

YESHIVAT HAR ETZION
ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

**BEFORE THE EARTHQUAKE:
THE PROPHECIES OF HOSHEA AND AMOS**

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Shiur #13: The Prophecies of Amos: Oracles against the Nations (continued)

In this *shiur*, we will continue our study of Amos's ultimate prophecy in this series of oracles against the nations. In the previous chapter, we began our analysis of the indictment and looked at the particular accusation(s) in verse 6. We will now continue and look at verses 7 and 8 which, together with verse 6, make up the indictment, the first third of the oracle.

THE TEXT: PART 1 – THE INDICTMENT (vv. 6-8)

6 Thus says God: For the three sins of Israel, and for four I will not reverse it: because they sell the righteous for silver, and the needy for a pair of shoes. **7** **That pant after the dust of the earth on the head of the indigent, and turn aside the way of the humble. And a man and his father go unto the same maiden to profane My holy name.** **8** **And they lay themselves down beside every altar upon clothes taken in pledge, and in the house of their gods they drink the wine of them that have been fined.**

The first two accusations in v. 7 speak to abusive treatment of the poor. They flow quite naturally from the first two transgressions presented in v. 6, but a straightforward look at the seven sins in this oracle leaves us with a puzzle. The first four, as well as the final two, all speak of taking advantage of the poor. Whether the people Amos indicts are engaging in the slave trade (the apparent meaning of the first two accusations, as we outlined in the previous *shiur*), capitalizing on the degraded status of the indigent (v. 7a) or enjoying the materials “legally” seized from the poor (v. 8), all seem to focus on the wrongful behavior of the rich and powerful towards the needy. What, then, are we to make of the fifth accusation, found at the end of v. 7: “And a man and his father go unto the same maiden to profane My holy name”?

7a₁: That pant (*ha-sho'afim*) after the dust of the earth on the head of the indigent (*dallim*)

The first term (*ha-sho'afim*) seems to come from the root *shin-alef-peh*, which means “to breathe,” as “She is a wild ass used to the wilderness, who **snuffs up**

(*sha'afa*) wind as per her desire" (*Yirmeyahu* 2:24). However, this rendering, which we have presented based on the JPS 1917 edition, does not make much sense here. Shalom Paul's¹ view is that the root here is an alternate form of *shin-vav-peh* and means "to trample," as in *Bereishit* 3:15. BDB (p. 983) and other biblical lexicons recognize this secondary root as well. As such, we will render it "who trample the ground on the heads of the destitute," i.e. who walk all over them literally or figuratively. *Chazal* employ a parallel phrase when warning judges that they should not "trample the heads of the holy nation" when entering the study hall.² Whether this refers to their actually stepping on the heads of the students in order to get to their reserved places or to a more figurative abuse of the students is irrelevant; in our verse, it is almost certainly figurative. The rich treat the poor like the dust of the earth, trampling them on their way to fulfilling their venal ambitions. This recurs in 8:4: "*ha-sho'afim evyon*," "who trample the needy." (*Evyon*, as we discussed in our previous *shiur*, appears in v. 6 here.)

7a2: and turn aside the way of the humble (*anavim*)

While *anavim* here is translated as "humble," there are numerous instances in *Tanakh* in which *anavim* means *aniyim*, the poor; since *dallim* (the indigent) appear in the previous clause, this would seem to be the sense here, as in *Yeshayahu* 11:4. In the aforementioned verse in Chapter 8, *evyon* parallels *aniyei* (written *anvei*) *aretz*, "the poor of the land." Some of the biblical dictionaries conflate the two, reading the word as "poor, humble, meek;" but the two roots, although related, are distinct. A number of the modern English translations render the word as "needy" or "destitute"; some even take it in a third direction and translate it as "oppressed," from the root *ayin-nun-heh*.

The verb used to refer to the crime of the Samarian aristocracy means to incline, stretch out or bend. They bend the path of the poor — what does this mean? We can find a clue to this puzzling phrase in *I Shemuel* 8:3 where we learn that Shemuel's sons "inclined (*va-yittu*) after graft" and "bent (*va-yattu*) justice." The verb is used several times in the Torah to warn judges not to pervert justice,³ and appears again as one of the curses to be pronounced at Gerizim and Eival.⁴ Thus, the powers that be pervert justice to abuse the lowly.

In sum, the first four accusations may be directed at the wealthy of Samaria or at her judges or both. The opening pair of accusations seem to refer to engagement in the slave trade. This could be a crime of the rich or a perversion of the judicial system. Debt slavery (cf. *II Melakhim* 4) was common in the region and the judges may have been complicit. Alternatively, as we posited in the last *shiur*, this may refer to citizen "bounty-hunters" who (immorally) return fugitive slaves to their owners. The next two accusations further speak to mistreatment of the poor.

¹ *Mikra leYisrael, Amos* (Tel Aviv: Am Oved, 1994), p. 49.

² BT *Sanhedrin* 7b; cf. BT *Yevamot* 105b

³ *Shemot* 23:6; *Devarim* 16:19, 24:17

⁴ *Devarim* 27:19

Again, the indictment may be aimed at the wealthy citizenry who abuse the poor or the judges who persecute the poor (as the verb suggests).

7b: And a man and his father go unto the same maiden to profane My holy name.

This fifth accusation is enigmatic in a number of ways. First of all, it is close to twice the length of any of the others,⁵ which gives us the impression that it is either more depraved than the rest or the root of the other crimes.

Second, the language of this clause is striking. “A man and his father” is a unique phrase, as fathers usually lead their sons, whether to righteousness (*Bereishit* 18:18-19) or to perdition (*Bamidbar* 32:14). “Go unto the same maiden” is unusual, as the verb “go” rarely has sexual connotations, while the preposition *el* (“to” or “unto”) militates in favor of it; this is the consensus among the commentators, traditional and academic, medieval and modern.

Who is this maiden, and what is the context of their sexual congress with her? Many Rishonim assume she is a “betrothed maiden” (*na’ara me’orasa*). But is this a case of rape, where the girl is blameless, or is she complicit in the adultery? And isn’t adultery a serious enough sin, making the incestuous element “overkill”?

Other commentators, chiefly modern ones, assume the context to be cultic, following the setting of the last two crimes. In other words, these men go together to the pagan temple and engage in fertility rites with the cult prostitute; this surely raises the stakes from a gross violation of sexual immorality to outright pagan worship of the most deviant type. But why describe the girl as a *na’ara*, as opposed to the recognized word for cult prostitute, *kedeisha*? And why does it make a difference that the father and son go together? R. David Kimchi (Radak) takes a different approach, which is approvingly cited by more recent commentators. He assumes the young woman is just that, so the verse is highlighting the lack of shame between father and son embodied by sharing a sexual partner, thus “in order to profane My holy Name.” This defiles the sanctity of Israel, undermining the command: “You shall be holy as I, God who sanctifies you, am holy” (*Vayikra* 19:2). However, this seems forced, as this would indicate that *chillul ha-shem*, desecration of God’s name, includes licit acts which violate “proper Jewish mores.”

Now let us turn to the last element: “*Lema’an* profane My holy name.” While the first word is usually translated “in order to,” here it seems to mean “which results in” — “And a man and his father go unto the same maiden, **which results in** a profaning of My holy name.” There is support for this read of *lema’an* from

⁵ The first two indictments are 3 words each, the third is 4 words and the fourth is, again, 3 words. Our accusation is 8 words long. The final two accusations are 5 words each. (We are reckoning multi-word phrases that are connected via a *makaf* as one word.)

Vayikra 20:3, in the context of the severe Divine “attention” given to someone who passes his child through the Molekh rite:

And I will turn My face towards that man and will cut him off from the midst of his nation, for he gave of his seed to the Molekh **which results in** profaning My sanctuary and defiling My holy name.

We have analyzed the phrases and clarified (to the best of our ability) the meaning of the words. Once we’ve done the same for the next verse, completing the indictment, we’ll retrace our steps and try to make sense of this accusation.

8a: And they lay themselves down beside every altar upon clothes taken in pledge,

Throughout the Biblical period, it was common to seize clothing and nightwear from the poor as a pledge or collateral for a loan, but the Torah warns us not to seize the garment of a widow (*Devarim* 24:17⁶). Similarly, *Shemot* 22:24-26 states:

If you lend money to any of My people, even to the poor with you, you shall not be as a creditor to him; neither shall you put interest on him. If you take your neighbor's garment at all as a pledge, you shall restore it to him by the time that the sun goes down; for that is his only covering, it is his garment for his skin; wherein will he sleep? And it shall come to pass, when he cries to Me, that I will hear; for I am gracious.

The image of the poor sleeping without the clothing which now rests in the wealthy moneylender’s house is abhorrent. Although the pledge is permitted, it comes with clear limitations which provide for the pauper to be able to continue living and is only granted to allow lenders a sense of security and to ensure that they will continue to lend money. In other words, the permission to take a pledge from the poor is associated with the concern formulated by the Rabbis “so as not to shut the door in the face of borrowers.” *Sifrei Re’eh* 116:7 cites a dispute between Rabbi Yehuda and the Sages in interpreting the phrase “You shall surely take a pledge from him” (*Devarim* 15:8). Rabbi Yehuda maintains that the phrase indicates that the lender may take a pledge and, after returning it, retake the pledge. The Sages disagree and understand the phrase as referring **to mollifying the pauper!** The *Pesikta* expands on this. The pauper may feel uncomfortable in taking a loan, so we tell the borrower to bring a pledge to prevent the borrower from being ashamed.

Thus, the entire system of pledges is for the ultimate (or even immediate) benefit of the poor, yet the wealthy ignore the needs of the poor and use their clothes to

⁶ See the Halakhic discussion regarding the parameters of legitimate seizure in the 9th chapter of *Bava Metzia*. Note the well-known dispute regarding the application of this law to the wealthy widow in *Tosefta Bava Metzia* 10:3.

lie upon. We will address the end of the phrase, “beside every altar,” further down. At this point, it seems that the wealthy moneylenders stand accused.

8b: and in the house of their gods they drink the wine of them that have been fined

Most Rishonim understand this as meaning that people have been (perhaps wrongly) fined in court and that these funds are used to purchase wine. This image is evoked a bit further on by Amos (4:1):

Hear this word, you cows of the Bashan that are on the mountain of Shomeron, who oppress the poor, who crush the needy, who say to their lords, “Bring that we may drink.”

The conventional understanding of this verse is that the rich wives of Samaria demand that their husbands gouge more out of the poor so that they can have more wine at their feasts (cows of Bashan being famously well-fed).

This would argue in favor of the approach taken by, among others, R. Yosef Kara (and perhaps ibn Ezra): the “punished” are poor people who have been oppressed by the wealthy. This approach is informed by the passage in 4:1, as well as the pledged garments in the first half of the verse.

Nonetheless, the use of “them that have been fined” here argues in favor of the mainstream approach. If so, then the parallelism in the verse may force us to reexamine who is taking the pledged garments. I'd like to suggest that the judges in Samaria are those standing accused in this verse. The judges seize pledges for loans (seizing a pledge is not necessarily in the purview of the lender) and using them for their own personal benefit (lying on them) rather than safeguarding them to ensure a proper repayment of the loan. This would then mean that three of the crimes mentioned here are directed at the corrupt judiciary: the poor come to court and are judged unfairly and assessed a debt, for which a pledge is taken; when a fine is imposed upon them (for defaulting on the loan or some other pretext), that money is used by the judges to buy wine for themselves (and perhaps their wives),

The mention, in both halves of the verse, of a cultic setting leads most commentators to add the idolatrous perspective to the accusation: to wit, these corrupt scoundrels abuse the poor and use their ill-gotten gains to celebrate an idolatrous feast. This understanding leads some, as pointed out above, to interpret the crime of “a man and his father” as a cultic practice.

However, this seems to be at odds with Amos's focus on mistreating the poor. There are numerous indictments in our book against supporting and participating in pagan practices (e.g. 4:4-5, 5:5); but I believe that this oracle is not one of them. There is no direct attack on paganism or its practices; if the maiden and

the altar and the gods are all pagan, we would expect a frontal attack on that cardinal sin, which typically rises above all else in prophetic pronouncements.

The prophet here is deliberately turning a familiar biblical image inside out, to his rhetorical advantage. The courthouse abuts the Sanctuary. When the Torah commands (lower courts or citizens) to seek legal instruction, it says: "Arise and go up to the place the Lord your God chooses" (*Devarim* 17:8). The Torah "interrupts" commands regarding the establishment of just courts with laws relating to the altar (*ibid.* 16:21-17:1). When Yeshayahu, contemporary of Amos, envisions Yerushalayim in its redeemed state, he avers that it will again be called "the city of justice" (1:26).

I believe that what Amos is doing is taking that same image and inverting it. The place of corrupt judgment is considered idolatrous; a judge who uses moneys taken from the poor to enrich his own household turns his home into an idolatrous temple. When he lies down, an idolatrous altar is next to him; when he imbibes the wine bought with these moneys, it is a libation to foreign gods. (Even though these corrupt people might not have been bothered by that image, hearing it from the prophet from Yehuda might have had the desired effect).

"A MAN AND HIS FATHER" REEXAMINED

Regarding the crime of "a man and his father," we were bothered above by several things.

- 1) Why is there an emphasis on the man and his father going together — or both going?
- 2) Why is the order presented as "a man and his father" as opposed to "a man and his son"?
- 3) Who is the *na'ara* with whom they are engaging in sexual congress?
- 4) Why, of all the crimes listed, does this one generate a *chillul ha-shem*?
- 5) Finally, why is this accusation twice as long as any of the other six crimes of which Yisrael is accused?

I would like to suggest, first of all, that this crime should be seen as the "center" of the seven indictments, in spite of its placement after the fourth crime. Syntactically and structurally, there is no way to make it the "pure middle" (i.e. crime #4) due to the necessary length of the colon. By imagining the crimes rearranged in this manner, we may view the seven as arranged chiastically:

- A: Selling the innocent for silver
- B: Selling the indigent for shoes
- C: Trampling on the heads of the destitute
- D: A man and his father going unto the maiden, thereby profaning My holy name
- C1: Perverting the way of the poor

B1: Reclining on pledged garments near every altar
A1: Drinking the wine of those who were fined in the house of their gods

Note that, per our discussion above, the first three crimes are all aimed at the aristocracy and, perhaps, the royal house. The last three (per our rearrangement here) are aimed at the judiciary. What all six of these have in common is the terrible abuse of the poor – apparently, all within legitimate parameters. But what are we to make of the “middle” crime?

Nearly all ancient societies — including the one in which Amos operated — had slavery as a central component of their economic system. Slavery was, in some ways, a boon for the slave as it gave him (and, perhaps, his family), a safety net. As a result, the Torah both legislates slavery and institutes guidelines intended to ensure minimal abuse of slaves. This is especially true in the case of the Hebrew manservant. He works for six years, is freed at the jubilee year and has to be provided for by his master. In addition, as heinous as we may find it, a Jew has the right to sell his daughter into slavery, per *Shemot* 21:7-11. Stipulated therein is the rule that when the girl reaches puberty, the master has three choices: to marry her himself, to marry her off to his son or to free her.

As we might expect, slaves were always an underclass and had few advocates. Abusing their rights was tempting. Yirmeyahu’s famous indictment of Yehuda (ch. 34) just before the destruction points to the slave-owners holding on to their Jewish slaves beyond the six-year maximum. When threatened with destruction, the owners free them; and when they learn that the Heavenly decree has been lifted, they retake them as slaves.

I would like to suggest that the *na’ara* in question is a maidservant, sold by her father as a minor. Keeping in mind that the master **or his son** may marry her when she reaches majority, here we have a case of a man **or**⁷ his father (the slave-owner himself) having relations with her. If this reading is correct, there is nothing wrong with this behavior, so why is it even listed here?

This is where the use of *na’ara* becomes significant. Although the masculine *na’ar* has a wide age range of meaning,⁸ it is pretty much a matter of consensus that a *na’ara* is a girl who has reached physical maturity and is ready for marriage. This is the girl **who should already have been freed**. In other words, the master has held onto this Jewish maidservant beyond the legal limit and now wishes to exercise his (formerly) legal right to cohabit with her. This also explains the unusual wording “go *el ha-na’ara*” — for she has theoretically left his domain and the master is following her, staking his “claim” on her. In addition, we may read “a man” as being the slave-owner and/or “his father” — that the owner is creating a “self-help extension” of the law and inviting his **father** to take the girl,

⁷ Reading it as “a man or his father,” following R. Yonatan in *Mekhilta Mishpatim*, *Nezikin* 5.

⁸ Cf. Ramban, *Bereishit* 37:2

rather than limiting her to himself or his son. Still, after all is said and done, why is this crime so terrible that it is the focal point of the *chillul ha-shem* in this oracle?

I'd like to suggest that the essential crime found in all seven accusations is the harming of the underprivileged by the wealthy and the judicial system for their own benefit. To take God's laws which permit these behaviors **for the benefit of the downtrodden themselves** and to turn them around to the benefit of the wealthy and ruling class is a desecration of God's Name. To cloak self-interest in legalities and then to "stretch" them for the benefit of the judges and the wealthy means that the courts, the legal system and God's laws themselves have become instruments of oppression instead of devices of protection. We are constantly adjured to protect and care for the widow, the orphan and other potentially disenfranchised people in our society, but it is these who are exploited in Shomeron.

Now we may answer our questions above:

- 1) The father and son do not go "together."
- 2) The order is "a man and his father" since the expected marriage with the maidservant would be with the son, who is likely closer to her in age.
- 3) The *na'ara* is a Hebrew maidservant who has not been freed, even though her time to leave has come.
- 4) This accusation carries with it the strongest sense of *chillul ha-shem* as it takes a law given by God to, under the direst circumstances, help an impoverished family, and turns it to the benefit of the wealthy owner.
- 5) Since this accusation carries with it the strongest *chillul ha-shem* aspect, it commands an entire line, twice as long as the other accusations.

For Further Study:

On the use of the phrase "going unto" to refer to sexual congress, see Shalom M. Paul, *Two Cognate Semitic Terms for Mating and Copulation*, *Vetus Testamentum* 32, 4 (1982), pp. 492-494.