

FOUR HOMICIDES: HOW THESE WERE JUDGED BY THE BIBLE AND A SPECULATION AS TO THE BASIS FOR JUDGEMENT

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*Dedicated to the memory of our beloved grandson Yehuda Natan Yudkowsky
(July 11, 1985 – November 1, 2004). May his memory be blessed.*

The Pentateuch describes four homicides: Abel killed by Cain, the men of Shechem by Simeon and Levi, the Egyptian by Moses, and Zimri by Phinehas. The purpose of this essay is twofold. First, to infer the judgment of the Bible with respect to each of these homicides: Does it meet with approval or not? Second, to infer the criteria underlying this judgment: On what basis do some of the homicides earn approval and others not?

With respect to the slaying of Abel and of Zimri, the judgment of the Bible is explicit. The killing of Abel is treated as murder: *'What hast thou done? The voice of thy brother's blood crieth unto Me from the ground'* (Gen. 4:10). As a direct consequence of his act, Cain is punished by exile: *'A fugitive and a wanderer shalt thou be in the earth'* (4:12). The killing of Zimri is judged as a meritorious act: *'Phinehas the son of Eleazar, the son of Aaron the priest, hath turned My wrath away from the children of Israel, in that he was very jealous for My sake among them'* (Num. 25:11). As a consequence, Phinehas is rewarded with an everlasting priesthood: *'Wherefore say: Behold, I give unto him My covenant of peace; and it shall be unto him, and to his seed after him, the covenant of an everlasting priesthood'* (25:12-13).

With respect to the killing of the men of Shechem by the sons of Jacob and of the Egyptian by Moses, however, the judgment of the Bible is not explicit and must be inferred from the text.

For the killing of the men of Shechem, the preponderance of evidence indicates that the deed was not approved.

1. Although Jacob does not at the time of the event denounce the killing on moral grounds, he does explicitly denounce it on moral grounds when he blesses his sons before his death:

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'Simeon and Levi are brethren; Weapons of violence their kinship. Let my soul not come into their council; Unto their assembly let my glory not be united; For in their anger they slew men, And in their self-will they houghed oxen. Cursed by their anger, for it was fierce, and their wrath for it was cruel. I will divide them in Jacob, And scatter them in Israel' (Gen. 49:5-7).

2. There are linguistic and thematic parallels between the text on Shechem and that on Cain and Abel:

Cain and Abel: *And Cain was very wroth and his countenance fell And it came to pass, when they were in the field that Cain rose up against Abel his brother and slew him* (Gen. 4:5, 8).

The brothers and Shechem: *And the sons of Jacob came in from the field, and the men were grieved, and they were very wroth And they came upon the city unawares and slew all the males* (34:7, 25).

Especially salient is the parallel brazenness of the replies of Cain and of Simeon and Levi when they are called to account: *'Am I my brother's keeper?'* (4:9), and *'Shall one deal with our sister as a harlot?'* (34:31). In the original Hebrew, these are both three-word phrases with the same meter.

Thus, on the basis of the above lines of evidence, I conclude that the Bible does not approve of the actions of Simeon and Levi.

Now we come to the story of Moses and the Egyptian. Here, too, there are several, albeit more subtle, indications in the text that suggest the killing of the Egyptian was not judged favorably and not approved.

1. Moses must go into exile immediately after the act. Exile is the punishment for murder as indicated by the punishment of Cain.

2. When Moses helps the daughters of Jethro at the well, they report to their father: *'An Egyptian [ish mizri] delivered us out of the hand of the shepherds* (Ex. 2:19). This is the same phrase used of the Egyptian that Moses killed: *And he saw an Egyptian [ish mizri] smiting a Hebrew, one of his brethren* (2:11). The use of this same phrase for both suggests that the text views Moses as the equivalent of the Egyptian.

3. On the return of Moses to Egypt, he is told by God: *'Go, return to Egypt, for all the **men** are dead that sought [ha-me'vakshim] your life'* (4:19). I interpret this to mean: the **men** are dead, but God still has an account to settle with Moses. Indeed, in the latter part of the same pericope we read: *And it*

came to pass on the way at the lodging place; that the Lord met him, and sought [va'yevakesh] to kill him (4:24), using the same Hebrew root word for "sought."

4. The same phrase used to describe Moses killing the Egyptian – *He smote the Egyptian (2:12)* – is used to describe Moses striking the rock in the desert: *And Moses lifted up his hand and smote the rock with his rod twice (Num. 20: 11)*. For this he was punished by God and not allowed to enter the Land of Israel. We can infer that as the smiting of the rock was not desired by God, so the smiting of the Egyptian was not desired by God. Indeed, it may be that the emphasis twice includes the first episode of striking as well. This parallel may be the source of the well-known midrash describing Moses' exchange with God when he asks to be allowed to enter the Land of Israel, at the end of which God says to Moses: "Did I command you to kill the Egyptian?"

5. Psalm 90, *A prayer of Moses the man of God*, includes the following verse: *Thou has set our iniquities before Thee, our secret sins in the light of Thy countenance (v. 8)*. This may refer to the killing of the Egyptian. Later in the same Psalm we read: *The days of our years are threescore years and ten, Or even by reason of strength fourscore years (v. 10)*. I interpret this as the reason Moses had to wait until he was 80 years old (fourscore years) before he could be sent to take the Israelites out of Egypt. On the thesis advanced here, Moses had to atone for the killing of the Egyptian for a full lifetime before he could, as it were, be born anew and return to his task of rescuing his nation from the hands of the Egyptians. Extending this speculation, the circumcision referred to in Exodus 4:25 may have been a symbolical rebirth and circumcision of Moses.

Taken together, these various hints and allusions indicate strong displeasure with Moses for killing the Egyptian, and appear to place his action in a class with those of Cain and of the brothers at Shechem.

Granted this, we can now attempt to identify the criteria that distinguish these three instances from that of Phinehas, by which the deed of Phinehas was considered meritorious but the others were not. I would like to propose that there are two separate criteria operating. The first is the reason for the homicide. Cain killed Abel because he was jealous of his own personal honor: *but unto Cain and to his offering He had not respect. And Cain was very*

wroth, and his countenance fell (Gen. 4: 5). Simeon and Levi killed the men of Shechem because they were jealous of the honor of their family: *And the men were grieved, and they were very wroth, because he had wrought a vile deed in Israel in lying with Jacob's daughter; which thing ought not to be done* (34:7). Moses killed the Egyptian because he was jealous of the honor of his nation: *And he saw an Egyptian smiting a Hebrew, one of his brethren:* (Ex. 2:11). But Phinehas killed Zimri for the honor of God: *'In that he was jealous for my sake . . . because he was jealous for his God'* (Num. 25:11, 13).

Thus, it would appear that one is not allowed to kill for the honor of oneself, of one's family or of one's nation, but only for the honor of God. But in this case, every scoundrel will kill for his honor and claim that it was for God. For this reason I would like to propose that a second criterion is required for approval – lack of premeditation. In all three cases of the homicide not judged with approval there was an element of premeditation.

In the case of Cain it is evident that he was mulling over his injury: *If thou doest well, shall it not be lifted up? and if thou doest not well, sin coucheth at the door; and unto thee is its desire, but thou mayest rule over it* (Gen. 4:7). Similarly, in the case of the brothers and Shechem, it is clear that Simeon and Levi came into Shechem with the prior intention of killing the men:

And it came to pass on the third day [that is, they knowingly waited until the third day – M.S.], when they were in pain, that two of the sons of Jacob, Simeon and Levi, Dinah's brethren, took each man his sword, and came upon the city unawares, and slew all the males (Gen. 34:25).

Even with Moses, although his action was almost spontaneous there was an instant of premeditation, as we read: *And he looked this way and that way, and when he saw that there was no man, he smote the Egyptian, and hid him in the sand* (Ex. 2:12). I propose that the moment of looking this way and that transformed the killing of the Egyptian from a spontaneous act to one of premeditation.

But with Phinehas we read:

And when Phinehas, the son of Elazar, the son of Aaron the priest, saw it, he rose up from the midst of the congregation, and took a

spear in his hand. And he went after the man of Israel into the chamber, and thrust both of them through (Num. 25: 7, 8).

He saw . . . he rose . . . he took . . . he went . . . he thrust. He did not mull it over, plan or consider or look to this side or that. He did it all in one spontaneous and continuous flow of action; stirred by the desecration of God's name that he witnessed.

Thus, on the thesis offered here, for a homicide to be considered a meritorious deed, it must satisfy two conditions. It must be for God's honor and not for man's, and it must be spontaneous and not premeditated.



RESPONSES FROM RABBI HAYYIM HALPERN'S BOOK TORAH DIALOGUES

1. According to Nahmanides and Or HaHayyim (ad loc.), the three are given in ascending difficulty. The question is appropriately asked of immigrants from the "old country" in our time.
2. In these thirteen verses, Ishmael is referred to with seven different nouns, each significant in context. Sarah sees the boy as *the son of Hagar the Egyptian* (v. 9) emphasizing his foreign origin; the *son of the handmaid* (v. 10) highlighting his lowly birth. Abraham acknowledges that he is *his son* after all (v. 11). God speaks of Ishmael as a *lad* (v. 12) and as *your seed* (v. 13), perhaps to arouse Abraham's sympathy.
3. Jacob pre-empting the blessing intended for Esau, his elder brother.