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READING TRAGEDY IN GITTIN AND GAZA

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Shortly after the October 7 terror attacks, Israeli President Isaac Herzog placed the onus of responsibility not only on the members of Hamas but on all Palestinians in Gaza because "they could have risen up. They could have fought against that evil regime which took over Gaza in a coup d'etat." In many synagogues (including one that I attend as a congregant), rabbis echoed this view, stating that Gazans who disagreed with the terror attacks should have protested; that they did not protest (at least not publicized to the rest of the world) demonstrates their support for such heinous actions.

Considering Hamas's torture and killing of dissidents and those they suspect of being "collaborators," Jews making such statements were essentially asking over a million Gazans to, essentially, invite death upon themselves in order to express their abhorrance. Expecting suicide (in a way that would not even save any Israeli lives) from Gazans was/is completely unrealistic and callous toward the lives of non-combatant Palestinians in Gaza.

Aside from the (im)moral logic of such attitudes toward innocent Gazans, it forgets that, almost 2,000 years ago, Jews in Jerusalem also faced the predicament of a siege with mass starvation due to the violent extremists in their midst. This narrative is recorded by the Talmudic sages in *Gittin* 55b-58a. These pages, which focus on the destruction of the Second Temple and its aftermath, are commonly studied on Tishah B'Av, the saddest day in the Jewish calendar (because it is among the few passages considered sad enough to study on such a morose day).

Before going further, I should clarify that I am not suggesting an exact correspondence between the

war with Gaza and the Talmudic narrative in *Gittin*. However, I believe the parallels are strong enough that the Talmudic passage might provoke new thinking about both the text and the war itself.

According to the Talmudic narrative, three wealthy Jerusalemites donate enough supplies to the people of Jerusalem to survive Vespasian's siege for 21 years. However, such contingencies are ruined by the Anti-Roman extremists, the Sicarii (*biryonei* in the Talmud's language—sometimes translated as zealots). In contrast to the sages, who want to make peace with the Romans, the Sicarii want to wage war (which the rabbis believe would be pointless and only lead to more death) at all costs. To encourage the people of Jerusalem to fight the Romans, rather than making peace, the Sicarii burn down all of the reserved supplies, which leads to a devastating famine. One can certainly point to differences between the Sicarii and Hamas; but Hamas, like the Sicarii, appear to many of their own brethren to prioritize fighting against a detested military power over the lives of their own people.

The Talmud poignantly tells the story of the wealthy Jerusalemite matron Marta Bat Baitos, who dies from disgust amidst her starvation—either stepping on dung while leaving her home to search for food or from eating a fig whose juices had already been sucked out by Rabbi Tzadok. Similarly, even those who believe that Hamas is entirely at fault should be able to empathize with children dying from malnutrition in Gaza.

In order to save the people of Jerusalem from certain death from starvation and the sword, the sage Rabban Yohanan ben Zakkai schemes to escape Jerusalem and beg the Romans for peace. He reaches out to and secretly meets with his nephew, Abba Sikkara, who is the leader of the Zealots. Although Abba Sikkara agrees with R. Yohanan b. Zakkai that the Sicarii are needlessly causing the Jews in Jerusalem to starve to death, Abba Sikkara himself (!) is afraid of making this case to the other Sicarii out of fear that they will kill him (!).

No one studying the passage would expect R. Yohanan b. Zakkai or Abba Sikkara to pointlessly sacrifice their lives to argue with the Sicarii over their extremist tactics. Similarly, considering Hamas's treatment of those suspected of collaborating with Israel or dissenting, and even communicating with Israeli citizens, one should be able to understand why Gazans should not be expected to demonstrate en masse against Hamas.

R. Yohanan b. Zakkai (with Abba Sikkara's help) escapes by faking his own death so that his students can smuggle him past the Sicarii outside Jerusalem to Vespasian, who, at this point, is overseeing the Roman effort against the Jewish revolt. In response to R. Yohanan b. Zakkai's approach, Vespasian asks him why he had not come beforehand, to which R. Yohanan b. Zakkai answers that the Sicarii would not let him.

This answer is not good enough for Vespasian, who replies with a parable: "If a snake wraps itself around a barrel of honey, do we not break the

barrel to remove it?" The meaning of this parable is not completely clear. Rashi argues that, according to Vespasian, the people of Jerusalem should be destroying the walls of the city (the pot of honey) in order to chase away the snake (the Zealots). According to the modern commentator Rabbi Zev Wolf Rabinowitz and others (like Rabbi Steinsaltz), Vespasian is stating that he is trying to remove the Zealots himself, even if it means destroying the city of Jerusalem. The early modern commentator Rabbi Shmuel Eidels (Maharsha) has Vespasian state that the Jews should be willing to defeat the Zealots even if it means destroying the walls of Jerusalem, since destroying the Zealots is beneficial to the Jewish people.

Rashi's and Maharsha's explanations are reminiscent of the aforementioned statement by President Herzog. Rashi seems to have Vespasian argue that, if the other Jews are as opposed to the Zealots as Rabbi Yohanan claims, the Jews should have been willing to destroy Jerusalem in order to remove them from the midst of the Jewish people. For Maharsha, even if the Jews aren't expected to directly destroy Jerusalem as in Rashi's explanation, they are still expected to fight against the Zealots themselves. Just as Vespasian in these readings puts the burden of eliminating the Zealots on the Jews of Jerusalem, Herzog states that Palestinians themselves are expected to fight against Hamas and that their inability to do so makes them complicit and subject to collective punishment.

The explanations of Rabbis Rabinowitz and Steinsaltz do not have Vespasian expect the Jews to fight the Zealots themselves. Instead, in their understandings, Vespasian is justifying collateral damage to Jerusalem and its inhabitants. Given the importance of defeating the Zealots and the impossibility of defeating them without collateral damage, such deaths and destruction are morally justified. This explanation is thus reminiscent of those who justify the deaths of Palestinian non-combatants with the claim that they were unavoidable, or that the war is ultimately beneficial to Gazans to "Free Gaza from Hamas."

R. Yohanan b. Zakkai lacks the presence of mind to reply to Vespasian; but, according to Rabbi Akiva, in retrospect R. Yohanan b. Zakkai should have responded that—within the parable of the snake—"we take tongs to remove the snake and kill it, but spare the barrel." According to Rashi, the argument would be that the Jews were waiting for the opportunity to defeat the Zealots themselves but were never given the chance. According to others, Vespasian should have tried to only kill the Zealots and spare Jerusalem, rather than destroying it and all of its inhabitants. Similarly, one might argue that it should be possible to empathize with Gazans who are losing their homes and cultural treasures. Even if one is confident that the Israeli army is being as careful as possible to avoid unnecessary destruction (about which I am personally skeptical), one can understand why Gazans may wonder to what degree tongs are being used to kill the snake of Hamas rather than the breaking of the entire barrel of Gaza.

Vespasian is then informed that—as R. Yohanan b. Zakkai had predicted—he has been chosen to

become the next emperor and must soon leave for Rome to ascend the throne. Before Vespasian leaves, he offers to grant R. Yohanan b. Zakkai whatever he requests. R. Yohanan b. Zakkai makes minor requests—sparing the city of Yavneh and its sages, the family of Rabban Gamliel, and a medical assistant for the dangerously ill Rabbi Tzadok—but he is too fearful of complete rejection to ask Vespasian to "leave us alone this time." The people of Gaza, who are unable to access sufficient medical access from the outside world, pray to be "left alone" before the barrel completely breaks.

This is not to suggest an exact correspondence between the siege of Jerusalem and that of Gaza. In the Roman siege of Jerusalem, there were no hostages taken by the Zealots. Additionally, the Zealots, who care more about national victory than religion and the lives and safety of their own people (let alone non-Jews), could also be compared to members of the Israeli Right, who identify with the Zealots and consider R. Yohanan b. Zakkai to be a traitor. Even some religious right-wing Zionists who follow Halakhah openly identify more with the Sicarii than with the rabbis.

Personally, I do not believe that the war at present—even if violence toward non-combatant Palestinians was really being kept to a minimum—would be worth all of the death and devastation it is bringing to Palestinians. I also doubt that it is making Jews living in the state of Israel (let alone the diaspora) any safer in the long term, let alone in the short term. But even those who are confident in the war effort's necessity and morality can and should open their hearts when studying these rabbinic narratives of destruction this Tishah B'Av. Doing so prompts us to consider the ways in which Palestinian non-combatants in Gaza are also trapped in a similar predicament to that of the Jews of Jerusalem almost 2,000 years ago.

The parallels between the Talmudic narratives and the current war with Gaza can better help us appreciate the tragic elements of each, as both are caught in impossible situations between two forces. The Jews of Jerusalem may disdain the Romans and resent their rule, but the Jewish Zealots' hatred of Roman subjugation leads to the exacerbation of their suffering from the same Romans. Trying to distinguish themselves from the Zealots would only lead to death from their own people. This leads them to suffer famine and death by a Roman enemy that self-servingly excuses its failure to distinguish between them. Reading tragedy into these narratives lends them greater psychological depth.

Appreciating the similar tragic predicament of the people of Gaza enables Jews to better humanize the perspectives and suffering of Palestinian people, who are sometimes rendered two-dimensional. Some who instinctively accept the "pro-Israel" side can so internalize it that they cannot understand how Palestinians could resent Israel's treatment of them without being "terrorist sympathizers," antisemites, or worse—Amalek. Self-proclaimed "anti-Zionists" lionizing Hamas also render Palestinians perfect victims rather than as human. Appreciating the analogies between Palestinians and the Jews of Jerusalem can help Jewish-text readers to

appreciate how Palestinians in Gaza could resent Israel without deserving death because of the actions of Hamas.

Appreciating these analogies might also prompt us to ask ourselves whether it is possible for Vespasian to be correct, in a sense. According to Rabbi Zev Wolf Rabinowitz's and R. Steinsaltz's understandings of the passage, Vespasian is insisting that it is absolutely necessary for him to destroy Jerusalem and bring death to many of its inhabitants in order to defeat the Zealots. R. Yohanan b. Zakkai should have retorted to Vespasian that the latter should instead be trying to defeat the Zealots while still sparing Jerusalem and its inhabitants.

But we might wonder to what degree Vespasian's argument bears merit. What if it were indeed the case that tongs would not have been sufficient to pick the snake off of the barrel? If the snake could only really be removed by breaking the barrel, to what degree should that serve to justify the Roman war against Jerusalem? Would we be willing to say that the emperor we view as an enemy may have had a point? Or would we say that Vespasian is nonetheless engaging in an immoral war because the strategic value of defeating the Zealots did not justify the deaths to the other Jews in Jerusalem?

Obviously, it is possible to point to particular differences between Gaza and *Gittin*. However, the analogies are parallel enough that thinking through the similarities (and differences) between the two offers an important thought experiment that offers us a greater understanding of both.

Titus and the Tripartite Soul: A Lesson on Leadership and Jewish Survival

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Titus's entry into the Second Temple after conquering Jerusalem is vividly recounted by the Sages of the Babylonian Talmud (*Gittin* 56b). After breaching the innermost wall of the city and embittering the lives of its unfortunate inhabitants, the Roman general entered the Temple and slashed the *parokhet* with a sword. Miraculously, blood spurted out of the curtain, convincing Titus that he had effectively destroyed the God of the Jews. Then, after depicting the height of Titus's hubris, the Sages recount his demise. A lowly creature, a gnat, flew into his nostril and picked at his brain for seven years until it ultimately killed him. Some interpret this aggadic narrative as a parable for sacrilege and divine retribution,[1] while others view it as an allegorical representation of the spiritual and moral violation inflicted by Titus.[2] But this account of the fall of Titus, rich in physiological imagery, could also symbolize the continued survival of the Jewish people as a unified body politic. To understand this analogy, one must understand the medical knowledge available during the time of the Sages.

[1] See, e.g., Azariah de Rossi, *Me'or Einayim*, *Imrei Binah*, ch. 16.

[2] Maharal, *Be'er Ha-Golah* 6:17.

Talmud-Era Perspectives on Human Physiology

Prior to the discovery of nerves, Aristotle posited that the heart was responsible for motion, sensation, and nutrition. He believed that the heart radiated heat that sustained the body's life and that the brain existed to cool the heart if it became excessively heated.[3] He considered the nose to be "the sink of the brain, by which the phlegm of the brain is purged."[4] Hippocrates, however, believed the brain had the most important role in the body, stating that "some are mistaken when they claim to think with the heart."[5] Later on, the veracity of Hippocrates's cephalocentric theory was confirmed by the experiments of Galen, a Greco-Roman physician of the gladiators of Pergamon and later to Roman emperor Marcus Aurelius.

Galen maintained the Platonic theory of the tripartite soul—i.e., that the soul exists in three components in different locations within the human body.[6] The brain, according to Galen, houses the first soul, which "presides over reasoning and thought and provides sensation and motion."[7] The second soul, situated in the heart, "controls the passion and is the vital force." The third soul, located in the liver, "is in charge of nutrition."[8] Nutrition, according to Galen, refers to the transformation of food into blood. This blood, he believed, was produced in the liver, transported to the right ventricle of the heart and passed through invisible pores of the septum to the left ventricle.[9] There, it was mixed with a substance called "pneuma," supposedly inspired through the trachea, to gain "vital spirits." Then, the blood flowed to the *rete mirabile*, which is a conglomeration of blood vessels at the base of some mammalian brains.[10] There, the vital spirit was transformed into the animal spirit and was dispersed throughout the body. Galenic physiology was widely accepted for centuries and is even described in R. Yehudah Ha-Levi's *Kuzari*.[11] However, many of his antiquated ideas were ultimately disproved by later scientists.

These three scholars provide the framework of a well-known Talmudic discussion. In the Jerusalem Talmud (*y. Yoma* 8:5), the Sages discuss the

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[3] Aristotle, *On the Parts of Animals III*, trans. William Ogle (London: Kegan Paul, Trench & Co., 1882).

[4] *The Works of Aristotle The Famous Philosopher, Aristotle's Book of Problems, Of the Nose*.

[5] Thomas Brandt and Doreen Huppert, "Brain Beats Heart: A Cross-Cultural Reflection," *Brain* 144, no. 6 (July 28, 2021): 1617-1620.

[6] Plato, *The Republic* IV:4.

[7] Claudius Galenus, *Galen on the Usefulness of the Parts of the Body*, trans. Margaret Tallmadge May (Ithaca, NY: Cornell University Press, 1968), 45.

[8] Ibid.

[9] Steven A. Edwards, "The Circulatory System, from Galen to Harvey," *American Association for the Advancement of Science* (December 15, 2011), https://www.aaas.org/taxonomy/term/10/circulatory-system-galen-harvey.

[10] Since Rome prohibited the dissection of human cadavers, Galen could only extrapolate that the *rete mirabile* was found in humans as well. See Connor T. A. Brenna, "Post-Mortem Pedagogy: A Brief History of the Practice of Anatomical Dissection," *Rambam Maimonides Medical Journal* 12, no. 1 (January 2021), https://pubmed.ncbi.nlm.nih.gov/33125320/.

[11] *Kuzari* 2:26.

permissibility of removing rubble on Shabbat to save a life. R. Yohanan states that one should continue excavating until it is clear that the victim is dead, which is determined either by checking for breathing at the nose or, according to another opinion, by observing the navel.[12] Rabbi Dr. Edward Reichman provides two possible explanations for this latter opinion.[13] First, the navel could refer to the pulse of the abdominal aorta, which is indicative of a beating heart. However, he appears to reject this explanation. He writes that there is no mention of checking a pulse in the entirety of the Talmud and that the muscle and adipose tissue present in the abdomen make the pulsations of the abdominal aorta difficult to detect. He then posits that checking the navel refers to the protrusion of the abdominal wall when the diaphragm descends, which, like the nose, would be a sign of breathing. The same case of the collapsed house appears in the Babylonian Talmud as well (*Yoma* 85a). However, instead of the navel, the second opinion there says to check the victim's heart, clearly referring to the heartbeat.

These opinions align well with those of Aristotle, Hippocrates, and Galen, respectively. According to Aristotle's cardiocentrism, one would determine death by inactivity of the heart. Hippocrates would determine death at the brain.

And, according to Galen, inactivity of the liver, located in the abdominal cavity, would indicate death. Both the Babylonian and Jerusalem versions of the case identify the prevailing opinion as the nose, which R. Yehudah Aryeh of Modena associates with the brain due to their close proximity to one another.[14] Modern physiology reveals a deeper relationship between them that supports the prevailing opinions of the Talmud. Breathing, detected most easily at the nose, is controlled by the brain's medulla oblongata. Therefore, R. Moshe Feinstein ruled that death will inevitably occur when the brain ceases to function since it controls respiration.[15] Similarly, R. Moshe David Tendler believed that the death of the brain stem was enough to declare a patient dead.[16]

In addition to breathing, the brain controls and regulates other physiological systems in the body, indicating its superiority over the heart and liver. It is also the organ responsible for sensation and cognition. R. Yehudah Ha-Levi likens the priests and prophets to the human head due to their leadership positions.[17] From these positions, they unify the nation under their control like the nervous system does to the other physiological

[12] *y. Yoma* 8:5.

[13] Edward Reichman, *The Anatomy of Jewish Law* (New York: OU Press, 2021): 440-441.

[14] Ibid., 450.

[15] *Iggerot Moshe*, *Yoreh Deah* 146, 174:2.

[16] Frank J. Veith, Jack M. Fein, Moses D. Tendler, "A Status Report of Ethical and Medical Considerations," *JAMA* 238, no. 15 (1977): 1651-1655. (This opinion is met with much controversy.)

[17] *Kuzari* 2:28.

systems in the body. Without proper governance from the brain, the body systems would ultimately fail.

The same principles apply in consideration of the health of society. The Jewish nation cannot function properly without its leaders. Ultimately, Jerusalem fell to the Romans because the Jews failed to conserve proper leadership and unity and instead prioritized Roman defeat and Jewish independence. Jewish survival in exile is attributed to the wise leaders who redirected focus toward restoring unity, highlighting the brain's crucial role in guiding the Jewish nation.

Roman Assault on the Jewish Body Politic

The first leader lost to the Jewish nation at this time was King Agrippa II, the last ruler of the Herodian dynasty.[18] During his reign, the Roman procurator of Judea, Gessius Florus, angered the Jews by abusing his authority, most notoriously by confiscating funds intended for the Temple. Wishing to maintain diplomatic relations between Rome and Jerusalem, Agrippa urged the Jews to remain peaceful. However, shortly after his address to the nation, a group of Jews assaulted the Roman fortress of Masada and brutally massacred the Romans who occupied it. Around the same time, Eleazar, the son of Ananias the High Priest and governor of the Temple, declared that no Jew should offer the customary sacrifice to the Roman emperor. This protest demonstrated obstinacy reminiscent of Pharaoh's refusal to free the Israelites during the Egyptian exile. Instead of sustaining his power, Pharaoh's stubbornness only perpetuated his own anguish as well as the suffering of his people. In Exodus 10:1, it is written that God "hardened [Pharaoh's] heart." The Midrash explains this to mean that Pharaoh's heart became like a liver, which becomes tougher and more impenetrable each time it is boiled.[19] Similarly, each plague brought upon Pharaoh and his people only made him more obstinate. Like Pharaoh, the seditious Jews who resisted Agrippa's influence perpetuated the suffering of their own nation through their stubbornness. Understanding the danger facing him, Agrippa fled Jerusalem, and the citizens were left without a king.

While the obstinacy of Pharaoh and the Second Temple–era zealots is compared to a liver, this characteristic is elsewhere associated with another anatomical structure. Throughout the Bible, the Jews are depicted as a "stiff-necked nation," which, according to R. Samson Raphael Hirsch, is a positive attribute; it is the basis for dedication to the Torah.[20] The neck supports the head, holding it above all the other organs in the body. Therefore, preserving the monarchical leadership in Judea would have been a more positive manifestation of their stubbornness. These zealots were not, in fact, stiff-necked. Instead, their stubbornness manifested itself in the liver, neglecting the neck and allowing the

[18] The historical background here is borrowed from Josephus Flavius, *The Wars of the Jews*.

[19] *Exodus Rabbah* 13:3.

[20] Commentary of R. S.R. Hirsch to Exodus 34:8-9.

head of the Jewish body politic to fall.

After intimidating Agrippa into fleeing the city, zealot leader Menahem of the Sicarii set fire to the house of Ananias the High Priest to punish him for his opposition to the revolt. Josephus refers to Ananias as the "nerves of the city,"[21] highlighting his role in maintaining peace and unity in Jerusalem like the nervous system synchronizes the physiological systems of the body. Therefore, his assassination eliminated any hope of achieving peace with the Romans and increased division amongst the Jews. In retaliation for murdering his father, Eleazar—himself a zealot—slew Menahem, and the factions of zealots multiplied.

Following a defeat at Jotapata, the Jews replaced the High Priest Ananus with a simple man named Phineas whom they selected by lot. Josephus writes that Ananus was a "prudent man, and had perhaps saved the city if he could but have escaped the hands of those that plotted against him."[22] Instead, they selected a man who was unworthy of the position and "did not well know what the High-priesthood was." His cluelessness thereby made him susceptible to control by seditious factions. The Sages seem to acknowledge this incident as one of the reasons for the destruction of Jerusalem, stating that the "small and great citizens were equated."[23] The Talmud, quoting from Isaiah, specifically mentions that the "common people were like the priest"—precisely what occurred here.[24]

When John of Gischala, a zealot from the north, arrived in Jerusalem, he incited the zealots against Ananus, one of the heads of the Judean provisional government. Joined by the Idumeans, John commenced a brutal campaign of slaughter against the residents of Jerusalem. Ananus was killed, which, according to Josephus, marked the beginning of Jerusalem's end. Now, instead of presenting a united front against the Roman forces, the factions engaged in internal power struggles and conflicts, diverting resources and attention away from the looming external threat. This infighting weakened the morale of the Jews in Jerusalem, diminishing their ability to withstand the Roman siege in the near future. The savagery ensued, and word of Jewish division—and therefore Jewish vulnerability—reached the general Vespasian.

The Temple Mount became a bloodbath with Jews slaying other Jews in every direction. R. Yehudah Ha-Nasi alludes to the inherent pitfalls of divided leadership when Peleimu asks him on which head a two-headed person should don phylacteries. He replies, "Either exile yourself or accept excommunication for asking such a ridiculous question."[25] But his response when asked a similar question by a father of dicephalic

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[21] Josephus, *Wars of the Jews* 2:17:6.

[22] Ibid., 4:3:7.

[23] *Shabbat* 119b.

[24] Isaiah 24:2.

[25] *Menahot* 37a.

twins is nowhere near as harsh. Tosafot explain that the two-headed person referenced by

Peleimu exists only in the realm of demons,[26] which, according to Maimonides, refers to people who use their intelligence for evil.[27] Peleimu's inquiry could perhaps be referencing divided leadership, like the multiple factions controlling Jerusalem. R. Yehudah Ha-Nasi therefore condemns the question because it manifests the evil ideas that resulted in the destruction of the Temple and the exile of the Jewish nation; this could also explain why he instructs Peleimu to *exile* himself for voicing it.

On the same Talmudic passage, Tosafot cite a *midrash* about King Solomon and his interaction with the demon Ashmedai, who introduces him to a two-headed demon.[28] R. Yehudah Aryeh of Modena describes how King Solomon covers one head and pours boiling water on the other.[29] Both heads cry out in pain, and King Solomon concludes that they are one person despite their two distinct minds. From this, R. J. David Bleich learns that "separate identity is predicated upon an independent nervous system."[30] If one head feels pain and the other suffers as well, they share a nervous system and are not considered separate identities. According to R. Meir Blumenfeld, this represents the condition of the Jews in exile.[31] When Jews of one land are in pain, the Jews in another land feel it as well. However, sensitivity toward the pain of other Jews deteriorated with the political leadership during this time, prompting wiser men to take action.

After the deaths of emperors Nero, Galba, and Otho, the general Vespasian discovered his potential to become the next emperor of Rome and began to fight harder to prove his worth. He besieged Jerusalem during the Passover festival, when more Jews than usual were gathered in Jerusalem. To encourage other Jews to fight, the zealots set fire to the city's food supply, starting the countdown to the city's defeat. A famine broke out due to the scarcity of food, starving the many Jews trapped within the walls of the city until they began to die of extreme hunger. One of the zealot leaders, Abba Sikkara, was summoned by his uncle, R. Yohanan b. Zakkai, who criticized him for bringing the famine upon the city.[32] He promised his nephew salvation if he assisted him in sneaking out of the besieged city. Abba Sikkara successfully snuck him out, and the rabbi met with Vespasian, addressing him as the emperor. Vespasian, who at the time had only been a general, informed him that he was liable for two penalties of death: the first for referring to him as emperor, and the second for waiting so long to meet with him. R. Yohanan b. Zakkai answered by

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[26] Tosafot to *Menahot* 37a, s.v. "*o kum galei*."

[27] *Moreh Nevukhim* 1:7; *Kol Yehudah* to *Kuzari* 3:5:5.

[28] Sup. n. 26.

[29] *Ha-Boneh* to *Ein Ya'akov, Menahot* 37a.

[30] J. David Bleich, "Conjoined Twins," *Tradition: A Journal of Orthodox Jewish Thought* 31, no. 1 (1996): 119.

[31] Meir Blumenfeld, *Netivot Nevi'im* 2 (Brooklyn: Balshan Press, 1965), 97-99.

[32] *Gittin* 56a-b.

predicting Vespasian's anointment and justified his delay by blaming the zealots. Understanding that R. Yohanan b. Zakkai would ask him to spare the Temple, Vespasian rhetorically asked him, "If there is a barrel of honey, and a snake [*derakon*] is wrapped around it, wouldn't they break the barrel in order to kill the snake?" The snake refers to the zealots, and the barrel refers to the Temple. Vespasian conveys here that he cannot spare the Temple due to the presence of the zealots, whom he must destroy.

R. Yohanan b. Zakkai was silent, for which R. Akiva criticized him. R. Akiva contended that R. Yohanan b. Zakkai should have suggested removing the snake with a pair of tongs and killing it, while leaving the barrel intact. However, removing the zealots would have been far from simple. They manifest the liver's stubbornness not only in their impenetrability but also in their ability to regenerate and grow in size. When one faction was destroyed, another would arise or diverge from a previous one. And they perpetuated the same barbarism as the factions preceding them. The only source of life for this malignant sect of Jews was the Temple, which, if left alone, would only have preserved the violence and savagery of the zealots.

A messenger then arrived from Rome and informed Vespasian that Emperor Vitellius had died, making Vespasian the new emperor. In his excitement, he allowed R. Yohanan b. Zakkai to make a request. Rather than asking him to spare the Temple, R. Yohanan b. Zakkai recognized the need to restore proper leadership for the Jewish people. He made three requests, all focused on preserving the Jewish leadership that the zealots attempted to destroy. His first request, the city of Yavneh, became a center of Torah study that restored leadership in Jewish law. It also minimized contradictions and debates in halakhic rulings. His second request was to spare the family of Rabban Gamliel, descendents of the dynasty of King David, thereby preserving political leadership.[33] His third request was to summon a doctor to heal R. Tzadok, a priest who had been fasting excessively during this time. By healing him, R. Yohanan b. Zakkai restored the priestly leadership.

After Vespasian assumed the throne, his son Titus became the Roman general. His father's ascension filled him with the ambition to conquer Jerusalem to prove their dynasty's worth. As the Roman troops approached the city, the factions continued to fight each other. Siege, famine, and infighting brought the city to defeat and destruction in just three weeks.

This is when the story of Titus's entry into the Temple is believed to have occurred. According to Tosafot, the blood gushing from the *parokhet* was a miracle God performed to express His grief over the destruction of the Temple.[34] This bloody outpour of devastation illustrates the line in Lamentations, "My liver is poured out in grief over the destruction of the daughter of my people"

[33] Rashi to *Gittin* 56b, s.v. "ve-shushilta de-Rabban Gamliel."

[34] Tosafot to *Gittin* 56b, s.v. "*ve-na'asah nes ve-hayah dam*."

(Lamentations 2:11).[35] When blood jetted out from the curtain, Titus believed he had killed God—a false notion perhaps based on Galenic physiology, which identifies the liver as the site of hematopoiesis. By stabbing the *parokhet*, Titus believed he effectively destroyed the liver of the God of Israel, which, according to Galen, was their source of life. Perhaps this is why he took the *parokhet* back to Rome, as a trophy of Jewish defeat.

However, as made evident by the Sages, the liver is not the source of life. During his return to Rome, God informed Titus that his own demise would occur through a "lowly creature," referred to as such since it lacked a lower faculty to digest the food it eats. This creature is therefore able to survive without the organ symbolic of Titus's perceived triumph. When he arrived at the shores of Rome, this lowly creature, a gnat, flew up his nostril, the place he should have checked in order to determine the death of Judaism. Had he assessed the brain, he would have discovered that Judaism was still very much alive and would outlive both him and the legacy of his empire. This cranial parasite catalyzed Titus's death, highlighting the cruciality of the brain's role in the body and, by analogy, the leader's role in the nation. When he stabbed the *parokhet* and celebrated his victory, Titus did not realize that the nation he sought to destroy had already been immortalized by his own father when he granted the requests of R. Yohanan b. Zakkai. Nearly 2,000 years later, the Jews learn the same Torah that Titus paraded through the streets of Rome in celebration of their defeat—the very same Torah that R. Yohanan b. Zakkai preserved and revived in Yavneh.

The story of Titus and the gnat serves as an insightful metaphor not only for the downfall of a tyrant but also for the broader lesson that the Sages aimed to convey to the Jewish people. Titus's perception of the liver as a symbol of power and triumph mirrors the obstinacy and militancy of the zealot factions. Their zeal for freedom from Roman rule and their relentless pursuit of independence resulted in a calamitous internal conflict that weakened the city's defenses and cohesion. Instead of heeding advice from prominent leaders, they either assassinated them, scorned them, or banished them from the city, obliterating any attempt to establish peace. They resorted to extremism and savagery and murdered out of a desire for control of Jerusalem, failing to realize that their appalling actions are what caused them to lose it. They instead continued their brutal fighting, flooding the holy streets of Jerusalem with the blood of their brothers and sisters.

Amidst the dark history of the zealots shines the foresight and wisdom of R. Yohanan b. Zakkai. His strategic requests to Vespasian, focusing on the preservation of Torah, political lineage, and the priesthood, ensured the Jewish nation's survival. These requests not only conserved old laws and traditions but also established a foundation for the Jewish people to rebuild their identity and unity in exile. This underscores the indispensable

[35] Lamentations 2:11.

role of strong, unified leadership in maintaining a nation's vitality, akin to the primacy of the brain in maintaining life. Just as the brain regulates and unifies the body's functions, effective leadership is essential for guiding a nation toward unity and survival.

The aggadic account of Titus's death emphasizes this as well. His illusion of defeat was short-lived by the deterioration of his brain, a process facilitated by an insect lacking the abdominal structure so crucial to ancient Roman medical teachings until hepatocentrism was disproven centuries later. Ancient Rome today exists only in museums and history textbooks, with its legacy fading as its history becomes more distant. But even after the destruction of the Second Temple, the brain of the Jewish nation lives on through the immortality of the Torah's wisdom.

To this day, the Jewish people eagerly await the coming of the Messiah, envisioning a future foreseen by the prophet Hosea in which they will once again "assemble together and appoint one head over them,"[36] highlighting the significance of Jewish unity under a single, unified leadership. The forethought and wisdom of R. Yohanan b. Zakkai has enabled diaspora Jews to anticipate the fulfillment of this prophecy and their eventual return to Jerusalem, a future that Vespasian and Titus could never have envisioned. The years following the Temple's destruction saw a resurgence of unity and Torah study that continued throughout the generations, strengthening the Jewish nation until their ultimate, permanent return to righteous sovereignty in their homeland.

[36] Hosea 2:2.

Capra Dei, or Had Gadya: Isaiah 53 and Jewish Redemption

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Of the many pleasures of Orthodox Jewish life, surely among the more obscure of them is being tapped for reading *haftarah* portions from the *shivah de-nehemta*. The 'seven of comfort,' selections from the latter third of the book of Isaiah, are read on the seven weeks which follow Tishah Be-Av, the day of Jewish national mourning for the two destroyed Temples and all the lachrymose parts of our trimillennia-long history.

R. Yoel Bin-Nun notes that many of the key themes of Isaiah 40-66 – including making the desert bloom (41:18-19; all unspecified citations are from Isaiah) and ingathering of the exiles (43:5-6) – did not materialize in any of those times, but only in our time.[1] Since my aliyah eight years ago, I have had numerous occasions to bear personal witness to this observation.

For example: as a family, we try to visit Jerusalem at least once on the major holidays. The poetic caption for the picture of throngs of Jews from the

[1] Yoel Bin-Nun, "Part Four: The Days of Manasseh," in Yoel Bin-Nun and Binyamin Lau, *Isaiah: Prophet of Righteousness and Justice* (Maggid, 2019), 218-219.

world over, bedecked in their finery, filling the old city and the new, was inscribed more than two millennia prior.

> *Look up all around you and see:*
> *They are all assembled, are come to you!*
> *As I live, declares the LORD*
> *You shall don them all like jewels,*
> *Deck yourself with them like a bride. (49:18)*[2]

For the last two years, work has situated me in *hutz la-aretz* for the second week in the sequence, and I was asked to read the *haftarah* at the *hashkamah* (early) *minyan* that my father attends. The *munah zarka/munah segol* cluster of cantillation marks are relatively rare in the prophetic *trope*, and it typically serves to allow the reader to linger on a particularly dramatic verse. In this *haftarah*, there is one:

> *Why, when I came, was no one there,*
> *Why, when I called, would none respond? (50:2)*

When I linger on these words among my coreligionists in New York, I remember the resonance these words had for me when I sat among them, and feel gratitude that God has permitted us to be among those who did respond.

Riding back from the airport after my monthly trips abroad gives me a chance to meditate on the lush, verdant, rolling Judean hills, dotted with ancient ruins – I am usually too tired to do much else, but also overwhelmed to be Home. When the sun is out, which it usually is, the landscape seems strangely jubilant. As though it is singing:

> *How welcome on the mountain*
> *Are the footsteps of the herald*
> *Announcing happiness,*
> *Heralding good fortune,*
> *Announcing victory,*
> *Telling Zion, "Your God is King!"*
> *Hark!*
> *Your watchmen raise their voices,*
> *As one they shout for joy;*
> *For every eye shall behold*
> *The Lord's return to Zion.*
> *Raise a shout together,*
> *O ruins of Jerusalem!*
> *For the Lord will comfort His people,*
> *Will redeem Jerusalem. (52:7-9)*

But the raw power of the verses reaches its zenith in their deployment for the Jewish national experience: their arrangement in the *shivah de-nehemta.*

The fourteenth century Spanish liturgical commentator R. David Abudraham[3] noted that the selections for the seven weeks are consciously arranged such that the opening passages form a dialogue between God and His beloved. The first passage (40:1-26) opens with "Comfort, oh comfort My people, says your God." The second (49:14-51:3) begins "Zion says, 'The Lord has forsaken me, My Lord has forgotten me." The

[2] Translation of biblical passages are from the 1985 Jewish Publication Society (JPS) edition.

[3] Seder ha-Ibbur, *Seder ha-Parashiyot ve-haHaftarot*, 59.

third (54:11-55:5) leads with the prophet's report to God: "Unhappy, storm-tossed one, uncomforted!" The fourth (51:12-52:12) follows with God's response "I, I am He who comforts you!" The fifth (54:1-10) continues with "Shout [for joy], O barren one, you who bore no child!" The sixth and seventh represent the climax, turning from the recovery of Jerusalem from exile ('deutero-Isaiah' in modern scholarship) to its ascent to the moral and even material center of humankind ('trito-Isaiah'): (60:1-22) "Arise, shine, for your light has dawned," and finally (61:10-63:9), Zion accepts God's comfort, "I greatly rejoice in the Lord, my whole being exults in my God," in a passage replete with wedding imagery. Tosafot (*Megillah* 31b s.v. *Rosh Hodesh*) notes that each portion builds upon the last in degree of consolation, and the additional themes introduced in each ensuing *haftarah* are explored recently in great depth by Har Etzion's R. Mosheh Lichtenstein in his 2015 *Netivei Nevuah*.[4]

In all of religious literature, there are few passages which provide a sense of a God's love for a people more than these chapters. From the very opening (40:1-2),

> *Comfort, oh comfort My people,*
> *Says your God.*
> *Speak tenderly to Jerusalem,*
> *And declare to her*
> *That her term of service is over,*
> *That her iniquity is expiated;*
> *For she has received at the hand of the LORD*
> *Double for all her sins.*

God, the loving suitor of the Jewish people, has returned to be with them. And, as it turns out, He is not merely the God of Israel, but creator of the universe, all-powerful, who can bend nature itself to His will (40:3-5).

> *A voice rings out:*
> *"Clear in the desert*
> *A road for the Lord!*
> *Level in the wilderness*
> *A highway for our God!*
> *Let every valley be raised,*
> *Every hill and mount made low.*
> *Let the rugged ground become level*
> *And the ridges become a plain.*
> *The Presence of the LORD shall appear,*
> *And all flesh, as one, shall behold*
> *For the Lord Himself has spoken."*

And what of the mighty hegemons that set the geopolitical agenda? As impressive as they might appear, they are ephemeral: Assyria, Babylonia, Persia, the Ptolemies, the Seleucids, and even Rome, not to mention the ever-warring Islamic caliphates that carved up the fertile crescent in their wake. When all have withered as grass, when the sun finally sets on the British Empire, only God remains standing – and His beloved, the eternal Jewish people.

> *A voice rings out: "Proclaim!"*
> *Another asks, "What shall I proclaim?"*
> *"All flesh is grass,*

[4] I am indebted to R. Jonathan Ziring for this reference.

All its goodness like flowers of the field:
Grass withers, flowers fade
When the breath of the LORD blows on them.
Indeed, man is but grass:
Grass withers, flowers fade
But the word of our God is always fulfilled!"

The incomparably mighty creator God returns to history in full force, and yet, He is loving and tender to His beloved people.

Like a shepherd He pastures His flock:
He gathers the lambs in His arms
And carries them in His bosom;
Gently He drives the mother sheep.

The last verse of the seventh passage is nothing short of breathtaking, and a fitting coda to the *haftarah*-year: God suffers when we suffer, He looks upon us with love and empathy, and He personally intervenes on our behalf.

In all their troubles He was troubled,
And the angel of His Presence delivered them:
In His love and pity
He Himself redeemed them,
Raised them, and exalted them
All the days of old.

The custom of reading the seven selections from Isaiah appears to have originated in the land of Israel, and is first attested in the sixth-century Midrash, *Pesikta de-Rav Kahana*, and the contemporaneous liturgical poetry of Yannai.[5] It was begun precisely during the agonizingly long reign of the micromanaging theocratic autocrat Justinian, whose codex tightened the vise on the Jews of the Holy Land. When the Jews of Christianized Byzantine Palestine had every reason to believe that their future was grim, when Mishnah (*deuterosis*) was outlawed, and perhaps even public Torah reading in Hebrew[6] – at what was figuratively and literally the darkest time for the Jews and the entire world[7] – it was then that the *shivah de-nehemta* were collated.

Aside from the dialogic arrangement, the selections seem to consciously surround, close in upon, and then ultimately evade, a particular passage: Isaiah chapter 53. The last third of Isaiah contains two threads: that of the feminine Zion, and that of the servant of God, typically the people of Israel, merged at points with the figure of Cyrus but maintaining a sense of ambiguity. The travails that had befallen the servant in exile, detailed in chapter 53, had been read as early as the gospels (Acts 8:32-35, Luke 22:37) as referring

[5] Binyamin Elizur, "Mi-Puranut le-Nehamah: Minhagei ha-Keri'ah ve-haHaftarah ha-Kedumim be-Shabatot ha-Puranut ve-haNehamah u-beTishah be-Av" (Heb.), *Derech Agada* 12 (2013): 267-282.

[6] Giuseppe Veltri, "The Septuagint in disgrace: Some notes on the stories on Ptolemy in Rabbinic and Medieval Judaism," *Jewish Reception of Greek Bible Versions* (Mohr Siebeck, 2008), 142-154.

[7] Ann Gibbons, "Eruption made 536 'the worst year to be alive'," *Science* 362 (2018): 733-734.

to the Passion and Crucifixion of Jesus. By the time of the Byzantines, Christians took this identification to be dispositive.

Rabbinic *midrash* is strikingly sparse on this chapter, likely a result of self-censorship in the face of an aggressive regime that would not permit alternative interpretations.[8] The best that could be done was to recite the very next passage, whose coda gave lie to the entire premise of the supersessionist claim.

> *For the mountains may move*
> *And the hills be shaken,*
> *But My loyalty shall never move from you,*
> *Nor My covenant of friendship be shaken*
> *Said the Lord, who takes you back in love.*
> *(54:10)*

But what, indeed, is chapter 53 – describing the despised servant of God, chastised, tortured and led to slaughter – doing in 'deutero-Isaiah', amid the halcyon prophecies of *shivah de-nehemta*? To me, this was never quite clear.

At least not until the seventh of October, 2023.

Amid all of the latter-day unfolding of the promise of deutero-Isaiah came, like a terrifying bolt from the blue, the spectacle of peaceable Jewish civilians and soldiers tortured, raped, slaughtered, and kidnapped. In this orgy of barbarity, armed terrorists, civilians young and old, aid workers, teachers, and professional journalists took part. At the very same time, around the globe, Jews were shamed and calumniated by vicious demonstrators as authors of their own suffering. Protest signs featured Jewish stars in the trash, posters tarnished Israel as a sick regime of an apartheid that never existed, and a (not-quite)[9]-illegal 'occupation' which it had tried desperately, repeatedly, and at great risk and cost, to end. Jews stood accused as colonizers by descendants of colonizers living, in those colonies, off exploited largesse; of genocide by peoples that built their own civilizations on the ruins of those whom they exterminated and expelled, among them those of Jews in their native land and the world over. All this before the blood of the murdered had dried, before the smoke of the burned had dissipated, before much of any military response had even begun. Colonialism, genocide, apartheid – whatever it is that the West sought desperately to atone for, was pinned upon us. We were abused, tortured, *crushed for their iniquities*. The perfect poetic caption for this Kafkaesque hellscape is to be found in that same section of Isaiah.

> *Indeed, My servant shall prosper,*
> *Be exalted and raised to great heights.*
> *Just as the many were appalled at him…*
> *He was despised, shunned by men,*
> *A man of suffering, familiar with disease.*
> *As one who hid his face from us,*
> *He was despised, we held him of no account.*
> *Yet it was our sickness that he was bearing,*

[8] Joel E. Rembaum, "The development of a Jewish exegetical tradition regarding Isaiah 53," *Harvard Theological Review* 75:3 (1982), 289-311, n. 5.

[9] Eugene Kontorovich, "Unsettled: A global study of settlements in occupied territories," *Journal of Legal Analysis* 9:2 (2017): 285-350.

Our suffering that he endured.
We accounted him plagued,
Smitten and afflicted by God;
But he was wounded because of our sins,
Crushed because of our iniquities.
He bore the chastisement that made us whole,
And by his bruises we were healed.
We all went astray like sheep,
Each going his own way;
And the LORD visited upon him
The guilt of all of us.
He was maltreated, yet he was submissive,
He did not open his mouth;
Like a sheep being led to slaughter,
Like a ewe, dumb before those who shear her,
He did not open his mouth.
By oppressive judgment he was taken away
Who could describe his abode?
For he was cut off from the land of the living
Through the sin of my people, who deserved the punishment.
And his grave was set among the wicked,
And with the rich, in his death
Though he had done no injustice
And had spoken no falsehood.
But the LORD chose to crush him by disease,
That, if he made himself an offering for guilt,
He might see offspring and have long life,
And that through him the LORD's purpose might prosper.
Out of his anguish he shall see it,
He shall enjoy it to the full through his devotion.
"My righteous servant makes the many righteous,
It is their punishment that he bears;
Assuredly, I will give him the many as his portion,
He shall receive the multitude as his spoil.
For he exposed himself to death
And was numbered among the sinners,
Whereas he bore the guilt of the many
And made intercession for sinners."
(52:13-53:12)

Isaiah 53 played an outsized role in the thought of French intellectual René Girard (1923-2015). In his *La Violence et le Sacré* (1972; Violence and the Sacred, 1977) and his magnum opus, *Des Choses Cachées Depuis la Fondation du Monde* (1978; Things Hidden Since the Foundation of the World, 1987), Girard came upon the seminal insight that human desire arises mimetically – people want what others want – and violence is unavoidably generated when different individuals' desires inevitably converge on objects that cannot be shared. Paroxysmal violence – sudden and recurrent outbursts of aggression – is also subject to mimesis, and the feedback loop triggered by one original act of brutality quickly escalates to "all-against-all," to a melee or interminable blood feuds. The theory of mimesis appears to have been validated in a real-life 'laboratory': Girard's student Peter Thiel credits his application of the theory to start-up ventures – including Facebook – to having propelled him to billionaire status.

From early times, human communities found a solution: the scapegoat. One member of the group would be selected for blame for the social disorder, or for any disruption, even illnesses or natural disasters. This individual would absorb all of the violence, and thereby allow for the continued existence of the community – which would now turn from competition for the same object to collaboration toward destroying the same enemy. The recognition of the power of this individual to harm the community, and to reconcile it, led the scapegoated individual – deemed a monster in life – to be "divinized," literally or figuratively, in her death or banishment.

To be a suitable scapegoat, the individual needs to attract the crowd's gaze by being similar enough to the group to be part of the social system, but different in some way – possessed of some unusual physical attribute or disability, illness, or mark of outsider status – and thus someone whose death would not be avenged. The individual is then targeted for blame and elimination. On a (usually) nonlethal, lesser scale, scapegoat dynamics can be seen in nearly every social setting, from dysfunctional families to classroom bullying to workplace gossip.

The rites and taboos of religion, and the dynamics of politics and culture, are all traced by Girard to these phenomena. Every community has, at its foundation, a scapegoat story. Since the eruption of mimetic violence constantly threatens the community, the primordial victim needs to be recalled by sacrificial re-enactment rituals which preserve and restore order, and desire needs to be controlled by legislation – by prohibitions. The paradigmatic ritual is the cathartic Greek *pharmakos* rite practiced in the city-states of Abdera, Athens, and Leukas, in which, at certain festivals and in response to certain crises, a low-class individual was chased out of the city with stones, and – at least as it was understood in Girard's time[10] – killed.

For European anthropology, myths are the narrative corollaries of ritual, and so Girard unpacks ancient Greek mythology. He demonstrates that in the myths, one finds, relatively consistently, the pattern of mimetic crises resolved through the killing of a victim. Moreover, in all of them, the perspective taken is that of the scapegoaters: the victim is always accused of something awful, cast as the reason for social chaos, deserving of punishment.

The Bible departs from ancient mythology by narrating many of its stories from the perspective of the scapegoat, conveying that the victims are innocent – or, at least, more innocent than they are made out to be by the lynch mobs. By demonstrating the scapegoat concept's bankruptcy, the Hebrew Bible subverts the mechanism of scapegoating, the very foundation of archaic religion, politics and culture, entirely.

From 1961, Girard had become a committed Catholic. He argued that "throughout the Old Testament, a work of exegesis is in progress,

[10] Esther Eidinow, "The Ancient Greek Pharmakos Rituals: A Study in Mistrust," *Numen* 69:5-6 (2022): 489-516.

operating in precisely the opposite direction to the usual dynamics of mythology and culture. And yet it is impossible to say that this work is completed."[11] The (literal) apotheosis of the process begun in the Hebrew Bible comes only with the story of the Passion of the Christ. Isaiah 53, for him, is a crux.

> All the traits attributed to the Servant predispose him to the role of a veritable human scapegoat… This event therefore has the character not of a ritual but of the type of event from which, according to my hypothesis, rituals and all aspects of religion are derived. The most striking aspect here, the trait which is certainly unique, is the innocence of the Servant, the fact that he has no connection with violence and no affinity for it. A whole number of passages lay upon men the principal responsibility for his saving death. One of these even appears to attribute to men the exclusive responsibility for that death. 'Yet we esteemed him stricken, smitten by God, and afflicted' (Isaiah 53, 4). In other words, this was not so. It was not God who smote him; God's responsibility is implicitly denied.[12]

For Girard, the absolute innocence of the scapegoated victim, Jesus – by dint of his virgin birth and even his mother's immaculate conception, exempted from original sin – and his total divestment from violence, turning the other cheek, radiating love, totally repudiating even animal sacrifice and legalism, both aimed at keeping violence in check – exposes the bankruptcy of scapegoating in the most extreme way. Going forward, Girard argues for the implementation of Jesus' message by means of the unilateral renunciation of violence by humanity. But he acknowledges the improbability of this, and due to the nullification of effective scapegoating mechanisms by Christianity, predicts an apocalypse by our own making, an all-against-all of mimetic violence.

Needless to say, these last steps in Girard's thinking are most controversial.

In a brilliant Ph.D thesis, Vanessa Avery endeavors to put forth a Jewish Girardianism.[13] She demonstrates, by means of several examples, that Girard's theory does indeed come to full expression already in the Hebrew Bible and does not require the Passion and Crucifixion. Further, the bases upon which the latter becomes a crux

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[11] René Girard, Jean-Michel Oughourlian, and Guy Lefort, *Things Hidden Since the Foundation of the World, trans.* Michael Metteer (Stanford University Press, 1987), 157.

[12] Ibid., 156-157.

[13] Vanessa Jane Avery, *Jewish Vaccines against Mimetic Desire: René Girard and Jewish Ritual*, Ph.D Diss., (University of Exeter, 2013).

are problematic for Jews. For one, Girard's belief in Jesus' unique existential innocence rests upon layers of Catholic dogma. Also, the Girardian image of a God 'above the fray' of violence, an unchanging ideal of pure love and peace – which, incidentally, is not necessarily even supported by the New Testament narrative – is far from the multi-dimensional Jewish God who messily engages with human beings where they are at.

Finally, and most problematically, Girard attempts to read the Gospels as pristine documents, untainted by even the politically and polemically charged contexts in which they emerged – not to mention their long, bloody afterlives. Girard himself does recognize, though, that the new religion constructed out of the Gospels, which replicated the ritual and political structures that came before them, more than missed the point entirely.

> This kind of restrictive interpretation is indeed the only way out for a type of thought that is in principle made over to 'Christianity' but is firmly resolved to divest itself of any form of violence, and so inevitably brings with it a new form of violence, directed against a new scapegoat – the Jew. In brief, what happens again is what Jesus reproached the Pharisees for doing, and since Jesus has been accepted, it can no longer be done directly to him. Once again, the truth and universality of the process revealed by the text is demonstrated as it is displaced toward the latest available victims. Now it is the Christians who say: If we had lived in the days of our Jewish fathers, we would not have taken part with them in shedding the blood of Jesus. If the people whom Jesus addresses and who do not listen to him fulfil the measure of their fathers, then the Christians who believe themselves justified in denouncing these same people in order to exculpate themselves are fulfilling a measure that is already full to overflowing. They claim to be governed by the text that reveals the process of misunderstanding, and yet they repeat that misunderstanding. With their eyes fixed on the text, they do once again what the text condemns.[14]

From a Jewish perspective, one might say that the greatest irony in all of this is that a decontextualized reading of Isaiah 53 is precisely what brought about the contextualized fulfillment of Isaiah 53. In the exegetic replacement of the Jewish people as Isaianic scapegoat with Jesus, they actually emplaced the Jewish people as paradigmatic scapegoat – for two millennia.

[14] Girard, *Things Hidden*, 175.

Deutero-Isaiah as a unit gives voice to the most unambiguous expressions of monotheism in the Hebrew Bible,[15] ridicules the absurdity of the worship of a material deity, and repeatedly reaffirms God's eternal commitment to the Jewish people. It leaves no possible argument for supersession of God's Chosen People by a group that accepts Divine incarnation, the divinity of a flesh and blood. Only a reading completely against the grain – one that beggars belief – could give rise to an interpretation which made the Jews of that age, and all ages, into deicidal villains. And yet that belief entranced the minds of billions, rendering Jews *pharmakoi* for a Christendom which, having jettisoned sacrifice and legalistic ritual, ultimately substituted Crusade, Inquisition, pogrom and Holocaust. In the earliest years of Christian empire, the *shivah de-nehemta* – seven weeks of meditating upon this ignored context – was a most fitting act of spiritual resistance.

Nostra Aetate, the 1965 declaration of the Catholic Church regarding its relations with non-Christian religions under the Vatican II ecumenical council, was a watershed for Jewish-Christian relations. No longer would the Jews be accused of deicide, and antisemitism was formally repudiated.

But structural antisemitism remains a blind spot for Western societies.

The idea – the monstrous Jew who needs to be destroyed as the *pharmakos* for a riven society – still animates the dark recesses of many (formerly) Christian minds, just as much as it is spoken aloud in Arabic.

It seems to surprise no one that accusations never directed at any other Western democracy are hurled at the State of the Jews. In its current conflict, Israel is an angry, vengeful, war-criminal entity, prosecuting a war that the Irish Prime Minister described early on as "something approaching revenge,"[16] and an American President later intoned about Israel's actions being "over the top,"[17] with "indiscriminate bombing" – contradicting his spokesperson[18] and military experts regarding Israel's deliberate, careful, at times even surgical, approach ,[19] and unprecedentedly low civilian to militant ratios, given the nature of this sort of combat. This seems nothing other than the stereotype of the Old Testament Jew, the Shylock who will settle for nothing but his pound of flesh, applied so readily to the Jewish scapegoat of medieval times – a relatively innocent *pharmakos* bearing the cross

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15 Hermann Vorländer, *Is God Just? Theodicy and Monotheism in the Old Testament with Special Regard to the Theology of Deutero-Isaiah* (Peter Lang, 2022), especially 123-131.

16 https://www.reuters.com/world/irish-pm-says-israel-actions-gaza-resemble-something-approaching-revenge-2023-11-03/.

17 https://www.washingtonpost.com/politics/2024/02/08/biden-israel-gaza-speech-netanyahu/.

18 https://edition.cnn.com/middleeast/live-news/israel-hamas-war-gaza-news-12-13-23/h_4675fdc6dc4b2f3a8c9b2532c3a0272c.

19 https://www.newsweek.com/israel-implemented-more-measures-prevent-civilian-casualties-any-other-nation-history-opinion-1865613 ; https://www.nytimes.com/2024/03/24/opinion/gaza-israel-war.html.

of those societies, which, like the Sinn Féin of the twentieth century, was *actually* always mired in revenge and reciprocal violence?

Unusual expectations are applied to the scapegoat. The authors of the siege of Mariupol fault Jews for not feeding their enemy. And we do feed them! – and yet it is still said that the Jews are *intentionally* starving civilian populations, never mind the masked, armed militants clearly photographed diverting aid to their lairs. And red lines exist that are absent from any other conflict: Israel's closest ally insists that the Jews' sworn enemies cannot be displaced from combat areas; their territory must not be diminished with buffer zones, because the conflict must continue. It is best that we give up, "ceasefire now," but if our children *must* proceed to try to rescue our hostages, it ought to be with two hands, and both feet, tied behind their backs.

States and politicians masquerade behind masks of morality and cloak of concern, the facts be damned, in the pursuit of naked economic interests and electoral ambitions. When violence embroils their base or consumes their campuses, they reach for the ready scapegoat, whose appeal crosses continents and cultures. Less self-aware cultures abuse the scapegoat explicitly, while more sophisticated ones cast shade and reach for dog whistles.

Jews cannot be vindicated in any court of international opinion, because a just war *cannot* be just if it is fought by Jews. Because in troubled times, the cohesion of Western civilization *depends* upon Jews being made to stand in the dock. It *needs* the Jews to suffer, as projections of its own ambivalences, and recipients of its own aggressions.

Rashi, commenting upon Isaiah 53 in the eleventh century, seems to have understood this.[20]

> "It was our sickness that he was bearing" (v. 4): . . . He was afflicted by suffering so that all the nations should achieve atonement through the afflictions of Israel. He bore the sickness that should have come upon us. . . "The chastisement of our peace was upon him" (v. 5): The afflictions for the peace that we experienced came upon him; that is, he was subjected to suffering so that peace should prevail for the entire world.

The logic of scapegoat transcends not merely space, but also time; and so some of today's accusations demonstrate atavistic continuity with age-old tropes. Under the logic of Carl Schmitt's

[20] Translation from David Berger, "Rashi on Isaiah 53: Exegetical Judgement or Response to the Crusade?," *Polemical and Exegetical Polarities in Medieval Jewish Cultures: Studies in Honour of Daniel J. Lasker* (De Gruyter, 2021): 301.

1922 *Political Theology*, "all significant concepts of the modern theory of the state are secularized theological concepts."[21] The heinous Christian libel of Jewish ritual murder of children, a restatement of the deicide canard, is detransubstantiated into the charge of Israeli pedicide. A United Nations Secretary-General is quick to accept figures invented[22] by a terrorist group and declare that Gaza is becoming a "graveyard for children."

Why would one accept the presumption that Israel, uniquely, *seeks* to kill children? The answer starts with Acts' read of Isaiah 53, with the charge of the murder of the most innocent – and winds through twelfth-century England, around seventeen Jewish skeletons at the bottom of a well in Norwich,[23] among them a toddler, a child, and three sisters – scapegoats all to the first instantiation of the virulent mutation that would claim thousands more such *pharmakoi*. By means of this invented blood ritual replacing the abolished sacrifices, Christian Europe would redirect its mounting aggression for eight more centuries, ever more frenetically, until even six million sacrifices could not keep the continent from descending entirely into the abyss.

The next stage, "deification" of the sacrificed scapegoat, is best epitomized in the very title of Dara Horn's penetrating recent book, *People Love Dead Jews*,[24] which dilates on the dreadful state of affairs in which non-Jews remain averse and unempathetic to actual living Jews and their culture, but are at the same time enthusiastic about marking Jewish sorrow, suffering, and tragedy, which serve to reinforce their societies' own shallow values.

I have come to understand that Isaiah 53 was always going to need to be a part of the prophecies of redemption, because redemption is not only about the repatriation of the Jewish people; it is about solving the deep violence that is at the root of human societies, large and small. It is the Jews, the suffering servants of God who became a nation of scapegoats – who feel the searing pain of unwarranted violence, shame and betrayal – who are best suited to heal humankind's rotten core and transition from deutero-Isaiah to trito-Isaiah, to "Arise, shine" and "I greatly rejoice in the Lord."

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[21] Carl Schmitt, *Political theology: Four Chapters on the Concept of Sovereignty*, *Trans*. George Schwab. (University of Chicago Press, 2005), 36.

[22] Abraham Wyner, "How the Gaza Ministry of Health Fakes Casualty Numbers," Tablet (March 6, 2024) archived at https://www.tabletmag.com/sections/news/articles/how-gaza-health-ministry-fakes-casualty-numbers and accessed on March 11, 2024. These findings were challenged in two studies, summarized at https://time.com/6909636/gaza-death-toll/ and accessed April 15, 2024, but the latter studies presume a fully functional Gaza health system, which has not been obtained since November 2023. See, for example, https://www.fdd.org/analysis/2024/04/09/hamas-run-gaza-health-ministry-admits-to-flaws-in-casualty-data/.

[23] Selina Brace, et al., "Genomes from a medieval mass burial show Ashkenazi-associated hereditary diseases pre-date the 12th century," *Current Biology* 32:20 (2022): 4350-4359.

[24] Dara Horn, *People love dead Jews: Reports from a haunted present* (W.W. Norton & Company, 2021).

Hope will come to all of humankind from within that fortress of solitude that we hadn't hoped for, but is inevitable for, a people chosen always to be 'abnormal' – to resist mimetic moralities, mob psychology and the wisdom of the crowd. In the obloquy of 'Israel alone' lies a great bounty: the possibility of real exceptionalism.

Human history is littered with failed political orders, from Athenian democracy and the Roman Republic to Weimar Germany and Communist Russia – noble systems that for some time could forestall, but were ultimately unable to prevent, descent into political violence. The contemporary menu of democratic experiments will also find, sooner or later, that scapegoating is a poisoned chalice.

Judaism doesn't prescribe a particular political system,[25] perhaps because it knows that they are all doomed to failure. Isaiah suggests a way out of the violence that inevitably claims all societies: for individuals to avoid the traps of mimetic associativity, to eschew going along to get along, to interrogate the ways in which mimesis and scapegoat logic colors our behavior and corrupts our values, to find our selves so as to be able to see others. This is the essence of virtue. It cannot be legislated, but religion can recommend it.

It features sharing bread with the hungry and clothing the naked, alongside the voluntary restraint and submission to God associated with economic abstention on the Sabbath (chapter 58). The coda to the decalogue is the entirely unenforceable 'thou shalt not covet,' the root of that mimesis which leads down the path to ruin.

It is difficult to know how redemption might look. But it will surely come with the return of that which was maligned by the bullies, by the distorted theology that ordered that Jews learn shame for their most treasured traditions. It will retain or restore, in some form, ritual – the human "release valve" of sacrifice – thus averting Girard's apocalypse, but will not permit it to be contaminated with hypocrisy, with murder and idolatry, (66:3) with the creating of *human* scapegoats, which would render animal, vegetable, and mineral sacrifice pointless. For His part, God will press a new vintage from those who continue to insist upon making *pharmakoi* of His (or any) people (63:1-6). And, at some point, the awful, wonderful chosenness of God's once-suffering servant will be extended to any among the nations who wish to embrace their commitments, who will retrieve God's suffering scapegoats from the wilderness and let them shepherd them to the city of God.

> *[The time] has come to gather all the nations and tongues; they shall come and behold My glory. I will set a sign among them, and send*

[25] Michael Walzer, *In God's Shadow: Politics in the Hebrew Bible* (Yale University Press, 2012). While Deuteronomy 17:15 appears to endorse a monarchy, narratives from the books of Judges and Samuel condemn it, and rabbinic voices – most stridently Don Isaac Abravanel, but from the Talmud to Abravanel and Netziv – see monarchy as optional at best, and improper at worst. See Haim Navon, "Monarchy," https://www.etzion.org.il/en/halakha/studies-halakha/philosophy-halakha/monarchy, accessed April 15, 2024.

from them survivors to the nations: to Tarshish, Pul, and Lud - that draw the bow to Tubal, Javan, and the distant coasts, that have never heard My fame nor beheld My glory. They shall declare My glory among these nations. And out of all the nations, said the Lord, they shall bring all your brothers on horses, in chariots and drays, on mules and dromedaries, to Jerusalem My holy mountain as an offering to the Lord - just as the Israelites bring an offering in a pure vessel to the House of the Lord. And from them likewise I will take some to be Levitical priests, said the Lord.

For as the new heaven and the new earth
Which I will make
Shall endure by My will
declares the Lord.
So shall your seed and your name endure.
And new moon after new moon,
And [S]abbath after [S]abbath,
All flesh shall come to worship Me
said the Lord. (66:19-23)

SHAVAT SURU: THE FIRST KINAH, MATTER AND FORM

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This is the second posting in a series about the Kinot of the 9th of Av. For the first posting, see (https://thelehrhaus.com/scholarship/this-9th-of-av-do-we-sing-with-yehudah-ha-levi-or-on-account-of-yehudah-ha-levi/)

Poetry in general, and Jewish liturgical poetry in particular, is a gratifying fusion of form and content. When presenting themes and sharing ideas, poetry is constrained by limitations of its form, arrangement, and structure. Any poetry involves the relationship of form and content, although specific poems and specific genres might be tilted more heavily towards the format or towards the ideas. Some of the more noticeable or common formal rules that can impact a poem are acrostic, biblical quotation, rhyme, and meter.

Many of the *Kinot*, the liturgical poems for the 9th of Av, are significantly impacted by the specific format chosen by the poet, but none are as tightly coiled and crafted as the first *Kinah* recited on the morning of the 9th of Av, "Shavat Suru." Composed by Elazar Ha-Kalir, who lived in Israel in the seventh century or later,[1] this *Kinah* contains eight core stanzas, followed by a ninth "bridge

[1] There is considerable controversy regarding exactly when and where he lived. For a brief summary, see Ephraim Kanarfogel, "The History of the Tosafists and their Literary Output According to Rabbi Soloveitchik's Interpretations of the Qinot for Tisha B-Av," in *Scholarly Man of Faith*, Ephraim Kanarfogel & Dov Schwartz (eds.), (New York: The Michael Scharf Publication Trust of the Yeshiva University Press, 2018), 75-107 (relevant section 80-83).

stanza" which transitions from this *Kinah* to the next. Each of the core stanzas has six rhyming lines, each about three-five words long. This essay will investigate the many formal considerations behind the *Kinah*, with an eye towards understanding its message and meaning.

First Formal Element: The First Chapter of Eikhah and the Rhyme of the *Kinah*

The first formal element, and also the most noticeable one, involves the sixth and final line of each stanza. These lines are nothing more than direct quotes of the first clause of each of the final eight verses of the first chapter of Eikhah (1:15-22). Thus, the author of the *Kinah* supplies no text of his own in these lines, as the entire line is merely copied. The number of words from each clause varies from three to seven words, but in no stanza is the entire verse cited.[2]

Because the poet had little flexibility in these lines, they often – but not always – fail to flow with the content of the rest of the stanza. Sometimes, they are independent thoughts of worry and woe, not connected with the stanza's argument. For example, the clause which ends the sixth stanza, "See, Hashem, for it is difficult for me, my innards are heated (*homarmaru*),"[3] reads like a general and independent exclamation of worry and woe, and not part of the argument of the rest of the stanza, which focuses on the actions of the attacking enemy nations. Similarly, the clause which ends the fourth stanza, "Hashem is righteous," also is a general feeling of the poet and not specifically tied to the argument or idea of the rest of the stanza, which again focuses on the actions of the enemy nations.

The clauses that are copied from the first chapter of Eikhah are important in that they also govern the rhyme for each specific stanza. After the author decided how many words to cite from the verse, he used the final sounds of the last words of the quote as the rhyme for the entire stanza. For example, the cited clause that ends the sixth stanza concludes with the sounds "*maru*," a verb ending, and those cited words then require all the earlier lines in the stanza to end in similarly-ending verbs.

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[2] This formal element, along with the one that follows, are the only two formal elements that are noted in the Artscroll *Kinot*, Rosenfeld's *Kinot*, and the Koren Mesorat Harav *Kinot*: Avrohom Chaim Feuer and Avie Gold, *The Complete Artscroll Tisha B'av Service* (Brooklyn, NY: Mesorah Publications, 1991), 152-157; Abraham Rosenfeld, *Authorized Kinot for the Ninth of Av* (New York: Judaica Press, 1999), 91-92; and *The Koren Mesorat Harav Kinot*, Simon Posner Ed. (OU Press: New York, 2010), 194-215.

[3] The word "*homarmaru*" is a rare biblical word, appearing twice in Eikhah (1:20 and 2:11) and one time in the entire rest of Tanakh (Job 16:16). The form of the word, *po'al'al,* suggests that it relates to a color like the other biblical words that take that form (Leviticus 13:49, Song of Songs 1:6), a shade of red, based on the Arabic (Saadia Gaon; see Ibn Ezra). At the same time, the first two letters of the root suggest that it relates to being heated, shriveled, fermented, becoming cement, or undergoing another a chemical process (like *h-m-d*, *h-m-tz*, *h-m-r*, *h-m-h*, *h-m-m*; see Psalm 75:9, *Sanhedrin* 7:2, *Hulin* 3:3). Lastly, the context suggests a third, different translation: churned, twisted, or turned, as many translate it (Targum), possibly relating to the word for pile (see Exodus 8:10, Numbers 11:32).

Earlier in the stanza, this word rhymes with the word "*khamaru*," meaning shriveled as a result of the heat; see Rashi, Genesis 43:30, and see also Hosea 11:8 and Eikhah 5:10. This root *k-m-r* is different from the root *h-m-r*, although they are similar in pronunciation, and some do connect the two words.

Second Formal Element: Beginning Each Line with a Word from Eikhah

In addition to the sixth line of each stanza coming *entirely* from the book of Eikhah, the *initial words* of each of the first five lines of each stanza also all come from the book of Eikhah. Just as the last sound of each line is governed by a rhyme with Eikhah chapter one, the first word of each line, outside of the concluding bridge stanza, is set based on the corresponding word in the book of Eikhah.

The eight stanzas each select a corresponding letter of the Hebrew alphabet, from samekh through tav (a total of eight letters), and then begin each line with the verses in Eikhah that begin with the corresponding letter.[4] Thus, working backwards: the sixth and final line of each stanza is a quote from the first chapter of Eikhah, as noted above. The penultimate line, line five, features the initial word from the correct verse in the second chapter of Eikhah. Lines two, three, and four begin with words found in the third chapter of Eikhah (this chapter is a triple acrostic). The second word of the first line comes from the first word of the corresponding verse in the fourth chapter of Eikhah, and the first word of the stanza is the word from the fifth chapter of Eikhah, whose verse number corresponds to the appropriate Hebrew letter (this chapter is the only one in the book which is not an acrostic). All told, 56 of the 154 verses of Eikhah, or roughly one third of the book, are used for this formal element of the *Kinah*.

Why start in the middle of the alphabet, with the letter samekh? In addition to this *Kinah*, Ha-Kalir also composed a *piyyut* intended to be recited as part of the *hazzan*'s repetition of the *Amidah*, which shares some formal elements with this *Kinah*, but differs in others.[5] Both pieces of liturgical poetry feature significant quoting from Eikhah, although that other poem includes the months of the year and the constellations of the zodiac in place of the travels of the altar discussed in the next section of this essay. That poem features fourteen verses, and explores the first fourteen letters of the alphabet, and therefore this *Kinah* begins with the fifteenth letter, samekh. Because that poem is recited during the repetition, one fourteen-line stanza applies to each blessing of the *Amidah*, culminating in the fourteenth blessing, the blessing of Jerusalem.

Why might Eikhah play such a major, organizing role in a liturgical poem written more than a millennium later? Rabbi Joseph B. Soloveitchik believed that the very text of Eikhah provided the paradigm and precedent for the recitation of *Kinot* more generally. Our new songs of mourning,

[4] In Eikhah, the letters of the alphabet begin verses in order, consecutively, with the exception of the letters ayin and pei. These letters appear in conventional order, ayin first, in the first chapter only, while pei appears before ayin in the following three chapters. The *Kinah* groups verses by initial word, and therefore all of the verses that begin with ayin appear together. The Talmud noticed this phenomenon (*Sanhedrin* 104b) and gives a midrashic explanation for it. It is beyond the scope of this essay to discuss other approaches to this discrepancy, informed by archeological findings.

[5] This piyyut is printed in Rosenfeld, 75-80, and in Daniel Goldschmidt, *The Order of the Kinnot for the Ninth of Av* [Hebrew] (Jerusalem: Mossad Harav Kook, 1972), 147-154.

vengeance, and woe are not a new genre, but are built on the example found in the biblical book of Eikhah. Fittingly, the form of this *Kinah*, the first one recited, highlights the relationship between the example composed by the prophets and the more modern applications of this type of writing today.

Third Formal Element: The Seven Travels of the Central Altar

The next three formal elements involve single words that appear in a specific line of each stanza, which connect to a central element of the story of the 9th of Av.[6]

Zevahim 112b recounts the seven successive locations for the central altar of the Jewish people from the period of the Torah through the building of the Temple. The third line of each of the first seven stanzas in this *Kinah*[7] uses the one-word name of each of these locations: Mishkan (the desert Tabernacle), Gilgal (see Joshua 5:10), Shiloh (see Judges 18:31), Nov (I Samuel 21:2), Givon (Kings 1:3:4), Ivuy (a name for the temple, here marking the first Temple),[8] and Devir (another name for the Temple, here marking the second temple).

While these seven *words* are used, one should not conclude that each time the word is used it actually refers to either Temple or a major altar. In other words, though the *form* of the *Kinah* requires a name for God's sanctuary, the meaning of the word is often used differently within the *content* of the *Kinah*. For example, the word "Givon" appears in the sentence "I called to the residence of Givon and also they flooded me"; in context, this word refers to the non-Jewish former residents of the city who had been allies and confidants of the Jews (see Joshua chapter 9) but who have now forsaken them. Similarly, the word "Shiloh" appears in the sentence "the fear of the sin of Shiloh[9] reached her inhabitants." Again, the word itself relates to the temple on the level of the *form* of the *Kinah*, but the *content* uses the words to refer to the ancient sins violated at Shiloh which prompted the present punishment for the Jewish people.

The 9th of Av is a day which is focused on the loss of the Temples; indeed, the Temples were destroyed on the 9th of Av (*Ta'anit* 26b), while these other locations were not. Yet, the *Kinah* includes all the stops of the altar to highlight that there were many special venues for service of God which were destroyed, and all of those are mourned on the 9th of Av: the Temples, which were destroyed by the Romans and Babylonians, the Tabernacle of Shiloh, which was destroyed by the Philistines (Jeremiah 26:6), and even Nov,

[6] The first two of these, related to the Temple's travels and the priestly families, are noted in Goldschmidt's *Kinot*, although the third, about the enemy nations, is not.

[7] As the *Kinah* has eight stanzas, but there were only seven locations, the eighth stanza has no key format-word in this position and just has a regular line with content alone.

[8] Ivuy comes from the root *a-v-h,* which means to want or desire, based on Psalms 132:13. This root is also used to refer to the Temple in the *Kinah* "*Zekhor et asher asah*."

[9] One assumes this means the sins perpetrated at Shiloh at the start of the book of Samuel, which had not yet been expiated. Goldschmidt connects this line to Jeremiah 8:12.

which was destroyed by the Jews themselves (I Samuel 22:19).[10]

Fourth Formal Element: Priestly Families

Ha-Kalir uses a similar formal technique, using words in a specific location in each stanza, to recall the priestly families who served in the Temple. The 24th chapter of Chronicles lists the 24 different priestly families who served during the time of the first Temple. The Talmud (*Arakhin* 12b) teaches that after the exile, many of these families either assimilated or chose to remain in exile and did not return for the second Temple; however, the second Temple priests who did return took these 24 names for their families, despite not actually descending from all of the original families that bore those names. After the destruction of the second Temple, the 24 families moved to cities in Northern Israel and began to be associated with specific cities in the North such as Safed, Meiron, Arbel, and Nazareth. Jews continued to pray for the 24 families for centuries after the Temple was destroyed, and so, before the time of Ha-Kalir, the notion of 24 families associated with specific cities would have been well-known.[11] Ha-Kalir references these priestly families in the fourth line of each stanza of the *Kinah*, either by name or by location. There is a certain irony that in the *Kinah* we mention the name of a post-second-Temple period location of a second-Temple-period family named for a first-Temple-period family. The place names are an echo of an echo of an echo of the original division in Chronicles.

Because the names of the first fourteen families appeared in the earlier corresponding liturgical poem, this *Kinah* contains the names of the final ten families, one each in the first seven stanzas of the poem, two in the eighth, and one in the bridge stanza that follows the *Kinah*'s core eight stanzas. These ten families' names/locations are Bilgah, Yevanit, Heizir, Nazareth, Arav, Yehezkeil, Yakhin, Gamul, Tzalmin, and Hamat Ariah.[12]

Here, the form of the poem has some flexibility, allowing the poet to choose one of two words to appear somewhere in the fourth line of each stanza. In the first stanza, the family can be referred to as "Ma`ariah" after the name of the place, or "Bilgah" after the name of the family (Chronicles 24:14, *Sukkah* 56a-56b); the form offered the author two choices of the word to use, and here he chose the name of the family, yielding: "You sheltered yourself, so my heroes were overpowered (*huvlegu*)."[13] In the sixth stanza, the family can be referred to as Yehezkeil, their name (Chronicles 24:16), or by their

[10] The *Kinah* "*Lekha Hashem Ha-Tzedakah*" also makes reference to the range of locations that once housed God's presence, all now destroyed.

[11] See Michael Avi-Yonah, "A List of Priestly Courses from Caesarea," *Israel Exploration Journal* 12, no. 2 (1962): 137-139. See also Goldschmidt, 10.

[12] Another *Kinah*, "*Havatzelet Ha-Sharon*," which appears four *Kinot* later, also goes through the priestly families, listing all 24 in a clearer part of the poem, the final words of each stanza.

[13] The root *b-l-g*, meaning to overcome, appears as a verb in four places in Tanakh: Amos 5:9, Psalms 39:14, and Job 9:27 and 10:20. A noun that seems to derive from this root also appears in the *haftarah* for the morning of the 9th of Av, Jeremiah 8:18.

location, Nuniah (*Pesahim* 56a). Since Yehezkeil can be used as a pun from the name of the family into the name of the prophet, the line becomes: "You fought [them] through the hands of [the prophet] Yehezkeil, to avenge them as they rebelled." In truth, of course, Yirmiyahu was the prophet who fought with the nation much more than Yehezkeil, but since the form requires that the word Yehezkeil appear in the line to reference the priestly family, the prophet which shares the name is the one given as the prophet who admonishes the people.

Two different formal elements coincide in what is either a happy accident or a stroke of poetic genius in the eighth stanza. The second line of that stanza requires a quote from Eikhah 3:64, and as noted above, the line begins with three words from that verse, "*Tashiv lahem gemul*," "Return to them payback." This stanza also requires the name or location of the 22nd family from Beit Hoviah, the family Gamul (Chronicles 24:17). Here, the poet selects the name of the family, Gamul, thereby allowing the single word, Gemul/Gamul to serve simultaneously as both a quote from Eikhah and also the name of the family. One wonders if the poet benefits from a happy accident of the family and stanza coinciding, or if the entire formal structure of the poem was arranged to allow for the priestly family to appear in this stanza alongside the corresponding verse from Eikhah chapter 3. In this case, whatever the prosaic content of the line "Return to them payback like the time of showing them Your face," the formal aspects of the line are quite impressive.

The eighth stanza also features a second family, because there are more families than there are letters of the alphabet and, therefore, stanzas of the poem. The 23rd family, Delayahu (Chronicles 24:18), lived in Tzalmin, and here the poet selects the name of the location to pun with "Tzalmon," a name for the underworld in Hebrew poetry,[14] yielding: "Chase them to the underworld (Tzalmon), those who plan evil against your hidden ones."[15]

Mentioning the priestly families gives us an opportunity to ponder whether the families are victims of the destruction, or whether they are the perpetrators of the crimes that led to the destruction. The priestly aristocracy and the late Hasmonean kings were major contributors to the quotient of sins that led to the destruction. Bilgah, the first family alluded to, is signaled out by the Talmud (*Sukkah* 56b) for their evil ways, and thus the *Kinah* demands that we consider whether the *kohanim* were righteous models of conduct or were part of the problem.

The question is posed perhaps most strongly in the context of the bridge stanza, the one which contains the name of the final priestly family,

[14] A word for the underworld (see *Berakhot* 15b). In biblical Hebrew, the word refers to a mountain (see Psalms 68:15, Judges 9:48). This word also appears with the same meaning in the *piyyut* "*Ma'oz Tzur*." For more on "*Ma'oz Tzur*," see my recent Lehrhaus article. A later line in the stanza uses the word *Havhav*, which is also a word for the underworld, based on Proverbs 30:15-16.

[15] This priestly family appears in the third line, however, and not the fourth as it should be.

Ma'azyahu, who lived in Hamat Ariah. The line reads: "He led us with anger to Levo Hamat,[16] Until Halah and Havor exiled us." At first glance, this stanza seems to read as a complaint, listing how we were destroyed, placed into chains, and exiled past Levo Hamat to Halah and Havor. And indeed, the Northern tribes of Israel were exiled to Halah and Havor (II Kings 17:6), even though the exiles of Jerusalem never went to those locations.[17] Two biblical places go by the name Hamat: a city in the Kinneret region, modern day Tiberias (Joshua 19:35), and a city in central Syria, modern day Hama. The 24th priestly family, Ma'azyahu (Chronicles 24:18) lived in Hamat Ariah, which is modern day Tiberias, so the poet puns the name of their location (Hamat Ariah) with the more famous Levo Hamat, modern day Hama, a place past which the Jews were exiled. Levo Hamat is often poetically taken to refer to the extreme Northern border of Israel (see Numbers 34:8, Joshua 13:5, Ezekiel 47:20 and 48:1, Amos 6:14, I Chronicles 13:5), and thus, even though there is no verse which says that the Jews were exiled past Hamat, when the form of the *Kinah* requires that the word Hamat appear, the content follows, and so, this word is used to refer to the location of the exile. At the same time, one cannot ignore the fact that the first time the phrase "Levo Hamat" appears in the *Humash* is in describing the itinerary of the spies (Numbers 13:21), a sin which was committed on the 9th of Av (*Ta'anit* 26b). One wonders whether the use of the word "anger" and the specific reference to Levo Hamat is also designed to hint at the sin of the Jews. Yes, we are in pain that we were exiled, and we turn to God and ask that He act in response, but there is recognition that it was the fault of the Jewish people.

Thus, the formal element provides an opportunity to make allusion to the sin of the spies, an idea also found in the third *Kinah* recited on the evening of Tishah Be-Av, "Be-Leil Zeh."[18] Many of the words that are used for formal reasons

[16] This phrase is also a pun, with anger (*heimah*) appearing besides the place (Hamat).

[17] Many of the *Kinot* include the Assyrian conquest as part of the mourning of the 9th of Av, even though the day is actually focused on the Babylonian conquest which destroyed the Temple and Judea more than a century later. When using the word "Nov," one of the locations of the central altar, the *Kinah* makes note of the Assyrians gathered in Nov on route to Jerusalem. They were on route to destroy the Temple, although they failed to do so. The fourth of the evening *Kinot*, "*Shomron*," also discusses the exile of the Northern tribes, although the exile is attributed to the wrong King, Tiglat Pileser, instead of Shalmaneser. See my *Isaiah and His Contemporaries*, (New York: Kodesh Press, 2022) 162-171.

[18] This idea is also expressed in the antepenultimate line of the antepenultimate stanza, which reads, "You heard how he even prepared (*zemorot,)* grape branches of anger, to sweep me away." What are "branches of anger?" A "*zemorah*" is a grape branch, as is evidenced from the five times the word appears in Tanakh: Numbers 13:23 (the sin of the spies), Nahum 2:3, Isaiah 17:10, Ezekiel 15:2, Isaiah 17:10, and Ezekiel 8:17, where the grape branches appear together with anger. The author of the *Kinah* clearly intended for the word to mean "branches," as they are used to sweep away, using a broom made of branches (Isaiah 14:23, *Megilah* 18a). Most of the commentaries to Ezekiel translate the word differently, but these other translations in the context of Ezekiel (smells, knives, songs) are not intended by the author of the *Kinah* in this context. The argument of the *Kinah* is that the enemy has even prepared the grape branches of anger, the grape branches previously used for the sin of the spies which sparked God's anger, to use them to sweep the Jews away.

become opportunities to highlight the sins of the Jewish people, one of the themes of the *Kinot* more generally.[19] The *Kinah*, more generally, makes ample reference to the sins of the Jewish people. We have already noted above how the sins of Shiloh and the rebukes of Yehezkeil appear prominently. When the *Kinah*, quoting Eikhah, exclaims "Hashem is righteous!," the author accepts the notion that the fault of the Jewish people has led to the exile; they deserved everything that happened to them. The destruction of Nov is also referenced, a destruction perpetuated by one Jew against others; the Jew cannot complain that their enemies destroyed the Temple if the Jews had destroyed their own *Mishkan* so many years before (*Sanhedrin* 95a).

Fifth Formal Element: Nations that Conquered Jerusalem

When choosing how to refer to the names of the priestly families in the fourth line of each stanza, the poet chooses to refer to four of the families in such a way that the *Kinah* achieves a fifth formal element, the names of four nations who conquered Jerusalem: the Greeks, the Romans, the Christians, and the Arabs. This formal element always re-uses the name of the priestly family to also refer to the conquering nation, and thus one word will achieve two formal elements, simultaneously serving as the name of a priestly family and of a nation.[20]

The four families used in stanzas two, three, four, and five are Imeir, Heizir, Hapitzeitz and Petahyah (Chronicles 24:4-16), four names which do not directly connect to the four conquering nations. Their four locations, however, are Yevanit, Mamlakh, Nazareth, and Arav. The *Kinah* therefore uses three of those place names to allow for the lines to simultaneously pun both the name of the priestly family and the name of the nation. This is in contrast to a later *Kinah* of the priestly families which always uses the place name and does not seem to be focused on the nations who conquered Jerusalem.

- In stanza #2: "My eye has become ugly [with tears],[21] crippled by quicksand" (=Yevanit; in the content, the word means

[19] The first of the evening *Kinot*, "*Zekhor Hashem Meh Hayah Lanu*," conveys this idea as well, as does the coda to "*Im Tokhalnah*." I briefly discuss the second of these two in this Lehrhaus article.

[20] The *Kinah* "*Eikh Tenahamuni Hevel*" lists the four nations to exile the Jews: Babylonia, Media, Greece and Rome, which is also referred to as Edom. The list in that *Kinah*, which is a slightly different list of nations than in this *Kinah*, is based on the predictions of Daniel.

[21] The Hebrew reads "*eini me'olelet*"; it is challenging to translate the second of the two words, me'olelet. That root, in noun form, (*oleil*), can refer to young children (as in Eikhah 1:5, 2:19), possibly young animals (possibly in the *Kinah* "*Az Ba-halokh Yirmiyahu,*" based on the related adjective in Genesis 33:13), or leftover unpicked inferior fruit (such as in Obadiah 1:5). In verb form, it can mean to pick said fruit (as in Leviticus 19:10), to mock (as in Exodus 10:2; see Rashi), or to act (as in Eikhah 1:12 and 1:22). What does the verb mean in Eikhah 3:51? Rashi to Eikhah and *Sotah* 49b says it means that the eyes have become ugly or unkempt because of tears. Ibn Ezra says it means to act or cause. Somewhat interestingly, though the phrase "*eini olelah*" appears in Eikah 3:51, the word "*eini*," here, is actually taken from Eikhah 3:49, to follow the formal pattern.

"quicksand,"[22] but in the form, the word puns to both the family home and Greeks).

- In stanza #4: "The hunting[23] you guarded (=Natzarta, which puns to both the family and Christians) to awaken my enemies."
- In stanza #5: "They caused my voice to be heard in Arabia (=Arav, which is the smae word as both the name of the family and also Arabs).

In the third stanza, neither the location Mamlakh nor the family name Heizir directly refer to the Romans, but Eisav, the progenitor of Rome (Rashi to Genesis 36:43, based on *Bereishit Rabbah*), is compared by the Midrash to a pig of the forest, and thus the name of the family is used: "The pigs (=Hazir, pun for the family name) of the forest (= an allusion to the Romans) opened their mouths [saying], "Where is her covenant?"[24]

In another happy accident of the form, the fourth line of the second stanza now must include the word "Greek" (as one of the conquering nations), and the appropriate verse in Eikhah, which happens to refer to crying eyes. *Sotah* 45b already used these two words together, referring to Rabban Gamliel's tears upon the loss of so many of his peers who had studied Greek philosophy. In that case, the line also hints to the sin of the Jewish people in studying Greek philosophy and adopting its values, instead of just referring to their being mired in quicksand, a general metaphor for tragedy.[25]

Once the fifth stanza makes reference to the Arabs, family members of the Jews who nonetheless betrayed them, the content of the stanza is crafted to support the argument already indicated by the form. The stanza is based upon the famous midrashic interpretation of Isaiah chapter 21, that the Arabs offered water to the Jews who went into exile, but never fulfilled their promise (*Eikhah Rabbah* 2:4).[26] It appears that the content of this stanza is set entirely by the formal considerations. The words "Givon," "Arav," and "deceit" must appear, and so the theme of the content becomes those that betrayed their former brethren.

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[22] This word appears twice in Tanakh to refer to mud or quicksand (Psalms 40:3; 69:3. The common noun "*yavein*," quicksand, is a pun for the proper noun "Yavan," which is both the biblical Hebrew word to refer to Greece or Ionia, and the name of the location of the family Imeir. Some archeological evidence suggests that they lived in a different place, Kefar Nimra, but Ha-Kalir is consistent in both of his *Kinot* that this family came from Yevanit.

[23] What is the hunting that God guarded and protected? Goldschmit thinks God "guarded" the punishment for Saul hunting and killing the priests of Nov in the prior line. It may also be that God protected the enemies who were engaged in the hunting of the Jews, to ensure that those enemies would be successful in punishing them.

[24] For the translation of this word, see n. 30.

[25] The *Kinah* earlier referred to the family of Bilgah, which, according to *Sukkah* 56b, may have been guilty of marrying into the Greeks and adopting their value system. It is unlikely that the translation of the Torah into Greek is referenced here, as Posner, *Kinot* (*205*) argues, for the reasons I detailed here.

[26] I discuss this *midrash* in more detail in my *Isaiah and His Contemporaries*, 267. This story is also mentioned in the later *Kinah,* "*Im Tokhalnah*."

The 9th of Av does not just commemorate the destruction of the Temple; it also recalls the series of enemy nations who ruled over Jerusalem. The Romans may have destroyed the Temple, but the Greeks, Christians, and Arabs subjugated the Jewish people and ruled over the city as well, and they also are recalled on the 9th of Av.

Sixth Formal Element: Narrator's Voice and Using Direct Speech within the Poem

Most of the Tishah Be-Av *Kinot* describe and tell a story from the perspective of an omniscient narrator or a first person narrator. Speech is reported or shared indirectly, not quoted directly. This *Kinah* differs and provides quotes of what people said during the time of the destruction. As the *Kinah* reflects on the exile, a quote interrupts, and the reader imagines hearing those words, firsthand, from the time of the exile. This gives the *Kinah* an immediacy that cannot be achieved through ideas alone. The words of the speaker, who represents the Jewish people speaking in first person, are often interrupted for quotations, shouts, and interjections.

Each of the first seven stanzas has at least one interjection or quotation of speech, although the line in the stanza where the verbal speech appears changes from stanza to stanza. The interjections, with the speaker identified in parentheses along with stanza and line, are below. Words that indicate production of verbal speech are in bold:

- "'Stop! Turn away from me,' those that passed by me made me **hear"** (the passersby, 1.1).
- "He did, changed His actions, and called for crying, and he **announced**, 'Upon these I am crying'" (God, 2.5-6).[27]
- "The pigs of the forest **opened their mouths:** 'Where is her covenant?'" (the enemies, 3.4).
- "My nation **cried out** in the days of Ben-Dinai, 'Hashem is righteous'" (the Jews, 4.5-6).
- "'Get up! Pass!,' in mockery they tricked me" (the Arabs, 5.5).
- "See 'and we shall make them lost from being a nation,' they **said"** (the enemies 6.5).
- "'Rejoice [for now]!' he made – the nation that caused me to go out – to **hear** (the enemies, 7.1).

Different individuals who are crucial for the story of Eikhah speak in each stanza: God, the Jews, the Jews' primary antagonist, and the bystander nations. In this way, the *Kinah*, which is primarily focused on the experiences of the Jews, also creates a dramatic, dynamic narrative through the words of the other participants.

[27] In the *Kinah*, these words are pronounced by God, although in Eikhah 1:16 it is Jerusalem who is crying. The idea that God, Himself borrows the language of Jerusalem highlights a continued connection even in a time of perceived distance. Though He punished them, He then acted differently ("*niham*") and with affection towards the Jews, indicating that it was time to cry for their loss.

Allusions, References

A helpful postscript to this analysis of form is a consideration of the way the formal constraints drive the allusions and references used for parts of the content in the *Kinah*. As in almost any other Hebrew liturgical poem, this *Kinah* is replete with instances where whole *midrashim* are alluded to using a single key word or phrase, where individuals are referred to by unusual names, and where verses are partially quoted to make a deeper point. These literary elements are not formal, per se, as they relate to the content, not the structure, of the poem. But these elements do not exclusively belong under content either, as sometimes they are used to meet a formal need such as a rhyme, a quoted word from Eikhah, or any of the other formal elements discussed above. For example, Ya'akov is referred to as "*tam*," the perfect one, in the first line of the eighth stanza; he is typically referred to in this way in biblical poetry, based on Genesis 25:27. In this instance, though, it is form which drives Ha-Kalir to refer to Ya'akov as *tam* and not by name. Because of the formal element that each line must begin with a word from Eikhah, the word *tam* must appear in that position, as it is the first word of the appropriate corresponding verse in Eikhah's fourth chapter. Similarly, form drives the way Ha-Kalir chooses to refer to the comforting prophecies of Zechariah in the second stanza. They are referred to as "the vision of the son of Berekhyah,"[28] using Zechariah's father's name instead of Zechariah's, because this name more closely matches the rhyme in the stanza.

A number of allusions relate specifically to the contrast between the Exodus from Egypt and the exile from Babylonia.[29] The third stanza makes two allusions to Psalm 137, a chapter that used to be recited on the 9th of Av (see *Sofrim* 18:4), and the *Kinah* works this chapter into its recollection of the events of the destruction. The two allusions below are in bold: "On the face of the Euphrates [River] **her pious ones were broken**./ The division of the [Yam] Suf she recalled, at the time when **her foundations were made bare**." These lines develop the contrast between the salvations of the Exodus and the splitting of the sea, with the tragedy that befell the Jewish people at the Euphrates River (Psalms 137:1), when the skulls of young Jews were broken and split upon a stone (Psalms 137:9). Two bodies of water appear, and two occasions of splitting, although one ecstatic and one shockingly sad. On these two occasions foundations were laid bare: at the splitting of the sea, people saw the seabed, and, during the exile, the city was destroyed to its foundation (Psalms 137:7). Later in the stanza, the enemy taunts the Jews, saying, "Where is the covenant?" [30] When the sea was split, the covenant between God and

[28] One assumes that this is the vision of the final page of Tractate *Makkot*.

[29] This theme is returned to in two later *Kinot*, "*Ve-Attah Amarta*" and "*Eish Tukad Be-Kirbi*."

[30] The Hebrew reads "*ayei hasideha*." Some prefer to translate the phrase "where are her pious ones," although that phrase does not appear in Tanakh, but a similar phrase "where are your kindnesses/covenant" does appear at Psalms 89:50. It is hard to understand why the enemy would search for the pious Jews, but easier to understand why they might shout, mockingly, "Where has the covenant gone!" This translation further connects this line with the Exodus from Egypt that appears earlier in the stanza, the moment when God reaffirmed his covenant with the Jewish people (see Exodus 6:4-5). I discuss the translation of *h-s-d*

the Jewish people was clear to see, and now it appears lost. This idea is again returned to in the fifth stanza, when the jewelry that reflects the giving of the Torah is removed: "From my jewelry[31] they have made me bare." In this short *Kinah* of nine stanzas and 54 lines, at least every other line makes an allusion.[32]

Concluding Thoughts

None of the English *Kinot* presently available on the market undertake a formal analysis of the *Kinah* like this one; sometimes they mention one or two formal elements in the introduction to the *Kinah*, but none mention the full range of formal constraints used in the composition of the *Kinah*. Today's *Kinah* experience is mostly focused on the content of the *Kinot*, not the construction.

Still, there are two reasons to continue to study form. First, part of the artistic beauty and emotional experience of the *Kinah* is appreciating the complexity of the form; the warm feeling in seeing the numerous connections is worthy itself, and the actual text of the *Kinah* should not be lost in extracting a few ideas of content from the *Kinah*. Second, one should remember that the form itself often tells a story. The *form* of this *Kinah* recounts much history: stages of Temples following exiles and rebuilding, the continuity from the time of Eikhah until today, the continued connection with the priestly families despite many years of distance, the voices of the various characters in the story, and the four nations who successively conquered Jerusalem over the course of Jewish history.

In the verse that follows the Arab conquest of Jerusalem, the Hebrew name Yehezkeil appears in the spot where the next victor of Jerusalem would appear. Let us hope that this Tishah Be-Av, the next nation to serve God in the "*Devir*," on the Temple Mount, not be the Greeks, Romans, Christians or Arabs, but rather the Jews, in fulfillment of the vision of our priestly prophet

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as covenant in *Isaiah and His Contemporaries* (New York: Kodesh Press, 2022).

[31] The word for jewelry, "*adi*," is a rare word in Tanakh, and often refers to the Exodus and the giving of the Torah. The word appears a mere fourteen times in Tanakh, three regarding the giving of the Torah (Exodus 33:4-6), and three times in Yehezkeil's parable of the Exodus (16:7-11). In Ezekiel, it probably is intentionally alluding to the Exodus, making contrast between how the wonderful moments of the past are replaced with exile and destruction.

[32] The list includes: Son of Bercheya (Zechariah 1:1, 2.2), miracles of Gilgal (Joshua 10:11, 2.3), Yevanit (*Sotah* 45b, 2.4), "called for crying" (Isaiah 22:12, in a chapter taken by some to refer to the fall of Jerusalem, 2.5), Euphrates (Psalms 137:1, and possibly *Midrash Tehilim* ad loc. 3.1), Suf, splitting of the sea (Exodus Ch. 14, 3.2), "broken" (Psalms 137:9, 3.1), "stripped bare" (Psalms 137:7, 3.2), sin of Shiloh (II Samuel 2, 3.3), "pigs of the forest" (referring to the Romans, as discussed above, 3.4), gathered in Nov (Isaiah 10:32, 4.3), son of Dinai (a known murderer, see *Sotah* 47a, Josephus, Wars 2:12:4, 4.5), "my jewelry," (referring to the giving of the Torah, Exodus 33:6, 5.1), Arabia (*Eikhah Rabbah* 2:4, 5.4), sin and anger (Psalms 10:14, 6.3), "lost from being a nation" (Psalms 83:5, 6.5), "trample my courtyards" (Isaiah 1:12, 7.2), singers, (a way to refer to the Levites, 7.3), branches (Numbers 13:24, 7.4), "branches of anger" (Ezekiel 8:17, 7.4), "sweep" (Isaiah 14:32, 7.4), gravel (Eikhah 3:16, *Eikhah Rabbah* interpreting Ezekiel 12:3, 7.5), "perfect one," (a nickname of Yaakov 8.1), engraved (*Pirkei de-Rebbe Eliezer* 35), Tzalmon, underworld (8.3), Havhav, underworld (8.4), cup (Isaiah 51:23, 8.5), Levo Hamat (Numbers 13:21, 9.2), Halah & Havor (Kings 2:17:6, 9.3), "Remember, Hashem, what happened to us" (Eikhah 5.1).

Yehezkeil (43:7-9):

> This is the place of My throne, and the place of the palms of my feet, that I shall dwell there, in the midst of the Jewish people, forever..