



## ICJW Bea Zucker Online Bible Study Program

### "The Five Books of Moses: Contemporary Issues and Classic Perspectives"

By Dr. Bonna Devora Haberman

#### 33 B'Chukkotai—Driven Leaf Punishment

##### Text

ויקרא כו

לב והשם תי אני את-הארץ ושממו עליה א-יביכם ה' שבים בה. לא ואתכם אורה בגוים והריך תי אחריכם חרב והייתה ארצכם שטחה ועריכם היו חרבה. לד אז תרצה הארץ את-שבת תי'ה כל ימי השמה ואתם באetz א-יביכם איז תשבת הארץ והרצת את-שבת תי'ה. לה כל-ימי השמה תשבת את אשר ל-שבתה בשבת תי'ם בשבתם עליה. לו והנשאים בכם וhabati מ-ך' בלבכם בארכ'ת א-יביכם וכדר' א-תם קול עללה נדר' ונסו מנסת-חרב ונפלו ואין ר'ך. לא וכשלו איש-באחו כמנני-חרב ור'ך אין ול-אתהיה لكم תקומה לפני א-יביכם ואף בער'נת ואכלת אתכם הארץ א-יביכם. לט והנשאים בכם ימקו בער'ם בארכ'ת א-יביכם ואף בער'נת אב'תם ימקו. מ והתנו את-עור'ם ואת-עור'ן אב'תם במעלם אשר מעלו-בי ואף אשר-הלו עמי בكري. מא אף-אני אלך עם בكري וhabati יצחק ואף את-בריתך או-או יכנע לבבם הערל ואז ירצו את-עור'ם. מב וזכרתי את-בריתך יעקוב ואף את-בריתך יצחק ואף את-בריתך אברך זכ'ר והארץ זכ'ר. מג והארץ מעזב מכם ותנץ את-שבת תי'ה בהשמה מכם וهم ירצו את-עור'ם לא-ובינו במשפטך מסו ואת-חך תי געללה נפשם. מד ואף-גמ'ז את בהיותם באetz א-יביכם ל-א-מאסתיים ול-געלתיים לכל'תם להפר בריתך אתם כי אני יהוה אל'ם. מה וזכרתי لكم ברית ראש'נים אשר הוציאתי-אתם מארץ מצרים לעוני הגוים להם לאל'ם אני יהוה. מו אלה החקים והמשפטים וההתורת אשר נתן יהוה בינו ובין בני ישראל בהר סיני ביד-מ'שה.

##### Vayiqra 26

32 I will make the land desolate, so that your enemies who settle in it shall be appalled by it. 33 And you I will scatter among the nations, and I will unsheathe the sword against you. Your land shall become a desolation and your cities a ruin.

34 Then shall the land make up for its sabbath years throughout the time that it is desolate and you are in the land of your enemies; then shall the land rest and make up for its sabbath years. 35 Throughout the time that it is desolate, it shall observe the rest that it did not observe in your sabbath years while you were dwelling upon it. 36 As for those of you who survive, I will cast a faintness into their hearts in the land of their enemies. The sound of a driven leaf shall put them to flight. Fleeing as though from the sword, they shall fall though none pursues. 37 With no one pursuing, they shall stumble over one another as before the sword. You shall not be able to stand your ground before your enemies, 38 but shall perish among the nations; and the land of your enemies shall consume you.

39 Those of you who survive shall be heartsick over their iniquity in the land of your enemies; more, they shall be heartsick over the iniquities of their fathers; 40 and they shall confess their iniquity and the iniquity of their fathers, in that they trespassed against Me, yea, were hostile to Me. 41 When I, in turn, have been hostile to them and have removed them into the land of their enemies, then at last shall their obdurate heart humble itself,



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and they shall atone for their iniquity. 42 Then will I remember My covenant with Jacob; I will remember also My covenant with Isaac, and also My covenant with Abraham; and I will remember the land.

43 For the land shall be forsaken of them, making up for its sabbath years by being desolate of them, while they atone for their iniquity; for the abundant reason that they rejected My rules and spurned My laws. 44 Yet, even then, when they are in the land of their enemies, I will not reject them or spurn them so as to destroy them, annulling My covenant with them: for I the Lord am their God. 45 I will remember in their favor the covenant with the ancients, whom I freed from the land of Egypt in the sight of the nations to be their God: I, the Lord.

46 These are the laws, rules, and instructions that the Lord established, through Moses on Mount Sinai, between Himself and the Israelite people.

### Context

Parashat B'Chukkotai promises flourishing. However, if the Israelites transgress the divine laws and observances and break the covenant, the Israelites will suffer frightening disciplinary consequences—defeat at the hands of enemies, famine, destruction, exile, and ruin. Even still, God will remember and restore the ancient covenant, the laws and instructions established at Mount Sinai. The book of VaYiqra concludes with an assessment of values for cases when people vow sacred offerings to the sanctuary.

### Explorations

B'Chukkotai deals with the theme of reward and punishment. This system assumes that every person is free to make her life choices. Along with that freedom, the Torah assigns outcomes for desirable and undesirable behavior. The land is the main medium for divine judgment of the People. When the Israelites follow the commandments faithfully, their lives are blessed with bounty and security in the Promised Land—rain brings forth plentiful grain and fruit; enemies are overcome; the Israelites dwell in peace, closeness with the divine presence, and freedom. If, heaven forbid, the People stray from the covenant, divine hostility will ruin them. They will become sickly, their lives futile and yield no positive outcome. Enemies and wild beasts will afflict harm. The spectre of unfathomable horrors lurks in this parasha, “You shall eat the flesh of your sons and the flesh of your daughters” (VaYiqra 26:29).

The purpose and justification for rewards and punishments is positive reinforcement for good, ethical, desirable behavior, and deterrence of transgressive behavior. Contemporary scholars discuss the extent to which legal systems rely on various forms of violence (see R.M. Cover's work, “Violence and the Word,” Yale Law Journal 95 (1986), 1601-29.) The Torah, and other ancient legal systems are no exception. According to F. Rachel Magdalene,



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In the ancient Near East, divine law was also considered violent, and suffering was the best evidence of this. Those suffering some adverse condition, such as illness or crop failure, typically interpreted it as some form of divine legal investigation or trial punishment. M.B. Dick observes: "[T]here are Mesopotamian texts which describe in the language of the court man's suffering as a legal judgment of guilt...."<sup>43</sup> He quotes a passage from KAR 184: "In the (legal) cause of the illness which has seized me, I am lying on my knees for judgment. Judge my cause, give a decision for me."<sup>44</sup> The understanding of suffering as divine legal punishment is best attested by the ritual incantations of Mesopotamia, which date from approximately 2500-1500 BCE:<sup>45</sup>

The sufferer was usually ignorant as to what he or she had done to bring on the judgment that resulted in his or her suffering. The Šurpu incantations reveal that the bewildered person could approach a priest for assistance. The priest would recite "an exhaustive list of 95 possible personal misdemeanours, presumably hoping to include the relevant sin." The sufferer might also have requested from his divine judge "some omen or sign confirming his guilt, or identifying his exact sin." Once the sufferer knew the source of his problem, he could make confession, receive his pardon, and, hopefully, be healed.<sup>46</sup>

There is a general idea that God is involved in human life, takes a keen interest in personal and national fate, and intervenes in order to promote obedience to divine will.

In our parasha, among the terrible consequences of betraying the divine commandments is an experience of abandonment and desolation. While the material hardships are in themselves devastating, a special hollowness rings in the "**faintness**" that God settles in the hearts (VaYiqra 26:36).

The sound of a driven leaf shall put them to flight. Fleeing as though from the sword, they shall fall though none pursues. With no one pursuing, they shall stumble over one another as before the sword. (VaYiqra 26:36-7)

Rashi interprets that the sound of a driven leaf is caused by one leaf lashing against another in the wind. Such a sound ought not be a cause for flight. Even when there is no enemy, people will feel haunted by their own fears; there will be no respite from the effects of sin.

This unique expression, **a driven leaf**, recurs in the Book of Job,



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ז שמעו שמו מלתי ואחוני באזניכם. יח הנה-נא ערכתי משפט ידעת כי-אני אצדק. יט מי-הוא יריב עמדי כי-עתה אחראש ואגוע. כ אר-שטים אל-תעש עמדי אז מפניך לא אסתור. כא פפק מעלי הרתק ואמתך אל-תבעתני. כב וקרא ואנו כי אענה או-אדבר וחשיבני. כג כמה לי עירנות וחטאות פשי וחתאתה ה-דיעני. כד למה-פניך מסתיר ותחשבני לאויבך לנו.כה העה נך טערוץ ואת-קש יבש תרדך.כו כי-תכתוב על מרות ותורייני עירנות בעורי.כז ותשם בסד רגלי ותשמר כל-ארחותעל-שרשי רגלי תתחקה.כח והוא פרקב יבליה בגד אכלו עש. איוב יג

#### Job 13: 16-28

Listen carefully to my words, and let my declaration be in your ears.  
Behold now, I have prepared a case; I know that I will win.  
Who is he that will contend with me? For then would I hold my peace and die.  
Only two things do not do to me, so that I not hide myself from You:  
Withdraw Your hand far from me; and let not Your terror make me afraid.  
Then call You, and I will respond; or let me speak, and You reply to me.  
How many are my iniquities and sins? Make me know my transgression and my sin.  
Why do You hide Your face, and treat me like Your enemy?  
Will You harass a **driven leaf**? And will You pursue the dried-up stubble?  
That You should decree bitter things against me, and make me inherit the iniquities of my youth.  
You put my feet also in the stocks, and look narrowly on all my ways; You draw a line about the soles of my feet;  
Human wastes away like a rotten thing, like a garment moth-eaten.

The context and meaning of the *driven leaf* in the Book of Job is different. Whereas in B'Chukkotai, the driven leaf evokes fear as a divine punishment for human transgression, in Job, the helplessness of a leaf in a driving storm marks the undeserved suffering of a supremely righteous person. The death of his ten children, the loss of his wealth and affliction with a painful skin disease put Job's faith on trial. Throughout his ordeal, he steadfastly refuses to curse God. The contrast between these two scenes highlights difficult questions about our parasha, and in theology generally. On the one hand, the Torah purports to claim that our fortunes in life are a direct outcome—reward or punishment—of our behavior. In our parasha, the intention is collective, that is, the People will flourish or suffer depending on their behavior overall. Good people reap rewards, bad people suffer. In human experience, this simple approach too often seems to fail. Like the rabbinic sages, we are all aware of cases where innocent or good people suffer, and people who do evil flourish. Job is an icon of undeserved suffering.



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Interpreting Job, theologian, Robert Sutherland comments,

- (a) God created a world of undeserved and unremitting suffering in order to make the highest form of human love possible: a completely selfless love of man for God. Selfishness corrupts selfless love. If human beings know with certainty that God rewards those who love him, then they will serve God for what they can get from him. Undeserved evil is morally necessary in order to bring the existence of God into doubt and to sever any connection between righteousness and reward.
- (b) God cannot reveal this explanation for evil in this life without defeating his own purpose in the creation of the world and the creation of man.

God expects man to challenge him for the creation of such a world.

(From the introduction of Robert Sutherland's *Putting God on Trial: The Biblical Book of Job. A literary, legal and philosophical study*)

Sutherland envisions a path of suffering to attain spiritual understanding. Evil inspires a seeker to disconnect from the fickleness of this world in order to find an unconditional connection with the divine, a connection that is free from expectations of reward and personal interests altogether. In order to reach the divine, Sutherland sidelines our connection with our world, our bodies, families, flourishing, and wellbeing.

To counter this approach, let us consider Job's brief and poignant interaction with his spouse. She upbraids him as he sits in his misery, “Do you still persist in your integrity? Curse God, and die” (2:9). Job responds, “You speak as any foolish woman would speak. Shall we receive good from God, and not receive the bad?” (2:10). Job is succumbing to the torture, and even blesses it. With Job's dismissive response, many view his spouse as another satan, or at least an Eve who tempts Job to sin. On the contrary, Ilana Pardes interprets:

She cannot bear her husband's blind acceptance of the tragedies that befall them. Indeed, the attention to Job's suffering usually ignores the fact that she too, after all, is a victim of these divine tests in addition to



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being pained by exposure to his afflictions (19:17). To cling to a model of perfect devotion to a supposedly perfect God when reality is so far from perfection seems to Job's wife to be not exemplary strength, but an act of cowardice. Such "integrity," she seems to be saying, lacks a deeper value. What Job must do is to challenge the God who has afflicted him so, even if the consequence is death. ([Jewish Women's Archive site](#)).

Rachel Magdalene analyzes the torture Job suffers, and his passive acceptance of what she terms "theocratic violence." She sees the spouse resisting the cruelty; her words "break through the false voice and ultimate silence that God's judicial violence has imposed on Job. They shake Job loose from words that support his torturer. An internal shift begins to take place;" and, "she is a catalyst in his development."

Reflecting on our parasha, the Torah's description of a deep and responsive relationship with the land might not be as naïve and simple as it appears. B'Chukotai sets an expectation that there ought to be justice and fairness in this world. It ought not to be deferred to the world to come, nor ought we to accept cruelty and suffering here and now. Prompted by his spouse, Job ultimately seeks fairness; blessings in his own life are restored.

Concerned about cruel divine wrath, rabbinic sages suggest a prayer for God.

Rabbi Yochanan said in the name of Rabbi Yossi: "How do we know that the Holy One blessed be S/He prays? Because it says, 'I will bring them to My holy mountain, I will cause them to be happy in My house of prayer (Isaiah 56:7).' It does not say 'their house of prayer' but 'My house of prayer' from here we see that the Holy One blessed be S/He prays. What does S/He pray? Rav Zutra son of Tuvia said in the name of Rav, "Let it be My will that My mercy suppresses my anger, and that My mercy prevail over My other attributes, and that I deal with My children with the attribute of mercy, and that I deal with them beyond the letter of the law." (Brachot 7a)

#### Questions for Discussion

- Probe your experience and ideas about whether or not people reap their just rewards—during this lifetime, or at another time? Are and ought rewards and punishments to be based on individual or collective behavior?
- How do you respond to claims about the violence of law? Do you think that good behavior ought to be coerced? Compare your views about civil law with your views about



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Jewish commandments.

- Discuss whether and to what extent you relate to your sustenance and natural and human events such as rain, floods, hurricanes, earthquakes, predators, war, jobs, fame, illness etc. as expressions of divine will, and/or responses to human behavior and worthiness. If not divine, what do you believe about their causes, how and whom they affect?
- How do you understand Job's spouse and her role?
- Do you see for yourself and/or play a role rebelling against cruelty and suffering? Describe the role. Is it part of your *Jewish* life and identity? Does your gender affect this role?—if so, how?

### Study Links

*For days thereafter, through the funeral service and the week of mourning during which he never left Meir’s home, Elisha’s eyes looked out as always to the ordered world of men and things. His speech and actions were addressed to it, but his thoughts were turned inward on the seething chaos of his anguish. ... Aye, and where were the justice and mercy of that God? (134)*

From Milton Steinberg's historical novel *As a Driven Leaf* --exploring the life of a talmudic sage, Elisha ben Abuya. [Here](#) is a blog review with many excerpts.

Explore Robert Sutherland's [Putting God on Trial: The Biblical Book of Job. A literary, legal and philosophical study](#) further on his website.

Rabbi Avraham Twerski shares his [personal insights about the pain and suffering of innocent people](#)—a moving approach from the perspective of a rabbi and doctor.

See the [full text](#) of Rachel Magdalene's article, “Job's Wife as Hero: A Feminist-Forensic Reading of the Book of Job,” *Biblical Interpretation*, 13(3), 2006, 2009-58.

Rabbi Harold Kushner wrote *When Bad Things Happen to Good People*, partly an interpretation of Job, to work through the theological challenges he experienced as a result of the illness and death of his own child. [Here](#) is a brief account of the work.



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#### **Summary of Issues**

Rather than naïve belief in the objective reality of just reward and punishment, or passive acceptance of injustice, Jewish texts conceive an active human role in the alleviation of suffering and the fulfillment of justice.

#### **Methods & Observations**

Comparison of texts and more thorough interpretation yields relevance and depth to a seemingly simplistic biblical view of reward and punishment—a view that much life experience does not corroborate.

Though a woman's brief intervention in the text is dismissed out-of-hand, feminist readings prompt re-thinking the significance of its contribution to the development of a biblical character and to a theological outlook.

#### **Contact**

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