

Jephthah's Daughter

Introduction

In this week's Torah portion, *Chukat*, Moses negotiates with the Edomites and the Amorites to be allowed passage through their lands. They refuse. They then go to war and Israel wins with God's help.

Much later, in the Book of Judges, Jephthah (יִפְתָּח Yiftach), a judge, engages in similar negotiations with the Ammonites. He reminds them of the events in our portion, especially the fact that Israel won. But the case of Jephthah involves a tragic twist. The troubled period of the Judges came after the Israelites were settled in the Land. It lasted a few centuries, during which:

There was no king in Israel and everyone did what was right in his own eyes.
[Judges 21:25]

Here are the details:

וַיִּפְתָּח הַגִּלְעָדִי הָיָה גִבּוֹר חָיִל וְהָיָה בֶן-אִשָּׁה זוֹנָה

Jephthah of Gilead was an able warrior and was the son of a prostitute...

[His half-brothers from his father's wife] drove him out and men of low character gathered about him... [But when] the Ammonites went to war against Israel, the leaders said to Jephthah, "Come be our chief, so that we can fight the Ammonites."

[Jephthah said:] "You are the very people who rejected me and drove me out of my father's house. And you come to me now when you are in trouble?"

[Nevertheless, he accepted.] ...

Then the spirit of the Lord came upon Jephthah [and he scored many victories].

וַיִּזְכֹּר יִפְתָּח גִּדְּרָה לַיהוָה וַיֹּאמֶר אִם-נָתַתָּן אֶת-בְּנִי עִמּוֹן בָּיָדִי

וְהָיָה הַיּוֹצֵא אֲשֶׁר יֵצֵא מִדֶּלְתִּי בֵּיתִי לִקְרָאתִי בְּשׁוֹבִכִי בְּשָׁלוֹם מִבְּנֵי עִמּוֹן וְהָיָה לַיהוָה וְהִעֲלִיתִיהוּ עֹלָה

And Jephthah made the following vow to the Lord: "If you deliver the Ammonites into my hands, then whatever comes out of the door of my house to meet me on my safe return... shall be the Lord's and I will offer it as a burnt offering."

Jephthah crossed over to the Ammonites and attacked them, and the Lord delivered them into his hands. He utterly routed them...

When Jephthah arrived at his home in Mizpah, there was his daughter coming out to meet him, with timbrel and dance! She was an only child. He had no other son or daughter. On seeing her, he rent his clothes and said, "Alas, daughter! You have brought me low! You have brought me trouble! For I have uttered a vow to the Lord and I cannot retract."

She said, "Father, since you have uttered a vow to the Lord, do to me as you have vowed, seeing that the Lord has vindicated you against your enemies." ... And he did to her as he had vowed. She had never known a man. [Judges 11]

This story raises an avalanche of questions.

Is a vow to violate the Torah even valid?

Human sacrifices are clearly prohibited by the Torah. [Lev. 18:21, 20:2-5; Deut. 12:31, 18:10] A vow can prohibit what is permitted, but cannot permit what is prohibited. [Sifrei Matot 7] Indeed, the Torah says:

If a man makes a vow ... to prohibit [certain things to] himself, he shall not violate his word. [Numbers 30:2-3]

The Mishnah declares any vow to violate Jewish law to be invalid [Nedarim 2:1]. The Talmud states that Jephthah's vow was invalid [Pesachim Y 9:6].

We are told "Then the spirit of the Lord came upon Jephthah". So God was already on his side and would grant him victory. Why did he need that vow?

Trust in God had sunk to new lows in the period of the Judges.

The Midrash says that God was indeed displeased, but only for Jephthah allowing for the possibility that an unkosher animal might be sacrificed!

The Holy One, blessed be He, said to him: "Then if a camel or an ass or a dog had come forth from your house, you would have offered it up [to Me] for a burnt-offering?" What did the Lord do? He... prepared his daughter for him. [Genesis R. 60:3]

So God arranged for Jephthah's daughter to be the one to come out first. Why? To teach us the grave danger in making rash vows, while believing he would just have the vow annulled when he saw his daughter?

Didn't everyone know that the Torah does allow vows to be retracted?

They should have. The Talmud [Taanit 4a] says that Jephthah could have had his vow annulled:

And this is what the prophet [Jeremiah meant when he] said to the Jews:

הֲעָרִי אֵין בְּגִלְעָד Is there no balm in Gilead? Is there no physician there?

Why then is there no recovery for the health of the daughter of my people?

[Jeremiah 8:22]

Pinchas, the High Priest, was there. Could he not have annulled the vow?

He certainly could have and didn't. The Midrash says it was because of a misplaced matter of pride on both sides:

Yet was Pinchas not there to absolve him of his vow?

However, Pinchas said: "He needs me, and I am supposed to go to him! I am a High Priest and the son of a High Priest; shall I go to an ignoramus?"

While Jephthah said: "Am I, the chief of Israel's leaders, to go to Pinchas!"

Between the two of them the maiden perished. Thus people say: "Between the midwife and the woman in labor the young woman's child is lost!"

Were Jephthah and Pinchas punished?

Yes. The Midrash says:

Both were punished for her blood. Pinchas was deprived of the divine presence. Hence it is written [in Chronicles]:

And Pinchas the son of Eleazar had been ruler over them. [1 Chron. 9:20]

It is not written "He was ruler" but "He had been ruler" in the past, [when] the Lord was with him. [Genesis R. 60:3, Lev. R. 37:4]

Jephthah died through his limbs falling off. Wherever he went a limb would fall off from him, and it was buried there on the spot. Hence it is written:

Then Jephthah the Gileadite died and was buried in the cities of Gilead. [Judges 12:7]

It does not say, "In a city of Gilead" but "In the cities of Gilead". [Genesis R. 60:3]

However, he did lead Israel for six years after the incident of the vow.

Why does Jephthah blame his daughter for his vow?

Unclear. Since she was an only child, Jephthah was sad that now she would not marry and give him grandchildren who would perpetuate the rehabilitation of his family for future generations. Still, not her fault.

Why did the daughter agree so quickly to subject to the vow?

She may have understood the vow to mean seclusion for the service of God, not slaughtering (see below). Or she may have resigned herself to martyrdom for what she thought was a higher cause (like Samson). The Bible records more of her reaction:

She ... said to her father...: "Let me be for two months, and I will go with my companions and lament upon the hills and there bewail my virginity."

"Go", he replied... She and her companions went and bewailed her virginity upon the hills. After two months' time, she returned to her father. [Judges 11:37-39]

"Bewail her virginity"? Not her life? Or is she lamenting for dying young?

The Midrash says she argued with her father, showing she was quite knowledgeable in Torah law, but he did not budge. Therefore, when she said "Let me go for two months" she meant:

Let me go to a court of law. Perhaps one of them will find a loophole for your words... She went to them, but they did not find a loophole for undoing his vow...

So Jephthah went up and slaughtered [his daughter] before the Holy One. Then the Holy Spirit proclaimed: "Did I desire you to sacrifice lives to me? ... This I never commanded, never decreed, and it never came to My mind." [Jer. 19:5]

Who caused Jephthah to forfeit his daughter? He himself, because he had not studied the Torah. [Midrash Tanhuma Buber, Bechukkotai 7:1]

Another possibility is that laxity in those days was so high that human sacrifices were not uncommon.

What did Jephthah's wife and the people think of the matter?

Unrecorded.

What did he expect to come out of his house? Did he not know it might have been a human being, even his daughter?

Indeed, it was customary for women to greet the men with song and dance when they returned from war victorious. [Exodus 15:19–21; 1 Samuel 18:6–7] Did he *want* his daughter to be the one? Did *she* want it? Some say yes.

Why didn't God intervene as He did when Abraham was about to sacrifice his son Isaac?

In the case of Abraham the entire incident was God's doing from beginning to end. Not so for Jephthah. God only rarely intervenes in people's exercise of their free will.

Jephthah "did to her as he had vowed". Did he kill her or not?

He had vowed to offer her as an *olah*. Does this word only mean a "burnt offering"? Its root means "going up", suggesting other interpretations.

Ibn Ezra and the Radak suggest that Jephthah meant that the first thing to come out the door would be sacrificed *only* if it was an "appropriate" creature. But if so, why were Jephthah and his daughter so worked up about the vow? Because if a sacrifice wasn't "appropriate", then the creature would still have to be consecrated to God. So the daughter had to seclude herself in a house outside the city, in nun-like fashion.

Later medieval commentators (such as Abravanel, Gersonides, Ralbag, or Malbim) agreed that Jephthah only consecrated his daughter to God as a virgin. Indeed, the Bible says: "And he did to her as he had vowed. She had never known a man." Why add that last comment? However, asceticism and lifelong virginity are not encouraged in Judaism.

What should we think of Jephthah?

The Talmud says that the judges who courageously confronted the enemies of Israel must be treated with respect, regardless of their faults. Its examples are Gideon and Samson, who were involved with foreign women, and Jephthah:

Jerubaal [Gideon] in his generation [must be treated] like Moses in his generation; Bedan [Samson] in his generation is like Aaron in his generation; and Jephthah in his generation is like Samuel in his generation.

This teaches you that even the lightest of the light, once he has been appointed as a leader over the community, must be treated like the greatest of the great.

[All must heed him and obey him]. [Rosh Hashanah 25b]

Don't focus on the bad in leaders, ignoring the good. See the big picture. All biblical characters are flawed.

Conclusion

There is much information that is missing in the sad story of Jephthah's daughter. This is why many questions remain unanswered and commentators disagree on what actually happened.

Shabbat shalom.