

LAKE SHORE DRIVE SYNAGOGUE

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THE TWELVE TRIBES

In 1955 through 1959 Israel issued twelve postage stamps, one for each of the twelve tribes of Israel, containing both a pictorial emblem for the tribe and (in a tab below the stamp itself) a biblical reference to the origin of that emblem. Here are those stamps (viewable in color on the synagogue website), presented in increasing denomination, which also corresponds to the birth order of the sons of Jacob.



In 1986 the artist Shmuel Bonneh designed and installed 13 stained glass windows into our sanctuary. Twelve of these windows depict the twelve tribes, with symbolism also derived from the bible. Here is an array of those windows, presented in birth order of the sons (and grandsons) of Jacob.



REUBEN



SIMEON/LEVI



JUDAH



DAN



NAPHTALI



GAD



ASHER



ISSACHAR



ZEBULUN



BENJAMIN



MENASHE



EPHRAIM

The origin of these tribal symbols is found primarily in the blessings of the tribes given to the by Jacob and by Moses on their deathbeds. Let's go through them in order, with my interpretation of the pictures and the references on the tabs:

	STAMP	BONEH
REUBEN	mandrakes (see Genesis 30), Deuteronomy 33:6	crown, probably representing first born
SIMEON	gates of Shechem, Deuteronomy 33:5	combined with Levi, crude whip and sword
LEVI	priest breastplate, Deuteronomy 33:10	combined with Simeon, crude whip and sword
JUDAH	lion, Genesis 49:9	lion
DAN	scales, Genesis 49:16	serpent
NAPHTALI	hind, Genesis 49:21	hind
GAD	army camp, Genesis 49:19	spiral
ASHER	olive tree, Genesis 49:20	farmer and tree
ISSACHAR	sun and planets, 1 Chronicles 12:32 (astrology)	strong-boned ass
ZEBULUN	ship, Genesis 49:13	ship
JOSEPH	sheaf of wheat, Deuteronomy 33:13	-
BENJAMIN	wolf, Genesis 49:27	wolf
MENASHE	-	small flower
EPHRAIM	-	big flower

You might want to use these notes to provide insight to the Chagall Windows installed in the Ein Kerem Hadassah Hospital in 1962. You can look at each of the 12 windows on this web site,

<http://www.hadassah-med.com/about/art-at-hadassah/chagall-windows/the-windows.aspx>

When you click on each tribe name you will see Chagall's inspiration for his art based on the biblical blessings of Jacob and Moses. You will also find the inspiration for his selection of colors based on the Midrash Rabbah. In my next Bulletin I will discuss the colors associated with each tribe, as they appear in the stones on the priestly breastplate, in the stamps given above, and in the Chagall windows.

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THE HIGH PRIEST'S BREASTPLATE

In the last bulletin I exhibited the twelve Israel postage stamps and Lake Shore Drive Synagogue's stained glass windows corresponding to the tribes of Israel, and presented the biblical basis for the images. Continuing on this theme, in this bulletin I will exhibit the colors associated with each of the tribes, as they appear on the High Priest's breastplate. We first look at the biblical exposition of the breastplate in Exodus 28:17-21: *And you shall set in it settings of stones, four rows of stones; the first row shall be a ruby, a topaz, and a beryl; this shall be the first row. And the second row shall be a turquoise, a sapphire, and a diamond. And the third row a jacinth, an agate, and a jasper. And the fourth row an emerald, and an onyx, and a jade; they shall be enclosed in settings of gold. And the stones shall be with the names of the people of Israel, twelve, according to their names, like the engravings of a signet; every one with his name shall they be according to the twelve tribes.* (This is the Soncino translation of the Hebrew words for these twelve precious stones, and I should point out that there is a dispute as to what is an appropriate English translation of these verses. In the quotation below I give the Hebrew word transliterated, as well as some of the translations I've found. Moreover, it should be noted that neither sapphire nor diamond was known in the ancient Middle East, so the modern Hebrew words for these stones probably were then the names of other stones.)

A more detailed listing of the stones, flags, and symbols of the tribes is given in Midrash Rabbah Bamidbar 2, whose translation I quote in the order of the stones as listed in Exodus rather than in the order given in Midrash Rabbah:

- Reuben: His gem was (ODEM) a ruby/**carnelian**, his flag was red. It had an image of a mandragore
- Simon: His gem was (PITDA) **topaz**, his flag was green. His emblem was the Shechem city.
- Levi: His gem was (BAREKET) smaragd/beryl/**emerald**, his flag had white-black-red strips. His emblem was the High-priest's breastplate
- Judah: His gem was (NOFEKH) red garnet/carbuncle/**turquoise**, his flag was sky-blue, with a lion on it
- Yissachar: His gem was (SAPIR) sapphire/**lazarite**, his flag was very dark-blue. His emblem was Sun and Moon, as it is written: "Here were Yissachar's sons who were expert astronomers."
- Zebulun: His gem was (YAHALOM) a diamond/emerald/**quartz**, his flag was white with a ship drawn on it, as it is written: "Zebulun will dwell at the sea shore."
- Dan: His gem was (LESHEM) jacinth/**zircon**, and his flag was sapphire-like, with a serpent drawn on it, as it is written: "Dan will be as a serpent on a road"
- Gad: His gem was (SHVA) **agate**, his flag was neither white nor black, but a mixture thereof. There was a military camp drawn on it, as it is written: "Gad shall be raided by raiders,"
- Naphtali: His gem was (AKHLAMA) jasper/**amethyst**, his color was like clear wine, some mild redness. His emblem was a free hind
- Asher: His gem was (TAHRSHISH) emerald/beryl/**aquamarine**, his color was like a precious stone used by women for decoration. There was an olive tree drawn on it.
- Joseph: His gem was (SHOHAM) **onyx**, his flag was very black. His emblem was a bull
- Benjamin: His gem was (YASHPE) jade/**jasper**, his color was a mixture of all colors. His emblem was a ravening wolf.

In February 2012 the Israel Postal Service issued 13 postage stamps, one depicting the breastplate and the other twelve depicting each of the stones. Given the ambiguity of what the various stones were, I rely on the Israel Postal Service for their decisions about the color and nature of the stones, and highlight those decisions in boldface above. Here is their breastplate picture as well as the twelve tribal stones, laid out in the order that they believe was that of the listing of the tribes. You can see these in color on the Bulletin as posted on our synagogue website.



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MAZEL TOV

Some of us translate “*mazel tov*” as “congratulations.” Others, recognizing that “*mazel*” means “luck” and “*tov*” means “good,” translate it a “good luck.” But in fact the word “*mazel*,” which now is translated as “luck,” originally was translated as “sign of the zodiac.” The signs of the zodiac are called “*mazalot*” (מזלות the Hebrew plural of *mazel*), and are as much a part of the Jewish religion as is the Torah. Indeed, look at Genesis 1:14, “And God said, Let there be lights in the firmament of the heaven to divide the day from the night; and let them be for signs, and for seasons, and for days, and years.” The word “signs” (אִתּוֹת) is interpreted as referring to the signs of the zodiac. The Talmud Berachot 32b quotes God as saying, “I created twelve מזלות in the firmament.” (Soncino translates *mazalot* as “constellations.”) And there are numerous references to the *mazalot* in the Aggadah. Indeed, in 1961 the Israel Postal Authority issued a stamp depicting the signs of the zodiac, along with the Hebrew names of the signs, and the above-cited quote from Berachot:



Each of the signs of the zodiac has been associated with a Hebrew month, so that Hebrew horoscopes are tied to the Hebrew calendar months. Since according to Exodus Nissan is the first month, the standard list of the signs of the zodiac begin with its associated sign, Aries.

Given that Israel has twelve tribes, it is only natural to associate each of the signs of the zodiac with a tribe as well. Warren Kenton (aka Zev ben Shimon Halevi), a Kabbalist, decided that the arrangement of the tribes described in Numbers 2 was associated with the tribal zodiac signs, beginning with the tribe of Judah¹. His arrangement is given in the table below. Since Judah is typically depicted by a lion, and so should be associated with Leo, a number of Christian analysts have disagreed with this and created their own associations. I record two of these, by MacGregor Mathers² and David Godwin³, in the table below as well.

Hebrew	Zodiac	Month	Kenton	Mathers	Godwin
מלה	Aries	Nissan	Judah	Gad	Simeon
שור	Taurus	Iyar	Issachar	Ephraim	Reuben
תאומים	Gemini	Sivan	<u>Zebulun</u>	Menashe	Zebulun
סרטן	Cancer	Tamuz	Reuben	Issachar	Issachar
אריה	Leo	Av	Simeon	Judah	Judah
בתולה	Virgo	Elul	<u>Gad</u>	Naphtali	Naphtali
מאזניים	Libra	Tishrei	Ephraim	Asher	Asher
עקרב	Scorpio	Cheshvan	Menashe	Dan	Dan
קשת	Sagittarius	Kislev	<u>Benjamin</u>	Benjamin	Benjamin
גדי	Capricorn	Tevet	Dan	Zebulun	Menashe
דלי	Aquarius	Shvat	Asher	Reuben	Ephraim
דגים	Pisces	Adar	Naphtali	Simeon	Gad

As one can see, there is no “official Jewish” matchup between the zodiac signs and the tribes. It is coincidental that there are twelve tribes. But you can glean from all this that when one wishes someone a “*mazel tov*” he/she is wishing him/her a “good horoscope.”

¹ Kabbalah and Exodus, Weiser, 1988

² S. L. MacGregor Mathers and J. W. Brodie Innes, The Sorcerer and his Apprentice, ed. R. A. Gilbert (Wellingborough: Aquarian, 1983), pp. 40-46.

³ “Astrological Attributions of the Twelve Tribes of Israel,” The Llewellyn Journal 5/23/2003

Following are the twelve Israel stamps depicting the twelve zodiac signs, given in month order. You can see them in color on the synagogue website.



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EZEKIEL THE TRAGEDIAN

Greek culture is famous for its historians (Herodotus, Thucyides), philosophers (Plato, Aristotle), and playwrights (Sophocles, Euripides). This culture had an impact on the Jews, who produced their own historian, Josephus (37 CE-100 CE, in Palestine and Rome), and philosopher (Philo, 25 BCE-50 CE, in Alexandria, Egypt). Less known was the Alexandrian Jewish playwright Ezekiel the Tragedian (2nd century BCE). Each of the three wrote accounts of the Exodus, and it is interesting to study their accounts of the Exodus, both to see the influence Greek culture had on the works and to contrast their accounts with those in the Midrash.

Ezekiel the Tragedian wrote Exagoge ("The Exodus"), a five-act play about Moses, in Greek in iambic trimeter. Scholars had known of Ezekiel because verses from this play were quoted by Eusebius, a fourth century CE church father, in Chapter 9 of his book Praeparatio Evangelica ("Preparation for the Gospel"). Eusebius gave as his source the Greek scholar Alexander Polyhistor (first century BCE) and his book, Concerning the Jews. Pieces of the play are also quoted in Clement of Alexandria's Stromata (200 CE). So what scholars had to go by were second and third hand quotes from of Ezekiel's play.

This all changed very recently. A press release on March 2, 2016 noted that a manuscript of Exagoge was just found among the 500,000+ documents discovered in 1897 in a rubbish heap in Oxyrhynchus, Egypt (about 120 miles south of Cairo) by British archaeologists Bernard Grenfell and Alexander Hunt. So now scholars can look at what may be an original of this work, rather than a possible paraphrase of it. (And, hot-off-the-press, playwright Aaron Henne's new play Exagoge, based on this work, premiered on June 19 at the Theater at Temple Israel of Hollywood.)

What makes this work so important is that it is the earliest nonMidrashic account of the Exodus story (excluding, of course, the Torah itself). One interesting addition to the Torah story is a dialogue between Moses and Jethro preceding the incident of the burning bush.

MOSES: "Methought upon Mount Sinai's brow I saw
A mighty throne that reached to heaven's high vault,
Whereon there sat a man of noblest mien
Wearing a royal crown; whose left hand held
A mighty sceptre; and his right to me
Made sign, and I stood forth before the throne.
He gave me then the sceptre and the crown,
And bade me sit upon the royal throne,
From which himself removed. Thence I looked forth
Upon the earth's wide circle, and beneath
The earth itself, and high above the heaven.
Then at my feet, behold! a thousand stars
Began to fall, and I their number told,
As they passed by me like an armed host:
And I in terror started up from sleep."

JETHRO: "This sign from God bodes good to thee, my friend.
Would I might live to see thy lot fulfilled!
A mighty throne shalt thou set up, and be
Thyself the leader and the judge of men!
And as o'er all the peopled earth thine eye
Looked forth, and underneath the earth, and high
Above God's heaven; so shall thy mind survey
All things in time, past, present, and to come."

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TAL AND GESHEM

The daily *amida* has a blessing, labeled in the Art Scroll Siddur (p. 104-5) as “Year of Prosperity,” which we recite three times a day (during the winter season) to pray for dew and rain. Also, during the period from Shemini Atzeret to Pesach, we include a reference to rain in every *amida*: “He makes the wind blow and He makes the rain descend (משיב הרוח ומוריד הגשם).” And during the period from Pesach to Shemini Atzeret this verse is replaced in Israel by: “He lets fall the dew (מוריד הטל).” This reference to rain (and dew) appears immediately after the first of the three verses that refer to the resuscitation of the dead. In his commentary on synagogue liturgy Rabbi David Abudirham (c. 1340, Seville) says that these three references relate to three resuscitations, one’s awakening from slumber, the rain’s revival of vegetation, and the Messianic resurrection of the dead. Thus the phrase משיב הרוח is inserted appropriately, right before the second reference, the reference to rain’s revival of vegetation.

In Israel the fertility of the land was greatly dependent upon the seasonal rain and the dew to make the land fertile, hence the origin of these blessings. In order to mark the beginning of the recitation of each of these references to rain and dew and to impress upon the congregation the need to begin to recite them, special liturgical poems *Tal* and *Geshem* were written and inserted into the *musaf amidah* on Pesach and Shemini Atzeret.

“Also he burdens the thick cloud with an overflow; the cloud scatters lightning (Job 37:11)” begins in Hebrew with the words אף ברי יטריה, which are the first words of two introductory paragraphs to the *Geshem* prayer. The main prayer (page 704 of the Art Scroll Siddur) is six stanzas long, written as an acrostic of the Hebrew alphabet. The first five stanzas allude, without naming names, respectively to Biblical figures: Abraham, Isaac, Jacob, Moses, and Aaron. In each stanza, references are made to the connection between the individuals alluded to and water, with each line concluding with the word “water, (*mayim*). The final stanza concerns the twelve tribes of Israel, recalling that twice they went through water, once at the Red Sea and once at the Jordan River, and ending with a reference to their martyrdom. The leader reads each of the six stanzas, and at the end of each stanza the congregation implores God to grant abundant water for the sake of those referred to in that stanza.

“By his knowledge the depths were broken up, and the clouds drop down dew (Proverbs 3:20)” begins in Hebrew with the words בדעתו תהומוות, which are the first words of the two introductory paragraphs to the *Tal* prayer. The main prayer (page 702 of the Art Scroll Siddur) is also six stanzas long, only this time written as a backward acrostic of the Hebrew alphabet. It is written on two levels. On one level it asks for the blessing of dew; on a second level it is a prayer concerning the end of exile and the rebuilding of the city of Jerusalem. It is not accidental that this plea for redemption is found in a prayer recited on Pesach. Not only is Pesach the feast of our freedom and redemption, but, according to tradition, it is also the time of the future redemption.

These poems were written by one of the most prolific of *payetanim* (liturgical poets), Rabbi Elazar ha-Kallir. The conjectures as to when Kallir lived cover a wide range of centuries (from the second to the eleventh). As early as the 12th century he was thought to have been a *tanna*, either Rabbi Elazar ben Shimon (a fifth generation *tanna*, c. 170 CE) or Rabbi Elazar ben Arakh (a second generation *tanna*, 40-68 CE), and both of these opinions are recorded in the *Sefer HaYuchsin*. (1504). According to the historian Zunz (1794-1886) the earliest acceptable date is the first half of the ninth century. Some modern scholars believe Kallir to have lived about 750 at the latest. From internal references to events and from a linguistic point of view scholars assume him to have lived no later than the sixth or the early seventh century. So what we see is that, unless you believe that Kallir was a *tanna*, both the *Tal* and *Geshem* were added to the liturgy in medieval times. Many of the *piyyutim* in the High Holiday liturgy are authored by Kallir, so look in the footnotes of the Birnbaum *machzor* for references to Kallir and you will appreciate his unique style.

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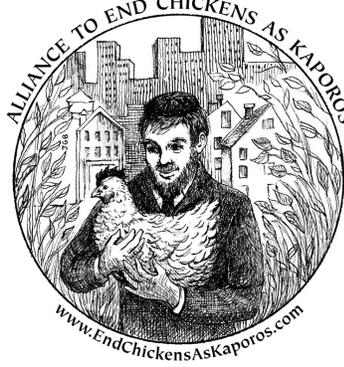
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KAPOROS / KAPAROT



There is an ancient Jewish custom, described on page 772 of the Art Scroll Siddur, to take a live white fowl (rooster for men, hen for women) and perform an atonement ceremony called *kaporos*, the morning before Yom Kippur. This ceremony is depicted in the picture on the left. Sometimes money is used in place of the fowl. The ceremony consists of circling the fowl (or money) around the head of the supplicant, who then says, “This is my exchange, this is my substitute, this is my atonement. This rooster/hen will go to its death [this money will go to charity] while I will enter and go to a good long life and to peace.” And after the fowl is killed, it is donated as food for the poor. The contemporary Kitzur Shulchan Aruch by Gansfried describes the ceremony in Chapter 131.

The practice of *kaporos* was mentioned for the first time in a responsum by Amram Gaon of Sura Academy in Babylonia in 670, so it must be more ancient. Jewish scholars in the ninth century explained that since the Hebrew word גבר (“*gever*”) means both “man” and “rooster,” a rooster may substitute as a religious and spiritual vessel in place of a man. And, citing Isaiah 1:18, “If your sins are as red as the scarlet thread they will become as white as snow” as proof-text, they decided that the atonement animal must be white. Amram stated that the animal should have horns to remind the Jew of the ram that was offered instead of Isaac, and says that the rooster was chosen because it has such horns. But Amram circumvents tying this practice to the use of the goat on Yom Kipper as described in Leviticus 16, mostly because that offering was to Azazel, a euphemism for a devil, whereas this is not.

The original 16th century printing of Karo's Shulchan Aruch has a chapter on *kaporos*, with its chapter heading editorializing that *kaporos* is a nonsensical custom that should be abolished; later editions removed this criticism. According to the Mishnah Berurah, Karo's reasoning was based on the caution that this practice is similar to non-Jewish rites; a vestige of this reasoning is the reference in the Kitzur Shulchan Aruch to a similar practice of the Amorites. (One 18th century scholar, Samson Morpurgo, argued that the original chapter heading was not written by Rabbi Karo but was inserted by the publishers.) *Kaporos* was also strongly opposed by notable 13th century Sephardi rabbis, among them Nahmanides and Shlomo ben Aderet. The Ashkenazi Rabbi Moses Isserles, Karo's contemporary, disagreed with Karo and encouraged *kaporos*. It was also approved by the great Talmudists Rabbeinu Asher (1250–1327) and his son Jacob (baal haTurim, 1269–1343) and other commentators. The ritual was also supported by Kabbalists, such as Isaiah Horowitz and Isaac Luria, who found other mystic allusions in the prescribed formulas. Consequently, the practice became generally accepted among the Ashkenazi Jews and Hasidim of Eastern Europe. Finally, in the late 19th century work Kaf Hachaim, Yaakov Chaim Sofer approved of the custom for Sephardi Jews as well.

Recently, two Jewish organizations have organized campaigns to eliminate this ceremony. One US-based organization, Alliance to End Chickens as Kaporos, whose logo is in the center picture above, recently placed a large ad in the New York Times. The other Israel-based organization, Animal Protection Association, has been publicizing their campaign against *kaparot* (the Sephardic pronunciation of *kaporos*) on the web and in print (a copy of its ad is on the right). Both these organizations claim that the *kaporos* process is injurious to the fowl.

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THE THREE OATHS

In the Summer 2016 issue of *Jewish Review of Books* Rabbi Shlomo Riskin critically reviewed Not in God's Name: Confronting Religious Violence by Rabbi Jonathan Sacks. This review was responded to by Sacks in the Fall 2016 issue and the response was rebutted by Riskin in that issue. One of the points of controversy was the modern interpretation of the Three Oaths of the Talmud. Since I was unfamiliar with these oaths, I decided to study them, and from my study decided that the material was interesting enough to share with you.

A section of the Talmud (Ketubot 110b-111a), referred to as the Three Oaths (ג שבועות), relates to the reclamation of the Land of Israel by the Jews. The Jews were (1) sworn not to forcefully reclaim the Land of Israel and (2) not to rebel against the other nations, and the other nations were sworn (3) not to subjugate the Jews excessively. The first of these has been used to claim that the Jewish forcible reclamation of Israel is contrary to the Talmud. The second of these has been used, for example, to claim that the Jewish rebellion against the British Mandate is contrary to the Talmud. And, since the Talmud has no moral suasion outside of Jewry, we unfortunately know that the third of these was disregarded in the extreme by the other nations.

To see the full context of these oaths (translated by Soncino as “adjurations”), here is the entire Soncino translation. To give this some context, Rab Zera and Rab Judah were contemporaries in Babylonia in 290-320 CE, whereas Rab Jose son of Rab Hanina lived in Israel in 250-290 CE and Rab Levi lived in Israel in 250-320 CE.

Rab Zera was evading Rab Judah because he desired to go up to the Land of Israel while Rab Judah had expressed the following view: Whoever goes up from Babylon to the Land of Israel transgresses a positive commandment, for it is said in Scripture, ‘They shall be carried to Babylon, and there shall they be, until the day that I remember them, saith the Lord.’ (Jeremiah 27:22). And how could Rab Zera react to this text? That text refers to the vessels of ministry (as described in Jeremiah 27:19) And Rab Judah? Another text also is available: ‘I adjure you, O daughters of Jerusalem, by the gazelles, and by the hinds of the field, that ye awaken not, nor stir up love, until it please’ (Song of Songs 2:7 and 3:5) And Rab Zera? That verse implies that Israel shall not go up all together as if surrounded by a wall. And Rab Judah? Another ‘I adjure you’ (Song of Songs 8:4) is written in Scripture. And Rab Zera? That text is required for an exposition like that of Rab Jose son of Rab Hanina who said: “What was the purpose of those three adjurations? **One, that Israel shall not go up all together as if surrounded by a wall; the second, that whereby the Holy One, blessed be He, adjured Israel that they shall not rebel against the nations of the world; and the third is that whereby the Holy One, blessed be He, adjured the idolaters that they shall not oppress Israel too much.**

For those who don’t want to knock yourself out following the Talmudic text, the basis for the Three Oaths is an interpretation of three verses from Song of Songs, all of which begin with “I adjure you, O daughters of Jerusalem”:

2:7 and 3:5. I adjure you, O daughters of Jerusalem, by the gazelles or by the hinds of the field, that you stir not up, nor awake my love, until it please.

8:4 I adjure you, O daughters of Jerusalem, that you stir not up, nor awake my love, until it please.

Note that there is nothing in the text that refers to reclaiming the land of Israel, let alone a reference to a “wall”! So what’s the connection between this innocuous text and the three oaths?

In the Aggadic text, Shir Hashirim Rabba, which is a commentary on the Song of Songs, Rab Helbo (290-320 CE, Babylonia, a contemporary of Rab Zera) is quoted as interpreting 2.7 as containing not three but four oaths, one being “they did not go up [like a] wall from the exile” (שלא יעלו חומה מן הגולה). This commentary (without attribution) got cited by Rab Zera in Ketubot as “Israel did not go up in [the formation of] a wall” (שלא יעלו ישראל בחומה). (The bracketed insertions in the translations are Michael Fishbane’s interpretations of the Hebrew text, as found in his JPS Bible Commentary on the Song of Songs. Fishbane suggests that the word בחומה should be amended to כחומה). Soncino’s translation, “Israel shall not go up all together as if surrounded by a wall,” reflect more modern interpretations of the text, by both changing the tense and by a bit of interpretation of the significance of the word “wall.” The “formation of a wall” is interpreted as meaning “in military formation,” thus leading to the oath that Jews should not forcefully reclaim the land of Israel. All this wordplay indicates that the rabbis stretched the interpretation of Song of Songs beyond bounds, first by interpreting it as referring to the people of Israel returning to Israel and then by including in it secret directions for how this must not be done.

Given that the Three Oaths are a matter of record in the Talmud, how have they been interpreted in post-Talmudic times? Maimonides cited the Three Oaths in his Letter to the Jews of Yemen (1172) where he advised them not to flee Yemen to Israel in the face of the persecution they were enduring there. But he never mentions them in his Mishne Torah, his great compilation of Jewish law. Two more historical notes: Nachmanides (1194-1270) considered that Numbers 33:53 “And you shall dispossess the inhabitants of the land, and live in it; for I have given you the land to possess it” is a positive commandment for all generations, and never mentions the apparent contradiction to this of the Three Oaths. The Maharal (1509-1612) said that the Three Oaths only applied in the generations in which there was forced conversion of Jews. The Kabbalist Chaim Vital (1542-1620) claimed that the Three Oaths were only valid for 1000 years.

The issue of the Three Oaths was not significantly raised again until the establishment of the State of Israel. The Satmar today use this as one of the bases for their opposition to its establishment of the State of Israel. Pro-Zionist rabbis such as Rabbi Chaim Walkin, Dean of Rabbinical Academy and Yeshiva Ateres Israel in Jerusalem, interpret the absence of these oaths in Mishne Torah as an indication that Maimonides only considered the oaths as Aggadic and that “he did not consider them to be legally binding as Halacha, only that they serve as warnings that these actions would be unsuccessful.”

So what was the issue separating Rabbis Sachs and Riskin? Sachs argues for a separation of religion and politics in Israel. “This separation of powers was breached by the later Hasmonean kings, who combined monarchy with the high priesthood. The Talmud records the rabbis’ protest: “Let the crown of kingship be enough for you. Leave the crown of priesthood to the descendants of Aaron.” The devastating mixture of religion and power created incurable rifts within the Jewish people, leading to two of Judaism’s greatest disasters, the Great Rebellion against Rome and the Bar Kokhba revolt.” And, he concludes, “What Jews discovered when they had lost almost everything else was that religion can survive without power.” Riskin, citing The Three Oaths, says, “Auschwitz made a mockery of this, and if any light emerged it was a hope for a Jewish homeland after two thousand years of homelessness, a summons for a Jewish State after two thousand years of statelessness, a desperate desire for an Israeli Defense Force after two thousand years of defenselessness, in short, a call for Jewish power after two thousand years of powerlessness.” Wherever I stand on the debate between Rabbis Sachs and Riskin, at least now I (and I hope you) know what they are referring to.

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TKHINES

One Sunday morning Sue Mednick brought a book that she had found at her mother's nursing home for me to examine, because she could not fathom what it was. I immediately recognized it as a treasure of over 100 Yiddish prayers, known as *tkhines* ("supplications"), published in Warsaw in the 1920s, and used by women as prayers to be invoked specifically for all sorts of personal requests from God (e.g., healing of the sick, getting pregnant, finding a husband, etc.) I was fascinated by this book because I had never seen one like it. The two nearest to this were one in English (*Seyder Tkhines: The Forgotten Book of Common Prayer for Jewish Women* by Devra Kay, published in 2004) and one in Hebrew (*Tefilat Nashim* by Aliza Lavie, translated in 2005 as *A Jewish Woman's Prayer Book*), both of which contain translations of some of the Yiddish prayers, along with some new ones, and commentary on both the prayers and the genre.

These books are not to be confused with the *Tseno Ureno*, also spelled *Tsene-rene*. The *Tseno Ureno* was a Yiddish-language work first published in the 1590s, whose structure parallels the weekly Torah portions and Haftorahs. That book was written by Rabbi Jacob ben Isaac Ashkenazi (1550–1625) of Janów (near Lublin, Poland), and mixes Biblical passages with teachings from the Talmud and Midrash. The name *Tseno Ureno* derives from Song of Songs 3:11, that begins *Tze'nah u-re'nah b'not Tziyon* ("Go forth and see, O ye daughters of Zion"), indicating that the book was intended for women, who would have been less versed than men in Hebrew.

The *Seyder Tkhines* was a book of daily and occasional prayers for women, which was printed repeatedly between 1648 and about 1720, in various centers across Western Europe, from Amsterdam to Prague. Unlike the *siddur*, it was composed in Yiddish, the language that women would better be able to read and understand. The *Seyder Tkhines* never attained the status of the *siddur*, and never challenged it, but for more than seventy years it was endowed with the remarkable prestige of being printed, in its entirety, inside many editions of the *siddur*. It offered a liturgy of prayer for women to say once a day as an alternative to, but based upon, the Hebrew liturgy.

The existence of this standardized, prescriptive prayer for women is at odds with the generally accepted notion that women's prayer, unlike men's, is individual, private, and spontaneous. This notion was established from the story of the barren Hannah praying in the Temple for a child 1 Samuel 10-19. She stands apart, away from the Temple service, and there is no record of what she says. Her lips move silently and she weeps. Her sincerity is evident and her prayer is answered. There are features of Hannah's prayer that appear to have influenced the *Seyder Tkhines*. For example, reference is made to Hannah in many of the daily *tkhines* and in particular in the *tkhine* that, like Hannah's own prayer, is a request for a child.

It is a well-known tenet of Jewish law that women are exempt from obeying all time-bound laws. In particular, since prayer is time-bound, women are exempt from performing the daily prayers. Nonetheless the need for prayer is common to everyone, men and women. So women voluntarily participate in daily prayer, and, being exempt from the voicing the prayers of the *siddur*, choose to pray about issues that are near to their hearts. Women also have kept in mind the Mishnah in *Shabbat* 31a: "For three sins women die in childbirth: because they are not observant of the laws of *nidah*, *challah*, and the kindling of Sabbath lights." (*Nidah* refers to the laws of purification after menstruation, pregnancy, and childbirth; *challah* refers to the ritual when baking challah, of taking a piece of dough off the challah, making a blessing over it, and burning it, as a remembrance of the *mitzva* in temple times of giving a portion of bread to the priests.)

The *Seyder Tkhines* contains a fixed core that contains thirty-seven *tkhines* divided into five sections: (1) those to be recited daily; (2) those to be recited on the Sabbath (including those related to *challah* and candle lighting); (3) those related to *nidah*; (4) those for recitation on fast days; and (5) those to be recited on the burial ground, some of which are for the festivals of New Year and the Day of Atonement. The twentieth century book found by Sue Mednick, though, is organized differently. It is less related to daily prayer and prayer associated with the Mishnah in Shabbat 31a, but instead organized around different issues and concerns of women. These poignant prayers are worth reading and incorporating into our personal praying ritual, both for men and women.

Here is one example, translated by Kay, to be recited after lighting the candles before Rosh Hashana and Yom Kippur: *May it be granted, God, our God, God of Abraham, Isaac, and Jacob, Sarah, Rebecca, Rachel, and Leah, that for these two candles I have lit, You will give me children who will learn the two Torahs, the written Torah, and the oral Torah, and may they love You and fear You, and keep and learn the whole Torah, all of Your commandments, to the very smallest, even a commandment for how a man should walk his horse, so he may practice what Moses put in the Torah, and what our sages commanded, may it be so. Amen, Selah.*

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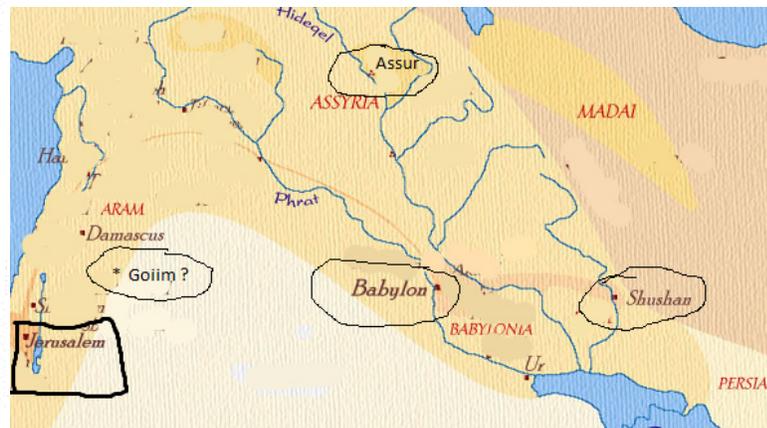
THE BATTLE OF THE KINGS

One of the most fascinating (at least to me) sections of Genesis is Chapter 14, in which, after 13 years of subservience to a group of 4 nations, the kings of five city-states south of the Dead Sea rebelled for 13 years, and in year 14 the four oppressors decided to wage war against the five rebellious regions. This chapter is of interest to biblical critics because its style is so different from the styles elsewhere exhibited in the Torah (dubbed J, E, P, and D by these critics) that in the 1962 Anchor Bible edition of Genesis Speiser says, "... the chapter has to be ascribed to an isolated source, here marked X." And this chapter is of interest because of the speculation as to who were the kings who took part in this war and indeed whether there is any parallel evidence that this war took place.

First of all, here are the *dramatis personae*, as given in Chapter 14, with a solid line dividing the two sets of kings at war with each other:

Biblical name		Biblical region	
Amraphel	אמרפל	Shinar	שנער
Arioch	אריוך	Ellasar	אלסר
Chedorlaomer	כדרלעמר	Elam	עילם
Tidal	תדעל	Goiim	גוים
Bera	ברע	Sodom	סדם
Birsha	ברשע	Gomorrah	עמרה
Shinab	שנעב	Admah	אדמה
Shemever	שמאבר	Zeboiim	צוים
Zoar	צער	Bela	בלע

The scholarly problem is that of identifying the regions and, within region, identifying the names of each of the kings with their secular counterpart names. That **Shinar** is synonymous with the region called Babylon is clear from its first mention in Genesis 10:10, where the kingdom of Nimrod is described, including four cities "in the land of Shinar," translated in the Aramaic Targum Onkelos as "the land of Babylon." **Ellasar** is most likely associated with Assur, the city which is the foundation of the land of Assyria. Daniel 8:2 places Shushan in the province of **Elam**, and so is most likely in southwest Iran. A king of **Goiim** is mentioned in Joshua 12:23, and the place may be that referred to in Isaiah 8:23, a town in Galilee beyond the Jordan. **Sodom** and **Gomorrah** are familiar to us. **Admah** and **Zeboiim** are mentioned in Genesis 10:19, Deuteronomy 29:22, and Hoshea 11:18 and are towns close to, and destroyed along with, Sodom and Gomorrah. Regarding the last of the regions, the text is translated as "and the king of **Bela**, which is Zoar." One might interpret this, as in the above chart, as Bela is the region name and Zoar is the king's name. One might also interpret it as saying that "the (unnamed) king of Bela, a region also known as Zoar." Here's a map locating these sites.



What you see from this is that four far-off kings banded together to conquer five cities located south of the Dead Sea. Now let's identify the kings. The Hertz *chumash*, published in 1936, says that **Amraphel** is "usually identified with **Hammurabi**, a great and enlightened king of Babylon"; the Art Scroll *chumash* cites Eruvin 53a as identifying Amraphel with **Nimrod**. Which, if any, is correct?

Here's what the Art Scroll *chumash* relies on: "Rab and Samuel (220-250 CE) are at variance. One holds that his name was Nimrod; and why was he called Amraphel? Because he ordered our father Abraham to be cast into a burning furnace (*his name is a corruption of the Hebrew phrase אמר נפל amar nafal*) But the other holds that his name was Amraphel; and why was he called Nimrod? Because in his reign he led all the world in rebellion against himself (*based on the Hebrew word for rebellion, מרד mered*)." But the 1989 Jewish Publication Society Torah Commentary on Genesis says that Nimrod "has not been positively identified with any known individual in the ancient world." And even back in 1926, in a paper published in the Journal of the Society of Oriental Research, W.F. Albright wrote, "For half a century it has been a commonplace in popular treatises on archaeology and the Bible that Amraphel king of Shinar corresponds to Hammurabi of Babylon ... With our rapidly increasing knowledge of the period of Hammurabi, however, their impossibility has become clear to a number of scholars independently." And in the 1962 Anchor Bible edition of Genesis Speiser says, "The once popular identification of this king with the celebrated Hammurabi of Babylon is most precarious and probably untenable." Finally, the JPS Torah Commentary on Genesis says, "No acceptable alternative to the now abandoned identification with Hammurabi is available."

Arioch is conjectured to be either Arriyuk (mentioned in an 18th century BCE Mari archive) or Ariukki (mentioned in a 15th century BCE Nuzi document (though Hertz says he is Eriaku, king of Larsa). There is no Elamite record of a king named **Chedorlaomer**, but scholars interpret this name to mean "servant of Lakamar", an Elamite god. **Tidal** is a transcription of the Hittite royal name Tudhalias. Four kings bore that name, the earliest living in the 17th century BCE. (Hertz associates Tidal with Tudghula, king of the Northern Kurdish nations.) Since Abraham lived around 1900 BCE and is involved in this story, it's not at all clear that Amraphel, Arioch, Chedorlaomer, and Tidal were contemporaries of Abraham.

As to the kings of the five Dead Sea city-states, we have only the Midrash (Midrash Rabbah Bereshit 42:5) which points out that these kings were so named because of their characteristics: **Bera** means "in evil," **Birsha** means "with wickedness," **Shinab** means "who hated his father," and **Shemever** means "voluptuary." Of course, the Midrash only looked at these names with a Hebrew lens. Albright, having more languages at his disposal, translates Shinab as "the moon is father" and Shemever as "Shem is mighty."

What do I learn about Biblical research from this analysis? (1) If you only want a rabbinic take on the text, Art Scroll is your choice. It disregards all other research and takes the Talmud and Midrash as the ultimate interpretive authority. (2) Hertz takes an eclectic view, but is not only dated (it was published in 1936) but wasn't even caught up with the research at that time. (3) I recommend the JPS Torah Commentary as the most up-to-date and balanced source for Biblical commentary.

And what are we to make of this story? We start with the premise that in Abraham's time in which the five city-states near him were taken over by some group. Could it have been these four mighty nations that came from afar, in a coordinated fashion, and conquered the five towns? Or could it be that there was a small and of foreign adventurers who conquered the five towns in order to capture their copper fields, and were finally repelled by Abraham and his army of 318 men? And that the story became part of Akkadian folklore in which the nature and magnitude of the enemy was magnified as the tale got told and retold, first by introducing the four great powers and then by inventing names of their leaders?

Since we cannot find mention of this war in any other literature, and since the writing style is different from that of the rest of the Chumash, one might conjecture that this folkloric epic had a life of its own, one which got grander upon telling and retelling, and ultimately became what is now Chapter 14 of Genesis.

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HISTORY OF THE MISHNAH

Tradition has it that before Rabbi Judah, the Nasi (*President*) of the Sanhedrin (*rabbinical assembly*) wrote the Mishnah (the compendium of what is referred to as the Oral Law) in 200 CE there was no written compilation of these laws. In his Iggeres (Epistle) Rav Sherira Gaon (987 CE) said, "None of the early sages had written anything, and this continued to be the case until the last years of Rabbeinu HaKadosh (*i.e., Rabbi Judah*)." In his Introduction to the Mishne Torah Maimonides (12th century) conceded that there was some note taking prior to the time of Rabbi Judah. Maimonides said, "...the head of the Bet Din (*rabbinical court*) or a prophet of every generation wrote for himself an *aide memoire* (*i.e., notes*) of that which he heard from his teachers, and he taught the public orally. And then each one wrote for himself ... what he heard and of the new decisions that were arrived ... And this was the case until the time of our Holy Rabbi. Rabbi Judah pulled together all the memoranda and laws and clarifications and explanations that were heard from Moses and which the courts of each generation studied/taught and compiled from them all the book of the Mishnah."

The 1904 Jewish Encyclopedia's entry on the Mishnah, written by Jacob Lauterbach of Hebrew Union College, contains a daring interpretation of some texts to counter this view. To understand his thesis one needs to know the chronology of the heads of the Sanhedrin. The Sanhedrin typically had two officers, the Nasi (President) and Av Bet Din (the head of the court). Here is the list of Sanhedrin heads relevant to this history, where the / separates the Nasi from the Av Bet Din:

Hillel/Shammai	20 B.C.E-20 C.E.
Rabban Gamaliel I	20-50
Simeon ben Gamaliel I/Johanan ben Zakkai	50-66
Gamaliel II/Johanan ben Zakkai	66-74
Gamaliel II/Joshua ben Hananya	74-84
Elazar ben Azariah + Gamaliel II (<i>coNasi</i>)	84-98
Simeon ben Gamaliel II/Elazar ben Azariah	98-118
Simeon ben Gamaliel II/Joshua ben Hanania	118-120
Simeon ben Gamaliel II/Akiba	120-134
no Sanhedrin	134-148
Simeon ben Gamaliel II/Nathan	148-165
Rabbi Judah Hanasi (The Prince)	165-217

According to Lauterbach, at the time of Hillel and Shammai the "**Midrash**" (known today as "**Midrash Halacha**"), so as not to confuse it with the Rabbinic tales referred to as the Midrash), which contained the extant set of laws, was too long and diffuse to be used as a basis for rendering legal opinions. And so they had their students collect these laws into a collection referred to in the Talmud as "**Mishnah Rishonah**" (the first Mishna). This collection was further organized under the direction of Gamaliel II (and Eliezer ben Azariah) and issued as the collection referred to in Berachot 28a as "**Eduyot**." Following this Rabbi Akiva (head of the Rabbinic Academy of Usha, 120-140) edited this collection and reorganized it by topic. Rabbi Meir, a student of Akiva, drew on it as well as other collections, such as one by Abba Saul, to devise his own. And Rabbi Judah compiled his Mishnah based on all these compilations (see Niddah 41a, which refers to 13 compilations of laws). The Mishnah was then redacted by his pupils Rabbi Hiyya, Rabbi Hoshaiyah, Levi, and Bar Kappara. Some of the changes were approved by Rabbi Judah, and some were kept secret from him (see Megillat Setarim for a collection of those.). These new redactions were called "**Mishnayot Gedolot**," and once again there was a problem caused by a proliferation of multiple editions of the Mishnah. Long after Rabbi Judah's death the scholars of his school, dubbed Debe Rabbi, recodified all the editions into the edition we today call the **Mishnah**. Lauterbach reconstructs this history of various written documents that precede today's Mishnah based not so much on documentary evidence as references by name to such documents.

To understand this more fully, let's look carefully at the history of that period. The center of Rabbinic activity was Jerusalem. By 55 CE anarchy increased in Judah, leading to a rebellion. Nero sent an army led by Vespasian and his son Titus to reassert Roman authority, laying siege to Jerusalem. Simeon ben Gamaliel died and Johanan ben Zakkai escaped during the siege, and subsequently (in 68) negotiated an agreement with Vespasian to reestablish the Sanhedrin in Yavneh (*south east of what is now Tel Aviv*), with Gamaliel II as Nasi. Meanwhile, the Romans finally broke through into Jerusalem and destroyed the Temple.

When Johanan ben Zakkai died there was lots of infighting between Joshua ben Hananya, Reb Eliezer ben Hyrkanos, Gamaliel II, and Eleazar ben Azariah, with musical chairs as to who was to lead the Sanhedrin. This continual changing of religious leadership, along with the nonexistence of a unified code of law, brought to the fore the necessity for setting forth the legal pronouncements and precedents in a less evanescent form. By 86 the Romans were persecuting the Jews of Yavneh, and so the Sanhedrin moved to Usha (*in the Galil, just east of what is now Haifa, an area considered by the Romans as separate from Judah*), and from there to Tiberias, then in 96 back to Yavneh, and thence in 98 to Lod (*site today of the Israel airport*). In 107 the Sanhedrin went back to the Galil and thence into hiding in Sapphoris (*now Zippori, today an Israeli national park with a great archaeological dig*), coming out of hiding in 118 and reestablished in Usha.

Between 120 and 134 Rabbi Akiba initiated his major writing project. Rabbi Akiba assigned to **Rabbi Meir** the task of compiling all rulings not attached to any Torah text, and he dubbed this the "**Mishnah**" (see Sanhedrin 86a). **Rabbi Nehemiah** was assigned the writing of the addenda to the "Mishnah," and this text is known as the Tosefta¹. Other commentaries on the books of the Torah were also assigned. The commentary on Leviticus was assigned to **Rabbi Yehudah ben Ilai**, and is known as "Torat Kohanim," or, more familiarly, as the Sifra². (Though written by Rabbi Yishmael, the thirteen rules of Talmudic exegesis appears in Sifra.) **Rabbi Shimon bar Yochai**'s assignment was the commentary on Numbers and Deuteronomy, and it was dubbed the Sifre³. Meanwhile, Rabbi Akiva's contemporary and head of the Rabbinic Academy of Yavneh, **Rabbi Yishmael ben Elisha**, compiled a commentary on Exodus, referred to today as the Mekhilta de Rabbi Ishmael⁴ so as not to confuse it with another book called the "Mekhilta" written by Reb Shimon bar Yochai. The material in these writings, all of which preceded the writing of the Mishnah, are referred to in the Talmudic discussion of the Mishnah merely as *beraitot*, external legal material that did not make it into Rabbi Judah's Mishnah. Rav Sherira Gaon established as a principle that whenever there was a discrepancy between views in these writing projects and that of Rabbi Judah in the Mishnah, Rabbi Judah's view must prevail. Thus these works were given secondary value as sources of Jewish law and merely of historical interest. And by the 12th century Maimonides had dismissed these works from mention in his capsule history of the Mishnah.

Upon the death in 134 of Rabbi Akiba the Sanhedrin no longer functioned. The Tannaim (*Rabbis of that time*) had fled to Babylonia and began returning to Judah in 143, and finally reestablished the Sanhedrin in Sepharam (near Usha) in 148. It was in this session that the *Masechtot* (*divisions of the Mishnah*) were established. By 165 the Academy leaders had all died, Rabbi Judah convinced the new emperor (Marcus Aurelius Antoninus) to reestablish the Sanhedrin, and he was made Nasi. The combination of the consolidation of religious authority in one person, the history of both the strife in interpretation of the law by his predecessors and the peripatetic movements of the Sanhedrin, and the spadework of Rabbi Akiva and others, set the stage for Rabbi Judah's master work.

¹ Neusner 1977-86 The Tosefta in six volumes New York: KTAV

² Neusner 1985 Sifra: the Rabbinic Commentary on Leviticus Atlanta, GA: Scholars Press

³ Neusner 1986 Sifre to Numbers Atlanta, GA: Scholars Press and Neusner 1987 Sifre to Deuteronomy Atlanta, GA: Scholars Press. According to Neusner, though the extant Hebrew versions of Sifre Numbers and Sifre Deuteronomy are often printed together as one work, it appears that these versions were not authored by the same person, and that both were edited sometime after the 4th century, since these texts per se seem to be unknown to the authors of the Talmud. In addition, a commentary on Exodus, dubbed Sifre debe Rav, was appended to Sifre from the 3rd through the 9th century. This commentary appears to be the origin of the current Mekilta, now designated Mekilta de Rabbi Ishmael. To add further to the confusion, Sifre was sometimes called Sifre debe Rab.

⁴ Lauterbach 1976 Mekilta de Rabbi Ishmael Philadelphia: Jewish Publication Society.

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TWO WHO SAVED JUDAISM

We all know about Rabbi Akiva and Rabbi Yehuda (especially if you read the last Bulletin). Two of their contemporaries, worthy of note, are **Reb Yohanan ben Zakai** and **Reb Shimon bar Yochai**. I describe each of them and their significance using the words of the Talmud.

During the siege of Jerusalem by Vespasian and the Roman army **Reb Yohanan ben Zakai** singlehandedly saved the community of scholars from massacre by the Romans. To quote from Gittin 56b, he said to his nephew, Abba Sikra, "Devise some plan for me to escape. Perhaps I shall be able to save a little." Abba Sikra said to him: "Pretend to be ill, and let everyone come to inquire about you. Bring something evil smelling and put it by you so that they will say you are dead. Let then your disciples get under your bed, but no others, so that they shall not notice that you are still light, since they know that a living being is lighter than a corpse." He did so, and Rabbi. Eliezer went under the bier from one side and Rabbi Joshua from the other. When they reached the door, some men wanted to put a lance through the bier. Abba Sikra said to them: "Shall the Romans say, 'They have pierced their Master?'" They wanted to give it a push. Abba Sikra said to them: "Shall they say that they pushed their Master?" The Romans opened a town gate for him and Reb Yohanan ben Zakai got out.

When outside he got to Vespasian and flattered him by calling him "King" (even though he was only the military commander of the Romans). It was then that Vespasian got the news that the Roman emperor had died and that he was to be the next king. Vespasian said, "I am now going, and will send someone to take my place. You can, however, make a request of me and I will grant it." So Reb Yohanan ben Zakai said to him: "Give me Yavneh and its Wise Men, and the family chain of Rabban Gamaliel, and physicians to heal Rabbi. Zadok (*who had observed fasts for forty years in the hope that Jerusalem would not be destroyed*). The Talmud goes on to say that Reb Yohanan should have said to Vespasian, "Let them the Jews off this time." But it then goes on to say, "He, however, thought that so much he would not grant, and so even a little would not be saved." The Sanhedrin reestablished in Yavneh with Gamaliel II as Nasi, and Yochanan ben Zakai is given credit for saving Judaism by saving its Talmudic scholars.

Meanwhile, **Reb Shimon bar Yochai** was getting in trouble with the Roman government. To quote from Shabbat 33b, "Rabbi Judah, Rabbi Jose, and Reb Shimon were sitting, and Judah, a son of proselytes, was sitting near them. Rabbi Judah commenced the discussion by observing, 'How fine are the works of the Romans! They have made streets, they have built bridges, they have erected baths.' Rabbi Jose was silent. Reb Shimon bar Yochai answered and said, 'All that they made they made for themselves; they built market-places, to set harlots in them; baths, to rejuvenate themselves; bridges, to levy tolls for them.' Now, Judah the son of proselytes went and related their talk (*to his parents, without evil intent, according to Rashi*), and they were overheard by the government. They decreed: 'Judah, who exalted us, shall be exalted; Jose, who was silent, shall be exiled to Sepphoris; Shimon, who censured, let him be executed.'

The Talmud continues, "He and his son went and hid themselves in the Beth Hamidrash, and his wife brought him bread and a mug of water and they dined. But when the decree became more severe he said to his son, 'Women are of unstable temperament: she (*my wife*) may be put to the torture and expose us.' So they went and hid in a cave. A miracle occurred and a carob-tree and a water well were created for them. They would strip their garments and sit up to their necks in sand. The whole day they studied; when it was time for prayers they robed, covered themselves, prayed, and then put off their garments again, so that they should not wear out. Thus they dwelt twelve years in the cave. Then Elijah came and stood at the entrance to the cave and exclaimed, 'Who will inform the son of Yochai that the emperor is dead and his decree annulled?' So they emerged."

When the Zohar, the major mystical work which underlies the Kabbalah, was published by Moses de Leon in Spain in 1290, de Leon ascribed the work to Shimon bar Yochai who, inspired by Elijah, wrote the book while in the cave. The legend is that on the day of his death, Lag BaOmer, Rabbi Shimon bar Yochai said, "Now it is my desire to reveal secrets... The day will not go to its place like any other, for this entire day stands within my domain..." According to Bnai Yissaschar (written by Rabbi Zvi Elimelech Sfir, 1783-1841), daylight was miraculously extended until Rabbi Shimon had completed his final teaching and died. This symbolized that all light is subservient to spiritual light, and particularly to the primeval light contained within the mystical teachings of the Torah. He was buried in Meron, and it is the custom to this day to celebrate his *yahrzeit* on Mount Meron with the lighting of bonfires, in accordance, say some, with his deathbed request. Others merely say that the custom of lighting fires symbolizes this revelation of powerful light in the Zohar. Thus Shimon bar Yochai is given credit for saving Judaism by creating Kabbalism.

Arthur Green devotes a chapter of his A Guide to the Zohar to the authorship of the Zohar. Because it refers to events in the years following 1270, its authorship by Rabbi Shimon bar Yochai has been called into question. Isaac of Acre was a mystic who arrived in Castile in 1305 to meet Moses de Leon, who promised to show him the Shimon bar Yochai manuscript. But by the time he got to Avila, where de Leon lived, de Leon had already died and his widow said that the bar Yochai manuscript did not exist and that her husband had claimed the Zohar's ancient origin in order to sell copies of the book. A manuscript by Isaac of Acre bearing this tale is cited in Abraham Zacuto's Sefer Yuchasin (published around 1500). Modern scholars believe that, though de Leon wrote most of the Zohar, there were other authors both before and after him that contributed to this massive work.

As an aside, a number of Lag BaOmer traditions were reinterpreted by Zionist ideologues to focus on the victory of the Bar Kochba rebels rather than their ultimate defeat at Betar three years later. The plague that decimated Rabbi Akiva's 24,000 disciples was explained as a veiled reference to the revolt; the 33rd day when the plague ended was explained as the day of Bar Kochba's victory. By the late 1940s, Israeli textbooks for schoolchildren painted Bar Kochba as the hero while Rabbi Shimon bar Yochai and Rabbi Akiva stood on the sidelines, cheering him on. This interpretation lent itself to singing and dancing around bonfires by night to celebrate Bar Kochba's victory, and playing with bows and arrows by day to remember the actions of Bar Kochba's rebel forces. So the bonfire, a Kabbalistic tradition, has turned into a national tradition in Israel and elsewhere.

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A RECONSTRUCTED HISTORY OF THE SUCCOT CELEBRATION

In one of my earliest bulletin pieces (October 1998, The Four Species) I analyzed the Leviticus 23:40 statement about **four** items to be used in the Succot celebration, namely: “the fruit of a *hadar* (“beautiful”) tree (פרי עץ הדר), branches of palm trees (כפת תמרם), boughs of leafy trees (ענף עץ עבת), and willows of the brook (ערבי נחל).” It is this passage that we now interpret as the *etrog* and the three components of the *lulav*. And in my September 2013 piece, *The Lulav*, I gave the background for how many of each of these leaves are necessary to make up the *lulav*.

But the ritual today may not always have been so. First let’s look at the citations of the holiday of Succot in the Tanach. 1 Kings 8:2 and its companion description in 2 Chronicles 7:8 mentions Succot only as a time for Temple sacrifices in the seventh month, as does Ezekiel 45:25. In my October 1998 piece I also referred to a list of **five** items used in the Succot celebration in 335 BCE, as cited in Nehemiah 8:15, namely: “olive branches (עלי זית), and branches of wild olive (עלי עץ שמן), and myrtle branches (עלי הדת), and palm branches (עלי תמרם), and boughs of leafy trees (עלי עץ עבת), to make booths (סכת).” There is no mention of the *etrog*, and, though “palm branches” and “boughs of leafy trees” are mentioned in both texts, Leviticus specifies willows and Nehemiah instead specifies branches of wild olive trees and myrtle branches.

More than that, what do you make of these two verses from Nehemiah? 8:13-14 says “...the heads of the clans of all the people and the priests and Levites gathered to Ezra the scribe to study the words of the Torah. They found written in the Torah that the Lord had commanded Moses that the Israelites must dwell in booths during the festival of the seventh month.” And 8:17 says: “...the Israelites had not done so from the days of Joshua ben Nun to that day” One interpretation is that until 335 BCE the celebration of Succot was not what it is today, that the materials listed in Nehemiah were to be used to build the *succah*, and not in the kind of procession in which they are used today.

2 Maccabees 10:6-7 says: “And they kept the eight days with gladness, as in the feast of the tabernacles, remembering that not long afore they had held the feast of the tabernacles, when as they wandered in the mountains and dens like beasts. Therefore they bare branches, and fair boughs, and palms also, and sang psalms unto him that had given them good success in cleansing his place.” So by 140 BCE we find a reference to use of some species in some ceremony.

The Book of Jubilees is an extra-canonical work written sometime around 150 BCE. Chapter 16 of Jubilees tells us that upon learning that Sarah was pregnant Abraham established the holiday of Sukkot. Here is an excerpt:

20. And he built there an altar to the Lord who had delivered him, and who was making him rejoice in the land of his sojourning, and he celebrated a festival of joy in this month seven days, near the altar which he had built at the Well of the Oath.

21. And he built booths for himself and for his servants on this festival, and he was the first to celebrate the feast of tabernacles on the earth.

29. For this reason it is ordained on the heavenly tablets concerning Israel, that they shall celebrate the feast of tabernacles seven days with joy, in the seventh month, acceptable before the Lord -a statute for ever throughout their generations every year.

30. And to this there is no limit of days; for it is ordained forever regarding Israel that they should celebrate it and dwell in booths, and set wreaths upon their heads, and take leafy boughs, and willows from the brook.

31. And Abraham took branches of palm trees, and the fruit of goodly trees, and every day going round the altar with the branches seven times [a day] in the morning, he praised and gave thanks to his God for all things in joy

Josephus’s Antiquities of the Jews (Book XIII, Chapter XIII, paragraph 5) describes the reception of the Jewish king Alexander Yannai (90 BCE): “when he stood upon the altar and was going to sacrifice the nation rose upon him and

pelted him with citrons which they then had in their hands, because the law of the Jews required that at the feast of tabernacles everyone should have branches of palm tree and citron tree.”

To add to this history, a Dead Sea Scroll fragment (4Q365, frag. 23) contains additional lines of text in Leviticus 23, one of which mentions a wood offering. There is also a mention of the wood offering in Nehemiah 10, namely

35. And we cast lots among the priests, the Levites, and the people, for the **wood offering**, to bring it into the house of our God, after the houses of our fathers, at appointed times year by year, to burn upon the altar of the Lord our God, **as it is written in the Torah**;

So there was probably a version of the Torah that contained instructions for a wood offering, perhaps even the one found in the Dead Sea Scrolls. Moreover, when was this wood offering to be brought? At Succot, as its mention in the Dead Sea Scroll was in the section of Leviticus dealing with Succot.

What do I conclude from this? There was always a harvest festival at around the time of Succot. It is explicitly named in Exodus 23: 16 and Exodus 34: 22 as the **Feast of the Ingathering**. Some procession involving branches of some trees existed even prior to the Exodus, as evidenced by the passage from Jubilees attributing the festival to Abraham. This festival evolved, and in Deuteronomy one sees that it is called the **Feast of Booths**, with no mention of living in booths. The festival was held at the Temple, and booths were built there. (As I pointed out in my Succot *dvar torah*, this was similar to an Ugaritic rite in pre-Mosaic times (12th century BCE) in which sacrifices were given in booths made of branches.) During the first exile, when there was no longer a Temple, it was decided to simulate the booths built at the Temple with personal booths, as per Nehemiah, and that requirement was interpolated into a version of Leviticus. That version of Leviticus was in flux from the time of Nehemiah through the era of the Dead Sea Scrolls, as witnessed by the difference between the list of *lulav* elements in Nehemiah and in our canonical Leviticus. In the course of time the *lulav* list got streamlined, the wood offering was eliminated, the *etrog* was added (probably in the time of the Maccabees), and Leviticus as we have it today was redacted to match the prevailing custom.

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THE NOAHIDE LAWS

(adapted from George Siegel's dvar torah of December 2, 2017)

On January 3, 1991 the U.S. House of Representatives passed House Joint Resolution 104 declaring March 26, 1991, as 'Education Day, U.S.A.' The significance of that day was that it was the start of the ninetieth year in the life of Rabbi Menachem Schneerson, leader of the worldwide Lubavitch movement. The opening of that resolution reads:

"Whereas Congress recognizes the historical tradition of ethical values and principles which are the basis of civilized society and upon which our great Nation was founded;

Whereas these ethical values and principles have been the bedrock of society from the dawn of civilization, when they were known as the Seven Noahide Laws;"

and further the resolution states:

"Whereas in tribute to this great spiritual leader, 'the rebbe', this, his ninetieth year will be seen as one of 'education and giving', the year in which we turn to education and charity to return the world to the moral and ethical values contained in the Seven Noahide Laws."

So what are these Noahide laws? They are not set forth in the Torah. Rabbis, though, speculated that God did not merely create man, but gave him a set of laws to abide, laws somehow to be deduced from the text of the Torah. Here's what the Rabbis concluded (Sanhedrin 56a). *"Our Rabbis taught: seven precepts were the sons of Noah commanded: social laws (i.e., to set up a system of judges); to refrain from blasphemy, idolatry; adultery; bloodshed; robbery; and eating flesh cut from a living animal."*

Sounds clear-cut, eh? Not so fast. Continuing on in Sanhedrin 56b we see that Rabbi Hanania ben Gamaliel said: *Also not to partake of the blood drawn from a living animal.* Rabbi Hidka added *emasculatation*. Rabbi Simeon added *sorcery*. Rabbi Jose said: *everything that is mentioned in the section on sorcery* (Deuteronomy 18). Rabbi Eleazar added *the forbidden mixture in plants and animals*, but the Talmud notes that "now" (i.e., in the time of the Talmud), *they are permitted to wear garments of mixed fabrics [of wool and linen] and sow diverse seeds together; they are forbidden only to hybridize heterogeneous animals and graft trees of different kinds.* So if we add all these up we have more than seven precepts commanded to the sons of Noah. In Rabbi Aharon Lichtenstein's book The Seven Laws of Noah, (Rabbi Jacob Joseph Press, New York, 1986) the author takes each of the seven laws as headings and, using Talmudic reasoning, formalizes subsidiary laws for each heading, creating a total of 66 Noahide laws.

But let's stick with the basic seven. What is their origin? As they are not explicitly articulated in the Torah, they exist as a set because of Rabbinic interpretation of the Torah. The Rabbis believed that the first statement that God made to Adam (Genesis 2:16) has these laws somehow embedded in it. The verse says, *"And the Lord God commanded the man, saying, Of every tree of the garden you may freely eat,"* and in Hebrew as:

וַיִּצַו ה' אֱלֹהִים עַל הָאָדָם לֵאמֹר מִכָּל עֵץ הַגָּן אָכַל תֹּאכֵל

To "decode" this verse they then looked for the same word elsewhere in the Tanach and inferred that the meaning in that verse carried over to its meaning in this verse. (This method is sometimes called *asmachta*, or *gezera shave*—the second of the thirteen methods of Talmudic inference mentioned by Rabbi Yishmael; see Art Scroll Siddur page 48). Here is their decoding:

1. Prohibition against idolatry is derived from the word וַיִּצַו, which is an allusion to worship of false gods in Hosea 5:11; there the word refers to prohibiting idolatrous priests and wicked kings;
2. Prohibition against cursing God from the word "Hashem" (ה'): this word is used in Leviticus 24:16 in conjunction with cursing God's name;
3. Command to establish laws and courts of justice: Inferred from the use of the word "Elokim" (אֱלֹהִים) in Exodus 22:27 which references judges and the judicial process;
4. Prohibition against murder: The words עַל הָאָדָם refer to the command to Noah against murder in Genesis 9:6 ;

5. Prohibition against incest and adultery: The word **לאסור** is the same word as used in Jeremiah 3:1 which mentions this prohibition;
6. Prohibition against theft: This is derived from the license granted to Adam to eat from the trees of the garden implying that otherwise Adam would have been forbidden from doing so because the property did not belong to him;
7. Prohibition against eating flesh from a living animal: This was explicitly addressed to Noah in Genesis 9:4: “Nevertheless, you may not eat flesh with its life which is its blood.”

Here is a commentary in the Soncino translation of Sanhedrin about the Noahide laws. “These commandments may be regarded as the foundations of all human and moral progress. Judaism has both a national and a universal outlook in life. In the former sense it is particularistic, setting up a people distinct and separate from others by its peculiar religious law. But in the latter, it recognises that moral progress and its concomitant Divine love and approval are the privilege and obligation of all mankind. And hence the Talmud lays down the seven Noachian precepts, by the observance of which all mankind may attain spiritual perfection, and without which moral death must inevitably ensue.” And so one sees that the Rabbis of the Talmud did not merely address issues of Jewish law. They considered the Torah as a source of universal law as well, encapsulated in the Noahide laws and in 1991 incorporated into the Congressional resolution honoring the Lubavitch Rebbe.

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SHATNEZ - KOSHER CLOTHES

The Torah contains a set of mysterious laws about “mixtures.” Leviticus 19:19 says, “...nor shall a garment mixed of linen and wool come upon you.” Deuteronomy 22:11 expands this as follows: “You shall not wear a garment of different sorts, like wool and linen together.” In Leviticus the Hebrew term for “mixed” is כְּלָאִים (“*kilayim*”), a term associated also with other mixtures delineated in that verse, namely mixed seeds and mixed animals. Deuteronomy 22:9-10 expands on the prohibition of mixtures of seeds and animals, and in 22:11 the Hebrew term for “a garment of different sorts” is שְׂעָמָנָה (“*shatnez*”). There is a Mishnah named Kilayim which expands on the laws of mixtures, and Chapter 9 of this Mishnah specifically covers *shatnez*. Interestingly, there is no Gemarah associated with this Mishnah in the Babylonian Talmud, so that only in the Jerusalem Talmud do we have a Gemarah that expands on the Mishnah relating to *shatnez*. My aim in this Bulletin is to explain, based on this and other sources, the strange laws of *shatnez*.

First of all, rabbinic authorities give no rationale for this law. The only justification I can find is in the Midrash Tanhuma (circa 5th century), which ties *shatnez* to the story of Cain and Abel. According to Genesis, Abel brought “of the firstlings of his flock and of the fat of it” and Cain brought “of the fruit of the ground.” Tanhuma says that Cain specifically brought flaxseed, and as a remembrance of the mixture of gifts to God from Cain and Abel the law of *shatnez* was promulgated. Of course there’s lots of Kabbalistic stuff about *shatnez* in the Zohar, but I’m not sufficiently stoned to give a coherent summary of it.

The word *shatnez* is a strange Hebrew word, so strange that the Mishnah speculates on its origin. One view is that it is a compound of three Hebrew words, שוּעַ, טוּוּי, and נוּוּ, where שוּעַ means “each thread smoothed out by carding,” טוּוּי means “spun”, and נוּוּ means “woven” or “twisted.” (Working off this Mishnah the Gemara in the Jerusalem Talmud Kilayim speculates on whether to meet the requirements of *shatnez* the threads have to have undergone all three processes, i.e., carded, spun, and twisted, or whether one or two of these processes suffices to render a garment *shatnez*.) Rabbi Shimon ben Elazar puts a gloss on this word, arguing that the last syllable of *shatnez* is based on the Hebrew word נִלְוִי which means “perverted,” implying that the transgressor of the precept of *shatnez* “is perverted and causes his Father in Heaven to avert Himself from him.” And the Kabbalists claim that the word is a contraction of *satan az* (brazen Satan)—enough said about that!

What is interesting about this is that it is very specific; only a mixture of sheep wool and linen are prohibited, and the prohibition only applies to garments, not, for example to pillows. The Mishnah even prohibits wearing a *shatnez* garment if that garment is worn on top of ten garments! The law even applies to barber sheets, and, though most do not believe it applies to towels, Rabbi Eliezer demurs, saying that a garment is something that is worn to warm or protect the body and, since towels are sometimes used for that purpose, the law of *shatnez* applies to towels as well.

On the other hand, if we read the description of the Kohen’s *avnet* (girdle) in Exodus 28 and Exodus 39 we see that it was made of fine white linen interwoven with purple, blue and scarlet material made from wool and interwoven with the fine linen. This is a *shatnez* garment! This point is made in Babylonian Talmud Yoma 12b, where the debate is not about whether the Kohen’s garment is *shatnez* but rather whether (a) this applied only to the High Priest or to all Priests and (b) whether it was the everyday garment or the Yom Kippur garment that was *shatnez*. The fact that the girdle as described in Exodus is *shatnez* leads some to speculate that the reason for the *shatnez* law was to differentiate the robes worn by the Priests from those worn by the rest of the people.

In the description of the *tsitsit* to be worn (Numbers 15:38 and Deuteronomy 22:12 – the verse after the *shatnez* verse!) the fringes are described as being linen with wool tassels. Babylonian Talmud Nazir 58a interprets the consecutive Deuteronomy verses as being connected with an implied “but nevertheless.” (אָדָּה). So we see yet another explicit exception to the *shatnez* law. Some rabbis argue that this exception is legitimate only if the tassels are *tehelet*, i.e., dyed blue with the special dye described in my January-February 2004 Bulletin. In his letter to the sages of Luniel

Maimonides liberalized this ruling by saying that in order for the *tsitsit* not be considered *shatnez* only half of one full string had to be dyed blue

If you are concerned about the *shatnez* of your clothes, contact the Shatnez Lab at 773-764-4488 or shatnez@sealk.org.

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SEDER SONGS

(adapted from the Dr. Irwin Benuck's March 31, 2018 *dvar torah*)

The seder ends with two songs, *echad mi yodeiah* and *chad gadya*. These two songs have a lot in common. First, they are known as cumulative songs, songs with simple verse structure which adds on from the previous verse, so that each verse is longer than its predecessor. Second, they were both created in the 16th century. It is widely accepted that *echad mi yodeiah* originated in medieval Germany, appearing in the Ashkenazi Haggadah in 1526 or 1527. In Midrash Samuel (an aggadic work on the books of Samuel, written in about the 11th century), the meaning of numbers as related to Hashem are interpreted, and the song most likely has its origin from this book. Similarly, *chad gadya* has its origins from medieval Germany, but appeared later in the Ashkenazi Haggadah in 1590.

So why these two songs? On the one hand they are children songs, requiring participation, and it was a way to ensure that the children will participate not only throughout the seder but also at the conclusion. But are these really children songs? There is quite a bit of symbolism in both. Just as children cartoons that are produced today have different levels of interpretation, so do our concluding songs.

Echad mi yodeiah, sung at the conclusion, has a definite logic for its position in the seder. The entire Haggadah prior to this praises Hashem for the miracle of the Exodus. By the conclusion, all symbols should be associated with Hashem. So, subconsciously, if one says "Who knows one?" spontaneously you should answer Hashem. Or, if one says "Who knows two?" the spontaneous answer should be the two tablets and so on.

There are 13 verses in *echad mi yodeiah*. In the secular world 13 is considered unlucky. There are a number of explanations dating back to medieval times why the number is considered unlucky. The number 12 is considered such a perfect number (12 hours is a half day, 12 months of the year) that it stands to reason that 13 must be bad. Many buildings purposely eliminate the 13th floor. Fewer events are held on Friday the 13th, thus caterers and venues lose money. It is no accident that there are 12 days to the Christmas song, not 13. However, for us Jews, 13 is actually a pretty good number, thinking of the years to become a Bar Mitzvah and *yigdal*, based on the 13 principles of faith written by Maimonides.

There are variations of *echad mi yodeiah*. Sephardic and Ladino Haggadot have distinctions versions including the number of verses ranging from 10 to 14. Also, the answers may vary. For example, instead of "the tablets" the answer to "Who knows two?" are Moses and Aaron. And "6 are the days of the week without Shabbos" or "days of creation," instead of "6 orders of the Mishnah"; "13 are all the children of Jacob including Dinah." *Echad mi yodeiaht* has also been transformed into a wedding song. "1 is Hashem who makes matches, 2 are the bride and groom, 3 represents the members of the Klezmer band, and 4 are all the parents of the bride and groom." It is also a song traditionally sung in a number of languages, including Yiddish, German, and English. One of my favorites is the English version where "4 are the Mamas, 3 are the Papas, 2 are the tablets that Moses broke, and 1 is Hashem."

Chad gadya is the final song. It is a common error to think of this song as entirely Aramaic. In fact, although the beginning might be Aramaic (because the beginning characters, *chad gadya* and *shunra* are Aramaic words, the ending characters, *malach hamavet* and *Hakodosh Baruch-Hu*, are Hebrew words.)

The seemingly childish consecutive actions with the cat eating the kid, dog biting the cat, stick beating the dog, is not childish at all. One interpretation might be that they represent the conquerors of Israel. The baby goat or kid represents the Jewish people who were conquered by the cat, the Assyrians. The dog represents the Babylonian conquerors. Fire represents the Persians. Although the song was written in the 15th century, one can contemporize it to our times. Thus the *Hakodosh Baruch-Hu*, now Hebrew, smites the Angel of Death (symbolic of Israel's current enemies), the *shochat* represents the Nazi and the Holocaust, and the ox represents the Czar, pogroms, and Europe.

Finally, the goat or kid takes on symbolic meaning as it is very Jewish. The two *zuzim* which was the cost of the goat represents the Israelites acceptances of the two tablets or the ten commandments. It is also roughly equivalent to the half shekel which was used for counting during the census. The goat has been a sacrificial animal in the Chumash. The term scapegoat comes from the Leviticus 16.8. "And he shall place lots upon the two goats, one marked for the Lord and the other marked for Azazel which should be left standing alive before the Lord and to send it off to the wilderness." However, Jews have become the scapegoats of

the world for centuries, and anything bad is commonly blamed on Jews including the bad weather on the east coast recently. It is no wonder the modern artist Marc Chagall frequently included goats in his paintings, representing Jews and Jews as scapegoats.

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EARLY ESCAPE FROM EGYPT

What I am going to recount in this essay is a personal detective story, a trackdown of the full story behind a brief reference to an attempt by some Israelites to leave Egypt prior to the story of Moses in Exodus. Chapter 20 of Ezekiel, dated 591 BCE, recounts three incidents in which God struck down thousands of Israelites. Two of these incidents were the aftermath of the Golden Calf and the aftermath of the report of the spies. The third is encapsulated in Ezekiel 20:8, which says, “But they rebelled against me, and would not listen to me; they did not every man cast away the abominations of their eyes, neither did they forsake the idols of Egypt; then I said, I will pour out my fury upon them, to spend my anger against them **in the midst of the land of Egypt.**” The Soncino commentary on Ezekiel (published in 1950) merely says, “What is here narrated is not recorded in the Pentateuch.” The Anchor Bible volume on Ezekiel 1-20 (published in 1983) explains this merely with the one sentence, “Having derived it from the wandering traditions, Ezekiel antedates its operation to the Egyptian sojourn, where he places Israel’s first rebellion.” To put it simply, Ezekiel says that there was a rebellion of the Israelites against God while they were in Egypt, and both Soncino and Anchor give no background as to the origin of this tale.

One clue is given in Psalm 78, one of the longest of the Psalms, which gives a survey of Jewish history from their stay in Egypt down to the reign of David. Verses 8 and 9, describing the Israelites in Egypt, says, “The children of Ephraim were as archers handling the bow, that turned back in the day of battle. They kept not the covenant of God and refused to walk in His law.” In his 2013 book, A New Psalm, Benjamin Segal dates this psalm as written in xxx BCE. But all that he says about this verse is, “The first reference, a retreat by the tribe of Ephraim, is not recorded elsewhere.” But the Soncino Psalms, published in 1945, presents a critical clue: “A difficult verse, which the Jewish commentators explain by a tradition, based on 1 Chronicles 7:21, that the Ephraimites did not wait for God’s act of redemption, but left Egypt on their own. They then came into collision with the men of Gath, who refused to sell them cattle, suffering defeat in the ensuing battle with heavy losses.”

What is this Chronicles reference? 1 Chronicles 7 says,

20. *And the sons of Ephraim: Shuthelah, and Bered his son, and Tahath his son, and Eladah his son, and Tahath his son,*

21. *And Zabad his son, and Shuthelah his son, and Ezer, and Elead, whom the men of Gath who were born in that land slew, because they came down to take away their cattle.*

By contrast, Numbers 26 says,

35. *These are the sons of Ephraim according to their families; from Shuthelah, the family of the Shuthelahites; from Becher, the family of the Becherites; from Tahan, the family of the Tahanites.*

36. *And these are the sons of Shuthelah; from Eran, the family of the Eranites.*

So the Pentateuch completely expunged from the list of Ephraim’s descendants those who were killed by the men of Gath while the Israelites were in Egypt.

But no reference is given in the Soncino Psalms as to which “commentators” cited this tale. We know that the men of Gath were Philistines, and the only reference to this “tradition” is in Rashi’s commentary on the phrase in Exodus 15:14 “sorrow shall take hold on the inhabitants of Philistia” (דיל אהו יושבי פלשת), which is part of the *Az Yashir* song recited by Moses after crossing the Red Sea. Rashi interpreted this to mean that the Philistines, seeing all the Israelites having crossed the Red Sea, will be fearful that they are coming to seek revenge on the slaughter of the Ephraimites. But when Rashi commented on the earlier cited fact (Exodus 13:17) “God led them not through the way of the land of the Philistines” he merely says that there are lots of midrashic reasons given for this decision, without giving any citations, nor does he give one in this instance. My trackdown finds this tale both in the eleventh century collection Midrash Rabbah Shemot 20:11 and in the second century Mekilta de Rabbi Ishmael, Shemot 15:14:3 a. And of course it is recounted in brief in Volume III of Ginzberg’s The Legends of the Jews, as a sidelight in his chapter on Moses in the Wilderness. There is even a legend (see Ginzberg, Vol. IV, page 332) that when Ezekiel resurrected the dead

among those that he revived were the Ephraimites who perished in the attempt to escape from Egypt before Moses led the Israelites out.

The only reference to this event in the Talmud is in Sanhedrin 92b, where the focus was on another part of the story, namely that the tribe of Ephraim miscalculated the time of the Exodus (based on a misinterpretation of God's prophesy to Abraham), left Egyptian slavery without God's help, and were therefore annihilated by the Philistines from Gath. So I had to dig further. This event is not recounted in Josephus, nor is it recounted in the Pseudepigrapha (works that didn't even make it into the uncanonized Apocrypha). But obviously the story of the event was known folklore, because it was alluded to in Psalm 78 (921 BCE), Ezekiel (591 BCE), Chronicles (400-250 BCE), the Mechilta (90-135 CE), the Talmud (completed 500 CE), and some Midrashic works (11th century CE). I finally found a full-blown description in a version of the Book of Yashar, a book whose authenticity is so clouded that it didn't even make it into the Pseudepigrapha.

The Book of Yashar (ספר הישר) is referred to in Joshua 10:13 and 2 Samuel 1:18. Its title has been translated both as "The Book of the Righteous" and as "The Book of Yasher," the latter translation treating Yasher as the name of a person. A Hebrew Midrashic-style book titled Sefer Hayashar, also known as Toldot Adam ("The Generations of Adam") and Dibrei ha-Yamim ha-Aruch ("The Corrected Chronicles") was first printed in 1625, and references a 1552 handwritten edition "transcribed from an ancient manuscript," claiming that its original source book came from Jerusalem in 70 CE, where a Roman officer discovered a Hebrew scholar hiding in a hidden library and took the scholar and all the books back to his estates in Seville, Spain. In 1986 Professor Joseph Dan of Hebrew University declared that the Hebrew used in the book was consistent with 16th century Hebrew, and not the ancient Hebrew that it was purported to be. The Mormons, though, have adopted this book as authentic and have reprinted an English translation of it.

Here is an excerpt of Chapter 75 of that book:

1. *At that time, in the hundred and eightieth year of the Israelites going down into Egypt, there went forth from Egypt valiant men, thirty thousand on foot, from the children of Israel, who were all of the tribe of Joseph, of the children of Ephraim the son of Joseph.*
 2. *For they said the period was completed which the Lord had appointed to the children of Israel in the times of old, which he had spoken to Abraham.*
 3. *And these men girded themselves, and they put each man his sword at his side, and every man his armor upon him, and they trusted to their strength, and they went out together from Egypt with a mighty hand.....*
 14. *Now the souls of the children of Ephraim were exhausted with hunger and thirst, for they had eaten no bread for three days. And forty thousand men went forth from the cities of the Philistines to the assistance of the men of Gath.*
 15. *And these men were engaged in battle with the children of Ephraim, and the Lord delivered the children of Ephraim into the hands of the Philistines.*
 16. *And they smote all the children of Ephraim, all who had gone forth from Egypt, none were remaining but ten men who had run away from the engagement.*
 17. *For this evil was from the Lord against the children of Ephraim, for they transgressed the word of the Lord in going forth from Egypt, before the period had arrived which the Lord in the days of old had appointed to Israel.*
 18. *And of the Philistines also there fell a great many, about twenty thousand men, and their brethren carried them and buried them in their cities.*
 19. *And the slain of the children of Ephraim remained forsaken in the valley of Gath for many days and years, and were not brought to burial, and the valley was filled with men's bones.*
 20. *And the men who had escaped from the battle came to Egypt, and told all the children of Israel all that had befallen them.*
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INTEREST BEARING LOANS

In this edition of the Bulletin I will illustrate how the Rabbis through the years have modified laws of the Torah to meet the needs of the people.

The following verses of the Torah send a clear message:

Exodus 22: 24. If you lend money to any of my people with you who is poor, you shall not be a creditor to him, nor shall you lay upon him interest

Leviticus 25: 35-37. And if your brother has become poor, and his means fail with you; then you shall relieve him; though he may be a stranger, or a sojourner; that he may live with you. Take no interest from him, or increase; but fear your God; that your brother may live with you. You shall not give him your money for interest, nor lend him your food for profit.

Deuteronomy 23: 20-21. You shall not lend upon interest to your brother; interest of money, interest of foodstuff, interest of any thing that is lent upon interest. To a stranger you may lend upon interest; but to your brother you shall not lend upon interest; that the Lord your God may bless you in all that you set your hand to in the land where you are entering to possess.

The Mishnah (200 CE) underscores this message: Baba Metziah 75b: The following transgress negative injunctions: the lender, the borrower, the surety, and the witnesses; the sages add, the notary too. They violate: Leviticus 25:36-37 and Exodus 22:24 and further Leviticus 19 14 ("You shall not curse the deaf, nor put a stumbling block before the blind, but shall fear your God; I am the Lord.").

In the Gemarah relating to this Mishnah the late third century CE rabbi Abbaye explains it all: "The lender infringes all these laws, the borrower only infringes that of Deuteronomy 23:20, the surety only Deuteronomy 23:21, and Leviticus 19, and the witness: only, that of Exodus." This is his way of explaining away the apparent redundancy of this message in the Torah: each verse applies to a different party in the transaction, the lender, the borrower, the surety, and the witnesses.

Note that these prohibitions only applied to transactions between Jews. The Rabbis interpreted these verses, which dealt strictly with fixed interest-bearing loans, as also forbidding other transactions that include elements of interest such as floating-rate or non-guaranteed returns, business arrangements that contain elements of interest or resemble interest, and even favors performed on account of the loan. With the greater involvement of Jews in banking and commerce, there was a need to enable Jewish financiers to achieve secure returns on their capital without violating the prohibition of *ribbis* ("interest"), to encourage the granting of loans and facilitate modern finance. To do this, they sought a work-around.

The basic work-around did not occur until the 15th century, prior to the writing of the consolidated set of Jewish law, the Shulchan Aruch. In one of his responsa (the collection of which was published under the title Trumat Hadeshen) Rabbi Israel Isserlein ben Petachia of Germany, found a case in the Talmud which gave him the idea of establishing a contract which terms the entire amount funded by a loan to be deemed to be an investment, wherein the obligation to pay the principal amount is triggered because of a failure of a contractual condition or because of a covenant breach. The 6th century CE case underlying this work-around is to be found in Baba Metziah 104b.

The case involves the owner of a field who leased it to a farmer to grow sesame. Instead the farmer decided to grow wheat, which sold for more than what the sesame crop would have earned. The question was whether or not the lessor is entitled to a share of the profit, the issue being that the excess would be considered "interest" and hence be illegal. So the Rabbis in the Talmud ruled that an *iska* (עִיסקָא) - a form of contract) is to be made between two parties, the wording of which makes it clear that the excess proceeds are not to be considered as interest.

Though this case is a far cry from that of interest-bearing loans, Rabbi Isserlein used this as the basis for a more general contract which covered a number of other loans. The Maharam, Rabbi Menachem Mendel ben Avidgor of Cracow, a 16th century authority, modified this *iska* in a number of significant ways, and so is considered by many to be the author of what is now called the *heter iska*. Shoal u'Mayshiv, a set of responsa by Rabbi Joseph Saul Nathanson of Lemberg, a 19th century authority, extended the *heter iska* to personal loans. To read more on the history of this subject, see Leonard Grunstein's 17 part series, Interest, Ribit, and Riba at <https://leonardgrunsteindotcom.wordpress.com/2013/07/>

This practice is in force today. For example, Quicken Loans has all its loans to Jews covered under a *heter iska* (see <https://www.amimagazine.org/2018/06/13/quicken-loans-signs-heter-iska/>). One can learn more about this in Rabbi Yisroel Reisman's 1995 book, The Laws of Ribbis, published by Art Scroll Mesorah Publications. He provides standard forms for such loans in accordance with *heter iska*: see <https://www.jlaw.com/Forms/>. As can be seen from these forms, the "loan agreement" is reformulated as an "investment" by the lender with payments on the loan reconstituted as "returns on investment."

This is an example of the Halachic process used by Rabbis across generations to take constructs from the Talmud and use them as the basis for creating adaptations suitable for resolution of contemporary issues.

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HOSHANAH RABBAH

We are all familiar with Succot, a seven day holiday, which is followed in Israel by a one day holiday named Shmini Atzeret and in the Diaspora by a two day holiday, in which technically both days are dubbed Shmini Atzeret in their daily liturgy but in which the last day is commonly called Simchat Torah. What many people are unfamiliar with is the special significance in our stream of Jewish holidays in the month of Tishrei is the last (seventh) day of Succot, so special that, unlike all the other *chol hamoed* (intermediate) days, it is given a unique name, Hoshanah Rabbah. This day takes on special importance because of its three unique features: (1) a different morning prayer service, (2) an extended parade with the etrog and lulav, and (3) an unusual ceremony in which one beats a bunch of willow twigs on the floor of the synagogue.

One notes at the beginning of the morning prayer service that the leader wears a *kittel*, a white robe, just as he does on selichot, Rosh Hashanah, and Yom Kippur. This is to denote the solemnity of the day, for it marks the end of the period of repentance. In the High Holiday liturgy there is the image that one is inscribed into the Book of Life on Rosh Hashana, and that this book is “sealed” at the end of Yom Kippur. But the process does not end with Yom Kippur; according to the Zohar, Hoshanah Rabba is one’s last chance to pray for another year of life.¹ So the morning service mimics that of the High Holidays and is not the normal service of the *chol hamoed* days.

The Hebrew word Hoshanah (in English it is the word “hosanna”) is a conflation of two Hebrew words, “hosha,” meaning “help,” and “nah,” meaning “please.” On each of the first six days of Succot one recites a unique series of prayers whose chorus is Hoshanah, and, except on Shabbat, this series of prayers is recited during a parade around the Torah where the marchers carry their etrog and lulav. Hoshanah Rabbah means “the great Hoshanah” because on that day the congregants reprise all six of the daily parades as they circle the Torah.

At the end of this parade each congregant take a bundle of willow branches, recites another set of prayers, and beats the willow branches on the floor of the synagogue. What’s the origin of this custom and what does it represent? First of all, this dates all the way back to Talmudic times, as seen from this passage from Succah 44b: Aibu (*a second century CE rabbi*) related, “I was once standing in the presence of R. Eleazar b. Zadok when a man brought a **willow-branch** before him, and he took it and shook (הִבִּיט) it over and over again without reciting any benediction, for he was of the opinion that it (*the shaking of the willow outside the temple*) was merely a usage of the prophets (*i.e., only something commanded by either the Torah or the Rabbis requires a blessing*).” Unfortunately, the Mishnah on Succah 45a says: Rabbi Johanan ben. Beroka (*circa 120 CE*) said, “They used to bring **palm twigs** and beat them on the ground at the sides of the altar, and that day was called ‘the day of the beating of the palm twigs.’ So the rabbis in the Gemara ask (Succah 45b) “What is the reason of Rabbi Johanan ben Beroka?” Because Leviticus 23:40 says כַּפֹּת (“branches”) which he interprets as meaning two sets of palm twigs, one for the lulav and one for beating on the altar. But the Rabbis note that the word כַּפֹּת is written defectively (it should have been spelled כַּפֹּת). From this misspelling they infer that it is the willow branch that was to be used to beat on the ground at the sides of the altar.

There are many explanations given for this activity. Some say this is a precursor to the prayer for rain in next day’s Shmini Atzeret service (the willow is considered the most thirsty botanical species). Others say that it follows the Hoshanah prayers as it symbolizes the affliction of the Jewish people. Still others link this with the notion that at the end of Succot the lulav is untied, and that unbinding of the lulav is symbolic of the disunity of the Jewish people, which leads to their affliction as acted out by the smiting of the willows on the ground. Since Succah 44a concludes that this act was instituted by the Prophets, i.e., around 369 BCE, I take all these explanations with a large grain of salt.

¹ There are lots of references on the internet that say ‘the Midrash tells us that God told Abraham: “If atonement is not granted to your children on Rosh Hashanah, I will grant it on Yom Kippur; if they do not attain atonement on Yom Kippur, it will be given on Hoshana Rabbah.”’ But none give a source, and I can’t find one. A 2001 paper by Professor Yosef Tavori of Bar-Ilan University says, “In the works of the Sages (Mishna, Midrash, Talmud) there is no mention of Hoshanah Rabbah as a day of judgment,” so that explains why I can’t.