

# 11:30 AM Jews and Non-Jews in Tanach: The Ban on Intermarriage: Is It Racist?





The program is sponsored by Sarena and David Koschitzky, in memory of Riva Koschitzky z"l

This session is dedicated by Fran and David Woolf and Family in commemoration of the yahrtzeit (3rd day of Chanukah) of David's father Sidney Woolf z"l (Shimon Ben Yitzchak Gershon z"l)

#### 1. Devarim 7:1-4

When Hashem your Gd brings you into the land to which are you are arriving, to settle it, and He will collapse many nations before you – the Hittite, Girgashite, Emorite, Canaanite, Perizzite, Hivvite and Yevusite, seven nations that are greater and mightier than you... And you shall not marry among them. Your daughter you shall not give to his son, and his daughter you shall not take for your son. For he will lead your son away from Me and they will serve foreign gods...

2. Prof. Geraldine Heng, *Did Race and Racism Exist in the Middle Ages?* https://notevenpast.org/did-race-and-racism-exist-in-the-middle-ages/

"Race" is one of the primary names we have for our repeating tendency to demarcate human beings through selected differences that are identified as absolute and fundamental, so as to distribute power differentially to human groups. In race-making, strategic essentialisms are posited and assigned through a variety of practices. Race is a structural relationship for the management of human differences.

#### 3. Bereishit 1:27

And Gd created Man in His image, in the image created by Gd He created him, male and female He created them.

- 4. Rabbi Shimon Sofer (19<sup>th</sup> century Hungary), Hitorirut Teshuvah 1:175
- And this is obvious to me, from that which our sages said, that "The dignity of creatures is great, overriding a biblical prohibition," using the general "creatures", including non-Jews as well. Logically, the reason to honour him is because of "for with the Divine image He created man," which is said about non-Jews as well...
- 5. R' Ahron Soloveichik (20<sup>th</sup> c. USA), *Civil Rights and the Dignity of Man*, Logic of the Heart, Logic of the Mind From the standpoint of the Torah, there can be no distinction between one human being and another on the basis of race or color. Any discrimination shown to a human being on account of the color of his or her skin constitutes loathsome barbarity...

The Torah says in Genesis, "In the image of Gd He created Man" (1:27). This metaphysical idea leads to the *halachic* principle of  $k'vod\ habriyos$ , the dignity of Man....

The concept of "dignity of Man" is not only a metaphysical concept but it also has a legal counterpart, whose scope is broad enough to include all human beings since all were created in the image of Gd. This idea is contained in the saying of ben Azzai, "Despise not any man" (Avos 4:3). The expression "any man" implies, as the commentaries say, that even pagans must be treated with respect, and it is a sin to despise them....

6. Mishnah Sanhedrin 4:5 (37a)

Therefore man was created as an individual... And for the sake of peace among [Gd's] creations, that no one should say to another, "My ancestor is greater than your ancestor."

7. Bereishit 24:3-4, Shemot 34:16, Shoftim 14:3, Malachi 2:11, Ezra 9:1-3

And I demand you swear by Hashem, Gd of the Heavens and Gd of the land, that you will not take a wife for my son from the Canaanite daughters among whom I live. For to my land and to my birthplace you shall go, and you shall take a wife for my son, for Yitzchak.

Lest you take from his daughters for your sons, and his daughters will stray after their gods, and they will cause your sons to stray after their gods.

And his father and mother said to him: Is there no woman among the daughters of your brethren or in my entire nation, such that you go to take a woman from the uncircumcised Philistines?

Judea has committed treason, an abhorrent thing is done in Israel and Jerusalem, for Judea has desecrated that which was sacred to Gd, which He loved, mating with the daughter of a foreign god.

The nobles came to me, saying, "The nation of Israel and the kohanim and leviyim have not separated from the nations of the lands in their abhorrences, the Canaanite, Hittite, Perizzite, Yevusite, Amonite, Moabite, Egyptian and Emorite. For they have taken their daughters for them and for their sons, and they have mixed the holy progeny among the nations of the lands. And the hand of the nobles and the officials was in this trespass first." And when I heard this, I tore my garment and my tunic and I pulled out the hair of my head and beard, and I sat, desolate.

### 8. Sessions on Racism and Diversity

Legal Ethics: The Racially Diverse Workplace

Racism and Rosh HaShanah

Eternal War with Amalek?

Rav Kook: The Destruction and Redemption of Amalek

No Canaanites Allowed: Was Avraham Racist? Part 1

No Canaanites Allowed: Was Avraham Racist? Part 2

Emor: Excluding Exclusion

https://www.yutorah.org/lectures/lecture.cfm/938146/

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### The Simple Approach: Covenant

### 9. Talmud, Avodah Zarah 36b

Aren't their daughters subject to a biblical prohibition, "You shall not marry among them"? The biblical prohibition is for the seven [Canaanite] nations, but not other nations, and the rabbis prohibited even other nations. And per Rabbi Shimon bar Yochai who said that "He will cause your son to stray from Me" includes all who cause straying, what could [be the rabbinic prohibition]? Rather, the biblical prohibition is against the manner of marriage, and the rabbis prohibited even in the manner of znut...

#### 10. Bereishit 31:53

The Gd of Avraham and the god of Nachor shall judge between us...

# 11. Midrash, Bereishit Rabbah 59:8

"Do not take" – he warned him not to go to the daughters of Aner, Eshkol and Mamre.

### 12. Midrash, Bereishit Rabbah 57:3

"And after these *devarim*" – After the thoughts that were there. Who thought? Avraham thought. He said, "Had he died on Har haMoriah, wouldn't he have died without children? What can I do now? I will marry to him from the daughters of Aner, Eshkol and Mamre, who are righteous women. What do I care for lineage?" Gd said to him: You don't need to do this, Yitzchak's match has already been born. "Behold, Milkah has also given birth."...

### Three More Approaches

13. Rabbi Avraham Ibn Ezra (11th century Spain) to Bereishit 9:18

"And Cham is the father of Canaan" teaches that both were bad, and as the ancestors do, so the children will do.

#### 14. Rabbeinu Nisim, Derashot haRan 5

Just as one whose heart's blood boils hot must be predisposed to anger, so one who is perpetually angry must have his heart's balance heat up, and his nature incline toward anger. So with all spiritual traits. If so, then one who is accustomed to these traits inclines his [biological] balance and nature to be predisposed to them. Most of the time, the nature of children follows closely the nature of parents. Therefore, the bad traits of Canaanites must continue in their descendants. Lavan was an idolater, but this would not require that the nature of his descendants be drawn after his, at all.

### 15. Rabbeinu Bechaye to Bereishit 24:3

Because the woman who is predisposed for punishment will lead the man to her side, as did the mother of all who live. And as is known from Solomon, with the foreign women he married – Amonites, Moabites, Tzidonites, Hittites... And therefore the practice has been established in Israel, to read this portion for a groom on his wedding day, reminding the people to be careful in marriage...

### 16. Rabbi Ephraim Luntschitz, Kli Yakar to Bereishit 24:3

He said: It is obvious that if my son will marry a woman from the Canaanite daughters, since "I live in their midst," presumably my son will also live beside them, and there is concern lest he learn from their deeds. If he marries from the daughters of Lavan and Betuel and lives beside them, then there will also be concern lest he learn from their deeds. But when he marries from there and lives here, then there is no concern... just the opposite, [Canaan] will hate him for not wishing to live among them...

#### 17. Don Isaac Abarbanel to Bereishit 24:3

Gd promised to give the land to his descendants, Semites, and to remove the wicked Canaanites therefrom. If Yitzchak would marry a Canaanite woman, the Canaanites would inherit the land. Therefore, he prohibited them to him.

#### 18. Rabbi Yosef Bechor Shor to Bereishit 24:3

Other visitors marry locals in order to inherit land there via marriage, as Esav did. He inherited Mount Seir via Oholibamah. But I don't need to do this, for Gd has given me the land.

#### **Problems**

#### 19. Midrash, Sifra Emor 14:18

From where did he depart? From Moshe's court, for he came to plant his tent in the camp of Dan. They said to him, "Who are you to plant in the camp of Dan?" He replied, "I am from the daughters of Dan." They said to him, "The text says, 'Each with his flag by the signs according to their father's house, the Children of Israel shall camp.'" He entered Moshe's court and departed having lost, and he stood and blasphemed.

### 20. Rabbi Aharon Lichtenstein, The Embedded Message

### https://www.etzion.org.il/en/tanakh/torah/sefer-bamidbar/parashat-naso/embedded-message

While Judaism sees the family and the nation as central to Jewish identity and consciousness, it is well aware of the danger to which these loyalties can lead when taken to an extreme. It is for this reason that we are commanded with regard to gezel ha-ger in the middle of Parashat Naso. It is precisely the ger, the foreigner, lacking the sense of familial, tribal and national roots, who is most vulnerable to the atmosphere pervading the beginning of Sefer Bemidbar. Therefore, the Torah commands us here to deal with the ger exactly as we would with our fellow Israelites.

### The Future

### 21. Yeshayahu 19:24-25

On that day Israel will be a triad with Egypt and Assyria, blessing in the midst of the land, as Gd has blessed it, saying, "Blessed is My nation Egypt, the work of My hand Assyria, My portion Israel."

### 22. Mishnah, Rosh Hashanah 1:2

On Rosh Hashanah, all who have entered the world pass before Him, like bnei maron...

## **Review Questions**

- 1> How does the Torah show its opposition to negative ethnic racism?
- 2> Why can't we explain the ban on intermarriage as solely a function of non-Jews being outside the covenant?
- 3> What can we learn from the Torah's focus on Canaan?
- 4> Why does the Torah present the law regarding theft from a convert at the start of the book of Bamidbar?