberate; he has the power within himself to make choices.

On the negative side, the following list typifies characteristics depriving their displayers of the rights of the first-born; anger and loss of control (e.g., Cain); sexual misconduct (e.g., Reuben, Ishmael, Judah's older sons: Er and Onan, etc.); uncouthness and rejection of the status (e.g., Esau); and pride and power-seeking (e.g., David's eldest sons: Absalom and Adoniyah).

As to positive personal traits, the following appear to offer first-born rights to their receivers: profound faith (e.g., Abraham); concern for his people (e.g., Moses); fortitude and faith (e.g., David) and religious zeal (i.e., the tribe of Levi, superseding all first-born sons in their religious functions). Other significant aspects appear to be divine selection (e.g., Isaac) and paternal blessing (by Jacob who preferred Judah over Reuben and Ephraim over Manasseh).

As sidelight, it is interesting to note that the latter two transferred bestowings of first-born rights may have been contested. Despite his father's denigration of him during the brothers' blessings, Reuben is still called Israel's first-born throughout the Bible. In fact, in one telling verse (I Ch. 5:1) the claim is made that, although Reuben is the first-born and Judah took that status, it really belongs to Joseph. Indeed, Jacob's blessings to his sons (Gen. 49) may suggest

<sup>4</sup> e.g., Ex. 6:14; Num. 1:20; I Ch. 5:3 etc.

176 BENJAMIN GOODNICK

that Joseph as well as Judah were given priority over Reuben.5

Similarly, Manasseh, though deprived of his first-born position by Jacob, his grandfather, this tribe is still named the first-born of Joseph in the Book of Joshua (17:1).

One other aspect should be evaluated. What role does love play in this choice? Does a father's love give him the right to choose any son? It seems not. Isaac loved Esau; yet he lost the first-born status. Indirectly, David's love for his sons led to their downfall, for the father did not discipline them.<sup>6</sup>

Moreover, if a man has two wives, he cannot transfer the birthright of the older first-born son of the unloved wife to the younger first-born son of the loved wife (Deut. 21: 15-17). The law and justice must rule.

Thus far, we have determined, that the basis for obtaining "naturalized" rights of the first-born stemmed from religio-ethical principles and depended solely on the apparent worth of the individual. Evidently, only uncommon persons were involved in this process.

Fundamentally, however, the long-established status of the first-born — probably preceding biblical regulations — was, for all practical and legal purposes, rigorously maintained.

We are now confronted with a new issue: What is the cumulative impact of all these changes? Why so many transfers — among the leaders — within Jewish history? Almost all the outstanding characters about whom Jewish history is built were involved in these changes. Is an unspoken principle again being expounded?

Quite possibly. There may be an underlying statement here, a presupposition, that the people of Israel do not follow the norms of life and society-at-large. In other words, Israel, a younger people, will in time assume the leadership and spiritual prerogatives (cf. Ex. 4:22; "Israel, my first-born son..." [i.e., chosen as' MY first-born son], words spoken to Pharaoh) so far held by the formidable nations of that time (e.g., Egypt) as it follows its own unique destiny.

<sup>5</sup> With regard to Reuben's deprivation, the Talmud expands by saying the three attributes attached to a first-born heir were divided among his three brothers: 1/Levi, the priesthood; 2/Judah, the kingship; and 3/ Joseph, the double portion of inheritance [i.e., he was given two tribes among his brothers].

<sup>6</sup> Observe I K. 1:6: "His father had never scolded him: 'Why did you do that?'..."

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Two other, basic corollaries appear to follow from the above. Israel as a people: 1) recognizes the priority of religious-moral-ethical principles over political-pragmatic-secular statutes; and 2) its destiny is under divine guidance and, therefore, above fixed natural laws.

Shifting now to a sociological perspective, we discover some illuminating and interesting facets emerge from a study of primogeniture. For example, how many first-born sons can there be in a family (e.g., a man who remarried or had many wives)? To respond to this question we must clarify the meaning of the Hebrew term "first-born," not yet defined.

The Hebrew word, bechor, הככור, "bursting open," "ripening") is applied not only to human beings but to all flora and fauna. Note that one of the three pilgrimages to Jerusalem is named the Festival of First-fruits, bikkurim בבורים (Num. 28:26). Furthermore, usually associated with the word bechor — for both humans and animals—are the words peter rechem, פטר רחם meaning, similar to the above, "an outburst of the womb."

To sum up, the first-born, in Hebraic terms, is literally the first to burst out of the womb into the light of the world. This child makes a woman into a mother, with all accompanying functions and responsibilities.

Presumably, the mother, then, should somehow be involved in establishing her son's first-born rights. Yet, it is the father who is directly concerned. Only from his father, and not his mother, does the first-born inherit. The Talmud (Baba Batra 111a and 122a) informs us, two portions. Moreover, it is the father's duty, generally, to redeem the child, not the mother's. He prepares the ceremony, selects the Cohen for redemption, supplies the coin, and makes the monetary transfer.

The question arises: Whose strength does the child represent?

It is true that the first-born reflects the father's first showing of male vigor and productivity. But, it is probably more true that her first birth has a greater impact on the woman, the incipient mother. This is he first full struggle with the whole process of conception, pregnancy, and parturition, with its changes in her physiological functions, physical and mental distresses, aches and pains, and final birth pangs — to all of which the father is immune. The experience can be life-threatening.

A most appropriate example is found in the story of Rachel's dying at the

birth of Benjamin (Gen. 35:17-18) where it is stated ... as she was in difficult labor... her soul was departing... she called his name בן־אוני, Ben-Oni, son (born) of my travail... but his father called him בנימין, Benjamin.

So we discover, strangely enough, a totally natural, maternal experience has been firmly and fully set and transferred to the father's domain. The concept of the first-born, originally dependent on the mother, has been absorbed within a patrilineal system of heredity.

In summary, we have found throughout the Scriptures that the leaders of our people have been placed in the position and given the responsibilities and prerogatives of the first-born. In a similar sense, all Israel collectively has been chosen to stand forth, vis-a-vis the nations of the world, as a people worthy of emulation.

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# לְךְ דָּמָיָה הְנִהַלָּה

# PRAISE WAITETH FOR THEE (Ps. 65:2)

### BY DAVID BEN RAPHAEL HAIM HaCOHEN

In memory of mother Bulisa Bat Mazal (Z"L)

The verse in Psalms 65:2 "Praise waiteth for Thee, oh God, in Zion", has been variously interpreted because of differences of opinion regarding the meaning of the word הַּמְיַה.

Rashi explains it as silence. He says: "Silence is praise, because there is no limit to praise, and one who exaggerates, only diminishes it." Similarly M. Z. Segal states: "Silence is your praise because it is impossible to tell your praises, or: Praise is waiting for you from those who come to the sanctuary." On the other hand, Moshe Zeidel indicates verses which have in them words like מדמה meaning speech.!

Shraga Abramson, in his article "The Historical Dictionary agrees with Zeidel that in the verse: "מָאֶלְמְתִּי דְמָיָה הָחֲשִׁיתִי מְטוֹב" "I was dumb in deep silence, I was quite still even from speaking good," the word וומיה is to be understood as speech. Moreover, he quotes additional verses from the language of poets and commentators who interpret the word "דומיה" and "דומיה" as speaking in a low voice.

Let us review similar verses from Scripture containing this difficult word in order to derive its meaning and interpret our difficult verse accordingly.

Let us take the famous poetic words of Joshua:4

"Stand still, oh sun in Gibeon; שֶׁמֶשׁ בְּגָּבְעוֹן דוֹם י קַרָחַ בְּעֵמֶק אַיָּלוֹן Stand, moon, in the vale of Ajalon, וְיָרַחַ בְּעֵמֶק אַיָּלוֹן And the sun stood still, And the moon stayed יְיָרַחַ עַמָּד

- 1 חקרי לשת, 1933, pp. 24–25.
- 3 Psalms 39:3.

2 לשוננו 42, pp9-16.

4 Joshua 10, 12-13.

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How did the commentators explain the word "דוֹם" in this instance? They all explained the word דום as meaning 'to stand', relying on the continuation of the verse: 5

and the sun stood in mid-heaven

And did not hasten to set the entire day.

ויעמד השמש בחצי השמים ולא אץ לבוא כיום תמים

Were the interpreters really correct in suggesting that the sun "stood still" or does it mean that the sun remained in its place, like in the Arab root (exactly like in Hebrew 'T'I'a') which turns in the past tense to persist, to remain forever, to last.

The command to the sun to remain in its place follows, no doubt, from the ways of thinking of the ancients that the sun circles the earth and not the other way around.

One may ask: what's so startling in this explanation? What is the difference between the two meanings? The one which says that the sun stood, and the one that the sun remained in its place? Perhaps in this case there is no significant difference, because if the sun stood, it also means it remained in its place. But it is not so in many other passages in Scripture, where it is not possible to understand the verse if we explain the word "D't" as stand. But, if we translate "D't" exactly as its meaning in Arabic — to remain, to remain always, to remain forever, many verses which seemed until now to be inexplicable will become meaningful to us.

#### THE SIEGE OF THE TEMPLE

In the description of the siege, war and destruction of the Temple, Jeremiah says: "על מה אנחנו יושבים, האספו ונבוא אל ערי המבצר וְנְדֶּמָה שם" Why do we sit idle? Up, all of you together, let us go up into our walled cities and there meet our doom. Most commentators translate the words ונדמה שם we shall be silent there. Rashi says: "נשב דוממים ואבלים", "We shall sit there silent and mourning." Targum: "ונשתוק הַּיְמָן", "We shall be silent there"; Radak: "ונשתוק הַּיִמֶן" "עניקה" שחיקה" שחיקה", "ענידום משרש דמם", "Segal: "עודום משרש דמם", "We shall be silent as if we lost our senses."

The question is: If the intention of the prophet here is silence in the fortified cities, why move from the open cities to the fortified? In order to be silent there?

- 5 Ibid 10:13.
- 6 Jeremiah 8:14.

This can be done in the open cities as well. Also the silence of mourning can be done in the open cities. Evidently the intention of the prophet is: Let us gather into the fortified cities until danger is over, exactly like the meaning of the Arabic root  $\omega$ . If we interpret the words שם  $\omega$  we shall remain there, the prophet's call will be clear and understood: The enemy is invading the country, go to the fortified cities and remain there, in order to defend yourselves there!

Let us now turn to the verses to which the commentators, especially Rashi, direct us in order to prove that the meaning of the word מ" is "waiting"

#### JONATHAN AND HIS ARMOR BEARER

Jonathan and his armor bearer plan to penetrate the camp of the Philistines by way of the pass, on either side of which stood two sharp columns of rock called Bozez and Seneh, 7 one of which was to the north, toward Michmash, and the other to the south, toward Geba.

The place is between Geba and Michmash, in Wadi Suenit; it is a deep and narrow canyon, in which Jonathan and his armor-bearer probably hid; from there they had to climb up to the post of the Philistines.

Like in every military action, Jonathan is preparing for the worst possibility in which both of them will be discovered by the Philistines. He directs his bearer: We shall cross over and let them see us. If they say if — stay where you are till we come to you, then we shall stay where we are and not go up to them. But if they say: come up to us, we shall go up, etc.

Jonathan argues: when seen by the Philistines, and they will order us: "דֹמוּ עד", stay where you are, etc., we shall remain where we are in our places, and not go up to them. And if they say: come up to us, we shall go up. We see, therefore, that also in this case, the meaning of the root "דֹמ", in the sense of remaining where we are, is more acceptable than all other explanations within the context of the verse.8

#### הקיה – SILENCE, LOW SPEECH OR ETERNAL?

Before returning to the verse at the beginning of the article, we must preface and say: we, too, agree that the roots ממח have meanings other than to persist, to remain forever.

- 7 I Samuel 14:4-5.
- 8 This is also how the verses in I Samuel 2:9; Jeremiah 51:6; Job 31:34; and Exodus 15:16, should be understood.

Zeidel and Abramson explain the word אָלָהָ as meaning silence, or speaking in a low voice. But the Book of Psalms derives its name from the fact that of being a Book of praise to God. One can quote many examples which show that the praises of God in the Psalms are not silent.

But, if we interpret the word דָּמָיָה in the sense of remaining, persisting, eternal, its meaning will be simple and understandable: To you, oh Lord, the one who remains forever, Eternity (= בְּמָיָה) is your praise. Everything in the world is transient, destructible, and will wear out, but you, God, are eternal, and this is your praise. This, then, is the way the second part of the verse 'o will be understood: and unto Thee the vow is fulfilled:" "דְּלֶךְ יָשְלֵם נֶדֶר". Unlike man who is mortal and no one knows if, on the day of fulfilling the vow, there will be someone to pay it to, since there is no assurance that the man to whom the vow was made will exist at that time — You, oh Lord, are eternal and existing forever, and to you the vow will be fulfilled.

Paralleling this thought about the eternity of God, which is His true praise, we find in Psalm 100:26–28, the poet describing the greatness of God with this very same idea:

Long ago thou didst lay the foundations of the earth

And the heavens were thy handiwork.

They shall pass away, but thou endurest.

Like clothes they shall all grow old;

Thou shalt cast them off like a cloak,

And they shall vanish, but thou art the same,

And thy years shall have no end.

Interestingly, similar to our saying upon the death of a person "blessed be the true judge", they say in Arabic "God exists forever." And this is exactly the meaning of the verse in Psalms 65 לך דָמיה חהלה אלהים To you Eternal, praise is due. It would be worthwhile to adopt this saying, in this sense, on everything transient — not only on the passing of a person — on the ousting of a dictator, on the dismissal of a despot, on a wealthy man who became impoverished, on an ancient building that crumbled, on a hero who became weak, etc. — the saying of would be most fitting and appropriate.

(Translated from Beth Mikra by Dr. Mordecai Sochen)

<sup>9</sup> Psalms 150; 88:3-4; 100:1; 77:18-19; 47:2.

<sup>10</sup> Ibid 65:2.

#### WHO WAS MELCHIZEDEK

#### BY EDMUND BERG

There is something odd about the appearance of Melchizedek, Priest of El Elyon and King of Salem in our Scriptures (Genesis 14: 17–18). As we know the story (chapter 14), four kings made war against five kings, overcame them and took Abraham's nephew Lot captive. Upon Abraham's rescue of his nephew from the hands of the defeated four kings, two men greeted Abraham (14:21–24). One was the King of Sodom, a member of the five-king coalition, and the other, Melchizedek. We can understand why the King of Sodom wished to express his gratitude to Abraham, having been saved from utter destruction in the war against the four kings. But, where is the connection in the profuse blessing conferred upon Abraham by Melchizedek, King of Salem, who greets Abraham with bread and wine as the latter returns victorious from his pursuit of the four kings? Whom does Melchizedek represent in his beneficent gesture toward Abraham?

### WAS MELCHIZEDEK A KIN OF THE KING OF SODOM?

From the genealogy recounted in Genesis 10: 15-20, we may discern a family relationship between the King of Salem and the King of Sodom: And Canaan begot Zidon, his first born, and Hetti; and the Jebusite (i.e. Salem or Jerusalem) ... Afterward the clans of the Canaanite branched out, so that the Canaanite border extended from Zidon as far as Gerar, near Gaza (the shoreline of Canaan from the north to the south), and as far as Sodom, Gomorrah, Admah and Zeboim (at the Dead Sea) near Lasha (10:15-19). Note that the locations of the five kings subdued by their four-king enemy are the same: Now, Amraphel, King

The Editorial Committee of "Dor le Dor" is happy to present another article – the fourth – (with editorial amplifications) by our nonagenarian friend Edmund Berg, from Chicago. His previous articles appeared in the Winter 1980/81, Summer 1981 and Summer 1984 issues of "Dor le Dor."

184 EDMUND BERG

of Shinar ...made war on Bera, King of Sodom, Birsha, King of Gomorrah, Shinab, King of Admah, Shemeber, King of Zeboiim, and the King of Bela (14:1-2). Apparently, the king (Melchizedek) of the Jebusite Salem was a relative of the kings of Sodom, Gomorrah, Adma and Zeboim, and thus possibly could represent them in hailing the victory of Abraham. Not only did Abraham reclaim his nephew Lot from captivity, but he rescued the kinsmen of Melchizedek from destruction. <sup>1</sup>

### MELCHIZEDEK, KING AND PRIEST

It would seem quite natural and appropriate for Melchizedek to represent the five kingdoms. Not only was he King of Salem, but he enjoyed a sacerdotal distinction in being as well the Priest of El Elyon (God, the Most High). He was both king and priest. As such, he was the right person to greet Abraham with his munificent offering and blessing. In reciprocation, Abraham recognized Melchizedek's eminence and gave him a tithe of the spoil as a thanksgiving offering (14:20).<sup>2</sup>

The double honor of king and priest is specially noted by the Psalmist who confers this distinction upon a beloved personality, King David: The Lord hath sworn and will not repent: Thou are a priest forever, after the manner of Melchizedek (Psalm 110:4).

#### WAS MELCHIZEDEK A MONOTHEIST \_\_\_\_

The appellation "El Elyon" appears four times in our verses of Genesis (chapter 14). We might infer that Melchizedek had a notion of a monotheistic God. Upon closer scrutiny, it becomes obvious that there is a vast difference in how Melchizedek and Abraham use this name. The Bible introduces Melchizedek as simply a priest of god (14:18), the most high. This would mean that among the polytheistic gods, El Elyon would stand out as the chief of the gods, similar to the place Zeus enjoyed among the Greek gods of Olympus. This notion is not

- 1 See B. Z. Luria, "Melchizedek," Beth Mikra, Tishrei-Kislev, 5747.
- 2 See Rashi on 14:20. My teacher, Dr. Norman Asher takes issue with this interpretation: "I don't understand how the tradition asserts that he, Abram, gave the tithe (one-tenth) to Melchizedek. From the literal reading of the text, I could just as well state that Melchizedek gave a gift to Abram, the victorious hero. This would coincide with the blessing that he gave to Abram."
- 3 We encounter the name "El Elyon" only once more in the Bible: Psalm 78:35. The Septuagint translates this: *Hipsistos*, equal to the Latin altissimus, or "chief of the gods."

dispelled by the next reference where Melchizedek blesses Abraham, attaching the name El Elyon to him, Maker of heaven and earth (14:19). In this instance, the king refers to Abraham's monotheistic God, the Creator of heaven and earth. This becomes even more explicit in Abraham's statement to the King of Sodom, where Abraham adds the name 'n, the Lord (14:22): And Abram said to the King of Sodom: I have lifted up my hand unto the LORD, God Most High, Maker of heaven and earth... Abraham's God is the One and Only Ruler of the Universe; Melchizedek's El Elyon is one of many, albeit, the chief god.<sup>4</sup>

#### TIDBITS FROM GENERAL LITERATURE ABOUT MELCHIZEDEK

A little known poet by the name of Richard Hiller wrote a poem called "A Treatise of Wine," slightly on the humoristic and/or satiric side; in it the following four lines:

"Melchizedek made offering, Dando liquorem vineum, Full mightily sacrafying Altaris Sacraficium."

Intentionally the poet misspells the Latin "sacrifying into "sacrafying," and the Latin "sacrificium" into "sacraficium," "sacra" being part of a German curse. Translated, the whole means: "Melchizedek made an offering by giving liquor made from wine (that could be cognac), very mightily sacrificing the altar's sacrifice." The Bible here talks only about p" which is wine, and not cognac, properly called "Spiritus e vino," a liquor made from wine by the process of distillation, at first introduced in France in the late Middle Ages, in the small town of Cognac.

Among the many poems of the American poet Edwin Arlington Robinson (he died 1935), is one with the title "Two Men." He is puzzled about the fact that he cannot know more about two men, one of them being Melchizedek; so he writes:

"Melchizedek, he praised the Lord, And gave some wine to Abraham; But who can tell what else he did Must be more learned than I am."

4 According to some Sages of the Talmud, Melchizedek became a convert to Abraham's faith in accepting monotheism. "A Talmudic tradition makes Melchizedek the head of a school for the propagation of the knowledge of God" (Hertz on Genesis 14:18).

### EL SHADDAI

#### BY JACOB FELTON

One might have expected to find only one Divine Name in the Bible, so as to stress the sacred principle of monotheism. Instead, there is a large variety of Divine Names in the Book of Books. In this article, the research will be limited to the Five Books of Moses, the Torah.

By far the most frequent Name for God in the Torah, the Tetragrammaton, is derived from the word "haya" to be. The One who always has been and always will be (in being). The Eternal. Only the priests (Cohanim) who, in Temple times, daily blessed the people (Num. 6, 22ff) and also the High Priest on the Day of Atonement, "in holiness and purity," were allowed to pronounce the Name the way it is spelled. Otherwise, when reading the Bible or when praying, the Tetragrammaton is rendered by the Hebrew word for "my Lord." On all other occasions, as in this article, the word "HaShem" — the Name, is used.

The Torah, of course, must apply a Name to God. The Eternal fills this need perfectly. Its use in the Torah presents no problem.

In most cases where the Torah uses the Name E-lohim, this designation does not pose any difficulty, for, as Cassuto pointed out, no suffix can be added to the Tetragrammaton. Therefore, in all cases where we have expressions like "your God" or "Our God" or "the God of" (possessive or construct) which necessitate a suffix, a different Name for God, such as E-lohim The All-Powerful, must replace the Tetragrammaton. As grammar thus dictated the use of an alternative Divine Name, we need not query why, on those occasions, the Torah speaks of God as E-lohim.

However, there are several hundred places in the Torah where the Name Elohim figures and where grammar and certain other considerations (f.i. when the meaning is: "an idol" or "a judge" etc.) did not exclude the use of the Tetragram-

<sup>1</sup> Torat haTeudot vesidduram shel Sifre ha Torah, Jerusalem 1941. English translation: The Documentary Hypothesis, Jerusalem 1961, reprinted 1972, p. 19.

maton. The problem posed by these hundreds of cases shall be dealt with elsewhere. It exceeds the confines of this article.

#### **EL SHADDAI**

This present study concentrates on a third Divine Name, El Shaddai which figures only six times in the Torah: Gen. 17:1; 28:3; 35:11; 43:14; 48:3; Ex. 6:3.

El means powerful (E-lohim The All-Powerful). Many explanations have been sought for the word Shaddai which occasionally is a Divine Name of its own. The interpretation given by Maimonides (Guide of Perplexed 1:63) has much to recommend it. He accentuates the syllable "dai"—sufficient. Accordingly, the literal meaning of El Shaddai is the Self-Sufficient. God is the only Self-sufficient Being. Whatever else exists in the world needs the co-operation of others.

This is beautiful idea, It fits in well with the other Divine Names: The Eternal, The All-Powerful, The Self-Sufficient, The All-Highest (Elyon). But it does not explain why the Name "The Self-Sufficient, God" figures only in the six places between Gen. 17:1 and Ex. 6:3. Likewise, God is no less eternal in the phrases in which the Torah calls Him E-lohim = The All Powerful.

The literal meanings of these Divine Names provide no clue as to where one or the other of these Divine Names occurs. All Divine Names refer to the One-and-Only God.

To quote Cassuto: "Surely the Torah, whose primary aim is to guide man towards the knowledge of The Lord and the keeping of His way, did not use the Lord's Name indiscriminately, like some careless scribe who writes as the passing whim dictates. The language of the Torah is always scrupulously exact in its minutest details, and it is inconceivable that just in this respect, the most important and exalted, it failed to act with meticulous care and exactitude. We must conclude, therefore, that there is, without doubt, some significance in the changing of the Names. What is it?"

The key to the solution of the puzzle why the Torah speaks of God as El Shaddai just in the six verses is furnished by the last-mentioned verse, Ex. 6:3, provided that verse is properly understood. A clear link between the six quoted passages then becomes apparent.

It should be borne in mind that the words in Ex. 6:3: "lo nodati" - לא נודעתי

<sup>2</sup> loc. cited, English translation, p. 18.

188 JACOB FELTON

do not indicate that God had not appeared to the patriarchs by the Names HaShem or E-lohim. Yado'a ילע , the infinitive of nodati – נודעחי, frequently is not synonymous with "to know". It often means "to experience", either as a joyful marital experience (Gen. 4:1) or as a painful one, when Gideon hit the elders of Succot with thorns and briers (Jud. 8:16), or when young Samuel experienced for the first time being called by God (I Sam. 3:7). Rashi, on Ex. 6:3, draws attention to the difference between hodati – החעתי and nodati – נודעתי

The passage, therefore, should be translated: "I appeared to Abraham, Isaac and Jacob as El Shaddai, but I was not experienced by them by what I told them by My Name HaShem. So understood, Ex. 6:3 declares: Only what God promised the patriarchs by the Name El Shaddai was "experienced" by them, came true in their life times. Most of the Divine promises to the patriarchs were necessarily of a long-range nature: that they would become a great, numerous nation which was to inherit the Land of Canaan. None of this could come true in the patriarchs' own times. Conforming to this, it can be shown that what God told the patriarchs by the Name El Shaddai, indeed, was realised while they were alive.

This interpretation of Ex. 6, 2f. fits logically, easily into the passage's context. In Ex. 5, 22f., Moses had bitterly complained to God that He had allowed Moses' mission to Pharaoh to end in failure. In reply, in 6:1, God assured Moses that, in the end, Pharaoh will set the Israelites free. In verses 2 and 3, God admonished Moses to follow the example of the patriarchs. They only "experienced" the realisation of a small part of my promises. Only of those which I promised them by My Name El Shaddai. Yet, they also set full faith in my long-range promises which I gave them by My Names HaShem and E-lohim.

Chapter 6, verses 4 to 8 continues, with God assuring Moses, in glowing terms, that now the time had arrived for the fulfilment of HaShem's and Elohim's covenant with the patriarchs. Ex. 6:9 tells us that Moses accepted God's words and passed them on to the Israelites, but they did not hearken to Moses, for anguish of spirit and because of the hard work."

<sup>3</sup> See Jacob Felton, Kohelet Reinterpretation, Dor le Dor, Jerusalem, Fall 1976 p. 33.

#### EL SHADDAI IN GENESIS

All this represents a simple, unforced, smoothly developing understanding of Ex. 5:22 to 6:9. It now remains to check whether, indeed, the five occurrences in Genesis of the Name El Shaddai<sup>4</sup> refer to those of God's promises which the patriarchs "experienced" in their lifetimes.

In only two of these Genesis verses did God address the patriarchs by the Name El Shaddai: in 17:1, speaking to Abraham and in 35:11, speaking to Jacob. In the other three verses, Isaac and Jacob refer to El Shaddai's promises to Abraham and Jacob. In chapter 17, the names HaShem and E-lohim figure in addition to El Shaddai, while in chapter 35 God first addressed Jacob as Elohim. The use by the Torah of the Name Elohim on these two occasions is most meaningful, but its significance is outside the scope of this article. It can be stated that the use of Divine Names other than El Shaddai in chapters 17 and 35 indicates that the patriarchs received long-range promises, as well as promises and orders meant to come true soon.

In chapter 17, the name of Abram was changed to Abraham and the name of Sarai to Sarah, both changes to take effect at once. Also immediately to be "experienced" was the covenant of circumcision. Thirdly, 17:16, the impending birth of Abraham—Sarah's son, Isaac, was announced by El Shaddai to Abraham.

In addition, there are HaShem's and E-lohim's long-range promises about the "multitude of nations"; about the Land of Canaan becoming Israel's "eternal possession"; of future kings springing from Sarah and about Ishmael becoming a great nation and producing twelve princes.

In Gen. chapters 12, 13, and 15, God, speaking as HaShem, bestowed long-range blessings upon Abraham. In Ex. 6:2, the Torah says: And E-lohim spoke to Moses and said to him: I am HaShem. By this, God speaking as E-lohim and as HaShem, both designations are put on an equal footing for the purpose of this passage only, but verse 3 contrasts this with God speaking to the patriarchs as El Shaddai. Only what God told the patriarchs by the latter Name was "experienced" by them.

It is legitimate, therefore, to apportion God's long-range promises in chapter 17 as having been given by God speaking as HaShem or E-lohim, while at-

<sup>4</sup> Genesis 17:1; 28:3; 35:11; 43:14; 48:3.

190 JACOB FELTON

tributing the promises and orders which were to be "experienced" by Abraham as having been spoken by God as El Shaddai.

In Gen. 28:3f, Isaac passed on to Jacob God's blessing upon Abraham. No new Divine promises are involved.

According to 35:11, God also appeared to Jacob as El Shaddai saying:

I am El Shaddai be fruitful and multiply; a nation and a community (company) of nations shall be of you and kings shall come of your loins. 35:12: And the land which I gave to Abraham and Isaac, I shall give to you, and to your seed after you will I give the land. 35:13: And E-lohim went up from him...

The passage contains a mixture of long-range blessings about possession of the Land of Canaan and about future kings, as well as a specific additional blessing which reads: "a nation and a community of nations shall be of you". The Midrash (Gen. Rabba quoted by Rashi ad loco) understands these words as referring to Benjamin, Manasseh and Ephraim.

Before appointing the latter two as additional heads of tribes in Israel, "like Reuben and Simeon" (48:5) Jacob referred to El Shaddai having appeared to him at Luz (Bet-El) and having blessed him: ...and I shall make of you a community of nations (48:3f). And now, your two sons, ...Ephraim and Manasseh, shall be to me like Reuben and Simeon." "Now", that is at the last moment before my death. While I can still "experience" the fulfilment of El Shaddai's blessing. This shows that Jacob regarded it also as El Shaddai's command that Jacob appoint two grandsons as equals to Reuben and Simeon.

Joseph reacted to the news of his father's illness by taking Manasseh and Ephraim with him (48:1). Joseph understood that Jacob had sent him a messenger to inform him of his illness, just for this purpose, and that the time had come to appoint Jacob's two grandsons as heads of tribes in Israel and of his duty to "experience" two grandsons heads of Israel's tribes.

Jacob delayed this as long as possible, probably for two reasons: one was that Reuben and Joseph vied keenly against each other for the honour of supplying the two nominees from among their sons. Reuben, the first-born, regarded this "double share" as being his due, according to Israel law (Deut. 21:15ff). Joseph also was a first-born, Rachel's first-born.

The second cause for Jacob's hesitation to nominate Manasseh and Ephraim was his doubt whether Joseph's sons, brought up in Egyptian high-society, were suitable additions to the circle of the heads of Israel's tribes. Would they cherish

the honour of being heads of non-existing tribes within a non-existent nation? When Jacob was reunited with Joseph, the boys were not much more than seven years old. Now, seventeen years later, Jacob asked Joseph concerning the boys: "Who are they?" (48:8), In Hebrew: "מי אלה". These two Hebrew words consist of the same letters as the word E-lohim, Jacob thus asked Joseph whether the boys could join the band of the heads of future tribes of Israel over whom the Divine Name, E-lohim, had been pronounced (Gen. 33:5 and 43:29). Joseph understood the subtlety of Jacob's question and replied: They are my sons whom E-lohim has given me in this place. Jacob's rejoinder: Bring them to me and I shall bless them, is a beautiful exchange of question and answers between father and son who had always lived in fullest harmony. One must delve below the surface of the words, to grasp their deep meaning.

Jacob knew that Reuben firmly expected his father to appoint Reuben's two oldest sons as additional heads of Israel's tribes. Reuben, Joseph and, no doubt, all the brothers knew that El Shaddai's promise recorded in 35:11: A nation and a community of nations will spring from you meant the coming births of three more tribes, and that Jacob was to "experience" the realization of this promise. In the same paragraph which contains El Shaddai's promise to Jacob, the Torah tells of Benjamin's birth (35:16ff). The "community of nations" was still unborn. Two of Jacob's future grandsons had to join the ranks of the sons while Jacob was still alive. Jacob, on his death-bed, felt that an explanation was due to Reuben why he had not accorded the "double share" to him. Jacob said: Because you were unstable like water, you did not obtain the extra share. For you went up to your father's bed" (49:4).

When Jacob sent Benjamin, with his brothers, to Egypt he blessed them: And El Shaddai give you mercy before the man (43:14). Benjamin's birth had been promised by El Shaddai. Jacob set his faith in that promise.

This solves the problem why the Name El Shaddai figures in the Torah only six times and only between Gen. 17:1 and Ex. 6:3. The Torah has assigned this Divine Name a specific technical stylistic function, limited to the patriarchs.

# ADAM I AND ADAM III

#### BY SIDNEY BREITBART

Dedicated in loving memory of my parents, Benjamin and Gela, my brothers and sisters, Cantor Aaron, Morris, Fannie and my wife, Beatrice.

The Torah depicts two different creations of Adam. The two orders of creation are not consistent and indeed are in conflict with each other. There also seems to be some confusion in the narrative leading up to the "test" of Adam. Some claim that the problem is a result of different traditions which were incorporated into the Torah. I do not subscribe to this view. Indeed, I see in the narratives a unity of purpose and a logical sequence helping to explain the correctness of Adam II's choice. To illustrate, let us summarize the relevant verses, with explanatory remarks, in the sequence as they appear in the narratives.

- Gen. 1:27 The final act in the process of creation. It is the story of creation of man both male and female. The only detail of creation is the Image relationship to God.
- Gen. 1:28 God charges Adam I to be fertile and to multiply and to rule and have dominion of the physical world. God thus shows His faith in Man to be his partner in the physical, material world.
- Gen. 1:29 God informs Adam I that every tree that has seed bearing fruit is theirs for food. No restrictions are mentioned as in the case with Adam II.
- Gen. 2:1 through 2:4 Chapter II begins with the concept of the Sabbath, a day of rest and holiness. A fundamental difference is introduced as compared to Chapter I, which deals with the realm of the physical only. It signals that this chapter will deal with the spiritual and moral dimensions.
- 1 The creation of Adam in Genesis, Chapter I will be referred to as Adam I, while the creation in Chapter II will be referred to as Adam II.

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Gen. 2:7 — Deals with the creation of Adam II. There is a tensional character to this event.

- 1. Adam is formed out of the dust of the earth. He is therefore a part of the physical world and cannot escape the natural desires of his flesh. It indicates as well a state of childish innocence.
- 2. God breathes life into Adam this is a spiritual event. Man is thus immediately shown as being potentially of a higher order than that of the mere physical and subject to the tug of war between the physical and spiritual domains.
- Gen. 2.8 Adam II is placed in the Garden of Eden a further differentiation from Adam I and a prerequisite for the future drama in the upcoming choice. It also reinforces the idea that Adam II had the potential to be a part of the realm above the mere physical.
- Gen.2:9 God plants the "Tree of Knowledge of Good and Bad" and the "Tree of Life" in the garden. Why should this statement not precede 2:8? Is it because these trees have meaning only when man is present?
- Gen. 2:10 through 14 Tells of the rivers from the Garden of Eden. Waterways are a necessary ingredient for survival of man. Mention of the rivers seems to indicate a foreknowledge of Adam's choice. God by providing for survival for Adam II shows that the subsequent promise of death in consequence of the choice was not immediate death.
- Gen. 2:15 Restatement that Adam II was placed in the Garden, but purpose is also given "to till it and tend it," that is to work it and to be in charge of it.
- Gen. 2:17 Adam II is commanded not to eat the fruit of the "Tree of Knowledge of Good and Bad." No immediate response is provided by Adam II. Why? Is it because the Bible wants to introduce other elements into the narrative which seem to be designed to show that Adam II would make the proper response and thus become God's partner?
- Gen,2:18 God says: "It is not good for man to be alone. I will make a fitting helper for him." This shows that man will share his life with a "fitting helper" and will not be a "lone" figure, This is another illustration that Adam's choice will result in his leaving the Garden in accord with God's will since there is no need for a helper in Paradise.
- Gen.2:19 God forms the animals from dust, as He did with Adam II, but then brings them to Adam to name them, an emphasis that while both man and

194 SIDNEY BREITBART

animal come from dust. Their difference is vital. By the act of naming, man transcends the animals. Only after the act of naming does God create Adam's helper. This eliminates possible conflicts in the process of naming between Adam II and his helper.

Gen. 2:23-24 - Recognition of a fitting helper by Adam.

Gen. 2:25 — No shame in the nakedness — a final indication that Adam II was not yet a moral being prior to the actual choice.

Gen. 3:1 — The process of answer begins with the serpent addressing Eve, who did not feel constrained from eating the fruit inasmuch as the command was not given to her directly.

#### ADAM I - DOMINION OF MATERIAL WORLD

The narrative about Adam I is simple, direct, without any embellishment or much detail. No information is provided as to the components in the creation. The only significant detail in the process is the Image relationship to God. In Jewish thought it is generally accepted that the Image represents reason and intelligence, which are necessary ingredients to rule and have dominion of the physical world as Adam I was directed by God (Gen. 1:28). Nothing in this story can be interpreted as referring to the moral or spiritual. It is interesting to note that the creation involved both male and female and that God charged them to be fertile and to multiply as well as to have dominion over nature. No mention is made of their being aware of their nakedness as in the story about Adam II. The whole thrust in this story is the continuation of the creation of the physical, natural world culminating in the assignment to man of the sovereignty over nature which, being a creation of God, denotes a partnership relationship between God and man. Adam I is not given a choice to reject or accept the partnership. There is no threat of any punishment involved in the statement. It is clear that God, in assigning and entrusting the dominion of the physical world to man, showed His faith in man's ability to rule the world. Man was to be master of the physical, material world.

#### ADAM II - MORAL AND SPIRITUAL CONTEXT

The narrative about Adam II is of a different character altogether. It is much more complex and detailed, containing fine nuances. Several facts, seemingly ADAM I AND ADAM II 195

extraneous, are introduced which beg justification for their inclusion. Nevertheless, the narrative maintains a logical sequence which helps to explain the intent of God as well as the action by Adam in the test. As the narrative begins, the difference between the two creations is made immediately clear. Adam I is created as the final act of creation of the world, while Adam II is created before the animal world. Adam I may be considered as evolutionary in the process of creation of the physical world. However, the story of Adam II belongs to the context of the moral and spiritual. This creation therefore had to begin with the only being potentially capable of dealing on this plane. The statement in Gen. 2:19: "And the Lord God formed out of the earth all the wild beasts and all the birds of the sky, and brought them to the man to see what he would call them," calls attention to the fact that while both the animals and Adam II are created out of earth (both belong to the physical world), man by the process of naming the animals is significantly differentiated from the animals. The animals remain in the physical world, while Adam II, by being enlisted by God to finish the process of creation in the act of naming the animals, transcends them because in the ancient times, naming meant conferring meaning and significance. The physical world including man was created by God, but the world of meaning in the process of naming was the task assigned to man. This shows God's faith in Adam II. Since God's faith in Adam II cannot be misplaced, Adam II cannot be faulted in his choice, i.e., it necessarily followed in accordance with God's will. There seems to be no other reason for the significant act of naming to be sandwiched between the original order to Adam II and the actual choice by him.

#### ADAM I AND II - A BASIC UNITY

In this paper I showed that the sequence of actions by God represents a direction of purpose. Adam I is charged with the responsibility for the physical world. A physical world however is not in a state of completion. The spiritual and moral elements have to be introduced into it. This begins with the seventh day being given a dimension of holiness immediately preceding the creation of Adam II. This sets the tone of chapter II. The creation of Adam II is of a different order from the creation of Adam I by virtue of God blowing the breath of life into Adam II. God further emphasizes the difference by placing Adam II in the

196 ADAM I AND ADAM II .

Garden of Eden. Adam II's potential is therefore made obvious. In mentioning the "Tree of Knowledge of Good and Evil" immediately in the next sentence, attention is called to the fact that the creation of Adam II and the Tree are closely interconnected. Indeed, Adam II's function was to solve man's relationship to God in the quest of the moral and spiritual realm. Adam I, being part of the natural world only, could not engage in this quest. God's faith in Adam II to achieve this purpose is best illustrated in asking Adam II to name the animals, an act of transcendence and creativity which crowned Adam II's existence with unlimited potential.

The introduction of the rivers in the narrative before Adam's response to God intimates that Adam will make a choice in which rivers are necessary for his survival. This simply means that Adam II will opt for the knowledge of good and evil and that immediate death was not in God's plan. Adam I was to have dominion of the physical world, while Adam II was to be God's partner in the moral and spiritual sphere. The two Adams complement each other and indeed may be considered as the two manifestations or phases of man — one concerning itself with his passions, physical requirements and desires, while the other acts to control these by his moral and spiritual views. The conclusion is that the choice made by Adam II was in accordance with God's plan inasmuch as God deliberately introduced factors which were to serve as prerequisites for the proper resolution of the "Test" by Adam II.

BOOK REVIEW: CH. ABRAMOWITZ (Continued from page 201)

The average reader, like this reviewer, may not agree with everything the author says, particularly with his conclusion that Jephthah actually sacrificed his daughter; and this reviewer would have preferred to have seen all Hebrew quotations in Hebrew script; nevertheless he will agree that David Marcus made an outstanding contribution to our understanding the Bible.

# THE GOAT IN BIBLE AND MIDRASH

#### BY S. P. TOPEROFF

The goat is often mentioned in the Bible, and is classified under a variety of names. We will proceed to list but a few and explain their meaning.

The most common name is ענים "Ez," (plural "Yizim") Leviticus 3:12 etc. The word is probably derived from "Oz" meaning strength. Confirmation for this is found in the Talmud where we learn that the goat is distinguished for its strength among the small cattle (Betzah 25b).

"Ez" is also found in combination with other words שָּה עִּוִים (Deuteronomy 14:4 and Exodus 12:5). This association of sheep and goat possibly goes back to an early period, when the goat was as popular as the sheep, as both were found in many homes. At a later stage the goat was superseded by the sheep which became more prevalent.

"Gedi Izim" the kid of the she-goat (Genesis 27:9). The Gedi plays an important role in the Jewish dietary laws. For the verse "thou shalt not boil a kid in the milk of its mother" (Exodus 23:19) is the basis for the prohibition of mixing meat and milk together.

שְׁעִיר עִיִּים "Seir Izim" a buck of goats (Genesis 37:31). שְׁעִר "Seir" is connected with שְׁעֶר "Se-ar" — hair, and reminds us of the English word "goatee" described in the dictionary as a beard trimmed in the form of a tuft hanging from the chin, resembling that of a he-goat.

In this connection it is worth noting that Maimonides in his "Guide" sheds light on the word "Seir". He observes that he-goats were always brought as sin offerings by individuals and by whole congregations on festivals, new moons, Day of Atonement and for the transgression of idolatry, because most sins of the Israelites were sacrifices clearly to spirits (Seirim, literally goats) as is stated in Leviticus 17:7. Our Sages however explained the fact that goats were always the sin offerings of the congregation as an allusion to the sin of the whole congregation of Israel, for in the account of the selling of the pious Joseph we

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198 S. P. TOPEROFF

read "and they killed a kid of the goats". (Genesis 37:31) Guide p. 304 Friedlander's Edition.

To continue with the different names by which the goat is known, we have עַתּהּדִּים (Genesis 31:10) young he-goats; the word is derived from the root "Atad" to be ready, for the goat is known to be very skilful in evading its pursuer whether it be man or beast.

"Yael" mountain goat; the word is connected with יְיֵעל ascend climb. Compare Psalm 104:18, the high mountains are for the wild goats, and Job 39:1, knowest thou when the wild goats of the rock bring forth The wild goats are good climbers reaching the highest cliffs of the rocks.

צַפִּיר He-goat compare Daniel 8:5. An Aramaic word which corresponds to Hebrew "Sair." It is a symbol for Alexander the Great, chosen because the hegoat figures in legends of the house of Macedon (Soncino Bible).

ייִש "Tayish" he-goat; root of the word is uncertain (Genesis 30:35). In the book of Proverbs 30:31 the he-goat is reckoned among those that are stately in their march.

Apart from the Biblical names mentioned above, the Talmud refers in an obscure passage to the Circassian goat which in the words of the Rabbis is a goat with hooks with which one threshes. Jastrow explains that the front teeth of the sledge are shaped like goats' horns (Avodah Zara 24b).

#### SCAPEGOAT

We must now turn our attention to the ritual which took place in the Temple, and today is included in the Yom Kippur liturgy. It is derived from Leviticus chapter 16:7: And he shall take the two goats and set them etc. This ritual has given rise to the word scapegoat (the goat which escapes into the wilderness). Incidentally, the word scapegoat is not mentioned in the Torah, but was coined by Christian theologians who incorporated it in a Christological connotation and emphasizes vicarious atonement which is totally alien to Jewish thought.

We follow the interpretation of Rabbi S.R. Hirsch, who explains that according to the Talmud the goats were identical in every respect; one went direct to the sanctuary, and the other was dispatched to the wilderness (Azazel). This ritual is symbolically interpreted to convey a vital message: through freedom of will with which God has endowed us, we can either soar the heights of spiritual ecstasy (the sanctuary), or we descend the depths of depravity and





degradation (the wilderness); we are the masters of our destiny and it is our privilege and challenge to choose the right path. The hallmark of Judaism is not vicarious atonement, but individual responsibility.

#### ASSET AND LIABILITY

Regarding the characteristics of the goat, it was both a liability and an asset; the domestic goat was very mischievous and destructive. The Talmud records a number of instances in which the goat causes much damage to crops. Thus in one case the damage caused was so great that it led to litigation, and the court ruled that if after warnings the owners fail to prevent their goats from roaming the streets and fields damaging the produce, the goats will be seized and slaughtered, and the meat offered to the butchers to sell (Bava Kama 23b).

In another passage the goat is referred to as a "robber" because it tends to pasture in other fields and robs their rightful owner of his crops (Bava Kama 80a).

To counterbalance the disadvantages of goats, we should remember that the goat is a clean and kosher animal, and its meat is wholesome.

The Rabbis report that a person who suffered from a heart disease was recommended by a doctor to drink every morning warm goats milk (ibid).

In another passage in the Talmud we read that Rami Ben Ezekiel once paid a visit to Bnai Brak where he saw goats grazing under fig trees while honey was flowing from the figs and milk ran from them and these mingled with each other. "This is indeed", he remarked, "a land flowing with milk and honey" (Ketuboth 111b).

The goat was noted not only for its nutritional properties for we learn from the Mishnah that the shofar blown in the Temple at the New Year was made from the horns of a wild goat (Rosh Hashannah 3:3).

The greatest asset of the goat in biblical days was perhaps its hair which was used for the making of the curtains of the Tabernacle — "And thou shall make curtains of goats' hair for a tent over the Tabernacle" (Exodus 26:7).

Commenting on the verse "and all the women whose hearts stirred them, spun the goats hair" (Exodus 35:26), Rashi quoting the Talmud (Shabbat 74b) says—this required extraordinary skill for they spun the hair off the backs of the goats while they were alive.

The same theme is discussed in the Midrash; God said to Israel - "Make me a

200 S. P. TOPEROFF

dwelling (Exodus 25:8) for I desire to dwell amid my sons;" when the ministering angels heard this, they said to God: "Why wilt thou abandon the creatures above and descend to those below? Thy glory is that thou shouldst be in heaven." But God said, "See how greatly I love the creatures below that I should descend and dwell beneath the goats' hair." Hence it says: "Make curtains of goats' hair for the Tabernacle (Exodus 26:7) — Tanchuma Terumah 47b.

#### GOAT, SYMBOLIZING THE DEVIL

In the dark Middle Ages the Jew was often portrayed as a demon, evil spirit, and the devil himself. But the devil has no body or form and so the early Christians chose the innocent domesticated goat to act as the devil (perhaps because of the goat's beard).

Whatever the reason, the Jew was identified as the human goat. Thus a carved relief of the Judenfrau with her Jewish brood, once to be seen on the tower of a barge in Frankfurt included the figure of a Jew with two unmistakable goats, horns on his head.

The 'buck' or billy goat, as the Middle Ages knew full well, is the devil's favourite animal, frequently represented as symbolic of satanic lechery. According to popular legend the devil created the goat which appears in picture and story as the riding animal of every sort of hobgoblin as well as of witches and sorcerers. (See Trachtenberg, *The Devil and Jews* p. 47).

In the witch craze that swept Europe toward the end of the Middle Ages, the devil's most usual disguise was said to be that of a goat which the devotees worshipped and adored and it was the animal most commonly offered as a sacrifice. So close was the relation between them that an early fifteenth century illustration, picturing four Jews being led by him, represents Satan himself as having goats' horns.

Of course, these are most blasphemous and obnoxious notions, and are not to be believed at all.

### **BOOK REVIEW**

#### BY CHAIM ABRAMOWITZ

JEPHTHAH AND HIS VOW by David Marcus, Texas Tech. Press, 1986.

There are three instances of human sacrifice in the Bible. One is the actual sacrifice of his first born by Mesha, King of Moab, hoping that this will appease his god and will turn certain defeat into victory. This deed, however, so angered the Israeli army, that it gave up the fight and returned home(IIKings 3:27). Another was the near sacrifice of Isaac which was initiated and stopped by divine command (Genesis 22). The third was the questionable sacrifice of his daughter by Jephthah as a result of his rash vow (Judges 11:29-40). It is about this latter and most incomprehensible incident that David Marcus succeeds in shedding some light in his comprehensive study of Jephthah and his vow.

In a painstaking, orderly, and thoroughly documented fashion Marcus focuses his attention on every detail in the story. He divides it into three chronologically separate sections: The vow, Jephthah's daughter, and implementation of the vow. Each section is again divided into three parts: A history of the problems and difficulties; then an analysis, based on comparison with events, as to motive and formulation. He compares this vow with others in the Bible such as Jacob's and Eliezer's and other vows, with particular attention to phraseology and its interpretation. After discussing all the various explanations of the redundant condition - אשר יצא - and the odd formulation והיה לדי instead of the usual והיה לדי והעליתיהו עולה he reaches the conclusion that Jephthah was referring to a human being to be sacrificed. In the same manner he discusses in depth the daughter's strange concern with her virginity instead of her life, and the ambiguous last two verses. His interest in presenting diverse opinions on every subject is evidenced by the fact that notes, references, and indices take up almost a fifth of the seventy-one pages of the book.

(Continued on Page 196)

Chaim Abramowitz, z"l, was the assistant editor of Dor le Dor from 1975 to 1987.

### LETTERS TO THE EDITOR

After publication of my article "Abraham plants the Flag" in the winter issue (1986) of Dor le Dor, I came across a book by Prof. Cyrus H. Gordon who is of the opinion that Abraham is not really interested in purchasing the entire property of Ephron. He states that under Hittite law a property owner had to render feudal obligations until he sold all of it. "Abraham wanted the burial plot without assuming feudal obligations; but Ephron, the Hittite, insisted that Abraham buy all or nothing."

Prof. Gordon believes that Abraham agreed to buy the whole of the land only because he was under the pressing need to bury Sarah as soon as possible. But if this was the reason for Abraham's ready acquiescence to buy the whole, he could have expected to do so even more speedily by asking initially to purchase the entire tract. After all, if buying the cave alone entailed the escape from feudal obligations. Abraham's proposal to buy solely the cave could serve only to endanger the success of his quest. Abraham is conscious of the fact that as a foreigner among the children of Heth (Gen. 13:4), any purchase of property in their area would be subject to their laws. He bows down to them not at the outset of his request but after they tell him that any of them would be willing to provide a place for him in any of their sepulchres (13:6). He knows that such a grant would give him no rights to the burial ground. What he wants is ownership. Cognizant that Hittite law would apply, he also knows that if he suceeded to ownership of Ephron's property in its entirety, he would have to assume whatever feudal obligations its tenure entailed.

Abraham wanted the sale to be made with the formalities of Hittite law so that his rights to the land, together with the obligations appertaining thereto, would be clearly established. Such incontestable title of ownership would secure his status of citizenship in the Promised Land.

Ernest Neufeld N.Y.

#### Dear Editor

I refer to Words of Torah page 58 of Dor Le Dor, Fall 1986, regarding the interpretation of the dialogue between God and Abraham (Genesis 18:24-32) when God vowed that He would not destroy Sodom and Gomorrahfor the sake of ten righteous people. The popular interpretation that ten righteous men can save a wicked city (on which is based the number of a minyan) misses the point.

What God was telling Abraham is that in a sinful city no one is innocent. It is no use saying, my hands have not shed blood, I do not hate my neighbour, I do not exploit the poor, I do not put out my money to usury; if we live in a society that tolerates or indulges in these things, then we are all guilty.

God commanded Abraham, "Lech Lecha" - get thee out; if you can't put up a fight to change the malpractices, don't stay.

N. E. Dangoor London

\* Gordon, "The Common Background of Greek and Hebrew Civilization." W. W. Norton & Co., N.Y., 1965, p. 94.

# עשה תורחך קבע TRIENNIAL BIBLE READING CALENDAR

אדר תשמ"ח

February-March 1988

rebruary-march 1988		אדר תשמ"ח		
F	Exodus 25-27:19	תרומה	19	ĸ
שבח Haftarah: I Kings 5:26-6:13		הפטרה: מלכים א ה', כויו', יג	20	ב
\$	Job 13	איוב י"ג	21	x
M	Job 14	איןב י"ד	22	٦
T	Job 15 .	איוב ט"ו	23	ក
W	Job 16	איוב ט"ז	24	1
Th	Job 17	איוב י"ז	25	t
F	Exodus 27:20-30:10	תצוח פ' זכור	26	n
ובת	w Haftarah: I Samuel 15:1-34	הפטרה: שמואל א ט"ו, א־לד	27	ช
S	Esther 1-2	אסתר א'־ב'	28	ל
M	Esther 3-4	אסתר ג'יד'	29	יא
	March			
T	Esther 5-6	אסתר ה"ו'	1	יב
W	Esther 7-8	'תענית אסתר אסתר ז'־ח	2	יג
Th	Esther 9-10	פורים אסתר ט'־י'	3	לך
F	Exodus 30:11-34	כי תשא שושן פורים	4	טו
שבח Haftarah: I Kings 18:1-39		הפטרה: מלכים א י"ח, א־לט	5	טז
S	Job 18	איוב י"ח	6	רן
M	Job 19	איוב י"ט	7	יח
T	Job 20	איוב איוב כ'	8	יט
W	Job 21 ·	איוב כ"א	9	٥
Th	Job 22	איוב כ"ב	10	כא
F	Exodus 35-40	ויקהל פקודי פ' פרה	11	22
וכת	# Haftarah: Ezekiel 45:16-46:18	הפטרה: יהוקאל מ"ה, טדמ"ו יח	12	כג
S	Job 23	איוב כ"ג	13	כד
M	Job 24	איוב כ"ד	14	כה
T	Job 25	איוב כ"ה	15	כו
W	Job 26	איוב כ"ו	16	כז
Th	Job 27	איוב כ"ז	17	כח
F	Leviticus 1-5	ויקרא	18	כט

# March-April 1988

שבת Haftarah: Isaiah 66 שבת א 19 א				
שבת Haftarah: Isaiah 66 S Job 28		איוכ ב"ח	20	
_	Job 29	איוב כ"ט	21	<u>۔</u>
M T	Job 30	איוב כ ט איוב ל׳	22	7
-		איוב ל איוב ל"א	23	11
W	Job 31	איוב ל"ב איוב ל"ב	24	1
Th	Job 32	צו	25	'n
F	Leviticus: 6-8	בו הפטרה: מלאכי ג', חיכר	26	, L
	Haftarah: Malachi 3:8-24	הפטרה: מלאכי גי, חוכד איוב ל"ג	27	יי ט
S	Job 33	איוב ל"ד איוב ל"ד	28	ז
M –	Job 34	איוב ליה איוב ל"ה		יא
T	Job 35	=	29	
W	Job 36	איוב ל"ו	30	יב
Th	Job 37	איוב ל"ז	31	יג
			pril	
F		ערב פסח	1	دلہ
שכת	Exodus 12:21-51	פסח שמות י"ב, כא־נא	2	טו
	Haftarah: Joshua 5:2-6:1	הפטרה: יהושע ה', ביו', א		
S	Leviticus 22:26-23:44*	פסח* ויקרא כ"ב, כו־כ"ג, מד	3	טז
	Haftarah: II Kings 23:1-9**	*הפטרה: מלכים ב', כ"ג, איט		
M	Song of Songs 1-2	חול המועד שיר השירים א'־ב'	4	רן
T	Song of Songs 3-4	חול המועד שיר השירים ג'ד'	5	יח
W	Song of Songs 5-6	חול המועד שיר השירים ה'־ו'	6	יט
Th	Song of Songs 7-8	חול המועד שיר השירים ז'־ח'	7	٥
F	Exodus 13:17-15:26	פסח שמות י"ג, יויט"ו, כו	8	בא
	Haftarah: II Samuel 22	הפטרה: שמואל ב כ"ב		
זבת	Deuteronomy 14:22-15:17**	**סח דברים י"ד, כביט"ו, יז	9	כב
	Haftarah: Isaiah 10:32-12:6**	הפטרה: ישעיהו י', לב־י"ב, ו		
S	Job 38	איוב ל"ח	10	دډ
M	Job 39	איוב ל"ט	11	כד
T	Job 40	איוב מ'	12	כה
W	Job 41	איוכ מ"א	13	כו
Th	Job 42	יום השואה איוב מ"ב	14	to
F	Leviticus 9-11	שמיבי**	15	כח
יכת	# Haftarah: I Samuel 20:18-42**	**מטרה: שמואל א כ', יחימב	16	כט
S	Daniel 1	דניאל א'	17	ל
*Only in the Diaspora ארץ בחוץ לארץ*				
**In Israel the sidra of the following week			ביע"	

M	Daniel 2	דניאל ב'	18	к	
T	Daniel 3	רביאל ג'	19	ב	
W	Daniel 4	דניאל ד'	20	አ	
Th	Isaiah 10:32-11:12	יום העצמאות מוקדם ישעיה י', לב־י"א, יב	21	٦	
F	Leviticus 12-15	הזריע־מצורע*	22	π	
שבת	Haftarah: II Kings 4:3-20	הפטרה: מלכים ב ד', גיב	23	١	
S	Daniel 5	דניאל ה'	24	t	
M	Daniel 6	דניאל ו'	25	Π.	
T	Daniel 7	רניאל ז'	26	ט	
W	Daniel 8	דניאל ח'	27	7	
Th	Daniel 9	רביאל ט'	28	לא	
F	Leviticus 16-20*	אחרי מות קדושים*	29	יב	
שבת	Haftarah: Amos 9:7-15	הפטרה: עמוס ט', זיטו	30	יג	
		ì	May		
S	Daniel 10	רניאל י'	1	יד	
M	Daniel 11	דניאל י"א	2	טו	
T	Daniel 12	דניאל י"ב	3	טז	
W	Ezra 1-2	עזרא א'יב'	4	לץ	
Th	Ezra 3	עזרא ג'	5	יח	
F	Leviticus 21-24**	אמר**	6	יט	
שבת	7 Haftarah: Ezekiel 44:15-	31 הפטרה: יחזקאל מ"ד, טו־לא	7	۵	
S	Ezra 4	עזרא ד'	8	בא.	
M	Ezra 5	עזרא ה'	9	כב	
T	Ezra 6	עזרא ו'	10	כג	
W	Ezra 7	עזרא ז'	11	כד	
Th	Ezra 8	עזרא ח'	12	כה	
F	Leviticus 25-27**	בהר בחחקתי***	13	כו	
ובת	Haftarah: Jeremiah 16:1	9-17:14 הפטרה: ירמיה ט"ז, יט־י"ז, יד	14	כז	
S	Ezra 9	יום ירושלים עזרא ט'	15	כח	
M	Ezra 10	עזרא י'	16	כט	
*In Israel the sidra of the following week					
**In Israel read only Parshat Behar בישראל קוראים רק בהר*				<b>⊅*</b> *	
***In Israel read only Parshat Behukotai בישראל קוראים רק בחקתי***					

#### Dor le Dor

# דור לדור

## **OUR BIBLICAL HERITAGE**

Vol. XVI, No. 3 (ס"ג)	Spring 1988		
EDITORIAL COMMITTEE		141	
FREE TO SET A KING OVER THEE	Louis Katzoff	142	
LOOKING AND PRIVACY	Louis Katzoff	146	
ADAM'S MISSING YEARS	Sol Liptzin	149	
EYE FOR EYE	Shimon Bakon	158	
THE CYRUS CYLINDER AND ISAIAH 40-50	Aaron Lichtenstein	164	
THE SAGA OF THE FIRST BORN	Benjamin Goodnick	170	
PRAISE WAITETH FOR THEE (Ps. 65:2)	David Hacohen	179	
WHO WAS MELCHIZEDEK	Edmund Berg	183	
EL SHADDAI	Jacob Felton	186	
ADAM I AND ADAM II	Sidney Breitbart	192	
THE GOAT IN BIBLE AND MIDRASH	S. P. Toperoff		
BOOK REVIEW: JEPHTHAH AND HIS VOW			
by David Marcus	Chaim Abramowitz	201	
LETTERS TO THE EDITOR		202	
TRIENNIAL RIBLE READING CALENDAR		202	

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