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**Two Covenants: One Holy Community**

*The Role of the Gentile in Judaism:  
How the Covenant of Noah Still has Meaning in Today's World*

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Thesis Submitted in Partial Fulfillment of Requirements for Ordination

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The goal of the thesis was to look at the evolution of how Judaism has understood the role of the non-Jew in its midst. My work originally focused on meaning of the *ger toshav*, but has expanded to include other similar terms representing the gentile who lives in and/or actively participates in the Jewish community. The scholarship in this area focuses on specific terms, but has not looked at the evolution of the role. What I have found to be particularly unique is that rabbinic Judaism, especially in the Babylonian Talmud, combined (most likely unintentionally) the biblical concept of *ger* with the Second Temple concept of “God Fearer.”

This thesis tries to delineate the Jewish understanding of the non-Jew diachronically, through time and according to the historical circumstances. The first chapter looks at how Jews understood the idea of covenant and how Judaism formed two covenants, separating the Jew from the gentile. The second chapter explores biblical Israelite society and how it classified the non-Jew in its community. The third chapter focuses on the term “God Fearer” and the Second Temple period’s distinct understanding of the gentile in its midst. Chapter four clarifies how the rabbis of the Talmud understood this person. The fifth chapter summarizes the view within Jewish law codes. And lastly, chapter six summarizes the thesis by applying a postmodern lens to earlier terminology from previous chapters in order to help bring meaning to the narrative of today’s non-Jewish congregant.

Both primary and secondary sources have been used. The primary sources used are to explain the role of the non-Jew. The secondary sources help to explain the social and political realities of the period.

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## **Introduction**

During rabbinical school, many discussions, sermons, workshops, and other learning opportunities have been devoted to the exploration of issues related to interfaith marriage and to the non-Jew who participates within the Jewish community. The prevalence of these discussions is not surprising; after all, on a macro-sociological level, research shows how often descendants of intermarriage end up being unaffiliated with the Jewish community and/or raising children in another faith. Some researchers have even argued that, to save Jewish life in America, Jews must only marry other Jews.

My thesis is related to these concerns. However, I am choosing not to enter the fray. My concern is not with the debate itself. I want to focus on the practical realities of interfaith marriage. One of these realities is that there are many gentiles who have married Jews, and many of these families are joining our congregations. Therefore, it is important that the Jewish community works with these families and with the non-Jews who supports and nurtures the family's Jewish paths, especially those who are members of synagogues.

My experiential learning working with a community in suburban Washington DC revealed a huge need to acknowledge the choices these families have made and to offer them support through their journey and struggles in life. The goal of Reform Judaism has been to welcome these families into our congregations. However, I believe "welcoming" is only the first step, and not the entire solution. My concern is that there are not

adequate programs, counseling, and support for these non-Jewish members of our synagogues. In the end, the message of the Jewish community usually consists of pressuring these gentile spouses to make Jewish choices, even hoping for him or her to convert to Judaism. However, we neglect to hear their personal stories and struggles.

This thesis' goal is to offer a distinctly different paradigm to synagogues and clergy for understanding the narratives of their non-Jewish members. While researching this topic, I have realized that the Jewish community has always been concerned with the role of the gentile in the Jewish community. Through every stage of Jewish development, our community has asked, what is the role of the non-Jew, and how are we to relate to him?

This thesis tries to delineate the Jewish understanding of the non-Jew by periods of time and their historical realities. The first chapter looks at how Jews understood the idea of covenant and how Judaism formed two covenants, separating the Jew from the gentile. The second chapter explores biblical Israelite society and how it classified the non-Jew in its community. The third chapter focuses on the term "God Fearer" and the Second Temple period's distinct understanding of the gentile in its midst. Chapter four clarifies how the rabbis of the Talmud understood this person. The fifth chapter summarizes the view within Jewish law codes. And lastly, chapter six summarizes the thesis by applying postmodern understandings to earlier terminology from previous chapters in order to help bring meaning to the narrative of today's non-Jewish congregant.

Too often in modern times, we have amalgamated all non-Jewish members into one category, even when his or her life experiences and commitment to the Jewish

community greatly differ. There are gentiles who are actively involved members, who support the congregation in many ways; while there are also non-Jewish spouses of congregants who never enter our buildings. There are many different types of non-Jews in Jewish life.

My concern is to further explore the discussion of covenantal relationships concerning both the Jewish and non-Jewish members of the Jewish community. Judaism has taught that there are two distinct covenants. In regards to the Jewish covenant, there has been exploration of what it means for Jews to be in relationship with God. I argue that the Jewish world now needs to begin this same study of the second covenant, which is the relationship between the gentiles and God.

This thesis begins to ask the question and offers one idea. My hope is others will continue this dialogue, exploring how the Jewish community can assist all of its families with their journeys. I believe that, only when we build trust with the families we serve, will these families begin to explore what Judaism means for their entire family.

## Chapter 1

### The Biblical Covenant

To understand the meaning and purpose of the non-Jew within the Jewish community, one needs to first look at what distinguishes a Jew from a gentile. In the Bible there was no such thing as “Judaism” because in the Ancient Near East there were no “religions.” Rather, there was a group of people who believed that they had a special relationship with God, which differentiated them from the other nations. This group of people became known as *B'nai Israel* (The Children of Israel), also known as the Israelites.

A core concept in Judaism is the belief that the patriarchs Abraham, Isaac and Jacob, and their descendants, *B'nai Israel*, were endowed with a covenant personally given by God. The *Tanakh*<sup>1</sup> is filled with narratives of God interacting with individuals,

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<sup>1</sup> *Tanakh* is a acronym for Torah (Pentateuch- Genesis, Exodus, Leviticus, Numbers, and Deuteronomy), Nivi'im (Prophets) and Ketuvim (writings- i.e. Psalms, Ecclesiastes, Book of Esther, and etc.). In English the *Tanakh* is translated as meaning “Bible.” However, Christians term the *Tanakh* at the “Old Testament.” To be more accurate, it is the Protestant version of the Old Testament because the Catholic version includes additional books (Tobit, Judith, Macabees, Wisdom, Ben Sira, Baruch and additions to Daniel and Esther). The book order within the Bible differs between the Jewish Bible

ancestral clans, and nations both inside and outside of the Israelite community. These encounters usually reinforce the concept that the descendants of Abraham have a special relationship with God.

For the Israelites, God and God's covenant was the central focal point of their community. This understanding became the basis for their descendants' belief that they have been "chosen by God" for a unique partnership, and therefore have the premier relationship with God, called a "ברית" *brit*, meaning "covenant." The Israelites wrote this ethnocentrism into the Bible because the latter is not a historical narrative; it's a theological document. The goal of the biblical text is to strengthen and empower the Israelite belief system, including both universal (God's relationship with humanity) and particularistic (God's special relationship to the Israelites) agendas. For example, "Genesis, the first book of the Torah, establishes the conceptual setting for the world of covenant. Not only does it introduce the idea and concept of covenant but it provides the linguistic and conceptual basis within which to understand covenantal systems."<sup>2</sup>

There are examples in the Tanakh when non-Israelites have interactions with God: 1) because the interactions took place before the birth of Abraham,<sup>3</sup> or 2) to demonstrate that God has a special relationship with descendants of Abraham. An example of the latter occurs when God instructs Balaam on how he is to bless the Israelite nation.<sup>4</sup> The only exception to this rule regards Hagar and Ishmael. Although they are

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and The Christian Old Testament. For the purpose of the thesis, the Hebrew Bible will be called "The Bible."

<sup>2</sup> Elazar, Daniel, *Covenant and Polity in Biblical Israel*, page 97.

<sup>3</sup> An example is Genesis 11:6 concerning the tower of Babel.

<sup>4</sup> Numbers chapter 22 and 23.

not Israelites, they are Abraham's clan,<sup>5</sup> and enjoy benefits resulting from his relationship with God—God blesses them and their progeny.<sup>6</sup>

The concept of covenant was not invented by the Israelites.<sup>7</sup> It is clear that other Ancient Near Eastern societies incorporated similar oaths and commitments into communal life.<sup>8</sup> These ancient covenants were similar in many ways to a modern agreement or verbal contract. The biblical covenant was: "an agreement usually formal, between two or more persons to do or not to do something specified."<sup>9</sup> However, "From the biblical perspective, all human covenants must flow from the covenant in which God established His<sup>10</sup> relationship with humankind."<sup>11</sup> Being in relationship with God is the focal point of all *britot*, even when it is made among humans.

The covenant, over time, represents the purpose and focal point of the Israelite community. A *brit*, in the Israelite view, meant that one had a contractual relationship

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<sup>5</sup> In the Ancient Near East, clans were family based units including slaves, workers, and assets. Since these groups were nomadic or semi-nomadic the group could not become too large. Many of Genesis' stories include the idea of adult sons living within the clan with their wives and children. Each clan had its own senior ranking male. This group is much smaller than a tribe. Therefore this chapter will be using "clan" and "family" interchangeably to help decrease repetitiveness of the same word.

<sup>6</sup> Genesis 17:20.

<sup>7</sup> Mendenhall, George, *Law and Covenant in Israel and the Ancient Near East*.

<sup>8</sup> Haran, Menahem, "The *berit* 'Covenant': Its Nature and Ceremonial Background" in Mordechai Cogan, Barry L. Eichler and Jeffrey H. Tigay (eds), *Tehillah le-Mosheh: Biblical and Judaism Studies in Honor of Moshe Greenberg* (Winona Lake, IN: Eisenbrauns, 1997)

<sup>9</sup> "Covenant"- According to the Oxford Compact Dictionary the meaning is: 1 a solemn agreement. 2 a contract by which one undertakes to make regular payments to a charity. 3 an agreement held to be the basis of a relationship of commitment with God.

<sup>10</sup> Many sources translate the pronoun of God to be "He." However, God is of no gender; neither he nor she. But calling "It" seems irreverent. Therefore in this situation I chose "He."

<sup>11</sup> Elazar, Daniel, page 112. He bases this argument upon the Covenant with Noah. According to Elazar, "It is on the basis of God's pact with Noah that people in turn establish relationships with God."

with God. This relationship, being party to a divine *brit*, unified the descendants of Abraham. All biblical covenants are comprised of three elements: the terms are declared by the sovereign; there is agreement on the part of the vassal; the pact is concluded by ratification by having a witness (which can even be provided by an inanimate object) who serves as a reminder to the two parties.<sup>12</sup> To truly understand the biblical covenant one needs to look at how it is used within the Pentateuch<sup>13</sup> itself. “The biblical evidence concerning the covenant ceremony is mostly woven into the narrative frameworks surrounding the covenants, rather than occurring in the covenant text themselves.”<sup>14</sup> The *brit* is first introduced in the Book of Genesis, chapter 6. Here, God, angry at the world for being corrupt, has decided to flood the earth.<sup>15</sup>

In Genesis’ story of the flood, God has decided to save one man, Noah, and his family. God instructs Noah to build an ark for himself, his family, and the animals, thereby saving them from the devastation. Noah not only receives instructions, but he is also informed of God’s intention.<sup>16</sup> Included in this message is God’s desire of establishing a covenant with Noah.

וְהִקְמַתִּי אֶת־בְּרִיתִי אִתָּךְ וּבָאתָ אִל־הַתֵּבָה  
 אַתָּה וּבְנֶיךָ וְאִשְׁתְּךָ וְנִשְׁי־בְנֶיךָ אִתָּךְ<sup>17</sup>

I will establish My covenant with you, and you will enter the ark, with  
 your sons, your wife, and your sons' wives.

<sup>12</sup> Haran, Menahem, “The *berit* ‘Covenant’: Its Nature and Ceremonial Background,” pages 214-216.

<sup>13</sup> Pentateuch is the academic term for Torah, the first five books of Moses: The Book of Genesis, Exodus, Leviticus, Numbers and Deuteronomy. The Torah is the first of three parts of the *Tanakh* (the Jewish Bible).

<sup>14</sup> Haran, Menahem, “The *berit* ‘Covenant’: Its Nature and Ceremonial Background,” page 205.

<sup>15</sup> Genesis 6:11.

<sup>16</sup> Genesis 6:17.

<sup>17</sup> Genesis 6:18.



It is possible to infer from this that the covenant establishes: 1) those who share a special relationship, *brit*, with God will be saved;<sup>18</sup> and 2) when one makes a covenant, God only interacts with the head of the family.<sup>19</sup> Genesis 6:18 supports the idea that such a covenant grants Noah safety through instructions on how to save his life. By building the ark as Noah's refuge he has the ability to save his progeny. This covenant is perpetual and continues with Noah's next of kin and their offspring. Therefore, since all humanity are, according to the Bible, descendants of Noah, all humans become partners with God as a result of this *brit*.<sup>20</sup>

On the surface, it seems that God promises not to kill Noah. However, something deeper is taking place. The covenant is more than a mere contract; it is more like an oath, in the form of a pledge that the two parties will join together and form a relationship through their mutual commitment. If Noah dedicates his life to God's will, then he and his progeny will have a special relationship with God. God goes beyond making a legal contract by blessing Noah and his sons, including their progeny, with longevity and abundance.<sup>21</sup> This is because "An oath is frequently mentioned as accompanying a

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<sup>18</sup> Here in Genesis, Noah and his family are given a *sukkat shalom*, a shelter of peace. Future generations' safety is established in Genesis 9.

<sup>19</sup> In the biblical world view, women and children belong to the husband. Here in Genesis, the reader is not aware of the ages of Noah's sons. However, they were old enough to have wives, according to Genesis 7:7. Therefore, it seems that God only speaks to the head of the clan, and not all adult males.

<sup>20</sup> According to the Bible, this became the covenant for all people. Only with the later covenant of Abraham does this covenant become the covenant of the gentiles.

<sup>21</sup> According to George E. Mendenhall, in Law and Covenant in Israel and the Ancient Near East, "The good of society itself demands that certain promises must be followed by performance, and it prescribes forms and procedures by which it can guarantee those promises. Those procedures are in the beginnings of law most closely connected with religion, and are known as oaths. As time passes, the oath which is a conditional self-

covenant, and the two terms may appear in conjunction or interchange with each other...The frequent coupling of the two terms may indicate that the oath was the primary nucleus of the covenant, though oaths could be made outside of the covenant framework as well.<sup>22</sup>

According to this encounter, for a life of blessing, humanity is required to act in a certain manner: what they may eat is regulated,<sup>23</sup> and a prohibition against shedding the blood of another human is being imposed.<sup>24</sup> This blessing, with its conditional clause, becomes the first covenant in the Bible.

וְהִקְמַתִּי אֶת־בְּרִיתִי אִתְּכֶם וְלֹא־יִכָּרֵת כָּל־בָּשָׂר עוֹד מִמֶּנִּי  
הַמַּבּוּל וְלֹא־יִהְיֶה עוֹד מַבּוּל לְשַׁחַת הָאָרֶץ:  
וַיֹּאמֶר אֱלֹהִים זֶאת אֹת־הַבְּרִית אֲשֶׁר־אֲנִי נֹתֵן בֵּינִי  
וּבֵינֵיכֶם וּבֵין כָּל־נֶפֶשׁ חַיָּה אֲשֶׁר אִתְּכֶם לְדֹרֹת עוֹלָם:  
אֶת־קַשְׁתִּי נֹתַתִּי בָּעָנָן וְהָיְתָה לְאוֹת בְּרִית בֵּינִי וּבֵין הָאָרֶץ:  
וְהָיָה בָּעָנָן עֵנָן עַל־הָאָרֶץ וְנִרְאָתָה הַקַּשֶׁת בָּעָנָן:  
וְזָכַרְתִּי אֶת־בְּרִיתִי אֲשֶׁר בֵּינִי וּבֵינֵיכֶם וּבֵין כָּל־נֶפֶשׁ חַיָּה  
בְּכָל־בָּשָׂר וְלֹא־יִהְיֶה עוֹד הַמָּיִם לְמַבּוּל לְשַׁחַת כָּל־בָּשָׂר:<sup>25</sup>

I will establish my covenant with you (plural)<sup>26</sup>: Never again will all life be cut off by the waters of a flood; never again will there be a flood to destroy the earth." And God said [further], "This is the sign of the covenant which I set forth between Me and you (plural), and every living creature that is with you, for all future generations. I have set my bow in the clouds, and it will be a sign of the covenant between Me and the earth [...] Never again will the waters become a flood to destroy all life.

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cursing, an appeal to the gods to punish the promiser if he defaults, tends to become merely the constitutive legal form which makes the promise binding." page 26.

<sup>22</sup> Haran, Menahem, page 211.

<sup>23</sup> Genesis 9:4 states that humans are not allowed to eat animals with their "life-blood" still in it.

<sup>24</sup> Genesis 9:6.

<sup>25</sup> The Book of Genesis 9:11-15.

<sup>26</sup> In Hebrew, *atah* means you in singular form, while the suffix "*chem*" means you in plural form. I will be pointing out the difference by adding "(plural)" to show when the text is saying "you all."

This is the covenant between God and Noah, including all future generations of humanity. This covenant is universal. It teaches that all humans have the ability to be in a relationship with God. This *brit* is not bound by clan, ethnicity, or religion. One fulfills his or her role by following the above rules, by upholding certain ethical behaviors. God's concern is with unethical behavior, and it is humanity's "corruption" and "violence" which elicited God's flood.

However, the concept of the covenant is not stagnant in meaning. The purpose and context of the *brit* differs throughout the biblical text. There are plural modifications relating to the *brit*, leading to an evolution of understanding, which occur in canonized Pentateuch.<sup>27</sup> Therefore, to fully understand the meaning of the covenant, one cannot just look at one example of the *brit*. Rather, the biblical reader must look at how each example differs, and how the concept adapts and shifts as the result of Israelite biblical experiences. However, there are core concepts of a covenant which unify these varying experiences into one narrative. The three elements of a biblical covenant listed earlier stay true in both forms of the covenant, "as a rule, in biblical terms, a *brit* always includes two parties, whether equal or unequal."<sup>28</sup> The *brit* with Noah is not the only covenant that God makes in the Pentateuch. Later *britot*<sup>29</sup> are more particular and seem to be based upon clan and peoplehood. This *brit* develops taking on the meaning that the

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<sup>27</sup> The chapter will show how the covenant is modified by using proof-texts from the Pentateuch. These examples will be later in the chapter.

<sup>28</sup> Haran, Menahem, p. 205.

<sup>29</sup> *Britot* literally is the plural form of *brit*, meaning covenants. It is possible to view God as having made two *britot*: one with Noah and the other with Abraham and his descendants. It is also possible to view each encounter between God and humanity, which leads to a *brit*, as individual contracts. Thus the *brit* in Deuteronomy would be its own *brit* and independent (although affected) by the *brit* between God and Abraham in Genesis.

Israelite people have a unique relationship with God, which is different from God's relationship with the rest of humanity.<sup>30</sup>

For Abraham, the *brit*, becomes a promise of sustenance, health, and continual dialogue with God. For example:

בַּיּוֹם הַהוּא כָּרַת יְהוָה אֶת־אַבְרָם בְּרִית לֵאמֹר לְיִרְעֶךָ נָתַתִּי  
אֶת־הָאָרֶץ הַזֹּאת מִנְּהַר מִצְרַיִם עַד־הַנָּהָר הַגָּדֹל נְהַר־פָּרָת׃<sup>31</sup>

On that day YHWH<sup>32</sup> cut a covenant<sup>33</sup> with Abram saying, "To your offspring I give this land, from the river of Egypt until the great river, the river Euphrates."

God promises this land to Abraham, giving he and his progeny sustenance. This new covenant includes a promise of a specific geographical area bestowed by God to a specific group of people. As a result, this new *brit* develops in a particularistic way, focusing on the relationship between God and the clan of Abraham, which will later become the Israelite people.

The *brit* between Abraham and God states:

וְאַתָּנָה בְּרִיתִי בֵּינִי וּבֵינְךָ וְאַרְבֶּה אוֹתָךְ בְּמֵאדָּ מְאֹד׃  
וַיִּפֹּל אַבְרָם עַל־פָּנָיו וַיְדַבֵּר אִתּוֹ אֱלֹהִים לֵאמֹר׃  
אֲנִי הִנֵּה בְרִיתִי אִתְּךָ וְהָיִיתָ לֵאלֹב הַמּוֹן גּוֹיִם׃  
וְלֹא־יִקְרָא עוֹד אֶת־שִׁמְךָ אַבְרָם וְהָיָה שִׁמְךָ אַבְרָהָם כִּי

<sup>30</sup> There is an ambiguity relating to the children of Ishmael and if they are part of the Covenant of Abraham. Ishmael is blessed (ברכתִי) by God, but there was no covenant made in Genesis 17:20.

<sup>31</sup> The Book of Genesis 15:18.

<sup>32</sup> This is God's proper name, spelled in transliteration. Traditionally, Jews do not write or pronounce the name because of the fear of violating the commandment "not using God's name in vain," (Deuteronomy 5:11). Here the covenantal contract is personal and one who partakes in the covenant is taking an oath with this monotheistic God of the Israelite people. In the covenant of Noah, Noah only knows god as "*elohim*" meaning God in a general sense. Now God is known more personally and Abraham uses the proper name YHWH.

<sup>33</sup> "Cutting a covenant" is the literal translation for making a covenant.

אֲבִי-הַמּוֹן גּוֹיִם נִתְחַיֵּד:  
וְהִפְרַתִּי אֶתְךָ בְּמֵאֹד מְאֹד וְנִתְחַיֵּד לְגוֹיִם וּמְלָכִים מִמֶּךָ יֵצְאוּ:  
וְהִקְמַתִּי אֶת-בְּרִיתִי בֵּינִי וּבֵינְךָ וּבֵין זֶרְעֶךָ אַחֲרֶיךָ לְדֹרֹתָם  
לְבְרִית עוֹלָם לִהְיוֹת לְךָ לֵאלֹהִים וּלְזֶרְעֶךָ אַחֲרֶיךָ:  
וְנָתַתִּי לְךָ וּלְזֶרְעֶךָ אַחֲרֶיךָ אֶת אֶרֶץ מִנְּרֵיךְ אֶת כָּל-אֶרֶץ  
כְּנָעַן לְאַחֲזָתָהּ עוֹלָם וְהָיִיתִי לָהֶם לֵאלֹהִים:  
וַיֹּאמֶר אֱלֹהִים אֶל-אַבְרָהָם וְאַתָּה אֶת-בְּרִיתִי תִשְׁמֹר אֲתָהּ  
וּזְרַעְךָ אַחֲרֶיךָ לְדֹרֹתָם:  
זֹאת בְּרִיתִי אֲשֶׁר תִּשְׁמְרוּ בֵּינִי וּבֵינֵיכֶם וּבֵין זֶרְעֶךָ אַחֲרֶיךָ  
הַמּוֹל לָכֶם כָּל-זָכָר:  
וְנִמְלַחֶם אֶת בָּשָׂר עֲרַלְתְּכֶם וְהָיָה לְאוֹת בְּרִית בֵּינִי וּבֵינֵיכֶם:  
וּבֶן-שְׁמֹנֶת יָמִים יְמוֹל לָכֶם כָּל-זָכָר לְדֹרֹתֵיכֶם יֶלֶד בֵּית  
וּמִקְנַת-כֶּסֶף מִכָּל בֶּן-נָכָר אֲשֶׁר לֹא מִזֶּרְעֶךָ הוּא:  
הַמּוֹל יְמוֹל יֶלֶד בֵּיתְךָ וּמִקְנַת כֶּסֶף וְהָיְתָה בְּרִיתִי  
בְּבָשָׂרְכֶם לְבְרִית עוֹלָם:<sup>34</sup>

I will maintain My covenant between Me and you, and your offspring to come, as an everlasting covenant to you, to be God to you and for your offspring to come. I will give to you and, to your offspring to come, the land you sojourn in, all the land of Canaan, as an everlasting possession. I will be their God.” God [further] said to Abraham, “As for you, you shall keep My covenant, you and your offspring to come throughout the generations. This is my covenant between Me and you (plural) that you (plural) shall keep and your future offspring: every male among you shall be circumcised. You shall circumcise the flesh of your foreskin, and that shall be the sign of the covenant between Me and you. Throughout the generations, every male among you shall be circumcised when he is the age of eight days, including the slave born in your household and the one bought from a foreigner—those who are not your offspring. They must be circumcised whether home-born or purchased alike. My covenant shall be marked in your flesh as an everlasting covenant.

This *brit* is now reciprocal. The earlier covenant with Noah was semi interdependent. In Genesis 6:14 God commanded, “Make yourself an ark.” And after the flood God commanded Noah and humanity to act ethically. However, there were no further Godly visits to Noah recorded in the Bible. Compared to here, in Genesis 17, where it is now

<sup>34</sup> The Book of Genesis 17:7-13.

up to Abraham and his offspring to “Keep My covenant” showing that God cannot just order the Israelites to do a specific action. This new *brit*, Abraham’s covenant, is dependent upon human actions; an individual clan must choose to act in a specific manner. God will directly contact the clan of Abraham many more times after this first encounter. If Abraham and his descendants want to continue to have a personal relationship with God, they must circumcise all the men in their midst. For Abraham, the covenant is perpetual and constant for he and his descendants, each of whom is part of the covenant with God and has a responsibility to fulfill. One who is a member of this covenant must do more than just act ethically.

Overall, the similarities between the two covenants are that there are requirements and expectations for human behavior, and that future generations are bound to the *brit*. The choices that are made at one moment affect following generations. Another similarity is that both covenants have a symbol representing their meaning. The sign of the rainbow represented protection not just for Noah, but for all humanity to follow. So too is the *brit milah* (covenantal circumcision) a sign of the covenant for Abraham, Isaac, and Issac’s descendants. However, these two *britot* are different types of contracts. The earlier Noahide *brit* was mainly a covenant of protection. The *brit* of Abraham seems to be a relationship. As a result of this *brit*, Abraham’s family will be treated different, separating them from God’s relationship with the rest of humanity.<sup>35</sup>

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<sup>35</sup> In some ways it seems that the two covenants are similar in regard of including offspring within the covenant. However, the covenants differ due the result of who is incorporated within the *brit*. Since Noah was the only human alive, all humans are the descendants of Noah. Therefore, his covenant is true for all peoples. Abraham’s covenant was made when there were other clans present whom God chose not to include in the covenant. Therefore, Abraham’s *brit* was particularistic because a specific group of people was selected by God, separating them from the rest of humanity.

The concept of covenant again expands in the Book of Exodus. Here the covenant changes from a focus on the clan of Abraham to now encompassing the whole Israelite nation. This development is acknowledged when God saves the whole nation of Israel and frees them from Egypt. After God redeemed the people, God then makes a *brit* with the community as a whole. This communal covenant is based upon the earlier covenant of their ancestors:

וַיִּאֲנְחוּ בְנֵי־יִשְׂרָאֵל מִן־הָעֲבָדָה וַיִּזְעֻקוּ וַתַּעַל שׁוֹעֲתָם  
 אֶל־הָאֱלֹהִים מִן־הָעֲבָדָה: וַיִּשְׁמַע אֱלֹהִים אֶת־נַאֲקָתָם וַיִּזְכֹּר  
 אֱלֹהִים אֶת־בְּרִיתוֹ אֶת־אַבְרָהָם אֶת־יִצְחָק וְאֶת־יַעֲקֹב:<sup>36</sup>

The Israelites were groaning under the bondage and cried out; and their cry for help from the bondage rose up to God. God heard their moaning, and God remembered His covenant with Abraham and Isaac and Jacob.

God remembered them! “Remembering them” means that God remembered the sworn oath, which was made with Abraham, Isaac and Jacob; and as their descendants, this *brit* includes the entire Israelite nation. Therefore the covenant of Abraham is interwoven into this ancestral-clan based *brit*. Exodus chapter 2 is an introduction and background for the covenant. It is not until the Israelites are at Mount Sinai that the formal nationalistic *brit* takes place. Also, the focus on “remembering” implies that God’s personal relationship with the people is not always active. However, this recollection underscores that the covenant is never lost. God’s *brit* has further developed incorporating a particularistic importance for the Israelite nation.

This *brit* elevates the Israelites above the other nations, as a result of their special connection with God. This becomes inherent in the meaning of *brit*, and affects how

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<sup>36</sup> Exodus 2:23-24.

future generations will understand the meaning of the covenant. As God tells the Israelites in Exodus 19:5:

וְעַתָּה אִם־שָׁמוּעַ תִּשְׁמָעוּ בְּקֻלִּי וּשְׁמַרְתֶּם אֶת־בְּרִיתִי וְהָיִיתֶם  
לִי סֻגְלָה מִכָּל־הָעַמִּים:

Now, if you (all) obey Me and keep My covenant, you (all) shall be My treasured possession among all the nations.

Beyond the Israelites becoming beloved by God this relationship changes from being reciprocal to now becoming mutually dependent. Now God differentiates this group from others, and establishes a hierarchy. The covenant is no longer a simple contract based on a cost-benefit sociological system, where each member chooses to participate in the covenant because the personal benefit outweighs the cost (energy, resources, time) that is required to fulfill the obligation. In other words, previously the *brit* was a contract where each party gained something it wanted. Now, the *brit* becomes a deep relationship, including emotional and psychological attachment. In a way, the relationship has transformed itself from what Martin Buber would call (if the relationship were between two humans) an “I-It Relationship” to an “I-Thou Relationship.” This *brit* is now an intimate relationship where both parties’ investments are more significant, especially God’s. To be an Israelite is now to be in a personal relationship with God, which is deep and meaningful to him, both as an individual and as part of a community. It is this personal relationship, which has led many to conclude that Judaism is the religion of God’s chosen people. Therefore, some argue, the *brit* is the basis of Judaism. I argue, rather, this understanding the Torah can be viewed as the chronicling of the covenantal process.



Later, God stipulates how the people of Israel are to obey and fulfill the *brit*. The Israelites must act in a specific manner to keep this personal relationship, i.e. they must live according to the 10 commandments<sup>37</sup> and Covenant Code.<sup>38</sup> This implies that one who is in a covenant with God must act holy in all aspects of life: both their relationship directly with God, and their earthly relationships with the world around them, including nature, other humans, and animals.<sup>39</sup> Being a partner in a sacred relationship with God includes the concept that one must respect God's creations.

In the Book of Leviticus there are penalties<sup>40</sup> added for breaking God's orders.<sup>41</sup> These consequences add new depth to the *brit* because it shows that God internalizes and "feels" the actions of his beloved human partners. This is brought to light by the ending of Leviticus 26:30, which clarifies God's reaction to breaking of the *brit*, "נַפְשִׁי אֶתְחַכֵּם וְנִעַלְתִּי" and My soul shall abhor you." God's anger for the people can be seen as a result of God's love. If God is like humans, one only gets upset at someone in which he or she invests. Since the covenant is personal, Leviticus states, if the Israelite people break the covenant, they are not just breaking a contract, but now they will be literally hurting and

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<sup>37</sup> Exodus 31:16 & 34:27-28.

<sup>38</sup> Exodus 21:2-23:33, which stipulates multiple commandments that are believed to be a source for some of the 613 commandments in the Jewish mitzvah system.

<sup>39</sup> The relationship might not be reciprocal with animals and nature, but a human interacts with everything in its existence. Besides the relationship with God, the only reciprocal relationship a human can have is with other fellow humans.

<sup>40</sup> This can be seen as a continuation similar to the punishment stated in Exodus' Covenant Code.

<sup>41</sup> Example: Leviticus 26:15-16, declares how an Israelite must treat other fellows.

insulting God in personal way. As a canonized document, our sages organized the Pentateuch in a way that shows a definite evolution showing how the covenant evolved.<sup>42</sup>

In the Book of Deuteronomy, the covenant again reshapes and morphs into a perpetual living personal bond with the Israelites and the Israelite's descendants. A major foundation of understanding within the Jewish religion is based upon the narrative of Deuteronomy 5:3-4, which states:

לֹא אֶת־אֲבוֹתֵינוּ כָּרַת יְהוָה אֶת־הַבְּרִית הַזֹּאת כִּי אֲתָנוּ אֲנִיחֶנּוּ  
אֱלֹהִים הָיָה הַיּוֹם כָּלֵנוּ חַיִּים:  
פָּנִים בְּפָנִים דִּבֶּר יְהוָה עִמָּכֶם בְּהָר מִתּוֹךְ הָאֵשׁ:

It was not with our ancestors that the YHWH cut this covenant, but with us, the living, every one of us who is here today. Face to face YHWH spoke to you (plural) on the mountain, out of the fire.

This statement informs every Jew that they were there, personally, on Mount Horeb, and that this covenant with God is not only one belonging to their ancestors, but it is also a living relationship that each one today has with God. Since this *brit* is now viewed as being alive in the current generation, the Jewish people have maintained this pact and therefore see themselves as being chosen by God.

In summary, what is significant about this focus of communal cohesion is that the covenant was, biblically, not only geographical. Citizenship was not based upon the birth place of a person, but rather their ancestral lineage. One was still an Israelite even if he or she was born outside the land of Israel. Therefore, in the biblical view, a male can

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<sup>42</sup> This evolution might not have unfolded precisely this way in history. There are many theories about the editors and authorship of biblical books. However, this is irrelevant because the Pentateuch has been canonized in this order for over two thousands years. As a result, the tradition and understanding of Jews throughout the ages have been based on viewing the text as a whole singular unit. The development of the *brit* is not based on historical fact, rather it is how the community has perceived this myth and built its social cohesion and purpose by making the *brit* the focal point of its community.

only be born into the covenant if his father was a member of the covenant. However, men were allowed to marry non-Israelite women,<sup>43</sup> and her male offspring are viewed as being Israelites.<sup>44</sup> When a woman married a man, she accepted his way of life, including his practices in relationship to worship.<sup>45</sup> This is because women become part of the household and property of the man she married, lacking individuality and rights. A male slave, who had the same status as a woman, was not a member of Israel even if he was circumcised<sup>46</sup> and followed all of Israelite laws.<sup>47</sup> He is considered to be a fully integrated part of an Israelite household, but yet he himself is not a member of Israel.

Israelite's social construct was based upon the symbol of covenant. The Bible indicates that the uniting force within the Israelite society was that each member was a *ben brit* (member of the covenant), and all collectively were *b'nai brit* (members of the covenant). They saw themselves as descendants of three patriarchs who had a covenant with God. As offspring, this unique and beloved relationship with God had been bestowed upon them.

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<sup>43</sup> There is a biblical restriction, Deuteronomy, chapter 20, forbidding Israelite men from marrying women from the seven Canaanite kingdoms (where Israelites are ordered to fully destroy these nations to protect from being lured into idolatry).

<sup>44</sup> A great example of this was the biblical patriarchs. Sarah, Rebecca, Rachel and Leah became part of Abraham's clan, and their descendants became the Israelite people.

<sup>45</sup> The Patriarch found wives for their sons outside the land of Canaan, and yet these women were still considered to be part of the community. An example of this is when Rachel leaves her father's house, she takes Laban's (her father) idols with her on her journey to Canaan. However, there is no later discussion of her idolatry, or of her sister's, Leah.

<sup>46</sup> Circumcision was required at times for slaves to participate in specific functions and activities, like circumcised priest slaves. Because of their circumcision they were able to eat the priestly *trumah* offering.

<sup>47</sup> There are two types of slaves in Penataeuch. The first is a fellow Israelite who becomes an indentured servant. He is to pay-off his debt through six years of service. It is likely that since his financial situation is unstable and he had to sell himself into slavery, it is likely he does not own property. The second type of slave is a non-Israelite and because of their status as foreigner it is impossible to own land.

God's relationship with each man is not the same. Just as with humans' relationships with each other, God's relationship with humans can differ.<sup>48</sup> When used in connection with God the *brit* signifies the special contracts made between God and humans. Therefore, in the biblical view, the role of Jews is different than the role of a non-Jew. The question that now needs to be answered is how does a gentile fit into the ancient Israelite world? And, what was his or her role and/or purpose in this community?

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<sup>48</sup> Different is not necessarily a qualitative comment. Just like a parent has different types of relationships with his or her child, the parent has a unique and special relationship with each child.

## Chapter 2

### **The Biblical Understanding of Societal Status Results from One's Relationship to the Covenant.**

Chapter 1 summarized the idea of covenant hypothetically explaining the two covenants and how they relate to one another. However, the best way to understand the practical meaning of the covenant is to look at ancient Israelite society.<sup>49</sup> If the covenant was the basis of the communal cohesion in Israelite society, then logically one's relation to the covenant would determine his status as member within the community. Therefore, looking at biblical Israel historically will help give insight to the theological implications of covenant for the Jewish people, past and present.

N. K. Gottwald, a biblical historian, argues that based on its communal name, "Israel must have been a pre-Yahwistic<sup>50</sup> entity larger than any one of the tribes which

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<sup>49</sup> McNutt, Paula, *Reconstructing the Society of Ancient Israel*. In this book, she argues that this community became a nation sometime during the First Iron Age period (p.35).

<sup>50</sup> The proper name of God is YHWH. Therefore, Yahwistic is the faith tradition that was the Israelite faith. Mark Smith argues, in his book "The Memoirs of God" that during the kingship of Hezekiah and Josiah that the leadership of Judea clarified by editing earlier biblical writings that the faith of Israel was totally monotheistic. Meaning, that the monotheism of Israel and Judea was not always constant, but as the Temple and priest in Jerusalem gained power, so did the idea of monotheism.

eventually entered Yahwistic Israel."<sup>51</sup> There was a merger of two groups of people: 1) those who were connected to a general, universal god; and 2) those who believed in a specific God by the name of YHWH. He argues the name "Israel," is a group of people who are united under the understanding of God as "El." Otherwise, if the group was solely followers of YHWH, the tribe would have incorporated the proper name, YHWH, within its group's title. He states:

I have no concrete proposal concerning the source of the name Israel, but the hypothesis that Israel was the name of a *pre-Yahwistic* union of Canaanite peoples does help to explain why the later *yahwistic* union of tribes possessed the anomalous name of Isra"el." It adopted that name because an earlier association of Canaanite underclasses had employed it as the single comprehensive term available with adequate historical association to communicate the intent of Yahwistic Israel to be an egalitarian social order. Such a union probably falling within the period 1325-1250 B.C. [...] In the eventual full formation of Yahwistic Israel, we can provisionally distinguish those features that carried over from the older Elohist Israel and those that were new infusions.<sup>52</sup>

If Gottwald is correct, there is a possibility that the *brit* was only one focal point of the Yahwistic union. Based on this understanding one could argue that the universal covenant came from the pre-Yahwistic group, who believed in the universal higher power; and the particular covenant comes from those who were in the Yahwistic union.

In both cases, it seems that the Israelite community based itself on the covenant. Therefore, one who was a member of the covenant was then a member of the nation; making the covenant the unifying force and communal boundary of the Israelite nation. For one to be a citizen, he had to be part of this communal and personal pact, separating

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<sup>51</sup> Gottwald, Norman, *The Tribes of Yahweh*, page 494.

<sup>52</sup> Gottwald, Norman, *The Tribes of Yahweh*, pages 494-495.

over time from the universal covenant and focusing on the covenant with YHWH, the monotheistic god of the Israelites.

There are historians who agree with the thesis that one's citizenship was the product of his relationship to the covenant. The Israelite society was a tribal alliance that viewed their citizenship as built and founded upon the biblical covenant. "At the beginning of their history the Israelites, like their ancestors before them, lived as nomads or semi-nomads, and when they came to settle down as a nation, they still retained some characteristics of that earlier way of life."<sup>53</sup> Due to their nomadic connections, the Israelite people had a governmental structure based upon a foundation of clan based tribes. These "tribe[s] [were] autonomous group of families who believed they are descended from a common ancestor [...] What unites all the tribesmen, then, is this blood-relationship, real or supposed."<sup>54</sup> Therefore, membership was centered on the belief of common ancestry, or "brotherhood." Since the tribesmen believe they are of the same clan, it is impossible for an outsider to be a member of the clan because he is not of the same blood line.

In Biblical Hebrew, natives are called זֵרַח *ezrach*, meaning "one who rises from the soil."<sup>55</sup> This understanding is properly translated as a "free-tribesmen."<sup>56</sup> A free-tribesman in biblical times would be labeled in later periods as a citizen. However, the understanding of citizen is a concept invented by Greek society,<sup>57</sup> which dates after the biblical Israelite society of the First Iron Age. The social structure of citizenship was

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<sup>53</sup> De Vaux, Ronald, *Ancient Israel*. Translation by John McHugh, page 3.

<sup>54</sup> De Vaux, Ronald, pages 4-5.

<sup>55</sup> Brown Driver Briggs, page 280. *Zerach* as a verb means to "rise, come forth."

<sup>56</sup> Et al.

<sup>57</sup> Bruce, F.F., page 1048 in *Anchor Bible Dictionary*.

dependent on the social structure of tribal society. Each tribe was its own unit and these twelve tribal units worked together in partnership forming a national entity. Meaning, “The Twelve Tribes were not ruled by a permanent body, and, in their system, were not subject to the same measure of effective political control. The importance of the Israelite confederation was primarily religious; it was not only the feeling of kinship, but also their common faith in Yahweh, whom they had all agreed to follow, which united the tribes around the sanctuary of the Ark, where they assembled for the great feasts.”<sup>58</sup> The unity came from their shared communal belief system of the monotheistic YHWH. Therefore, the *brit* linked all the clans together as one nation. Each member had a *brit* with God individually, and they shared the communal covenant together as a nation.

Each adult male was a member of a specific Israelite tribe, while also being a member of the Twelve Tribes of Israel. Even though each tribe was its own entity, as a whole the twelve tribes were united, forming a loose federation. Ronald de Vaux explains how this united the Israelites as a people, even when they lived separately: “They do retain a feeling of family solidarity; when they unite for common enterprises, such as migrations or wars, they recognize a chief to be obeyed by some or all of the groups.”<sup>59</sup>

Within the Israelite nation, a semi-nomadic desert community, the tribal laws of hospitality were honored and followed. These laws revolve around the notion of how to welcome and honor those who are guests, non-citizens.<sup>60</sup> Generally in the Ancient Near

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<sup>58</sup> De Vaux, Ronald, page 7.

<sup>59</sup> De Vaux, Ronald, *Ancient Israel*, page 7.

<sup>60</sup> It would be more accurate to not use the term “citizen”, however to say that a visitor is a non-tribesman would seem redundant. In the modern world, where one is not a member of a tribe, but of a community and society, one more easily relates to the notion



East, as is also true in Israelite society, "The guest is sacred: the honour of providing for him is disputed, but generally fall to the sheikh. The stranger can avail himself of this hospitality for three days, and even after leaving he has a right to protection for a given time."<sup>61</sup> In the Book of Genesis, this understanding is exhibited by both Abraham and Lot to their guests.<sup>62</sup> Lot goes as far as offering his own daughters to the mob in hopes of protecting his guests:

וַיִּקְרְאוּ אֶל-לוֹט וַיֹּאמְרוּ לוֹ אֵיךְ הָאֲנָשִׁים אֲשֶׁר-בָּאוּ אֵלֶיךָ  
הַלַּיְלָה הוֹצִיאָם אֵלֵינוּ וְנִדְעָה אֲתָם:  
וַיֵּצֵא אֲלֵהֶם לוֹט הַפֶּתַח וְהַדֶּלֶת סָגַר אַחֲרָיו:  
וַיֹּאמֶר אֶל-נָא אַחֵי תִרְעוּ:  
הִנֵּה-נָא לִי שְׁתֵּי בָנוֹת אֲשֶׁר לֹא-יָדְעוּ אִישׁ אוֹצִיָּאהָן נָא אֲתָהֶן  
אֵלֵיכֶם וַעֲשׂוּ לָהֶן כַּטּוֹב בְּעֵינֵיכֶם רַק לֹא-אֲנָשִׁים הֵאל  
אֶל-תַּעֲשׂוּ דְבַר כִּי-עַל-כֵּן בָּאוּ בְצֵל קִרְתִּי:<sup>63</sup>

They called to Lot and said to him, "Where are the men who came to you tonight? Bring them out to us, that we may have intercourse with them." So Lot went out of the door, and closed the door behind him, and said, "I beg you, my brothers, do not do evil. Look, I have two daughters who have never slept with a man. Let me bring them out to you, and you may do to them as you please; just do not do anything to these men, since they have come under the shelter of my roof."

For Lot, the importance of protecting his guests was due to the responsibility of being a host, who guarantees protection and safety. Guests can include, at times, members of other tribes, but guests are usually non-citizens, or "sojourners". When a tribe has accepted an outsider, it is the tribe's responsibility to protect him. He is to be defended

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of citizen than tribesmen. As a result, I will be using *ezrach* at citizen to help the reader to be more comfortable with the biblical text.

<sup>61</sup> De Vaux, Ronald, page 10.

<sup>62</sup> Genesis chapter 18.

<sup>63</sup> Genesis 19:5-8.

against his enemies, and the community avenges his blood, if necessary.<sup>64</sup> The

Pentateuch calls these sojourners who are entitled to protection “גֵּר *ger*.”

There are four terms representing different understandings of “foreigner,” in the Pentateuch: 1) גֵּר *ger*; 2) נָכַר *naikhar*; 3) זָר *zar*; 4) תּוֹשָׁב *toshav*. In the biblical world view, there were different types of outsiders, and different rights and protections that each group was afforded.

A nationalistic faith which is opposed to everything that is not of Yahweh, and a faith concerned for marginal groups...Distinguishing between classes of foreigners. There are foreigners who have sufficient economic strength to engage in business relations with the Israelites, and there are foreigners who are vulnerable. The former are treated differently from the native Israelite both in cultic matters and economic matters.<sup>65</sup>

These outsiders cannot become full citizens of land of Israel, but those foreigners who are more dependent on the Israelites, permanent residents, have more rights and protections.

The term *ger* is most commonly translated as “sojourner.” This translation is most frequently used because “sojourner” expresses the “idea that the individual is not a permanent member of the community in which he or she lives.”<sup>66</sup> This is consistent with other nominal forms of the root in other Ancient Near Eastern cultures.<sup>67</sup> Other standard translations for *ger* include: foreign resident, foreigner, stranger, immigrant, and resident alien.<sup>68</sup> Throughout this chapter, I will refer to the non-native resident by his Hebrew

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<sup>64</sup> Meaning, if the guest is murdered then the community must uphold the guest’s honor and avenge his homicide by killing the murderer.

<sup>65</sup> Van Houten, Christiana, *The Alien in Israelite Law*, page 82.

<sup>66</sup> Spencer, John, “Sojourner” in *Anchor Bible Dictionary*, page 103.

<sup>67</sup> Spencer, page 103. Also, Kellerman argues that the Akkadian word *geru* meaning “to be hostile” is possibly an etymon of Hebrew root for גר, which is the root of *ger*.

<sup>68</sup> Spencer, page 103.

title, “*ger*.” A *ger* is one who has no inherited rights,<sup>69</sup> meaning that he is not allowed to inherit land nor membership into the Israelite community.

A *ger* was not seen as a native of another land; he was no longer a member of the foreign people into which he was born. “The alien was someone who was taken into a household, and hence could not be identified with the defeated Canaanites or any other large group of people. Instead, the alien, and possibly their families, are strangers who are vulnerable and need protection and charity because they are out of their familial context.”<sup>70</sup> There are many ways one becomes a *ger*, but it is usually due to famine.<sup>71</sup> *Gerim*<sup>72</sup> are the people who left their native lands to remake their lives somewhere else, becoming a tribe-less individual or family needing a surrogate community.<sup>73</sup>

Biblically, the title “*ger*” is used in two ways: 1) when Israelites are a resident of a foreign land (i.e. as slaves in Egypt). For example:

וַיֹּאמֶר לְאַבְרָם יְדַע תְּדַע כִּי גֵר יִהְיֶה זְרַעְךָ  
בְּאֶרֶץ לֹא לָהֶם וְעֲבָדוּם וְעָנּוּ אֹתָם אַרְבַּע מֵאוֹת שָׁנָה:<sup>74</sup>

And He said to Abram, "Surely know that your offspring shall be a *ger* in a land that is not theirs, and they shall be enslaved and oppressed for four hundred years;

And 2) to describe non-Israelite residents who live within the Israelite community:<sup>75</sup>

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<sup>69</sup> Brown, Driver, and Briggs, page 158.

<sup>70</sup> Van Houten, page 67.

<sup>71</sup> Kellerman, D., “Gur” in *Theological Dictionary of the Old Testament*, page 443.

<sup>72</sup> *Gerim* is the plural for of *ger*.

<sup>73</sup> Spencer understands this to mean: “The key is that the sojourner has familial or tribal affiliation with those along whom he or she is traveling or living.”

<sup>74</sup> Genesis 15:13.

<sup>75</sup> Spencer, John, “Sojourner” in *Anchor Bible Dictionary*, page 103.

וְכִי־יָגוּר אִתָּךְ גֵּר בְּאַרְצְכֶם לֹא חֹנֶה אֹתוֹ:<sup>76</sup>

When a *ger* resides with you in your land, you shall not oppress him.

The focus of this chapter will be on the latter understanding, when a *ger* is a non-Israelite citizen, and how his purpose was viewed and treated over time. For both biblical and contemporary purposes I will be incorporating Ellie Weisel's understanding of the term *ger*.<sup>77</sup>

A *ger* is a stranger who lives in your midst. Meaning: on Jewish land, in Jewish surroundings, in a Jewish atmosphere; he has not adopted the Jewish faith but he has acquired Jewish customs, values, and friends.<sup>78</sup>

He is one who is neither a native nor a foreigner. He is considered a member of the community, and has a specific role and understanding within the society.

Most often the Pentateuch commands the *ger* to act in similar fashion to the Israelite:

תּוֹרָה אֶחָת יִהְיֶה לְאִזְרָח וּלְגֵר הָגֵר בְּתוֹכְכֶם:<sup>79</sup>

There shall be one law for the citizen and for the *ger* who dwells in your midst.

The *ger* is required to fulfill the laws of Israel. Therefore, the *ger* is expected to act like the Israelites, if he wants to live in the society.<sup>80</sup> Equality is commanded, and this

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<sup>76</sup> Leviticus 19:33.

<sup>77</sup> Although Wiesel is not a biblical scholar, his modern exegesis has great power and brings meaning to the arguments set forth in this thesis. His explanation coincides with how one may see a modern day *ger*. There are many non-Jews who participate as a de facto Jew. Many in the community assume that certain *gerim* are actually Jews.

<sup>78</sup> Weisel, Ellie, "The Stranger in the Bible" *The Stranger in the Bible* was delivered as the Gustave A. and Mamie W. Efroymson Memorial Lecture at the Cincinnati School on May 12, 1981, page 28.

<sup>79</sup> Exodus 12:49.

<sup>80</sup> However as noted, there are some differing laws between the two groups. At times there are ambiguities and/or contradictions within the Bible.

message is repeated in the Pentateuch.<sup>81</sup> Most of the biblical laws of Israel shall also be true for the non-Israelite inhabitant of the land. The biblical focus is that the non-native is to fulfill many of the Israelite's ritual guidelines; even though the *ger* is not a member of the *brit* of Abraham, and is not a fully participating member in the cultic life of the community. These laws, required of the *ger*, include laws dealing with Shabbat as the day of rest,<sup>82</sup> eating unleavened bread of Passover,<sup>83</sup> practice of self-denial on Yom Kippur,<sup>84</sup> and laws of sacrifice.<sup>85</sup> The reason why both *ger* and citizen must follow these laws is because not following them would be seen as abhorrent in God's eyes:

וּשְׁמַרְתֶּם אֹתָם אֶת־חֻקֹּתַי וְאֶת־מִשְׁפָּטַי וְלֹא  
תַעֲשׂוּ מִכָּל הַתּוֹעֵבֹת הָאֵלֶּה הָאֲזִרָח וְהַגֵּר הַנֶּגֶר בְּתוֹכְכֶם:<sup>86</sup>

But you must keep My laws and My rules, and you must not do any of those abhorrent things, neither the citizen nor the *ger* who resides among you.

For example, in Leviticus chapter 18, God commands ethical expectations about sexual life in Israelite society and about how one is to act, and the *ger* is to also follow them. And this is to be the law in every generation.<sup>87</sup> According to these examples, it seems that in daily life there was no barrier between the Israelite and the *ger*.<sup>88</sup> The *ger* is systematically different only with respect to land ownership. "Although the *ger* enjoyed equal protection with the Israelite under the law, he was not of the same legal status; he

<sup>81</sup> Leviticus 24:22, Numbers 15:16.

<sup>82</sup> Exodus 20:10 and 23:12.

<sup>83</sup> Exodus 12:19.

<sup>84</sup> Leviticus 16:29.

<sup>85</sup> Leviticus 17:8, Leviticus 22:18, Numbers 15:14. Regarding sacrifices, the *ger* is allowed to offer a sacrifice. If a *ger* chooses to do so he is required to offer the ritual in accordance to the prescription assigned to an Israelite.

<sup>86</sup> Leviticus 18:26.

<sup>87</sup> Numbers 15:15.

<sup>88</sup> De Vaux, Ronald, page 75.

neither enjoyed the same privileges nor was bound by the same obligations... [although] the civil law held the citizen and the *ger* to be of equal status.”<sup>89</sup> Overall, he is to follow the same rules and observe almost the same laws when he lives within the community. There is clear and repeated instruction that he is to be treated like the Israelite. This lack of differentiation is also true when dealing with the fulfillment of ritual. An example of this is ritual error:

הָאִזְרָח בְּבֶנִי יִשְׂרָאֵל וְלִגֵּר הַגֵּר בְּתוֹכְכֶם  
 תֹּרָה אֶחָת יִהְיֶה לָכֶם לַעֲשׂוֹת בְּשִׁגְגָה:<sup>90</sup>

For the native among the Israelites and for the stranger who resides in their midst -- you shall have one law for anyone who acts in unintentional sin.

This regards the sin offering at the Temple. When error occurs, it affects the whole community;<sup>91</sup> meaning that everyone involved must make expiation to resolve the situation and restore the holiness of the community. The *ger* is bound by the prohibitive commandments, “lest their violation lead to the pollution of God’s sanctuary and land, which in turn results in God’s alienation and Israel’s exile.”<sup>92</sup> Therefore both the *ger* and the Israelite are seen as being part of the entire people. God wants to forgive the people when error occurs by accident, but the wrath of the Lord is strong for those who engage in error on purpose:

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<sup>89</sup> Milgrom, Jacob “The *ger*” in Anchor Bible’s Commentary on Leviticus 17-22, page 1496.

<sup>90</sup> Numbers 15:29.

<sup>91</sup> Numbers 15:26.

<sup>92</sup> Milgrom, Jacob “The *ger*” in Anchor Bible’s Commentary on Leviticus 17-22, page 1497.

וְהַנֶּפֶשׁ אֲשֶׁר-תַּעֲשֶׂה בְיָד רָמָה מִן-הָאֶזְרָח וּמִן-הַגֵּר  
 אֶת־יְהוָה הוּא מְגַדֵּף וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מִקֶּרֶב עַמּוֹהִ: <sup>93</sup>

But any soul, be he native-born or *ger*, reviles YHWH; that person shall be cut off from among his people.

It does not matter if the person who causes the error is a native or not because both groups are actively involved in the community of Israel. The *ger* and the Israelite are treated similarly regarding specific issues dealing with purity. Both inhabitants of the land are not allowed to pronounce the name of YHWH<sup>94</sup> or ingest blood.<sup>95</sup> The *ger* is likewise commanded to ritually purify himself after encountering specific actions, such as eating a non-slaughtered animal,<sup>96</sup> and gathering the ashes of the red heifer.<sup>97</sup>

It seems that by having the same rules for both the Israelite and the *ger*, communal life is just and fair for all people. God not only commands that both types of people be treated in the same way according to God's laws, but also according to human courts and arbitration:

וְאֶצְוֶה אֶחֶשְׁפְּטֵיכֶם בְּעֵת הַהוּא לֵאמֹר שְׁמַע בֵּין־אֲחֵיכֶם  
 וּשְׁפַטְתֶּם צֶדֶק בֵּין־אִישׁ וּבֵין־אֲחִיו וּבֵין גֵּר: <sup>98</sup>

I charged your judges at that time: "Hear [the disputes] between your brothers, and judge justly between any man and a fellow Israelite or a *ger*."

The concept of justice to the stranger is important to God because God remembers that the Israelites were also strangers in a foreign land. Four times the Pentateuch claims

<sup>93</sup> Numbers 15:30 (use later in the paper showing how both the Jewish and non-Jewish members are part of the same people-congregation).

<sup>94</sup> Leviticus 24:16.

<sup>95</sup> Leviticus 17:10-14.

<sup>96</sup> Leviticus 17:15.

<sup>97</sup> Numbers 19:10.

<sup>98</sup> Deuteronomy 1:16.

that the Israelites should remember that they were once non-citizens in the land of Egypt, and that this understanding should affect how they treat the *ger*. The Israelite shall not abhor<sup>99</sup> or oppress the *ger*;<sup>100</sup> and “you shall love him as yourself”<sup>101</sup> because “you know the feelings of the stranger.”<sup>102</sup> In all four of these quotes the justification for the ethical treatment was because the Israelites themselves were foreigners in the land of Egypt.

The Jewish community believes the giving of Torah at Sinai, including receiving the covenant, was given to all Jews. The story of the Exodus is part of his own story in every age, even if historically he or she was not present. All Israelites are seen as having once lived in Egypt, when it was in fact their ancestors who lived there. Similarly in Leviticus 19:33 the theme of justice is related to the treatment of the *ger*, but this time the reasoning is not connected to the land of Egypt. Rather the text just states that the *ger* shall not be wronged.

It is clear that the *ger* himself is his own class, even though he is classified with other groups, i.e. widow, Levite, and the poor, at times. However, it is extremely rare for the Pentateuch to mention a *ger* alone, without making reference as well to the other groups. The solo classification of the *ger* only occurs once in the Five Books of Moses:

לֹא תֹאכְלוּ כֹל-נֶבֶלָה לְנֹר אֲשֶׁר-בְּשַׁעֲרֵיךָ  
תִּתְּנֶנָּה וְאָכְלָה אוֹ מִכֹּר לְנֹכְרִי כִּי עִם קְדוֹשׁ  
אַתָּה לַיהוָה אֱלֹהֶיךָ:<sup>103</sup>

You shall not eat anything that has died a natural death; give it to the *ger* in your community to eat, or you may sell it to a foreigner. For you are a people holy to YHWH your God.<sup>104</sup>

<sup>99</sup> Deuteronomy 23:8.

<sup>100</sup> Exodus 22:20 and 23:9.

<sup>101</sup> Leviticus 19:34.

<sup>102</sup> Exodus 23:9.

<sup>103</sup> Deuteronomy 14:21.



Here is the one main differentiation between an Israelite and a *ger*. An Israelite can only eat the meat of animal that has been slaughtered. According to Deuteronomy, a *ger* can eat all meat from an animal that is prescribed by the Pentateuch as being acceptable for eating.<sup>105</sup> The quote above shows that the *ger* is seen as having communal rights somewhere in between the Israelite and the foreigner. Also relating to how a *ger* is not a full Israelite, Exodus 12:48 rules:

וְכִי-יָגֹר אִתָּךְ גֵּר וַעֲשֵׂה פֶסַח לַיהוָה הַמּוֹל לֹ  
כָל-זָכָר וְאִם יִקְרַב לַעֲשׂוֹתוֹ וְהָיָה כְּאִזְרָח הָאָרֶץ  
וְכָל-עַרְל לֹא-יֹאכַל בּוֹ:

If a *ger* who resides with you wants to take part in the passover lamb (*pascal*) to the YHWH; he must be circumcised. Every male and then he shall be admitted to offer it; he shall be as a citizen of the country. But no one uncircumcised may eat of it.

In this text, the separation between a *ger* and an Israelite is not in his religion or nationality, but rather if he is circumcised.<sup>106</sup> The circumcision is a sign of the covenant. Some have considered Exodus 12:48 to mean that if the *ger* converts then he is able to participate in eating of the Passover offering. However, at this time, there is no such thing as conversion because within Judaism conversion is a later invention, starting during the Second Temple period, but taking formal shape later with the rabbis. As was

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<sup>104</sup> This biblical passage seems to point out a contradiction with earlier statements that Israel and the stranger shall have one law. The rabbis of Talmud discuss this issue, which will be discussed in chapter four. It seems that this is the only place in the Pentateuch where a *ger* is commanded with a law allowing them to act differently than the Israelites.

<sup>105</sup> The term “Kosher” biblically deals with the classification of an animal due to its type. The Bible only allows Israelites to eat animals that have split-hooves and chew its cud, i.e. cow, and lamb.

<sup>106</sup> The circumcision does not necessarily represent belief in the YHWH. However, if a slave or *ger* is uncircumcised they are prohibited from certain specific communal activities. By being circumcised the non-Israelite is saying that he is not a pagan and therefore is seen as having a purity level that is required for those prescribed activities. Therefore the act of circumcision is separating him from idolatry.

previously stated in this chapter and chapter one, only an Israelite male had the ability to be born into the covenant. Therefore, even after circumcision he is still considered to be a *ger*. The circumcision relates to his status as one who is no longer connected to a foreign god, rather he is now connected to YHWH.

What is of great importance is that there are ambiguities in the Pentateuch relating to both the issues of circumcision and eating non-slaughtered animals. Exodus 12:48 states one must be circumcised while Numbers 9:14 plainly states:

וְכִי־יִגֹּר אִתְּכֶם גֵּר וַעֲשֵׂה פֶסַח לַיהוָה כְּחֻקָּה  
הַפֶּסַח וּכְמִשְׁפָּטוֹ כֵּן יַעֲשֶׂה חֻקָּה אֶחָת יִהְיֶה לָכֶם וּלְגֵר  
וּלְאֶזְרָח הָאָרֶץ:

And when a *ger* residing in your (plural) midst wants to take part in the passover lamb (*pascal*) to the YHWH, he must offer it in accordance with the statutes and regulations of the passover sacrifice. There shall be one law for you, whether *ger* or native-born of the country.

Regarding the issues of the Passover sacrifice and the circumcision of a *ger*, these two texts do not necessarily contradict one another. However, they also do not have the same message. A reader of the text does not know what “he must offer it in accordance with the rules and rites of the passover sacrifice” really means. It could mean what Exodus 12:48 states about the *ger* needing to be circumcised, or it could have other meanings and implications.

It is also unclear if Deuteronomy 14:21 and Leviticus 17:15 agree with or contradict each other. The text in Deuteronomy says it is okay for the *ger* to eat the non-slaughtered meat. However, the Leviticus text makes it seem that it is improper for both the *ger* and the Israelite to eat this type of meat:

וְכָל־נֶפֶשׁ אֲשֶׁר תֹּאכַל נֶבֶלָה וְטֶרֶף בְּאֶזְרָח וּבְגֵר וְכִבֹּס  
בְּגָדָיו וְרַחֵץ בַּמַּיִם וְטָמֵא עַד־הָעֶרֶב וְטָהָר:

Any person who eats what has died or has been torn by beasts, whether native-born or *ger*, shall wash his clothes, bathe in water, and remain unclean until evening: then he shall be clean

Both an Israelite and a *ger* are required to go through a purification ritual if they ate this meat. When this occurs, both groups of people are classified as unclean, not able to be in the camp of the Israelites. In this situation, they are classified as being of the same status. Therefore a *ger* can eat the *nevelah* meat,<sup>107</sup> but he cannot do so within the community of Israel.

Relating back to Deuteronomy 14:21, the Israelite is commanded to treat the *ger* differently than the foreigner. An Israelite is allowed to give the *ger* the meat; while he is able to sell this meat to the foreigner. The *ger* is clearly not an outsider, a foreigner. Rather, he is just a non-native resident.

“While equal treatment for the [*ger*] is the norm, it is clear that the [*ger*] does not enjoy the same social status as that of the Israelite.”<sup>108</sup> The *ger* is commonly associated with weak members of the Israelite society: the poor, the widow, and the orphan. Due to this weak state the Israelite is supposed to allow the *ger* to pick the gleanings<sup>109</sup> and tithings<sup>110</sup> of the fields.<sup>111</sup> The focus of God’s concern towards the *ger* is not only

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<sup>107</sup> *Nevelah* is the classification of meat that a Jew is not allowed to eat because the animal is either found dead or the limb has been ripped from the living animal.

<sup>108</sup> Spencer, page 104.

<sup>109</sup> Leviticus 19:10 and 23:22.

<sup>110</sup> Deuteronomy 26:12.

<sup>111</sup> Deuteronomy 26:13.

financial, God also befriends the *ger*.<sup>112</sup> A concern is that it is easy to take advantage of the *ger*:

לֹא תִטֶּה מִשְׁפַּט גֵּר יְתוֹם וְלֹא תִחַבֵּל בְּגָד אִלְמָנָה:<sup>113</sup>

You shall not subvert the rights of the *ger* or the fatherless; you shall not take a widow's garment in pawn.

Because the *ger* is not able to own property, he has a harder livelihood than the Israelites.<sup>114</sup> In a way, the *gerim* were most likely workers who hired out their services.<sup>115</sup> This made the *ger* very vulnerable:

לֹא-תַעֲשֶׂק שָׂכִיר עֲנִי וְאֶבְיוֹן מֵאַחֶיךָ אִו  
מִגֵּרְךָ אֲשֶׁר בְּאַרְצְךָ בְּשַׁעֲרֶיךָ:<sup>116</sup>

You shall not abuse a poor destitute laborer, whether a fellow countryman or a *ger* in one of the communities of your land.

Since the *ger* did not own land, he was at times categorized and treated similarly to the Levite. Often the *ger* and Levite are also grouped with the other people of weak position in Israelite society. However, there is one time when just the *ger* and Levite are specifically linked together in a context including only these two groups of people. They are linked together because the Israelite is commanded to share the bounty of the land with both groups.<sup>117</sup>

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<sup>112</sup> Deuteronomy 10:18.

<sup>113</sup> Deuteronomy 24:17.

<sup>114</sup> Biblically land and property has been allocated to specific tribes and within the tribal territories the land is then assigned to males and the portions are inherited from father to son. If for any reason the land is sold, it is returned back to the family of original ownership during the Jubilee year.

<sup>115</sup> De Vaux, Ronald, p.75.

<sup>116</sup> Deuteronomy 24:14.

<sup>117</sup> Deuteronomy 26:11.

In summary, the *ger* is treated as a member of Israelite society. He does not have the full rights of a native, but nonetheless he is treated as a weak member of the community. The special treatment towards a *ger* should not be taken for granted; the *ger* is conferred a special status in the Bible that differentiates him from other non-Israelites. The foreigner does not have rights and responsibility within the Israelite community, only this non-Israelite resident. In sum, “[*gerim*] were free men, not slaves, but they did not possess full civic rights, and so differed from Israelite citizens.”<sup>118</sup>

In the Pentateuch, “the *ger* occupies an intermediate position between a native (*ezrach*) and a foreigner (*nokhri*).”<sup>119</sup> The main difference between the *ger* and the foreigner is mostly economic. The *ger*, who is a member of the Israelite society, is dependent on the Israelites; while the “foreigner has means and is expected to pay for what he gets.”<sup>120</sup> He has financial stability because he is still a member of another community, outside of Israel. One who is a full tribal member in another tribe has financial capabilities, or has others he can depend on for support. The Bible maintains this separation by stating:

אַתְּ-הַנֹּכְרִי תִגְשׁ וְאִשֶּׁר יִהְיֶה לְךָ אֶת-אֲחִיךָ תִשָּׁמֵט יָדְךָ:<sup>121</sup>

You may require payment from a foreigner, but you must cancel any debt your brother owes you.

The Israelites mainly interacted with foreigners for economic purposes. The foreigner is not a protected class within the Israelite society and there are five references in the Pentateuch discussing how Israel is to make financial gains from the foreigner.<sup>122</sup>

<sup>118</sup> De Vaux, Ronald, page 74.

<sup>119</sup> Kellerman, page 443.

<sup>120</sup> Van Houten, page 81.

<sup>121</sup> Deuteronomy 15:3.

The term נָכַר *naikhar* has multiple nuances in meaning: 1) The other, someone distinct from the subject; 2) outside the family; and 3) foreigner.<sup>123</sup> Therefore someone who is seen as a *naikhar* is a non-Israelite; he is an “other,” who is not a resident in Israel. Either he is a total foreigner who has no formal connection to Israel or he is an outsider visiting for a specific period of time. In both situations he is a non-permanent resident, unlike the *ger* who actually resides in the land.

The main reason why the foreigner is not integrated into the Israelite society is because he is still connected to his native country:

וַתֵּלֶד בֶּן וַיִּקְרָא אֶת־שְׁמוֹ גֵּרְשֹׁם כִּי אָמַר גֵּר  
הָיִיתִי בְּאֶרֶץ נִכְרִיָּה׃<sup>124</sup>

She bore a son whom he named Gershom, for he said, "I have been a *ger* in a foreign land."

The above quote underscores the difference between *ger* and foreigner. The term “*ger*” relates to one’s membership into the tribal system, and not the land in which he lives. He is one who is not a complete member in a society. While for the foreigner, the focal point of his relationship is to the land. His status is the result of his tribal citizenship and allegiance to a country outside the land of Israel. This idea of “one being a foreigner in relation to land” is supported in Deuteronomy:

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<sup>122</sup> Genesis 31:15, Exodus 21:8, Deuteronomy 14:21, Deuteronomy 15:3, and Deuteronomy 23:2.

<sup>123</sup> Ringgren, Page 425.

<sup>124</sup> Exodus 2:22.

וְאָמַר הַדּוֹר הָאַחֲרֹן בְּנֵיכֶם אֲשֶׁר יָקוּמוּ מֵאַחֲרֵיכֶם  
וְהַנֹּכְרִי אֲשֶׁר יָבֹא מֵאֶרֶץ רְחוֹקָה וְרָאוּ אֶת־מַכּוֹת  
הָאֶרֶץ הַהוּא וְאֶת־תַּחֲלָאִיהָ אֲשֶׁר־חָלָה יְהוָה בָּהּ:<sup>125</sup>

And later generations will ask -- the children who succeed you, and foreigners who come from distant lands and see the devastation of that land and disease that YHWH has inflicted upon it.

The foreigners are those “who come from distant lands.” This understanding is supported because Genesis states that are only two sources of slaves, either one who is home-born or: “מִכֹּל בֶּן־נֹכֵךְ אֲשֶׁר לֹא מִזֶּרְעֶךָ הוּא” meaning from a foreigner who is not of your lineage.<sup>126</sup> He is one who is attached to another home.<sup>127</sup>

The importance of one’s status as an “outsider” is not necessarily a response to his nationality, but rather it is due to the fact that one’s retains a connection to a foreign land. This “connection” means that this outsider is religiously associated to foreign gods. Those who live in the land of Israel are not to pollute and corrupt the land with idolatry. The Israelite people are to believe in YHWH alone, having no other gods.

וַיֹּאמֶר יַעֲקֹב אֶל־בֵּיתוֹ וְאֶל כָּל־אֲשֶׁר עִמּוֹ  
הֲסִרוּ אֶת־אֱלֹהֵי הַנֹּכֵךְ אֲשֶׁר בְּתוֹכְכֶם וְהִטְהָרוּ וְהַחֲלִיפוּ  
שְׂמֹלֵתֵיכֶם:<sup>128</sup>

So Jacob said to his household and to all who were with him, "Rid yourselves of the foreign gods in your midst, purify yourselves, and change your clothes.

<sup>125</sup> Deuteronomy 29:21.

<sup>126</sup> Genesis 17:12.

<sup>127</sup> Weisel, Ellie.

<sup>128</sup> Genesis 35:2.

Having foreign gods is not allowed within the land or homes of the Israelite people.

Therefore a foreigner, who is visiting, is someone who is still connected to their foreign god/s. This concern is because having foreign gods breaks the *brit* with God.

וְקָם הָעָם הַזֶּה וַיִּזְנֶה אַחֲרֵי אֱלֹהֵי נְכַר־הָאָרֶץ אֲשֶׁר  
הוּא בָא־שָׁמָּה בְּקִרְבּוֹ וַעֲזָבֵנִי וְהִפָּר אֶת־בְּרִיתִי אֲשֶׁר  
כָּרַתִּי אִתּוֹ:<sup>129</sup>

This nation will harlot themselves after the gods of the foreign land which they are about to enter; they will forsake Me and break My covenant that I cut with them.

God fears the peoples' tendency towards polytheism. Therefore God commanded them to be faithful to God, including the reminder that their protection is related to God choosing them for the *brit*, and having a special relationship with this specific people. Without the *brit* there is no Israelite society; Israelites would become like the other nations of Canaan. It is this special relationship with YHWH that makes the Israelites unique.

נָכָר *naikhar* is not the only term meaning foreign. There is also a classification of people who are considered foreign, זָר *zar*. However, *zar* has a severely negative connotation to it. One is considered a *zar* because of his actions, and it is not due to one's geographical nativity. Therefore *zar* will be translated as meaning "alien." An Israelite becomes a *zar* when he does something inappropriate or wrong, especially related to the worship cult. In the ancient Temple, there were specific duties for the *Kohanim* (priests) and the *Levites* (caretakers). Only the priests were allowed to eat the

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<sup>129</sup> Deuteronomy 31:16.



offerings brought for sacrifice, and the *zar* was not allowed to eat of them.<sup>130</sup> If the anointing oil is used incorrectly, the recipient is considered to be an alien.<sup>131</sup> A *zar* is also one who intrudes upon the *Levite* responsibility, an Israelite who is not commanded for Temple service, performing duties relating to the Tabernacle<sup>132</sup> and the Tent of Meeting.<sup>133</sup> The Israelite's actions are alien, which are then invalid. This concept of "alien" seems to stem from behavior deemed to be negative and displeasing from God's perspective.

When a sacrifice or offering occurs incorrectly the sacrifice itself becomes a *zar*.<sup>134</sup> The fire can also be seen as alien.<sup>135</sup> Nadab and Abihu were put to death by God for making an alien fire.<sup>136</sup> Idolatry is called *avodah zarah* literally meaning "Alien Worship."

Of all these types of foreigners, only *ger* and *naikhar* are actual non-Israelites. The *ger* resided within the Israelite society, while the *naikhar* is within the society for only short periods of time. The Pentateuch has a special term for these workers, called *toshav*. *Toshav* comes from the root יָשַׁב, meaning dweller. The title of *toshav* has no correlation to the status of citizenship one has, but rather his work status. For example:

תוֹשֵׁב וְשָׂכִיר לֹא יֵאָכֵל בּוֹ:<sup>137</sup>

No bound or hired laborer shall eat of it.

<sup>130</sup> Exodus 29:33 and Leviticus 22:10, 12 and 13.

<sup>131</sup> Exodus 30:33.

<sup>132</sup> Numbers 1:51.

<sup>133</sup> Numbers 18:4.

<sup>134</sup> Exodus 30:9.

<sup>135</sup> Deuteronomy 32:16.

<sup>136</sup> Leviticus 10:1; Numbers 3:4 and 26:61.

<sup>137</sup> Exodus 12:45.

There are two types of laborers. One is a paid laborer and the other is bound. If one is a bound laborer that means that he is also permanent or semi-permanent group within the Israelite society. Both *toshav* and the hired laborer seem to have the same social status—“they are dependent on and associated with a household, but are not included the same way as the slaves seem to be.”<sup>138</sup> Therefore a *toshav* cannot be a *ger* because a *ger* is a free man. The *toshav* however does share in most of the communal life within the Israelite community. Also both types of laborers are to be freed on the Jubilee year.<sup>139</sup>

The classification of *toshav*, by itself, is not frequently used in the Pentateuch.<sup>140</sup> It is more common that the term *toshav* is used in conjunction with the term *ger*, i.e. “*ger v'toshav*.” When these two terms are added together there is usually a *vav* between the two words termed “*vav hachibur*,” meaning the *vav* of connection. This *vav* adds the meaning of “and” within the sentence. However due to how it is used in the Pentateuch, it seems that “*ger v'toshav*” has a specific meaning. Either these two groups overlap and this term represents both, or it is a very technical term. In most Jewish contexts this term is translated as a “resident alien.” Abraham called himself a *ger v'toshav*:

גֵּר-וְתוֹשָׁב אֲנִכִּי עִמָּכֶם הֵנּוּ לִי אֶחָזֶת-קֶבֶר  
עִמָּכֶם וְאֶקְבְּרָה מִתִּי מִלִּפְנֵי<sup>141</sup>

I am a *ger v'toshav* among you; sell me a burial site among you, that I may remove my dead for burial.

<sup>138</sup> Van Houten, Christiana, page 127.

<sup>139</sup> Leviticus 25:40.

<sup>140</sup> It only occurs three times: Leviticus 22:10, 25:40, and Exodus 12:45. Both verses focus on the same topic and are almost verbatim the same statement informing the Israelites that the priests' *toshav* cannot partake in eating of an offering.

<sup>141</sup> Genesis 23:4.

*Ger v'toshav* definitely overlaps with the term *ger*. This is known because biblical patriarchs were also considered as *gerim*.

This term is also used as metaphor:

וְהָאָרֶץ לֹא תִמָּכַר לְצִמְחַת כִּי־לִי הָאָרֶץ  
כִּי־גֵרִים וְתוֹשָׁבִים אַתֶּם עִמָּדִי:<sup>142</sup>

But the land must not be sold beyond reclaim, for the land is Mine; you are but *gerim v'toshavim*<sup>143</sup> with Me.

The Israelites are not the true owners of the land, God is. Just like a resident alien cannot own land, neither does an Israelite own it. Rather, the Israelite is bestowed the gift of being able to prosper from it. Israelites are just workers, which is why at the year of Jubilee<sup>144</sup> the land is returned to the original tribe and clan ownership prescribed in the Pentateuch.<sup>145</sup>

However, there is a definite difference between a *ger v'toshav* and an Israelite. An Israelite is not allowed to treat another Israelite like a *ger v'toshav*.<sup>146</sup> The Israelite needs to take care of his fellow native, especially if becomes a laborer to a *ger v'toshav*.<sup>147</sup> The Israelite is supposed to include this resident alien in Israelite communal life, but decisions and authority are to stay within the control of the Israelites themselves.

Interestingly, this resident alien can own slaves:

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<sup>142</sup> Leviticus 25:23.

<sup>143</sup> Plural form of *ger v'toshav*.

<sup>144</sup> In the Torah, every seven years is a sabbatical: a year of rest. After the seventh sabbatical (49<sup>th</sup> year), on the 50<sup>th</sup> year is the year of Jubilee. The Jubilee year is a time when all debt is annulled. Therefore, one is required to return a home and land to the tribe and family who were assigned to it.

<sup>145</sup> Leviticus 25.

<sup>146</sup> Leviticus 25:35.

<sup>147</sup> Leviticus 25:47.

וְגַם מִבְּנֵי הַתּוֹשָׁבִים הַגֵּרִים עִמָּכֶם מֵהֶם תִּקְנוּ  
וּמִמִּשְׁפַּחָתָם אֲשֶׁר עִמָּכֶם אֲשֶׁר הוֹלִידוּ בְּאֶרְצְכֶם וְהָיוּ  
לָכֶם לְאֶחָדָה:<sup>148</sup>

You may also acquire them from among those who are *hatoshavim* *hagerim*<sup>149</sup> among you, or from their families that are among you, whom they begot in your land. These shall become your property:

Here in Leviticus, the two words are in reverse order. Twice, in the Pentateuch, the term *toshav* comes before the term *ger*. The second time this occurs is in relation to the discussion of the sabbatical year and how all members of Israelite society are to share in the bounty.<sup>150</sup>

The resident alien is a member of the society with rights and privileges.

However, he is not a citizen. The resident alien has many of the same rights as an Israelite, including when his life is in danger and he needs to be saved from the blood avenger.<sup>151</sup> The Book of Numbers declares that the Israelites are to make a refuge for those who unintentionally kill, making a safe-haven for them from the blood-avenger.<sup>152</sup> The *ger v'toshav* is treated similarly to the Israelite citizen in regards to these cities of refuge:

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<sup>148</sup> Leviticus 25:45.

<sup>149</sup> Here *ger* and *toshav* are placed together. This time there is no *vav hachibud* but there is the additional *hay* with the meaning of “the”. I believe one could read this as being similar to “the *ger v'toshav*” in plural form.

<sup>150</sup> Leviticus 25:6.

<sup>151</sup> The blood- avenger is a kinsman of the deceased who is duty-bound to kill the one who murdered his family member. By killing the murder, the avenger expiates the blood shed on the polluted land according to the Encyclopedia Judaica, article “blood-avenger”.

<sup>152</sup> Numbers 35:10-12.

לְבָנֵי יִשְׂרָאֵל וְלִגֵּר וְלִתּוֹשָׁב בְּחֻכְם תְּהִינָה שֵׁשׁ־עָרִים  
 הָאֵלֶּה לְמִקְלָט לָנוֹס שָׁמָּה כָּל־מִכֵּה־נֶפֶשׁ בְּשִׁגָּגָה<sup>153</sup>

For the Israelites and the *ger* and for the *toshav* among them, these six cities shall serve as refuge, so that anyone who kills a person unintentionally may flee there.

Chapter 35 of Numbers seems to state that all members of the Israelite society who are deemed to be non-murdering manslaughterers are allowed to inhabit these harbor cities. This demonstrates equality, between the *ger* and the Israelite in some aspects of communal life.

In sum, in ancient Israelite society there was a definite hierarchy of social status within the community. All free and independent natives (*ezrach*) had full rights within the society. The native is not one who is born into a specific land, but rather one who was born into the covenant of Abraham. All people who were not viewed as being members of the covenant of Abraham have lower status than the native. Also, only natives are able to own land and have property. Therefore, in this agrarian society, the Israelites have an economic advantage compared to foreigners who could only have careers that are based on skills, like laborers or traders.

Only an Israelite can be a *zar*. This label is due to his negative actions, which are against God's wishes. Being labeled as *zar* is the most negative title under the heading of foreigner. This is one who is foreign because he is wrong or bad. It has nothing to do with a geographical location, but rather his connection with God and the *brit* is distanced, it is foreign. *Zar* and *naikhar* are both associated with not following the message of

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<sup>153</sup> Numbers 35:15.

YHWH. It was important for Israel, based on the Deuteronomic ideals, to unify itself based upon the biblical monotheism of “One God, one shrine and one mind.”<sup>154</sup>

One who has a home abroad and a life outside the land is a welcomed stranger, a *naikhar*. The Israelite culture had definite roles and titles for these non-Israelites based on their assimilation into Israelite culture. He is of the lowest status within the land because his financial capabilities are independent from the Israelite society. Therefore the laws of Israel are not focused on this foreign guest. Someone who is still connected to a foreign land is assumed to be idolatrous and therefore is on the periphery of the Israelite community.

A bound laborer is a *toshav*. The discussion of his status is not of great importance, but his rights and protection are the focus in the Pentateuch. He partakes in many aspects of the community because he is considered as part of his master's household, but he is not considered a member and he has no rights in regards to societal authority. He is to celebrate most holidays, partake in sabbatical rests, and at times he is even circumcised. Most often this term is associated in conjunction with a *ger*.

When a non-native immigrates into Israelite society, giving up his previous nationality, and follows the way of YHWH, he is a *ger*. He is accepted within the collective national identity, although he is not an *eizrach*. A *ger* is a permanent or semi-permanent free member of the Israelite society; he is to follow most of the laws, but he will never be able to own land and his legal status will never change. He is not treated like the other foreigners because he is seen as living and partaking in communal life.

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<sup>154</sup> Stephen Geller, p.32. This concept will be further developed in Chapter 3, the discussion of Jewish universalism during the Second Temple period.

There are some limits on the *ger*, but concerning most day to day activities he is an integral part of the society. The *ger* is allowed to accumulate wealth and is a free member of the society.

*Ger v'toshav* is a specialized term. The meaning of this term is a little unclear. When used, the term is not just two groups of foreigners put together, as if to say, "those who are *gerim* and those who are *toshavim*." Rather, this term represents something more specific. What is known is that this person seems to be a permanent resident, almost like a full member of the Israelite society. He is protected from a blood-avenger and is allowed to stay in the harbor cities. And, this person can own slaves. It seems that he is as close to a citizen as one can be without being a member of the *brit* of Abraham.<sup>155</sup>

In biblical society one's status was solely based on one's relationship to the covenant. The land of Israel needed to be a solely monotheistic land, which was a struggle for the Israelites. The more they associated with the Canaanite nations, the more easily the Israelites assimilated and incorporated the idols and at times polytheism of their neighbors. By the time of the canonization of the Pentateuch there was a clear message -- one God, one people, one land, and one Temple. And, it was the sacred obligation of the Israelites to protect that unity. Therefore, the non-natives who supported this mission were more freely integrated and welcomed into the community.

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<sup>155</sup> The rabbis of the Babylonian Talmud share this understanding. When talking about converts, it was commonly termed *ger tzadik*. *Tzadik* means righteous. They also used the term *ger toshav* to represent the resident alien. The focus of the next chapter will be focused on the rabbinic usage of the term "*ger toshav*."

### Chapter 3

#### *Yirei Adonai:* God Fearers in Second Temple Literature

When Israelites<sup>156</sup> controlled, autonomously, the land of Israel and Judea, they were in theory able to enforce laws of the Pentateuch.<sup>157</sup> Ideally, this was a society where the values, or perceived values, of YHWH were the source of communal cohesion. However, with the destruction of the northern kingdom of Israel in 722 BCE, and especially with the conquest of Judaea and the destruction of the First Temple in 586 BCE, Jewish autonomy came to an end. As a result of foreign rulers and upheaval in

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<sup>156</sup> The concept of the Jewish community is a late development that took root in the Hellenistic Era. The word Jewish connotes Judaism. Judaism is the result of the monotheistic cult of YHWH becoming a religion of study, worship, and mitzvah based living system. However, at this period, this community was in great flux and it is almost impossible to make statements that represent the belief system and communal way of life for the plethora of subgroups within the culture. Therefore, terms such as Israelites, members of Israel, followers of YHWH, will represent the people who lived in both the land of Judea and Samaria from the time after the Exodus from Egypt until the time when this group of people became a religion known as Judaism. This term includes people, whose ancestry is Israel, even if they do not live in the geographical area, including members who were exiled from Israel by foreign rulers.

<sup>157</sup> Historically, it is likely that many of the laws were not fully followed. It is definitely clear that monotheism was not constant in the land and that some of the Israelites, at different periods of time, followed foreign worship practices. Also it is likely that the Pentateuch was not yet canonized. Therefore the "Torah" or "Pentateuch" can be seen as representing formal Jewish law of that period.



communal life, the Israelites lost their ability to control or regulate the status of membership within its land.

This lack of autonomy caused dilemmas within Jewish society. For example, terms such as *ger* and *nochri*, which were presented in the Torah, were no longer adequate in the new socio-political situation. One's status as a foreigner did not result from his relationship to the YHWH. Furthermore, assigning the status "foreigner" was not under the dominion of Israel's leadership, as they were vassals of an empire. Even if the Jewish community was granted the ability to regulate status within their community there seems to be no documentation of this concern. Therefore, it seems the terms designated in the Pentateuch no longer represent accurately the divisions in the new social situation; and as a result, the community adapted its understanding of non-citizens, and invented new terms to meet the needs of the community.

With the loss of autonomy, the people of Israel were forced to adapt from a peoplehood, which was connected to a specific land and Temple, into a religion, whose belief system was based solely around the belief and worship of a monotheistic God. A shift within the community occurred as a result of "the destruction of the Temple, the disappearance of the tribal system, the emergence of a diaspora, [and] the weakening of the connection between the people and the land."<sup>158</sup>

Though during most of the post-First Temple period Israel was a vassal state, there were periodic episodes of autonomous control.<sup>159</sup> Also, each ruling empire had its

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<sup>158</sup> Cohen, Shaye J.D., *The Beginning of Jewishness*, page 29.

<sup>159</sup> During the beginning of the Persian Period, Cyrus the emperor of Persia allowed his Jewish subjects to go back to Jerusalem and rebuild the Temple. The Jews were able to rule their community under the auspices of Persia, therefore making them semi-autonomous. The only fully autonomous period was under the Hashmonians, which is the

own culture and own distinctive character in regards to how it ruled the territory of Israel. When the Persian period came to a close, due to the conquest of Alexander the Great, the new leadership ushered in the Hellenistic Period of Greek rule over Judea during 333-165 BCE.<sup>160</sup> Even with the geo-political change, the social situation for the people of Israel did not change in regards to their interactions with non-Yahwistic groups, and Israel's lack of power. In some ways, it was more difficult for the Jews to stay distinct and separate from the Hellenistic society than in previous societies. This difficulty was caused by the wish of the Greek rulers for their Yahwistic subjects to accept the dominant Hellenistic culture, causing, at times, the faith of YHWH to be persecuted and restricted. Through the transitions and adaptations of these conquests, Israel became a people of exile; these historical realities helped the nation of Yahweh to shift away from a focus of "nationality."

During the Persian period, the authorities allowed the people of Israel to rebuild the Temple in Jerusalem. At this historical juncture, the political power and religious powers within Israel were separated in contrast to the period of the First Temple, when the Jewish people controlled both. However, now in the Second Temple period,<sup>161</sup> these followers of YHWH were living with non-Yahwists, and some of these gentiles had great authority over the Israelite subjects. In this new situation, non-monotheistic believers would sometimes make offerings to YHWH at the Temple in Jerusalem. "In the Hellenistic and early Roman periods numerous dignitaries offered sacrifices or gifts to

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basis of Hanukkah story. Within time this group lost their full independence from foreign rulers.

<sup>160</sup> Smith, Mark, Time Line from the *Memoirs of God*.

<sup>161</sup> The Second Temple Period included both the Persian and Greek periods and continued through 70 of the Common Era.

the God of the Jews at his temple in Jerusalem."<sup>162</sup> These non-members did not have full rights within the religious society. However, they were allowed to make donations financially and offer gifts to be sacrificed.

During this time, Judea, including Jerusalem, became a society of tension and conflict within its ranks. The priests and their supporters, the Sadducees, lost some of their power.<sup>163</sup> With the lack of a unified leadership among the people of Israel, the biblical view of Judaism's relationship with the non-Israelite communities<sup>164</sup> began to crumble.

Within the Israelite community, the focus of these tensions was mainly between the Sadducees and the Pharisees. Over time the Pharisees gained power, causing a shift of power and religious realities from a Temple-based cult (which was supported by the Sadducees) to a synagogue-based religion.<sup>165</sup> However, the Second Temple period was the fluid segment in this transformation. The synagogues were being formed, but they did not have dominance. The synagogue of this period was not like the modern synagogue; rather it was a meeting place for the community. It seems that as the notion of synagogue, as communal hall, developed it began to mimic aspects of pagan temple:

A parallel of sorts exists between the range of functions within the synagogue and those that found expression in some contemporary pagan temples. Frequently surrounded by courtyards and ancillary rooms, these buildings or complexes might at times function as libraries, markets, banks, and even as venues for study and learning. As a meeting place for

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<sup>162</sup> Cohen, Shaye, *The Beginning of Jewishness* page 143.

<sup>163</sup> Cohen, Martin, *Sister Faiths* page 11.

<sup>164</sup> As was described in chapter 2.

<sup>165</sup> Cohen, Martin, pages 11-12.

*collegia* or *sodalitates*, the temple served some of the religious, social, political, and economic needs of members of these associations.<sup>166</sup>

The synagogue was meeting place for the community. It was not to be a “temple,” because the Temple was a place of ritual animal sacrifice. Instead, this new communal model, the synagogue was a place of meeting, learning, and worship. During the time of the Second Temple, both of these institutions coexisted.

The synagogue has historical precedence before the Second Temple period. But it was during this period that the synagogue became a predominant component of the Jewish world. There are many complexities historically with the prevalence of this institution before the exile of 70 CE. Synagogue historian Lee Levine summarizes:

The claim that the Diaspora pioneered in various matters relating to the synagogue is complex. There is no one simple answer, affirmative or negative, and each case must be judged on its own merits. The claim that the every existence of synagogues was based in an Egyptian model is problematic, resting, as it does on slim evidence. As for communal prayer and sanctity, the evidence is quite conclusive; the Diaspora, or at least parts of it, did take the lead. Whether or not this influenced Judaea is another issue; in these two realms, the development there was much later and under very different historical circumstances.<sup>167</sup>

In the Second Temple period, the emergence of synagogues as competing force with the establishment of the Temple led to substantial shifts and schisms of power within the Jewish community. This is because the Pharisaic leaders, although they did not invent the synagogue, became associated with the synagogue. Therefore, the leaders of the synagogues were not the priests. “The synagogue was a popular institution. Its leadership derived primarily from knowledge, not sacerdotal birth (opposite from the way of the Temple). It was tonally and functionally urban, consonant with the Greco-Roman

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<sup>166</sup> Levine, Lee, *The Ancient Synagogue* p.136

<sup>167</sup> Levine, Lee, p.172.

world and its developing Jewish Diaspora.”<sup>168</sup> It is clear that the influence of the synagogue helped the Jewish community to adapt to a life without the Temple of Jerusalem. It is clear that some Jews in the land of Judaea and throughout the world began to view and practice Judaism differently than their ancestors who made pilgrimages to the Temple.

The synagogue was attractive to the average member of Israel because he no longer lived on a farm and his income was not the result of agriculture. It was hard and expensive for the average Israelite to perform his religious obligations, when as a member of Yahwistic cult he was dependent on animal and grain sacrifices. An agricultural-based faith did not meet the needs of believers who lived in a cosmopolitan setting.<sup>169</sup>

Later, after the destruction of the Second Temple in 70 CE, the majority of Jewish community united within the synagogue institution.

The synagogue encapsulated Jewish communal life within its walls—the political, liturgical, social, educational, judicial, and spiritual. It is this inclusiveness that made the first-century synagogue a pivotal institution in Jewish life that played a major role in enabling communities throughout the world to express their Jewishness, preserve their Jewish identity and communal cohesion, and eventually negotiate the trauma and challenges created by the Temple’s destruction in 70 C.E.<sup>170</sup>

The early synagogue helped to support the shift in Judaism, showing how throughout Jewish history there have been many “types” of Jews. With sectarian nature of Judaism came multiple view points and understandings of traditions.

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<sup>168</sup> Cohen, Martin, page 17.

<sup>169</sup> Cohen, Martin, page 18.

<sup>170</sup> Levine, Lee, p.172-3.

In this new socio-political reality many members of the Yahwistic faith, living in urban setting, now lived among polytheist and other non-Israel groups, which were grossly lumped together as “gentile.” These believers of the monotheistic God, YHWH, interacted with gentiles through business, and other daily activities. Over time, some of the boundaries between the Israelite community and the gentiles became diminished. As these barriers lessened, the members of Israel began to know their non-Yahwistic neighbors more personally, forcing social cohesion and enabling the members of Israel to meld with these outsiders. Also, as a result of the earlier exiles, a good number of the members of YHWH no longer lived in the land of Judea and Samaria, but in a land where they were the minority. In both cases, these believers of YHWH were a group of people who were dependent on the gentiles, either due to government or business situations, and “most Jews within Judea and outside were Persian subjects.”<sup>171</sup>

It seems that during this period, the biblical authors in exilic and post-exilic books seemed to focus on the universal components of the covenant. Bernard Bamberger, a historian, argues that, “cosmopolitanism and tolerance of the Hellenistic world must have encouraged the Jews to present their own religion in its universalistic aspects.”<sup>172</sup> I am not sure if it was the messages that encouraged the Jews, or vice-versa. But what is clear is that the prophetic message and actions of the Jews themselves seem to be interrelated. However, one must be careful not to overstate the “tolerance.” This is because each Jewish community acted independently, so some might have been more tolerant than others.

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<sup>171</sup> Levine, Lee, page 7.

<sup>172</sup> Levine, Lee, page 18.

Also, it is not clear what is meant by the Jewish community being more universalistic. It is possible that for the gentiles it could be easy to believe YHWH because YHWH could be included as one of many gods which they worshiped, acknowledging this god as powerful. "Many gentiles incorporated the God of the Jews into their pantheon [...] they still could recognize the God as one of the supreme deities of the world."<sup>173</sup> Although the gentile did not necessarily become monotheistic, this helped to introduce the polytheist to the Jewish goal for gentiles to become monotheistic and recognize the power and oneness of YHWH.

A gentile's involvement within the Jewish world did not mean that this person became Jewish. However, conversions did begin during this time period. There were many requirements for a non-Jew to become a member.<sup>174</sup> What seems to be more fluid, however, was the concept of non-members participating in the society and religious life of Israel: "[With] the gradual elaboration of non-temple-oriented forms of religiosity comes the beginning of the idea that gentiles could somehow attach themselves to the people of Israel by attaching themselves to Israel's God."<sup>175</sup>

In support of his argument that the faith of Israel was presenting the universal aspects of their religion, Bamberger notes the universalistic theme in Jeremiah, Deutero-Isaiah, Psalms, Malachi, and other later works of the *Tanakh*. An example of this universalism is the hope of Jeremiah, the prophet, that "the heathen nations will see the folly of their ways, will abandon their idols and their astral gods, and cleave to the

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<sup>173</sup> Cohen, Shaye, page 143.

<sup>174</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 13.

<sup>175</sup> Cohen, Shaye, page 122.

worship of the one and only God.”<sup>176</sup> Bamberger believes that this led the way for Judaism to become proselytizing. However, I strongly disagree with this understanding that the main goal of the prophet’s universalism was the hope to convert the gentiles into becoming full members of the Jewish community.

I do agree that the goal of the exilic and post-exilic biblical authors is “the establishment of a universal reign of peace through the recognition by all men of God’s supreme and universal rulership.”<sup>177</sup> There is ample proof. For example, Malachi argues for the nations to understand YHWH. The goal was not for these nations to join the nation of Israel, but rather to serve YHWH. This universal message was not one of proselytism, although some proselytizing did occur at times. If the Jewish world had been focused on proselytizing, then these prophets who focused on the universalistic aspects of the faith would have also highlighted and exemplified actions of conversion, especially in connection to cultural and religious observances, including making sure that others followed the biblical rules of Shabbat and other communal commandments from the Tanakh. They did not do so; rather, the main goal of the universal teachings was to spread the belief of YHWH as the monotheistic god of the world. As Jeremiah 16:19 expounds, “Hope is expressed [...] the heathen nations will see the folly of their ways, will abandon their idols and their astral gods, and cleave to the worship of the one and only God.”<sup>178</sup> This prophetic hope is that the gentiles will respect YHWH’s authority and recognize God’s universal divinity.<sup>179</sup> This can be seen in Malachi 1:14,

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<sup>176</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 13.

<sup>177</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 13.

<sup>178</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 13.

<sup>179</sup> Bamberger, Bernard, “Fear and love of God in the Old Testament,” pages 42-43.



“For I am a great King -- said the LORD of Hosts -- and My name is revered

among the nations.” כִּי מֶלֶךְ גָּדוֹל אֲנִי אָמַר יְהוָה צְבָאוֹת וְשִׁמִּי נִרְאָה בְּגוֹיִם:

This universal tone to Yahwistic prophets' message is continued further by

Malachi,

כִּי מִמִּזְרַח-שֶׁמֶשׁ וְעַד-מְבֹאֵי גָדוֹל שִׁמִּי בְּגוֹיִם  
וּבְכָל-מָקוֹם מִקְטֹר מִנֵּשׁ לְשִׁמִּי וּמִנְחָה טְהוֹרָה כִּי-גָדוֹל שִׁמִּי  
בְּגוֹיִם אָמַר יְהוָה צְבָאוֹת:

For from the rising of the sun to its setting my name is great among the nations, and in every place incense is offered to my name, and a pure offering; for my name is great among the nations, says the LORD of hosts.<sup>180</sup>

Malachi's goal was that the nations of the world cease to continue their polytheistic ways and understand there was only one god for all of heaven and earth. The message from these prophets is best summed up by Isaiah 56, "For My house shall be called a house of prayer for all peoples."<sup>181</sup> This "house" was meant to be figurative; specifically, the world is god's home and all humanity is to be in service of God. One did not have to enter the formal Jewish community as a member to be in the service of God.

An Israelite is more than one who worships YHWH. A member of Israel is a full member of the cultural and religious system. The understanding of who is a full member is more complex due to the new social context. However, in this period, there seems to be clarity in the Jewish world's perspective in regards to the universal relationship between God and humanity; the members of Israel are concerned with God's relationship

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<sup>180</sup> Malachi 1:11.

<sup>181</sup> This message was not altogether unique, for in 1 Kings 8, Solomon's prayer upon the dedication of the Temple already expresses the notion that the Gentile will pray in the direction of that place. However it seems that this focus of universalism did not take hold until the period of the later prophets.

with all of humanity, and not just their own relationship. Bamberger summarizes this by stating, "With the lessening of the stress on Jewish nationality and the re-interpretation of Jewish life in religious terms, the way was opened [... for] those who were nationally non-Israelite."<sup>182</sup>

Bamberger argues that this universalism caused Judaism to be a unique religion,<sup>183</sup> since no religion at this time had the goal of making others believers of monotheism. This thesis of universalism is defined in the latter half of the Book of Isaiah.<sup>184</sup> "Deutero-Isaiah conceives Israel as having a special mission, to unite God with his children through service and suffering."<sup>185</sup> This message reshapes the purpose and meaning of Judaism. The non-Jew who surrounds them is to understand that YHWH is the creator of and God to all peoples. The purpose of the Jew is to help these multitudes understand what God wants for them. The message from the Second Temple period is "The establishment of a universal reign of peace through the recognition by all men of God's supreme and universal rulership."<sup>186</sup>

When the Jewish community was based within the Temple cult, the only way to gain membership was by inheriting the tradition paternally. By the later portion of the Second Temple period, the faith of YHWH began to shift from a theocratic temple cult into a tradition that focused on decentralizing Jewish leadership away from the

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<sup>182</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 17.

<sup>183</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 13.

<sup>184</sup> Biblical scholars widely agree that the book of Isaiah is not one whole and totally complete book. Rather, it is more likely that this scroll contains the stories of multiple prophets. Some scholars break the book up into parts: Chapters 1-39 are known as Isaiah; and chapters 40-66 are known as Deutero-Isaiah. There are other scholars who break the authorship of the book of Isaiah into three parts: 1-39, 40-55, and 56-66.

<sup>185</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 13.

<sup>186</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 13.

aristocratic Sadducees. With this shift towards a Pharisaic-based religion, one could elect to be Jewish. This evolution brought new challenges to the community. For example, how does one become Jewish? And what are the communal standards in regards to the classification of defining who is Jewish and who is not Jewish? This situation became difficult for members of Yahwistic tradition as a community because each subgroup within Israel society had the ability to make its own rules. However, it is clear that during the Second Temple period conversions took place. The proto-typical example comes from the book of Joseph and Aseneth.<sup>187</sup> The story is best summarized by C. Buchard:

Aseneth is a beautiful virgin of eighteen years and the daughter of Pentephres, priest of Heliopolis and Pharaoh's chief counselor...[She] fall[s] in love with Joseph when she sees him entering her father's house in royal attire. Now it is her time to be repudiated. A Jew who worships God and lives on the bread of life will not kiss a heathen woman who eats food offered to idols. Still Joseph is charitable enough to say a prayer for her conversion, then boards his chariot in order to gather more corn, promising to be back a week later. Utterly shaken, Aseneth destroys her idols, engages in a week of fasting and citing, and repents for both her conceit and idolatry. On the morning of the eighth day, the chief of God's angels comes to see her, declares her reborn, tells her that she is to be a mother city for all who would repent like her, feed her a piece of honeycomb, which he says is the bread of life, and promises her that Joseph will come to marry her.<sup>188</sup>

In this story, like the story of Ruth, there is ample evidence of conversion.

However, it seems highly uncommon and was not regulated into a specific ceremony. It is clear that formal conversion recorded in rabbinical literature stemmed from a much later period.

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<sup>187</sup> Joseph and Aseneth is a book of the canonized Pseudepigrapha. It is dated as written between First Century BCE and Second Century CE. This book focuses and elaborates on the story of Joseph marrying Aseneth in Genesis 41:45. The author's goal is to explain how Joseph could marry the daughter of Potiphera, Priest of On.

<sup>188</sup> C. Buchard's article in *The Old Testament: Pseudepigrapha Volume 2* by James Charlesworth, page 177.

An unintentional product of the new institution of synagogues, due to its new style of worship, provided a way by which non-Jews could also participate in Jewish worship life. The gentile men and women who came to prayer services and prayed to YHWH were labeled “Fearers of God.” The traditional understanding of God-fearers, as explained by F.F. Bruce, is that “God-fearers were Gentiles who attached themselves in varying degrees to the Jewish worship and way of life without as yet becoming full proselytes.” This was possible because there was less formality to worship, and there were no barriers to the partial members of the community. “The synagogues of the Roman diaspora were open to gentiles, and some—perhaps many—gentiles actually attended services. This was true for Asia Minor in the first century (according to the book of Acts), and for Antioch and Syria in the fourth century BCE.”<sup>189</sup>

Within this Pharisaic tradition came an invention within the faith of Israel: full membership through conversion. Gentiles now had the ability to join the community, compared to biblical times when this was not a possibility. These gentiles went beyond this role of “God Fearer,” and became full members. According to scholars, becoming a Jewish proselyte involved “acceptance of the Torah, including an identification with the historic experience of the Jewish people. For males, circumcision was required as the ultimate sign of Jewish identity; the convert must be purified in a ritual bath; and the convert was to bring a sacrifice to the temple.”<sup>190</sup> This is more likely true for conversion during the early rabbinic period. Chances are that during the Second Temple period aspects

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<sup>189</sup> Cohen, Shaye, page 55.

<sup>190</sup> Paul Stuehrenberg, *Anchor Bible Dictionary*, page 504.

of these rituals were prevalent. However, it seems that there is no strong historical data to prove what exactly took place.

Admittedly, there is some lack of clarity between the categories of "God Fearer" and "convert." Some scholars argue the term "God-fearer" incorporates both groups: those who converted and the gentiles who did not, "By 'those that fear the Lord,' scholars have understood either converts to Judaism or else semi-converts, who had become fearers (i.e. worshippers) of the universal God without accepting all the legalistic and ritual obligations of Judaism."<sup>191</sup> Other scholars, such as Louis Feldman, see it as a more general understanding: "God-fearer" "refers to an 'umbrella group,' embracing many different levels of interest and commitment to Judaism, ranging from people who supported synagogues financially perhaps to get the political support of the Jews, to people who accepted the Jewish view of God in pure or modified form, to people who observed certain distinctively Jewish practices."<sup>192</sup>

It seems most logical that this term "Fearers of God" was taken from the *Tanakh*. The term "Fearer" is meant to represent one who is humbled and aware of YHWH as the one and only God. "[Y]irat *Adonai* does not connote fear in its primary sense. The Samaritan settlers, ignorant of the YHWH cult, sent for an Israelite priest to teach them how to fear YHWH."<sup>193</sup> The most accurate translation of "*Yirat Adonai*" is "the one who is in awe of God." He is one who is humbled and aware of the awesome power of YHWH. In the book of Jonah, Jonah's fellow sailors seem to fear the God of Israel:

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<sup>191</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 14.

<sup>192</sup> Feldman, Louis, *Jew and Gentile in the Ancient World*, page 344.

<sup>193</sup> Bamberger, Bernard "Fear and Love of God" page 40, based upon II Kings 17:28.

וַיִּירָאוּ הָאֲנָשִׁים יְרָאָה גְדוֹלָה אֶת־יְהוָה  
וַיִּזְבְּחוּ־זֶבַח לַיהוָה וַיִּדְּרוּ נְדָרִים:<sup>194</sup>

The men feared the LORD greatly; they offered a sacrifice to the LORD and they made vows.

These men worship YHWH, but not as a universal God. This is known because the book of Jonah also informs the reader that these gentiles also prayed to other gods. This context helps to denote what is meant by “fearing.”

One who is a “fearer of God” should have a life that is YHWH centered; he or she should be a worshipper of YHWH and refrain from worshipping other gods. This is the goal, but there are examples of gentiles being in awe of God, while also worshipping other foreign gods. As Jeremiah argues:

מִי לֹא יִרְאֶה מֶלֶךְ הַגּוֹיִם כִּי לָךְ יֵאָתָה כִּי  
בְּכָל־חֲכָמֵי הַגּוֹיִם וּבְכָל־מַלְכוּתָם מֵאִין כָּמוֹךָ:<sup>195</sup>

Who would not fear you, O King of the nations? For that is your due; for among all the wise ones of the nations and in all their kingdoms there is no one like you.

It seems, ideally, this person is to stop praying to multiple gods as a polytheist, and to follow only YHWH.

Although the term “God Fearer” and “*ger*” are from different milieus, it seems that there are understandings within both contexts that seem to challenge how Jews interact with the non-Jew in their midst. In regards to the “God Fearer,” it seems more likely that a non-Jew did not necessarily “live in” a Jewish community; rather the Jewish and Gentile communities probably were interwoven in some ways. Therefore, the

<sup>194</sup> Jonah 1:16.

<sup>195</sup> Jeremiah 10:7.

biblical term would be inappropriate and inaccurate for this period. The similarity between these two groups, God Fearers and *ger*, is that people in both groups are expected to be principled persons. "Since the religion of YHWH and His laws were from the prophetic period onward so deeply impregnated with the spirit of morality, it follows that the fear of YHWH includes ethical conduct- For all, including Israel."<sup>196</sup> Both Jeremiah 5:24-8 and Malachi 3:5 support this notion of the human responsibility of ethical behavior. Jack Miles, in his book, *God: a Biography*, argues that Deutero-Isaiah introduces the idea of a universal covenant for all humanity.<sup>197</sup>

Based upon prophetic universalism, the Pharisaic tradition included requirements in regards to the non-Jew. This person had to do more than just fear God. Shaye Cohen's argument supports this understanding. He states, "There is abundant evidence that in the first centuries of our era some—perhaps many—gentiles, whether polytheist or Christian, attended Jewish synagogues, abstained from work on the Sabbath, and perhaps observed other Jewish rituals as well. These gentiles are often called "God-fearers" by modern scholars, but the debate about the precise meaning and application of this term ought not to obscure the fact that such gentiles existed."<sup>198</sup> The archaeological evidence seems to indicate that the "God-Fearers" were not of significant number or influence in the larger scheme of things.<sup>199</sup> There was a number of gentile "God-fearers" who were formally associated with the Jewish community, were involved in at least some facets of

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<sup>196</sup> Bamberger, Bernard, "Fear and Love of God", page 43.

<sup>197</sup> Page 224.

<sup>198</sup> Cohen, Shaye, page 62.

<sup>199</sup> Tucker, P.R., page 25.

synagogue life and kept some of the commandments without becoming proselytes who joined the community.<sup>200</sup>

This Pharisaic understanding is represented within both the proto-Rabbinic and proto-Christian communities. During the turn of the millennia, the community of Israel was in great turmoil, and there emerged two faiths from this community: Judaism, as supported by the rabbis; and Christianity, supported by Paul and his followers.

In his monograph, *Two Sister Faiths*, theological historian Martin Cohen, explains that the period from 450 to 63 BCE was a time of great instability within the society led to the formation of many subgroups within the Israelite community. "Judah's equilibrium and that of the entire Near East were upset by Alexander the Great"<sup>201</sup> in 334 BCE. Then following Alexander's rule, the Ptolemies and Seleucids fought for control of the land, and by 175 BCE Jerusalem achieved polis status.<sup>202</sup> Due to these conquests, "Jewish society underwent cataclysmic change."<sup>203</sup> By the end of the period, 50 CE, there were definite subgroups within the society that were breeding new theologies and understandings of Torah.<sup>204</sup>

At this time, there were groups led by early Pharasiac proto-rabbis, proto-Christians, Gnostics, and other groups that are outgrowths of the Israelite society. Paul and other early Christians seem to be within the social construct of Pharisee society.

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<sup>200</sup> Tucker, P.R., *Jewish Communities in Asia Minor* (SNTSMS 69; Cambridge: Cambridge University Press, 1991, 145-66); He quotes: Josephus Ant. 14.7.2 §110; J.W. 7.3.3 § 45). ., Page 22.

<sup>201</sup> Cohen, Martin, page 11.

<sup>202</sup> Cohen, Martin, page 11. A polis means a geographical area which one is a citizen, like a city-state.

<sup>203</sup> Cohen, Martin, page 11.

<sup>204</sup> Cohen, Martin, page 11.



That very night the believers sent Paul and Silas off to Beroea; and when they arrived, they went to the Jewish synagogue. These Jews were more receptive than those in Thessalonica, for they welcomed the message very eagerly and examined the scriptures every day to see whether these things were so. Many of them therefore believed, including not a few Greek women and men of high standing.<sup>205</sup>

There was a differentiation between the groups, but they were still within the same societal organization. It seems from Paul's writing that he sees himself and his teachings as within the Pharisaic tradition.

During this period, there was a lack of consistency within the society. With the lack of one centralized authority within the Yahwistic tradition there became a plethora of subgroups within the descendants of the biblical believers of YHWH. An example of this, according to Mark Smith, may be found between 200 and 100 BCE: "[while] Torah, Historical Books, Prophets, and Psalms [were] recognized as authoritative Scriptures, [there were] many biblical works circulating in multiple forms."<sup>206</sup> Meaning, that during this period there were many forms of the un-canonized Bible within Yahwistic culture, which included different books associated with the Bible. This is why many books of the Christian Old Testament are books that were written within the Jewish society of this period, but are not considered part of the Jewish Bible, i.e. Maccabees I and II, Wisdom of Ben Sira, etc. These communities share the same sources because the both come from the same root, the faith of YHWH. They split because they have two different traditions of interpreting the *Tanakh*, which was needed in a world without the Temple. The Christians used oral traditions of Jesus which was codified in the Christian New

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<sup>205</sup> Acts 17:10-12, NIV.

<sup>206</sup> Based on Mark Cohen's time-line.

Testament, while the Jews used the rabbis' oral traditions which was codified in the Talmud.<sup>207</sup>

Even with the differences between the communities, the classification of "God Fearer" was predominant in both early Jewish and Christian communities. The Christian book of Acts frequently spoke of non-members who participated in their communal life. An example of this is Acts 13:44-48:

It was necessary that the word of God should be spoken first to you. Since you reject it and judge yourselves to be unworthy of eternal life, we are now turning to the Gentiles. For so the Lord has commanded us, saying, 'I have set you to be a light for the Gentiles, so that you may bring salvation to the ends of the earth... When the Gentiles heard this, they were glad and praised the word of the Lord; and as many as had been destined for eternal life became believers.

It seems that Christians took the same concept of universalism from the prophets, and also accepted the concept of "fearer of God." The Book of Acts contains additional examples:

**Acts 13:16:** So Paul stood up and with a gesture began to speak: You Israelites, and others who fear God, listen.

**Acts 13:26:** My brothers, you descendants of Abraham's family, and others who fear God, to us the message of this salvation has been sent.<sup>208</sup>

It seems that the Christian viewed the Jews and other monotheists as "fearers of God."

This seems to differ a bit from the Jewish understanding. Yet, it is not clear what makes one a "Fearer of God."

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<sup>207</sup> The structure of the Talmud supports this notion. The rabbis of the Gemara discuss, expound, and explain the teachings of the mishnaic rabbis. The idea of commentating and bringing contemporary meanings to the Bible is similar to what Paul and the Gospels do in regards to Jesus' teachings. However, the literary structures are entirely different between the two styles.

<sup>208</sup> Translation used is from NIV's New Testament.

However, the Christian goal was not merely for the Gentiles to be monotheistic. The Christians differed from the Pharisaic-rabbinic tradition because they wanted the gentiles to be more than “fearers of God.” The Christian hope was for the gentile to become a full member of the Christian community. It is clear however, that non-convert gentiles were active in aspects of their community. “Paul’s missionary work in Acts intersects four significant groups: Jews, Gentiles, proselytes, and ‘God-fearers.’ These distinct groups historically have had specific relationships to Second Temple Judaism.”<sup>209</sup>

It also seems likely that God-fearers had a connection with both communities. J. Brian Tucker argues, “Luke presents ‘God-Fearers’ as the bridge between Judaism and Christianity [...] The ‘God-Fearers’ serve as a more palatable mediator between these two groups than the Gentiles thoroughly entrenched in the rest of the Greco-Roman religions of the day.”<sup>210</sup>

It is clear, that during the Second Temple period, the view of the non-Israelite’s role and purpose, both within the community in the world, shifted. The biblical terms associated with covenant could not apply in the polis setting. With the shift of social and political context, Judaism under the leadership of the Pharisees believed that the non-Jew should be monotheistic and ethical. In summary, the gentile is ideally supposed to live a life that is aware of and humbled to YHWH. When one does this, he is then going to live an ethical life because he understands the power and importance of YHWH. And when this gentile accepts this understanding, he or she became labeled as a “God fearer.”

This Pharisaic understanding about the role of the non-Jew had a great influence on the rabbis and rabbinical teachings of the Oral Torah. The rabbis in the Talmud

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<sup>209</sup> Tucker, P.R. p.22, *Journal of Biblical Studies*, issue 10.

<sup>210</sup> Tucker, P.R., Page 25.

associate this understanding of “God Fearer” with the biblical term “*ger*,” which will be discussed in the next chapter.

## Chapter 4

### *Ger Toshav in the Babylonian Talmud*

With the close of the Second Temple Period, beginning in 70 CE, including the destruction of the Second Temple, exile, and Rome's domination of the region, Jews were yet again forced to adapt to a new socio-political world.

The core ideology of Judaism, ceased, after the two revolts<sup>211</sup> [between 135-350 C.E.,] to function as an integrating force in Palestinian Jewish society. The intermediaries of the Torah lost not only their legal authority but also their status as cultural ideals. Indeed, if there was anything at all holding Palestinian Jewish society together, it may have been no more than an attenuated sense of a common past, a mild feeling of separation from their neighbors that the latter, who had shared memories of their own, may have conspired to maintain. Finally, some Jews, probably a very small number (among them were the rabbis) still insisted on the importance of the Torah, of Judaism, in their symbolic world, and these Jews, convinced of their elite status, tried to insinuate their way into generally Palestinian society.<sup>212</sup>

By the Talmudic period,<sup>213</sup> when Rome's authority weakened, Jewish culture had already adapted. "The ideological complex [of] God-Temple-Torah [which] was symbolically central in the Palestinian Judaism of the first century"<sup>214</sup> now became a religion which no longer required connection to the land, geography, and agriculture of Israel. This shift

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<sup>211</sup> Bar Kochba and a second major revolt around 350 CE.

<sup>212</sup> Schwartz, Seth, *Revolt in Jerusalem under Roman Empire*, page 103.

<sup>213</sup> 200-600 CE.

<sup>214</sup> Schwartz, Seth, *Revolt in Jerusalem under Roman Empire*, page 49.

was a result of the previous empires and Jewish emigration, along with great adaptation within the practice of worshipping YHWH. This shift, disconnecting from a physical relationship to the land of Judea and the Temple, took place under the influence of the Pharisaic tradition and the weakening of Sadducean tradition.

Many modern scholars argue that Pharisaic rule is not necessarily understood as meaning “rabbinical domination.” “Both rabbis and patriarchs were probably convinced that they had a right to exercise legal authority over the Jews by virtue of belonging to the class of scribes/Torah experts, a class empowered by the Torah itself.”<sup>215</sup> However it seems that over time, as the Pharisaic community developed organizationally and religiously, the rabbis through the institution of synagogues became the leaders of Jewish life for “Wherever the Jews settled in any numbers outside Judaea, the focal point of their communal life was the synagogue – basically a prayer-hall, to which various ancillary structures, such as dining and guest rooms, might be attached. The complex had many functions. Besides being the locus for the teaching of the Law, most notably on the Sabbath, and the venue for the worship of God, it also operated as the community’s social, administrative and legal centre.”<sup>216</sup> It is clear that, incrementally over time, Judaism became a religion based around the Pharisaic synagogue.

According to rabbinical texts, the rabbis always led the Pharisaic community. However this view is a revisionist historical argument, a more historically accurate statement is that the rabbinic foothold was a latter phenomenon. “Even though the rabbis established a foothold in urban and suburban Palestine in the course of the third century, and the grandee who led them, the patriarch, by the middle of the fourth had become a

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<sup>215</sup> Schwartz, Seth, *Revolt in Jerusalem under Roman Empire*, page 104.

<sup>216</sup> Williams, Margaret, *The Jews Among the Greeks and Romans*, page 33.

very estimable figure indeed, the rabbis did not have any officially recognized legal authority until the end of the fourth century.”<sup>217</sup> It was only by the time of Arab rule that rabbis finally gain control of the Pharisaic tradition.<sup>218</sup> In summary, it was over a period of time that Judaism developed into the rabbinic tradition which established itself on the principles of study, worship, and *mitzvo*.<sup>219</sup> The challenge for the rabbinic tradition was the fact that the formal word of God had been redacted, meaning the Bible was closed to alterations. This is significant because the Jewish situation in rabbinic period was drastically different from that of biblical period. Therefore, the rabbis were challenged to keep Judaism relevant in the lives of the Jews who lived in Roman milieu, both in and outside the land of Palestine. As a byproduct of this challenge, a vast magnitude of rabbinical literature emerged from the rabbis.

Since the code was complete, there could be no further additions through revelation. However, when Jewish society began to undergo profound changes, especially in the Hellenistic period, it became difficult to know which particular injunction in the Torah was to be followed and how it was to be applied in a give situation. Consequently, there began to appear, in about 300 B.C., a body of exegesis known as the *Midrash*, which can be taken to be the first body of talmudic lore...The period from 200 B.C. to A.D. 200 saw a quite different development. This was the appearance of the *Mishnah*, customs and usages which had been handed down from time immemorial by word of mouth, and which were supplementary to the Torah, or the Written Law. By A.D. 200 the *Mishnah* had been sorted out and codified...During the later Roman Empire, when exegesis and commentary became necessary in the application of the *Mishnah*...This process similar to the one just described was repeated...[and] is known as the *Gemara*.<sup>220</sup>

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<sup>217</sup> Schwartz, Seth, page 103.

<sup>218</sup> Schwartz, Seth, page 104.

<sup>219</sup> This is the rabbinic system of commandments. Later the rabbis will rule that Jews are bound by 613 commandments, which represent each Jews responsibility in his/her relationship with God (covenant).

<sup>220</sup> Schweitzer, Frederick, *A History of the Jews Since the First Century A.D.*, pages 40-41.

These compilations reshaped how the Jewish world viewed the meaning of Torah; both “the revelation of God” and the Jewish understanding of the written text. One of the most powerful documents solidifying this transformation was redacted between the 3<sup>rd</sup> and 7<sup>th</sup> centuries of the Common Era. The rabbis developed this legal corpus of Jewish law called the Babylonian Talmud (*Talmud Bavli*), more commonly known as *Bavli*, or Talmud.<sup>221</sup> The Bavli was thought to be a repository of the “Oral Law” transmitted from Sinai. The basis of these rabbinic laws, they believed, had been passed generation to generation orally, helping the Jewish people to understand and apply the written Torah. The Talmud is not just a list of laws. Although the Talmud defies precise definition, it may be described as pluralistic rabbinic discussion and analysis of scripture and earlier rabbinic tradition.

The Talmud—it cannot be overemphasized—is not a unified system of theology and law in which each part is consistent with every other part. Rather it is—if one had to define it in a sentence—a running commentary on the Bible’s revelations...one finds greatly diverging views expressed in the Talmud. No necessity to harmonize or rationalize these differences was felt because scriptural revelation, being non-rational, is in fact above human reason. The rabbis—or, more accurately, the rabbinic schools of thought—differed greatly with one another, depending upon time and place.<sup>222</sup>

The rabbinic Jewish law is based on literary constructions of debates. Many times there are not “winners” and “losers.” Rather, there are multiple schools of thought who, equal in authority, view Jewish law differently. At times there are clear rulings on Jewish law, while other issues never get resolved.

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<sup>221</sup> There are two different works of Talmud: Jerusalem and Babylonian. However, the Babylonian is the more authoritative book. This was because later in the rabbinic period, the rabbis of power came from the

<sup>222</sup> Schweitzer, Frederick, pages 41-42



The Talmud is composed of “long dialectical arguments called *sugyot* [...] they are carefully crafted literary creations, idealized reconstructions of [...] debates as remembered, redacted, and reformulated in the process of integrating them into the official curriculum of one or many” rabbinic academies post 200 CE in Babylonia.<sup>223</sup> The Talmud is commonly made up of conflicting views, rejected opinions, partial statements, and biblical references, which appear in the discussion of every subject. This work covers many subjects within Jewish life and is a massive collection of 5.894 folio pages (in standard printed editions). This document is the most central and important work of Rabbinic Jewish life.

Within the Talmud there is some concern for the role of the non-Jew who live in midst of the Jewish community. However, one must remember this was not a major subject within the text; it would be more accurate to say that the subject of the resident alien is a secondary concern of the rabbis. There are no tractates fully focused on this subject.<sup>224</sup>

The term *ger* is discussed and studied in the Talmud. The rabbis were aware of the biblical understanding of the term. For the rabbis, it was important that their teachings were seen as being interdependent and connected with the teachings of the written law, of the Torah. Therefore, the rabbis adapted and modified understandings to biblical terms causing these biblical terms to fit into the rabbinic milieu. It is important

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<sup>223</sup> Wald, Stephen, “Babylonian Talmud” in Encyclopedia Judaica, volume 19, 2007, p. 470-471.

<sup>224</sup> There is a later work found within the Minor Tractates of Talmud which focuses on the *Ger*. I will discuss this later. However, this work is not seen to be as part of the traditional canonization of the Babylonian Talmud, rather loosely associated with it.

to be aware that the rabbinic meaning and biblical meaning of *ger* are not exactly the same.

In the Bible the word *ger* means a foreign resident in Palestine. It is frequently joined by "and" to the word *toshav*, meaning the same thing, and usually translated "sojourner." In rabbinic Hebrew, the *ger* means an actual convert, although sometimes for the sake of accuracy, the convert is referred to as "righteous convert" (*ger tzedek*), "true convert" (*ger emet*), or "convert who is a partner to the covenant" (*ger ben berit*). For the resident alien the Rabbis coin the phrase *ger toshav*.<sup>225</sup>

Within the rabbinic world one could become Jewish, meaning a non-Jew could convert into Judaism. As was discussed earlier, this was not a possibility within biblical Israelite society.<sup>226</sup> Therefore, the rabbis discuss and debate the biblical understanding of these non-Jews, who were actively involved in the Jewish community. The distinction between the acceptance and role of a non-Jew, who remained a gentile and lived within the community, was mixed. There were multiple understandings of who this resident alien was.

The most extensive text on the subject of *ger toshav* within the canonized Babylonian Talmud can be found in tractate Avodah Zarah 64b. Here the rabbis debate exactly who a *ger toshav* is.

Who is considered a *ger toshav*? Who ever accepts upon himself (a declaration) before three *chaverim* (*beit din*) not to worship idols. These are the words of Rabi Meir. But the sages say: Whoever accepts upon himself the seven commandments that were accepted by the sons/descendants of Noah. Others say: These have not come to be the category of *ger toshav*. Rather, who is a *ger toshav*? This is the *ger* who eats nevilot accepting upon him the fulfillment of all the commandments that were stated in the Torah except the prohibition against nevilot.

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<sup>225</sup> Bamberger, Bernard, *Proselytism in the Talmudic Period*, page 16.

<sup>226</sup> There might have been conversion within minority subgroups during the Second Temple period, however, when looking at the Jewish society as a whole, conversion did not seem to be accepted.

The rabbis, in Avodah Zarah 64b, discuss three distinct possibilities explaining who this non-Jew is: 1) A *ger toshav* is one who has given up idolatry; 2) He is one who follows the seven Noahide laws, or 3) He is the one who follows all the laws of the Bible, except he may eat *nevilot*, meat from an animal that has not gone through ritual slaughter; meaning he only has to follow all of the same laws as the Jewish people, except this one law. There is no definite or concrete answer for which of these three options is the definition of a *ger toshav*. In summary, all three views agree that a *ger toshav* is a non-Jew who stopped practicing idolatry. Besides this statement, there is no clear agreement between the rabbis.

The second argument of this text, the opinion of the sages, focuses on the concept that the *ger toshav* is to follow the laws of Noah's descendants. They argued that for one to be a resident within the Jewish community, all humans must be ethical. This is because the seven laws of Noah are based upon the moral values and principles which God wanted all humanity to uphold. In Sanhedrin 56 and 57, the rabbis explicitly state what is required of non-Jews as a descendant of Noah:

The Rabbis taught in a baraita: Seven commandments were given to the descendants of Noah: Laws, blasphemy, idolatry, sexual transgressions, spilling blood, theft and not tearing a limb from a living animal.

The rabbis continue this discussion on 56b by focusing on other issues and actions which the descendants of Noah are not allowed to partake:

Rabbi Chaninah ben Gamla says the [ingesting] blood from an animal. Rabbi Chidka says even about castration. Rabbi Shimon says also about sorcery. Rabbi Yose says [including] every action that is stated [biblically] about sorcery. A Noahide (descendant of Noah) is warned: One shall not find among you one who passes his son or daughter in fire, enchants enchantments magically, diviner, or sorcerer. One who makes magic and asks magic, magical knowledge, and demands to the dead, and etc. Because of these abominations God, your God, banished them from

your face (before you). And He would not have punished them rather if only had they been warned.

The rabbis are warning against actions that are unbecoming to humanity. In their view, the nations of the world should not partake in any of these behaviors. The text continues with Rabbi Eleazar explicating the laws that are different for Noahides and Jews. He discusses the actions which the non-Jew can do, showing how they have more freedoms than the Jews:

Rabbi Elazar says also about the mixtures. The Noahides are permitted to dress in mixtures and to seed mixtures and they are prohibited only from having intercourse with an animal.

Meaning, the laws which prevent Jews from wearing clothes that are mixed from animal and plant products, as well as hybrid seeding are permissible for the non-Jews. Likewise, a non-Jew does not need to follow laws pertaining to animals except in regards to sexual acts with the animal. The text continues with the rabbis supporting their statements with proof texts:

From where are these words [derived]? Rabbi Yochanan said [the verse states:] "God commanded Adam saying, 'from all the trees in Eden you may eat.'"<sup>227</sup> "God commanded," "These are the laws." (meaning civil laws) And [similarly] God says: "Because I know him in order that will command his children," etc. [This verse is alluding to the saying God's proper name] "YHWH" this is blessing the name (meaning the blasphemy of God's name). And [similarly] it says [in another verse] "One who profanes the name of God will surely die." "God" in this [verse means] idol worshipper (meaning, idolatry is considered blasphemy of God's name). And [similarly] it says [in scripture]: "it will not be for you to have other Gods."

Rabbi Yochanan first focused on issues related to God and idolatry, now he is going to list the laws of Noah, and give proof-texts supporting his laws.

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<sup>227</sup> In Genesis 2:16 God states these words, which seem unnecessary and redundant, but Rabbi Yochanan is going to use it as a proof-text to show how each commandment has been distinctly given to all humanity.

“Upon man”- [is meant to mean] murder. For it says (a proof-text) “the one who sheds blood of man,” etc. Saying this is sexual transgressions, and also it’s says: Saying ‘if a man sends his wife and she goes from him and was a wife to another.’ But you may not eat and not a limb from an animal.

Tractate Sanhedrin continues with Rabbi Yitzchak arguing that there are other ways to derive the two Noahide laws, about which Rabbi Yitzchak is speaking.

Rabbi Yitzchak came and he taught the opposite: “He commanded” this is [alluding to] idol worship. “God” this is [alluding to civil] law. It is alright to say “God” this [alludes to civil] law, for it is written “the master of the house can approach the judge” (meaning God). But He commanded this [alludes to] idol worship. What is the intention?

Rav Chisda and Rav Yitzchak bar Avdimi: one said “they turned quickly from the way that I commanded them, they have made etc.” And one said: Oppress (is) Ephraim, crushed by judges because he consents/willingly walks after the command.”

What is the difference between them? The difference between them is an idolater that made an idol and did not bow down to it according to that who said “They made!” For the time of making he is liable. According to the one that says “because he willingly walked.” Until that [moment] he goes after it (idol) and cleaves to it (worship).

Here, tractate Sanhedrin continues by discussing why the Jewish community sees the non-Jew as culpable of a capital offense for worshipping idols.

Rava said: are there any who holds [to the notions that] says “An idolater that made an idol, and he did not bow to it, [and he is still seen according to Jewish law as being] liable [for the offense of idolatry] ?” But it was taught in a baraita, [in regards to] idolatry, [that when one does an idolatrous act, it] is a thing that a *beit din* (rabbinical court) of Israel can execute over. A Noahite is warned about them. These are the things a rabbinical court of Israel does not execute for, when A Noahite is not warned about [the offenses he commits]. What does the baraita exclude (what is he not liable for)? [The baraita] is not to exclude an idolater who made an idol but did not bow down to it?

Rava argues that there are some who hold that non-Jews are liable for idolatry. But he rules that one who does not actually worship an idol, even if he made it, is not considered to be idolatrous.

Rav Papa will clarify on what he believes idolatry includes. His concern is the nuances of gentile life and their forms of worship. In the ancient world one worshipped through sacrifices, as offerings to their gods. However, in the rabbis' milieu, worship and prayer were practiced differently, which, theoretically, includes "embracing and kissing." Therefore Rav Papa is looking for clarification in regards of nuances of the law.

Rav Pappa said: No, it excludes the embracing and kissing [of idols]. If you were to say (that it is) like the manner, One is subject to death. Rather to exclude that this is not like the manner. (regarding) Law, are Noahides commanded?

The practical difference between those perspectives is that if "embracing and kissing" are not acts of idolatry, then Noahides can do them.

Continuing on 56b the rabbis are explaining that the Jews and gentiles received the same seven laws. However, there are also laws that only the Jews are required to observe. Therefore all humanity has seven basic laws to follow.

But it was taught in a baraita: Ten commandments were given to the Israelites at Marah. Seven that the Noahides accepted upon themselves.

The three additional laws for the Jews were:

And they added upon them: [Civil] Law, Shabbat, and Honoring parents. [Civil] Law, for it is written: There he put for him a statue and a law. Shabbat and honor of father and mother. For it was written "As God commanded you" and Rav Yeuda said: As God commanded you in Marah.

The rabbis discuss where there is a difference:

Rav Nachman said in the name of Rabbah bar Avuha: [The *baraita*<sup>228</sup>] (in regards to civil law and how it can be included among the Noahide commandments) was needed only for [details about the civil trial that were added in regards to Marah:] The congregation, witnesses and warning.<sup>229</sup> If so (meaning an objection is being raised), why does it (the *baraita*) say: [Civil] law was added upon them?<sup>230</sup> Rather, Rava said: [The *baraita*] was needed rather only in regards to laws of penalties. (An objection is raised) Yet, it (the *baraita*) should have said: They added [to the system] of the [civil] laws. Rather Rav Acha bar Yaakov said: it (the *baraita*) was needed rather to settle a rabbinic court in each and every province and each and every city. (This answer will be refuted) So Noahites were not commanded this? But it was taught in a *baraita*: "Just the Israelites were commanded to establish courts in each and every province and each and every town." So too were Noahites commanded to establish courts in each and every province and in each and every town.

In the end the Talmud concedes that this *baraita*, which is being discussed, implies that the *b'nai noach* are not required to implement a system of civil law; but this does not contradict the *baraita* originally cited, discussing the difference between the seven laws of Noah and the 10 commandments at Marah. Due to the difference in laws, Jews and gentiles were to have different courts.

The tractate continues with a transition where Rava is making exegetical commentary on how the Jews are to understand the laws of Noah.

Rather Rava said: This Tanna is the Tanna of Menasheh. Who takes away 'daled' and 'chaf'. And substituted 'samech' and 'chaf'. For it was taught that in a Menasheh *baraita*: Seven commandments were commanded to the sons of Noah: Idolatry, sexual transgression, murder, theft, and limb from a live a living (animal), sterilization and mixing. Rabbi Yehudah says: Adam, the first man, was commanded only about idol worship. For it says: "God commanded man." Rabbi Yehudah ben Beteirah says: against blessing God's name. And there are those who say: about the law.

<sup>228</sup> A *baraita* is a mishnah that is outside the canonized Mishnah. However, it is authentic rabbinical writing from before 200 CE.

<sup>229</sup> The Jews were previously commanded to establish a structure of civil law.

<sup>230</sup> Within the *baraita* it states that the Jews were given a system of civil law previously at Marah. However, Rav Nachman's answer contradicts this and says that at Marah the Jews were only given judges, and not new laws.

Like whose spin (opinion) is this, that Rav Yehudah said this in the name of Rav? I am God: Do not curse Me; I am God: do not exchange me; I am God: My fear shall be upon you. Whose [opinion]? [It is attributed to] some say.

The Tanna in Meneshah, if he expounds on “He commanded” even those also, if he did not expound on “He commanded” from where does he know those? Forever he does not expound on “He commanded”.

The end of 56b and the beginning of 57a will list in detail the list of Noahide laws from the Menasheh academy, with source and why it disagrees with the original baraita.

Rather each one is individually written:

**Idolatry and sexual transgressions**, for it is written “the land was corrupt before God.” And it was taught in a Baraita of Yishmael: Anywhere that ‘corrupt’ is stated it is (referring to) sexual matters and idolatry. Idolatry, for it is written: “Lest you become corrupt and make” etc. The other reveals the behavior (of the generation of the flood).

**Murder**, for it is written, “whoever sheds the blood of man” etc. and the other reveals the type of execution.

**Theft**, for it is written, “like the vegetation I have given you all things.” And Rabbi Levi said: Like vegetation, but not vegetables (of the garden) [wild, but not domestic]. And the other that it comes to permit meat.

**A limb from something alive**, for it is written: “But flesh with its soul, its blood, you shall not eat. And the other, that comes to permit insects.

**Sterilization**, for it is written, “Swarm in the earth and multiply in it.” And the other, to simply in the world.

**Mixing**, for it is written, “If birds according to its kind”. And the other that was simply for companionship.

Following this list the rabbis discuss the punishments for breaking these laws.

Rav Yosef said: They say according to Rav that a Noahite is executed for [breaking any] 3 [of these] commandments: *Gesher (gimmel, shin, raish)* is a mnemonic for sexual transgressions, murder and blessing God’s name. Rav Sheshet challenged this: it is understandable for murder. For it is written, “Whoever shed the blood of man” etc. but from where are those (other two)? If they are finished from murder, even all of the [Noahide



commandments] also. If [the two] are included from “any man” then idolatry should also be included (from the phrase) “any man”?!]

Now, the rabbis are going to debate their different traditions and the different punishments associated with breaking the seven Noahide laws.

Rather, Rav Sheishet said, “they say in (academy) Rav that a Noahite is executed for breaking four commandments. Is a Noahite executed for idolatry? But it was taught in a Baraita about idolatry, acts for which an Israelite court execute and a Noahite is also warned against them. A warning, but not an execution.

Rav Nachman bar Yitzchak said: A warning about them, this is execution. Rav Huna and Rav Yehudah along with all of the disciples of Rav say: “About the seven commandments, a Noahide is executed. The merciful One revealed on one and the same ruling applies to all of them.

In tractate Sanhedrin 56 and 57 there are different understandings of the “seven laws” of Noah. First the text starts out with a baraita listing the seven commandments that were given to the descendants of Noah: Laws, blasphemy, idolatry, sexual transgressions, spilling blood, theft and not tearing a limb from a living animal. Then, tannaitic rabbis are quoted as adding additional requirements, it is not clear if they are in addition or replace parts of the original seven laws. These additions were: Rabbi Chaninah ben Gamla added the blood from an animal; Rabbi Chidka added the issue of castration; Rabbi Shimon added the issue of sorcery; and Rabbi Yose added the nuanced form biblical categories of sorcery. Rabbi Eleazer adds the law forbidding sexual relations between a human and animal. Tractate Sanhedrin then continues with the rabbis debating the sources for their understanding of biblical text.

Rabbi Yochanan and Rabbi Yitzchak disagree on proof-texts supporting their understanding of the Noahide laws in regards to idolatry and blaspheme of God’s name.

Then Rav Chisda and Rav Yitzchak bar Avdimi debate sources supporting their

understanding of the issue of idolatry. This discussion is followed by Rava interjecting a baraita to give authority to his view. By doing this, Rava introduces the nuances of gentile worship, which opens the door for Rav Papa's concern trying to figure out if current gentile worship practices constitute idolatry.

The Gemara then adds a baraita concerning how the seven laws of Noah were also given to the Jews, but the Jews received more laws than just the seven. The baraita teaches that at Marah the Jews also received laws in regards to building civil law, keeping the Sabbath, and honoring their parents. However, Rav Nachman argues that the Noahides were also commanded to have civil law, but only in regards to the situation at Marah. However, a baraita was added saying, that the requirement for having a system of civil law was added as a requirement for the descendants of Noah. But Rava argues that this is not a requirement of a system, rather the non-Jews only needs a system of penalties. Rav Acha bar Yaakov clarifies that the complex system of civil law required in all cities and towns are a requirement for the Jews and not the gentiles. And then the gemara continues with a baraita showing how this is also a requirement for non-Jews.

Rava then commentates expounding upon the meaning of the baraita, from the Menashah school of thought. The baraita states a new set of seven laws, which differ somewhat from the original seven: Idolatry, sexual transgression, murder, theft, and limb from a limb of a living animal,<sup>231</sup> sterilization, and mixing. This baraita includes the discussion of Rabbi Yehuda and Rabbi Yehudah ben Beteirah, who find support from

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<sup>231</sup> This seems like a ridiculous notion in the 21<sup>st</sup> century. However, there are people, especially when meat is scarce) that might eat things like road kill. It seems from this law, that there were people who lived contrary to this law, and ate limbs from a living animal.

two different sources. These seven laws are then listed with great detail in regards to proof-texts and why there may be disagreement from the earlier list.

Then Rav Sheishet, Rav Nachman bar Yitzchak, and Rav Huna and Rav Yehudah along with all of the disciples of Rav, are of three different schools of thought in regards to which laws are punishable by execution for the gentiles. According to Rav Huna and Rav Yehudah along with all of the disciples of Rav, who seem to win authority on this issue, the gentiles are responsible for all of the laws.

It is clear that there is no agreement in the Talmud on what are the seven laws of Noah. It is not even clear if there are only “seven” laws. I will argue that the “seven laws of Noah” are not necessarily a specific number of laws but rather the title of a category representing what the rabbis believed was a baseline category of gentile obligations, by which all humans should abide.

There are times when the *ger toshav* is treated like a Jew, when they share the same rights. However, the rabbis of the Talmud do convey the rights, but also show concern with this non-Jew owning a slave, especially if the slave is a Jew. It seems that the ownership of slaves shows authority and privilege within in the society, as well as conferring status within one’s social class in society; and it also signifies that a non-Jew is a true member of the society. Since he can own a slave, he is then a member within the community; he is just not a Jew. If a *ger toshav* was not a full member, like a heathen, he would not be able to own slaves. There are three sources within the Talmud that discuss issues related to *ger toshav* and slaves. The first is Gittin 44a:

[Can a Jew sell his slave] to a *ger toshav* or to an apostate Jew,<sup>232</sup> what is [the law]? To a Cushtean, (which is a Samaritan) what is [the law]? There are some who say [the *ger toshav*] is like an idolater, and there are some who say [the *ger toshav*] is like a Jew.<sup>233</sup>

It is clear that there is confusion on exactly how the *ger toshav* is to be treated within Jewish law. The status of a *ger toshav* is not fixed. The rabbinic view is that his or her status lies somewhere between a heathen and a Jew. He is neither of these; if a *ger toshav* was one or the other, then there would be no argument and all the rabbis would agree on the issue. A *ger toshav* is his own distinct category. With regards to Jewish law, there will be times when the *ger toshav* is treated as a Jew and times when he is treated like an idolater.

Both a Jew and a *ger toshav* have the ability to own slaves, but Jews are to protect their fellow man from being a slave under a *ger toshav*. Kiddushin 20a states:

As it is stated [in Leviticus 25:39]: “If your brother who is dependant on you becomes impoverished that he sells himself to you” rather not to you but to a *ger toshav*. For [Leviticus 25:47] says “if any of your brother/kin fall into difficulty (becomes impoverished)...and sell themselves to a *ger toshav*.” And not [just] to a convert, but [also] a *ger toshav*. As it says: a *ger toshav*. [Leviticus 25:47 also includes that an Israelite can be sold to a] “Family of the *ger*.” [Here the *ger*] is like an idolater. When it says “to an idol” this refers to the one who is sold to idolaters itself.

Meaning, it is a Jew’s responsibility to make sure that his fellow Jew is not owned by a *ger*. The Jew and *ger toshav* have the same power status and ability to own slaves but there is a social stigma for the *ger*. He is not equal on the social hierarchy of esteem, and there is concern on what may happen to a Jew who lives in a home with gentiles. There

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<sup>232</sup> A Jew who has become an “apostate” Jew is a Jew who habitually disobeys particular laws.

<sup>233</sup> The Gemarah goes on to explain other issues of Jewish law in regards to the slave being owned by idol worshipper. There is no resolution on the issue of *ger toshav* owning a slave because there are two valid opinions.

is concern that the *ger toshav*, and especially his family, could be like an idolaters, and it brings great shame for a Jew to be owned by one who practices such blasphemy. Also a Jew might be forced to break Jewish law if he lives with and is in servitude of a gentile.

So far the *ger toshav* can be summarized as a non-Jew who lives within the Jewish community; about whom there are certain expectations in regards to his behavior, like not worshipping idols—in essence, there are times when he is treated like a Jew. However, Yevamot 48b discusses the contrary, how a *ger toshav* differs from a Jew in regards to Shabbat:

Rav Idi bar Gershom said in the fame of Rav Adda bar Ahahva: “The law is in accordance with Rabbi Shimon.” And there are those who taught about this, for the rabbis taught [in a Baraita]: A *ger toshav* is permitted to do Melachah (prohibitions of work on Shabbat) for himself on Shabbat. Like a Jew can do Chol Hamoed. Rabbi Akiva said: Just a Jew can do on Yom Tov<sup>234</sup>. Rabbi Yose said: a *ger toshav* works on Shabbat for himself like a Jew on a weekday. Rabbi Shimon said: Both a *ger toshav* and a slave or maidservant may do Melachah for themselves on Shabbat just as Jews do on weekdays. (Gemara concludes) Rav Idi bar Gershom said in the name of Rav Adda bar Ahahavah: The law is like Rabbi Shimon.

Keritot rules that a non-Jew living within the Jewish community does not need to follow all the rules. This sugya, shows that a *ger toshav* is, at times, treated differently than the Jews. Therefore his status is unique.

The rabbis again explain how the *ger toshav* has a different status than the Jews in Makkot 8b. In this sugya, the rabbis will show how one could have thought that the *ger toshav* could be incorrectly seen as being similar to the Jews in regards to the use of harbor cities.<sup>235</sup>

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<sup>234</sup> According to Rashi the prohibition of work on *Yom Tov* (holiday) does not include the preparation of food, known as “*Ochel nefesh*.”

<sup>235</sup> Numbers 35:15 states that there are supposed to be six cities of refuge for one who kills accidentally. In this city the manslayer is protected from members of the deceased’s

Mishna: A father is allowed to go into exile (harbor city) on the account of his manslaughter of his son, and a son is allowed to go into exile on account of killing his father. Everyone is allowed to be exiled on account of manslaughter of an Israelite. And an Israelite is allowed into exile on account of killing them, except for a *Ger Toshav*, and a *Ger Toshav* he is not allowed exile (safe-haven) except when he kills a *Ger Toshav*.

This statement is from a Tanna of the mishnah, which was canonized around 200 CE.

This mishna brings about a great debate because it seems that this mishna rules differently than the Bible itself in regards to whether or not the *ger* is allowed to use the exile city. The rabbis of the Gemara need to explain how there is not a contradiction between the rabbinic understanding, and what can be perceived as contradicting the Bible. The passage continues with the later rabbis, of the Gemara, discussing and debating the statement of the Tannaim.

Gemara: All are exiled on account of Israel, etc. What does the phrase “All are exiled on account of Israel” who does this include? It adds (includes in the grouping) slaves and Cuthim [Samaritans]. We have learned from the Mishnah which the rabbis taught in a Baraita: A slave and a Cuthi were exiled and receive lashings on account of killing an Israelite, and an Israelite is exiled and receives lashings on account of a Cuthi and slave. We can understand that the Baraita meant by saying “a slave and a Cuthi is exiled and given lashings on account of an Israelite, and an Israelite is exiled—if he inadvertently kills; and he receives lashings—if he curses; rather an Israelite is exiled and lashed on account of a . This ruling is understandable: if he kills, as a manslayer, he is exiled, but lashes why? Because he cursed (Exodus 22)...

The rabbis are arguing that “all” means only Cuthim and slaves, and not resident aliens.

As the text continues on Makkot 9a, the focus becomes how the *ger toshav* is like an idolater, and not like a Jew in this circumstance:

“Except on account of killing a *ger toshav*, etc”

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family who want to take revenge and kill the manslayer. While he is in the city the manslayer is protected, but if he leaves the city his life is in danger.

The rabbis will now focus on this exact quote of how a resident alien differs. 9a

continues:

Consequently, from here we may derive that a *ger toshav* is like an Idol Worshipper (in regards to exile); quoting the end of the mishna which states “a *ger toshav* is exiled on account of killing a *ger toshav*!”

The rabbis argue that the *ger toshav* is included in this biblical grouping of those who can use the harbor cities. So in that sense he is like a Jew. But he is also of his own category, so he can only use the harbor cities when he kills another *ger toshav*. This sugya continues by then clarifying this:

Rav Kahana said, there is no contradiction: Here (in the second) is when a *ger toshav* kills another *ger toshav*; and here (in the first) is when a *ger toshav* kills an Israelite. There are some that have the conclusion by contrasting these two verses of scripture: It is written (Numbers 35:15): *For the children of Israel, for the convert and for the resident shall these six cities be a refuge* and. It is written Numbers 35:12: *The cities shall be a refuge for you*. Implying “for you” and not “for any strangers”! Rav Kahana said: There is no contradiction: here (where he is excluded from exile) when a *ger toshav* kills an Israelite, and here (where is allowed to go in exile) is when a *ger toshav* kills a *ger toshav*.

Rav Kahana is going to explain how, in his view, there is not a contradiction and how the two different sources work together. First the rabbis will show where there seems to be a contradiction, and then one or more will argue and try to prove how these sources are not inconsistent with each other.

A contradiction was pointed out from a baraita (dealing with when a *ger toshav* can be put to death for transgressing a Noahide law). Therefore, a *ger* and a idol worshipper who killed, they are put to death (capital punishment); the baraita teaches that a *ger* is similar to an idol worshipper, Just as a idol worshipper (same ruling classification)—there is no difference for an Idol worshipper, for if he either kills his own kind, or kills a non-idol worshipper (Jew), he is put to be executed!

There are no harbor cities for idol worshippers. If they kill someone, even if it is by accident, they have no right, nor protections. This baraita seems to be teaching that the

*ger* is seen as being equal to an idolater, and therefore does not get to use the harbor cities. In the next part of the sugya, Rav Chisda brings in a totally different argument to try to smooth out the contradiction.

He is arguing that a *ger toshav* cannot use the harbor cities for killing an Israelite. To do so he has to explain why the other source thinks it is okay for a *ger toshav* to use them. He does this by trying to prove that the ruling in the baraita has nothing to do with the status of the *ger toshav*, but rather it has to do with how one is killed, and the intention of the killer.

Rav Chisda said, there is no difficulty: Here (exiled for killing another *ger toshav*) it refers to where he killed him while he was swinging in a downward motion, and here (in the baraita) it refers to where he killed him swinging in an upward motion, where he is like an Israelite and is exiled, then exile is allowed for the *ger toshav* as well. But if the *ger toshav* killed him in a upward swing where the law says that an Israelite is exempt (not allowed to go into exile), then the *ger toshav* is executed.

Now Rava is going to challenge and disagree with Rav Chisda.

(An objection is raised) Rava asked [Rav Chisda]: Is this not [an example of] Kal V'chomer (meaning, "even the more so")? For even when the motion is downward and the Israelite is exiled, the exile is sufficient for the *Ger Toshav* also, and then when the swing is in an upward motion where the Israelite is exempt from (any penalty, even exile) is it then he should be killed!

Rava is teaching why the distinction between the types of swinging is not just semantics, but rather it shows what one's intentions were. He continues with how the *ger toshav* fits into the discussion.

(Rava offers another explanation of the Baraita) Instead Rava explains "The baraita focuses on when the *ger toshav* thought it was permissible to kill (because in this case, even if he kills another *ger toshav* he is still executed). Abaye asked [Rava]: If he thought it was permissible, he is like the victim of the accident. Rava answered: For (did) I say that a person who thinks he is permitted, he is close to being intentional (which he then is executed).



Both of them follow their own opinion.

Abaye argues that if a *ger toshav* thought that he was the one who was liable for manslaughter, he is still guilty of a capital crime. However, Rava disagrees and transitions this debate to a new discussion about intentionality of a crime.

Here in Makkot, the *ger toshav* is seen as an outsider. The rabbis are debating that in the Bible it is possible to read that the *ger toshav* as included within the Israelite society and can use the harbor city for killing an Israelite. However, by the end of this debate there seems to be two major arguments trying to resolve the issue of when the actions of a *ger toshav* is to be treated as a distinct category in isolation of his relationship the Jewish community, and when his actions apply to and are under the authority of Jewish law.

The Cuteans and slaves are fully included within the Jewish law, but these two groups do not have independence and full rights. The text teaches that the *ger toshav* is not fully included within the Jewish society and law, but rather he has full rights as a free human being. One rabbinic school of thought can be summarized as “only a person who kills another within the same category, no matter the status, is able to use the safety of a harbor city.” A result of this view, there are two important points which are of concern in regards to this thesis: 1) The *ger toshav* is not fully considered as being a member/citizen of the Jewish community; and 2) the *ger toshav* is however seen as having the same status of Jews in the greater society and social context, therefore he has a parallel universe, but they are members of different systems of civil law (which was discussed earlier in Tractate Sanhedrin).

It is clear that there is great confusion on the role of the *ger toshav*. At the end of the Makkot 9a, the text states that the dispute was not resolved and each school of thought follows its own opinion.

In Avodah Zarah 64b, the discussion of a *ger toshav* being different than a Jew is at its most extreme. The rabbis are discussing if in fact, he has the same status of idolatrous gentile.

They (a group of rabbis) came together, sat, and went over their problem: *ger toshav*, what is the [the law regarding] nullifying an idol? One that worships can nullify. Or maybe one of his [own] type can nullify. And he is a member of this type.

The rabbis are debating if a *ger toshav* can nullify an idol. This is a problem because only one who is an idol worshipper can nullify. If a *ger toshav* is of the same status of an idolater, then he can nullify idols. From earlier discussions it is clear that a *ger toshav* ceased worshipping idols, however the rabbis are trying to figure out if his status is that of a heathen or the status of “other.” The underlying issue is also that an idol worshipper cannot live within the Jewish community. 64b continues:

Rav Nachman said to them: it appears to be reasonable that one who worships [idols] can nullify, and one who does not cannot nullify. They challenged, “if a Jew found a idol in the market, as long that it does not come into his hands he says to the idolater and it is nullified. Because it is said: An idolater can nullify and idol that is his and of his fellow, whether he worshiped it or whether he didn’t worship it.

What is “he worshiped it or he didn’t worship it? If you will say “both this and that are idol worshipers.” This is his own idol and that is his fellow’s...

Must we not then suppose that the subject of ‘worships’ is an idolater and of ‘does not worship’ a *ger toshav*, and deduce from it that a *ger toshav* can also annul? No; in either case it refers to an idolater.

The rabbis first start the discussion on who can nullify an idol that is in their midst. In the end it seems that they concluded that the *ger toshav* has a status that is definitely different from a Jew, but he is neither the status of a heathen.

An example of the confusion of classifying one as a *ger toshav* takes place in Avodah Zarah 65a.

Rav Yehuda sent an offering to Avidarna on a day of idolatrous festival. He said "I know that he does not worship idols." Rav Yosef said to him: "But it has been taught in a Baraita: 'Who is a *ger toshav*? Who ever (any gentile) accepts upon himself before a court of three chaverim that he does not worship idols.' This Baraita was taught regarding to the matter of sustain him (the community's responsibility to providing a *ger toshav* with a livelihood)." But didn't Rabbah bar Bar Chanah said in the name of Rabi Yochanon: A *ger toshav* who after 12 months is not circumcised; behold he is like a infidel of the idolaters?!. There for example he accepted upon him circumcision and did not circumcise.

This sugya about Avidarna accentuates the complexity of the practical application of a *ger toshav*. Rava is certain that he is not an idolater, but Rav Yosef points out that he would have had to make a public declaration to that effect to be considered a *ger toshav*. Therefore, it is not clear if he is a friend of the Jewish community or if he is in fact a *ger toshav*. The last point in the sugya about circumcision is indeed hard to understand. I personally believe that Rabbah bar Bar Chanah is arguing that for one to be a *ger toshav* he must be on the road to conversion. A *ger toshav* is, in his view, the status of one who is in the midst of conversion. He is neither a Jew nor a gentile, and therefore in this middle ground, which is a *ger toshav*. What is clear is that the *ger toshav* has a mixed status. This mixed status category was well known, but the confusion was due to classifying actual people as such.

The issue of circumcision was that Rabbi Yochanan voiced in Avodah Zarah 65a is shared with other rabbis. Here in Yevamot 48b the rabbis discuss:

And the *ger* (a reference to the previous *sugya* discussing when a *ger* needs to be circumcised and it is the day of rest), this is a *ger toshav*. You say this is a *ger toshav*?! Or perhaps [“*ger*”] is a *ger tzedek*.

The rabbis are debating the biblical requirement for a *ger* to be circumcised. They are arguing if there reference about circumcision is in regards to a convert (who is required); or if the circumcision is in regards to the non-Jew who lives in the midst of the Jewish community. What I believe the core of this discussion focuses on is the role of the *ger toshav* within Jewish society. Circumcision is a sign of the Jewish covenant, if he is required to be circumcised then the status of this group would be an “almost Jew” and if he is not expected to be circumcised he is a definite 3<sup>rd</sup> category; not Jew and not heathen.

The idea of a third category seems be the consensus of the Talmudic text. This theory is supported within Tractate Gerim, which can be found within the Minor Tractates of Talmud. The minor tractates are books that were not canonized within the Talmud. Some of these tractates, including Tractate Gerim, were mentioned in early midrash, and all of the sages mentioned are Tannaim.<sup>236</sup> These tractates are not included within the Babylonian Talmud, and their precise status in relation to the Talmud is unclear.

The main focus of this document deals with the conversion of gentiles into Judaism, know as *ger tzedek*. There is a small focus dealing with the issue of the *ger toshav*. In regards to the *ger toshav*, the tractate states:

- 1) What is this “*Ger Toshav*”? All (people) that receives upon himself that he should not worship idolatry according to the words of Rabbi Meir. Rabbi Yehuda said all that receives upon he will not eat *nivelot*.

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<sup>236</sup> M.B. Lerner, “The External Tractates,” in Shmuel Safrai’s *The Literature of the Sages* (Fortress Press, Philadelphia 1987), page 401.

- 2) His spittle, place of sitting, place of lying, and urine are unclean, his bread, oil, and wine are clean. And those who pass upon him because of do not deception, do not oppression, and do not suspend worker's wage.
- 3) We do not marry him and do not betroth their women, and we do not lend to them or borrow from them with interest.
- 4) We do not dwell with them in boarder districts and not in a bad section of the city, but in a attractive section, in the middle of the land of Israel, in a place that has artisans go out, that it was said "with you he dwells in your midst in a place that he will chooses among the dwellings in your town where it is good for him and you shall not oppress him.

Overall, there is no resolution regarding who is a *ger toshav*. There are different schools of thought in this regard. However, we know a bit about Tractate Gerim's construction of this person: he is a non-Jew who is not an idol worshipper; in some circumstances he is treated like a Jew and in others he is treated like and idolater; he has his own classification within rabbinic jurisprudence; he lives within the Jewish community, but he is not required to follow all the religious laws; and it is against Jewish law for him to marry a Jew. Also, we do not need to treat him like an idolater when it comes to ceremonial objects like oil and wine; those items are "clean," because they are not ritually impure to the touch. It is also clear, according to rabbinic-law, which a Jew is not allowed to marry a non-Jew, even a *ger toshav*. And lastly, we are to treat this non-Jew justly and with respect. He is not to be a second-class citizen within our communities.

In conclusion, the discussion about the *ger toshav* is fluid. There are very few absolute statements about who he is. It is clear that during this period there were non-Jews living within the Jewish community. However, it seems that the Talmudic explanation of the *ger toshav* is academic. There are no concrete examples of who he is and what role and interactions he has with society. The biggest "pink elephant" is if these *gerei toshavim* were non-Jewish spouses and family members who lived within the community. The issue of a Jew marrying gentile was forbidden in Jewish law, but

historical evidence shows that they did occur. In my view, that would be a personal and pressing reason why the rabbis felt the need to discuss this issue. Therefore, the reason why there are no examples is because they did not want to advertise or condone these marriages, but the rabbis were also trying to discuss the reality of the situation.

It is also important to remember that there was a plethora of understandings of who fits inside the classification. This could mean that different communities had different standards or that the title was used openly and freely representing an umbrella classification. In either case, it is an ambiguous term that was not fully resolved within the text of the Babylonian Talmud.

Many later scholars will rule that the *ger toshav* is one who must follow the seven laws of the descendants of Noah. The concern here is the fluidity of the seven commandments, which is as flexible as the term *ger toshav*. Different rabbis had different understandings of what the seven laws were, and how the tradition understood the development of the laws. There were multiple voices with a plethora of understandings. The only concrete aspect of these terms, where there actual labels, which the rabbis received from the Torah.

## Chapter 5

### The Ger Toshav in Post-Talmudic Halakhah and Jewish Thought

The Talmud's pluralistic understanding of the *ger toshav* is in contrast to the later examples of rabbinic law which specifically define this term. Rabbis of the Middle Ages and later clearly state that the *ger toshav* is the *Ben Noach* who lives in the land of Israel. Mishneh Torah,<sup>237</sup> a major Jewish law code, summarizes the *ger toshav* in Hilchot Issurei Bi'ah 14:7. Rambam states.

What is a *ger toshav*? An idolater that receives upon himself that he will not do idolatrous worship and that he will observe the universal commandments of the descendants of Noah. He does not circumcise nor does he immerse in mikveh-Thus we accept this (his commitment) and he is a righteous gentile. And why do we call him a resident? According to that we are permitted to let him dwell among us in the land of Israel, like that which is explained in Hilchot Avodah Kochavim U'Mazalot.

The *ger toshav* needs to cease from his idolatrous ways. He is also to live an ethical life based upon the seven laws of Noah. In chapter 9 of Hilchot Melakhim Rambam clarifies and explains each of the seven laws. The text explains:

Six rules were commanded to Adam:

[the prohibition of]

- 1) Idolatry
- 2) Blasphemy of God's name
- 3) Murder

- 4) Inappropriate sexual relations
- 5) Theft
- [Command to Establish]
- 6) Laws and courts

[#7 was commanded as a prohibition to Noah]  
[Not to eat] flesh from a living animal

Here Maimonides lists what he believes are the seven laws of Noah. However, Maimonides does not state his sources on this topic.<sup>238</sup> These seven commandments are in fact not specific laws, but rather they represent seven categories. Each category usually contains more than one commandment, but the specific number depends on the authority used for support. For example, not to have illicit sexual relations includes the biblical laws of incest and infidelity. There is some ambiguity in regards to specific actions that fit under each heading. This is likely due to fact that there is ambiguity in the base source itself—the Talmud.

The rabbis of the Talmud do not come to a consensus on the issue of the *ger toshav*. However, by the time of the law codes, the later rabbis accepted the Babylonian Talmud's precedent of seven laws. Maimonides takes away the Talmud's ambiguities and contradictions on this subject matter and gives a definite and a precise explanation that the Jewish people can follow.

Jacob ben Asher, in his work *Arba'ah Turim*, comes to a similar conclusion in regards to the category of *ger toshav*. These two sources, ben Asher and Maimonides, which were written hundreds of years apart, rule similarly. This is likely due because many halakhic sources knew the rulings of authorities who came before them. While ben

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<sup>238</sup> In Maimonides' *Mishneh Torah*, he does not source any of his findings. You should point to Rabad's famous comment about this point in his gloss to Rambam's introduction to MT. Finding Rambam's sources' is what his commentators are largely all about.



Asher does not explicitly state what these seven laws are, it is possible to assume that since his summary is similar to Maimonides that he agreed with him on the specific laws. For what ever reason, it was not of importance to ben Asher to list the laws. Jacob ben Asher states in Yoreh De'ah 124:

A *ger toshav* is one who accepts upon himself 7 commandments. Rashba wrote, "That if he were to touch [kosher] wine, [a Jew] is not allowed to drink it; and from this [understanding of the law,] he also decided that a circumcised ger, who had not yet immersed in mikveh it is also forbidden [to touch kosher wine, and if he does touch this wine then the Jew is not allowed to drinking this type of wine]." But my father my master, the Rosh of blessed memory, he permits both (the *ger toshav* and the un-immersed *ger*) [this means,] if they touched the [wine] a Jew could drink it.

It is clear that ben Asher is in agreement with Maimonides in regards to the seven laws of Noah. He also does not feel the need to clarify why and how he achieved this understanding. However, as he continues to explain the role the *ger toshav* has within the society, he begins to give sources for his rulings. According to ben Asher, there is a disagreement between the view of Rashba and the Rosh in regards to the *ger toshav* as to whether the *ger toshav* causes kosher wine to be undrinkable for Jews. Joseph Karo, in the 16<sup>th</sup> century, concludes similarly. The agreement of the sources seems to indicate that the Jewish community is able to agree on the content of the seven laws of Noah.

Summarizing Shulchan Aruch, Yoreh De'ah 124:2, Michael Broyde states:

Having established that the Noachide commandments are binding on Gentiles, and that lack of knowledge does not excuse obligation, it is necessary to explore what the commandments are. The Talmud recounts seven categories of prohibition: idol worship, taking God's name in vain, murder, prohibited sexual activity, theft, eating flesh from a living animal, and the obligation to enforce laws. As is obvious from this list, these seven

commandments are generalities which contain within them many specifications.<sup>239</sup>

Due to the agreement of all three major law codes, these authorities show a general acceptance of the *ger toshav* as the *ben Noach*. "The rabbinic treatment of the Noahide laws eventually led to the assumption of their *a priori* universal status."<sup>240</sup> According to this understanding, *ger toshav* was a fusion incorporating both the biblical *ger*, who was separated from the Israelites as a distinct category, and the universalistic ideals of the Second Temple period. I am therefore concluding that the two other Talmudic definitions of a *ger toshav* (which were discussed in chapter four) as one who only needed to cease from idol worship, and one who fulfills all *mitzvot* except eating *nevilot* were viewed as hypothetical options. This assumption is based on the lack of later authorities' acknowledgment of these options. The codes never discuss these two definitions of *ger toshav*, nor do they explain the reason why the talmudic rabbis came to these conclusions.

I would like to return to Maimonides. In chapter 10 of *Hilkhot Melackhim* he discusses communal relations between Jews and non-Jews within a community. He acknowledges that Jews are not to stop nor prevent a non-Jew from doing a *mitzvah*. He states:

A descendant of Noah that wants to perform a commandment from the torah in order to receive reward for doing so, one should not prevent him from doing the commandment as long as he does performs it according to its as required by Jewish law.

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<sup>239</sup> Broyde, Michael J., "The Obligation of Jews to Seek Observance of Noahide Laws by Gentiles: A Theoretical Review." page 2 of 19.

<sup>240</sup> Novak, David, *The Image of the Non-Jew in Judaism*, p. 275.

Therefore, a non-Jew can participate in any mitzvah. Maimonides then gives an example of the burnt offering, but this ruling pertains to all commandments.

If he (a non-Jew) brings a animal offering for the burnt offering, we are to accept it.

He does add a caveat later in the chapter that states,

But an idolater that gives charity, we receive it from him and give it to a poor idolater.

This means that idolaters are to be treated differently than the gentile who follows the laws of Noah. Therefore, we are to never offend or stop the idolater from doing a *mitzvah*, but we must also recognize that this person is not a part of our community. Therefore we cannot benefit from his actions because he breaks God's commandments.

From reading the above statement, one could assume that a non-Jew then is able to perform any task within the Jewish community. However, in the 16<sup>th</sup> century, Rabbi David ibn Zimra, also know as Radbaz, clarified specific actions in which a non-Jew cannot partake, in his commentary on the Mishneh Torah. Chaim Clorfene and Yakov Rogalsky summarize his arguments by stating:

Although the Children of Noah are commanded only concerning the Seven Universal Commandments, they are permitted to observe any of the 613 Commandments of the Torah for the sake of receiving divine reward. The exceptions to this are:

- A) Observing the Sabbath in the manner of the Jews
- B) Observing the Jewish holy days in manner of the Jews
- C) Studying those parts of the Torah that do not apply to the Noahites' service of God
- D) Writing a Torah scroll or receiving an aliyah to the Torah.
- E) Making, writing, or wearing tefillin.
- F) Writing or affixing a mezuzah<sup>241</sup>

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<sup>241</sup> Based on the summary of Clorfene, Chaim and Rogalsky, Yakov, in *The Path of the Righteous Gentile*, pages 41-42.

Without this clarification, the covenant of Abraham would lose its importance. Over time Jewish law stipulated that there are specific commandments only Jews are allowed to do.

Chapter 10, in *Hilkhot Melakhim*, also requires that the Jewish community is to make a court system for the *ger toshav*, since his commandments are not the same as the Jewish community. The judges of these courts can be *gerei toshav* or Jews. However, it is important that the *ger toshav* is treated with justice and fairness.

Maimonides concludes chapter 10 summarizing how the Jewish community is to treat the gentile. He states:

Even in regards to the gentile, the sages commanded us to visit the sick, to bury their dead with the Jewish dead, and support their poor in similar manner to the Jewish poor on account of peace. Behold as it is said [in Psalm 145:9]: “God is good to all and God’s mercy is on all of God’s works” and as it was said [Proverbs 3:17]: [The Torah’s] ways are pleasant ways and all its paths are peace.”

The Jewish community has a responsibility to act ethically to all people, outside and inside of its community. Maimonides makes it clear that there are to be just systems within the Jewish community for Jews who live among them.

Under the above-stated classification, the *ger toshav* assumed a clear, albeit hypothetical, position within the Jewish society. Historically it seems that this category did not exist due to the lack of Jewish autonomy. The modern issue of intermarriage with a non-Jew was non-existent because if someone married a gentile they would have been excommunicated from the Jewish community.<sup>242</sup> Or, the intermarriage would signify

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<sup>242</sup> Historically, in the biblical period, gentile women were married to Israelite men. However, this was not intermarriage because the women never held status. Therefore as they became members of their husband’s house, as chattel, they also became part of his

their desire to leave voluntarily. Although it is clear that the *ben Noach*, unlike the *ger toshav*, was more than an ideal category; he had a purpose; to be an ethical human being. As Michael Broyde articulately states:

Most authorities...accept that the Noachide commandments are fully binding. They argue that it is difficult to accept that all of the talmudic discussions concerning Noachide law are predicated on the *unstated assumption of the abrogation of the Noachide obligation* or even the abrogation of the biblical obligation...There are numerous discussions within the Shulchan Aruch and its commentaries which simply assume that the Noachide laws are fully binding.<sup>243</sup>

There seems to be conclusive support in the Jewish community for the category of the Noachide. What is not clear is if this status was or was not hypothetical. Were there gentiles who lived in the Jewish community?! What is evident is that "Neither does the Talmud, the main sourcebook of Noahide law, claim a wise acceptance of Noahism in any society."<sup>244</sup>

There are many implications in regards to the understanding that the role of the *ger toshav* is to be fulfilled by following and accepting the ethical obligation as a descendant of Noah. Our rabbis have asked correctly: How is a non-Jew supposed to know that he or she is responsible for these ethical laws? Novak reasons there are three rational answers:

- 1) Noahide law is known because it is promulgated by Jewish authorities to gentiles living under their political rule.
- 2) Noahide law is known because of the acceptance of Divine revelations by gentiles.
- 3) Noahide law is known because it is rationally convincing...only the person who consciously affirms this true source of the law qualifies as

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religion. As a result, there is no intermarriage. During rabbinical periods, there were laws forbidding intermarriage between Jews and gentiles.

<sup>243</sup> Broyde, Michael, page 2 of 19.

<sup>244</sup> Lichtenstein, Aaron, *The Seven Laws of Noah*, page 5.

“one of the saints of the nations of the world” and is assured a “portion in the world-to-come.”<sup>245</sup>

These answers are not halakhic conclusions to the question of how a non-Jew is to know of his obligations; rather they are philosophical conclusions. Novak’s argument is a bit overstated. Maimonides actually states that the Noahide must hold that Noahide law is binding by virtue of the fact that it’s a divine revelation. He views “Noahide law as a ‘natural law’ theory, for the political function of Noahide law is more evidently manifest than any other group of laws presented in Scripture or Tradition.”<sup>246</sup> This led Maimonides to create different categories, ranking gentiles according to association to their covenant. He believed that there were five categories in which all non-Jews could be distinguished in regards to the laws of Noah.

Thus in [Mishneh Torah, Hilkhhot Melakhim] 8:10-11 Maimonides delineated five clearly independent categories of gentiles according to halakha:

- 1) A pagan- One who rejects the seven Noahide commandments
- 2) A Noahite (ben Noach)- One who lives by the Noahide laws for whatever reason or motive.
- 3) A resident alien (ger toshav)- A Noahide living under Jewish sovereignty who lives by the Noahide laws, accepts them as obligations from Mosaic revelations, and swears this allegiance before a rabbinic court.
- 4) A righteous gentile- A Noahide who lives by the Noahide laws, accepting them as revealed Mosaic commandments.
- 5) A wise gentile- A Noahide who lives according to the Noahide laws because he has concluded rationally that they are correct principles of behavior.<sup>247</sup>

According to Maimonides, the ideal is for gentile to be aware of why he is acting in an ethical way; he is fulfilling God’s will. Therefore, according to Maimonides’ reasoning,

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<sup>245</sup> Novak, David, p. 277.

<sup>246</sup> Novak, David, p. 294.

<sup>247</sup> Eugene Korn, “Gentiles, The World to Come, and Judaism,” in *Modern Judaism* 14 (1994): 265-287 by the Johns Hopkins University Press, page 274.

it is of concern to make sure all gentiles cease being pagan. The Jews can help the gentile on their development of purpose in the world.

The difference between a *ben Noach* and a *ger toshav* is in relation to the land of Israel. How a *ger toshav* differs from a *ben Noach* is summarized in Maimonides' Hilchot Avodat Kochavim 10:6:

When Israel is in power over [gentiles], it is forbidden for us to allow an idolater among us. Even a temporary resident or a worker who travels from place to place should not be allowed to pass through our land until he accepts the seven universal commandments of the descendants of Noah, as it is written<sup>248</sup> "They shall not dwell in your land." - Even temporarily. And if he receives upon him the seven commandments, thus this is a *ger toshav*. He may only be accepted during the Jubilee observance. But in the year that there is no Jubilee then we only accept a full convert alone.

Therefore, a *ben Noach* can only become a *ger toshav* when he lives in the land of Israel, and this status can be acquired only on the Jubilee year, which occurs every 50<sup>th</sup> year.

The understandings of modern halakhic communities continue the understandings of previous rabbinic authorities on this subject. The late modern leader of the Lubavitch movement, Rabbi Menachem Mendel Schneerson of the 20<sup>th</sup> century taught,

The Rogotchover Gaon [...] teaches that according to the opinion of the Rambam, there are two categories of non-Jews who observe the Torah's Universal Laws - also known as the *Sheva (7) Mitvoths* of the *Bnai Noach*. The first category is called a *Ger Toshav* (or a Resident Alien). During the times of the *Beis HaMikdash* in Jerusalem, when the Jubilee years were in effect (according to the halacha the Jubilee years cycle and its laws are only observed by the Nation of Israel when the majority of her inhabitants are upon her (i.e. the majority (or all?)) of the Jews are in the Land of Israel, and the holy Temple is standing). At that time, a non-Jew who wishes to dwell in the land of Israel, yet without converting to become a Jew, would have to accept upon himself before a *Beis Din* (a Jewish Court, consisting of three Torah scholars known as *chaverim*) to formally abide by the Seven Noachide Laws and thus he would halakhically assume

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<sup>248</sup> Exodus 23:33.

the status known as a *Ger Toshav* - a Resident Alien in the land of Israel.<sup>249</sup>

Rabbi Shneerson brings to light the issue that a *ger toshav* is one who lives within the autonomous Jewish community of the land of Israel. Therefore, he argues that a non-Jew who is active in the Jewish community in America should not be labeled a *ger toshav*, but rather a *ben Noach*.

The concept of the *ger toshav* as being limited to the physical land of Israel seems constant in Orthodox Jewish sources. The courts of Israel seem to include this perspective because they reflect an Orthodox understanding of Jewish law. Israeli Supreme Court Justice Menachem Elon summarizes the legal status of the *ger toshav* in regards to the country of Israel and Jewish law. He states,

According to the Halakhah, a member of a national minority is a "resident alien" (*ger toshav*). The only requisite demanded of him is to abide by the "Seven Noahide Laws"—the elementary rules viewed by the Sages as a type of universal natural law indispensable to a legal order and binding upon all civilized nations. A national minority has all the civil and political rights enjoyed by the other residents of the country: "A *ger toshav*, let him live by your side."<sup>250</sup> "A *ger toshav* is to be treated with the same respect and kindness accorded to a Jew, for we are obligated to sustain him...and since one is obligated to sustain a *ger toshav*, he must be given medical treatment without charge."<sup>251</sup> The Sages also said:<sup>252</sup> "One may not settle a *ger toshav* on the frontier or in an undesirable dwelling, but rather in a desirable dwelling in the center of the Land of Israel, where he may practice his trade, as it is written:<sup>253</sup> "He shall live with you in any place he may choose among the settlements in your midst, wherever he pleases; you must not ill-treat him."<sup>254</sup>

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<sup>249</sup> [www.Noahide.org](http://www.Noahide.org) "Lubavitcher Rebbe, Mh"m Likkutei Sichos 26:134.

<sup>250</sup> Leviticus 25:35.

<sup>251</sup> Maimonides' *Mishneh Torah*, Melakhim 10:12; *id.*, Avodah Zarah 10:2.

<sup>252</sup> Minor tractate Gerim 3:4, based on Deuteronomy 23:17.

<sup>253</sup> Deuteronomy 23:17.

<sup>254</sup> Menachem Elon, "Jewish Law: History, Sources, Principles" Vol. 4.

Translated by Bernard Auerback and Melvin J. Sykes. JPS 1994, page 1855.



He summarizes the two major concerns which relate to the state of Israel: 1) whether a *ger toshav* must live in the land of Israel, and 2) whether he can only become a *ger toshav* during the Jubilee year.

Rabbi Schneerson goes into further in-depth explaining why a *ger toshav* needs to wait until the Jubilee year:

Throughout the duration of the Exile (while the Holy Temple is not standing and thus the Jubilee is not in effect) a non Jew may not formally halakhically (in accordance with Torah Law) become a Ger Toshav, however he may become a Ben Noach by personally accepting upon him/herself the obligation to fulfill the Torah Seven Universal Laws, known as the Mitvoths of the Bnai Noach. One who does so according to the Rambam, is called one of the *Chassidei Umos HaOlam* (the Chassidim from the Nations of the the World) and he has a portion in the World to Come (i.e. the perfected life of Heaven on Earth after the time of the resurrection).

Therefore the goal, according to him, is to help the gentiles become aware of God's expectation that they live ethical lives by following the seven Noahide laws. In this way, the Jews continue to be a light to the nations. Also, within the diaspora the difference between the title of *ger toshav* and *b'nai Noach* is just a technicality. The role is the same for both categories outside the land of Israel.

Therefore, the Noahide is to be welcomed and to be allowed to participate within the Jewish community, but not as a full member of that community. The expectations are:

The Noahide laws involve three assertions: 1) they were promulgated by God to the sons of Noah, as described by Scripture; 2) they are obligatory for all humankind; 3) they enable one to achieve the bliss of the world-to-come. Now the third assertion is contingent on belief in the first, that is, if one believe God commanded these laws to the sons of Noah, then one is assumed of heavenly bliss. However, the second assertion can stand alone, independent of the first or third assertions.<sup>255</sup>

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<sup>255</sup> Novak, David, p. 278.

In summary, with the influence of the later rabbinic authorities, post-gaonic period, the definition of the *ger toshav* became fixed. He was to follow the seven ethical laws of Noah. Therefore, he is a Noahide that lives in the land of Israel and was granted the status of *ger toshav* during the Jubilee year. For the non-Jews living outside of the land of Israel, like in America, he can only be a Noahide. Therefore the only difference between a *ger toshav* and a *ben Noach* is that a *ger toshav* lives in the land of Israel.

In the non-halakhic world of Reform Judaism, these classifications are not binding. Therefore the hypothetical and detailed debate relating to jubilee years and other such particular and idealistic discourse are not incorporated in the movement's understanding. Reform Judaism will use Jewish law practically to answer the problems which occur in its community. Mark Washofsky summarizes clearly the view from the Reform establishment:<sup>256</sup>

Some proposals have been raised in Reform circles to designate the non-Jewish spouse or other relative of the synagogue member as a "*ger toshav*." The contention is that we would thereby reflect the reality within our congregations, where non-Jewish relatives are not outsiders but play an active social role and feel very much "at home." Reform responsa do not accept this suggestion, for two reasons. First, the term is largely meaningless. Since "*ger toshav*" can apply today to any person who adheres to a monotheistic religious faith, whether or not the person is related to a Jew, it conveys no special status for non-Jewish relatives that most other non-Jews do not already possess. Second, to create a special status called "*ger toshav*" might imply that this individual is a "virtual Jew" who enjoys the right and the obligation to participate with Jews on an equal basis in religious services and in the leadership of the congregation. Yet these rights and obligations flow from full membership in the Jewish community; they are restricted to Jews, who are bound with

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<sup>256</sup> Establishment is not meant negatively. Rather, the Reform Movement believes in individual autonomy, therefore each rabbi can make his or her own decision in regards to laws and customs. Therefore, Washofsky only represents the view of the leadership. In the following chapter, #6, there are examples how specific rabbis are using the term "*ger toshav*" and they do differ from his understanding.

God in a covenantal relationship. While we welcome the non-Jewish relative into the fellowship of the congregation, he or she can properly gain full participation in the community by becoming a Jew. We invite—indeed, we actively encourage—him or her to take this step. In the meantime, until they are ready to make this choice, we would not establish a special status for non-Jewish family members which might serve as a disincentive for them, ultimately, to choose conversion.<sup>257</sup>

His argument is clear and convincing. In regards to using “*ger toshav*,” as a title representing the halakhic status and dictating how a non-Jew can participate in the in the synagogue, this title is not appropriate. He is only looking at the functionality of one’s practices in relation to the commandment system.

However, I believe he falls short in his understanding. There are many different types of non-Jewish members in Reform synagogues, and therefore having some type of abstract classifications can help rabbis and synagogue leadership meet the needs of their congregants, both Jewish and non-Jews, and their families.

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<sup>257</sup> Washofsky, Mark, *Jewish Living*, pages 208-209.

## Chapter 6

### **The idea of two covenants and how progressive synagogues can use the covenant of Noah in assisting the non-Jew to find meaning in our community**

As this thesis has shown, the idea of covenant is central to Judaism. Over time and through many generations, the narrative of the Israelites became the story representing the lives of Jews in every generation. For the Jewish people, not only were their ancestors freed from Egyptian bondage and given the Torah on Mount Sinai, they too were present.<sup>258</sup> From the earliest times until modernity, the Jewish community has viewed the covenant with God as truth; and, as descendants of Abraham, the Jewish people viewed themselves as members of a covenant with God. In this religious-historical narrative, which may more accurately be labeled a “theological narrative,” God has personally chosen them and their ancestors over the rest of humanity.

The covenant and each Jew’s responsibility to fulfill it, by performing God’s *mitzvot*, has been core to the rabbinic understanding of Judaism’s place in this world. Therefore, Jews have had in the past—and continue to have—a special purpose. Because of this mandate, there was an urgency to fully understand how Jews were to fulfill their

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<sup>258</sup> There is a Jewish midrash (rabbinical story expounding on biblical passage) recalling how that every Jewish soul (including future generations and Jews by choice) was present at Mount Sinai and chose to receive the Torah.

obligation to God. This focus led the rabbis to discuss the role of the non-Jew in their midst only in the most minor way. In the vast amount of rabbinic literature, the rabbis only focus how the non-Jew fits into their system and how a Jew's interaction with the non-Jew has religious implications for the Jew. Also, the topic of the gentile covenant lacked importance for them; it was a secondary concern. This was partially due to the fact that the Jews of the Babylonian and Jerusalem Talmuds, lived a life that was separated from their gentile brethren. In later rabbinic generations, specifically the Middle Ages, Jewish separation from gentiles was more social-political than physical. In the Middle East Jews were labeled as "dhimmis,"<sup>259</sup> which required special dress and social requirements; and in Europe the Jews faced persecution, at times,<sup>260</sup> forcing the Jewish community to be on a perpetual migration throughout the continent. Also, rabbinic Judaism, up until the mid-20<sup>th</sup> century, existed in a world where the Jews had neither autonomy nor authority. Therefore, their understanding of how to treat a non-Jew within their community was necessarily hypothetical. However, their view of the ideology of the gentile was based upon the divine commands to Noah in the book of Genesis and generations of its rabbinic commentary. Because of this, gentiles were known as "the children of Noah."

By associating all gentiles with Noah, Judaism has created a world with two covenants. The first, and more prestigious, is the covenant between the descendants of Abraham and God; and the second is between the descendants of Noah, i.e. the rest of

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<sup>259</sup> Dhimmi are non-Muslims who believe in the Bible. Therefore, both Jews and Christians were classified as such. Religions considered outside the category of Dhimmi were not allowed to exist in Muslim lands.

<sup>260</sup> The persecution was not constant. There are strong examples of Jews living safe and healthy lives in Europe. However, each country, at at least one period of time, had sporadic anti-Semitism forcing the Jews to move to a new geographical area.

humanity, and God. As we have seen in this thesis, the Torah and biblical Israel were able to define societal roles based on the idea of these covenants. In the Pentateuch, only a person who was born into the covenant had the ability to be a citizen with full rights in the community of Israel. He was able to own land and slaves. He had ritual obligations and his society was based around the assumption that all of his fellow brethren were also members with this special relationship to each other and to God.

The “two-covenant” ideology had a definite hierarchy: those who were not part of the covenant with Abraham were considered gentiles, outsiders with less status. The status of the non-Jew was generally constant, but each genre of our tradition understood the specifics differently. How the Bible treated non-Jews was different from the rabbis in the Talmud, which was different than the codes of the Middle-ages. Each generation of Jews has interjected its own social and political realities into its explanation of how the Jews should relate to the gentile and what the gentile’s role in the world should be.

Even in the biblical society, not all gentiles were treated the same. The gentiles who gave up their identity and joined the community of Israel were granted special rights as a *ger*. These rights included protection, charity, and the ability to own slaves. To achieve these rights, these non-Israel men had to build a life that was centered around YHWH, leaving their idolatrous ways in the past. A monotheistic understanding of God was, ideally, required of all who inhabited the land. The *ger* differed from those who merely visited the land, but did not live in it; these visitors were considered “foreigners.” One’s status as a “foreigner” was not based on the amount of time one spent in the land; rather his status as a foreigner was the result of his worship of foreign gods. The canonized Bible shows the evolution from YHWH as the God of Israel, to YHWH, as the

universal God of the world. The biblical redactor hoped to base Judaism around the ideals of “one land, one Temple, and one God” for the Jewish people.

With the destruction of the Temple, the community of Israel faced new challenges. By being exiled to Babylonia, the Israelites were forced to accept that God had a relationship with other nations. To support this realization, while also protecting their ideology of covenant, some of the prophets revived the covenant of Noah and championed a message of Israel being a light to the nations, as was shown in chapter 3. The covenant evolved into the responsibility of the people Israel to remind the gentiles of their own covenant. When the gentile accepted this covenant, and truly recognized YHWH as “the one God of the universe,” he was labeled “God Fearer.” Through their adaptation and interactions in their new world, the community of YHWH began to accept that there was a possibility of plurality. With the historical changes which faced the community, especially with the destruction of the Second Temple, the faith of the community of Israel evolved into what today is called the religion of Judaism.

Judaism became a religion under the guidance of the rabbinic tradition. It was the rabbinic tradition that rejuvenated and brought its contemporary meaning to the biblical term “*ger*.” Since the Jews did not live in the biblical land of Israel, the term “*ger*” could not be used. However, the rabbis were concerned intellectually with how the community was to treat the non-Jew in their midst. Therefore they joined, most likely unintentionally, their ancestors’ understanding of the biblical *ger* with the understanding of *yirat adonai*,<sup>261</sup> introducing the rabbinical term *ger toshav*.

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<sup>261</sup> Hebrew for “God Fearer.”

The rabbis debated the meaning of *ger toshav*. They ruled that the *ger toshav* was the ideal *ben Noach*. This means that, for a non-Jew to live in the Jewish community, he was to follow the ethical laws set forth in Genesis for the descendants of Noah. However, there was great ambiguity as to the context of the seven ethical laws. Also, there was ambiguity in regards to how the rabbis believed the *ger toshav* should fit into the Jewish society. These discussions of the rabbis, focused around questions such as “How the *ger toshav* should be treated?” They debated over the times when he was to be treated like Jew, and when he was to be treated like an idolatrous gentile. Rabbinic schools of thought in the Talmud had distinctly different understandings, which led to many ambiguities in regards to these non-Jews living within the Jewish community.

Only in later centuries, with the emergence of the halakhic codes was the Jewish community able to systematically explain the classification of *ger toshav*. Moses Maimonides was the first great thinker to explain in detail the role of the *ger toshav*. He explained that the *ger toshav* is virtually the same as the *ben Noach* who lives in the land of Israel. He further explained the seven specific laws he is to follow: [in regards to] idolatry, blasphemy, murder, intercourse, theft, justice, and not eating meat that had been torn from living animals. Many later halakhic codes perpetuated his conclusions.

In the contemporary Orthodox and non-Orthodox communities the discussion in regards to the *ger toshav* has solely focused on his halakhic status. With the birth of the modern state of Israel, some questioned if this fictitious category could now become a reality. The Orthodox community, generally, argued and continues to argue that a gentile has the ability to be a *ben Noach*, but he cannot be a *ger toshav*. These authorities



support their ruling due to lack of the system of Jubilee, which occurs every 50 years under the Temple system.

For modern non-Orthodox Jews, the narrative of “covenant” has been challenged. Due to secular advanced studies, the average American Jew has questioned the “truth” of this belief. Each contemporary Jew struggles to balance modernity and classical rabbinic Judaism. The clash causes each Jew to radically reformulate his or her meaning in regards to “belief in God, the moral life, and the conviction that Jews had [in relations to] a ‘mission’ to bring the God of Israel to the rest of the world” which for some is related to the Messianic age.<sup>262</sup>

Over the last thirty years there have been deep questions and much study about what it means to be a Jew in this postmodern age, where every Jew has the ability to elect to be Jewish or not to be Jewish. He or she can choose to accept what traditionally had been seen as a birthright. One of my teachers, Eugene Borowitz, argues that “the individual Jew has the freedom and responsibility to determine for himself what he must believe and how he must live as a Jew. The individual Jew is the supreme and ultimate authority for shaping his Jewishness.”<sup>263</sup>

If one agrees with Borowitz’ understanding of Judaism today, then each Jew will face, either intentionally or unintentionally, the question of whether covenant is a religious myth. As Neil Gillman<sup>264</sup> explains “A myth can be understood as a system of symbols, extended and organized into one coherent statement of meaning. Myths are not facts; they tell us what the significant facts are and how they can cohere, but they

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<sup>262</sup> Gillman, Neil “Covenant and Chosenness in Postmodern Jewish Thought,” page 106.

<sup>263</sup> Borowitz, Eugene, *Renewing the Covenant*, page 114.

<sup>264</sup> A leading theologian in the Conservative movement of Judaism.

themselves are not objectively factual.”<sup>265</sup> A myth can be neither proven nor negated. A religious myth “promotes our ability to identify with that community, disclose unsuspected layers of meaning in our historical experience, generate rituals, grip us emotionally.”<sup>266</sup> Gillman further adds that when the Jew faces this core myth he can neither fully discard it, nor can he fully believe it. In reality he is both a tradition, pre-modern believer, who fully accepts all aspects of his or religion, while also being a totally dispassionate, critical student of religion. And because of these two competing tensions, the modern Jew is forced to go through a process to bring new meaning to the term “covenant” which he previously rejected. Gillman uses Paul Tillich’s term “broken myth.” The myth becomes broken when it becomes symbolic and non-factual. He maintains that for a Jew to chose to remain Jewish he or she must go beyond living a broken myth and reach a “second naivete”.<sup>267</sup> Most non-Orthodox Jews add symbolic meaning to almost every aspect of Judaism. Without going through this process, Judaism would either remain the cute stories of our childhood or we would choose to leave modern Judaism and become a Jewish fundamentalist.

I argue that Judaism must face the covenant of Noah with the same rationality of questioning its value and adapting the concept in a way that brings powerful and affirming resolution to our community and lives of all who partake in it, especially for non-Jews who are members and/or actively involved, as we have with our myth of the

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<sup>265</sup> Gillman, Neil, “Covenant and Chosenness in Postmodern Jewish Thought,” page 109.

<sup>266</sup> Gillman, Neil “Toward a Theology for Conservative Judaism,” page 15.

<sup>267</sup> This Paul Ricoeur’s term. It is labeled “second naivete” because this person goes beyond the original naivete of believing in the myth without question. This person has broken the myth and then chooses to reaccept it with modifications by adding symbolic meaning to the term. Source: Gillman’s “Covenant and Chosenness in Postmodern Jewish Thought” pages 110-112.

covenant of Abraham. Do we really believe that God has a different relationship with Jews than with non-Jews? And if we admit that there is symbolism associated with our covenant, then what is the symbolism associated with the covenant of the gentiles? We also have to be aware of the reality that in our postmodern Jewish milieu, our congregations consist of a sizable non-Jewish minority. Therefore, how we view the non-Jew in our midst is no longer theoretical. When we characterize the gentile, we are speaking about someone's spouse, child, sibling, and/or parent. We pray with these men and women. We study together. We volunteer together. We share our lives with them.

When we teach the two-covenantal system in its classical context, we forget that non-Jews and their Jewish families have chosen to join our synagogue and bring meaning to Jewish peoplehood. These families are continuing the Jewish legacy by passing our traditions to another generation. In many congregations, some non-Jewish members can be more active than many of the Jewish congregants. Too often, many in our community disrespect the non-Jew, by assuming he or she is on the periphery of our community and that his or her needs are secondary. I am not arguing for Judaism to become Unitarian, a system in which we adapt to the wants and desires of each and every type of family in our community. However, we should be aware that often the gentile member in our community has needs which can and should be met by the Jewish community. Instead of just applying pressure on this member to make "Jewish choices," we need to know his or her narrative. Furthermore, we rarely discuss the challenges the non-Jewish spouse and family members are facing in our community. The barriers that are in place within our congregations, disallowing non-Jews to lead or partake in specific ritual and religious actions, are appropriate at times, but these systems usually hurt or ostracize the non-

Jewish family member. We must be attuned to these challenges and work to make sure that we really accept and appreciate the non-Jew who faces these challenges and continues to participate in congregational life.

To combat these challenges, some colleagues have used the term *ger toshav* to help bring meaning and purpose to the role of the non-Jewish members of our congregations. Some of these ideas have been powerful and transforming. For example, Dan Levin, the rabbi of Temple Beth El in Boca Raton, Florida is contemplating “initiating a private ceremony in the sanctuary to honor those non-Jews he considers living *ger toshav* lives.”<sup>268</sup> Janet Marder, the previous president of CCAR “asks non-Jewish spouses to come up to the bima, where she blesses them publicly.”<sup>269</sup>

There are examples, I would argue, of rabbis who go too far and misuse the term.

An article at [interfaith.com](http://interfaith.com) explains an encounter that took place:

I received a phone call from a friend who was horrified that her husband had been asked to be a witness for a *ketubah* (Jewish wedding certificate) of a couple about to intermarry. In her opinion, although the groom had done *mikvah* (ritual bath), he was not prepared to call himself a Jew. The rabbi, however, had considered him a *Ger Toshav*, someone who had allied with the Jewish people, and was willing to perform the marriage.<sup>270</sup>

I do not agree that rabbis and synagogues should use the classification of *ger toshav* for someone who started the conversion process, but did not complete it. The concern I have is not whether this person is a non-Jewish resident within the community, for he is.

Rather, I agree with some of the concern of generations of rabbis, wrote extensively on this subject, and ruled that this type of person was not a “semi-Jew.” The rationale that the rabbi used in the quoted encounter supports the Jewish-right-wing concern that using

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<sup>268</sup> Rosenblatt, Gary, “When Intermarriage Hits Home” 3/3/06 in the Jewish Weekly.

<sup>269</sup> Rosenblatt, Gary, “When Intermarriage Hits Home” 3/3/06 in the Jewish Weekly.

<sup>270</sup> Rayzel Raphael, Geela, “*Ger Toshav*-Sources for Contemporary Application.”

the term will indicate a de-facto conversion. However, the rabbi explained that she had made this decision in good faith to the Jewish people:

Marsha, the rabbi, said that she was trying out this new formula as a way to deal with intermarriage. "Conversion is a scary word and most people are not ready to give up their past identity. However, many non-Jews have agreed to raise their children Jewish and affiliate with the Jewish people."<sup>271</sup>

This rabbi seems to believe that if a family joins a synagogue and allows the children to be raised as Jews, then this person should be considered a *ger toshav*. I disagree. By amalgamating all of our non-Jewish members into one category, we do a disservice.

What is most astonishing is the silence in liberal Jewish circles regarding the meaning of covenant for the gentiles. There has been a focus on the ethical responsibilities of each non-Jew, but no one has talked about the logical positive consequence of this understanding: the sacred relationship that the gentile shares with God.

Why has the spiritual development of the gentile been absent from our movement's conversations? Rabbi Eric Yoffie spoke at the 2005 Biennial in Houston about how synagogues should ask active non-Jewish members, "Have you thought about being Jewish?" The implications of this practice blinds us from the reality, that many of our congregants, both Jewish and non-Jewish, struggle with making meaning in regards to how God impacts his or her life. I assume many non-Jewish congregants can't answer the question about becoming Jewish because their faith development has been stunted or is absent from their current life. They must first figure out how they feel about God before they can address Judaism. There are even some non-Jewish congregants who

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<sup>271</sup> Rayzel Raphael, Geela, "*Ger Toshav*-Sources for Contemporary Application."

previously had a bad experience with religion which has deadened their relationship with God. Therefore, I think we need to take a step back and first appreciate the non-Jew in our congregation as being *betzelem elohim*, made in the image of God. We should be able to appreciate him or her as is.

Also, I do not think we should use the term *ger toshav* to dictate or categorize non-Jews in our community on a practical level related to participation within the community. For example, as a non-halakhic movement, we do not need to ask, “What is the halakhic role of the *ger toshav* in regards to communal practice? Should a *ger toshav* be allowed on the bimah? Should a rabbi marry an interfaith couple? These are important questions to ask, and Jewish law and traditions are important. I, however, believe that the term cannot be used in this manner. Menachem Elon argued wonderfully, as noted in chapter 5, how the term does not have halakhic value; instead of the term, communities should use the term *ben Noach*.

By not using only the term *ger toshav* to represent a non-Jew who has found a home in our community and is in covenant with God, we will bring respect to the term, to these non-Jews, and to our Jewish heritage. But since this is a very specific meaning, I think the Jewish community should think about using terms to help represent the spiritual and social reality of non-Jewish members in our community.

These categories should not be used as labels; rather we use these understandings to help clergy and congregational leadership think creatively about the needs of the interfaith families in their communities. In a way they can be used as case studies reminding us how different types of non-Jewish members may relate as participants in

our community. I believe that, if they are used properly, the terms below can assist in helping non-Jewish congregants feel more comfortable and at ease in synagogues.

The category which can exemplify a type of non-Jewish congregant is a *naikhar*. Directly translated this term means “foreigner,” which in actuality is how some non-Jews feel within our community. It is important to note, that this should not be a term labeled on a person, rather we are reminded how easy it is to feel like an outsider. This type of person can be in our congregations.<sup>272</sup> This is the person who sees him or herself as outside of the community. He or she is a non-Jew whose “family belongs to the synagogue,” but who does not see him or herself as part of that membership. Some of our non-Jewish members rarely enter our buildings. A *naikhar* may occasionally come to the synagogue for a life cycle event, like a child’s bar or bat mitzvah. He or she may be connected to another house of worship, or this person might not connect to any institutional religion.

For this type of congregant, we should be welcoming. We also need to remind ourselves to control assumptions. From personal experience, it seems that some leaders in the congregation can make negative assumptions about the level of support this person has for his or her family being Jewish. Remember, simply because he or she is uncomfortable with the synagogue does not mean there are negative sentiments. Some people are shy, or are simply awkward in a new situation, such as in a synagogue. The clergy should learn his or her name and know their basic information. Only when we know who someone is can the institution become a welcoming place.

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<sup>272</sup> The term should be used in similar ways as we discuss the “Four Sons” in the Passover Hagadah. We talk about four types of people symbolically.

I think it is also important to try to learn the *naikhar*'s story. An example is a rabbi inviting the *naikhar* and spouse for a discussion, or going to their house for a meal. Find out why the family joined the synagogue, and if there is any way you can help the family and the non-Jew on their journey. It is important to see if the non-Jewish spouse is supportive or not, and if he or she is a silent partner. In my experience, I have found that some non-Jewish spouses do not come into the synagogue because they do not know any people there and the institution is awkward for him or her. Even so, he or she might be interested in learning basic knowledge or traditions for their home. I recommend that the synagogue have ready resources for this person to be able to learn and deal with challenges he or she is facing. The goal should not be, "How can I get this family to become stronger Jewishly?" I have been told by some congregants that they are "sick" of the congregation always saying, "Come and be like us." Our first concern needs to be about the health of the family. When we help to support families, we build trust with both spouses. I think Jewish leaders and institutions need to be aware that when we "shove Judaism down the non-Jew's throat," many times we are building up a dynamic for the *naikhar* to have negative associations with the synagogue. If one of the spouses is totally against the family belonging to a synagogue, it is most likely that the family will not become members. Therefore, membership means that the *naikhar* by and large supports the family's decision in some fashion, even if it is apathetically.

The second group of gentiles who are in our synagogues should be classified as *Yirei Adonai*, "God Fearers." This is a person who feels comfortable in our synagogue, but also has a house of worship in a different faith. A God Fearer is one who participates within the community; this is main difference between this term and Foreigner. He or



she associates with Judaism and/or the synagogue. In the congregation I currently serve, *Yirei Adonai* (God Fearers) at times serve on the board, serving specific functions like secretary and social vice-president. *Yirei Adonai* can have a very strong and personal connection with the community. He or she may be actively involved in programming. Often these congregants strongly support their family's affiliation with the synagogue, but they remain with their birth religion. They may come with their family to services on Friday night, but also attend church on Sundays. The concern some clergy and synagogue leadership have is that in this type of family the children will receive mixed messages about religion. I definitely share this concern. However, I realize that as a rabbi, I do not have the power to dictate to a family how they are to live in their home, nor would it be appropriate in the 21<sup>st</sup> century to attempt to wield such power. I agree with the current Reform responsum stating that our children need to be raised in one religion.<sup>273</sup> And, as a synagogue, we need to reiterate this message. However, this concern touches only a minority of families in which there is a spouse who is a *Yirei Adonai*. Many of the families where the non-Jewish spouse is a *Yirei Adonai* have chosen to raise their children to be Jewish. For these congregants we need to be loud and clear in our support and appreciation of the choice that they have made for their family and the Jewish people. There are real challenges the *Yirei Adonai* faces being the only non-Jew in his or her family, and congregations would be wise to have support groups for *Yirei Adonai*. This forum has the ability to offer these members a place where they can openly discuss the challenges and hardships that they face.

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<sup>273</sup> Responsum title, "Christian Children in Religious School," dated January 1989.

The third category, and the focus of this thesis, is the *ger toshav*. He or she is a person, who is not connected to another faith and is actively involved in the Jewish community. What separates a "*Ger Toshav*" from a "God Fearer" is that a *ger toshav*'s only religious home is within the Jewish community. He or she has left his or her birth religion, and no longer is a practicing member.<sup>274</sup>

Many *gerei toshav* may agree with some aspects of Judaism, while disagreeing with others. They may have incorporating aspects of Jewish culture and tradition into their lives. The one view that unites the category of *ger toshav* is that each one sees the synagogue as his or her community. The *ger toshav* is not looking for answers in other religious theologies; rather he or she is struggling with his or her relationship with God and life.

In sum, the liberal Jewish society needs to be doing more for our non-Jewish congregants. The first step is to be welcoming, and synagogues in the 21<sup>st</sup> century should be publicly acknowledging the choices of all congregants and thanking them for raising their families within the Jewish faith, especially in regards to the non-Jew and his or her challenges with respect to this family decision. Also, just as many congregations have bereavement and other support groups, the synagogue should allocate resources and training to make sure the staff and leadership are able help the non-Jewish member with problems commonly associated with a non-Jew raising a Jewish family.

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<sup>274</sup> There are some ambiguities. Does this person need to give up cultural ties to Christian American society? For example, does he or she have a Christmas tree for non-religious reason? I do not feel comfortable making a formal judgment on this matter. I have realized that traditions for many are non-logical and that many Americans, both Jewish and non-Jewish, find meaning in secularized holidays and activities. As a rabbi, I do have concern, but that concern is for a different forum than this.

In connection to this idea of support, the clergy should have the ability to give pastoral support to the non-Jewish member, helping him or her (if wanted) with spiritual development. The style of conversation should be the model taught in clinical pastoral education. In this system, the rabbi or cantor helps the *ger toshav* search deeper and really explore their relationship with God and the world. We should go beyond the goal of helping only those who want to convert. As we have seen in this thesis, the Jewish people have a narrative for the Jew in our midst, which may help some of our non-Jewish members find meaning and support within our community.

The Jewish narrative of the *ben Noach* or *ger toshav* can only be helpful for a non-Jew who is searching for his or her place within the community. He or she must choose for him- or herself. We cannot give a religious myth to another person; he or she must find personal meaning in order for the myth to become his or her personal story. One who sees him or herself as a *ger toshav* will acknowledge they too have ancestry in the Torah and the history of the Jewish people. By having a postmodern understanding, of redefining the purpose and meaning of the term in a way that brings meaning to the personal narrative of the believer, a non-Jew can also share his or her covenantal journey with the congregation. If he or she truly finds meaning in this concept, through his or her spiritual development, the covenant will stay strong. Gillman notes that, "A community will never abandon an ancient and revered formulation of the content of its myth until a replacement has been found. In fact, myths are never discarded as a whole [...] segments or individual symbols within the myth die for segments of the community or for individuals within the community at different times."<sup>275</sup> Therefore, the covenant of Noah

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<sup>275</sup> Gillman, Neil "Toward a Theology for Conservative Judaism," page 15.

is helpful even for one who will one day become a member of the covenant of Abraham. The myth never ceases, it only changes; this change is only able to occur when there is a new meaning associated with the myth, and then the old concept can die.

When we accept each member for who he or she is, only then will the non-Jewish spouse be comfortable in exploring his or her relationship with God. When we push an agenda towards conversion, which has been the stance of the Reform movement, I believe we cause our non-Jewish congregants to “put up a wall” and be defensive. If we want interfaith families to “make Jewish choices,” we, as a synagogue, also need to be open and vulnerable. We need to be accepting and truly care about the person and not just his or her choices that please us. Instead of trying to “make” them into some specific idea, we should offer to be partners in their exploration.

The Reform movement is beginning to accept the challenges and struggles facing our community in the 21<sup>st</sup> century. I contend, based on the research of this thesis, that the issue of the non-Jew in our midst has been a concern for Judaism in every generation. We have a heritage of respecting and valuing these non-Jews. Our ancestors have taught us, that, when we help gentiles develop a sense of spirituality with God; we are making the world and our communities a better place. In the end, Judaism has a strong messianic dream of a whole and complete world. By offering a hand, and welcoming the non-Jewish congregant to join us on this mission, we are bringing peace to our congregants’ homes, to our congregations, and to the world.

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Avodah Zarah 64b, 65a  
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Yoreh De'ah 124

## Shulchan Aruch

Yoreh De'ah 124:2



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הוא, תורה לפרט דיוקתה

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**ביקורות.** פ' בקוערעס לעבדן לן לשון יקר אלס צוהלים פירע  
ביקורתן לשון ציקור וכן <sup>10</sup> (זא הענוט) יהיה לי  
לנאק וז"ל ש'הייד יתירה מניה היא במסורת עם ז"ד של מי  
וקן למעשה כלומר מנקרות לן יעומדות למשך:

לאבדנה ביום אדם אמר "ענא ביה" דלא  
פלה לעבודת כוכבים א"ל רב יוסף והתניא  
"אזרח נר תושב ששקבל עליו כפני י  
חברים שלא לעבוד עבודת כוכבים כי הניא  
הניא להחיותו והאמר רבה בר גר הנה א"ר  
יוחנן נר תושב שעברו עליו י"ב חדש ולא מל  
הרי הוא כמין שבעובר כוכבים התם כגון  
שקבל עליו למול ולא אמר רבא אכתי לא  
שקבל לרבי שישך ביום אדם אמר דענא  
ביה דלא פלה לעבודת כוכבים אול אשכחיה  
דתיב עד צוארה בוודא וקיימן זונות  
ערומות קמה א"ל לכו כהני עולמא  
רחמי א"ל דרין עדפא מפי מרמי א"ל מפי  
מרמי א"ל מה א"ל אתון איכא עולמי אימתא  
דמלכותא אנן לא תהני עלן אימתא  
דמלכותא א"ל אנא מרמא מאי אימתא  
דמלכותא איכא עלי עד דתיב אתא הניא  
פרסחאק מלכא א"ל קום דקבעי לך מלכא  
כי נפק ואולי א"ל עטא רבני למיחוי לך  
בישווא תיפקע א"ל קבא אמן פקע עליה  
דבר שישך אמר רב פפי איבעי ליה למימרא  
ליה מרמי קרא "בנות מלכים ביקרוחק  
נצבה שגל למימך בכתם אופיד אמר רב  
נר יצחק איבעי ליה למימרא ליה "מרמא  
עץ לא ראיתה אהלים וולחק עשה למכת  
לו: שברו לעשות עמו במאה אחרת:  
ואע"ג דלא א"ל לעיתותי ערב ורמינהי  
"השוכר את הפעל ולעיתותי ערב אמר לו  
העבר תבית ש"ן נפך ממקום למקום  
שכרו מותר טעמא ליה לעיתותי ערב אין  
כול יומא לא אבר אבי כי תגן נמי מתניתין  
דאמר לעיתותי ערב תגן רבא אמר לך הנה  
דאמר ליה העבר לי מאה תביות במאה  
פרוטות הא דא"ל העבר לי תבית תבית  
פתעל ואמר לו העבר לי מאה תביות במאה  
ש"ן נפך ביניהן שכרו אסור תבית תבית  
נפך ביניהן שכרו מותר: השוכר את התכמר  
ר: הא תו ליל הייט רישא סיפא איצטריכא  
שהיה עובר כוכבים לעני עליה שכרו  
הוא לאותוביה ורמינהי "השוכר את התכמר  
וממונותיו של אותו תדך כמאן ואילך תמר  
עורים ותבן וממונותיו של אותו היום כמאן  
אבי נהי דלעין דינא היא לאותובי מרמא אי  
כי ליה אגרא דלעיתו הדד אי דשכית למזבן  
למזבן שוכר נמי לא לעבד אמר רב פפא  
למזבן מאונא לאונא תמר דרכה למיטרה  
ח ולמזבן אבנה דרב אחא כריה דרב איקא  
הנה

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רש"י היה שוכן על חפזים וחזק  
בדבר הגמל אותו כד פנר של פנר  
**במאונא** יצא. פי' ממסע למסע  
נעם אותו רשע בלוחו היום בהרעם  
האש מחלה ולט מקנת במקומות הללו  
ממחר להיות שם בלוחו האש:

[illegible]

החוקרים

[illegible]

האשה נקנית פרק ראשון קדושין

לקרובים. אחי' אצל מלך יעקב  
מחיל. ודומה לכל לזהו כבוד  
שמואל. ודומה אל שמואל  
שמואל. ודומה אל שמואל  
שמואל. ודומה אל שמואל

קדושים והלא דין הוא אם מטהר לפסחין  
א ומטהר לקדושים מה למטהר לפסחין  
ואם רצו לייקד מיעד מטהר לקדושים  
ואם רצו לייקד אינו מיעד אמר קרא לאמה  
אלמר שומטה לקדושים ור"ם לפסחין נאמא  
היה מזהב הנאמא לזה לר"א בקדושים סבר  
היה כרובן האמר \*אין מטהר לקדושים הני  
הוא \*מטהר לאביו ואין מטהר לבנו והניא  
יודק אין מטהר לא לאביו ולא לבנו בשלא  
יודק מטהר לא לאביו ולא לבנו כרובן אמר  
זוכה לאביו ואין מטהר לבנו כגאן לא  
כרובן ולא כרבי אלעזר לעולם כרובן  
הזרובן והכא ראיכא עד יעד : ח"ד \*אם  
נגפ יאמר בגפ יצא בגפ נכנס בגפ יצא  
בגפ יאמר בגפ יצא אמר יודק נכנס יודק  
נא מאי (כגפ) בגפ נכנס בגפ יצא אמר  
בא לומר שאני יצא בראש אברים כעבד  
ל"ל אבי' והוא \*מלא חצא כצאה הערבין  
נאקא אן מדרם חצא אמנא נחוי ליה רמ  
נאקא תופש קפ"ל ר' אלעזר בן יעקב אמר  
יודק נכנס יודק יצא מאי יודק יצא אמר רב  
רפ"ן בר יצחק רבי קאמר \*יש לו אשה  
בנים רבו מסר לו מסר שפחה איהו  
שפחה ובנים אן רבו מסר לו שפחה כנענית  
היה \*נכר כנעה והשפחה תופש קל מאדים  
צ"ן שאן מדשכין לו אלא מה שנאמר  
בסבף מקונו נמכר בשאדים והכסף תוסד  
ל"ל מה צ"ן שאן מדשכין לו אלא מה  
למולד למסר \*כפי שצו אין לי אלא עבד  
ונמכר לעבד כוכבים והאיל ונאל בקדושים

[illegible][illegible]

מ"ה דהא לא תנינן . דתנא  
 אלא הנין ספ' נא' וק' וסלוא  
 סא לא נא' יחד עד שש  
 דתנא דתנא לא נא' דרס  
 נא' ונא' אלא לא שש נא' ד  
 עד דקלא מה ששטס : אפי'  
 דמא סא עינא לא מנא .  
 דרס נא' מנא מנא מנא  
 דרס נא' מנא מנא מנא

מחבר בית אקן סאדי סאבד מנחם זלמן  
מסעות הוא חרש וסלן ו יקנה תשלומי

כ

**שאלות** יולא ברה"ק אברהם מעבר • יוסף יולא גרע מעבר מעבר קצו  
האט יולא גאס רובל ובערשן כסף ובערד דא הכה  
ואזשט דא יולא ברה"ק אברהם:  
קצו  
קצו  
קצו

[illegible]

עבר ל' ופשו ליה תאחד תיחד  
 ליה תאחד כפי אפי' תיחד  
 כן תעמוד לא אחי קדו' לא תבא  
 ואלא תבאך יקד' ואלא אחי אפי'  
 ואלא תבאך תבאך אחי קדו' תבאך  
 תבאך ו' כפי אפי' ואלא תבאך  
 ואלא תבאך תבאך תבאך תבאך  
 ופשו ליה תאחד תיחד תיחד  
 ואלא תבאך תבאך ו' תבאך תבאך  
 ואלא תבאך תבאך תבאך תבאך  
 ופשו תבאך תבאך תבאך תבאך  
 ואלא תבאך תבאך תבאך תבאך  
 ואלא תבאך תבאך תבאך תבאך  
 ואלא תבאך תבאך תבאך תבאך

[illegible]

שכד לנודה שדא אמר אבי  
ן לאבי מכר הו קרא אימא  
א סא חיה חרשינה לקלא  
כמא לנביה \*הרגא כ"י סב  
חלמא אתה איכל פת קנה  
א שחא יין חדש אתה ישן  
ז כל הקנה עבר עבר כקנה  
כי הכי ולא לצמקד ליה רמ  
\*הרגא רבי זסי ברבי חנינא  
ת ארס נישא ועתה בפרח  
כ"שנת הויבל (ה) חשבו  
לעמיתך א קנה מד עמיתך  
ר את שוחתי שנאמר כי  
ד שמר את ביתו שנאמר  
א רתם דאמר לא רתיש  
הנא \*דאמר רב הונא כון  
תרה לו סלקא דעתך אלא  
את בתו שנאמר ויבי יסבד  
כחא ענינא הא קמ"ל נחבן  
חיה מרעא תפאקדא ודא סמטא  
י יסד אדון וספד יד עק  
קד שמר את עצם שנאמר  
אמר לער ולא לער דוק אלא  
ר מוכבי כשהוא אימר לעקד  
וה

וְיִי יִתֵּן שָׂשׂוֹן • כָּל נֶסֶד מִדָּמָה  
יְיָ וְכִי תִשָּׁג יָד גֵּר וְחֹשֶׁב מִקֶּץ תוֹ:

**הנחת הבית**

(א) נח כבוד פסל  
אלה המצות : (ג) רש"י  
ר' אלעזר שם דף ט'  
כל מה שהיה שם וזה  
הוא : (ג) רמב"ם  
תוס' דף ט' (הקדמה)  
ו' ל' ב"מ כ"ל והנה  
הוא משה עמו :  
(ג) חזק דף ט' כ' ל'

וְיִיחַד לְפָנָיו • כָּל נֶסֶד מִדִּבְרָה  
וְיִיחַד יְיָ נֶר וְחַיִּים מִקֵּץ יוֹם :





[illegible][illegible]

אֵלֶּם הָיָה אֲחִיבָהּ רַבָּא לִרְבֵּי חֲסִידָא דִּרְבִּי מַחְמַשׁ  
בְּדִי אֲרַם לֹא בְּדִי שְׂמִים רִיקָא נִמְי רַבְחִיב  
י לֹאֵלֶּם לֹאֵלֶּם וְלֹא לֹאֵרֶם אֵלֶּם רִינ  
לֹאֵרֶם אֲחִיבָהּ אֲבִי לִרְבָּא דִּרְבִּי נִם צִדִּיק  
יֵה יִעֲוֶתָהּ הִשָּׁב אִשָּׁה הָאִישׁ כִּי נִבְיָא הָא  
אִשָּׁה

[illegible][illegible]

(\*) רצונו הן להימנע מלעשות מעשה, והן להעשותו, וזהו שכתבנו שיש להבחין בין שני סוגי חובות.

[illegible]







עין ששם  
ג' מצות

[illegible][illegible]

שְׂמַאל אֶחָד שְׂבִיר שְׁעוֹת דְּרוֹם  
הַלֵּילָה וְכֵל הַדּוֹם תֵּנֶן שְׂבִיר שְׁעוֹת  
כִּי רַב לְחֻדְחֹן קִרְצֵי שְׂבִיר שְׁעוֹת  
כֵּל הַלֵּילָה תֵּנֶן הִזָּה שְׂבִיר שֶׁבֶת  
וְעֵבֶה כֵּל הַדּוֹם יִצְאָה בְּלִילָה טוֹבָה

וְהוּמָשׁם בְּלִי תַעֲשֶׂק שְׂכִיד  
וְהוּמָשׁם לֹא תָבֹא עֲלֶיךָ הַשְׂמֵשׁ  
יֵאָמַר לִכֹּחַ בִּימְכָא אִמֶּר רַב חֲסֵדָא  
וְנָל אִד חֲסֵדָא לָךְ וְשׁוּב לָךְ  
לֵךְ לְךָ חֲסֵדָא לֵךְ לְךָ

ו' אינו נשבע ונוטל יאם יש (אם יש)  
 ינר תושב יש ט משום ביוט  
 שביד אחד עד בק: גל' מי  
 וס' ברבי יהודה מא' היא דתניא  
 מאחד

כל היום שבו שעות דלילה טובה כל הילילה  
טובה כל היום ושבו שעות דלילה טובה כל ה  
טובה כל הילילה וכל היום חזקתא ורב אמר  
יום טובה כל היום שבו שעות דלילה טובה  
שבו ודש שבו שנה שבו שבו וזא ביזם

מִשֶּׁם בֵּל תִּשְׁקֹא אֶת רֵגְלֶיךָ וּמִשֶּׁם בֵּל תֵּלֵךְ  
עֲנִי וּמִשֶּׁם בֵּל תִּלְךָ וּמִשֶּׁם בְּיוֹם חֲתָן שְׂכֵר  
הָיָה דְּאִכָּא בִּימָסָא לִיכָא בְּלִילָא דְּאִכָּא בְּלִילָא  
יִשְׁם שְׂכִיחָת בְּעֵלְמָא "אִידָהּ הוּא עוֹשֶׂה וְאִידָהּ הוּא

3 \*שְׂבִיד בּוֹמֵט נִשְׁבַּע וְהוּמַל \*עֵקֶר וּמִטָּה  
 4 עֵדִים שֶׁחִבְעוּ (בּוֹמֵט) הִרְיָה נִשְׁבַּע וְהוּמַל  
 5 חָתָן שֶׁבָרָה וְאֵין כּוּ מִשּׁוֹם לֹא הִלֵּין פְּעוּלָהּ  
 6 מִתְּנִי לֹא תֵּן קָמָא דְמֵאדָּךְ וְלֹא רַבִּי י

[illegible]

עבר. כל שם שטען: מידע ידע  
 ענין ויחל דוקא סמך. לרבי  
 נחמיה האב אשיל דא ליה חשה  
 גביה לא עבר דליתיה דא עבר  
 ליה וכן דחזא קאז לא עבר ד  
 לא עבר דליתיה (אין שום עבר

עלו אלף בקר רחשן: חלל משה  
כל תפסה עורב. משה הבוק וחלף:  
פזר שעות דיוס. גשבר לו קן  
בבקר עד חטט: גופה כל היום.  
הוא כלשה פזרוש חללות וחלפה  
חלף חלף. שחור שחור חללה גופה

כל היום. ולשעלה עמוד האר  
צבר מים כל תוך וזה בשעבר  
ש קדם לן: והמשל לאר שר  
שעת דום האר טובה כל היום.  
מקצתם ואלן לילה האר ואר יום  
מקצתם שר האר טובה וזה כל

אליה וכל היום שהיום סוף אחר  
אליה סוף וסוף כלל יום זה  
ואז דמי לסוף יום דאחרי סוף  
נבנה אלא כל אליה : תע סוף  
סוף נבנה כל אליה וכל היום

במלכות ששנה שוק נה נבחרה  
עצום וזילה אלף רב במה שוק  
לה: בלדדן: וזה קלאר שדר עצום  
יש עבודה כל מילה ויש עבודה כל  
יום ובחזקתו חזק: יאל מילה וסי:  
אלמל מילל ומעשה פעולתו מילה

היה זה שער שמואל וזוהי הקדמה  
 טובה כל בלילה וכל היום : תשובה לא  
 תבוא . וזה ואקדמה בלילה שך  
 (דף פא) (לכנס שער שמואל דף ג)  
 תשובה תלמוד וריבית ואנשים נפלא :  
 ה' פחות . תשובה לא תבוא

אם רען וואס צוואל וואס חסן וואס  
 שטחן שטיר ער ווארפן ביזנעס חסן  
 שטיר וואס חסן ער וואס חסן וואס  
 ביזנעס חסן ער שטיר - וואס חסן  
 וואס חסן וואס חסן וואס חסן  
 ער חסן וואס חסן וואס חסן

כן יס מחן בשמחת לילת ויש מחן  
 בשמחת זמ : גול - משמע שאנו  
 בידו חידו מתקם מפ' חשוק ודכו בים  
 (שמואל ב ג) ויגזל את הארץ חיד  
 התארי וכן (שמואל ב) בבטלי שכם  
 ויגזל את כל אשר יעבור עליה

כוונתו : מחנך לה רב ששט . מל  
 כוונתו טועם דקא מבר ליה ואל  
 מחנכים פלי בשדה מאים קרבן  
 שטועה דמבר (ויקרא פ) וכתם  
 במחנה בפקדון ו' נכסותה ד' ו' :  
 אלל שט רב ששט ו' . ל' ו' מרד

לגלגל כ' נחשוך לך רחל חזר ליה דפ  
לא כפר שטותה רחל : דנאליה ודחיה  
בביר כפר ונשבע ונשבע נול לא ולי  
לך שטותה רחל בעון דחזר כפרה :  
וכתב בפניהו בגול כשה שיה נחל  
תעשה : דנחל וכתב בטובה דחיה

בכחשה ולא נקרא פסק על ידי דר  
גמרא יצא ליה דכחש אהרן חזקיהו  
בעל הבית לחטוי חן לו בדבר פירות  
שחשבו בו חזק: גר תושב - שקב

[לחל חג - חג]  
חג, חג  
חג, חג  
[חג, חג]

נ

**אינינה** אלא סוף ונקטת אחת מה אלה תקו ואל דכתיב (נחמה לה) נבי חזק הילולה והספק לא תאמז דרנא כפי דלשון מהא אלא נחמינה לא כדנא דדמי ולא בדיקן ונכאמזכו מליה לחיבה מחדתה טיבחה שדנחה חרמנה לחיבה כח כן דנשדחה לפי שדחה

[illegible]

י' כח ט"ז דבני נבי ל' דמאן אלה  
קדש נבי כלל אלה ל' יתח אלה  
ידבק ביה **ישיש** כ' יקל לה' י'  
חיה אל ח'לשך ח'דשק ב'פ'ק מ'  
ש' (מחל' חסד' ג') ל'ד' תפוק י'קל  
שכד פ'דח' סכ'ס' ח'לשך כ' יקל  
ל'ש' ח'לש'ס' ח'לש' כ'ה ב'ת'ק'ן  
ח'ה ח'ס' ד'ת'כ' ב'ה ו'כ' ח'לש'  
ו'כ'ד ח'לש' ל'ש'כ' פ'ח' ח'לש' ח'לש'  
י' ח'לש' ח'ק' ח'ק' מ'כ' ל' ח'ס'  
ח'לש' כ'ה כ'ה ח'לש' ח'ת'כ' ח'ה ח'ס'  
ח'ה ח'ק' ו'כ'ד' ח'לש' ח'ה ח'ק'  
ל'ח'לש' ח'ה ח'לש' פ'ח' ש' י' ח'לש'  
ח'ה ח'ק' כ' יקל ח'לש' ח'לש'  
ל'ח'כ' ו'כ' ח'לש' נ'ב' ו'ק' ש' ח'ס'  
**ו'ק' ח'לש' ח'לש' ח'לש' ח'לש' ח'לש'**  
ל'ה ח'ק' ו'כ' יקל ח'לש'  
ל'ח' ח'דש' ח'לש' ח'ס' (ח'ס') ח'לש'  
כ'ה ח'לש' ו'כ' ח'לש' ח'לש' ח'לש'  
ל'ח'ש' ח'ה ח'ה ח'לש' ח'לש' ח'לש'

[illegible]

עליה חיה: תחיה: מתי: ובזה  
ובזה לא תחיה: אלא שם: בזה  
בזה שם: אלא שם: יקבל: אלא  
וג': (יקבל: כד): אלא: אלא: שם:  
דכח: כה: (בזה: כ): שם: שם:  
שם: ומה: אלא: לא: תחיה:  
כח: וזה: תחיה: שם:  
תחיה: על: בזה: שם: ה' שם:  
שם: לקבל: דשם: שם: ה' אלא:  
ה': לא: תחיה: אלא: שם: אלא:  
לכח: לא: תחיה: שם: שם:  
תחיה: שם: בזה: שם: אלא: שם:  
זה: שם: אלא: תחיה: שם: שם:  
ה' שם: אלא: תחיה: שם:  
ואלא: שם: שם: שם: שם:  
שם: על: שם: שם: שם: שם:  
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[illegible]

וְאֵלֶּיךָ יְיָ אֱלֹהֵינוּ

ה'תש"ח

מלכ'ם בלעז ר' א

10. 333 11. 01

የጥያቄው ዋጋ (የጥያቄው ዋጋ) : 100

• 1994 •

## Discussion

המחיר הנמוך ביותר, 1.5 שקלים, נקבע עבור תשלום המס הכספי.

2017-18 2018-19 2019-20  
 2020-21 2021-22 2022-23

שלהם לא תהיה חובה

ת"ת תר"ח

המבקל של שם וזה

מקדחין על קולת השמים

2000年 12月 15日

1991-92

॥ श्रीगणेशाय नमः ॥  
 ॥ श्रीगणेशाय नमः ॥

בתי ודסה ודסה פנקס

ਸਤਿਨਾਮੁ ॥ ੫ ॥ ਸਤਿਨਾਮੁ

הנבחר בלבן והשחור

התאחדות המורים

53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069

אברהם אבינו בפי' חסד . רמב"ם

אז כל המצוינות

מחלקת המחקר והפיתוח

המלך דוד ור' בריע

1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777

**עם רשוד . אכל :**



## בן

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דכתיב ו'תשרה הארץ לפני האלודים והנא  
דבי רבי יעקבאל בבל סקס שנה \*השרה  
שמיאל דבר ויטה מורחם כוכבים דבר ויטה

שנא' ליה' השתחל בש' את הדתו ענדתו טככים רכתיב' לן' השתח' וקשת' ונ' ואדך' אחידיו דקא מל' שפיט דמס' רכתיב' שפך' דם' האדם' ונ' ואדך' קליהו' הא' דקב'ל' גל' דכתיב' כדק' עשב' נחלו' לם' את' כל' ואד' ליד' כדק' עשב' ולא' כדק' הוא' ואדך' הוא' למש' בש' הוא' דאמא' אבר' כן' דדד' רכתיב' אף' בש' בנפיש' דמי' לא' תאכל' ואדך' יהוה' אלמשי' שר'ה' הוא' רחמא' סדוס' רכתיב' שר'ה' בארן' ורבי' ב' ואדך' לטריה' בעלמא' כלאים' רכתיב' שפ'ה'ק' למס'ה' ואדך' הוא' לצחא' בעלמא' אמר' רב' יוסף' אמר' ב' רב' על' שלש' שפ'ה' בן' נח' נד'ה' : צע'ה' סוכן' : על' גילי' קוית' ועל' שפיט' דמס' ועל' ברית' השם' מתקף' דלך' רב' שפ'ה' שלמא' שפיט' דמס' רכתיב' שפך' דם' האדם' ונ' ואדך' רב' בנא' לה' וא' נפ' משפיט' דמס' אפ'ל' לטלו' נפ' אי' משוס' אחר'בא' מאיש' איש' ענדתו' טככים' נפ' אחר'ב' מאיש' איש' אלא' אמר' רב' שפ'ה' אמר' יורב' על' ארבע' שפ'ה' בן' נח' נד'ה' ועל' ענדתו' טככים' בן' נח' נד'ה' והנ'ה' כענדתו' טככים' דרס' שב'ד' של' ישראל' שפ'ה'ק' עקלה' בן' נח' שפ'ה'ק' עקלה' אחר'ה' אן' סתה' לא' אמר' רב' נחמן' בר' יצחק' אחר'ה' שפ'ה'ק' נ' ו' הוא' מרתן' רב' הניא' ורב' יהודה' וכולה' תלמיד' דרב' אמר' יעל' שבע' מצות' בן' נח' נד'ה' גלי' דחמא' בנדא' הוא' הרין' לטלו' ועל' תגל' בן' נח' נד'ה' והנ'ה' יעל' תגל' עב' תגל' וכן' יפ' תורא' וכן' כיוצא' בך' כתיב' בבחי' וכוותו' בישראל' אמר' ישראל' בבחי' מחר' ואם' איתא' תנינ' חייב' משום' דקבע' למתני' סיפא' ישראל' בבחי' מחר' תנא' רישא' אמר' דלא' הוא' חכמא' רותי' ליה' וכוותא' מרמא' קר'י' דקני' וקני' יעל' שפיט' דמס' כותי' בבחי' וכוותי' בישראל' יחייב' ישראל' בבחי' פסור' התם' חייב' יחייב' יחייב' אפ'ד' ומחר' והנ'ה' כותי' ודע' ברב'ה' דקא' לא' מעקל' ולא' מרדין' כיוצא' בן' בגל' מא' הוא' אמר' רב' אחא' בר' יעקב' לא' נצרכה' אלא' לפעל' בפרס' פעל' כפרס' איתא' בה' שפ'ה'ק' נגד' מלאכה' התיחא' הוא' י' לא' בשעת' נגד' מלאכה' גול' מעליא' הוא' אלא' אמר' רב' פפא' לא' נצרכה' אלא' לפחת' משה' פחשה' אי' רבי' טות' בישראל' אפ'ד' הוא' כ'ר' מרדל'ה' הוא' נח' דבר' רבי' מרדל'ה' יעזרא' בשעתה' מ' ליה' ליה' טות' אחר'ה' כיוצא' בך' כון' דלא' בני' מרדל'ה' נינ'ה' גול' מעליא' אלא' אמר' רב' אחא' בר' יהודה' איקא' לא' נצרכה' אלא' לטובש' שבר' שב'ד' טות' בבחי' וכוותי' בישראל' אמר' ישראל' בבחי' מחר' כיוצא' בפי'ה' תורא' מא' הוא' כ'י' אחא' רב' דימי' אד' אלעזר' אד' תנינא' בן' נח' שיד' שפ'ה'ק' לעוכה' ובא' עליה' נד'ה' עליה' כיוצא' בו' רשפיט' דמס' לא' תניא' אמר' אבי' אי' משפ'ה' והנ'ה' רבי' יתתן' בן' שאל' הוא' דנניא' דבי' יתתן' בן' שאל' אמר' יחזק' אחד' רב'ה' ליה' וכל' להציל' באר' מאב'ה' ולא' הציל' נד'ה'

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דערנאך רבי'ן  
(א) רבי'ן רבי'ן רבי'ן  
בן (מדר) בן רבי'ן  
רבי'ן : (ב) רבי'ן  
: רבי'ן

וְעִדּוֹת בְּגֵרִים  
[א] וְשֵׁי דִם יִשָּׁל  
כִּנְדֵּי מִי וְחִדְּמָן  
יִשָּׁל מִי. רַב פִּנְחָס  
הָלַךְ וְחִדְּמָן (בְּחֵמָה)  
בְּעֵינָהּ שָׁמַר (מִן) פֶּה  
בְּחֵמָה מִי כִּיחַ קָטָן:

צו א מיי פיס פאלסט  
מלכיש אלס יד :  
צו א מיי אס בלעב ד :  
צו א מיי אס בלעב א  
בלעב א :  
צו א מיי אס בלעב א

הנהלת דב"ח  
(א) ישיב דמי הלוואה  
ב"י פל כחלק מן  
הדמי:

ה'תשנ"ב

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הענין הזה  
הוא שכל  
הענין הזה  
הוא שכל  
הענין הזה  
הוא שכל  
הענין הזה  
הוא שכל

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והוא אמר רב נחמן בר יצחק  
בפעלה ולחידה לית להו רייעין  
הון כנגסה לחופה ולא נבעלה  
הון ישראל במחתן עליה בן  
לחיה אן בן נה מודה עליה  
שם שאן בית דין של ישראל  
קרויה ישראל גורן בדני ישי  
אמא אן לוט אלא נקדה רבא  
בעלה דא תנא תנא דבי  
עמי אלא תנא איד ואיד  
חן של ישראל במחתן על

אז דאס איז: אדאס ערשטע יס. ערשטע  
אז אים לרש"י: אז על ערשטע  
אז אים לרש"י: אז על ערשטע

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אשר יספר אל האדם אשר יקרא לו  
איש ולא ידע אשה אותו אילו קרוב מישה  
רבי ישמעאל אמר אף על דבריו כתיב  
מקציה רבי ישמעאל דכתיב "ישך בן  
האדם באדם רבו" ישך איהו אדם ישדא  
באדם דר אומר זה קרוב שבמין אמו  
ותנא דכתיב "תנא רבי מנשה הוא דאמר  
כל מיתה האמורה לבני נח איש ולא תנא  
ישדא ליה האי באדם אסיפיה דקרא ודרוש  
כיה הכי באדם רבו" ישך איהו שפיטות  
דביס של אדם שדא נטפי של אדם דר  
אמר זה תנא מתיב רב הונא ואשה  
לא במקרה ודכתיב "בן ידיעה למען אשה"  
"יזה וגו' תנא מתיב לא דדא מפרק לה  
בנו דרין ביתי לנדקא אמר ליה רב איא  
סבא לרב פפא אימא בת נח שדרגה לא  
יתרגם מיד איש ולא מיד אשה כתיב אמר  
ליה הכי אמר רב יהודה ישך דר האדם  
מכל מקום אימא בת נח שזנתה לא  
תתרגם דכתיב "על בן יעזב איש ולא אשה"  
איל הכי אמר רב יהודה "דחוי לבשד אדם"  
הדר ערבניה דקרא תד איש מה חלמס לומר  
"איש איש" לרבות את הכותים שמודרין  
על העניות בישראל אמר מרבה נפקא  
סדרה נפקא לאמר "זה נולד עניות ותנא  
בעיות דידהו ודבא בעיות דרן דקצי  
סיפא בא על עניות ישראל נידן ברמי  
ישראל לכא' הלכאא אמר רב נתנן אמר  
רבה בר אבוב לא נצרכה אלא לעדה  
ותדרם ודדראה בטרע גרע אלא איד יותנן  
לא נצרכה אלא לעדה המאדסה ולדוריה  
לית להו דדינעין להו ברנא דרן אבל  
אשה איש ברנא דידהו דינעין להו ותנא  
"בא על נקדה המאדסה נידן בחדל" על  
אשה איש נידן בחדל ואי ברנא דידהו סוף  
אי אשה איש וקצי בנן שגבסה לדפה ולא  
להו ברנא דרן דתני ר' תנא "בעולת בעל יש"  
אין להן תנא מותרת דר יותנן "כל עדה שבד"  
ח מותר עליה אין ביד של ישראל מפתח  
בר רבי מאיר ודבסמי אומרם (א) הרבה עיות  
מפתחין עליהן וכן נח מותר עליהן על  
אל בא על עליהן כן נח נידן ברמי כן נח  
נדרסה בלבר נחשוב נבי ננססה לדפה ולא  
נעשה הוא דאמר כל מיתה האמורה לבני נח  
נעק הוא וסבר רבי מאיר כל עקח שבות  
תן כן נח מותר עליה והא תנא "גר"  
שזנתה

הייתי כריזות בן נח מזהר עליהם דלרעקן אהרם בני נח מלך  
 מלך . טבריה : עריות בני נח . טבריה : ואט חן לט  
 לרעה לט לא המלך לט במלך דה : אידי ואידי

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מפני קרען וחסר: מזהב עזרת  
דברי יחזק: ויחזק כל על עזרת  
הקראת עזרת דברי קראל לא  
מחזקת לאל בזמנה לחסה ו  
בזמנה מחזקת וס' נלדירה ליה  
לה: א"ר חייב של ישרא מחזקת  
עליה. בן חייב ישרא מחזקת  
ואתה אבן ואתה את ואתה אבן  
ואתה אבן אבן ואתה אבן:  
א"ר כן נה מחזק עליה. במחזק  
לך: מ' מחזק אלבן דרש מחזק  
דבין ליה עזרת בזני נח מחזק

ק' הוא . דנט ודעיהן שין זה :

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॥ श्री गणेशाय नमः ॥  
 [ॐ नमो भगवते वासुदेवाय]

כח  
כח



## ND

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בן נח חייב על הגל עד מה שאין בו כשראל. סקל לרבע מיטות (דף נ"ו): וכן חייב על הדם המאכזרס כח' עד ללא לישראל כלבו. בקשריו סקל לרבע מיטות (דף נ"ו). ונכחוס סקל נשרה

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השנת הראב"ד  
 אחד אלכר ואחד סכר כו'. א"ל וכן ספוק :  
 אלכר ספוק יראכ לו וס'. א"ל ו"ל סכר ספוק  
 סכר ודלוי (ספוק אלכר ספוק) :

אבר מן החי ממנו: יב השוחט את ההבמה אפילו שחט בה שני הסימנין. כל זמן שהוא מפרכסת אבר בבושר הפורשין ממנה אסורין לבני נח משום אבר מן החי: יג כל שאסור על ישראל משום אבר מן החי אסור על בני נח. ויש שבני נח חייבין ולא ישראל. ששבני נח אחד בהמה וחיה בין מטאה בין מהורה חייבין בעליה משום אבר מן החי. ומשום בשר מן החי. ואבר בבושר הפורשין מן המפרכסת אע"פ ששחט בה ישראל שני סימנין. הרי זה אסור לבני נח משום אבר מן החי: וכיצד

לספור חלף ששים וזהו וכן נראה מדברי רבינו. זה נראה לי ליישב בברית רבינו ז"ל דוח ופסוקה :

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**וביצד**

בכחם ויהי ויזון דליהם ודברם כמזון בלחמא וכך לא מלאו לנו על דביו למסוק סחם  
 קר יל להעמיד דברי דביו ולא חלם. וכל בשרק ד' מ'סחם מ'ספח מ'סחם מ'סחם וכלם  
 חלילו וכלמחוב חלל מ'סחם מ'סחם מ'סחם מ'סחם מ'סחם מ'סחם מ'סחם מ'סחם מ'סחם מ'סחם

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יין כל שפארט וט'. כוונת רבינו לומר דהיינו דברים אסורים לגבי נח ויחוסרים (ישראל)  
מפניא. שני עירבול כיוון שהנכנסים בנכנסים רוב זרים איך כב משום ארץ כן כ  
ס' טלחהו דמנחי כלל ארץ כן הוי כף גמוליהו זרים טעם כדקא כ' מלכות ס'  
והם הדיק מיעורא דרבי לוי ארץ כן רוב דלמדי דלכא כ' כ"ט ודוד ודמורד נה כ' כפוליהו  
ממערבא כ' רוב זרים שפארט לגבי נח משום ארץ כן הוי. כף ק"ל שרניס כוונת  
החזקין דער מלכות קודם שפארט משלח עמי' ויהי עירלל איין הויור כ'  
והיירטאס אסורא לגבי נח משום ארץ כן הוי ופ'קלעא כ'סם חרדל וכוונתא דמלך עמי' ס'  
והיירטאס כ'סם כדורס כ'סם וי"ל (למן עמי' כ' נח משיח יא נחי על כבד הארע כ'סם

**לחם משנה**

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מגדל עוז

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פריאם הנהל' כהניה ב' עד של סהסר מלווא מדרג וז' . פק עזר וזחנן ופק זאן  
ומדרש: זאן יעלה נקט עקל כהניה נרן לעסח וקטנא ומחסימא ולחדר דריג  
מדרג ונחורא עזר וקטנא דכריס אל פין כהנא ב' עזר י' קטנא חס נולד חס ומחסימא  
סכסח סכ וואל סכ סכא לז' אל בן כהניה כהנא וואל סכ וואר פזי סכסח פין כהניה  
זאן עזר מדרג חסימא אל חס וזחנן : כהנא דכריס י' וואל בן כהניה סכ וואר פזי  
וואל עזר מדרג חסימא וואל סכא כזר מדרג י' אל מדרג סכא עזר חסימא י' :

קדושה. הלכות איסורי ביאה פיר

הקולות דר' יצחק נפתלי ויפני וקאמרי עיר הנה יספה ביהמלך אל רע פנדיה לחול ונלגנ

הקולות דר' יצחק נפתלי ויפני וקאמרי עיר הנה יספה ביהמלך אל רע פנדיה לחול ונלגנ

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ושאין שום צדיק נסוד אלא בעל החכמה שעושה מצות אלו ויודע: ד' ואומרים לו הוי יודע שהעולם הבא אינו צפון

השנה הראב"ד

אלא כהן סיוול טוב וס': בתב כראב"ד ור' דעה וס הפנדר סחוס וסחוס ולא פירס פסו חין

הקולות דר' יצחק נפתלי ויפני וקאמרי עיר הנה יספה ביהמלך אל רע פנדיה לחול ונלגנ

הקולות דר' יצחק נפתלי ויפני וקאמרי עיר הנה יספה ביהמלך אל רע פנדיה לחול ונלגנ

רצה לקבל מלגנלין \* עליו כל שנים עשר חדש ומוכרו לעכרים ואסור לקיימו יותר על כן. ואם התנה עליו שתחלה שלא יטול

אם טעם: ב ע"ס נכתב נכר רשע: ג טור טס ט' דס: ד טס ט' רס: \* עמלח חלח עט

לחם משנה

הקולות דר' יצחק נפתלי ויפני וקאמרי עיר הנה יספה ביהמלך אל רע פנדיה לחול ונלגנ

הקולות דר' יצחק נפתלי ויפני וקאמרי עיר הנה יספה ביהמלך אל רע פנדיה לחול ונלגנ

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**כתב** וכן פסק אדמו"ר ז"ל נראה  
חל ולא טבל אינו עושה י"ג וחומר  
ברש"א כנר ביארנו וט' כנר  
דקנל עליו ו' חטום דאשכנז

סחיר בשניהם אפילו בשתייה:  
הנברים אף ע"פ שמלו וסבול (נ)  
חדש (י) ודוקא שאינו מתנייר מן  
מיד לאחר שיסבול ויסבול כראוי  
דאפילו עבר מיד לאחר שיסול  
ובכ"א א"א הרא"ש ז"ל (נ) ש  
בעוד הבנים קטנים מעט מותר  
כשאר נכרים דעלמא וכתב הר  
אפילו בלא מזו וסבול (ס) והרמ  
הבי מספר: (י) (י) כתב בהנא  
עליו שבע צעות יינו מותר בהנא

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## דרישה

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**י' בנר:** [וַיִּתֵּן] הָאוֹנוֹסִים כּו' אֲבֶל כּו'. כְּרֻשְׁלָיִם בְּנִירוֹת לֵיהּ א' דְּאִיסְכָּא כּוֹהֵילָה נִמ' ג'  
אֲחֵיר מִפְּחֻדָּקָה וְיֵא וְכִים דְּרִמְנִים רִמְנ' וּכְמִלִּי ס' שׂוֹיֵד סִגְל' שִׁט' (וּמ':) סו' קִיִּם סִכָּה י'  
וְהַיְיטוֹת וְהַיְיטוֹת חֲזוֹת דְּרוֹ וּכְמִלִּי ס' חִיִּית מִיִּיִּב: [וְ] אֲבֶל אֵם טו'. בְּמִלִּי סִכָּה וְהַיְיטוֹת חֲזוֹת