

# Zera Shimshon

by Rabbi Shimshon Chaim Nachmani zt"l

Published Mantua 1778\*

## Chapter XXXIX: Chukat (Num. 19:1–22:1)

### Essay 14. Jephthah's reputation

In the Haftorah for Chukat (Judges 11:1–33), Jephthah vows that if G-d would deliver the Ammonites into his hand, then he would offer as a burnt-offering whatever first came forth out of his house to meet him when he returned. The Haftorah concludes just before the verses that report that Jephthah's daughter was first to greet him. Some commentators believe that his daughter was indeed sacrificed, even though human sacrifice is abhorrent to Judaism, while other commentators believe that she was kept in seclusion for the rest of her life. Regardless, Jephthah is viewed as zealot with poor judgment, first for making an inappropriate vow, and second for deciding that he had to fulfill his vow in some way, where he should have had the vow annulled by the High Priest. This essay considers another action by Jephthah that shows poor judgment.<sup>1</sup>

**פסוק** "וַיִּבְרַח יִפְתָּח מִפְּנֵי אֶחָיו וַיָּשֶׁב בְּאֶרֶץ טוֹב וַיִּתְּלַקְטוּ אֵלָיו יְפֹתָח אֲנָשִׁים רַיָּקִים וַיִּצְאֻהוּ עַמּוֹ." ג'ש לְדַקְדֵּק בְּקִשְׁר הַפְּסוּק מָה עָנְנוּ זֶה לָזֶה, וְעוֹד מָהוּ "וַיִּצְאֻהוּ עַמּוֹ".

**There is a verse: “So Jephthah fled from his brothers and settled in the land of Tob [טוב] [“good”]; empty men gathered about Jephthah and went out with him.”<sup>2</sup> We need to check the connection of the parts of this verse, how one is related to another, for they seem to be independent ideas. Why is it one verse, instead of two? Also, what is the meaning of “they went out with him”?**

The translator notes here that almost all translations of the Bible render the text *eretz tov* [אֶרֶץ טוֹב] as “the land of Tob,” considering *tov* to be a proper noun. *Tov*, which translates as “good,” is not meant here as an adjective modifying “land,” for *eretz* is a feminine noun, and then the feminine adjective *tova* would be appropriate, viz, *eretz tova*. However, this essay examines a Midrash that inquires why the place would be named after the word meaning “good.”

---

\* English translation: Copyright © 2022 by Charles S. Stein. Additional essays are at <https://www.zstora.com>

<sup>1</sup> Hershey H. Friedman, *The Pious Fool: A Menace to Society* (Oct. 2020), calls Jephthah a *chossid shoteh*, a pious fool. Sota 21b gives an example of a *chossid shoteh* as a man who, when he sees a woman drowning in the river, turns away rather than save her, so he will not be forced to look at [or touch] a woman.

<sup>2</sup> Judges 11:3.

וַיֵּשֶׁב בְּאֶרֶץ טוֹב, וַיִּבְרַח יִפְתָּח מִפְּנֵי אֶחָיו וַיָּשֶׁב בְּאֶרֶץ טוֹב" אָמַר ר' הוֹשֵׁעַ בֶּן לֹוֹי לְמַה נִּקְרָא שְׁמָהּ "טוֹב"? שֶׁהִיא פְּטוּרָה מִן הַמַּעֲשָׂרוֹת עַכ"ל. וּמַעֲתָה סוּף הַפְּסוּק שְׂאוֹמֵר "וַיִּתְּלַקְטוּ אֶל-יִפְתָּח אַנְשֵׁים רִיקִים" הוּא הַטַּעַם שֶׁל תַּחֲלֵת הַפְּסוּק "וַיָּשֶׁב בְּאֶרֶץ טוֹב", לְמַה נִּשְׁבַּח דָּוָק בְּמָקוֹם הַזֶּה לְפִי שֶׁ"וַיִּתְּלַקְטוּ".

**It can be said that it's brought in the midrash, Yalkut Shimoni, "So Jephthah fled from his brothers and settled in the land of Tob": Rabbi Yehoshua ben Levi said, Why is its name called after the word, 'good'? Because it was exempt from tithes."**<sup>3</sup>

Now, the end of the verse, which says "and men of low character gathered about Jephthah," is understood as the reason for the beginning of the verse, "and settled in the land of Tob." That is, **why did he specifically settle in this place? Because Jephthah wanted to form a private army, and he found a group that "gathered about [him]" in this particular place, and the place was called "good" because the "empty" people who lived here did not want to pay tithes, and settled in a place where they were exempt from such payment.**

דְּלִכְאוּרָה קִשְׁהָ עַל הַמְדָרְשׁ שְׁדָרְשׁ "בְּאֶרֶץ" לֹוֹמֵר שֶׁהוּא פְּטוּר מִן הַמַּעֲשָׂרוֹת שֶׁנִּרְאָה שֶׁיִּפְתָּח הֵיחָ מִבְּקֹשׁ עֲלִילוֹת כְּדֵי לִהְיוֹת פְּטוּר מִן הַמַּעֲשָׂר, וְהֵלֵא יִפְתָּח הֵיחָ מֵאֲמִין בְּהַקֵּב"ה כְּדִקְתִּיב "אִם-מְשִׁיבִים" וְכו' "וְנָתַן ה' אוֹתָם לְפָנָי", וְעוֹד "וַיִּדְבֹּר יִפְתָּח אֶת-כָּל-דְּבָרָיו לְפָנָי ה' בַּמַּצְפָּה", וְיָמִי שֶׁיֵּשׁ לוֹ אֲמוּנָה בְּהַקֵּב"ה בְּנִדְוֵעַ שֶׁהוּא מְפָרִישׁ תְּרוּמוֹת וּמַעֲשָׂרוֹת כְּרָאוּי, וְעוֹד קָרָא "וּבְחַנּוּנֵי נָא בְּזֹאת" וְכו', וְאֵיךְ אֶפְשֶׁר שֶׁיִּפְתָּח בְּחֵר לוֹ מָקוֹם זֶה שֶׁנִּרְאָה שֶׁבָּא לְפְטוּר עֲצָמוֹ מִן הַמַּעֲשָׂר.

**There is apparently a question on the Midrash, for it explained the text "in the land of Tob" as meaning that he would be exempt from tithes, for it appears that Jephthah himself was seeking to be exempt from tithes. But unlike the "empty" men of this place, wasn't Jephthah a believer in the Holy One, Blessed be He? As it is written: "Jephthah said to the elders of Gilead, "If you bring me back to fight the Ammonites and the L-rd delivers them to me, I am to be your commander." And Scripture also says: "And Jephthah repeated all these terms before the L-rd at Mizpah."**

**[Regarding] someone who has faith in the Holy One, Blessed be He, knowing that He dispenses offerings and tithes as is proper, and Who said "Put Me to the test," i.e., G-d promises he will reward people who give offerings and tithes—how is it possible that Jephthah would choose for himself this place, that it seems, he came there to exempt himself from tithes?**

<sup>3</sup> Yalkut Shimoni on Nach 66:2.

<sup>4</sup> Judges 11:9.

<sup>5</sup> Malachi 3:10.

משום הכי הוסיף הכתוב "וניתלקטו אל" יפתח אנשים ריקים ויצאו עמו" דתנו בפרק ב' ד[דמאי] המקבל עליו להיות נאמן, מעשר את שהוא אוכל, ואת שהוא מוכר, ואינו מתארח אצל עם הארץ עכ"ל. ואם כן יפתח הנה מוכרח לישוב עם אלו העמי הארצות בחד, והם היו אנשים רקים דהינו עמי הארצות ולפעמים גם הוא הנה צריך לאכול עמם משום איבה, ואם הנה במקום חייב במעשר הנה מאבד הנאמנות שלו והוא הנה רוצה אדרבא להיות בתזקת נאמן, ומשום הכי בסר לו לשבת במקום שהוא פטור כדי להיות לעולם בתזקת נאמן.

**Because of this, Scripture adds, “empty men gathered about Jephthah and went out with him,” for we learned in a Mishnah in the second chapter of Demai, “One who accepts upon himself to be trustworthy, must tithe whatever he eats, and whatever he sells, and whatever he buys, and he may not be the guest of an ignoramus [who may feed untithed food to a guest].”<sup>6</sup>**

**If so, Jephthah was compelled to dwell together with these ignoramuses, and they were empty people, that is, ignoramuses.** Jephthah was forced to dwell with them in part because he had been kicked out of his home by his half-brothers, who did not want him to share their inheritance.<sup>7</sup> Also, as noted above, he found here followers, who would allow him to build a private army. **Sometimes he even needed to eat with them because he wanted to avoid the potential of enmity with these neighbors. If he was in a place where tithes were obligatory, he would have lost his trustworthiness, for being a guest who has possibly eaten untithed food. He wanted, to the contrary, to be a trustworthy person. Because of this, he chose to dwell in a place exempt from tithes, in order to always be trustworthy.**

ושפיר קאמר המדרש שהוא פטור מן המעשר, לפי שהכתוב אומר "בארץ טוב" והנה לו לומד "בארץ טובה", אלא לפי שיפתח רצה להיות בתזקתו טוב ונאמן אף על פי שנתחבר עם אנשים רקים, ולפי שיותר טוב הנה לו לשבת בארץ ישראל ולהתחייב במעשרות ולעזוב חברת האנשים רקים, משום הכי אמרו בגמרא דקמא מטיל ואזיל דקלא בישא.

**Thus, it's fine that the Midrash says he was exempt from tithes, for Scripture says “in the land of Tob” [eretz tov] [ארץ טוב], and grammatically, it should have said *eretz tova* if the intent had been “in a good land,” for as noted earlier, *eretz* is a feminine noun, and if “good” were meant to be an adjective, the feminine form *tova* would be required.**

**Rather, the word is given as *tov*, because Jephthah wanted to be good and trustworthy, even though he associated with empty people.** The word *tov* thus refers to Jephthah, and is therefore in the masculine form.

**Because it would have been better for him to dwell in the Land of Israel and to obligate himself to pay tithes and to leave this community of empty people, because of this, the Gemara says in tractate Bava Kamma 92b, “A bad palm tree strolls and goes among a grove of barren trees [i.e., bad people seek out other bad people].” Thus, this is another example of Jephthah's poor judgment.**

\* \* \*

<sup>6</sup> Mishnah Demai 2:2. The first edition erroneously cited Peah.

<sup>7</sup> Judges 11:2.