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Report on the Rabbinic Dissertation Submitted by

Nancy Kasten

in Partial Fulfillment of the Requirements for Ordination

The Place of the Biblical Narrative of Judah and Tamar in
Rabbinic Literature

This thesis is a collection and close analysis of the extensive midrashic interpretation of Genesis, Chapter 38, the Judah and Tamar story. The author's intent is not merely to understand how the rabbis viewed these characters and their relationship, but also to gain insight into the ways they depart from the pshat of the biblical text and the affect that their interpretations had on subsequent readings of the text.

At the outset, the author lays out the questions that she is asking about the rabbinic interpretive process, all of which focuses on the tension between the literal meaning of the biblical text and the rabbis' interpretation of it, and the limits beyond which even the rabbis cannot go. Her ultimate concern is how later readers of the text, including our contemporary midrashists, use the biblical text for their own purposes, and the legitimacy of that process.

The first step in her investigation was a close textual examination of Chapter 38 with an eye to the major themes evident and the key questions posed. In so doing, she highlights four characteristics of the biblical material: 1) the Judah and Tamar story is based on an ancient folktale which is embellished by classic Israelite practice and given an acceptable motive, i.e., the perpetuation of the Davidic line; 2) the narrative is essentially tied to and is an inherent part of the Joseph cycle; 3) the key to the biblical story is the establishment of the lineage of King David; and 4) the themes and characteristics of Gen. 38 reappear and are refined in the Book of Ruth.

After closely examining the primary biblical material and highlighting the biblical writer's characterization of the two persons, the author gathered the pertinent rabbinic texts by utilizing the available verse indices and topical anthologies. Because of the tremendous number of texts, she limited her research to the classic compilations up to and including Midrash ha Gadol. In the course of her analysis of the textual material, she began to see key themes emerging from the rabbis' treatment of the material in Genesis 38, including the concern for intermarriage and interaction with the surrounding cultures, issues dealing with

sexual behavior, the issue of intent as a criterion for judging a person's actions and the possibility of repentance for each individual. Having categorized the rabbinic material in this manner, the author then chose to arrange her data into two basic sections.

Section One involves a verse by verse commentary to Chapter 38 which enabled the author to juxtapose the biblical material with its rabbinic interpretive overlay. This allowed her to underscore the tension between the two as well as within the layers of the midrash itself and to highlight development and changes of focus over time. On each verse, she lays out the biblical material, determines its focus and the questions which pertain to it, and then provides the reader with a selection of midrashim which present the range of rabbinic interpretations of the same verse.

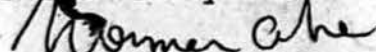
In the second section the author brings together into five units the thematic material which surfaced within her commentary. In effect, it provides the reader with a thematic overview of the rabbinic treatment of the Genesis 38 narrative. The five units include the following interpretive themes: a) the tension between the Israelite and the foreigner, as seen through treatment of both Bat Shua and Tamar; b) the conflict in human instinct as it pertains to sexual activities, which focusses on Judah's responsibility for his actions, acceptable or unacceptable sexual partners and the nature of the levirate relationship; c) measure for measure and the paralleling of actions throughout the Joseph cycle; d) the sovereignty of Judah, which is solidified by his transformation throughout the Joseph cycle and specifically in this story; and e) the redemption of the individual and the people as a whole as seen through the models of Tamar and Judah.

Although it is always difficult to gain a clear understanding of such a vast collection of material, the author has handled it in a highly competent and often creative manner. She has not only presented many textual insights regarding different aspects of the Genesis 38 text and its midrashic interpretation, but has conclusively shown how frequently the areas of rabbinic concern move us beyond the simple meaning of the biblical text. The exigencies of their own life situations and their struggle for meaning and survival in a state of exile forced them to find relevancy in the text in a way that is similar to every generation of readers. For example, the emphasis by the rabbis on Judah's voluntary confession which was the result of the actions of the modest and chaste Tamar served for them as a model of redemption. Judah repented and atoned for all his actions, including the selling of Joseph, and, as a result, was rewarded by being deemed the progenitor of the messianic line.

Ms. Kasten is to be highly commended for her research, analysis and insightful comments on the textual material. She has demonstrated her ability both to analyze text and to integrate diverse material. In addition, she writes with clarity in a simple, straightforward

style. Of course, more could be done to test the basic conclusions she draws, e.g., an analysis of other biblical material involving Judah in the Joseph cycle. Nevertheless, this thesis provides us with an excellent prism through which to view the rabbis' usage of particular biblical texts as well as their attitude toward the material in the Joseph cycle. The author has succeeded in highlighting the essential nature of the midrashic process and concomitantly has given our modern midrashic endeavor further legitimacy.

Respectfully submitted,



Dr. Norman J. Cohen
Professor of Midrash

April 18, 1990

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The Place of the Biblical Narrative of Judah and Tamar
in Rabbinic Literature

Nancy Kasten

Thesis Submitted in Partial Fulfillment of
Requirements for Ordination

Hebrew Union College-Jewish Institute of Religion
Graduate Rabbinic Program
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INTRODUCTION

The process of interpretation presents an opportunity to probe the eternally relevant principles contained within Torah, and to bring them to light within a specific context. There are two related goals in this process: the first, to derive and impart universal truths, and the second, to keep the Torah in the minds and hearts of the people. Many times, when preparing a sermon or dvar Torah, I have wondered if my interpretation of the text might stray too far from its literal meaning. At times I may see an element within the text which reminds me of something else, and that "something else" becomes the basis for my own text interpretation. The ideas I present may exhibit little apparent connection to the original biblical text. In the context of contemporary homiletics, questions are often posed: Is there a limit to this process, beyond which interpretation can no longer be considered legitimate? In our attempt to bring Torah to the people, might we at times depart from the literal meaning of the text to such an extent that the text becomes distorted? If so, what are the implications of using the text for our own purposes in this way?

A liberal mind is free to point out that the study of Midrash also prompts these questions. Exegetical interpretation, and use of prooftexts in Midrash, often seem

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to be products of a solid familiarity with text, combined with an active imagination. At times, one senses that the rabbinic agenda dominates the interpretation of a given text. Sometimes that agenda might be the strengthening of rabbinic authority. At other times, the agenda might be the rationalization of a particular historical situation, or the justification of character flaws in a biblical hero. I became interested in studying the ways that the rabbis interpreted biblical texts within Midrash, as a means for exploring the extent to which they departed from the literal meaning of the text, in order to make it personally relevant. In addition, I was interested in looking at the effect that interpretation had on subsequent readings of the text.

The first step in this investigation was to choose a body of material, whose interpretations would be traced through its appearances in rabbinic literature. There were many reasons to choose the Judah and Tamar narrative, Genesis Chapter 38, for this purpose. To begin with, determining the simple meaning of one thirty-verse text was a much more manageable task than attempting to determine the meanings of independent verses. In addition, it was possible to determine the simple meaning of Genesis Chapter 38 somewhat adequately, a factor which is not always present when choosing among biblical texts. In thinking about the midrashic texts to study, this chapter includes several key

verses which are well represented in Rabbinic literature. The study of interpretation on one related unit of text allowed for the examination of interpretive themes and character development within that text. Finally, the story of Tamar and Judah is a fascinating and dramatic one, filled with intrigue and sexual tension, and the richness of characters and themes in this narrative promised to yield relevant insight into human motives and actions.

Once a body of text was chosen, I undertook a serious study of the biblical text itself, guided by Dr. S. David Sperling. Before determining the ways in which the rabbis interpreted texts, it was important for me to gain a thorough familiarity with the actual narrative. This study resulted in a critical analysis of the Judah and Tamar narrative, based on modern biblical scholarship. In that analysis, I was able to discern the key points which one seemed to be inherent in the biblical text, as well as the areas which posed major questions. The following four characteristics of the biblical text seemed to be particularly well documented;

1. The origins of this story were most likely found in ancient folktales of wizardry and magic, which were embellished and disguised by classic Israelite practice (levirate marriage) and an acceptable motive (perpetuation of the line.)
2. The Judah and Tamar narrative is thematically consistent

with the rest of the Joseph narrative in its themes and language of deception and seduction.

3. The story takes on meaning in its provision of a history for the lineage of David. It is unclear whether or not this meaning was a part of the original text, or was added by later editors.

4. The story line, themes, characters and purpose of the Judah and Tamar narrative are developed and refined in the Book of Ruth.

A number of questions also were derived from this study. These included questions as to what Er to which displeased the Lord (verse 7), what the real meaning of "gedesha" (most often translated as "harlot") is (verse 21), and what it means when it says that Judah was "comforted" (verse 12). Even questions ostensibly answered in the narrative, such as what Judah's intention was when he sent Tamar back to her father's house (verse 11), or what the real purpose of levirate marriage was (verse 8), did not seem adequately answered by the Biblical text alone. Early on, it became apparent that rabbinic interpretation would have much to add in order to impart meaning and understanding to the verses contained within the narrative.

Targum Yonatan proved to be an excellent introduction to the biblical questions and gaps which the rabbis would respond to in their interpretations. While the Targum was considered a translation, this translation clarified the

biblical text by supplementing it in key areas. Examples include: indicating that Judah's descent was linked to his brothers' rejection of him (verse 1); stating that the cause of Er's death was his refusal to "give his seed" to his wife (verse 7); expounding on the meaning of "Petah Enaim" (verse 14); and injecting a Divine voice into Tamar's tribunal (verse 26).¹ Solid familiarity with the biblical and targumic texts was adequate preparation for the next step: The study of the Midrash itself.

Most of the primary rabbinic sources used were found through the use of verse indices, primarily Hyman's Sefer Torah ha-Ketuvah u'Mesorah al Torah, Nevi'im u'Ketuvim.² Additional sources were found in topical indices³ and footnotes to secondary sources. Because of the large volume of texts found, I decided to confine rabbinic textual research to those texts cited up to and including Midrash haGadol, a 15th century midrashic anthology. Over two hundred texts were examined, the majority of which came from compilations of Midrash such as Bereshit Rabbah, Midrash Lekah Tov, Midrash Sekhel Tov, and Midrash haGadol. This process revealed which verses of the biblical text were most

¹Ginzburger, M., ed. Targum Yonatan ben Uziel al ha-Torah. Jerusalem: Makor, 1974.

²Hyman, A. Torah ha-Ketubah veha-Messorah. 3 vols. 2nd rev. ed., Tel Aviv: Dvir Publishing Co., 1979.

³Primarily from Gross, M. Osar ha-Aggadah. Jerusalem: Mosad ha-Rav Kook, 1954.

often explained or commented on; verses about Judah's descent, his marriage to a Canaanite woman, Onan's spilled seed, the location of Judah and Tamar's union, the pledge items, the choice of burning as Tamar's punishment, Tamar's presentation of the pledge items, and Judah's public vindication of Tamar.

Study of the texts on each verse revealed a rich text tradition which touched on a number of universal themes and concepts. Judah's selection of a wife from among the women of Canaan gave the rabbis an opening to discuss their reasons for objecting to interaction with surrounding cultures, and particularly intermarriage with those cultures. Onan's spilling of his seed initiated a group of texts dealing with male sexuality. Tamar's role in the redemption of Judah and the Jewish people, juxtaposed with her deceptive act of prostitution, prompted a discussion on the issue of intent as a criterion for judging action. Judah's vindication of Tamar leads to statements on the power of teshuvah, repentance, and also adds to his image within Rabbinic literature as a model of someone who truly changes. An attitude that individual acts of righteousness determine a person's merit overtakes the concept of lineage as the means to salvation.

When the time came to organize the material, a commentary mode was chosen for the first section in order to adequately represent the insights and tensions within

Rabbinic interpretation of the chapter. This mode was thought to be most effective in demonstrating the ways in which the biblical text is interpreted by the rabbis and their predecessors. By presenting the material in this way, I was also able to include many of the texts themselves, as a resource for further study on the narrative. The commentary mode demonstrates, for instance, that in a text from The Testaments of the Twelve Patriarchs, Tamar is able to trick Judah into lying with her because he is drunk, while a text from B.T. Megillah 10b states that Judah didn't recognize Tamar because she had been so extremely modest (and, by extension, righteous) while living under his roof. This same example shows how the simple explanation given in Targum Jonathan to verse 15, that Judah passed by Tamar at first, is developed into a deeper probing of character and human nature by the different rabbis who interpret the text. This mode allowed for the most complete expression of rabbinic views of the text, as well as the tensions inherent in those views.


The second section of this thesis joins the thematic threads explored in different places within the commentary section, in order to present a thematic overview of the entire narrative. The biblical narrative itself builds upon a number of themes; the theme of good (Tamar) replacing evil (Bat Shua), the levirate marriage theme, the themes of recognition and knowing, and deception and revelation, which

are consistent with the rest of the Joseph narrative. The themes drawn from rabbinic interpretation differed in some ways in their focus and scope. They seemed to have more to do with issues of retribution, sexuality, the role of God in human action, and redemption, themes which reflect a much more conscious attempt at understanding who we humans are, and what we do. An example is the tension between endogenous and exogenous sexual relations. On the one hand, the rabbis opposed exogenous sexual relations, as represented by Bat Shua. On the other hand, they believed that all human life was descended from one union. They were faced with the reality of knowing that, if their belief about the origin of human life was correct, inbreeding would have been the only way to propagate life. The distinction they made between Bat Shua and Tamar helped them to deal with the tension caused when they faced a conflict between logic and belief.

The first section of the second part, then, deals with the tension between outsider and insider as it is expressed in rabbinic interpretation. The second section explores the area of sexual transgression, a major preoccupation of the rabbis. Section three points out the areas of retribution and balance within the text; section four, Judah's sovereignty and its meaning for the rabbis; and, finally, section five portrays the rabbis' view of redemption.

The two parts of this thesis are designed for the purpose of demonstrating rabbinic use of biblical text in

Midrash. It represents an attempt to answer the following questions; To what extent did the rabbis departed from the meaning of the original Biblical text in order to make a point within their own particular world? How far were the rabbis willing to stretch, so that they could keep Torah in the minds and hearts of the people? Were there times when their particular agenda clearly overwhelmed the original meaning of the text? And if so, what was the resultant affect upon the text itself? This thesis represents an attempt to answer these questions, based on an analysis of the rabbinic interpretation of Genesis chapter 38. In the course of the analysis, new questions which may lead to an even better understanding of the rabbinic use of biblical texts will surely arise.



PART ONE

Verse-By-Verse Commentary on Genesis Chapter 38

38:1 "About that time Judah left (va-yered) his brothers and camped near a certain Adullamite whose name was Hirah."

The opening verse of Chapter 38 immediately alerts the reader to a change in story line from the previous chapter. Chapter 37 ends climactically with the brothers' sale of Joseph to the Ishmaelites, the trumped-up explanation of Joseph's disappearance as relayed to Jacob, and the final narrative comment that Joseph is now in Egypt and in the possession of Potiphar, Pharoah's chief steward. Suspense is built around the question of Joseph's fate; but just when the tension is at it's peak, the biblical author switches to a different story line. The temporary change of focus increases the sense of drama and suspense within the narrative.

The text now turns our attention to Judah, the fourth son of Jacob and Leah. Up to this point, we have heard of Judah's birth ("She conceived again and bore a son, and declared, 'This time I will praise the Lord.' Therefore she named him Judah. Then she stopped bearing" Gen.29:35) and of his comment to his brothers when they were deliberating over how to dispose of Joseph ("Then Judah said to his brothers, 'What do we gain by killing our brother and covering up his blood? Come, let us sell him to the Ishmaelites, but let us

not do away with him ourselves. After all, he is our brother, our own flesh.' His brothers agreed" Gen.37:27). This is all we know about Judah until he becomes the subject of Genesis Chapter 38. The hypothesis that the opening phrase of the chapter, "About that time," introduces a change of scene and a shifting of focus to a new story line (which presents Judah as the central character) is supported by two other occurrences of this phrase, in Gen.21:22 and in 1 Kings 11:29. In each of these examples, a self-contained vignette interrupts the continuation of a narrative.

The meaning of the phrase, "Judah left (va-yered) his brothers" is more problematic. Speiser interprets "going down" as "parting from,"¹ and the new JPS translation appears to agree with this reading.² Other commentators have interpreted this phrase alternately as an idiom, as a description of movement of the tribe of Judah geographically, and as an indication of change in the way the rest of the brothers related to Judah after the sale of Joseph. The possibility that the author and editors chose words which carried different layers of meaning should not be overlooked.

The choice of Adullam as the area in which Judah rests also carries with it different layers of meaning. Skinner

¹E.A. Speiser, The Anchor Bible: Genesis (New York: Doubleday & Co., 1964), p.296.

²Tanakh, a New Translation of the Holy Scriptures According to the Traditional Hebrew Text (Philadelphia: Jewish Publication Society, 1985).

locates Adullam within the territory of the tribe of Judah, in an area southwest of Bethlehem.² This location seems to be supported by references to Adullam in Joshua 15:35, IChron 11:15, and IIChron 11:7. But the reader who has read the words of the prophet Micah cannot forget the statement, "At Adullam the glory of Israel shall set" (Micah 1:15). The meaning which Adullam takes on imbues this seemingly casual detail with symbolic value.

Interpretation of 38:1 in Rabbinic Literature

The exegesis on this verse and the way this verse is used as a proof-text in rabbinic literature reflect the questions, symbols, and themes indicated above. These texts also frequently reflect the concerns and contexts of the rabbis who wrote them. One of the questions which recurs in the literature is that of the placement of the narrative. Because the change in story line is sudden and unexpected, it is a natural response to ask what this chapter is doing here, right in the middle of the Joseph narrative. A cursory reading could easily lead to the conclusion that chapter 38 is an entirely new subject, having nothing to do with chapter 37. Bereshit Rabbah points out several examples of other places in the Tanakh where the story line changes abruptly at the beginning of a new chapter, and suggests that Genesis 38

²J. J. Skinner, A Critical and Exegetical Commentary on Genesis (New York: Scribners, 1917), p.450.

may be another one of these examples.⁴ But a closer reading of the text indicates that Genesis 38 may actually be an integral part of the Joseph narrative. Several texts acknowledge the occurrence of literary parallels between this chapter and those chapters before and after it. The first of these parallels is between the descent of Judah (va-yered) in Genesis 38:1 and the descent of Joseph (hurad) in Genesis 39:1. The second is between the act of recognition in Genesis 37:32 (ha-ker na), in which Jacob is asked to identify Joseph's torn and bloodied coat, and the act of recognition in Genesis 38:25 (ha-ker na), in which Judah is asked to identify the items he gave as a pledge to Tamar. The third parallel mentioned is between the act of seduction which Tamar perpetrates in Genesis 38, and the act of seduction which Potiphar's wife perpetrates in Genesis 39.⁵ The texts which bring out these parallels are aware of the intricate structure underlying the Joseph narrative, and hint at the different levels of messages and themes upon which the Joseph narrative is built.

A different kind of explanation for the interjection of the Judah and Tamar narrative into the Joseph story understands Genesis 38 as the description of Judah's punishment for his part in the sale of Joseph. In contrast to

⁴Bereshit Rabbah 85:2.

⁵Bereshit Rabbah 85:2; Midrash Lekah Tov to Genesis 38:1; Midrash haGadol to Genesis 38:1.

the answers above, which respond to the question of placement of the chapter explicitly, this type of explanation assumes that the story of Judah's punishment would naturally follow the act for which he was being punished (his participation in the sale of Joseph). One might ask why Judah, more than the brothers who first wanted to kill Joseph and then agreed with Judah to sell him, was deserving of punishment. There are several possible reasons why the rabbis felt it necessary to show that Judah was punished, one of which may have been the need to explain the placement of Genesis 38 immediately following the sale of Joseph.⁶ In the Babylonian Talmud, Sanhedrin 102a, Genesis 38 is used as an example to prove that the phrase "About that time" (va-yehi ba-et ha-hi) when seen in scripture always introduces a time of retribution.⁷ By describing the content of Genesis 38, this Talmudic text also offers an implicit explanation of the placement of the chapter. But the need to punish Judah becomes a major theme of the body of rabbinic literature written in response to Genesis 38, far beyond the extent necessary to explain the placement of the chapter.

⁶See B.T. Sanhedrin 102a, which is part of an exegesis on IKings 11:29. Also see Midrash haHafes to Genesis 38:1 which reads, " 'About that time.' The Holy One said to Judah; 'It is because you have no sons that you destroyed Joseph for your father, for you do not know the grief of sons. I will pay you back for this.' Judah went down and married a woman and she gave birth, and his sons died. That is why this chapter is attached to the sale of Joseph."

⁷B.T. Sanhedrin 102a.

There are many reasons for the rabbis to interpret Genesis 38 as a chapter of punishment. They probably questioned why such terrible things happen to Judah in Genesis 38, including the death of his sons, the death of his wife, and the exposure and embarrassment he endures. By seeing Judah as a character in need of punishment, they could explain why he needed to suffer. They also noticed that Judah was the only brother identified individually as having a part in the sale of Joseph. It would therefore seem reasonable to focus on Judah as the brother primarily responsible, culpable, and, therefore most in need of punishment for that act. In addition, the rabbis needed to justify what happened to Judah later; why he ultimately merited sovereignty and his prestigious line, which would include David and the Messiah. Demonstrating that Judah was punished purified him in a sense, and made him acceptable by restoring his moral integrity. The rabbinic texts on Genesis 38:1 introduce an analysis of why Judah was punished, how he was punished, and who the executer of the punishment was, an exploration which is continued throughout the exegesis on the following verses of the chapter.

There are several variant understandings of why Judah was punished. Bereshit Rabbah introduces the teaching that one who begins a mišvah but doesn't finish it buries his wife and his sons. We learn this from Judah, who might have been admired for having saved Joseph from the pit, but who fell

short because he did not complete his duty by returning Joseph safely to his father. For this he was punished severely; he buried his wife and his sons.⁹ This teaching is repeated in several later texts.¹⁰ It would seem that this midrash wishes to comment on a point of halakhah about the right way to fulfill misvot. At the same time, the rabbis choose to see Judah's suggestion of selling Joseph to the Ishmaelites as a positive act, and his a sin of omission rather than one of commission.

Another common understanding of Judah's primary transgression is the grief which he caused his father. In one group of texts, chapter 38 is understood as a reprimand of Judah by God, accompanied by a description of the appropriate retribution (which is consistent with the events of chapter 38). Because Judah had caused his father Jacob to grieve for a son, God would provide Judah with sons and then cause him to grieve for them.¹¹ It is only through an act of teshuvah, by offering himself in place of Benjamin, that Judah is

⁹Bereshit Rabbah, 85:3.

¹⁰Midrash Lekah Tov to Genesis 38:1; Midrash Sekhel Tov Va-Yishlach to Genesis 38:1; Midrash haGadol to Genesis 38:1.

¹¹Tanhuma Buber Va-Yiqqash 10 reads "...Why did God promise me twelve tribes when one of them has died? Perhaps I did not merit them, and I will die in two worlds'...You wish to know what he said when he saw that Joseph was alive? 'And Israel said to Joseph, "Now I can die" (Gen. 46:30) What made him say this? He said, 'When they came and told me that Joseph was dead, I said I was dead in two worlds. Now that I have seen that you live, I am glad to know that I am not dead more than once, and so I can die.' See also Aggadat Bereshit 61-62; Midrash haHafes to Genesis 38:1.

forgiven.¹¹ Another group of texts makes Judah's brothers his judges. According to these texts, Judah's role was that of sovereign over all of the brothers.¹² It was because he was their leader that they listened to him when he suggested selling Joseph to the Ishmaelites. But once they saw what that act did to their father, they rejected Judah, blaming him for the incapacitated state to which their father was reduced.¹³

This theme of the brothers rejecting Judah is a popular one when it comes to the exegesis on the word "va-yered" in this verse. Many texts understand "va-yered" to mean that Judah was rebuked or rejected by his brothers. This rejection is presented as its own form of punishment.¹⁴ The brothers cause Judah to "go down" for a variety of reasons. According to some texts, he could have convinced them to bring Joseph back to Jacob, but because he didn't, they made him "go down".¹⁵ A textual obsession projected onto the brothers is Jacob's refusal to be comforted, also understood as a reason

¹¹Tanhuma Buber Va-Yiggash 10.

¹²Tanhuma Buber Va-Yeshev 12; Midrash Sekhel Tov Va-Yishlach, 38:1.

¹³Tanhuma Buber Va-yeshev 8; Midrash haGadol to Genesis 38:1.

¹⁴Tanhuma Buber Va-Yeshev 8; Exodus Rabbah 42:3; Midrash haGadol to Genesis 38:1.

¹⁵Tanhuma (Ha-Nidpas) Tissa 22; Tanhuma Buber Va-Yeshev 8; Shemot Rabbah 42:3.

for the brothers to reject Judah.¹⁶ Some texts state that Judah had to "go down" and show the brothers how to find wives for themselves, now that Jacob would no longer search for wives for them.¹⁷ And others identify Judah's marriage in Genesis 38:2 to Bat Shua, a Canaanite woman, as the transgression which caused his descent.¹⁸ The descent of Judah, the individual, is most clearly linked to the descent of the political entity of Judah in the texts which discuss defeat at Adullam; here the history of Judah, the individual, is seen as a prediction of the fate of the tribe.¹⁹

The following verse from Malachi, "Judah has broken faith; abhorrent things have been done in Israel and in Jerusalem. For Judah has profaned what is holy to the Lord- what He desires- and espoused daughters of alien gods" (Malachi 2:11) is seen by some rabbis as a compendium of Judah's sins, for which he is punished in Genesis 38. The first phrase refers to Judah's deception of Jacob, the second to the brothers' sale of Joseph, the third to going down from his brothers and his father's house, and the fourth to

¹⁶Tanḥuma (Ha-Nidpas) Tissa 22; Tanḥuma (Ha-Nidpas) Va-Yeshev 8.

¹⁷Bereshit Rabbah 85:2; Midrash Sekhel Tov to Genesis 38:1; Midrash haGadol to Genesis 38:1.

¹⁸Tanḥuma Buber Va-Yeshev 9, 10; Midrash haGadol to Genesis 38:1.

¹⁹Bereshit Rabbah 85:1; Tanḥuma (ha-Nidpas) Va-Yeshev 10; Midrash Sekhel Tov Va-Yishlach Genesis 38:1.

marrying a Canaanite woman.²⁰ Clearly punishment, both human and divine, are major themes of the exegesis on this first verse.

There is another body of text, however, which attributes the responsibility for the events of Genesis 38 to God rather than to Judah. In these fatalistic texts, the strange and shocking content of the Judah and Tamar narrative is justified by the belief that God works in mysterious ways. Several of the texts begin with the verse, "For My plans are not your plans, nor are My ways your ways" (Isaiah 55:8). They go on to assert that each party (the tribes, Joseph, Jacob, Judah) had their own tasks and roles which were devised to keep them occupied while God was fulfilling the Divine task and role- preparing for the coming of the Messiah.²¹ A variation of this theme is found in Aggadat

²⁰Midrash haGadol to Genesis 38:1 reads, " 'And Judah went down.' This is why Scripture says, 'Judah was unfaithful and an abomination has been committed in Israel' (Mal. 2:11). 'Judah was unfaithful' in that he said to his father 'ha-ker na.' 'And an abomination', because they sold Joseph; 'For Judah has profaned God's holiness' by going down from his brothers and his father's house; 'And espoused the daughter of an alien god' by marrying a Canaanite woman. And what is his punishment? 'The Lord cut off the man who did this...' And Er and Onan died. And what caused all this to happen to Judah? He gave that advise about the sale of Joseph."

²¹Bereshit Rabbah 85:1 reads; "Rabbi Samuel ben Nahman began; 'For I am mindful of the plans I have made concerning you-declares the Lord-plans for your welfare, not for disaster, to give you a hopeful future' (Jer 29:11). The tribes were occupied with the selling of Joseph, and Joseph was occupied with his sackcloth and fasting, and Jacob was occupied with his sackcloth and fasting, and Judah was occupied with taking a wife, and the Holy One creates the light of the Messiah, "About that time Judah left..."

Bereshit, in which Judah disrupts God's plans for the lineage of the Messiah by an act of free will, i.e., marrying a Canaanite woman, and so God must intervene in order to straighten things out.²² Aggadat Bereshit also contains a midrash about God being with Judah, not only on the way up, when he does things which are viewed positively, but on the way down as well, when he does things which lead to questions about his appropriateness as a model. While God is always there, according to this midrash, ascent will occur when all the tribes unite.²³ This political point of view is also present in texts describing rivalry between Judah and

"Before she labored, she was delivered; Before her pangs came, she bore a son" (Isaiah 66:7). Before the first oppressor was born, the final redeemer was born, "About that time". Also see Midrash haGadol to Genesis 38:1.

²²Aggadat Bereshit 64 reads; "Another interpretation of 'Va-yared Yehudah,...There Judah saw the daughter of a Canaanite...and he took her...'. Because he married her, the Holy One said, 'The Messiah is supposed to come from Judah, and now he's gone and married a Canaanite. What else can I do but devise a plan.' So He married his son to Tamar, and Tamar was the daughter of the Great Shem. The Holy One said, 'The Canaanite will die,' as it is said, 'A long time afterward, Shua's daughter, the wife of Judah, died.' And her sons died, as it is said, 'Er and Onan died.' So that Judah would cleave to Tamar, who was a Kohenet, the daughter of Shem the son of Noah, as it is said, 'And Melkhi Sedek was king, etc.' (Genesis 14:18). And when the time came for her to give birth, ...a hand emerged". Zerah requested to come out first, but the Holy One said, 'The Messiah will be established by Peres, and here Zerah is coming out first! He should go back to his mother's womb so that Peres can emerge first, for the Messiah will come from him. As it is said, 'He drew back his hand.' Peres means Messiah, as it is said, 'One who makes a breach goes before them' (Micah 2:13).

²³Aggadat Bereshit 64-65.

Joseph.²⁴

38:2 "There Judah saw the daughter of a certain Canaanite (Kena'ani) whose name was Shua, and he married her (va-yigaheha) and cohabitated with her (va-yavo eleyha)."

Skinner feels that Judah's marriage to a Canaanite is an indication of the antiquity of this passage.²⁵ Both Skinner and Von Rad believed that this union reflected a more congenial relationship between the Israelites and the Canaanites at the time this passage was written.²⁶ Whether their theory is accurate or not, the average reader (or listener) remembers Abraham's desperate plea to his servant in Genesis 24:3, "...I will make you swear by the Lord, the God of heaven and the God of earth, that you will not take a wife for my son from the daughters of the Canaanites..." and Isaac's instruction to Jacob in Genesis 28:1, "You shall not take a wife from among the Canaanite women," and even Esau's observation in Genesis 28:8 that, "the Canaanite women displeased his father Isaac," which prompted him to marry a (additional) wife who was not Canaanite. Given the biblical attitude toward marriage to Canaanite women up to this point,

²⁴Tanhuma Buber Va-Yishlah 13; Aggadat Bereshit 64-65.

²⁵Skinner, A Critical and Exegetical Commentary on Genesis, p.451.

²⁶Von Rad, Genesis: A Commentary (Philadelphia: The Westminster Press, 1972), p.352.

Judah's choice is at least surprising, and, more likely, as heretical. Interpretation of this verse focuses on Judah's choice of a Canaanite woman to be his wife.

Interpretation of 38:2 in Rabbinic Literature

All of the texts on this verse see Judah's marriage to Bat Shua as a mistake, either in Judah's judgement or in the way the text is read. In the Testaments of the Twelve Patriarchs, Bat Shua is responsible for all of Judah's transgressions and for the punishment that he receives. Originally, Judah is seduced by her while in a state of sexual desire²⁷ and of drunkenness,²⁸ but he is painfully aware of his mistake, since he realizes that she is the cause of the death of his sons.²⁹ She also is the cause of Tamar's act of deception, since she masterminded Shelah's marriage to a Canaanite.³⁰

The Talmud takes a position which modern psychology would label, "classic denial." In Babylonian Talmud Pesahim 50a, the rabbis ask if it could be true that Abraham warned Isaac and Isaac warned Jacob, and Judah ignored them and

²⁷Charles, R.H., ed. "The Testament of Judah." In The Greek Versions of the Testaments of the Twelve Patriarchs. Oxford: Clarendon Press, 1908.

²⁸Testaments of the Twelve Patriarchs, Judah 13.

²⁹Testaments of the Twelve Patriarchs, Judah 10, 11, 13.

³⁰Testaments of the Twelve Patriarchs, Judah 10, 11.

married a Cannanite? They conclude that the word "Canaanite" must have another meaning, such as 'a merchant' (a meaning which it does take on in Isaiah 23:8 and Hosea 12:8, but which is not supported by the context here).²¹

As noted above, Judah's descent was linked to his marriage to a Canaanite woman, among other things. While Midrash haGadol viewed the sale of Joseph as the core act which caused his descent,²² Bereshit Rabbah sees Judah's marriage to a Canaanite woman as the primary reason for his descent.²³ Midrash Sekhel Tov claims that the way this verse is constructed shows that Er and Onan were born before the sale of Joseph, and Shelach was born at the same time as Joseph was sold. The rest happened after the sale, in order to show that Judah buried his wife and sons because of his part in selling Joseph. This text also gives a unique reading of "va-yiqahaha." That reading is as follows: "In the words for a convert [Judah] said, 'It is to your credit that you join to the seed of Abraham and Isaac and Jacob and enter under the wings of the Shekinah.' When she heard him, she converted. Only then did he come to her for marriage."²⁴ This text is most likely based on the mention of Bat Shea's

²¹Bereshit Rabbah 85:1 and Midrash Sekhel Tov Va-Yishlah also include this interpretation.

²² See n.20 above.

²³Bereshit Rabbah, 85:1.

²⁴Midrash Sekhal, Tov to Genesis 38:2.

conversion in Targum Yonatan²⁵, and is the only other reference to Bat Shua's conversion found in midrashic literature. It appears to be offered here as an apologetic for Judah's marriage to a Canaanite woman.

Other texts offer different explanations for Judah's unfortunate marriage. Sefer ha-Yashar puts Judah's marriage into a context in which marriage to a Canaanite was the norm. Reuben married a Canaanite, Shimon married a Canaanite, so why not Judah?²⁶ Midrash haGadol tries to make Judah's marriage to a Canaanite into a demonstration of Judah's power; Esau, who is likened to a dog, rejected Canaanite women, while Judah, the lion, married one.²⁷

38:3 "She conceived and bore a son, and he named him Er."

Interpretation of 38:3 in Rabbinic Literature

In several midrashim, the etiology of the name "Er" is linked to the root meaning 'to be stripped' or 'emptied from the world'.²⁸ However, this root is not found prior to the

²⁵M. Ginzburger, ed. Targum Yonatan ben Uziel al haTorah (Jerusalem: Makor, 1974).

²⁶Sefer ha-Yashar to Genesis, Va-Yeshev 89b, p.126.

²⁷Midrash haGadol to Genesis 38:1.

²⁸See Bereshit Rabbah 85:4; Midrash haGadol to Genesis 38:3.

mention of Er's name. Midrash Sekhel Tov explains that, "Our ancestors employed the Holy Spirit when preparing a name for their sons according to an event which would happen in the future. They would prophecy without knowing what they were predicting, and tell the end from the beginning..."³⁹

38:4 "She conceived again and bore a son, and named him Onan."

Interpretation of 38:4 in Rabbinic Literature

Here, the etiology of Onan's name is derived from the root meaning 'sorrow.' In Bereshit Rabbah and Lekah Tov, Onan brings sorrow to himself.⁴⁰ In Midrash haGadol, the "sorrow" is made more explicit: mourning for him comes hastily.⁴¹ And in Midrash Sekhel Tov, again the name is chosen with the help of the Holy Spirit, this time because he brought sorrow to the world.⁴²

³⁹Midrash Sekhel Tov to Genesis 38:3. The text continues: "...A person's name is according to his actions, but we pick our children's names according to our ancient fathers."

⁴⁰Bereshit Rabbah 85:4; Midrash Lekah Tov to Genesis 38:2.

⁴¹Midrash haGadol to Genesis 38:4.

⁴²Midrash Sekhel Tov to Genesis 38:4.

38:5 "Once again she bore a son, and named him Shelah; he was at Khezib when she bore him."

Speiser,⁴³ Skinner,⁴⁴ and the Interpreter's Bible⁴⁵ all connect Khziv to the place called Akhziv in Joshua 15:44 and Micah 1:14, and describe it as the probable center of the clan of Shelah.

Interpretation of 38:5 in Rabbinic Literature

The word "Khziv" is not interpreted by the rabbis simply as the name of a place. Bereshit Rabbah traces it's meaning to the root "kh'z'vi:" to dry up, and understands "Khziv" to indicate that Bat Shua stopped bearing children after Shelah.⁴⁶ Bereshit Rabbati places responsibility for Judah's actions on the name of the city: "...the name (Khziv) caused people to tell falsehoods (khazav) about him," as Judah told Tamar that she had to wait until Shelah grew up before she could marry him.⁴⁷ This interpretation links the city name to the root meaning 'lie.'

Midrash Sekhel Tov sees this verse as an indication of where the Judah and Tamar story fits into the Joseph

⁴³E.A. Speiser, The Anchor Bible, p. 297.

⁴⁴Skinner, A Critical and Exegetical Commentary on Genesis, p. 451.

⁴⁵Interpreter's Bible to Genesis, p. 758.

⁴⁶Bereshit Rabbah 85:4.

⁴⁷Bereshit Rabbati to Genesis 38:5, p.178.

narrative. According to this midrash,⁴⁸ Shelah was born directly after the sale of Joseph, and his name, which means "mistake" in Aramaic, reflects Judah's guilty conscience at having suggested the sale.⁴⁹ In a completely different train of thought, Midrash haGadol links the name "Shelah" etymologically to "shalvah," peace, because peace was granted to Shelah in this world and in the world to come.⁵⁰

38:6 "Judah got (va-yiqah) a wife for Er his first born; her name was Tamar."

The text gives no indication of Tamar's family background. Unlike Bat Shua who is identified as a Canaanite, Tamar's origins are ambiguous. Her name, meaning date palm, evokes a proud and stately image, but that is only a possible clue to the attitude which the author wants the reader to

⁴⁸ The text from Midrash Sekhel Tov to Genesis 38:5 reads as follows: "'And once again..'" Why does it say 'again'? Because Er and Onan were born before the sale of Joseph, for when Judah married Bat Shua, Joseph was fifteen. That same year Er was born, and the next year Onan was born, and then she stopped [bearing]. Then Joseph was sold when he was seventeen, and Judah went down and parted from his brothers in order to provide for himself and his household. In the city of Akhziv he joined with his wife, and she thus became pregnant with Shelah. This is why it goes back to the language, 'And once again she bore...' 'And called him Shelah.' Because Judah erred in the selling of Joseph, he called this son Shelah, in the language of the Targum, the word for error translates as 'Shelah.'" Midrash Lekah Tov to Genesis 38:5 also contains this interpretation.

⁴⁹ Midrash haGadol to Genesis 31:5.

develop toward her. Given the context in which she is introduced, we have no reason to believe that Tamar wasn't Canaanite.⁵⁰ Some scholars have speculated that the date palm was connected to Ishtar, a mythical figure who was said to slay her lovers, and that Tamar was given her name in order to evoke images of Ishtar and her parallel, Sara in the Book of Tobit.⁵¹

Interpretation of 38:6 in Rabbinic Literature

Tamar's role in the perpetuation of the Davidic line causes the rabbis to search out an appropriate ancestral line for her. According to the Book of Jubilees⁵² and the Testaments of the Twelve Patriarchs,⁵³ Tamar was from the daughters of Aram, referred to in the Bible as a son of Shem and grandson of Nahor,⁵⁴ Abraham's brother.⁵⁵ In later texts, Tamar is considered a descendant of Shem, one of Noah's sons,

⁵⁰G. Plaut, The Torah: A Modern Commentary (New York: UAHC, 1981), p.253.

⁵¹Skinner, A Critical and Exegetical Commentary on Genesis, p.452.

⁵²Charles, R. ed., The Book of Jubilees or The Little Genesis (London: Society for Promoting Christian Knowledge, 1917), 41.1.

⁵³Testaments of the Twelve Patriarchs, Judah 10:1.

⁵⁴Genesis 10:22.

⁵⁵Genesis 22:21.

with references to Aram.⁵⁶ The linkage of Tamar to Noah most likely is derived from the fact that Noah is referred to as a "righteous man,"⁵⁷ and Tamar is referred to by Judah as being more righteous than himself.⁵⁸ In another tradition, Tamar is understood to be a proselyte.⁵⁹ Viewing Tamar as a convert encourages a comparison of her character with that of Ruth, the woman who ultimately becomes the model of a righteous proselyte. The parallelism between these two women enhances Tamar's profile considerably.

The etymology of Tamar's name is also explored in our texts. In Bereshit Rabbati, four possible derivations are given for the name "Tamar." The first is that because of her, Er and Onan were embittered (nitmareru). The second derivation is that she embittered herself (hemira atzma) when she was forced to engage in harlotry. The third possible derivation is that she was pretentious (nityamrah) to go from the sons to the father. And the fourth, that her heart was

⁵⁶ Bereshit Rabbati to Genesis 38:6, pp.178-179 indicates that the sages said that Tamar was from the daughters of Aram Naharaim, and that Judah took her and her whole family from there, set them up in their own city, and did not allow them to return. See also Sefer ha-Yashar to Genesis 38:6, pp.127-128, which refers to Tamar as the daughter of Ilam, son of Shem, and Midrash haGadol to Genesis 38:1, in which the rabbis identify Tamar as the daughter of Shem, son of Noah.

⁵⁷Genesis 6:9.

⁵⁸Genesis 38:25.

⁵⁹B.T. Sotah 10a.

directed toward the heavens like a date palm which only has one heart, directed upward; thus Tamar did not intend to sleep with Judah for the purpose of harlotry; rather it was for the sake of heaven.⁶⁰ This idea, that intention may determine judgement in a case of apparently unethical action, comes to be associated with the character of Tamar. Another possible derivation for Tamar's name is given in Midrash Lekah Tov and Midrash Sekhel Tov, which stress that "she raised (timra) her deeds to the level of a sacrifice, in that she did not want to leave her father-in-law's house".⁶¹

The tension which is brought out in the conflicting etymologies of Tamar's name reflects a tension the rabbis felt vis-a-vis the character of Tamar. Her deeds and the outcome of her deeds simply did not comport in their minds. Yet, in general, the overall attitude of the texts on this verse sees Tamar in a very positive light; Midrash haGadol adds that she ~~was~~ beautiful to the point that Er did not want to impregnate her because he feared she would become ugly.⁶²

38:7 "But Er, Judah's first-born, was displeasing to the Lord, and the Lord took his life."

⁶⁰Bereshit Rabbati to Genesis 38:6, pp.178-179.

⁶¹Midrash Lekah Tov to Genesis 38:6; Midrash Sekhel Tov to Genesis 38:6.

⁶²Midrash haGadol to Genesis 38:6.

Interpretation of 38:7 in Rabbinic Literature

The most obvious question about this verse is about the nature of Er's action. What could he have done that was so displeasing to God? Both the Book of Jubilees and the Testaments of the Twelve Patriarchs indicate that Er wanted to marry a Canaanite woman.⁶³ The Book of Jubilees adds that Judah would not permit this. The Testaments of the Twelve Patriarchs makes a claim, repeated in other texts, that Er did not "know" Tamar. In this text, his mother (the Canaanite, Bat Shua) is responsible for Er's refusal to have children by Tamar. The Talmud makes the assumption that Er's sin is the same as Onan's, described in Genesis 38:9 as letting his seed "go to waste."⁶⁴ In a minor tractate of the Babylonian Talmud, Kallah 51a, this verse is used as proof for the statement, "Whoever arouses himself and masturbates forfeits his life."⁶⁵ The assumption that Er also committed a sexual transgression is repeated in most of the comments on this verse.⁶⁶

The rabbis usually attribute the motivation for Er's act to his concern for Tamar's beauty. The rabbis said that he

⁶³Testaments of the Twelve Patriarchs, Judah 10:2; The Book of Jubilees 41.2.

⁶⁴This opinion is found in Mishnat Rabbi Eliezar pp.337-338 as well.

⁶⁵B.T. Kallah 51a.

⁶⁶Bereshit Rabbah 85:4; Sefer ha-Yashar Va-Yeshev 89b, pp.127-128; Midrash Lekah Tov to Genesis 38:7; Midrash haGadol to Genesis 38:7; Midrash haHafes to Genesis 38:7.

was so concerned with preserving her beauty that he didn't want her to become pregnant and, possibly, ugly.⁶⁷ But Midrash Sekhel Tov and Midrash Lekah Tov both acknowledge the seemingly arbitrary nature of the hand of God when it appears in people's lives. They tell us that only God can really know what terrible crime Er committed, and that the assumption that the crime was the same as Onan's is only an assumption. All that is known is that the judgement was a judgement made in heaven.⁶⁸ At the same time, Midrash Lekah Tov also makes note of the spelling of Er's name, which is the reverse of the Hebrew word for evil, "ra." The rabbis felt the need to offer an answer to the question of why terrible things happen to seemingly innocent people. They tried to attribute these tragedies to human error, yet at the same time, they sometimes had a hard time convincing themselves of that error. What could Er possibly have done which would warrant a death penalty from God? Perhaps his number was simply up. The tension within these texts most likely reflects a grappling with real-life phenomena: pious people who die before their time, and the converse, evil people who live long lives.

38:8 "Then Judah said to Onan, 'Join with your brother's wife and do your duty by her as a brother-in-law, and

⁶⁷Midrash Lekah Tov 38:7; Midrash haGadol 38:6-7.

⁶⁸Midrash Sekhel Tov, Va-Yeshev 38:7; Midrash Lekah Tov 38:7.

provide offspring for your brother.'"

The laws pertaining to levirate marriage are found in Deuteronomy 25:5-6.⁶⁹ According to this passage, "doing your duty as a brother-in-law" means marrying Tamar and impregnating her. Von Rad claims that although it is presumed in the Book of Ruth that the laws of Deuteronomy 25:5-6 are binding, the meaning and true purpose of the levirate marriage are unclear in the Old Testament. Deuteronomy 25:6 states the purpose of levirate marriage as the preservation of the dead brother's name in Israel. But other explanations have considered the problem of transferring the dead brother's property, and whether that has anything to do with the levirate laws.⁷⁰ Genesis 38 is the first biblical account of a levirate marriage. We can infer from this account that levirate marriage was a duty for both the widow and the surviving brother; the brother being obligated to marry the widow and enable her to bear a son, and the widow being obligated to demand this from the brother. Here, the primary purpose of levirate marriage appears to be to carry on in the most direct way possible the life and name of the deceased

⁶⁹Deuteronomy 25:5-6 reads: "When brothers dwell together and one of them dies and leaves no son, the wife of the deceased shall not be married to a stranger, outside the family. Her husband's brother shall unite with her; take her as his wife and perform the levir's duty. The first son that she bears shall be accounted to the dead brother, that his name may not be blotted out in Israel."

⁷⁰Von Rad, Genesis: A Commentary, p.353.

brother.⁷¹

Interpretation of 38:8 in Rabbinic Literature

By telling Onan to fulfill his duty as a levir, Judah gained recognition among the ranks of our righteous ancestors.⁷² He is at times credited with introducing the laws of levirate marriage,⁷³ and at other times he is considered among those righteous ancestors who fulfilled the laws of Torah even before the Torah was given.⁷⁴ Because of this verse, Judah becomes identified with levirate marriage in the same way that Abraham is identified with circumcision

⁷¹M. Burrows, "Levirate Marriage in Israel" JBL 59(1973):pp.23-33, p.30.

⁷²Va-Yikra Rabbah 2:10.

⁷³Bereshit Rabbah 85:5.

⁷⁴Bereshit Rabbati to Genesis 38:8, pp.176-177 reads: "Why were the tribes obligated? Because Abraham kept all of the Torah, even before it was given, ...and Abraham taught all the Torah to Isaac, and he fulfilled all the Torah like his father, ...and was righteous like him, and likewise Jacob studied all of the Torah and fulfilled it...and Jacob taught all of the Torah to his sons and they fulfilled it. From where do we learn that they fulfilled it? From Judah, who said, "Bring her out to be burned" (Genesis 38:24) because Tamar was the daughter of Shem. And likewise he said, "Join with your brother's wife and do your duty by her" (38:8). If they hadn't learned Torah, how would they have known the laws regarding a Kohenet and levirate marriage? Because of this, the Holy One established a covenant of oath with the tribes, because they studied the Torah and fulfilled it..." See also VaYikra Rabbah 2:10; Midrash Lekah Tov to Genesis 38:8, Midrash Sekhel Tov to Genesis 38:8, Midrash haGadol to Genesis 38:8.

and Jacob is identified with the sinew of the thigh-vein.⁷⁵

Some texts reflect a certain level of discomfort with the idea of levirate marriage. Bereshit Rabbah 85:5 raises the question of forbidden and permitted sexual partners, in order to explain why marriage between a man and his brother's wife is permitted in this case. One might also ask if the Torah was known to Judah and his sons, why Onan didn't take advantage of the laws in Deuteronomy 25:7-10 and go through the ritual of halisa?⁷⁶ Midrash haGadol gives an answer; the laws of levirate marriage came before the laws of halisa, a practice not known before the time of this narrative.⁷⁷ The idea that the laws of levirate marriage might have something to do with the inheritance of property is renounced in Midrash Sekhel Tov and Midrash Lekah Tov.⁷⁸ The rabbis believed that levirate marriage served a noble purpose: the perpetuation of a dead man's seed.

⁷⁵Shir haShirim Rabbah 1:16; Pesikta de Rav Kahana, Piska 12:6.

⁷⁶Deuteronomy 25:7-10 reads, "But if the man does not want to marry his brother's widow, his brother's widow shall appear before the elders in the gate and declare, 'My husband's brother refuses to establish a name in Israel for his brother; he will not perform the duty of a levir.' The elders of his town shall then summon him and talk to him. If he insists, saying, 'I do not want to marry her,' his brother's widow shall go up to him in the presence of the elders, pull the sandal off his foot, spit in his face, and make this declaration: 'Thus shall be done to the man who will not build up his brother's house!'"

⁷⁷Midrash haGadol to Genesis 38:8.

⁷⁸Midrash Sekhel Tov to Genesis 38:8; Midrash Lekah Tov to Genesis 38:8.

38:9 "But Onan, knowing that the seed would not count as his, let it go to waste (ve-shihet arsa) whenever he joined with his brother's wife, so as not to provide offspring for his brother."

The Biblical text indicates that Onan did not fulfill his sexual duty with Tamar because he did not want his wife to bear his brother's offspring. Why was Onan reluctant to provide offspring for his brother? Would this have caused him any loss? It is possible that by preventing his brother from having any heirs, Onan would inherit the property and possessions of his brother, who was the first born. However, there is no mention of this motive within the Biblical text itself. There is an implication in this text of some of the problems with levirate marriage.

Interpretation of 38:9 in Rabbinic Literature

The Testaments of the Twelve Patriarch's has an easy solution to the question of why Onan spilled his seed: they say that his mother made him do it.⁷⁹ Another opinion is that Onan was following his brother's example. Er did not act appropriately in matters of sexuality, and neither did Onan.⁸⁰ Much of the exegesis on this text discusses what it

⁷⁹Testaments of the Twelve Patriarchs, Judah 10:5.

⁸⁰Midrash Lekah Tov to Genesis 38:9; Sefer ha-Yashar Va-Yeshev 89b, pp.27-128; B.T. Yebamot 34b.

was that Onan actually did, or what does "ve-shihet arsa" really mean? The term is almost always linked to some form of destruction.²¹ The destruction which Onan engages in, like Judah's partial misvah, is an act of omission; he has the right idea by going to Tamar, but he doesn't fulfill the second, more important, part of the deal; he isn't fruitful and he doesn't multiply. According to the rabbis, anyone who engaged in sex for reasons other than reproduction destroys the world.²² In rabbinic texts, there seems to be much more concern with the spilling of seed than there is with the violation of levirate marriage. This may have to do with the fact that levirate marriage was so very problematic, and the rabbis did not know what to do with it, even in their own lives. By stressing sexual transgression over and above social transgression, the rabbis give the impression that the sin for which Onan was killed was that of spilling his seed; not that of disobeying the laws of the levir.

38:10 "What he did was displeasing to the Lord, and He took his life also (va-yamet gam oto)."

The rabbis pick out the use of the word "gam" in this verse and use it to prove that Er committed the same

²¹Bereshit Rabbah 41:7, 85:5; Midrash Sekhel Tov to Genesis 38:9; Bereshit Rabbati to Genesis 38:9, p.60; Midrash haGadol to Genesis 38:9.

²²Shemot Rabbah 15:23; Mishnat Rabbi Eliezar, pp.337-338.

transgression as Onan.⁸²

Interpretation of 38:10 in Rabbinic Literature

In some ways, the exegesis of this verse is a direct continuation of the previous verse. The same issue is at hand; what did Onan do to deserve death? The emphasis is placed by the rabbis on his refusal to be fruitful and multiply, rather than on his refusal to take responsibility for his brother's name. The Talmud portrays those who masturbate as heathens,⁸⁴ and devotes a substantial amount of time suggesting ways to avoid untoward sexual arousal.⁸⁵ Midrash haGadol makes a powerful statement against any engagement in sexual activity outside of attempts at reproduction.⁸⁶ In short, God made the earth for habitation;

⁸² Midrash Sekhel Tov to Genesis 38:10.

⁸⁴ B.T. Kallah 52a.

⁸⁵ B.T. Niddah 13a,b.

⁸⁶ Midrash haGadol to Genesis 38:10 reads, "Rabbi Yohanan said, 'Anyone who ejaculates for no reason deserves death, as it is written, 'What he did was displeasing to the Lord, and He took his life also.' Rav Ammi said, It is as if he spills blood....Rav Ashi said, it is as if he worshipped idols,....Rav Aha bar Yashia said, Anyone who ejaculates for no reason is thought of as a beast; just as a beast pays no attention to what it does, so he pays no attention to what he does. A beast stands for slaughter and has no chance for a place in the world to come, and he, too, faces death with no hope of entering the world to come. About him Solomon said, 'Who knows if a man's lifebreath does rise upward and if a beast's breath does sink down into the earth?' (Ecclesiastes 3:21) The breath of people which rises upward is the spirit of the righteous who do not get heated up and never ejaculate in vain. And the breath of beasts which sinks into the earth

it was not intended to become a waste. By destroying both his brother's future and his own future by spilling his seed on the ground, Onan causes himself to be destroyed in the present.⁸⁷

38:11 "Then Judah said to his daughter-in-law Tamar, 'Stay as a widow in your father's house until my son Shelah grows up'— for he thought, 'He too might die like his brothers.' So Tamar went to live in her father's house."

According to ancient law, Judah should be obligated to give Tamar to Shelah, his youngest (and now only) son. Yet he is understandably reluctant to do so, having had two sons die while married to Tamar. In ancient times suspicion would be raised about a young wife who survived the deaths of two husbands, and there would be a question about what role she might have played in these deaths.⁸⁸ Even today we can think of people who we might consider "jinxed" because an unusual number of catastrophes have befallen them. But most of us

is the spirit of the evil ones who get heated up and ejaculate in vain. For anyone who makes things difficult for himself is praiseworthy...[and anyone]...who has sexual fantasies does not get the chance to enter into God's chamber.

⁸⁷Midrash Sekhel Tov to Genesis 38:10.

⁸⁸See Tobit 3:7 and 8:9. The Judah and Tamar narrative is sometimes referred to as a later form of the legend of Sara in the book of Tobit. The plot, themes, and symbolism of Genesis 38, however, rely on the assumption that Tamar is not responsible for the deaths of Er and Onan, as opposed to the Apocryphal text which does impart responsibility for death to Sara.

would not attribute responsibility for these catastrophes to the person who suffered them, as the ancients did.⁸⁹ While Judah was suspicious of Tamar, he apparently was too embarrassed to be honest with her about why he was sending her away, since he knew he was not meeting his legal obligation to her and to his dead son. He used the pretext of Shelah's age to justify his actions, but in reality he was treating Tamar as a widow and not as a betrothed woman.⁹⁰

Interpretation of 38:11 in Rabbinic Literature

Did Judah actually intend to sentence Tamar to life as a woman prohibited to all other men? The Talmud clearly states that the phrase "stay as a widow in your father's house" is an idiom signifying the end of a relationship between a man and wife. The talmudic references indicate that this was an idiom used in cases of divorce;⁹¹ however, Tamar was not legally divorced, nor released from Shelah in any other way. Therefore she was bound to Shelah, even though Judah had made it clear that he would never marry her.

Both the Testaments of the Twelve Patriarchs and the Book of Jubilees transfer responsibility for Judah's expulsion of Tamar onto his wife, Bat Shua in order to

⁸⁹Von Rad, Genesis. A Commentary, p.353.

⁹⁰See Ruth 1:8 and Leviticus 22:13.

⁹¹See the following references in the Babylonian Talmud: Kiddushin 5a; Gitten 21b (and Tosefot); Sukkah 24b (and Tosefot); and Yebamot 59a.

absolve the hero, Judah, from any sin. According to these texts, Judah wanted to marry Tamar to Shelah, but Bat Shua would not allow it,⁹² and, in fact, she arranged for Shelah to marry someone else while Judah was away, in order to make sure that he would not marry Tamar.⁹³ Midrash Sekhel Tov understands Judah as being well intentioned when he first sends Tamar away, i.e., he plans to have her marry Shelah. Only later he begins to fear that there really might be something about Tamar which caused his older sons to die, and he then sends her away.⁹⁴

The attitude that Judah was justified in fearing the marriage of Tamar to Shelah becomes prevalent in most of the midrashim.⁹⁵ There is a strong feeling that, although it is not appropriate to believe in omens, that when a destructive pattern is repeated under similar circumstances, it may be taken as a sign to avoid those circumstances again.⁹⁶ This attitude becomes a part of halakhah and we learn that a wife who has married the first (son), who dies, and married the second (son) who dies, should not marry the third son,

⁹²Testaments of the Twelve Patriarchs Judah 10:6; Book of Jubilees 41:6-7.

⁹³Testaments of the Twelve Patriarchs, Judah 11:3.

⁹⁴Midrash Sekhel Tov to Genesis 38:11.

⁹⁵Sefer ha-Yashar Va-Yeshev 89b, p.128.

⁹⁶Bereshit Rabbah 85:5; Midrash Lekah Tov to Genesis 38:11; Midrash haGadol to Genesis 38:11.

despite the laws of levirate marriage.⁹⁷

38:12 "A long time afterward (Va-yirbu ha-yamim), Shua's daughter, the wife of Judah, died. When his period of mourning was over (Va-yinahem Yehudah), Judah went up to Timnah to his sheepshearers, together with his friend Hirah, the Adullamite."

The death of Bat Shua marks the beginning of a new phase in the narrative, indicating that Bat Shua had to die before the narrative could continue. Commentators have suggested that Judah would not have been free to lie with Tamar if his wife were still alive.⁹⁸ From a literary standpoint, it may have been important to dispose of the source of evil (Bat Shua) in order to prepare for the entrance of the source of the good (Tamar). The amount of time which passed between Tamar's return to her father's house and the death of Bat Shua is uncertain. It is said to be "a long time," most probably to emphasize that Judah did not intend to bring Tamar back to marry Shelah.

Two other sections of this verse are interpreted widely by the rabbis; what the text means when it says "a period of mourning," and the location and symbolic meaning of Judah's destination, Timnah. The literal translation of "Va-yinahem Yehudah" is "Judah was comforted." The phrase refers to the

⁹⁷Midrash haHafes to Genesis 38:11.

⁹⁸Skinner, A Critical and Exegetical Commentary on Genesis, p. 453.

outcome of whatever rituals of mourning were common practice at that time,⁹⁹ but there is no mention of the observance of a period of mourning. As far as Timnah is concerned, Biblical scholars have suggested that it may have been located where the modern city of Tibne now stands, approximately ten miles west of Bethlehem.¹⁰⁰

Interpretation of 38:12 in Rabbinic Literature

The rabbis explained Bat Shua's death in several ways. In some texts, her death is caused by Judah's curse, which he brings upon her because she married Shelah to another woman behind his back.¹⁰¹ In another text, her death is seen as part of Judah's punishment for his part in the sale of Joseph.¹⁰² These texts yield conflicting views of Judah; in one case he is the judge, defending levirate law, while in the other he is the one judged, being punished for committing a crime. These texts reflect an uncertainty surrounding the

⁹⁹Interpreter's Bible, p.759; Skinner, A Critical and Exegetical Commentary on Genesis, p. 452-3; Speiser, The Anchor Bible, p.297.

¹⁰⁰Skinner, A Critical and Exegetical Commentary on Genesis, p.453; Interpreter's Bible, p.759.

¹⁰¹Testaments of the Twelve Patriarchs, Judah 11, 4-5. See also Bereshit Rabbati to Genesis 38:12, p.178, which reads, "'Bat Shua died.' Why did she die? The sages said because when Shelah grew up, she went with him and married him to another woman, lest he also die. And Judah didn't know about this. When he found out, he cursed her because she had disobeyed him and upset the mitzvah of levirate marriage. She died immediately."

¹⁰²Devarim Rabbah, Nitzavim, 4.

meaning of death, at the same time as they reflect conflict about the correct way to view Judah.

Many texts claim that the amount of time indicated by the phrase "va-yirbu ha-yamim," "a long time afterwards," is twelve months. However, they understand this as the amount of time between Bat Shua's death and Judah's trip to the sheepshearing, not as the amount of time between Tamar's return to her father's house and Bat Shua's death. These texts all support the notion that Judah observed the appropriate period of mourning before entering into a relationship with Tamar.¹⁰³

38:13 "And Tamar was told, 'Your father-in-law is coming up to Timnah for the sheepshearing.'"

Interpretation of 38:13 in Rabbinic Literature

Who told Tamar that her father-in-law would be travelling through her neighborhood? Midrash Sekhel Tov says that Tamar overheard gossip.¹⁰⁴ Midrash haGadol claims that Tamar was told through the Holy Spirit.¹⁰⁵ These two different explanations yield very different understandings of

¹⁰³Bereshit Rabbah 85:6; Midrash Lekah Tov to Genesis 38:12; Midrash Sekhel Tov VaYeshev, 38:12; Midrash haGadol to Genesis 38:12.

¹⁰⁴Midrash Sekhel Tov to Genesis 38:13.

¹⁰⁵Midrash haGadol to Genesis 38:13.

Tamar; Sekhel Tov makes Tamar responsible for her own actions, while Midrash haGadol makes her a tool of the Holy Spirit. Here again, the tension between portraying Tamar as a righteous and upright woman, or portraying her as a conniving schemer comes into play. Her vindication proves her to be righteous, and the rabbis seek to attribute her righteousness in some measure to Divine power. Yet at the same time, she is still a human being, like anyone else. Can one maintain their humanness and still be a vessel of divinity? This is a question asked by all rabbis, in every age.

In this chapter, Judah "goes up" to Timnah, while in Judges chapter 14, Samson "goes down" to Timnah. How could one person ascend to a place, and another person descend to the same place? One rabbinic opinion is that there were two different places named Timnah; Judah went to one of them, and Samson went to the other.¹⁰⁶ Another opinion is that Timnah was situated in a geographical location which was north of where Samson lived, and south of where Judah lived.¹⁰⁷ In a different type of exegesis, Timnah is interpreted allegorically. For Judah, Timnah becomes the site from which his redemption comes. For Samson, Timnah is the place where passion overcame him. Thus, the place from which Judah

¹⁰⁶ B.T. Sotah 10a; Bereshit Rabbah 85:6; Bamidbar Rabbah 9:24; Midrash haGadol to Genesis 38:13.

¹⁰⁷ B.T. Sotah 10a; Bereshit Rabbah 85:6; Bamidbar Rabbah 9:24; Midrash Sekhel Tov to Genesis 38:13; Midrash Lekah Tov to Genesis 38:13; Midrash haGadol to Genesis 38:13.

established kings, and thereby rose to glory, was the same place where Samson fell in stature, due to his pursuit of pleasure.¹⁰⁸ Other texts are not quite so specific; Judah went up to Timnah because his actions were for the sake of Heaven (he was planting the seed of a new king, redeemer of all Israel), and Samson went down to Timnah because his actions were not for the sake of Heaven.¹⁰⁹ The lack of specificity with regard to Samson may stem from the fact that Samson's transgression was essentially the same as Judah's. In one text he is accused of marrying a "goya," a woman from a foreign nation,¹¹⁰ and in another text his actions are said to be "for the sake of harlotry."¹¹¹ Judah has been guilty of both of these accusations. The reason for his redemption, then, must be found in his subsequent actions (admission of guilt and repentance), or in an outside source (Tamar or God).

38:14 "So she took off her widow's garb, covered her face with a veil, and, wrapping herself up, sat down at the entrance to Enaim (Petah Enaim) which is on the road to Timnah; for she saw that Shelah was grown up, yet she had not been given to him as a wife."

¹⁰⁸B.T. Sotah 10a; Bereshit Rabbah 85:6; Midrash Lekah Tov to Genesis 38:13.

¹⁰⁹For instance, Bamidbar Rabbah 9:24; Midrash Sekhel Tov to Genesis 38:13; and Midrash haGadol to Genesis 38:13.

¹¹⁰Bereshit Rabbah 85:6.

¹¹¹Midrash haHafes to Genesis 38:13.

What gave Tamar the right to suspend the norms of sexual conduct and become a harlot, even for one night? One answer is given in the text itself; Tamar now could be certain that Judah would not give her to Shelah as a wife. She was forced to find some way to fulfill her obligation to her dead husband, and this was the scheme that she came up with. Her deception of Judah was carried out in a manner parallel to that which Judah employed in the episode of the sale of Joseph. Judah used Joseph's garment, dipped in the blood of a kid, to deceive Jacob into thinking that Joseph was dead. Tamar used her own veil to change her perceived identity, so that she could make Judah think she was a harlot. She then accepted the promise of a goat from Judah as payment for her services. The use of these particular props in the two stories sets up a situation in which Judah will be able to begin his process of repentance. They also create literary continuity between the Joseph narrative and the self-contained narrative of Judah and Tamar.

Various commentators have assumed that the identity Tamar wishes to take on through veiling herself is either that of a common prostitute,¹¹² a sacred or temple prostitute dedicated to Ishtar,¹¹³ or a married woman in the service of

¹¹²Skinner, A Critical and Exegetical Commentary on Genesis, p. 453.

¹¹³The Interpreter's Bible, p. 760.

Astarte, goddess of love.¹¹⁴ Whatever the model, putting on a veil made her identifiable as a prostitute. Her decision to sit at "Petah Enaim;" the city gate¹¹⁵ or crossroads,¹¹⁶ also may have been made because it was a place associated with prostitution. The choice of name by the Biblical author seems too laden with meaning to relegate it to a geographical location named "Petah Enaim".¹¹⁷ The literal translation of the name is "the opening of the eyes." This name is ironic in light of the fact that Judah's eyes were closed there, in the sense that he did not recognize his daughter-in-law Tamar. As a result of what happens at Petah Enaim, Judah's eyes are eventually opened, both to Tamar and to his own culpability for the actions he has taken.

Interpretation of 38:14 in Rabbinic Literature

The rabbinic exegesis of 38:14 introduces us to the Tamar of the rabbis, who is intelligent and honorable, even as she prepares to deceive Judah. The rabbis affirmed Tamar's right to assert herself when she saw that she would never

¹¹⁴Von Rad, Genesis: A Commentary, p. 354.

¹¹⁵References to "Petah ha-ir," "The opening to the city," can be found in I Kings 17:10 and I Chronicles 19:9.

¹¹⁶J.A. Emerton, "Some Problems in Genesis 38," VI 25(1975):338-361, p. 341.

¹¹⁷Skinner, International Critical Commentary p.298 does try to identify Petah Enaim geographically. He thinks it may be the same as the place called "Enam" in Joshua 15:34, located in the Shephelah.

marry Shelah.¹¹⁸ They also justified her motivation in her act of prostitution, because they understood it to be for the sake of Heaven. Tamar's act was exceptional because it resulted in the birth of kings and prophets.¹¹⁹ The rabbis needed to justify Tamar's act of deception in order to make her a worthy progenitor of the Davidic line. At the same time, they could not completely accept the act of prostitution under any circumstances, as it was so strongly forbidden in their own time. This creates a tension in the text whenever the subject of Tamar's harlotry is mentioned.

Several texts respond to the question about the symbolic meaning of Tamar's veil. The Testaments of the Twelve Patriarchs identify the veil as bridal array.¹²⁰ Other texts see the veil as a symbol that Tamar, like Rebecca, will bear twins.¹²¹ According to Midrash Lekah Tov, the veil introduces a change in persona, and also introduces a lie;¹²² in

¹¹⁸Bereshit Rabbati to Genesis 38:14, p.178.

¹¹⁹B.T. Nazir 23b including tosefot; Midrash Lekah Tov to Genesis 38:14.

¹²⁰Testaments of the Twelve Patriarchs, Judah 12:2.

¹²¹Bereshit Rabbah 60:15, 85:7; Tanhuma ha-Nidpas VaYeshev 67; Midrash Lekah Tov to Genesis 38:14. This comparison to Rebecca also emphasizes the contrast between the acceptability of Tamar, who is worthy of being compared with one of the Matriarchs, and the unacceptability of Bat Shua, who is most often seen as an outsider.

¹²²Midrash Lekah Tov to Genesis 38:14.

contrast, Midrash Sekhel Tov views it as a symbol of modesty.¹²² In the exegesis on this verse, the veil is one of deception; at the same time, it functions as a key object, propelling the narrative forward.

The name "Petah Enaim" is not mentioned in the Book of Jubilees. According to this text, Tamar "...sat in the gate adjoining the way to Timnah."¹²⁴ Because of the ambiguous nature of the name, the rabbis deemphasized the location in their exegesis. They gave meaning to the name by ascribing symbolic value to it, using plays on it's literal meaning to impart a sympathetic understanding of Tamar's character. In one interpretation, "Petah Enaim" is a reference to Tamar's reverence, for she "...raised her eyes to the opening which all eyes look toward, and prayed, 'May it be Your will, Adonai my God, that I not depart barren from this house.'"¹²⁵ Another interpretation makes it the place where she opens Judah's eyes and makes him aware of her status.¹²⁶ A

¹²²Midrash Lekah Tov to Genesis 38:14.

¹²⁴The Book of Jubilees, 41:10. In a similar interpretation, the Testaments of the Twelve Patriarchs, Judah 12:2 says Tamar "...sat in the city Enaim by the gate."

¹²⁵Bereshit Rabbah 85:7; Tanhuma Buber Va-Yeshev 66; Midrash haGadol to Genesis 38:14.

¹²⁶B.T. Sotah 10a reads, "...she gave eyes to her words. When [Judah] solicited her, he asked her, 'Art thou perhaps a Gentile?' She replied, 'I am a proselyte.' 'Art thou perhaps a married woman?' She replied, 'I am unmarried.' 'Perhaps thy father has accepted on thy behalf betrothals?' She replied, 'I am an orphan.' 'Perhaps thou art unclean?' She replied, 'I am clean.'" See also Bereshit Rabbah 85:7; Midrash haGadol to Genesis 38:14; Midrash Lekah Tov to Genesis 38:14; and

practical interpretation makes Petah Enaim a place that everyone passing by had to notice, so that Tamar's choice of a place to wait for Judah was infallible.¹²⁷ The Midrash Tanhuma suggests that Petah Enaim was the opening through which God was watching, indicating that Divine Providence approved of Tamar's actions.¹²⁸ Predictions of the coming of David and the Messiah are also made in reference to this phrase; Tamar was "looking" forward to the Admonite with the beautiful "eyes" (i.e., David),¹²⁹ and the "opening" which occurred at Petah Enaim led to the opening of the chains imprisoning the Messiah.¹³⁰

38:15 "When Judah saw her, he took her for a harlot; for she had covered her face."

In the place where all eyes are opened, Judah was not able to "see" his daughter-in-law Tamar. He was only able to see a harlot who was ready to do some business. The structure and language of the text build upon the irony and comedy of the moment.

Yalkut Shimoni Va-Yeshev 1:145.

¹²⁷B.T. Sotah 10b; Tanhuma Buber Va-Yeshev 68; Midrash Sekhel Tov to Genesis 38:14; Midrash Lekah Tov to Genesis 38:14.

¹²⁸Tanhuma Buber Va-Yeshev 68.

¹²⁹Midrash haGadol to Genesis 38:14.

¹³⁰Bereshit Rabbati to Genesis 38:14, p.180.

This verse indicates that at least one type of prostitute was known to cover her face. Von Rad has suggested that Tamar may have been portraying herself as a married woman engaging in a cultic practice of sacrificial prostitution.¹²¹

Interpretation of 38:15 in Rabbinic Literature

Some texts indicate knowledge of cultic forms of prostitution.¹²² It is particularly shocking to think that Judah may have been so bold as to engage in sexual activity associated with the cult. On an interpretive level, this would emphasize how removed Judah was from the laws and traditions of his own people, first having married a Canaanite, and now lying with a cultic prostitute. Yet this does not correspond to Judah's concern for the laws of levirate marriage. Was Judah connected to his people, or was he removed from them? Texts can be found to make either case. The rabbis were divided on the qualities necessary for repentance and redemption, and the text reflect this

Believing that Judah's failure to recognize Tamar is due only to her effective disguise requires a certain degree of gullibility on the part of the reader. The rabbis were not at all sure that this could be the whole story. Many texts

¹²¹Von Rad, Genesis: A Commentary, p.354-5.

¹²²Testaments of the Twelve Patriarchs, Judah 12:2; Bereshit Rabbati to Genesis 38:15, p.180.

indicate that Judah's judgement was impaired either because he was drunk,¹²² or lustful.¹²⁴ Other texts see Judah's failure to recognize Tamar as yet another positive statement about Tamar; she was so modest when she lived with her father-in-law that he never saw her face, so it was understandable that he would not know her when he saw her. It was due to her extreme modesty, proved by this verse, that she merited giving birth to kings and prophets.¹²⁵ The fact that abiding by the laws of modesty backfired in the case of Judah and Tamar is given as a warning to men that they should always be able to recognize the women who are forbidden to them because they are related to them.¹²⁶

Tamar's modest image in these texts contrasts sharply with Judah's image of boisterousness. The rabbis seem to want to portray Judah in the worst possible light, and to show Tamar at her very best. This description builds to a most powerful moment of self-recognition for Judah; a moment at which he is transformed. Pesikta Rabbati and Midrash Tehillim offer a counter opinion, making a point of showing that Judah

¹²²Testaments of the Twelve Patriarchs, Judah 14:5, 12:3; Bereshit Rabbati to Genesis 38:15, p.180.

¹²⁴Testaments of the Twelve Patriarchs, Judah 13:3; Bereshit Rabbati to Genesis 38:15, p.187; Midrash Sekhel Tov to Genesis 38:15; Midrash haGadol to Genesis 38:15.

¹²⁵B.T. Megillah 10b; Sotah 10b; Midrash Lekah Tov to Genesis 38:15; Midrash haGadol to Genesis 38:15.

¹²⁶Midrash Lekah Tov to Genesis 38:15; Midrash haGadol to Genesis 38:15.

never fully regains his status after he lies with Tamar.¹²⁷ These texts represent an opposition to exonerating Judah for his sins, and a disbelief in the ability of people to change so quickly.

38:16 "So he turned aside (va-yet) to her by the road and said, 'Here, let me sleep with you' -for he did not know that she was his daughter-in-law. 'What,' she asked, 'will you pay for sleeping with me?'"

The meaning of "va-yet," "turning in to" is sometimes thought to be a euphemism for sexual intercourse;¹²⁸ however the occurrence in other biblical passages indicates that "va-yet" can be understood to mean "turned aside" or "turned in toward." It also seems clear from 38:18 that the act of intercourse occurred after payment negotiations between Judah and Tamar, which are presented as a normal business transaction.

Interpretation of 38:16 in Rabbinic Literature

The picture of Judah and Tamar which is suggested at this moment in the narrative was understandably disturbing to

¹²⁷Pesikta Rabbati, Piska 12:6, p.231; Tehillim Rabbah on Psalm 101:2, which reads: "When Moses asked God: 'Shall I appoint a High Priest for Thee out of the tribe of Judah?' God answered, 'No! "Whoso is haughty of eye and proud of heart, him will I not suffer" ' (Psalm 101:5). For of Judah, it is said 'When Judah saw her, he thought her to be a harlot.'" (Genesis 38:15).

¹²⁸Speiser, The Anchor Bible, p.298.

the rabbis. Tamar, supposedly dressed in the manner of a harlot,¹²⁹ was standing at the crossroads. It seems likely that she was doing something provocative to spark Judah's interest in her. Both her dress and her manner, then would be problematic for men who were clearly obsessed with modesty. Judah also behaves in a disturbing fashion, picking up Tamar as though he was accustomed to consorting with harlots. A number of Rabbinic texts offer rationalizations for Judah and Tamar. B.T. Sotah 10a suggests that Judah was concerned with Tamar's credentials, describing a conversation in which he checks her status carefully and determines that she is, among other things, a proselyte.¹³⁰ Many texts claim that Judah was drawn to Tamar against his will. These texts make the claim that Tamar's veil actually belied the fact that she was acting as a prostitute, and because he thought her to be a married woman, Judah passed by her without stopping. At that moment, an angel specializing in passion was sent by God to goad Judah into lying with Tamar against his will. Upon seeing Judah try to pass by Tamar, the angel called out, "Where are you going? From whence will kings be established? From whence will redeemers be established?" It was this voice which caused Judah to turn to Tamar, as she waited for him by the road.¹⁴⁰ It was this voice which established God's

¹²⁹See n.125 above.

¹⁴⁰Bereshit Rabbah 85:8; Midrash Sekhel Tov to Genesis 38:16; Midrash haGadol to Genesis 38:16; Midrash haHafes to Genesis 38:16; Yalkut Shimoni VaYeshev 1:145. Also see

presence in this story for Judah, and reminded him of his responsibilities toward Tamar and toward his people.

By asking Judah what he would give her as payment for her services, Tamar further reinforces her authenticity as a prostitute. Payment for the services of a woman was part of the normative culture of the time.¹⁴¹

38:17 "He replied, 'I will send a kid from my flock.' But she said, 'You must leave a pledge (eravon) until you have sent it.'"

Here Tamar's cunning begins to come to the fore. She has clearly orchestrated her every move, with the intention of carrying out a specific plan. The mention of a kid is another link between this chapter and the rest of the Joseph narrative. The kid becomes associated with acts of deception; Jacob deceives Isaac by wearing the skins of a kid (Genesis 27:16), The brothers deceive Jacob with the blood of a slaughtered kid, and now Tamar will deceive Judah by pretending to accept a kid as his payment.

Interpretation of 38:17 in Rabbinic Literature

Why does Judah offer a kid, and not something else? Perhaps for glory; after all, Jacob was blessed while wearing

Midrash Lekah Tov to Genesis 38:16.

¹⁴¹Midrash Sekhel Tov to Genesis 38:16; Midrash haGadol to Genesis 38:16.

kidskin, and so Judah established kings and prophets by virtue of the kid he pledged.¹⁴² Another opinion states that this was all a part of Judah's deserved punishment; just as he deceived his father using a kid, so too would Tamar deceive him using a kid.¹⁴³ Parallelism with other texts in order is identified and utilized in order to impart deeper meaning to this seemingly insignificant barter between Judah and Tamar.

Bereshit Rabbati and Midrash Sekhel Tov both give definitions of an "eravon," or "pledge".¹⁴⁴ The mention of the pledge is the next step in Judah's journey toward repentance. The "eravon" introduced in this chapter will take on a different form in a later chapter, when Judah offers himself to Jacob as a pledge for Benjamin. Ultimately, it will be at the point when Judah is actually willing to

¹⁴²Midrash Lekah Tov to Genesis 38:17; Midrash Sekhel Tov to Genesis 38:17.

¹⁴³Midrash Sekhel Tov to Genesis 38:17.

¹⁴⁴; Midrash Sekhel Tov to Genesis 38:17 reads as follows: "Then [Tamar] said, 'You must leave a pledge until you have sent it,' meaning until [Judah] set the kid. The principle here is the word "eravon," or "pledge," an expression referring to a security (aravut) which is pledged between traders to establish a sale. Similarly, 'I will be a pledge for him,' (Genesis 43:9); 'My son, if you have stood surety for your fellow,' (Proverbs 6:1); 'Come now, make this wager' (II Kings 18:23), 'He who gives his hand to stand surety for his fellow' (Proverbs 17:18), and all similar statements, are speaking about a type of pledge. It is the expression of a pledge which draws a person to the same thing, and it is the sign of something which pulls, as it is written, 'Draw me after you, let us run!' (Song of Songs, 1:4)." Note that the word "aravut" also can mean "heavenly". See also Bereshit Rabbati to Genesis 38:17, p.180.

endanger himself in order to save Benjamin that complete "teshuvah", "repentance" will be recognized in Judah.

38:18 "And he said, 'What pledge shall I give you?' She replied, 'Your seal and cord, and the staff which you carry.' So he gave them to her and slept with her, and she conceived by him."

The seal which Tamar asked for was probably a personalized stamp in the shape of a ring, worn on a pin by the individual as part of his public attire, and used by him whenever a signature was required.¹⁴⁵ The seal hung from the cord¹⁴⁶, and the staff probably was walking stick which also served a function when engaging in business transactions, and was personalized for such use.¹⁴⁷ All of these items could be identified as belonging to Judah, and they also would have indicated his social status. In requiring a pledge from him, Tamar obtained items which he would be able to identify in the most expedient and least ambiguous way.

Interpretation of 38:18 in Rabbinic Literature

Different midrashim give different definitions of the items which Judah gave Tamar as a pledge. In some, the staff,

¹⁴⁵Plaut, The Torah: A Modern Commentary, p. 251.

¹⁴⁶Brown, Driver, and Briggs, A Hebrew and English Lexicon of the Old Testament (Oxford: Clarendon Press, 1951), p. 836.

¹⁴⁷Plaut, The Torah: A Modern Commentary, p.251.

LINWEAVE BOND

cord, and seal are items used by shepherds when tending the flock.¹⁴⁸ A related definition envisions a staff with a purse tied to the top, drawn closed by the cord and containing the seal, forming a sack which a traveller would commonly take on a trip.¹⁴⁹ Another type of definition translates the pledge items as Judah's staff, his girdle, and the diadem of his kingdom.¹⁵⁰ These items are considered to be symbols of Judah's sovereignty; his tribe, his power, and the glory of his kingdom,¹⁵¹ or the Kingship, the Sanhedrin, and the Messiah¹⁵². According to this allegorical interpretation of the pledge items, either Judah surrendered his power to Tamar, or Tamar was responsible for Judah's eventual achievement of sovereignty. The hyperbole of these texts indicates the important role Tamar occupies in the rabbi's understanding of Judah as sovereign. The symbols of Judah's

¹⁴⁸Midrash Lekah Tov to Genesis 38:18 reads, "Tools used in herding. 'Your seal,' which he used to brand the flock; 'your cord,' with which he tied the flock. And this is the way it works; the shepherds attach a rope at the top of the staff, and it is tied, and it is put on the head of the sheep. And when he pulls, the tie is tightened, and the flock is caught." See also Midrash Sekhel Tov to Genesis 38:18.

¹⁴⁹Midrash Lekah Tov to Genesis 38:18; Midrash Sekhel Tov to Genesis 38:18.

¹⁵⁰Testaments of the Twelve Patriarchs, Judah 12:4; Judah 13:3. In the Book of Jubilees 41:11, the items are Judah's ring, necklace, and staff.

¹⁵¹Testaments of the Twelve Patriarchs, Judah 15:3. See also Aggadat Bereshit 27:2 on Judah's staff only.

¹⁵²Bereshit Rabbah 85:9; Aggadat Bereshit ch.27:2; Midrash Lekah Tov to Genesis 38:18.—

sovereignty have no meaning to him, and therefore they are not effective until Tamar takes them from him and empowers him. Midrash haHafes understands the pledge items as representing those natural powers which led to the formation of new life.¹⁵³ This new life is not only referred to in regard to Judah's sons; the text reflects a belief that Judah himself attained new life through his joining with Tamar.

An involved discussion of women's physiology comes up in the exegesis on this verse because Tamar becomes pregnant the first and only time she lies with Judah. The rabbis took this phenomenon to mean that something else must have been going on— either Tamar masturbated (which they felt somehow prepared her for impregnation), or she and Judah must have had intercourse more than once, or she destroyed her virginity by friction with her finger (which again was seen to increase the chances that she would get pregnant).¹⁵⁴ The fact that the rabbis understood the idea that humans could have some control over fertility indicates their fascination with physiology, particularly when it concerned the formation of new life. Tamar's pregnancy is also used as a proof-text for determining dates of conception and length of gestation for a fetus. These calculations were used to inform couples about

¹⁵³Midrash haHafes to Genesis 38:18.

¹⁵⁴B.T. Yebamot 34b; Midrash Lekah Tov to Genesis 38:18; Midrash Sekhel Tov to Genesis 38:18; Midrash haGadol to Genesis 38:18. Tamar becomes associated with masturbation because of this verse.

the appropriate days to conceive, so that the baby would not be born on Shabbat.¹⁵⁵

The rabbis continue their efforts to justify the act of prostitution which occurs in this verse. Midrash Sekhel Tov defends Judah's motives, stating that he "came to [Tamar] to a modest place, for the sake of fruitfulness."¹⁵⁶ The rabbis' comment on the phrase "and she conceived" reiterates the message that Judah and Tamar were acting with the best intentions. It states that Tamar wished to conceive "...children who were like him; righteous like him, and mighty like him."¹⁵⁷ These texts wish to reassure us that Judah's integrity is intact, since he is engaged in the union which will lead to the birth of David and, ultimately, the Messiah.

38:19 "Then she went (va-takam) on her way. She took off her veil and again put on her widow's garb."

Tamar has been transformed, but her transformation is invisible as yet. The juxtaposition of her two identities is ironic. Her identity as a widow causes her to be viewed as an obedient and patient woman, following the restrictions which

¹⁵⁵Midrash haGadol to Genesis 38:18.

¹⁵⁶Midrash Sekhel Tov to Genesis 38:18.

¹⁵⁷Bereshit Rabbah 85:9; Midrash Lekah Tov to Genesis 38:18; Midrash Sekhel Tov to Genesis 38:18; Midrash haGadol to Genesis 38:18.

have been placed on her life. Yet as long as she keeps this identity, she is unable to fulfill her potential as redeemer of the people. It is only when she takes on a radically different identity, one which is viewed as non-normative and antithetical to the values of society, that she is able to act courageously and effectively. Tamar must conceal her ambition when she wears her widow's garments, the garments that are associated with the "real" Tamar. Yet when she puts on the veil of harlotry, supposedly concealing her true identity, she is able to act on something which secretly obsessed her. Which Tamar is more real, the Tamar in widow's garments, or the veiled Tamar?

Interpretation of 38:19 in Rabbinic Literature

The rabbis struggled with the question of the real Tamar. This tension is demonstrated by those interpretations which defend her and provide her with positive testimony. They say that Tamar changes quickly so that no other men will approach her, thinking that she is a prostitute.¹⁵⁰ Taking a cue from the Hebrew, they point out that the word "va-takam" means "she rose". According to Midrash Lekah Tov, she rose to bear kings and prophets.¹⁵¹ These texts take every opportunity to point out Tamar's righteousness and her sense of purpose throughout this entire episode. It is possible

¹⁵⁰Midrash Sekhel Tov to Genesis 38:19.

¹⁵¹Midrash Lekah Tov to Genesis 38:19.

that their zealousness reflects the fact that they had doubts about the means Tamar used to reach her goal.

38:20 "Judah sent the kid by his friend the Adullamite, to redeem the pledge from the woman; but he could not find her."

Judah wanted to fulfill this obligation to Tamar. We do not know if he was motivated by his desire to retrieve the pledge items, or by his desire to keep his word.

Interpretation of Genesis 38:20 in Rabbinic Literature

The exégesis on this verse is eclectic. Bereshit Rabbah reminds us again that Divine retribution is distributed measure for measure; Judah used a kid in his deception of his father, and Tamar is promised a kid in the course of her deception of Judah.¹⁶⁰ Midrash haGadol distinguishes the kid called "q'di izzim" from all the other animals referred to as "q'di".¹⁶¹ The kid becomes a symbol of deception in the entire Joseph narrative, but at the same time, the deception serves a higher purpose. In the case of Joseph, it causes him to gain his position of leadership in Egypt; in the case of Tamar, it allows her to carry out her plan of bearing kings and prophets.

Some of the texts on this verse strive to deemphasize

¹⁶⁰Bereshit Rabbah 85:9.

¹⁶¹Midrash haGadol to Genesis 38:20.

Judah's role in his own seduction. Again, one side of the rabbis really wants to rationalize all of Judah's mistakes. Midrash Sekhel Tov and Midrash Lekah Tov emphasize how completely out of context Tamar was when Judah met her, as indicated by her clothing and by her location.¹⁶² Bereshit Rabbati reasons that the Adullamite was responsible for disgrace, which is why he is not named in this verse.¹⁶³

38:21 "He inquired of the people of that town, 'Where is the cult prostitute (gedesha), the one at Enaim, by the road?' But they said, 'There has been no prostitute here.'"

Much study has been devoted to the identification of the term, "gedesha," here translated as "cult prostitute." Many scholars agree with this translation, which takes an historical approach to the narrative. Those scholars who read this narrative primarily as literature have a different interpretation of the term. Read this way, "gedesha" can be understood as a tongue-in-cheek, sarcastic reference to the "holy" whore.¹⁶⁴ On a more serious note, the rabbis recognized that the line between holiness and sinfulness could sometimes be very thin. Tamar's "disappearance" symbolizes how delicate that distinction can be. The image of

¹⁶²Midrash Sekhel Tov to Genesis 38:20; Midrash Lekah Tov to Genesis 38:20.

¹⁶³Bereshit Rabbati to Genesis 38:20, p.180-181.

¹⁶⁴This is the opinion of Professor S. David Sperling.

a prostitute as a holy person is repeated in the Book of Joshua, chapter 2, with the character of Rahab.

Interpretation of 38:21 in Rabbinic Literature

This verse is used as a proof-text for Deuteronomy 23:18, which reads, "No Israelite woman shall be a cult prostitute." The townspeople's denial of the presence of a prostitute is seen as proof that the existence of such prostitutes in Israel was prohibited.¹⁶⁵ Later exegesis on this verse indicates that the townspeople had no idea what the Adullamite was talking about.¹⁶⁶ Tamar must therefore have carried out her plan discretely.

38:22 "So he returned to Judah and said, 'I could not find her; moreover the townspeople said; There has been no prostitute here.'"

There is nothing in the text to indicate that Judah thought it was strange that no one had seen or heard of this woman. Judah seems perfectly content to "shut his eyes" to the mysterious woman from Petah Enaim.

Interpretation of 38:22 in Rabbinic Literature

The exegesis on this verse in Midrash Sekhel Tov

¹⁶⁵Sifre to Deuteronomy 23:18; Midrash Tannaim to Deuteronomy 23:18.

¹⁶⁶Midrash Sekhel Tov to Genesis 38:21; Midrash Lekah Tov to Genesis 38:21.

continues the discussion, begun in the previous verse, of the taboo attitude toward prostitution in Israelite culture.¹⁶⁷

38:23 "Judah said, 'Let her keep them, lest we become a laughingstock. I did send her this kid, but you did not find her.'"

Judah seems to be more worried about his reputation than he is about retrieving his pledge— or finding out who the mystery woman was. His anxiety over becoming embarrassed anticipates his embarrassment when Tamar reveals his pledges, adding to the irony of the plot. Judah's decision not to pursue Tamar is crucial to the continuation of the story.

Interpretation of 38:23 in Rabbinic Literature

There are several possible explanations for Judah's fear of embarrassment. He may not have wanted anyone to think that he had reneged on his payment to Tamar, and was afraid that if the Adullamite went back a second time, people might get that impression.¹⁶⁸ By sending the Adullamite once, he could say that he met his obligation to pay her, and keep a low profile. He even had an excuse, if anyone ever accused him of

¹⁶⁷Midrash Sekhel Tov to Genesis 38:22 reads, "...There was never a cult prostitute here, as we are protected from forbidden sexual relations and licentiousness [by the Torah, which acts as a fence]. A "gedesha" is a licentious prostitute, and thus Scripture warns, 'There shall be no cult prostitutes in Israel'" (Deut.23:18).

¹⁶⁸Midrash Sekhel Tov to Genesis 38:23; Midrash Lekah Tov to Genesis 38:23.

not sending the kid. In addition, he may have feared that people would think he was accustomed to sleeping with prostitutes (and sending them presents).¹⁶⁹ Bereshit Rabbati points out that Judah might have been embarrassed because his brothers, Simeon and Levy, killed men who engaged in acts of prostitution, and now he had engaged in such an act himself.¹⁷⁰ Midrash haGadol does not specify what Judah is embarrassed about, but points out that Tamar had seemed strange when she took the pledge items from him, and therefore seemed like a person who might embarrass him.¹⁷¹ The exegesis on this verse makes a strong statement about the undesirability of prostitution. As Judah got himself into a position which could not be defended, the best the rabbis could do was to highlight the fact that he knew what he did was wrong, and that he felt guilty about it.

38:24 "About three months later, Judah was told, 'Your daughter-in-law Tamar has played the harlot; in fact, she is with child by harlotry.' 'Bring her out,' said Judah, 'and let her be burned.'"

Both because she is Er's widow and because she is still formally betrothed to Shelah, Tamar is considered guilty of

¹⁶⁹Midrash Lekah Tov. This reading supports the idea that prostitution was not part of the Israelite culture at that time, and that one who engaged in sex with a prostitute was punished or scorned.

¹⁷⁰Bereshit Rabbati to Genesis 38:23, p. 181.

¹⁷¹Midrash haGadol to Genesis 38:23.

adultery. Tension in the biblical narrative builds out of the irony: Judah had never intended to consummate his son's marriage to Tamar. Unbeknownst to him, he himself has consummated it. Now it is up to Judah, in his role as the head of the family, to determine Tamar's punishment and to make sure that punishment is executed.¹⁷² The sentencing to death by burning is derived from the punishment for incest with a mother in the Code of Hammurabi (157).¹⁷³ In Leviticus 20:16 and Deuteronomy 22:23-24, the penalty for adultery is stoning; Leviticus 21:9 states an exception in the case of a priest's daughter who engages in prostitution; she is burned. The biblical text does explicate why burning is appropriate for Tamar.

Interpretation of 38:24 in Rabbinic Literature

The amount of time which elapsed between conception and notification to Judah of Tamar's pregnancy is about three months. This detail within the verse is used as a proof-text for determining the point at which pregnancy can be determined (approximately three months).¹⁷⁴ Here again, the

¹⁷²Skinner, A Critical and Exegetical Commentary on Genesis, p.454.

¹⁷³Interpreter's Bible to Genesis, p. 761; Skinner, A Critical and Exegetical Commentary on Genesis, p.454-455.

¹⁷⁴B.T., Niddah 8b; Tosefta Niddah 1:1; Bereshit Rabbah 85:10 which reads, "Sumcos said in the name of Rabbi Meir: From whence do we know that a fetus is not recognized in its mother's womb for three months? From 'About three months later' (Genesis 38:24). Rabbi Huna in the name of Rabbi

fascination on the part of the rabbis with the female reproductive system is evident.

The rabbis were interested in discussing the question of how Judah was notified of Tamar's pregnancy. In one opinion, the rumor that she was pregnant spread through gossip.¹⁷⁵ Another opinion was that Tamar publicized her pregnancy by boasting that she would be the bearer of kings and redeemers.¹⁷⁶ In contrast, the tradition in Midrash haHafes implies that Tamar informed Judah herself.¹⁷⁷ The different projections of Tamar's approach at first seem to contradict each other. In the first text, Tamar is seemingly brazen, scorning the opinions of others. In the second, she is concerned that only Judah be informed, discretely. Both interpretations lead to the same goal; Judah is informed that Tamar is pregnant, and the plan moves forward. But a subtle

Joseph: The final opinion is not that it is three full months, but most of the first and last, and a full month in the middle."; Midrash Sekhel Tov to Genesis 38:24; Midrash Lekah Tov to Genesis 38:24; Midrash haGadol to Genesis 38:24; Midrash haHafes to Genesis 38:24.

¹⁷⁵Midrash Lekah Tov to Bereshit Rabbah 38:24; Midrash Sekhel Tov to Genesis 38:24.

¹⁷⁶Bereshit Rabbah 85:10; Midrash Lekah Tov to Genesis 38:24; Midrash Sekhel Tov to Genesis 38:24; Midrash haGadol to Genesis 38:24.

¹⁷⁷Midrash haHafes to Genesis 38:24 reads; " 'Judah was told': 'Tamar sent him one olive (zait) and one ornament (khalya), and Judah knew without doubt [it stood for] 'Your daughter-in-law Tamar has played the harlot' (zinta Tamar kalatekha).'" He knew because of the play on words: zait/zinta and khalya/kalatekha.

questioning of her true nature, and of her ability to carry out such a plan while remaining virtuous, is implicit in these interpretations.

The question of Tamar's identity also resurfaces in this verse because of the nature of the punishment which she receives. As stated above,¹⁷⁹ execution by burning was reserved for daughters of priests who were convicted of adultery. The rabbis used the fact that Judah sentenced Tamar to burning in order to prove that she was the daughter of a priest.¹⁸⁰ Some identify the priest as Shem, the son of Noah, thus providing Tamar with suitable lineage.¹⁷⁹ Others claim that the sons of Noah were never to be burned, so Tamar must have been the daughter of Melkisedek, not Shem.¹⁸⁰ Still others reject the idea that Tamar was a daughter of Shem or any other priest, and assume that burning was considered appropriate punishment in cases where levirate marriage was involved.¹⁸¹ Different texts understand Tamar's background very differently. The range includes a talmudic text which states that Judah wanted to burn Tamar because she was a heathen,¹⁸² a text which indicates that Tamar was a

¹⁷⁹ See above, p.59.

¹⁷⁹ Bereshit Rabbah 85:10; Midrash haGadol to Genesis 38:24; Midrash Lekah Tov to Genesis 38:24.

¹⁸⁰ Midrash Sekhel Tov to Genesis 38:24.

¹⁸¹ Midrash haHafes to Genesis 38:24.

¹⁸² B.T. Avodah Zarah 36b.

Canaanite,¹⁰³ and a text which has Judah sentence her to burning because "she has wrought uncleanness in Israel,"¹⁰⁴ indicating that she was understood to be an Israelite. These texts probe at an area of uncertainty regarding Tamar's eligibility and suitability for her role as progenitor of the Davidic/Messianic line.

38:25 "As she was being brought out (hi mušet) she sent this message to her father-in-law, 'I am with child by the man to whom these belong.' And she added, 'Examine these (ha-ker na); whose seal and cord and staff are these?'"

The suspense which begins to build in verse 14 reaches its climax in this moment of unveiling and enlightenment. There is a sense of high drama as the reader waits for Judah's response, but Tamar's moral victory is unquestionable. Tamar's use of the phrase, "ha-ker na" harkens back to Judah's part in the deception of Jacob,¹⁰⁵ the other episode in his life which he had much cause to regret. At that time, he and his brothers asked Jacob to examine Joseph's coat, using the very same wording which

¹⁰³A text from Bereshit Rabbati to Genesis 38:24, p.181 says, "Is it not true that Canaanites are lenient with regard to harlotry? Why then did they make a big deal about Tamar to Judah? Because they knew that the sons of Jacob were strict about harlotry."

¹⁰⁴The Book of Jubilees 41:17.

¹⁰⁵In Genesis 37:32, Jacob's sons come to him with Joseph's torn coat, which they have dipped in blood, and say "We found this. Please examine it (ha-ker na)..."

Tamar uses when she asks Judah to examine the pledges.

Interpretation of 38:25 in Rabbinic Literature

Tamar becomes strongly associated with the positive quality of not embarrassing other people, as a result of the supposedly subtle way she informed Judah that he was responsible for her pregnancy. She is portrayed as a heroic martyr who does not expose Judah publicly, even when her own life is threatened.¹⁰⁰ This line of interpretation appears inconsistent with the biblical text. The pledge items which Tamar displays are supposed to be identifiably Judah's. Perhaps he was the only person who could identify them; if so, the nature of these items must be reevaluated. Tension is created by the rabbis' concern with Tamar's image, which seems here to override their concern with a logical interpretation of the text. Their agenda was that the Davidic matriarch be admirable and respectable, if not saintly.

The first two words of the verse, "hi" (she) and "mušet" (was being brought out) are each written in the Hebrew in

¹⁰⁰B.T. Ketubot 63b reads; "...It is preferable for a person to throw himself into the heart of a fiery furnace in order to avoid embarrassing his fellow in public. Where do we learn this? From Tamar, as it is written, 'As she was being brought out'". See also B.T. Sotah 10b; B.T. Berakhot 43b; B.T. Baba Metziah 59a; and Midrash haGadol to Genesis 38:25. Another strong statement is made in Midrash haGadol to Genesis 38:25: "Anyone who embarrasses his fellow, it is as if he spills blood." This text goes on to state that there are three types of people who cannot return from Gehinnom: an adulterer, an imposter, and, the worst of all, one who causes another embarrassment.

ways which present interpretive questions. "hi" (she) is written with a "vav," so that the unvocalized text could be read "hu" (he). Some texts interpret this to mean that both Judah (hu) and Tamar (he) were about to be judged.¹⁸⁷ Tamar's judgement was explicit; Judah's judgement would come from God, and would be based on his response to Tamar.

"mušet" can be derived from three different Hebrew roots; "ys'," meaning "to be brought out," "ms'," meaning "to find"¹⁸⁸, and "ysh," meaning "to ignite."¹⁸⁹

Those texts which interpret the root to be "to find" create a scenario in which Tamar has lost the original pledge items and God provides her with a new set.¹⁹⁰ The implication of this mode of interpretation is that God has ordained Tamar's situation, along with the entire Judah and Tamar narrative. These texts reflect conflicting viewpoints about the source of Tamar's righteousness. Is she inherently righteous, or has God made her righteous?

Several texts imply that Judah's first reaction when confronted by Tamar was to try to deny her claim. Tamar asks him to recognize that God knows the truth, and reminds him

¹⁸⁷Bereshit Rabbah 85:11; Midrash Sekhel Tov to Genesis 38:25; Midrash haGadol to Genesis 38:25.

¹⁸⁸Bereshit Rabbah 85:11; Midrash Sekhel Tov to Genesis 38:25; Midrash haGadol to Genesis 38:25.

¹⁸⁹Midrash Sekhel Tov to Genesis 38:25; Midrash Lekah Tov to Genesis 38:25; Midrash haGadol to Genesis 38:25.

¹⁹⁰B.T. Sotah 10b.

that ultimately he will never be able to deny what he did. She shows him the pledge items which were replaced by God to emphasize her claim that God is on her side.¹⁹¹ Some texts repeat the idea that the whole tribunal was set up in order to punish Judah for deceiving his father, because he had to be punished measure for measure.¹⁹² By being confronted by Tamar in this way, he was also offered an opportunity to atone for his earlier sins.¹⁹³

38:26 "Judah recognized them, and said, 'She is more in the right than I (ṣadqah mimeni), inasmuch as I did not give her to my son Shelah.' And he was not intimate with her again (velo yasaf od leda'atah)."

In one short sentence, the whole episode is resolved; Judah acknowledges that Tamar's actions were justified and accepts responsibility for her situation. The text states that he "does not add to his intimacy with her," but does not say anything about Tamar's status. Apparently, Judah and Tamar are now considered married, but this is never stated in any way.

The root "yadah," "know," which appears here in it's

¹⁹¹Bereshit Rabbah 85:11; Midrash Sekhel Tov to Genesis 38:25; Midrash Lekah Tov to Genesis 38:25; Midrash haGadol to Genesis 38:25.

¹⁹²B.T., Sotah 10b; Bereshit Rabbah 85:11; Aggadat Bereshit 61-62; Midrash Lekah Tov to Genesis 38:25; Midrash haHafes to Genesis 38:25.

¹⁹³Numbers Rabbah 13:14.

infinitive form and refers to sexual knowledge, is also found in 38:16 referring to Judah's failure to recognize Tamar. In 38:16 he did not "know" her because her identity was disguised; here he does not "know" her because her identity is clear. Judah's conscious decision to no longer "know" Tamar reflects his transformation. Judah now possesses insight, he knows what is right and what is wrong, he has begun to recognize when he looks. The Joseph narrative as a whole contains numerous linguistic plays on words like "know" and "recognize." Chapter 38 fits into the narrative well, giving an alternative case study of the tension between knowledge and recognition.

Interpretation of 38:26 in Rabbinic Literature

It was shown above¹⁹⁴ that the exegesis on verse 1 of this chapter was very much concerned with Judah's punishment. The counterpoint to this concern is found in the exegesis on verse 26, which is focused on Judah's reward. Judah's comment, "sadqah mimeni," "she is more righteous than I," implied that he was less righteous than Tamar. This act of humility was elevated by the rabbis and, ironically, used to prove Judah's righteousness.

Instead of understanding the reversal of Tamar's death sentence as Judah's obligation under the circumstances, some texts present it as a lifesaving act, deserving of reward.

¹⁹⁴See above, p.4 and following.

Several of them link the saving of Shadrach, Meshach, and Abed-nego (referred to as Hananiah, Mishael, and Azariah) from the fiery furnace in the book of Daniel, to the saving of Tamar and her unborn children from death by fire in Genesis 38:26. They claim that because Judah saved three lives from death by burning, God saved three lives from death by burning.¹⁹⁵ These particular three figures might have been chosen for two reasons. First, they too were sentenced to die by fire. Secondly, in their emergence from the fire, they served as God's witnesses. In the midrash, Tamar is also God's witness, saved by Divine voices and angels.

Bereshit Rabbati credits Judah with saving four lives; three from the furnace and one from the pit.¹⁹⁶ This text points to the saving of Benjamin, an act credited to Judah in the following chapters of the Joseph narrative. In Midrash haHafes, Judah's reward for saving three lives is that David is saved from death three times.¹⁹⁷ It seems as though all of

¹⁹⁵Aggadat Bereshit to Psalms 110:2 reads, "[Judah] acquitted her, and she was not burned. The Holy One said to him, 'You made your error known, and saved three from burning, Tamar and her two sons. By your life, I, too, will rescue three of your children's children from burning, Hananiah, Mishael and Azariah.'" See also B.T. Sotah 10b; Aggadat Bereshit to Genesis 49:9; BaMidbar Rabbah 13:4.

¹⁹⁶Bereshit Rabbati to Genesis 49:9, p.268.

¹⁹⁷Midrash haHafetz to Genesis 38:26 reads, "Because he admitted his error and saved three souls from death, his brothers thanked him and saved his son David from murder three times; from Saul, from Absalom, and from Avishai. Even so, why were Judah and Tamar absolved? Because it was a mistake, and Noahites who make a mistake concerning one of their commandments are absolved. Therefore it says, 'For he

Judah's past transgressions are forgotten and forgiven because he is willing to admit that Tamar was more righteous than he.

Other texts capitalize on the opportunity this verse presents to make a hero out of Judah. He is shown as developing from an inadequate leader to a desirable one, both as an individual and in his role as the symbol of the tribe.¹⁹⁹ He is seen as a wonderful model of a person who repents.²⁰⁰ The texts which try to understand what was going through his head when Tamar brought out his personal possessions show him to be self-reflective and repentant.²⁰⁰

did not know that she was his daughter-in-law' (Genesis 38:16)."

¹⁹⁹Bereshit Rabbati to Genesis 49:9 reads, " 'Judah is a lion's whelp.' It was predicted that in the beginning he would be a whelp, and in the end, a lion. In the beginning, 'Saul removed him from his presence and appointed him chief of a thousand' (II Samuel 18:13). And in the end, 'In Jerusalem he reigned over all Israel and Judah thirty-three years' (I Samuel 5:5).

²⁰⁰See Sifre Devarim, Piska 348, which reads, " 'Reuben will live; he will not die' and this because of Judah. What do these have to do with each other? Judah did what he did and stood up and said, 'She is more righteous than I.' When Reuben saw that Judah admitted this, he also stood up and admitted his misdeeds; therefore it is said that Judah caused Reuben to repent." The play is on the juxtaposition of verses about Judah and Reuben. Also see Shemot Rabbah 30:19.

In Yalkut Makhiri to Isaiah 55:8, Judah merits God's mercy because he repents. Aside from this mention of Judah, this text falls into the category of predetermination by God, which will be addressed below.

²⁰⁰In Midrash Sekhel Tov to Genesis 38:26 it says, " 'And Judah recognized them and said, "She is more righteous than I." That is to say, her soul is more righteous than I, for according to her, she engaged in permitted sexual relations, for the sake of Heaven, while I mistakenly engaged in forbidden sexual relations for the sake of harlotry.' See

At the same time, they ask the human question: would Judah have acted in the same fair and courageous manner if his personal and identifiable possessions were not evident for all to examine?²⁰¹

The discomfort interpreters had with persistent questions about Judah's integrity, which were important to resolve because of the leadership role which he ultimately attained, led to a group of texts which indicated that Judah's role as leader was predetermined. Some of these compare his merits to those of his brothers, showing that from the moment of his birth and naming, he was known to be worthy of praise.²⁰² Others go so far as to suggest that a

also Midrash Lekah Tov to Genesis 38:26 in this regard.

²⁰¹ In a text from Bereshit Rabbati to Genesis 38:26 we read, "'And Judah recognized them.' When he saw the pledges thrown at the feet of the judges, he shrieked and said, 'My brothers and my father's house know about me. A man is measured by the scale with which he measures, be it a positive measure or a negative one. Happy is the man whose deeds are exposed. It is good that I should be embarrassed in this world and not in the world to come. It is good that I should burn in a dying fire, and not in a roaring fire. For I took my brother's garment and dipped it in blood and took it to my father, and said to him, 'Do you recognize...?' (Genesis 37:32). I have received measure for measure, for Tamar said to me, 'Do you recognize...?' They would know that Tamar my daughter-in-law was righteous, and did not get pregnant through harlotry; that she is pregnant by me, and she did not do this for the sake of prostitution, but in the name of misvah. Everything she did was caused by me, for I did not give her Shelah...'"

²⁰² Tanhuma Buber VaYekhi 12 reads, "When [the brothers] killed Shechem ben Hamor, [God] said to them, 'You have grieved me. These strong people are from a cursed hand; these tribes cannot remain as one. Therefore I will divide them up in Jacob and scatter them in Israel.' Judah entered and was praised. 'Judah, your brothers will praise you. Your mother

Divine Being appeared in the Court,²⁰³ with each text attributing a slightly different message to that Divine Being. In some cases it is responsible for Judah's words, "sadqah mimeni;"²⁰⁴ in others it is responsible for the entire episode,²⁰⁵ including the climactic public vindication of Tamar.

praised you by your name when she gave birth to you. She said, "This time I will praise God" (Genesis 29:35). And what did she see to praise in Judah? When she gave birth to Reuben, she saw Dan and Aviram and did not praise him. When she gave birth to Simeon she saw Zimri and did not praise him. When she gave birth to Levi she saw Korah and did not praise him. When she gave birth to Judah, she immediately praised him, because he admitted his wrongdoing in the incident of Tamar,....His father said to him, your mother praised you, and you admitted your wrongdoing; therefore your brothers will praise you. Isaac, when he blessed Jacob, said 'Your mother's sons will bow down to you' (Genesis 27:29), for he only had one wife. But Jacob, who had four wives, said 'your father's sons.' Why? Your brothers will give witness that all Israel will be called by the name 'Yehudim.' And that's not all; the Messiah will descend from you, for he will save Israel, as it is written, 'A shoot shall grow out of the stump of Jesse' (Isaiah 11:1)."

Another text in which Judah is compared to other brothers or tribes is Devarim Rabbah (Leiberman p.72).

²⁰³Kohellet Rabbah 10:16 reads, "The True Judge spoke in three places; in the Bet Din of Shem, and the Bet Din of Samuel, and in the Bet Din of Solomon. From whence do we say the Bet Din of Shem? It is written, 'And Judah...said, "She is more righteous than I."' The Holy Spirit then shouted, 'These words came from me!...' See also, B.T., Makkot 23b; Bereshit Rabbah 85:12; Mishnat R. Eliezer p.311; Midrash Tehillim, addendum to Psalm 17; Midrash Lekah Tov to Genesis 38:26; and Midrash haGadol to Genesis 38:26.

²⁰⁴Kohellet Rabbah 10:16.

²⁰⁵Midrash haGadol to Genesis 38:26 reads, "When Judah said, 'sadqah,' the Holy Spirit sparkled and said, 'Tamar was not a prostitute, and Judah did not ask for prostitution; these things came from me, so that the Messiah would be established from Judah.'" See also Midrash Tehillim, Addendum to Psalm 17.

These texts provide an answer for those who cannot accept apologetic excuses for Judah's behavior. If Judah's ultimate status as progenitor of the Davidic and Messianic line is predetermined, his actions are no longer subject to moral scrutiny, since they all become a part of the Divine plan.

In the Mekhilta Midrash, Judah is portrayed as a character who develops and grows during the course of the Joseph narrative, from the brother who suggests selling Joseph, to a man who gains insight into himself (thanks to Tamar,) and who finally reaches a stage at which he can offer himself as a pledge to safeguard Benjamin. This text attributes Judah's merit to this process: because he has sinned and atoned, he is closer to God, and therefore better able to trust in God.²⁰⁶

Part of Judah's growth comes from learning how to distinguish between recognition and knowledge. Two texts, one in Sifre Numbers and one in Midrash Shmuel, ponder the

²⁰⁶Mekhilta de R. Ishmael BeShallah 5 records a debate on the question; 'By what virtue did Judah merit the Kingdom?' One said, 'Because he said, "What will we gain by killing him?"' The other replied, 'That would only be enough to atone for the sale.' 'O.K., then it is because he said Tamar was more righteous than he.' 'That would only be enough to atone for the intercourse.' 'Then it is because he offered himself to Joseph in Benjamin's place.' 'The guarantor always pays.' 'Well then, what is the answer?' 'When the tribes stood by the sea, they stood around arguing; "I'll go first". "No, I'll go first." ... As they were giving advise to each other, Nahshon ben Aminadav jumped in, with his tribe after him, into the waves of the sea. This is why Judah merited the Kingdom. See also, Mekhilta de R. Shimon bar Yochai on the same passage.

juxtaposition of the words meaning "to recognize" and "to know" in this verse. Could the person who recognized Tamar [Judah] fail to know her? This apparent contradiction is put into the context of other examples in the Bible where contrasting statements are mixed together.²⁰⁷ These texts point to the inconsistencies and contradictions which human beings must struggle with every day. One of these contradictions has to do with the role of God in our lives. If Divine Providence is responsible for all human action, why should we accept personal responsibility for ourselves? Yalkut Makhiri points out that in this episode God is responsible for putting the character into a situation in which they had to sin, and for resolving it.²⁰⁸

Bereshit Rabbati provides a partial solution to the problem. This text understands the selection of Judah as the antithesis to the selection of Job; in both cases, God's judgement was strange-almost whimsical- and considered by us

²⁰⁷Sifre to Numbers, Baha'alotekha 88; Midrash Shmuel 10:18.

²⁰⁸Yalkut Makhiri to Isaiah 55:8; " 'For my ways are not your ways.' What is this similar to? To a human king who judges people. The judge asks, 'Did you kill or didn't you?' If he says he killed, the judge kills him, and if he doesn't plead guilty, he doesn't kill him. But before God it is not so. Rather, God has mercy on one who pleads guilty.... God said to Yerushalem, 'You might ask why I gave you all of these laws, so that you could tell me you didn't sin. But whoever admits and leaves is granted mercy [God made the laws of nature too, but when he wanted to make a path through the sea, he did it. Therefore, God's laws for humans don't necessarily apply to God.]

to be unjust. The message to humans is to be careful of God's judgement, for it is unpredictable.²⁰⁰ Our sense of personal responsibility comes from a hope that we will be able to help define God's providence by acting righteously out of our own free will.

38:27 "When the time came for her to give birth, there were twins in her womb!"

By bearing twins, Tamar replaced Judah's two lost sons. Since Tamar was considered a more acceptable progenitor of the Davidic line than Bat Shua, the replacement of Bat Shua's sons with Tamar's sons indeed indicates a Divine hand in this story. In a sense, by providing him with appropriate heirs, Tamar redeems Judah.

Genesis is filled with struggles between younger brothers and older brothers in which the younger brother invariably dominates, even in the case where they are as close in age as twins. Isaac dominates Ishmael, Jacob dominates Esau, Ephraim dominates Menasseh. The birth of Peres and Zerah parallels the other stories closely. The struggle is acted out in the birthing process, when Peres "breaches" Zerah, whose arm has already left the womb.

Interpretation of 38:27 in Rabbinic Literature

In Genesis 25:24, when Rebecca discovers that she will

²⁰⁰Bereshit Rabbati to Genesis 38:26, p.181-182.

bear twins, the word for twins, "teomim," is written in the text without a "vav." In this verse, "teomim" is written with a "vav." According to the exegesis on this verse, the incomplete spelling in the case of Rebecca indicated that one of her twins would be righteous, while the other would be evil. In contrast, the complete spelling in this verse indicates that both of Tamar's twins would be righteous.²¹⁰

Midrash haGadol, in an attempt to explain the formation of twins, cites Abaye's concept of "one drop split into two" as the method by which two separate creatures are formed.²¹¹ On the one hand, then, twins should be compatible because they come from one common source. On the other hand, when they split they may compete with each other for sustenance, or they may each inherit different elements of the original drop. The struggles that the rabbis had with opposing forces within their own bodies and psyches could be projected onto their interpretations of the twins who appear in biblical literature.

38:28 "While she was in labor, one of them put out his hand, and the midwife tied a crimson thread on that hand, to signify: 'This one came out first.'"

The tying of a red ribbon on a baby's hand, or cradle,

²¹⁰Esther Rabbah 7:11; Bereshit Rabbah 85:13; Midrash Lekah Tov to Genesis 38:27; Midrash Sekhel Tov to Genesis 38:27; Midrash haGadol to Genesis 38:27; Midrash haHafes to Genesis 38:27.

²¹¹Midrash haGadol to Genesis 38:30.

or carriage, was a folk custom (still practiced today) thought to keep away evil spirits. In this case, the midwife knew that twins would be born, so she tied the thread on the first limb that emerged in order to determine which infant would be granted the status of first born.

Interpretation of 38:28 in Rabbinic Literature

In B.T. Niddah 28a, there is a debate about when a mother's period of postpartum uncleanness begins; whether it is determined from the time a limb emerges, or from the time at which the greater part of the child's body has emerged.²¹² Genesis 38:28 is often as a proof-text for the latter opinion.

The issue of witnesses to the recipient of the birthright is also discussed in the exegesis on this chapter. Each text mentions three people who are eligible witnesses. All of them include the midwife, but the other two witnesses vary.²¹³ The importance of accurately determining the first born persists, even as another incident of a usurped birthright in the book of Genesis is introduced.

²¹²B.T. Niddah 28a; Midrash haGadol to Genesis 38:28.

²¹³In Bereshit Rabbah 85:13, Midrash Lekah Tov to Genesis 38:28, and Midrash Sekhel Tov to Genesis 38:28, the eligible witnesses are the midwife, a claimant to a foundling, and a woman who declares her companions clean. In Midrash haGadol to Genesis 38:28, the eligible witnesses are the midwife immediately after the birth, the mother for the first seven days, and the father forever after that.

38:29 "But just then he drew back his hand, and out came his brother; and she said, 'What a breach you have made for yourself!' So he was named Peres."

In this case, the etiology of Peres' name is given within the biblical text. From the moment of his birth, Peres takes his place among the younger brothers who come to rule over their older brothers; Isaac, Jacob, Joseph; even Judah!

Interpretation of 38:29 in Rabbinic Literature

The etiology of the name, "Peres," is seen as a reflection of the way he was born,²¹⁴ but more importantly as a prediction of his future and the future of his descendants. For from this breach birth would come the greatest "breacher" of all; the Messiah.²¹⁵ Several texts give Peres and Zerah their own "seperate but equal" territories; Peres is associated with the kingship, in contrast to Zerah, who is

²¹⁴ Midrash haGadol to Genesis 38:29.

²¹⁵ Midrash Sekhel Tov reads, " 'But just then he drew back his hand'— The newborn, to the womb. 'And out came his brother.' Without the aid of the midwife. 'And she said'— The midwife: 'What a breach you have made,' an expression of breaking through, similar to Ecclesiastes 10:8, 'He who breaches a stone fence,' Isaiah 5:5, 'I will break down its wall,' and II Kings 14:13, 'He made a breach in the walls of Jerusalem,' and others like them. That is to say, your brother wanted to go out, and you pushed and broke through the womb.... 'So he was named Peres.' The greatest of all the breachers; from you will arise the breacher of his brother who will rise before them; that is the Messiah." See also Bereshit Rabbah 85:14 and Midrash Lekah Tov to Genesis 38:29.

associated with the priesthood;²¹⁶ Peres is associated with the moon, while Zerah is associated with the sun.²¹⁷ But Peres is ultimately considered to be more prestigious; his line more holy.²¹⁸

38:30 "Afterward his brother came out, on whose hand was the crimson thread; he was named Zerah."

The root of the name "Zerah" means to rise, come forth, or shine. According to the biblical text alone, there is no dichotomy of good and evil in the characters of Tamar's two sons. Zerah is seen to be a positive figure, worthy of his own form of recognition.

Interpretation of Genesis 38:30 in Rabbinic Literature

The etiology of Zerah's name is derived by the rabbis from the fact that he "shone forth" in the world first, before his brother.²¹⁹ Another derivation comes from the

²¹⁶Tanhuma Buber to Va-Yeshev 21.

²¹⁷Midrash haHafes to Genesis 38:29.

²¹⁸B.T. Yebamot 76b. In this text, Saul asks if David is a descendant of Peres or of Zerah; If he is a descendant of Peres, he may be worthy to be king; if he is a descendant of Zerah, he can be only an important man.

²¹⁹Midrash Lekah Tov to Genesis 38:30; Midrash haGadol to Genesis 38:30. Also in Midrash haGadol, the delay between the birth of the twins provides an opportunity to discuss the process by which twins are formed in the womb.

shiny red thread he had tied on his hand.²²⁰

The repetition of the word "yad", "hand", four times in the last three verses of the chapter is commented on in several texts. The four times Zerah's hand is mentioned are associated alternately with four destructions and with four specific items which Akhan took from the destruction at Jericho.²²¹ It appears that, over time, the association with Jericho and the parallelism between Tamar and the character of Rahab in the Book of Joshua, Chapter 2, led to the rabbinic suggestion that Peres and Zerah were actually the spies sent by Joshua to Jericho.²²² The fact that the spies ask Rahab to hang a crimson cord from her window as a sign to the Israelites to protect her house from destruction also leads to this association.

²²⁰ Midrash Lekah Tov to Genesis 38:30.

²²¹ Bereshit Rabbah 85:14; Bereshit Rabbati to Genesis 38:30, p. 182-183; Midrash Lekah Tov to Genesis 38:30.

²²² The following text is cited from Midrash haGadol to Genesis 38: "Tamar gave birth to twin sons, Peres and Zerah, both resembling their father in bravery and piety. She called the first Peres, "mighty," because she said, 'You showed yourself of great power, and it is proper that you are destined to possess the Kingdom.' The second son was called Zerah, because he appeared out of the womb before his brother, but was forced back in again to make way for Peres. These two, Peres and Zerah, were sent out as spies by Joshua, and the line that Rahab bound in the window of her house as a sign to the Israelites, she received from Zerah. It was the thread that the midwife had bound upon his hand to mark him as the child that appeared first and withdrew."

THE TREAT OF THE OUTSIDERS
BETWEEN THE TRAILER AND THE FORT

PART TWO

Themes of the Narrative and Themes of Interpretation

Joseph did not know about this condition.

Herod's father said,

"The rabbi says (that the brothers said), 'We care for ourselves. Previously, (Jacob) needed us, now we have to carry. Now that he is occupied with praying, he is not obligated to do so.' They said to

2
**I. THE THREAT OF THE OUTSIDER:
 THE TENSION BETWEEN THE ISRAELITE AND THE FOREIGNER**

In Verse 2 of Genesis chapter 38, we learn that Judah saw the daughter of a Canaanite man, and he took her as his wife. For a reader who has read the previous chapters of Genesis, this detail cannot pass unnoticed. Judah's forefathers and mothers had eschewed Canaanite women when it came to finding partners for their sons. Abraham arranged to find an appropriate wife for Isaac, in order to prevent him from marrying a Canaanite. Isaac and Rebekah sent Jacob to a place where he could find a non-Canaanite woman to marry, telling him specifically, "You shall not take a wife from among the Canaanite women" (Genesis 28:1). In this context, Judah's marriage to a Canaanite is seen as an aberration which must somehow be explained.

For the rabbis, Bat Shua's identity as a Canaanite was extremely problematic. How could Judah choose a wife who was an outsider; a choice which so clearly contradicted the wishes and intent of his family? Several apologetic explanations are offered. One type of apology claims that Judah did not know about this prohibition. A text from Bereshit Rabbah reads,

"The rabbis say [that the brothers said], 'Come, let us care for ourselves. Previously, [Jacob] needed to find us wives to marry. Now that he is occupied with grieving, he is not obligated to do so.' They said to

Judah, 'Aren't you our leader? Get up and take care of it yourself!'"¹

This text implies that Judah did not know the customs and norms relating to the appropriate choice of wives, since Jacob had not instructed his sons in this area before Joseph disappeared. Living in a Canaanite society, he did not realize that Canaanites were considered outsiders among his people regarding marriage. Along the same lines, Sefer ha-Yashar puts Judah's marriage to Bat Shua into a context in which all of Jacob's sons marry Canaanite women,² making a case that within his own cultural context, Judah's marriage was not an aberration but followed the norm. Both of these texts view Judah as essentially ignorant, and both of them imply a belief that one who errs as a result of ignorance is entitled to forgiveness. On the other hand, one who errs because of drunkenness or lust is to be despised.³

A different type of apologetic is illustrated in another text from Bereshit Rabbah. Here the rabbis suggest alternative etymologies for the word, "Kena'ani," "Canaanite." In one such etymology, the word is said to be a synonym of the Hebrew word "tagar," meaning "trader." This implies that Bat Shua was the daughter of a trader, not of a Canaanite. In another derivation, the word is said to mean

¹Bereshit Rabbah 85:2. See n.17 for parallel texts.

²Sefer ha-Yashar, VaYeshev 89b, p. 126.

³Testaments of the Twelve Patriarchs, Judah 14.

"a poor person," from the Hebrew homonym "ani," meaning "poor." In a similar type of explanation, the etymology of the name "Shua" is given as a rich or noble person. Although this etymology does not deal with the problem presented by his choice of a Canaanite, this apologia is sympathetic to Judah, understanding that he was tempted by the promise of status and wealth.⁴

Apologetic texts, on a certain level, accept the idea that Judah was human and fallible. Not all the rabbis accept these apologetics, or forgive Judah's weaknesses. After all, shouldn't the progenitor of the Davidic/ Messianic line exhibit some signs of superiority over ordinary human beings? Midrash Sekhel Tov repeats the alternative etymologies given in Bereshit Rabbah and then disclaims them, reminding the reader that according to the biblical text, Bat Shua is "...a real Canaanite, for after all, an Adullamite is found within Canaan."⁵ Unable to deny Bat Shua's lineage by birth, Midrash Sekhel Tov persists in the attempt to find an acceptable explanation for Judah's marriage to an outsider by suggesting that she converted before Judah married her.⁶ Certain traditions preserved in Bereshit Rabbah maintain apologetic rationale, but also

⁴Bereshit Rabbah 85:4; see also Testaments of the Twelve Patriarchs, Judah 13:4.

⁵Midrash Sekhel Tov to Genesis 38:2.

⁶See p.15, n.34.

offered alternatives for the skeptic and those who object to the element of denial present in apologetic texts. As was mentioned above, the rabbis understood Judah's marriage to Bat Shua (referred to as goya, a term for a gentile which connotes an outsider; a foreigner) as an act of descent, for which he was punished by the deaths of his wife and his sons.⁷

The presence of apologetic texts as well as punitive texts within the same body of midrash indicates a process of grappling with the concept of the outsider within the context of a non-Jewish world. Judah represents all of Israel when he is tempted and succumbs. While his temptation may be understandable-even excusable, the result of being tempted is uniformly bad. For the Canaanite represents evil, and in the interpretation of this narrative, Bat Shua and her family become the source of all evil. This is most clear in the Testaments of the Twelve Patriarchs. In Chapter 8, Bat Shua's father creates a situation in which Judah is overcome by his baser desires and takes Bat Shua "to wife." In Chapter 10, Bat Shua is responsible for instructing her sons in the sexual transgressions which result in their deaths. According to Chapters 10 and 11, she also prohibits Judah from letting Tamar marry Shelah, thus preventing the redemption of his seed. The message of these texts is an unequivocal warning against the outsider, and particularly

⁷Bereshit Rabbah 85:3.

against the Canaanite.

In the course of the progression of the biblical text, Bat Shua and her offspring are systematically annihilated and replaced by Tamar and her offspring. Based on this sequence of events, it seems reasonable to assume that in contrast to Bat Shua, who was evil and unacceptable, Tamar was considered a good and acceptable mate for Judah. Since the text does not inform us of Tamar's lineage, we do not know for sure whether or not she is Canaanite. We might guess that if she were, the text would have mentioned it, as it was mentioned in the case of Bat Shua. But this is pure speculation. We do know that the text, via Judah, proclaims her righteous. But her righteousness is asserted after she has committed acts of deceit and sexual transgression. The indication from the Biblical text seems to be that Tamar was acceptable because she upheld the laws of levirate marriage, despite the need to resort to guile in order to do so. It would also seem that there was no taboo against (at least some kinds of) prostitution in Judah and Tamar's world.

In most Rabbinic texts, an assumption is made that Tamar was not Canaanite. As indicated above,² the rabbis, in describing Tamar's background, said that she was descended from Noah, through his son Shem, who was a priest, and Shem's son Aram, who was Tamar's father. By giving her this

²See above, pp.20-21.

lineage, the rabbis connected her to the line of Terah, Abram's father, and separated her from the Canaanites, who were descended from Ham, another of Noah's sons.⁹ The rabbis thereby in effect made Tamar "one of us," and Bat Shua "one of them," setting up a contrast between the insider, Tamar, and the outsider, Bat Shua.

At the same time, Tamar could not ever really be an insider, because she was a woman. The powers of women mystified the men who wrote Rabbinic texts. Was it not possible that women, those human beings responsible for bringing new life into the world, might also have something to do with death? The association of Tamar with Tobit and Ishtar is linked to this mysterious power of women.

The tension between the view of Tamar as an insider and the view of Tamar as an outsider can be seen in the texts which deal with the choice of burning as Tamar's punishment.¹⁰ Ambivalence about Tamar is also expressed in the texts which speak of the arrogant way in which she informed people of her pregnancy.¹¹ While Tamar is the insider when compared to Bat Shua, her status is questioned when she is viewed independently.

⁹See the genealogies in Genesis chapters 10 and 11.

¹⁰See above, p.62.

¹¹See n.176 above.

II. THE CONFLICT IN HUMAN INSTINCT: THE CASE OF SEXUAL TRANSGRESSION

Another reason for the ambivalent attitude of the rabbis toward Tamar is the nature of the act by which she established herself irrefutably as "an insider." Sexual transgression is a core theme of the Judah and Tamar narrative. The ambiguities which always arise in sexual relationships are probed throughout the narrative. From the second verse, in which Judah "went unto" Bat Shua, through verse 26, in which it is said that Judah "no more added to his knowing her," the narrative is filled with sexual acts and references to sexual acts. Rabbinic interpretation tends to be preoccupied with sexuality even in places where the simple reading of a text appears void of sexual references. Genesis chapter 38 provides a very obvious opportunity for the rabbis to expose many of their beliefs and conceptions about male sexuality and physiology, female sexuality and physiology, and the boundries of acceptable sexual behavior.

We have already discussed why Bat Shua's marriage to Judah was problematic; so problematic that it had to be obliterated due to its effect on the future of the people Israel. The structure of the narrative, and the sequence of events, indicate that Bat Shua was an unacceptable partner for Judah, and that any sexual encounter between them was illegitimate. In contrast, Tamar was an acceptable partner

for Judah, and the sexual encounter between them was not only legitimate, it was praiseworthy. The irony of this situation is that the illegitimate sexual encounter takes place within the framework of a legitimate social structure (i.e., marriage); while the legitimate sexual encounter takes place within the framework of an illegitimate societal institution (i.e., prostitution). The only way the rabbis could deal with this tension was to separate the partners from their relationships. Thus, Bat Shua is depicted in the literature as a conniving, controlling woman whose motives are evil, while Tamar is depicted as a woman who, if nothing else, is motivated by her concern for the future of the Jewish people. In addition, Judah takes on two different personae within the literature. In his relationship with Bat Shua, Judah is seen to have lost his sense of purpose with regard to his people. His actions are caused by ignoble forces- drink, or passion, or a sense of failure. In his relationship with Tamar [in her role as his daughter-in-law], on the other hand, the rabbis attribute his actions to the most noble of desires. He shows concern with the laws of levirate marriage and the laws pertaining to the daughter of a priest; he vindicates Tamar and admits his own failure to observe the law; he subsequently takes her back into his house and treats her as a daughter-in-law.

The rabbis were faced with a major problem with regard to this biblical text. On the one hand, Tamar is clearly

considered a righteous woman in this story. On the other hand, she commits an act of prostitution, an activity considered abhorrent and ultimately rejected in Israelite culture. The rabbis deal with this problem in two ways; they underscore Tamar's virtues, and at the same time, they downplay down the incident in which she lies with Judah. Tamar is portrayed as modest and virtuous,¹² a woman torn by her determination to do what is right, in spite of the fact that she must compromise herself in order to do so.¹³ Tamar's virtue is contrasted with Judah's purely lustful desire.¹⁴ Everything she does which is connected to harlotry, she does to enhance her authenticity and to expedite the process so that she can return to her true identity. She does not enjoy what she is doing- she simply does it and gets it over with.¹⁵ The ultimate reassurance that Tamar was really a moral person despite her immoral action, is the claim that she acted for the sake of heaven, a claim validated by the conclusion of the narrative.¹⁶

The question of Judah's responsibility in this incident is given less attention. It is not clear whether the rabbis' silence should be understood as acceptance of

¹²See above pp.54-55.

¹³See p.22 above.

¹⁴See nn.134,135 above.

¹⁵See n.158 above.

¹⁶See above, p.41.

his self indulgence, or condemnation of it. Surely the rabbis find enough other points on which to openly criticize Judah. Here, in most of the texts which do address the issue, the hand of God is introduced, an element which effectively absolves Judah from responsibility and provides an acceptable motive for his actions.¹⁷ Another method by which the rabbis try to balance the tendency to condemn Judah is to depict him as a bumbler; a person who has good intentions, but can't seem to get anything completely right.¹⁸ An example of this is found in B.T. Sotah 10a, where Judah is depicted as quizzing Tamar, to find out if she is an acceptable partner for him. This text implies that he was aware of the dangers involved in sleeping with a strange woman, and was concerned with her status. It is unclear whether or not any prostitute would have had the acceptable status, and therefore it is unclear as to whether or not Judah should have refrained from lying with Tamar under any circumstances. While the quiz in Sotah 10a seems to imply that there were such things as acceptable prostitutes, those texts which speak of Judah turning to Tamar "ba'al korho," "against his will," imply that the proper thing to do would have been to resist temptation no

¹⁷See above, p.47.

¹⁸The texts on Judah's role in the sale of Joseph can be seen to depict him in the same way. He went so far as to convince the brother's not to kill him- couldn't he have brought him home safely? See above, pp.7-8.

matter what her status was.¹⁹

The concept of discerning between acceptable and unacceptable sexual partners, pointed to in Sotah 10a, is a key concern in the exegesis on Genesis Chapter 38. What makes one partner permitted sexually, and another partner forbidden? And why do we need to make distinctions between partners who are acceptable and partners who are not? Mary Douglas has written the following;

"...ideas about separating, purifying, demarcating and punishing have as their main function to impose system on an inherently untidy experience. It is only by exaggerating the difference between within and without, above and below, male and female, with and against, that any semblance of order is created."²⁰

This need to order life, and thereby make sense out of it, would explain the tendency on the part of the rabbis to categorize every detail of life, and to apply laws to each category accordingly. At the same time, there exists an underlying awareness of the arbitrary nature of these categories and these laws.²¹ For example, on page 22 above,

¹⁹See above, p.47.

²⁰Mary Douglas, Purity and Danger, New York: 1966, p.4.

²¹Edmund Leach has written: "Every human society has rules of incest and exogamy. Though the rules vary, they always have the implication that... there are women of our kind with whom sexual relations would be incestuous and there are women of the other kind with whom sex relations are allowed. But here again, we are immediately led into paradox. How was it in the beginning? If our first parents were persons of two kinds, what was that other kind? But if they were both of our kind, then their relations must have been incestuous and we are all born in sin...If the logic of our thought leads us to distinguish we from they, how can we

the discussion in B.T. Yebamot 39b of forbidden and permitted sexual partners, raised in Bereshit Rabbah 85:5, is mentioned. In this text, the objective absurdity of the laws of levirate marriage becomes apparent. The same woman who is absolutely forbidden to a man as a sexual partner, becomes not only a permitted partner, but a partner with whom he must, by law, engage in sexual relations. The law assumes an ability to isolate feelings of sexual attraction and intimacy, and apply them to a role, as opposed to a relationship. The rabbis knew that this kind of separation contradicted human nature; the admonition that a man must carry out his levirate responsibility even if he doesn't find his brother's wife attractive addresses the unnaturalness of levirate law.²² Not only would a man have to marry a woman whom he might find unacceptable for any variety of reasons, but the offspring of his union with her would not be considered his own. The rabbis feeble attempt to describe the merits of the one who fulfills his levirate responsibilities is hardly convincing.²³

There is another way in which the strangeness of the concept of levirate marriage is explored in the Judah and

bridge the gap and establish social and sexual relations with 'the others' without throwing our categories into confusion?" In Genesis as Myth and Other Essays, pp.10-11.

²²Bereshit Rabbah 85:5.

²³Bereshit Rabbah 85:5 discusses the case of R. Yossi ben Halafta who fulfilled his levirate duty and had five sons, in spite of the fact that his wife was ugly.

Tamar narrative. The idea of a father-in-law lying with his daughter-in-law was an unsettling one even in ancient times. Yet in terms of human gut response to sleeping with a dead relative's wife, was the difference between brother-in-law and father-in-law really all that great? Two possibilities result from this observation; either it wasn't so bad for Judah and Tamar to sleep together under the circumstances, or levirate marriage was complicated even in the most standard cases.

The example of Onan as levir appears to be a standard case of levirate marriage, and it is one which ends in disaster. According to the biblical text, Onan rebels against the concept of levirate marriage. The Bible indicates that God was displeased, resulting in Onan's death. The text does not specify whether God was displeased because of Onan's failure to abide by the laws of levirate marriage, or because of the specific act of spilling his seed on the ground. Rabbinic interpretation focuses upon the act, which is viewed as a serious sexual transgression.

The Babylonian Talmud tractate Niddah contains a large section which deals with the emission of semen "in vain" (i.e. lacking the explicit potential for procreation). The section goes into detail about what constitutes ejaculation in vain, and how to avoid situations in which one might get uncomfortably excited. Within this context, Onan's death offers proof of the statements that, "One who allows himself

to fantasize [about sex] is not allowed into the fold of the Holy One," ²⁴ and the hyperbolic, "Anyone who ejaculates his seed in vain must die."²⁵ A spectrum of midrashic texts emphasizes the destruction a person causes by masturbating.²⁶ In some of these texts, the concern about wasting seed is extended from an individual concern to a universal concern. Midrash Sekhel Tov expresses this concern:

"And what he did was displeasing to the Lord," that he wasted his seed, when the Holy One had commanded Adam and Eve to 'be fruitful and multiply' (Genesis 1:28); and it is written, 'He did not create it a waste, but formed it for habitation' (Isaiah 45:18). And [by wasting his seed] he killed the children who were supposed to come from him. Therefore, 'He took his life also.' Why is it written that he took his life also? Because his judgement was the same as his brother's; like his brother, his death came from heaven. And why did [Er] waste his seed? In order not to diminish her beauty. And God reacted in the same way He would have had they killed the children, their seed. And thus you should interpret 'Your brother's blood cries out to Me' not as only his blood, but his blood and the blood of his seed. And likewise, 'I have taken note of the blood of Naboth and the blood of his sons...' (II Kings 9:26)".²⁷

In these texts, we can see the origins of the desperate concern for Jewish survival. If [men] do not use their sexual instinct and potential in order to create new life,

²⁴B.T. Niddah 13b.

²⁵B.T. Niddah 13a.

²⁶See nn.81,82 above.

²⁷Midrash Sekhel Tov to Genesis 38:10.

the future of the entire nation is jeopardized. The application to men only is clear, for Tamar's propensity toward masturbation is not condemned: in fact, it is thought to enhance her ability to conceive.²⁰ One might wonder why such vehement attention is paid to the subject of male ejaculation. Perhaps it is because ejaculation is the only contribution men make to the process of creating new life. As women were so clearly the dominating force in this supremely important area of partnership with God, men writing Rabbinic Literature emphasized those areas that they could control: distinctions between acceptable and unacceptable partners, and distinctions between acceptable and unacceptable forms of sex, including ejaculation.

III. MEASURE FOR MEASURE: BALANCING AND INTEGRATING TEXT

It has previously been mentioned that rabbinic literature exhibits the propensity to seek out order when faced with varied and unpredicable human lives, actions, and relationships. One important manifestation of order is balance. Balance implies a system of cause and effect, thereby diminishing the perception of randomness in the world. The rabbis wanted to inculcate an attitude that humans should be accountable and responsible for their actions. One of the ways they fostered this attitude was by

²⁰B.T. Yebamot 34b. Also see n.154.

seeking out examples of balance in the biblical text. Once they had found these examples, the rabbis could use them to prescribe a similar balance within their own life situations.

There are many examples of balance in the biblical narrative of Judah and Tamar. One of these examples involves Judah's sons. Two of Judah's sons die in the beginning of the narrative, and two are born at the end. When examined in the context of the Joseph narrative, the death and birth of Judah's sons are "bookended" by the loss and discovery of Jacob's son, Joseph. In their effort to achieve balance, the rabbis tried to reconcile the discrepancy in the number of sons. In Tanhuma Buber, Va-Yiggash 10, Jacob speaks of "dying" in two worlds when he thought that Joseph was dead; in this world and in the world to come.²⁹ Since Jacob had lost one son, in comparison to the two Judah had lost, the rabbis said that Jacob grieved doubly intensely; intensely enough for two sons. The balance (for Jacob) to the birth of Peres and Zerah is found within the biblical text; during his career in Egypt, Joseph has been blessed with two sons, Ephraim and Mennaseh. When he meets them, Jacob claims Joseph's two sons as his own.

Sometimes "balancing" texts can be intensely punitive. In one such text, the rabbis attribute the deaths of Bat Shua, Er and Onan to Judah's role in the sale of Joseph.

²⁹Tanhuma Buber, Va-Yiggash 10.

According to this text, God planned the births of Er and Onan so that Judah would experience exactly the same type of grief that he caused Jacob to experience; grief for a dead son.²⁰ Not all of the punitive texts are quite as vindictive. In Midrash Sekhel Tov the conclusion that Er must have also spilled his seed on the ground is reached by deductive reasoning; he died the same way that Onan did, and it is written explicitly that Onan spilled his seed on the ground. The balance here is that punishment is chosen on the basis of the kind of transgression committed, in a consistent and unfailing manner.

Motifs and scenarios appear within the Judah and Tamar narrative which are recognizable from other places within the biblical text. The whole concept of a cunning woman tricking a man and lying with him originated in the Bible with the story of Lot's daughters, and is repeated in the story of Jacob and Leah, before it appears in the Judah and Tamar narrative. The irony of male and female roles, and language creates it's own form of balance and integration, while, at the same time, it deepens the sophistication of the biblical text. The concept of "knowing," often understood to be an act that a male character performs upon an female character, is balanced in these stories by an alternative definition. 'Knowing,' because of the daring acts of these women, comes to take on connotations of

²⁰See p.8.

'recognition'; recognition of self and recognition of others. While the rabbis may not have consciously responded to the reversal of sexual authority implied by the roles and language of Judah and Tamar, texts such as B.T. Megillah 10b in which men are encouraged to be able to recognize the women under their roof respond to this implication.²¹

Most of the examples of balance in the Judah and Tamar narrative are parallels with incidents occurring in other sections of the Joseph narrative. Language and themes of the Joseph narrative are sustained and built up within Genesis Chapter 38.²² The use of the phrases "ha-kér na" (do you recognize)²³ and "gedi izzim"²⁴ balance interactions in Genesis chapter 38 with events which happened in chapter 37. In chapter 37, when the brothers ask Jacob to examine Joseph's bloodied coat, they are tricking Jacob into thinking that Joseph is dead. They actually prevent Jacob from knowing the truth, and cause him tremendous grief. Judah is repaid in kind when Tamar asks him to examine his own possessions. His anguish is caused by knowing the truth; but along with that anguish comes an opportunity to change. The blood in which the brothers dipped Joseph's coat in chapter 37 was the blood of a kid. The payment Judah offers

²¹See p.45, n.136 above.

²²See Alter, Robert The Art of the Biblical Narrative.

²³See pg. 63.

²⁴See pg. 49.

Tamar for lying with her is also a kid.²⁵

Balancing the events in this chapter with events in other sections of the Joseph narrative serves a purpose beyond the achievement of a sense of order in the rabbis' lives. It connects the Judah and Tamar narrative to the Joseph narrative, making what was often considered an independent source into an integral part of the narrative.

IV. THE SOVEREIGNTY OF JUDAH

The biblical text of Genesis chapter 38 describes the turning point in Judah's career; the point at which he is singled out from all the other brothers and given an identity; the point at which his story is told. Prior to this chapter, we have little indication of Judah's sovereign destiny;²⁶ following this chapter, Judah asserts his position as leader of his brothers and, ultimately, his people.²⁷ With this biblical turning point as a foundation,

²⁵Tanhuma Buber VaYiqqash 10.

²⁶See above, p. 1.

²⁷In Genesis chapter 43, Judah convinces Jacob to let Benjamin return to Egypt with the brothers, offering himself as an "eravon," a pledge for Benjamin's safe return. In Genesis chapter 44, Judah makes an exceptionally eloquent plea to Joseph on behalf of Benjamin. In Genesis 46:28, Jacob makes Judah the leader of the clan in its descent into Egypt. And in Jacob's blessing of Judah, Genesis 49:8-10, he predicts Judah's future as leader of his brothers and his people.

rabbinic traditions describe what the rabbis understood as the transformation of Judah. The word "transformation" indicates that the change in Judah extended far beyond a change in status. Judah's change in status is seen as a result of his ethical and moral development, and the transformation wrought through his achievement of self-awareness. The development of a scenario in which true character transformation occurred was an effective way for the rabbis to justify Judah's ultimate attainment of sovereignty.

To more effectively illustrate Judah's transformation, the rabbis emphasized and elaborated upon his descent.²² They made much of his mistakes: his role in the sale of Joseph; his marriage to a Canaanite woman; his withholding of Shelah from Tamar; and his acceptance of the services of a prostitute (soon after the death of his wife, no less.) In explaining the attribution of merit to Judah, they reasoned that he "had to descend in order to ascend,"²³ making his ascent all the more powerful. The steps along the way up are also emphasized and extended; these include his fulfillment of the law of levirate marriage, his public admission of guilt in the case of Tamar; and his defense of Benjamin in the presence of Joseph.

²²See above, pp.9-11.

²³See Aggadat Bereshit, 64-65.

The acceptance of failure as a necessary prerequisite to success provided a philosophical rationale for answering questions about why Judah merited the Kingship. But philosophy is not always sufficient when answers are being sought to existential questions. Thus, the rabbis provide other kinds of justification for Judah, sometimes claiming he was "only human;"⁴⁰ other times creating legal fictions to neutralize his actions.⁴¹ The final justification for Judah's attainment of sovereignty is that he was chosen by God. Once this possibility was articulated, the downfall of the tribe of Judah could always be explained in a way which would not destroy authority or faith.

In rabbinic literature, Judah transcends his individual identity and becomes a symbol of the tribe and of the Jewish people. Thus, the commentary which explains the reasons for Judah's descent is also a commentary on the defeat of the tribe and the decline and exile of the Jewish people as a whole. The many texts which connect Judah's descent to Adullam with Israel's military defeat at Adullam, as described by the prophet Micah, present a clear example of Judah as a symbol of demise.⁴² Perhaps more importantly, the

⁴⁰ See nn.27, 28, and 94.

⁴¹ Examples of this include making foreign women into converts (see above, n.34) and trying to show that Bat Shua wasn't Canaanite (above, n.31).

⁴² Examples can be found in Bereshit Rabbah 85:1; Tanhuma Buber Va-Yeshev 10; Midrash haGadol to Genesis 38:1; and Midrash Lekah Tov to Genesis 38:1.

corollary is also true; the Jewish people have the potential to reclaim sovereignty if they repent and mend their ways. The texts which make this point most powerfully are those which present Judah as sovereign over his brothers prior to the sale of Joseph.⁴² These reflect the painful regret and guilt exilic Jews felt concerning Israel's downfall. Understood in a context in which Judah reclaims his position of sovereignty, these texts provide a basis for hope.

The question of why Judah merited sovereignty has thus far been asked as a question about his qualifications and liabilities. But the appointment of Judah as sovereign is also puzzling because theoretically, the eldest brother in a family would be expected to be appointed sovereign. Jacob's first born son is Reuben, followed by Simeon and Levi who are also older than Judah. Reuben's appearance in the Joseph narrative is similar in many ways to Judah's. They are the only two brothers mentioned as having specific roles in the sale of Joseph. While Judah's intentions are unclear in the sale of Joseph, Reuben clearly wishes to save his life and return him to safety. Both of them also try to convince Jacob to let Benjamin go to Egypt with so that they can procure food. Reuben offers his sons as pledges for Benjamin and his offer is rejected by Jacob; Judah offers himself as a pledge for Benjamin, and his offer is accepted. Nothing about Reuben appears to be offensive, and nothing about

⁴² See above, p.9, and nn.11-13.

Judah seems superior to Reuben. Sifre Devarim, Piska 348, gives an answer to the question of why Judah comes to dominate over Reuben:

'May Reuben live and not die' (Deuteronomy 33:6) 'And this he said of Judah' (Deuteronomy 33:7). What does one thing have to do with another? Because Judah did what he did and stood up and said, 'She is more righteous than I'. When Reuben saw that Judah confessed, he too stood and confessed his deed. Therefore, it is said that Judah caused Reuben to repent. It is written about them: 'That which wise men have transmitted from their fathers, and have not withheld, to whom alone the land was given, no stranger passing among them' (Job 15:18-19).

It is the process of teshuvah, certainly in the case of Tamar, and perhaps also with regard to Benjamin (when he offers his own person as a pledge), which distinguishes Judah from Reuben in the eyes of the rabbis, and allows him to be redeemed. The fact that Judah repents, and sets an example of a model of repentance, is so impressive that it alone may account for his achievements.⁴⁴

⁴⁴In the discussion of kingship, mention should be made of an article by Gary Rendsburg entitled "David and his Circle in Genesis XXXVIII" VT 36:4 (1986) pp.438-446. Rendsburg understands the Judah and Tamar story as a story about King David and his family, written in the period of the monarchy, and thinly disguised in order to maintain a semblance of respect. He sees strong parallels between the characters of the Judah and Tamar narrative and the Royal Circle.

V. REDEMPTION

Without Tamar, the transformation of Judah would be impossible. She actually transforms Judah, from one who knows but doesn't recognize, to one who recognizes and chooses not to know. The process of redemption begins when she veils herself beyond recognition at Petah Enaim, and Judah "knows" her sexually; redemption is born when Peres, the ancestor of David, emerges from Tamar's womb. By then, Judah has achieved full recognition of his past mistakes and no longer "knows" Tamar sexually. Zvi Jagendorf has written the following;

"In the first chapters of Genesis the same verb yada means to know and distinguish between moral categories and to be aware of one's own and another's physical difference (nakedness). Underlying all the first instances of knowing is the concept of distinction rendered physically immediate by the image of the opened eyes."⁴⁵

Ironically, the place of Tamar and Judah's union is called "Petah Enaim," the opening of the eyes. It is in that place that Tamar begins the carefully constructed process of "opening Judah's eyes"; to the significance of the symbolic pledges he so casually entrusts to her; to his responsibility to his people and to her; and to the weight of his background and his future. Tamar's determination to

⁴⁵Zvi Jagendorf, "'In the Morning, Behold, it was Leah': Genesis and the Reversal of Sexual Knowledge" Prooftexts 4 (1984):pp.187-191.

perpetuate her husband's line leads to the events of Genesis chapter 38, and culminates in the birth of Peres, a direct ancestor of King David.

The theme of a woman from "the outside" taking personal risks for the sake of the Jewish people, and subsequently becoming part of the messianic line, is a popular biblical theme. Tamar, Ruth and Rahab all fit this prototype. They each present their own type of perceived and active sexuality. Rahab is thought to be a professional prostitute, but the risk she takes for the Jewish people does not involve sexual activity on her part. She hides the Israelite spies in her home, and is thereby saved from destruction. Ruth's daring act, lying at Boaz' feet, is most likely a form of seduction, but the term "prostitute" never arises in relation to Ruth. Tamar is not a prostitute, but she dresses like one so that Judah will lie with her. Tamar and Ruth are linked by parallel biblical motifs: both women are from questionable but, for some reason, acceptable lineage. They feel themselves connected to the People into which they marry and find themselves unable to redeem their husbands because of an obstacle, which is overcome through their own ingenuity and a twist on levirate marriage. Rahab is linked to Tamar in the Midrash by the scarlet thread, tied onto Zerah's hand at birth, and used by her as a sign to the Israelite spies that they were safe.

Despite their questionable conduct, these three women

are all essential to the process of redemption, both Jewish and Christian. Matthew 1:2-6 includes Tamar, Rahab, and Ruth in Jesus' genealogy. Somehow, the possibility of sin is sensed universally as an element in closeness to God, and these women validate this feeling. Edmund Leach has written,

"'Sinfulness' is a very ambiguous quality which is close to 'godliness.'...Biblical harlotry, though 'wrong,' provides an easy road to sanctity through repentance. Tamar, Rahab and Ruth are all harlots after a fashion, but like Mary Magdalene they are also all saints."⁴⁶

Philo strongly asserts that virtue is not limited to "insiders," the descendants of Abraham, Isaac and Jacob. He uses Tamar as an example of a person who came from a heather family but was promoted to a position of honor. The conclusion he comes to is that "Everyone is to be judged by his conduct and not by his descent."⁴⁷ Tamar's conduct causes her to be judged particularly favorably because of her perceived passion to serve (and save) the Jewish people. The following piyyut was written by Yannai as a tribute to Tamar:

The pious Tamar sanctified the Divine name
 She desired sacred seed
 She deceived by becoming a "gedeshah"
 (alternate understanding:
 She deceived and did pious deeds)
 And succeeded in her holy plan
 She kept her widowhood before Adonai
 Adonai did not deny

⁴⁶Edmund Leach, "The Legitimacy of Solomon" in Genesis as Myth and Other Essays, pp.64-65.

⁴⁷Colson, F.H. Philo, On the Virtues: Nobility, v.8. (Cambridge: Harvard University Press, 1938), p.161.

Her passion to be rooted in the People of Adonai
Because they are the seed that God blessed.⁴⁸

In rabbinic literature, tension is felt between the need for both Tamar and Judah to repent, and the role of Divine Providence in the act. Targum Yonatan inserts a divine voice after Judah proclaims Tamar to be innocent, attributing the events of Chapter 38 to the Divine hand, and implying that the plot was constructed in order to allow Judah an opportunity to repent. Midrash Tanhuma Buber indicates another Divine purpose with the text: "My ways are not your ways,..." and goes on to assert that God had planned everything, including Judah's descent, in order to bring the redeemer.⁴⁹ Bereshit Rabbah also points out that God planned everything so that the last redeemer would be born before the first oppressor was born.⁵⁰ And other texts stress the role of God in the actual union between Judah and Tamar, saying that a Divine voice prompted Judah to lie with her.⁵¹

Given this Divine endorsement of the events of Chapter 38, the need for repentance might be questioned. The presence of texts in which Judah and Tamar are seen as

⁴⁸Zulay, M. ed. Piyyute Yannai (Berlin: Schocken, 1938), p.54.

⁴⁹Tanhuma Buber Va-Yeshev 11.

⁵⁰Bereshit Rabbah 85:1.

⁵¹Bereshit Rabbah 85:8.

penitent seem superfluous if God ordains all things. But without the tension that a combination of Godly and human influence presents, we might ask the question: Why should humans act righteously, or refrain from doing evil, or repent, if God predetermines our actions and outcomes anyway?

By presenting Tamar as an inherently righteous woman who acts only out of the best intentions, the rabbis present a model of a righteous human being, living with the guidance of God. Her engagement in acts which we would normally consider to demand repentance; i.e., deceiving Judah, and playing the harlot, make her model of redemption all the more accessible. Redemption is available to all who seek it, even if they are "outsiders." even if they are "sinners." For the sinner who repents is dearer to God than anyone else, as the female progenitors of the Messiah come to prove.

CONCLUSION

This thesis has explored the rabbinic traditions developed in response to the Judah and Tamar narrative, and the themes which emerge from such a study. The rabbinic interpretation of this text underscored tensions within the Biblical text itself, but beyond that, has attempted to make Torah relevant to the rabbis' personal interests and concerns. There are several areas of interpretation which seem particularly radical, either because their connection to the text is tenuous, or because they actually contradict the apparent meaning of the biblical text. In conclusion, I will focus on these areas, in an attempt to discern a rabbinic attitude toward the limits of text interpretation.

The first area of interpretation in which there is a noticeable expansion of the meaning of the text occurs in verse 7, the verse in which Er displeases God so much that God takes his life. Any reader of this text would ask what Er's terrible crime was. The only Biblical evidence for interpretation is circumstantial; Er's death directly precedes Onan's, and we do have some information about the cause of Onan's death. There is also one linguistic point which could, possibly, support the notion that Er and Onan died for the same reason; in verse 10, we read that God took Onan's life also. The rabbis make much of this detail in

Onan's life also. The rabbis make much of this detail in their attempt to find a reason for Er's death. The concept of inexplicable death was unacceptable to the rabbis. They wanted to know the reason for death, yet they knew from their own experience that it was not always possible to know this, and it was bothersome to them. From the few brief words about Er in this chapter, the rabbis developed a whole character. Whether he was influenced by his mother, his surroundings, or his own rationale, Er is a human being. If his death goes unexplained, so might our own.

The rabbis focused on the subject of sexual transgression as a crime in the cases of Er and Onan. They clearly wanted to distinguish between acceptable and unacceptable sexual behavior, and they stretched the simple meaning of the text in order to serve that purpose. In the biblical rendition of Onan's transgression, it is not clear whether his death came as a result of the act of spilling his seed itself, or whether he was being punished for disobeying the law of the levir. rabbinic literature uniformly sees his death as a result of the act itself. This rabbinic position has become so well known that at times it may be difficult to distinguish between the biblical text and its interpretation. There can be no doubt that the interpretation of these verses has made them richer.

Another area of focus as the rabbis interpreted this chapter is the whole idea of female sexuality and

physiology. The texts which discuss the methods by which Tamar readied herself for pregnancy are not indicated by anything more than the fact that Tamar gets pregnant after one sexual encounter with Judah. Perhaps the rabbis had noticed that many women did not get pregnant after first intercourse, and they wanted to reassure people that there was nothing wrong with them. Perhaps they wanted to stress once again how committed Tamar was to her purpose; she was not going to take any chances. There are many possible reasons why the rabbis inserted these texts, but it seems fairly certain that they had little to do with the Biblical story itself. Likewise, those texts which base determination of pregnancy on the time interval between Tamar and Judah's conception and the point at which Judah was informed of Tamar's pregnancy have no basis in the pshat of the biblical text.

A simple reading of verses 25 and 26 would lead one to believe that Tamar completely mortified Judah when she publicly revealed that he was the father of her child. Obtaining his staff, cord, and seal was such a coup precisely because they were items of which he could not deny ownership. Moreover, Judah's embarrassment is crucial to the comic irony of the literature, after his expression of concern about being embarrassed by the harlot, whom he doesn't know is really Tamar, in verse 23. Yet the rabbis interpret Tamar's confrontation with Judah completely

differently. They understand her to be very discreet when she informs him of his role in her pregnancy. This interpretation achieves two purposes: it adds to Tamar's image as a modest and praiseworthy woman, altogether suited to be a vehicle for redemption, and it allows Judah to be seen as making his confession out of his own free will. Judah's volitional confession is more valuable than a confession under duress, and it presents him as being prepared to repent and atone. It may be that the rabbis had another agenda in interpreting the text this way. Perhaps they wanted to encourage discretion and a concern for the honor of all people within their communities. In any case, this is a clear example of rabbinic license in interpreting the text.

Finally, in their interpretation, the rabbis make God's presence and Divine providence an explicit part of this text. The only place God is mentioned in the Biblical text is as source of the deaths of Er and Onan. Interpretive tradition expands the specific role of God far beyond these references. The Targum includes in its translation of the text an angel who persuades Judah to go back and lie with Tamar after he has passed by her, and a Divine voice at Tamar's tribunal who claims responsibility for the events of Genesis Chapter 38. Midrash Tanhuma, Bereshit Rabbah, and other texts contain exegesis which stresses the strangeness of God's ways, and the inadequacy of human beings to

understand the ways in which God functions. The explication of the role of God in the interpretation of this narrative imparts a sense of meaning and order to a seemingly bizarre sequence of events, and justifies the ultimate outcome of the narrative, i.e., the continuation of the Davidic/Messianic line. The fact that the Biblical references to God are purely punitive in this narrative also gave the rabbis reason to expand God's role. Human beings need to believe in a God who does more than punish.

Midrash is a process which applies human emotions and human intellect to the literature of Torah. The changing context of human experience demands interpretation which will expand change the text even slightly in order to include all possible contexts. At the same time, human experience is essentially consistent, and thus benefits from a tradition of lessons from the past. Given the results of this study, I have no reason to believe that the considerations of the rabbis who wrote these texts were any different from my own today. We share the same passion for discovering and expounding the universal truths of Torah, as well as a desire to make the Torah accessible to those who touch it. As for the concern that at times we might stretch too far from the literal meaning of a Biblical text, this study supports the view of Emerson, who has written that "It cannot be taken for granted that a story in Genesis had a single meaning and purpose and retained them unchanged

throughout history."¹ At least one Rabbinic viewpoint agrees with this assessment, as the following Talmudic passage illustrates:

"Abaye answered: For Scripture saith, 'God hath spoken once, twice have I heard this, that the strength belongeth unto God.' One Biblical verse may convey several teachings, but a single teaching cannot be deduced from different Scriptural verses. In R. Ishmael's school it was taught, 'And like a hammer that breaketh the rock in pieces,' i.e., just as [the rock] is split into many splinters, so also may one Biblical verse convey many teachings."²

¹J.Emerton, "Judah and Tamar" VI 29:(1979)403-415, p.414.

²B.T. Sanhedrin 34a.

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