

Fundamental Issues in the Study of *Tanakh*
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Dedicated in memory of
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Shiur #4h: Duplication and Contradiction (continued)

H. Bias in the writing of Tanakh?

We have seen that despite making identical use of the same literary tools, the most fundamental difference between the documentary hypothesis and the aspects approach concerns the question of whether the Torah is of Divine origin or a human creation.

A central question for Bible critics, which does not arise for those who believe in Divine authorship of the Torah, is the question of who authored the various documents and who collated them into a single textual anthology. In recent generations there have been attempts to identify the authors with greater precision – whether in relation to the documentary hypothesis or independently of it. Various scholars have tried to demonstrate different political interests or ideological biases on the part of authors who sought to convey their own messages by means of these documents. However, these attempts have generally been rather forced, as well running counter to the impression that arises from the biblical text as a whole. In this *shiur* we will demonstrate the considerable difference that arises therefore between approaches which will always look at a text with an eye to who wrote it and why, and the traditional approach which seeks to read the story on its own terms without asking questions of authorship or agenda. It will also be argued that only by reading the Biblical text on its own terms can its messages be appreciated, and that searching for agendas behind the text ends up obscuring far more than it illuminates.

The story of Yehuda and Tamar ([Bereishit 38](#)) is one of the most dramatic episodes in the Torah. A review of the story demonstrates that its central theme is Yehuda's process of repentance. One chapter prior to this story, Yehuda is the main protagonist in the sale of Yosef. His sin lies primarily in his attempt to gain the best of both worlds, as it were: he wants to rid the family of Yosef, while at the same time not killing him, so as to evade the difficult moral problem of murder ([Bereishit 37:26-27](#)). However, selling a person into slavery is a very grave act, for which the Torah mandates the death sentence, just as it does for murder ([Devarim 24:7](#)). In addition, from the point of view of Yaakov, the blow is exactly as painful as it would have been had the brothers really killed Yosef.^[1] The brothers all adopt Yehuda's deceptive approach, offering a "white lie" as they show Yaakov Yosef's coat that has been dipped

in blood, and ask with seeming innocence – technically, with no lying or deceit – "See now; is it your son's coat or not?" ([Bereishit37:32](#)).

At the beginning of chapter 38, the shameful path of combining sin with evasion of responsibility reappears in the behavior of Onan, Yehuda's son. Outwardly, he fulfills his moral responsibility in marrying Tamar, the wife of his deceased brother, Er. However, in truth he does not want to bear a son,^[2] and therefore "when he came to his brother's wife, he spilled [his seed] on the ground so as not to give seed to his brother" ([Bereishit 38:9](#)). Two of Yehuda's sons die,^[3] and one might have expected that he would deduce from this that there was some problem with the path he was following and the education of his children. However, at this stage Yehuda does not take heed; instead, he sins further: he attributes the death of his sons to Tamar, and therefore oppresses her and does not allow her to rebuild her life. She is obligated to undergo a levirate marriage, but Yehuda prevents her from marrying his third son, Shela. Once again, he does not explain to her what he is doing and why, but rather stalls her with an excuse which the Torah itself testifies as not representing his true position:

"Yehuda said to Tamar, his daughter-in-law: 'Remain as a widow in your father's house until Shela, my son, is grown' – for he said [to himself], Lest he, too, die as his brothers did." (38:11)^[4]

As the chapter progresses, we see Yehuda reach the lowest moral rung in his life, when he visits Tamar, whom he mistakes for a prostitute ([Bereishit 38:15-18](#)). When he hears that Tamar is pregnant, he is quick to sentence her to death by burning.

It is at this dramatic moment that Yehuda reaches his turning point. Tamar does not accuse him outright; rather, she hints to him in a way that would allow him, once again, to evade responsibility:

"As she was being brought out and she [had] sent word to her father-in-law, saying, The man to whom these belong – I am pregnant by him. And she said, See now to whom this seal and this cloak and this staff belong." (verse 25)

Yehuda does not respond to her first statement,^[5] but the second shakes him out of his complacency. Of particular note is Tamar's use of the expression "*haker na*" – "see now," recalling the testimony of the brothers in the previous chapter: "See now, is this your son's coat or not?" (37:32).^[6] It appears that it is specifically this echo that stops Yehuda in his tracks. It suddenly becomes clear that there are many similarities between what Tamar does to Yehuda and what the brothers previously did to their father:

1. Just as Yosef's brothers used a garment (Yosef's special coat) to deceive their father, so Tamar has deceived Yehuda using a garment – her veil.
2. Yehuda proposes to Tamar, "I will send (*ashaleach*) a goat kid from the flock (*gedi izim*)," recalling how "they took Yosef's coat and they slaughtered a

goat kid (*se'ir izim*) and dipped the coat into its blood. And they sent (*va-yeshalchu*) the coat..." (37:31-32).^[7]

3. In the previous chapter, Yehuda had argued before his brothers, "What profit is there if we kill our brother and cover (*ve-khisinu*) his blood?" He prefers that they adopt some other course of action that will not necessitate the covering of blood. Now, Tamar has misled Yehuda in a similar way: "She covered herself (*va-tekhas*) with a veil... and he thought her a prostitute, for she covered (*khista*) her face."

Thus, the Torah creates a clear connection between the two narratives, thereby also alluding to their thematic connection. The fact that Tamar places the full weight of responsibility upon Yehuda, while refusing to accuse him openly, forces him to wrestle with himself and ultimately to acknowledge his misdeeds, despite the shame that this entails.^[8] For the first time since the beginning of the story, Yehuda assumes responsibility for his actions. Not only does he acknowledge that Tamar has not prostituted herself; he also takes responsibility for his neglect of her over the course of so many years:

"And Yehuda recognized, and he said, She has been more righteous than I, for I did not give her to Shela, my son." (verse 26)

Just as in the previous chapter, Yaakov had 'recognized' his son's bloodstained cloak, so too in Yehuda 'recognizes' his own fault.^[9] The story ends with the birth of Peretz and Zerach; Peretz is ultimately the progenitor of the royal dynasty of the House of David.

Yehuda's entire personality changes from this point onwards, in the wake of this episode, and it is he who assumes responsibility for all that happens to the brothers in Egypt. Until now he has evaded responsibility for his own actions; from now onwards he assumes moral responsibility even for that which he personally has not done:

"Yehuda said, What shall we say to my lord; what shall we speak and how shall we justify ourselves? God has found the transgression of your servants; behold, we are servants to my lord – both we and him with whom the goblet was found." (44:16)

The climax of his transformation comes, of course, at the moment where he expresses his readiness to remain as a slave in Egypt instead of Binyamin, so as to save his father additional pain, after Yehuda himself had been responsible for the first terrible blow to Yaakov.^[10] Ultimately, this narrative teaches of the dangers of evading responsibility through "white lies" and misleading others. It teaches of the importance of taking responsibility, of the possibility of repair, and of the power of repentance. It is specifically Yehuda and his descendants who are blessed by Yaakov to rule amongst the people of Israel: "The staff shall not depart from Yehuda, nor the lawmaker from among his offspring" ([Bereishit 49:10](#)). Rabbi Akiva sums up the message of the plain

text as follows: "Why was Yehuda granted royalty? Because he acknowledged [his guilt] concerning Tamar."^[11]

This literary analysis seems to suggest itself clearly enough from a review of the verses and also arises from the way in which various *midrashim* approach this episode. However, the tendency of biblical critics to view biblical narratives as agenda driven leads them to ignore the possibility that this profound and complex story was written in order to teach the important lessons that it contains, preferring the assumption that it was created by people who sought to further their own views by disseminating it.

Let us note, at the outset, that some scholars regard the "J" and the "E" sources as having been composed during the period of the kingdoms of Yehuda and Israel; accordingly, they describe events from a subjective point of view that serves the interests of their respective loyalties.^[12] On the basis of Friedman's attribution of these two chapters to two sources, one of them "a Levitical priest, probably from Shiloh, and therefore possibly descended from Moses," the other a member or supporter of the royal house of David, how are we to explain the episode of Yehuda and Tamar, which clearly belongs to the second source,^[13] according to his approach?^[14]

Some scholars have argued that since, at the end of the episode, Yehuda is depicted in a positive light, this narrative should be viewed as supportive of him,^[15] but this is a most unsatisfactory resolution of the problem. Why would a "member of the royal house of David," seeking to emphasize the superiority of the tribe of Yehuda, write a narrative such as this one, depicting Yehuda as leaving his family, withholding levirate marriage from his daughter-in-law through false excuses, and abandoning her to her bitter fate? Would someone seeking to glorify Yehuda really describe him engaging in relations with his daughter-in-law, mistaking her for a harlot?

Indeed, scholars not blindly committed to this view could suggest a completely different interpretation. Thus, for example, Y. Zakovitch writes:

"The story of Yehuda and Tamar is an anti-Judah narrative; it is a narrative that puts Yehuda – patriarch of the tribe, patriarch of the house of David – to shame. Whoever placed chapter 38 at the heart of the story of Yosef, after chapter 37, sought to diminish Yehuda's stature."^[16]

Of course, this prompts the opposite question: why would someone who seeks to put Yehuda to shame present him as ultimately acknowledging his misdeeds, with all the difficulty involved, although he could have chosen to avoid admitting his guilt? Why is Yehuda rewarded with the birth of sons, and why does he eventually become the progenitor of the Davidic dynasty as a result of this story?

Other scholars have read the story as pointing towards a completely different lesson. Y. Amit argues^[17] that the central theme of the story is the controversy surrounding foreign women – a dominant issue during the Persian period (Second Temple Period). According to her theory, the fact that Tamar, who was a Canaanite,

accepted upon herself the customs of Yehuda's family, comes to justify marriage with foreign – even Canaanite – women. This theory is problematic from the very outset – first and foremost, from the literary point of view. Is this indeed the message of the story? Would we not expect, if there were the slightest kernel of truth to this claim, that the story would at least mention Tamar's Canaanite origins, instead of ignoring the issue of her lineage altogether? If this were indeed the message of the story, could it not be conveyed without all the complicated details of Yehuda's exploits?

This example illustrates the unfortunate situation in which seeking the bias in biblical narratives may sometimes itself be biased, leading scholars to misunderstand and misrepresent meaning of a story and its messages. The story of Yehuda and Tamar is a fascinating episode that conveys important, objective messages. An objective search for bias in this story would lead nowhere – and the extreme differences between the respective conclusions of those undertaking the search suffice to prove this. Subservience to the assumption of bias in *Tanakh* is not only mistaken in its own right, but also problematic insofar as it leads one to ignore the messages arising from the narrative, such that Bible study loses all independent value.

While our argument has been based on only one narrative, the same idea arises from the most cursory familiarity with *Tanakh* as a whole. Anyone who reads the *Tanakh* cannot fail to notice that it shows no favoritism. In ancient cultures, the outstanding successes of the rulers are generally given much attention. By contrast, the characters of the *Tanakh* are always complex, and never free from criticism: the forefathers (the "you are my sister" episodes; Yaakov's theft of the birthright from Esav); the stories of the fathers of the tribes (the slaughter of Shekhem, the sale of Yosef); Moshe (Mei Meriva); and, of course, the complex picture comprising the description of the royal house of David – all of this is recounted in a manner that nullifies any vested interest on the part of the writer. This phenomenon is inconceivable in terms of ancient cultures. Would any nation in the world invent a past that involved slavery and hard labor, like the story of the exodus? How could any writer during the period of the monarchy criticize some aspects of the king's behavior so sharply as the examples we find in the Book of *Shmuel* concerning King David?^[18]

"Why did this author invent the story of David and Batsheva? Why did he seek to present David, at the beginning of his career, as a robber living off 'protection money'? Why, as part of his imaginary tale, does he attribute the building of the Temple not to the founder of the dynasty, David, but rather to Shlomo? All of this stands in complete contrast to what we would expect, considering the norms of the Ancient East... Why did he invent a story about Shaul, the king chosen by God before David, despite the theological difficulties that this story raises? The invention of these stories makes no sense."^[19]

Likewise there is no entity or group with a vested interest in dissemination of the Torah. The Kohanim and Leviim do receive many "priestly gifts" and serve in important positions, but all of this pales into insignificance, in terms of interests, when we consider the fact that they receive no inheritance in the land.^[20] The idea of the monarchy, which

appears for the first time Devarim ch.17, is set forth in the Torah with strict limitations, which no king would have any interest in publicizing.

Thus, assertions of bias in *Tanakh* are suspect and would seem to arise themselves from biased motives.

I. Summary

The Torah contains many instances of duplication and contradiction. Throughout the generations, the general approach was to address these instances individually and locally, without attending to the more general question of why these phenomena exist and why the Torah was written in this way. Biblical scholars discovered that in many instances the contradictions are systematic, and they arrived at the "documentary hypothesis," according to which the duplications and contradictions arise from the fact that the Torah is made up of four main documents, each composed in a different period and possessing its own characteristics; only at some later time were they joined together to form a single work. We have discussed some of the difficulties posed by the documentary hypothesis, on both the historical and the literary levels, and we noted the growing reservations among biblical scholars of the last generation towards this hypothesis in its classic form.

At the same time, the documentary hypothesis did advance the study and understanding of the Torah in a new direction, suggesting that the Torah itself was written in such a way as to include multiple perspectives. According to the "aspects approach" developed by Rabbi Mordechai Breuer, there is no need to explain every contradiction on its own terms upon a first reading. Rather, there is a complex and nuanced message arises specifically from appreciation of the juxtapositions and contradictions.

Finally, we noted a phenomenon that developed in the wake of the documentary hypothesis, which seeks to detect bias in the various narratives and units of the Torah. We negated this view through a review of one narrative unit, and concluded that the *Tanakh* is a unique and unprecedented work insofar as it shows no favoritism towards anyone.

Translated by Kaeren Fish

^[1] Chazal note this and emphasize that the sale of Yosef was not a positive act on Yehuda's part, but rather the opposite: "Rabbi Meir said: the term *botze'a* is mentioned only in connection with Yehuda, as it is written, 'Yehuda said to his brothers: what profit (*betza*) is it if we kill our brother....' And anyone who praises Yehuda is in fact a

blasphemer. Concerning this it is said, 'The compromiser (*botze'a*) blasphemes and renounces God' ([Tehillim 10:3](#))."

^[2] The son born of a levirate marriage is considered the child of the deceased brother: "And the firstborn that she bears shall succeed in the name of his deceased brother, so that his name will not be wiped out from Israel" ([Devarim 25:6](#)). The Torah demonstrates awareness of the natural aversion to this situation and therefore permits *chalitza* – a ceremony of exemption – although this is clearly regarded as the less preferable option; hence the degrading procedure to be followed by a person who chooses it.

^[3] It would seem that their fate is not the result of their actions alone. Despite the severity of Onan's behavior, the Torah does not mandate the death penalty for his sin. Thus it appears that their death is related to Yehuda's own sin – especially since the sin of the father and the sin of the sons share a common background. This idea is also echoed in Reuven's words to Yaakov, following the encounter with Yosef – the viceroy of Egypt – who demands that the brothers bring Binyamin down to Egypt. When Yaakov initially refuses, Reuven pledges, "Slay my two sons if I do not bring him to you" (42:37). How does Reuven arrive at such a peculiar idea? It seems that he sought to hint that someone who does not bear responsibility towards his brother is deserving of losing two sons – as indeed happened to Yehuda. (It must be remembered that at this stage Reuven already had four sons [46:9], such that the emphasis on *two* sons, specifically, is not coincidental.)

A connection between the sale of Yosef and the death of Yehuda's two sons is drawn already in the midrash: "Rabbi Yehuda son of Rabbi Simon [son of] Rabbi Chanan taught in the name of Rabbi Yochanan: A person who does part of a mitzva but does not complete it, will bury his wife and his sons. From whom do we learn this? From Yehuda: 'And Yehuda said to his brothers, What profit...' – [i.e., he sufficed with saving him from active murder, but left him to die of hunger and thirst while] he should have taken him back to his father. What happened to him [Yehuda]? He buried his wife and his sons" (*Bereishit Rabba* 85:3, Theodor-Albeck edition, p. 1034).

^[4] This may be what the Torah alludes to at the beginning of the chapter: "She conceived yet again and she bore a son and she named him Shela, and he was at Keziv when she bore him" (verse 5). The seemingly redundant mention of the name of the place may hint at the deceit (*kazav*) and illusion that Yehuda practices in relation to this son. The connection between *keziv* and *shela* is highlighted once again in the story of the Shumanite woman: at first, when Elisha promises that she will bear a child, she answers, "Do not lie (*tekhazev*) to your handmaid" (*Melakhim* II 4:16); later, when her son dies, she tells him, "Did I not say, Do not deceive (*tashleh*) me" (*Melakhim* II 4:28).

^[5] The first part of the verse is formulated in the past perfect tense – "*ve-hi shalcha*" ("She had sent word") rather than "*va-tishlach*." This suggests that she had already sent messengers to Yehuda with the seal and the wicks, but he had not yet responded. (See commentary of Rabbeinu Bechaye ad loc.)

^[6] It should be noted that these are the only two instances in *Tanakh* where this expression occurs. *Chazal* comment on the connection between the two narratives, and its effect on Yehuda: "He sought to deny it, but she said to him, 'See now' your Creator: they belong to you and your Creator. 'See now, to whom the signet belongs' – Rabbi

Yochanan taught: God said to Yehuda, You said to your father, 'See now;' by your life, Tamar now tells you, 'See now'" (*Bereishit Rabba*, Vilna edition, 85:25).

[7] This too is noted by Chazal: "God said to Yehuda: You deceived your father with garments of the goat; by your life, Tamar will deceive you with garments of a goat" (*Bereishit Rabba* 85:9, Theodor-Albeck edition, p. 1043).

[8] As Yehuda himself had previously said: "Let her take it herself, **lest we be shamed**; behold, I sent this kid, but you have not found her" (38:23).

[9] Although at first glance, the intention of the verse would seem to be that Yehuda recognized the belongings as his own, the absence of any article from the verse indicates that the recognition taking place was on a deeper, more profound level (in contrast to 37:33, where the verse merely says [regarding Yaakov], 'He recognized it').

[10] There is a linguistic connection between chapter 38 and Yehuda's declaration in which he takes responsibility for Binyamin: the root "a-r-v" (guarantor, or pledge) appears only five times in the Torah – three times in chapter 38 we find the word "eravon" (a pledge) (verses 17,18,20), and twice the Torah mentions that Yehuda is a guarantor (arev) for Binyamin (43:9; 44:32).

[11] *Tosefta*, *Berakhot* 4:18, Lieberman edition, p. 23.

[12] A summary of this approach can be found in the popular work by Richard Elliot Friedman, *Who Wrote the Bible* (1987). The book is written in an approachable style and with great self-confidence, while many of his arguments are unfounded and even misleading. As one example (aside from our discussion of Yehuda and Tamar), Friedman argues that there is a contradiction in the text concerning the question of how the city of Shekhem came to belong to Yaakov: at the end of *Bereishit* 33 (verses 18-20) we are told that Yaakov purchased a plot of land from the sons of Chamor, the father of Shekhem, while in chapter 34 we read of the rape of Dina and the revenge of Shimon and Levi. In Friedman's view, this represents evidence of two different sources attesting to the origins of the city. The first asserts that the land was paid for. The second documents a conquest through massacre. This suggests that the author of the first source was from the kingdom of Israel; he writes positively of Shekhem, since it is one of the major cities of Israel. The author of the second source, from the kingdom of Yehuda, presents a negative picture.

Friedman's explanation is based on two mistaken assumptions. First, the very claim that there is a contradiction in this regard is unfounded. Chapter 33 states clearly that Yaakov purchased a plot of land *close to* the city of Shekhem – "He encamped facing the city. And he purchased the plot of land where he pitched his tent" (33:18-19). Furthermore, chapter 34 says nothing about seizing the city itself; it speaks of the killing of its inhabitants. Second, the connection between chapter 34 and the "J" source is entirely unclear, since God's Name does not appear in this chapter at all. Indeed, many scholars maintain that this chapter is not part of the "J" source: see, for example, A. Rofe, pp. 86-87, proposing that chapter 34 is an "independent document"; see also *ibid.* pp. 199-201.

[13] Verses 7-10 mention *shem Hashem* (the name of God attributed to the J source) three times.

[14] Friedman pays no attention to this episode in his book, although (or perhaps because) it is highly problematic in light of his theory.

^[15] See Y. Amit, "*Pulmusim Semuyim be-Parashat Yehuda ve-Tamar*," *Shenaton le-Cheker ha-Mikra ve-ha-Mizrach ha-Kadum*, vol. XX, 5770, pp. 11-25. Amit's view raises many questions. Proceeding from the assumption that the narrative does indeed mean to convey support for the house of Yehuda – and thus, naturally, for the royal house of David – she is left only with the question of why David himself is not mentioned in the text (!). Amit argues that the Torah is not devoid of anachronism – as evidenced in the unit of Layish and Dan, as we discussed in a previous *shiur*. This argument is, of course, baseless, since even according to those who maintain that the phenomenon of anachronism does exist in *Tanakh*, it is certainly not deliberate; at most, it testifies to a lack of attention on the part of the writer. The idea that the Torah, which is clearly oriented towards the nation of Israel on the verge of entering the land, could make explicit mention of someone who would live hundreds of years later, is simply untenable, regardless of one's religious or ideological position.

^[16] Y. Zakovitch, *Mikraot be-Eretz ha-Mar'ot* (Tel Aviv, 1995), p.55. See also, at greater length, Y. Zakovitch and A. Shinan, *Ma'aseh Yehuda ve-Tamar* (Jerusalem, 5752), pp. 219-220.

^[17] See her article (above, n. 15), and the reference there in n. 2.

^[18] Even Friedman (see above) notes that the writing describing the kingdom of David, in *Sefer Semuel*, is "remarkable because it openly criticizes its heroes, a practice that is all but unknown among ancient Near Eastern kings" (p. 39). However, he makes no attempt to explain this most unusual phenomenon, nor does he draw any conclusion from it.

^[19] Y. Hoffman, "*Historia, Mitos u-Politika*," in: Y.L. Levine and A. Mazar (eds.), *Ha-Pulmus al ha-Emet ha-Historit ba-Mikra*, Jerusalem 5761, pp. 31-32.

^[20] It is interesting to note the literary manner in which the Torah emphasizes the difference between *Kohanim* in Israel and the priests of other nations, in this regard. In describing Yosef's regime in Egypt during the years of famine, the Torah states: "Only the land of the priests he did not buy, **for** the priests had a portion assigned to them by Pharaoh, and they ate their portion which Pharaoh gave to them; **therefore** they did not sell their lands" ([Bereishit 47:22](#)). In other words, the fact that they received their food directly from the king was an expression of their status – and for this reason they are not required to sell their inheritance, in contrast to the rest of Egypt. The Torah uses similar language in describing the status of the tribe of Levi – but with precisely the opposite meaning: "**For** the tithes of Bnei Yisrael, which they offer as a gift to God, I have given to the *Leviim* to inherit; **therefore** I have said to them, among Bnei Yisrael they shall receive no inheritance" ([Bamidbar 18:24](#)). It is specifically because the *Leviim* receive their food from God that they receive no inheritance in the land, for God's servants must engage in their labor for the sake of heaven, with no personal interest.