



GENESIS, BOOK OF THE RIGHTEOUS, OR WHAT IS A TSADDIK?

The righteous person [*tsaddiq*] is the
foundation of the world.

(Prov 10:25)

There is general scholarly accord on viewing the concept of Tsaddik¹ as central to the wisdom enterprise.² The question remains as to precisely what a Tsaddik is. Although discussions typically center on “wisdom” texts, notably on the book of Proverbs,³ the theme exists from the very start of the Hebrew Bible and in a most definitive way. Here we shall explore the evidence of the prologue, as it were, to the entire Bible: Genesis, the Book of Creation, also known as the Book of the Upright.⁴ This is perhaps a reference to God, since “Tsaddik and upright is He” (Deut

¹Frequently found spelled Tzaddik or Zaddik and brought into English from Yiddish.

²There remains some disagreement on exactly which psalms are to be included in the wisdom listing and, thus, on the precise themes that constitute their allegiance to wisdom literature in the first place. See chapter 7.

³For a quick overview see Leo G. Perdue, “Cosmology and Social Order in the Wisdom Tradition,” in *The Sage in Israel and the Ancient Near East* (ed. John G. Gammie and Leo G. Perdue. Winona Lake, Ind.: Eisenbrauns, 1990), 457–59.

⁴See Josh 10:13; 2 Sam 1:18; *b. Abod. Zar. 25a*.

32:4), thus making the Tsaddik's ideal coincident with God's own. But in establishing the synonymy of the Upright (*yashar*) and the Tsaddik, this verse places the Tsaddik at the center of the entire book of Genesis, a thought repeated in Prov 10:25, "the righteous person [*tsaddiq*] is the foundation of the world."⁵

Noah the Tsaddik (Gen 6:9; 7:1)

Walking with the Creator-God (Gen 6:9)

In the Masoretic liturgical apportionment of *parshiyot*, or weekly Torah portions, Noah is ushered onto the scene with the Bible's first epithet, and in true epic-style: Noah ^{ish} *tsaddiq*, Noah-The-Righteous-Man. The broader context of his presentation gives important clues to this concept. First of all, unlike the entire world around him Noah avoided violence and did not sin.⁶ The entire world is precisely intended, since even the plants had sinned, as it were. This is certainly a possible, though admittedly literalist, reading:

The earth became corrupt before God, and the earth was filled with lawlessness. . . .

And God said to Noah: "The end of all flesh has come up before me. Since [even] the earth is filled with lawlessness because of them, behold I will destroy them along with the earth." (Gen 6:11, 13)

One might assume that plants too have some level of free will and awareness of right and wrong;⁷ or, much more likely and as the verses seem to suggest, the humans who tended them (Gen 2:5, 15) mixed the plants' seeds in unnatural ways. So too with the animals, misled by human corruption:

⁵This is the Targum's understanding of the verse. Alternatively, "The righteous person is an everlasting foundation." On this subject see Perdue, "Cosmology and Social Order," 457–78.

⁶Avoidance of evil precedes doing good in a striking way at the start of Ps 1, a wisdom psalm; see chapter 7.

⁷Or perhaps feeling. Philip Roth gives a tragic parody of this same phenomenon in his portrait of Swede's daughter in *American Pastoral* (Boston: Houghton Mifflin, 1997).

For all flesh had corrupted [its ways upon the earth]. Even animals, beast and fowl mated with other than their kind. (Rashi [1140–1105], citing *b. Sanh.* 108a)

The notation of everything being *filled* with lawlessness (Gen 6:11) adds ironic contrast to the violation of God’s wish and explicit command to “be fruitful and multiply and *fill* the entire earth” (Gen 1:22, 28).

Before Noah, Mr. Tsaddik, can save the world, however, he must produce a world to be saved, must himself become fruitful:

These are the generations of Noah: Noah-The-Righteous—he was pure in his generations, Noah walked with God—Noah begot three sons: Shem, Ham, and Yaphet. (Gen 6:9)

’elleh toledot, “These are the generations.” This formula occurs ten times in Genesis, sounding its major theme of fruitfulness: “these are the children to whom X gave birth.”⁸ Related to the root *yld*, “child,” and the verbal meaning “to give birth,” the term reaches far beyond human re-production. Proverbs 27:1 speaks of what a *day* (re-)produces, applicable in the first instance to the works of the six days of the original creation. Its first use in Genesis is particularly significant:

Such is the story [*toledot*] of the heaven and the earth in their being created. . . . On the day that the Lord God made earth and heaven . . . the Lord God formed man from the dust of the earth. (Gen 2:4, 7)

As if to project both of its possible functions in Genesis, the formula here does double duty. First it gives closure to the narrative of God’s creation, thus a story or history. Secondly, it also projects further details and even creations, thus generations, what X generates.⁹ In the case of Noah, we prefer “generations” to “story”—although, to be sure, it is a story as well—because it serves to introduce his progeny: the three sons that he begot (*yalad*), his proximate descendants.

⁸Gen 4:2; 6:9; 10:1; 11:10, 27; 25:12, 19; 36:1, 9; 37:2.

⁹In consonance with Gen 4:2, Renaissance author Leone Ebreo referred to the heavens and the earth as the “parents” of creation. See his *Dialoghi d’amore*, Part II; for a synopsis see T. A. Perry, *Erotic Spirituality: The Integrative Tradition from Leone Ebreo to John Donne* (University: University of Alabama Press, 1980), 15.

The time specification is curious, however, as is the rabbinic exegesis that it inspired: Noah was righteous *in his generations*, but had he lived at the time of Abraham-The-Righteous, either a) he would have accounted as nothing; or b) how much more righteous would he have been!¹⁰ The rabbis here focus on the central wisdom concept of righteousness by the comparative method, evaluating Noah according to the model standard of Abraham and measuring his relative merits. One wonders about the plural form, though: “in his generations.” Surely, even though he and everyone else in those days had prodigious longevity, “his generation” (in the singular) would have been more appropriate, as the NRSV and others translate and as it occurs later in the same narrative (7:1). The plural may thus suggest a different meaning of “generations,” no longer temporal (“in his *age*,” NJPS) but rather generational, thus also rendering the preposition *b-* no longer as temporal but rather causal:

These are the descendants (NRSV) of Noah (Noah was a righteous man *because of* the generations [*dorot*] that he produced): . . . Noah begot three sons: Shem, Ham, and Yaphet.¹¹ (Gen 6:9–10)

This passage can now also be viewed as definitional: a Tsaddik is one who begets progeny, a fruitful person. Such a reading gives a different perspective to the other details of Noah's description:

Restorative [*tamim*] through his posterity, Noah walked with God [²*elohim*]. (Gen 6:9)

Noah was, like the Torah of Ps 19:8[19:7], *tamim*; he restored life, thus walking with and fearing ²*elohim*, the Creator-God of Gen 1.¹²

This reading puts the social background into bold relief. Noah was busy producing for the future at a time when the rest of the world was either wasting its seed,¹³ or destroying those already liv-

¹⁰See Rashi ad loc.

¹¹For the meaning of *dorot* as referring to one's posterity, see Num 9:10; Job 42:16; cf. BDB, 190. I view the causal *b-* as *pshat* or simple reading here. A famous midrashic use is identified in the very first word of Genesis: *bere'shit*, “Because of, for the sake of the beginning” (see Rashi ad loc.).

¹²“The Lord's Torah is *temimah*, it restores the soul” (Ps 19:8[19:7]).

¹³Onan's wasting his seed (*shikhet*, Gen 38:9) echoes the world's perversity: “all flesh had corrupted (*hishkhit*) its ways on earth” (Gen 6:12).

ing through *khamas*, violence and lawlessness. His subsequent story is of a piece with this introduction. For what does a Tsaddik do after generating offspring? He protects and maintains them, taking them into his “ark” and tending them.

Feeding the Animals

The twelve-month onslaught of the flood is depicted from the outside, measured out in terms of duration and amounts of water. What happened to the escapees, what daily life was like in the ark, is left to the imagination. And oblivion, perhaps, for who remembers the pains of birth and child-rearing, the long nights of infant colic and illnesses, once the child has arrived to full-blown personhood? Midrashic reconstruction is valuable, however, in its attempt to flesh out the nitty-gritty chores with which a Tsaddik spends most of her/his time. For example, the midrash speculates that Noah brought along all diets appropriate to each species, spending his days and nights tending to their individual needs.¹⁴ The expression in Prov 12:10 also expresses this nitty-gritty, but crucial, tedium of tending to life, “the Tsaddik knows (*yodea*^c) the feelings [*nefesh*] of his animal.”¹⁵

Of the examples in the Hebrew Bible of the daily grind of a Tsaddik, several focus on the difficulties of administering justice.

¹⁴Aviva Gottlieb Zornberg’s brilliant discussion of the midrashic materials deserves to be carefully pondered (Aviva Gottlieb Zornberg, *Genesis: The Beginning of Desire* [Philadelphia: JPS, 1995], 59–62).

¹⁵“Feelings” is Roger N. Whybray’s rendering of *nefesh* (*Proverbs* [NCB; Grand Rapids: Eerdmans, 1994], 193). The literal meaning is “soul,” also meaning “throat,” thus the animal’s hunger and needs (see Bruce K. Waltke, *The Book of Proverbs: Chapters 1–15* [NICOT; Grand Rapids: Eerdmans, 2004], 90). More radically, *nefesh* refers to the “self” (as in Arabic), thus “the individuality” of each of his animals, again referring to the differing needs of each. “To know” (*yodea*^c) means “to have regard for”; Exod 23:9 uses identical language for the regard one is required to show to the stranger. Thus, animals are entitled to Sabbath rest (Exod 23:12) and are protected from cruelty in their daily labors (Deut 22:10; 25:4). Rabbinic legislation prohibited one from eating anything until his animals are fed (*b. Ber.* 40a). This attitude runs deep in some traditional cultures. Breton peasants honored workers in accordance with their contribution to family labors, thus giving the largest bowl of food at the table to the horse. See Pierre-Jakez Hélias, *The Horse of Pride* (trans. June Guicharnaud; New Haven: Yale University Press, 1978), 13. According to 1 Sam 6:7, the Philistines also lodged their animals in their houses (see also Exod 9:19).

Take Moses's "heavy" daily task of judging the entire people from dawn to dusk (Exod 18:13–26). Or the prophet/judge Samuel, who used to make the rounds to all the places in Israel, so as to judge them in their own cities (1 Sam 7:16–17).¹⁶ The nexus linking the Tsaddik's dispensation of justice with the restorative powers of *tamim* are elsewhere attributed to God himself:

The Creator/Rock, His work is restorative (*tamim*),
for all His ways are justice. . . .
Tsaddik and upright is He.¹⁷ (Deut 32:4)

Noah's feedings, though not depicted, do have verisimilitude, from the mere fact that after the long siege all animals did survive and exit the ark. We are thus prepared, at the other end of Genesis, for Joseph-The-Righteous' salvational actions of feeding (Gen 41:49) and, in juxtaposition, his own fruitfulness (Gen 41:50). For both Joseph and Noah had the task and the merit of ensuring the survival of many people (Gen 50:20).

Who then was Noah? The remarkably succinct synopsis—where his name is repeated no less than four times—shows the genesis of his personality, his and also that of all *bney-Noah*, all subsequent generations:

These are the generations of *Noah*. *Noah The-Righteous*: he was restorative in his generations, *Noah* walked with God, *Noah* begot three children. (Gen 6:9–10a)

Noah produced what the new world would require, what would confront the Creator and change His mind about the creation. Noah would first create, transform himself into a Tsaddik: *Noah-The-Righteous*. And what is that? A *Noah* who would clean up the mess and cooperate with the Creator-God; and a *Noah* who would beget and care for others. This defines the individual as we know her/him in the biblical tradition down to this very day: a caring person. Yet, as Aviva Gottlieb Zornberg explains, it was all

¹⁶See the commentary in *b. Šabb.* 56a. This daily need was exploited by Absalom against his father David (2 Sam 15:1–6), who, according to him, failed to provide it.

¹⁷"Creator/Rock" is an attempt to render both the plain meaning of *tsur*, "rock," with its usual association, in rabbinic exegesis, with *tsayar*, "to create."

for Noah's benefit as well, defining not only what a Tsaddik is but also who Noah *was*:¹⁸

All the feeding, the storing of foods, the exquisite concern and attentiveness, are ultimately functions of Noah's relation with his own needs.¹⁹

For the ark is also the workshop of maturation and character formation: of the children and animals to be cared for, to be sure, but also of the care providers. As Emmanuel Levinas put it in a philosophical context, "the Other individualizes me through the responsibility that I have for him."²⁰

Tamar the Greater Tsaddik and the Rise of Judah

Psalm 92:13[92:12] in the RSV states, "The righteous flourish like the palm tree, and grow like a cedar in Lebanon." But this can also be read, "The *tsaddiq* will flourish like Tamar."²¹ One should carefully ponder why it does not say *ke-tamar*, "like a palm tree," as it goes on to say, *ke'erez ballebanon*, "like a cedar in Lebanon" Because it is like "*the Tamar*" that we know, the person. This should not be discarded as a cute midrash, since Tamar's righteousness is central to the plot of Genesis, which is the birth of a righteous people.

The Insertion of Gen 38 into the Joseph Story

The extended story of Joseph from chapters 37–50, the very end of Genesis, is curiously interrupted by chapter 38, the story of Judah and Tamar. To Nahum M. Sarna, this anecdote "seems to be entirely unconnected to what precedes and follows it," and Gerhard von Rad is even more emphatic:

Every attentive reader can see that the story of Judah and Tamar has no connection at all with the strictly organized Joseph story at

¹⁸See Zornberg's (*Genesis*, 59) discussion of the midrash on *was*: he was and will be, through all subsequent generations, a sustainer of life.

¹⁹*Ibid.*, 62.

²⁰Emmanuel Levinas, *Dieu, la mort et le temps* (Paris: Grasset, 1993), 21.

²¹*Tsaddiq kattamar yifrakh*, "a righteous person will flourish like Tamar."

whose beginning it is now inserted. This compact narrative requires for its interpretation none of the other Patriarchal narratives.²²

It has nonetheless been possible, in order to save the appearance of an integrated narrative, to list connections between this episode and the encompassing story, mainly on the basis of linguistic and thematic echoes. I shall promptly refer to the most famous of these, the *hakker-na*⁷ repetition.

More substantially, there is an important strain of older scholarship (Hermann Gunkel, Otto Eissfeldt, etc.) that sees Gen 38 as a tribal history which deals with the claims of Judah.²³ Indeed, since the end of Genesis is focused not only on the descent into Egypt but also the rise of Joseph and his house, it would seem strange, at least after the fact, if Judah's rise were not also chronicled.²⁴ In his brief but penetrating analysis of our narrative, Benno Jacob gives the point a theological twist by noting that "the hero of the following story is Joseph, but salvation will come from Judah."²⁵ This notation is crucial to explaining both the presence of the Judah/Tamar episode and its location at this juncture, for the rise of Joseph and Judah must be seen as in some sense parallel. Benno Jacob's analysis, however, through its fine but unique focus on the moral elevation of Tamar—he calls this story the crown of Genesis because Tamar is even higher than the matriarchs—does not help us understand what it claims, namely Judah's own qualifications, why salvation must come through him.

Judah Goldin takes the argument a step further by studying analogical developments, in Genesis and elsewhere, of the theme of a younger brother's triumph over an older.²⁶ This interesting

²²Nahum M. Sarna, *Genesis. The Traditional Hebrew Text with the JPS Translation* (Philadelphia, Jerusalem: JPS, 1989), 263; Gerhard von Rad, *Genesis, A Commentary* (trans. John H. Marks; rev. ed.; Philadelphia: Westminster, 1972), 356–57.

²³See Susan Niditch, "The Wrong Woman Righted: An Analysis of Genesis 38," *HTR* 72 (1979): 143–49.

²⁴And, in fact, the relationships between the two ascensions have given rise to some interesting scholarship. See, for example, Aaron Wildavsky, "Survival Must Not Be Gained through Sin: The Moral of the Joseph Stories Prefigured through Judah and Tamar," *JSOT* 62 (1994): 37–48.

²⁵Benno Jacob, *The First Book of the Bible: Genesis* (trans. Ernest I. Jacob and Walter Jacob; New York: Ktav, 1974), 263.

²⁶Judah Goldin, "The Youngest Son or Where Does Genesis 38 Belong?" *JBL* 96 (1977): 27–44.

approach has several weaknesses, however. Goldin is on more solid ground with either Judah's children or father, either Perez's bursting forth in front of his older brother Zerach, or Jacob's grabbing on to Esau's heel. Judah himself exercises no such active, unfriendly takeover of his three older brothers (Reuven, Shimon, and Levi), who are retired entirely through their own mischief and independent of Judah's participation. Goldin must therefore take refuge, like Benno Jacob and others, in the theory of divine election: that is the way God wanted it. This notion can of course quite plausibly be applied to a number of cases in the Hebrew Bible, such as Joseph and his reversal of Manassah and Ephraim (God directed Jacob's hands during the final blessing and transfer of primogeniture, Gen 48:14). I submit, however, that this explanation is out of place for the Judah of Gen 38, who acts entirely on his own and without any visible sign of divine prompting or selection whatever.

Judah's Sin and Levirate Marriage

Let us bring to mind the portrait of Judah as sketched out by the biblical narrative. At his birth his mother Leah exclaims, punning on the name Judah: "Now I will *praise* the Lord" (Gen 29:35; also 49:8). Judah next appears at the attempted slaying of Joseph, where he shows his authority over his brothers by persuading them not to kill their brother but instead to sell him to the Ishmaelites: "and his brothers listened" (Gen 37:27). Judah's next appearance is in the scene that is our focus here, where it is said that "he went down from his brethren" (Gen 38:1). Three meanings have been proposed for this notice: 1) he went to live elsewhere; 2) he "lowered himself" (Benno Jacob) by marrying a Canaanitish woman; or 3) he went down in his brothers' esteem. In Rashi's version:

His brothers degraded him from his high position. For when they saw their father's grief, they said to him: "you told us to sell him; if you had told us to send him back to his father, we would also have obeyed you."

This interpretation—bordering on the midrashic, to be sure—assumes, not implausibly, that the three older brothers have already been disqualified from leadership, and it gives a strong reading of the chapter's opening formula, which until now has not been

sufficiently explained: “And it was at that time,” i.e., it was at the time of the sale of Joseph, that Judah went down in their esteem, thus implying a causal connection between these actions.

Such an understanding seems inconsistent, however, with the subsequent Judah who nobly assumes leadership of his brothers when he asks to take Benjamin to Egypt and offers himself as a pledge (Gen 43:3–5), and who becomes the fearless spokesman in the face of Joseph (Gen 44:18–34). The Midrash even pictures Judah threatening Joseph: *ki kamoka kepar^coh*, “if you provoke me I will slay you and your master” (Gen 44:18). And it is Judah’s noble self-sacrifice that leads Joseph to tears and the disclosure of his real identity. The pathway from the one Judah to the other is the narrative burden of chapter 38.

Whether Judah’s “going down” can be explained by his marriage to a Canaanitish woman or not, that is in fact what Judah does, producing three sons: Er, Onan, and Shelah. Er is married off to Tamar and dies, whereupon Tamar is given the second son in levirate marriage, in order to “perpetuate the name” of the first husband. This second son dies in turn, and the levirate responsibility again devolves upon Judah and his remaining son Shelah. However, Judah temporizes and Tamar remains in widowhood. When it becomes clear that the marriage with Shelah will never take place, Tamar disguises herself as a whore, waylays a Judah recently bereaved of his wife, and conceives a child by him. When her pregnancy is discovered, she is ordered to court and condemned to death.

We must take a close look at Judah’s meeting with the disguised Tamar. From the text it seems that, after producing three sons from a Canaanitish wife, Judah is having no further children. The reasons are not given—he is certainly not infertile, since he has already produced and will do so again. His wife dies and, after a period of mourning, he seeks out a prostitute. Note carefully that he does not take up a wife but instead goes to a prostitute. Is this merely a passing need for sex, as some have speculated? Perhaps, though one is hard put to find other examples of such motivation in the biblical text, and the weakness does not really correspond to the total abstinence he later demonstrates. More likely is the explanation that Judah’s going to a prostitute signifies his decision to have no further children.

Once Tamar's pregnancy becomes known, it is possible that, despite his efforts, Judah cannot prosecute his daughter-in-law because when he came to her she was still a virgin! How else can we explain his most unusual procedure of sending her back to her father's house?²⁷ Moreover, the text states that both Er and Onan die because they refused to give her their seed. For Er, the text pointedly omits the usual "and he came in to her" and it even states that it was not he that took her but his father took her for him. As for Onan, note the unusual hypothetical "and it was, *if* he came in to her, that he would let it spill."²⁸

Tamar's Education of King-Messiah

In order to "save" our tale of Judah and Tamar as an integral part of Genesis and the Joseph narrative, some scholars have suggested secondary purposes in the narrative, for example, "the desire it exhibits of impressing the duty of marriage with a deceased brother's wife" (although doubt is expressed as to whether the Bible can be interested in "such a general principle").²⁹ While it seems to me that the Bible is certainly interested in promoting levirate marriage here, such a concern must then be seen as related to a much more general principle yet, to a theological argument that dominates Genesis from start to finish: be fruitful and multiply, and keep the thing going.

Before continuing our sketch of this theological argument, however, let us approach the matter by way of Judah's grand admission of guilt concerning Tamar: "She is more righteous than I" (Gen 38:26). Some translations avoid the moral dimensions of the term "righteous" and focus on the immediate, legalistic implications: "She is more in the right than I" (NJPS). While such a version is faithful to the grammatical comparative, it creates the impression that Judah is partially in the right. However, Judah is now aware of his guilt:

²⁷Niditch ("The Wrong Woman Righted," 146) states that "she is no longer a virgin and does not belong in her father's home." The fact that she can be sent back there, however, may indicate precisely that she still is a virgin.

²⁸The verb is alternatively explained as expressing a repetitive action, thus "whenever he came in." Cf. Steven D. Mathewson, "An Exegetical Study of Genesis 38," *BSac* 146 (1989): 377.

²⁹*Ibid.*, 388.

- a) since he impregnated Tamar, she is now innocent of adultery and he is “guilty” by contrast;
- b) in lying to Tamar by leading her to believe that she will in fact be wedded to Shelah;
- c) in withholding his son from levirate marriage.

In this regard, he is and has been aware that Tamar is guiltless, indeed that she is righteous precisely in respect to that action in which Judah is not righteous in any degree. His admission that “she is more in the right than I” (Gen 38:26) does not establish relative right, therefore, but rather asserts that she was right and he wrong (Benno Jacob). At best, the curious comparative seems to express a lingering suspicion that Judah felt himself justified to some degree in withholding his son. When faced with the possibility of sacrificing an innocent person, one might say that he yields to the lesser of two evils and accepts the embarrassment while maintaining some reserves. Although such a suspicion was originally quite likely, however, at the moment of his total recognition of guilt it is entirely out of place. In brief, this scene portrays Judah’s full recognition of his sins—the blocking of Tamar’s levirate marriage with his youngest son Shelah—both against Tamar and against his deceased son.

In the grand court scene of Gen 38 we thus witness the coming into being of *two* sublime characters. First of all, Tamar, who, having done what she had to do about getting impregnated, compromised that very initiative, preferring to be burned alive rather than embarrass Judah in public. But we also witness Judah’s conquest of his own personality, of an additional dimension of himself that makes him worthy of leadership. The *Tosefta* views this as the re-conquest of his name, Judah:

Through what merit did Judah earn kingship? Because he admitted [*hodah*] in the case of Tamar.³⁰

Rashi picks up on this theme. In *b. Ber.* 32a it is said:

It is better for a man to cast himself into the fiery furnace than to embarrass his fellow in public. Where do we learn this? From

³⁰*Tosefta Ber.* 4:17.

Tamar, as it is said: “I am pregnant by the man who owns these. Recognize, I pray thee, whose these are.”

Rashi comments:

But she did not say explicitly: “These tokens are Judah’s”; rather, “I am pregnant by the man who owns these. If he confesses he confesses; if not, I shall be burned, but I shall not embarrass him publicly.”³¹

At this point Judah rises up and says, magnificently:

With your permission, my brethren, I make it known that with what measure a man metes, it shall be measured unto him, be it for good or for evil, but happy is the man that acknowledges his sin. . . . It is better that I be put to shame in this world than I should be put to shame in the other world, before the face of my pious father. . . . Now, then, I acknowledge that Tamar is innocent. By me she is with child, not because she indulged in illicit passion but because I held back her marriage with my son Shelah.³²

Through his action Judah demonstrates his strict impartiality even towards himself and is therefore worthy to be a king and a judge.³³ A character that began in thankfulness to God is now rounded out by a confession, two shapes of the etymological Yehuda.³⁴

We can now reject von Rad’s wish to sever Gen 38 from its frame narrative, for we do very much need our story in order to plot what Robert Alter called Judah’s “moral education.”³⁵

³¹*im yodeh yodeh*, [“if he admits, then he is truly ‘Judah’”], *ve'im lo*, *ʿesaref velo* ²*albin panav*.

³²Louis Ginzberg, *The Legends of the Jews* (6 vols.; Philadelphia: JPS, 1968), 2:35–36.

³³*Tosefta Ber.* 69.

³⁴It would of course be fruitless to speculate as to why the text chooses to explain name-derivations in some ways and not others, thereby neglecting possibilities heavy with theological promise. But it must be noted that such an etymological possibility is not only rabbinic midrash:

He who covers over his sins will not succeed; but one who confesses [*modeh*] and leaves them will find mercy. (Prov 28:13)

I have sinned and admit it; my sin I have not covered over. I said: “I admit [*odeh*] to my sins to the Lord.” (Ps 32:5; also 1 Kgs 8:33, 35)

³⁵Robert Alter, *The Art of Biblical Narrative* (New York: Basic, 1981), 11; von Rad, *Genesis*, 356–57.

Among critics this entire question has been much neglected, first of all because of Tamar's magnificence and, later, Joseph's as well. Joseph and Tamar are heroes, to be sure: Joseph, overcoming strong feelings of revenge against his brothers; Tamar because she refused to defame another human being in public and, like Ruth, opted to stay within the camp; both, because they used great effort and ingenuity to further creation and continuity through the family.

Beyond their moral heroism, Tamar and, as we shall soon see, Joseph, are pedagogical heroes as well.³⁶ Because of their respect for the opposition, they seek not the destruction of the sinner but that the sinner, through repentance, may again live. Tamar and Joseph are prophets in the grand tradition of Nathan before David: great moral teachers who, disregarding thoughts of personal safety (or, in Joseph's case, personal vengeance), pursue the welfare of both the individual sinner and the peace and future of the entire community. But in education glory must also come to the students, although it seems to me an understatement that both Judah, and later David, "are embarrassed into admitting their guilt."³⁷ Despots have no fine feelings (Judah even speaks like one: *sarof tissaref*, the equivalent of "off with her head!").³⁸ Indeed, although Tamar can prove beyond doubt that Judah made her pregnant, even were she to accuse him publicly, Judah still has the power to punish her misdeed; and, since the pledges were extracted in private, it would simply be a case of her word against his. However, like David with Nathan later on, Judah listens to Tamar, confesses his guilt, and acknowledges her superior righteousness. The Bible is telling us that this is education that qualifies one for leadership. How it can be asserted, in the face of this,

³⁶According to Rashi (on Gen 6:14) so was Noah: "Why did God burden Noah with the building of the ark? So that the people of the flood generation would see him working at it for 120 years and would ask him: 'What do you need this for?' And so that he would reply: 'The Holy One Blessed be He is going to bring a flood upon the world.' Maybe they would repent."

³⁷Gary A. Rendsburg, "David and His Circle in Genesis xxxviii," *VT* 36 (1986): 442.

³⁸I suspect that the intensive *sarof tissaref* means "let her be burned alive," literally "let the burning one be burned." Less likely would be the moralistic reading: "Let the one who burned with illicit passion be literally burned." Compare *tarof toraf Yosef* (Gen 37:33): "the torn one has been torn" = he was torn up alive, and not merely as a dead corpse.

that Gen 38 is “entirely unsuited to homiletical use” or that “certainly few people would choose this chapter as a basis for teaching or preaching,” or that the tale should have been “laundered out,” strikes me as one of the curiosities of biblical scholarship, not to say of theological orientation.³⁹

We can thus no longer abide the impression that in Gen 38 “Judah is portrayed in an unfavorable light.”⁴⁰ It is indeed possible that by the end of Gen 38 Judah may not yet get the point about his father’s pain, but he has learned an important lesson: the ability to place impartial justice based on truth over his personal comfort and prestige, and to confess his sins publicly. What public figure does that today?! He is thus worthy to rule over others.⁴¹ It remains to be seen whether he is worthy to rule over his own brothers, whether his evolved rights of primogeniture can be acknowledged. Just as his wronged daughter-in-law Tamar helped him through the first stage, his wronged brother Joseph will assist him through the second.

Joseph the Pedagogue, the Completion of Judah’s Repentance, and Keeping the Family Together

In a real sense, the unity of Jacob’s sons is due to the efforts of Judah, first under Tamar’s tutelage, as we have seen, but also under Joseph’s. And in fact the two are related. How so? The Ginzberg passage quoted above (“With your permission, my brethren . . .”) adds an interesting motive to Judah’s confession:

Because I took the coat of Joseph and colored it with the blood of the kid and then laid it at the feet of my father, saying, Know now whether it be thy son’s coat or not, therefore must I now confess before the court to whom belong this ring, this mantle and this staff.⁴²

³⁹Quoted in Mathewson, “An Exegetical Study of Genesis 38,” 373, 388n5. For how the Judah/Tamar story relates to salvation history, see Harold Fisch, “Ruth and the Structure of Covenant History,” *VT* 32 (1982): 425–37. Fisch also posits (p. 436) that Ruth is the redeemer of Lot’s daughter. It is now apparent that she saves Judah as well.

⁴⁰Mathewson, “An Exegetical Study of Genesis 38,” 388.

⁴¹The Talmud (*b. Sanh.* 18–19) relates the two: a king judges and is judged, which is taken to mean that he is empowered to judge others because he himself submits to judgment. In rabbinic halakah, however, this is said to apply only to exceptional kings, namely those of the House of David.

⁴²Ginzberg, *The Legends of the Jews*, 2:35–36.

Whether Judah's sin against his father is brought to mind during the courtroom scene is unclear in the biblical text, but it is certainly not improbable. In fact, this incident is related by the rabbis to the scene when the brothers return with Joseph's coat, stained with the blood of a kid, and ask their father whether he recognizes the coat. For in both scenes the Bible uses the same expression: *hakker-na*²:

“Please acknowledge [*hakker-na*]: Is this your son's tunic or not?” (Gen 37:32)

“Please acknowledge [*hakker-na*],” says Tamar to Judah, “whose seal and cord and staff are these?” (Gen 38:25)

And from this unusual repetition—these are the only two instances of the expression in the entire Hebrew Bible, and they occur back to back—the rabbis perceived a divine judgment of measure for measure:

Because Judah had deceived his father through a kid of the goats—for he had dipped Joseph's coat in its blood—therefore, he too was deceived. (Rashi on Gen 38:23)

The importance of this verbal similarity can be viewed from another perspective, so that what is highlighted is less God's justice than the evolution of Judah's moral consciousness. Alter is surely correct in his insistence that Tamar could not have known to speak these words in repetition of Joseph's brothers, but rather that the unusual repetition is a narrative trick which Tamar only happens to voice.⁴³ But the trick may have a theological point as well, namely that “the answer of the tongue is from the Lord” (Prov 16:1). From other examples in Genesis itself, we know that what “just happens” is not always viewed by the text as mere happenstance. Some call it narrator; others speak of God.

The search for themes in the Joseph narrative has yielded multiple results: the fruitfulness of the sons of Jacob, their descent into Egypt, their formation of a nation and projected triumphant return from slavery, and—closer to our present topic—the rise of Joseph and also of Judah. At another level are important political questions, such as whether a brother should rule over his brothers, i.e., should Israel pass from amphictiony

⁴³Alter, *The Art of Biblical Narrative*, 9–12.

(tribalism) to monarchy? At yet another level of analysis is what Claus Westermann calls “theological reflections which belong to a different realm of thought.”⁴⁴ The reference is to those pervasive patterns of thought in Hebrew Scripture that saturate individual texts and sponsor individual “themes” or topics, what may be called the work’s arguments.⁴⁵ With our heightened sense of the Tamar episode in its connection with the rise of Judah, it becomes easier to posit at the start that a dominant argument of the Joseph story—at the very nucleus of its theological concern—is the theme of repentance.

The main issue may be briefly sketched as follows: In their sibling jealousy over their father’s favoritism of Joseph, the child of the favored wife Rachel, his brothers sell him into slavery and contrive evidence that he is dead. Their father Jacob’s grief is such that he resolves upon a living death. Later, during the famine and at the height of his power, the wronged brother has the chance to avenge himself; his goal, however, is not the destruction of the brothers but their reinstatement, not the dissolution of the family of Jacob but rather its continuation and stability. He has a single question and condition: would the brothers make the same choice today? He thus devises a situation as similar to the original one as possible, the only real change being the substitution of one brother for another, of Benjamin for himself. However, this replacement is not substantial, or, rather, it goes to the heart of the issue, since it is clear that Benjamin represents Joseph in the issues that really matter. He is the only other son of the favored mother Rachel, he is the son of Jacob’s old age and, because of these, he is, as was Joseph, the father’s reigning favorite child.

Being newly subject to Joseph, the brothers now experience a pain somehow similar to the pain he experienced in the past:

And they said to one another: “We are truly guilty concerning our brother, for we saw the anguish of his soul when he beseeched us, but we did not listen. That is why this anguish has come upon us.”
(Gen 42:21)

⁴⁴Claus Westermann, *Genesis: An Introduction* (trans. John Scullion; Minneapolis: Fortress, 1992), 243.

⁴⁵For the distinction between a work’s thematic substructure and its argument, see Alexander A. Parker, *The Allegorical Drama of Calderón: An Introduction to the Autos Sacramentales* (Oxford: Dolphin, 1968), 59.

But the focus of interest is on that brother who acts as a guarantor of Benjamin's safe return to his father. Now Judah does not have to sacrifice himself for Benjamin, he can simply leave Egypt, along with his other brothers and their provisions, and return to Jacob. This would solve the problem of Benjamin in a way similar to their selling Joseph into Egyptian slavery, and the consequences, both positive and negative, would be the same: on the one hand, they would experience relief from what they feel as sibling incursion and oppression; but, on the other, they would again authorize their father's pain and undying grief. In other words, confronted with a situation identical to the one he experienced when deciding what to do with Joseph, Judah now chooses differently, thus achieving a repentance⁴⁶ that allows family reconciliation, and thus also proving his worthiness as leader of the sons of Jacob.⁴⁷

Joseph-The-Righteous: like Tamar who teaches Judah how to keep the family going, Joseph teaches him how to keep the family together.⁴⁸

⁴⁶Moses Maimonides (ca. 1135–1204) states, "What is perfect repentance? A person has the chance to repeat a sin that he has already committed, and he desists and doesn't do it a second time out of repentance." ("Laws of Repentance," in *Book of Knowledge [Mishneh Torah, Book I]* [trans. Moses Hyamson; New York: Bloch, 1937], 2:1).

⁴⁷In this understanding of the repentance of the sons of Jacob I am in essential agreement with Nehama Leibowitz, *Studies in Bereshit (Genesis) in the Context of Ancient and Modern Jewish Bible Commentary* [Hebrew] (trans. Aryeh Newman; 4th rev. ed.; Jerusalem: World Zionist Organization, 1981), 457–61, except that I stress more clearly the leadership of Judah, due to his greater risk and sense of responsibility.

⁴⁸For the idea of the human family as the workshop of Genesis and the basis for all further forms of community, see Westermann, *Genesis: An Introduction*, 115. For recent praiseworthy efforts to identify family values as central to Genesis, see David L. Petersen, "Genesis and Family Values," *JBL* 124 (2005): 5–23. In Genesis larger family reunifications are adumbrated as well. Fisch alludes to what he calls the Ruth corpus, which consists of "episodes in the history of a single family. Lot is the father of Moab and thus the ancestor of Ruth, whilst Judah is the father of Perez and thus the ancestor of Boaz. Another way of putting it would be to say that we have here the story of a single clan (that of Abraham and his nephew Lot) which separates (Gen. xiii 11) at an early stage and is then reunited in the persons of Ruth and Boaz" (Fisch, "Ruth and the Structure of Covenant History," 427).