

ParShaT *VaYeChI* One Pager Series

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[Background: We continue to bring controversies between Rashi and either academic scholars or other Jewish commentaries. Today we bring one of the most famous Talmudic interpretations which has been attacked as non-peshat]

Rashi #1 Biblical Text: Gn48-06a [Jacob is talking to Joseph] *The two children born to you in Egypt prior to my coming belong to me, Epharim and Menasheh will be to me like Reuven and Shimon* [that is, they will be separate tribes like Jacob's other children, even though these two were grandchildren] *But the children you have after them will be called on the names of their brothers in their inheritance* [Rashi: The underlined, is an idiom meaning they will divide with them when inheriting].

Rashi Text: The Rashi text in Courier font is embedded in the translation above.

The Problem: The Talmud, Twelvemonth 24a, studies the following verses

Interpretation #1 Biblical Text: Dt25-05:06 *If brothers dwell together, and one of them dies childless, the deceased wife shall not marry out of the family to a stranger; her brother-in-law shall visit her, and take her for a wife. He will be (like) 'the first born she would give birth to, [who] arises [for inheritance] on the name of his deceased brother.*

This interpretation is consistent with the Hebrew. It says that the brother-in-law is like a first-born; he inherits two portions, his own portion and the deceased's.

Interpretation #2: *It will be that the first born that she will give birth to will arise on the name of his deceased brother* [e.g If the deceased's name was Bob, then the first born's name will be Bob]

This interpretation is also consistent with the biblical Hebrew. However this interpretation is inconsistent with the terminal words *deceased brother* since the son of the woman is the *son*, not the *brother*, of the deceased.

Interpretation #2 vs. #1: The difference between Interpretations #2 and #1 is that in Interpretation #2 we interpret *arise on his deceased brother's name* literally, that he receives the name *Bob* if the deceased's name is *Bob*, while in Interpretation #1 we interpret *arise on his brother's name* idiomatically to refer to inheritance. This *idiom* is consistent with the idiom in Gn48-06 which the Talmud cites. (Interestingly, Saadia in his commentary combines Interpretations #1 and #2)

So what is the problem? The problem is that the Talmud (Rava) states, "*In the entire Bible a verse never leaves its peshat meaning; but in this verse the idiom comes and uproots the peshat meaning and replaces it with interpretation #1.*" [The Talmud actually uses the term *gezayrah shaveh* which has several meanings; but, in this Talmudic passage *idiom* captures the meaning of *gezayrah shaveh*]

Based on this innocuous statement, a whole literature grew up stating that there is *peshat* and *derash*. *Peshat* is the straightforward meaning of the verse while *derash* is homily. This Talmudic passage then is used to justify calling many Talmudic passages as *derash*.

Our Response: The Talmud does not say that. It rather says that the *idiom* uproots a literal meaning (which they call *peshat*) and replaces it with an idiomatic meaning. The idiomatic meaning. is also *peshat* (straightforward and instantly recognizable) The Talmud says that an idiom is not literal but has its own meaning.

Bottom line- what does the text mean?: Based on the idiom of Gn48-06 and based on explicit reference to *his deceased brother*, Dt25-06 simply says *He (the brother in law) arises on his deceased brother's name by inheriting him* (See Tosafoth). Rav Hirsch further points out that the first phrase in Dt25-06 is translated *He will be like the first born she would have given birth to [in that like the first born] he arises on his deceased brother's inheritance.*

Note that there is no connecting *vav* between *He will be like the first born* and *He will arise on the deceased brother's name*. *Vav* omission indicates *apposition*; the second phrase *will inherit his brother* explains what the first phrase, *He will be*

like the first born means and hence Rav Hirsch's comment.