5

Ethics of Deception

As discussed in the previous chapter, Esau accused Jacob of deceiving him in the purchase of his birthright, which leads to the larger philosophical question regarding the ethics of deception. Is it ever moral to lie or deceive? Is deception ethical if for a greater purpose, for instance, to obey a commandment, to fulfill a divine prophecy, or to save someone's life? In other words, is deception justifiable when the results are positive or is lying prohibited under any circumstance and never a legitimate method for achieving one's goals? Despite biblical prohibitions against lying, the Bible rarely offers an evaluation of its characters or their conduct, thus leaving the moral ambiguity regarding the Bible's attitude towards the ethical nature of deception open to interpretation by the reader. Contemporary philosophers vigorously debate whether or not deception is ever ethically justified. The eighteenth-century German philosopher Immanuel Kant asserts a categorical imperative and argues that it is absolutely never ethical to lie. Benjamin Constant, an eighteenth-century Swiss-French philosopher, refutes Kant's position and argues that there are certain circumstances in which deception is the ethical mode of conduct. Against the background of such ethical considerations, numerous challenging instances of deception in biblical narrative can be examined. Different philosophical opinions concerning the ethics of deception support different interpretations of the stories; and the considerations advanced in the philosophical debate concerning lying and deceit can elucidate the complex moral problems raised by these ambiguous episodes.

Sissela Bok defines a lie as "any intentionally deceptive message which is stated."[1] However, it is possible to deceive and mislead even when uttering a statement that is technically true, yet open to misinterpretation. Bok describes deceit or intentional deception as what takes place "when human beings purposely distort, withhold, or otherwise manipulate information reaching others so as to mislead them."[2] Other forms of deception include: not stating the whole truth, evading the truth (when a speaker diverts the attention of the hearer to another subject, suggests an irrelevant fact or makes a remark, which confuses him or states some truth from which he is quite certain his hearer will draw an illogical and untrue conclusion), equivocation (the use of ambiguous expressions to deceive and conceal), and reservation (the use of mixed sentences – part in speech and part in the mind, in which the speaker reserves the truth-making part of an assertion in his mind).

The Bible prohibits lying in many references to both judicial and non-judicial contexts. In both accounts of the Decalogue, the prohibition against perjury is stated: "You shall not bear false witness against your neighbor";[3] "Neither shall you bear false witness against your neighbor."[4] Additionally, "Keep yourself far from a false matter; and the innocent and righteous do not kill; for I will not justify the wicked,"[5] refers to the judicial realm.[6] The biblical position on deception within a judicial framework is clear, as lying impairs the judge's ability to render a fair judgment, which could potentially harm the innocent. Therefore, severe sanctions on false witnesses are necessary to deter such testimony. The Bible also condemns falsehood in non-judicial contexts. For example, "He who does deceit shall not dwell within My house; he who speaks falsehood shall not be established before My eyes";[7] "There are six things which the Lord hates, indeed, seven which are an abomination to Him: Haughty eyes, a lying tongue,

[1] Sissela Bok, *Lying: Moral Choice in Public and Private Life* (New York: Vintage Books, 1999), 13.

[2] Sissela Bok, "Deceit," in *Encyclopedia of Ethics*, 2nd edn., ed. Lawrence Becker and Charlotte Becker (New York: Routledge, 2001), vol. 1, 378–81.

[3] Exod. 20:12.

[4] Deut. 5:16.

[5] Exod. 23:7. False witnesses receive as punishment that which they schemed to have done to the defendant by their testimony (Deut. 19:16–21).

[6] The similar prohibition, "You shall not steal; neither shall you deal falsely, nor lie one to another" (Lev. 19:11), refers to business dealings.

[7] Ps. 101:7.

and hands that shed innocent blood …";[8] "Lying lips are an abomination to the Lord; but they who deal truly are His delight."[9] However, despite such prohibitions against lying, there are many instances in biblical narrative in which characters employ deceptive means (both of an outright nature and the more subtle use of misleading truths) to achieve desired ends which are not condemned, and, at times, are even praised. Abram calls Sarai his sister in Egypt in order to save his own life when he fears that Pharaoh will kill him due to Pharaoh's desire for Abram's beautiful wife (Gen. 12:13). Abimelech is later deceived by the same lie by Abraham (Gen. 20) and then by Isaac (Gen. 26). Simeon and Levi resort to deception after Shechem defiles their sister. The midwives of the Israelites in Egypt (Exod. 1:19) and Rahab, a foreign harlot (Josh. 2:4–5), use trickery against Israel's enemy to preserve the Israelites' safety. Rebekah facilitates Jacob's deception of Isaac by orchestrating a plan in which Jacob pretends to be Esau in order to receive the blessing of his father (Gen. 27:36). Tamar deceives Judah and seduces him in the guise of a harlot when he refuses to allow her to marry his third son, after the deaths of his two older sons to whom she was married (Gen. 38:14). Not only does the Bible not condemn lying in such circumstances, God even encourages, and, perhaps, commands Moses and the Israelites to stretch the truth in Egypt (Exod. 3) and Samuel to lie when the prophet expresses fear of danger from Saul (I Sam. 16:1–2).

Rabbinic and exegetical interpretations have offered apologetic explanations to afford more positive portrayals of deceivers and negative depictions of the deceived, as if to imply that victims were deserving of being deceived and that such deception was, therefore, justified.[10] Some comments even diverge far from the literal meaning of the text as exegetes repunctuate overt lies or argue that they are technically misleading truths in an effort to rationalize the deception.[11] Philosophers similarly uphold 'mental reservation' to explain

[8] Prov. 6:16–17, 19.

[9] Prov. 12:22.

[10] Michael James Williams, *Deception in Genesis: An Investigation into the Morality of a Unique Biblical Phenomenon*. Studies in Biblical Literature 32 (New York: Peter Lang, 2001), 114–31. For instance, as will be analyzed in this chapter, the Midrash evaluates Pharaoh and Abimelech negatively, while Simeon and Levi are justified. In the Midrash, Rebekah and Jacob are portrayed in a positive light, Esau is disparaged, and Laban is portrayed as a self-serving deceiver.

[11] See, for instance, Rashi's comment on Gen. 22:8 and Gen. 27:19, discussed later in this chapter.

away seemingly blatant deception.[12] However, such arguments are often not compelling, as they may be unsound from a literary or philosophical perspective. It is not clear from the Bible whether the silence of the text surrounding deception reflects a condoning attitude or whether the omission of any praise in most circumstances (especially when juxtaposed to the few instances in which deceivers are explicitly praised for their deceitful behavior) implies biblical disapproval.

While no clear evaluation of the character's conduct is included within the episode, the Bible's judgment may be uncovered by literary hints in the text, subtle textual parallels to other references in the Bible or future events in the figure's life which can be interpreted as approval or retribution for the earlier deception. Since the Bible's attitude towards lying has not been thoroughly examined from an ethical perspective, a contemporary philosophical analysis of narratives that depict deception will shed light on the biblical view of morally ambiguous stories. However, before subjecting the biblical narratives to moral analysis, it will be helpful to discern the ethical considerations in the philosophical debate over the nature of deception.

The topic of lying and deception has been the subject of much debate in moral philosophy. Like Aristotle, Augustine,[13] and

[12] A mental reservation is a partial but highly misleading truth with the intent to deceive, while adding in one's mind the missing words that would render the statement non-deceptive, as to not be responsible for the 'misinterpretation' made by the listener. "The doctrine of mental reservation was a casuist doctrine which held that in certain circumstances, special linguistic maneuvers were permitted and the resulting utterances were not considered lies" (Jennifer Saul, *Lying, Misleading and What is Said* [Oxford: Oxford University Press, 2012], 102). Kant condemned mental reservations as untruths, while other philosophers argue that they could be used only for a just cause and when there was a chance for the deceived to make the correct inference (J. P. Gury, *Compendium theologiae moralis*, ed. A. Sabatti and T. Barrett [New York: Ratisbon, 1902], 221–3).

[13] Augustine, an absolutist, considers lies to be abhorrent even if for a good purpose. However, he delineates a hierarchy among eight types of lies according to their severity, ranging from falsehoods "in religious doctrine" (the worst) to lies that do no harm. While some lies may be more understandable and less harmful than others, even those are forbidden by God and should be avoided. Augustine considers lying's effect on the liar's character, since one who lies even for a justified good cause may become disposed to lie in other contexts as well; lying may also motivate the liar to make other moral "accommodations" for the sake of an important end (Augustine, "Lying," in *Treatises on Various Subjects*, ed. R. J. Deferari, *Fathers of the Church* [New York: Catholic University of America Press, 1952], vol. XIV, ch. 14).

Aquinas,[14] Immanuel Kant, asserts an absolutist position that lying is always morally wrong and at odds with the categorical imperative. According to Kant, a lie is an untruthful declaration, a statement that invites someone to believe it is true and to believe that the speaker thinks it is true.[15] Lying, for Kant, is considered the archetype of all immorality, as it violates one's duty to all of humanity. He writes:

> Truthfulness is a duty which must be regarded as the ground of all duties based on contract … To be truthful (honest) in all declarations, therefore, is a sacred and absolutely commanding decree of reason, limited by no expediency.[16]

He reasons that humans are born with dignity, an "intrinsic worth" derived from the fact that they are uniquely rational agents. Kant argues that to be human means to have the rational power of free choice; and to be ethical is to respect that capacity in oneself and others. Lying, therefore, corrupts the most essential nature of humanity, namely the individual's ability to make free, rational choices which imbues him with moral worth. His human dignity and autonomy are diminished since the lie leads him to make different choices than he would have had he known the truth. Kant believes that humans have an absolute duty to prevent any impairment to or misuse of one's ability to make free and rational decisions.

Kant extends the prohibition even to self-deception and differentiates between internal (a lie told to oneself) and external (a lie told to someone else) lies. "In lying to oneself, one makes an untruthful statement to one's inner judge, and invites the inner judge to believe the untruthful statement to be true."[17] Internal lies violate the dignity of humanity within one's own person.[18]

[14] Aquinas also maintains an absolutist approach that every lie is a sin, yet he distinguishes between falsehoods. Jocose (made in jest) and officious (for the benefit of others) lies are not mortal sins as the greater the intended good, the less the sin for lying. Injurious, hurtful lies that are harmful to others, by contrast, are considered mortal sins. Aquinas, however, believes that a deceptive purpose is a sufficient condition for an assertion's being a lie, even if it is technically true (Thomas Aquinas, *Summa theologiae* [New York: McGraw-Hill, 1964], 2.2, q. 110).

[15] James Mahon, "Kant on Lies, Candour, and Reticence," *Kantian Review* 7 (2003): 102–33.

[16] Kant, "On a Supposed Right to Lie from Altruistic Motives," 348.

[17] Mahon, "Kant on Lies, Candour, and Reticence," 113.

[18] Immanuel Kant, "The Metaphysics of Morals," in *Practical Philosophy* 6:429, trans. Mary Gregor (Cambridge: Cambridge University Press, 1999), 552.

However, the scope of Kant's prohibition against lying is narrower than initially appears, since he argues that the duty to be truthful is only the duty to refrain from making untruthful declarations, but does not prohibit making an untruthful statement when there is no invitation to believe the untruthful statement to be true. It does not prohibit lies of omission or non-mendacious linguistic deception (deception that does not involve the telling of a lie) when the goal is to promote the truth or avert an evil.[19] Kant, uninterested in consequences, distinguishes between lies and misleading truths though they have the same intention and, if successful, have the same consequence as an outright lie: to deceive the listener. Since Kant conceives of a lie as the making of an untruthful statement with the intention that it be believed to be true, a misleading truth, an utterance which is technically true, but intended for the listener to interpret in a false manner, would not constitute a lie. In steadfast adherence to the moral imperative, he permits misleading truths since they, unlike outright lies, pay homage to duty and respect the dignity of moral law, which, to some degree, justifies their evasion of truth.[20]

Kant employed this distinction in his own defense. King Friedrich Wilhelm II and his censors demanded that Kant refrain from writing or lecturing on topics that deprecated religion. Kant, intending to continue to write and speak about religion, carefully promised, "As your Majesty's faithful subject, I shall in the future completely desist from all public lectures or papers concerning religion." When the King died shortly thereafter, Kant considered himself absolved of the promise, since in his misleading truth, he committed only to deprive himself of such freedom during the King's lifetime. Kant argues that he chose his phrasing carefully "so that I should not be deprived of my freedom … forever, but only so long as His Majesty was alive," since Kant knew that the King's death was expected imminently. Kant did not view

[19] Jonathan Adler defines non-mendacious linguistic deception as "asserting what one believes to be true, inviting the drawing of a conclusion that one believes to be false" (Jonathan Adler, "Lying, Deceiving or Falsely Implicating," *Journal of Philosophy* 94, no. 9 [1997]: 437).

[20] Immanuel Kant, *The Conflict of the Faculties* [Der Streit der Fakultagten], trans. M. Gregor (Lincoln, NE: University of Nebraska Press, 1992).

his utterance to be dishonest since he honored his commitment. His promise was deceptively equivocal in order to promote the truth, yet he was absolved of responsibility if others made an inference from his deceptive promise to the conclusion that he would refrain from religious teaching after the King's death. Alasdair MacIntyre interprets Kant as claiming that, "My duty is to assert only what is true and the mistaken inferences which others may draw from what I say or what I do are … not my responsibility, but theirs."[21] One's duty is confined to the truth of what one asserts; the belief of others is no responsibility of the speaker, so long as the speaker asserted only the truth. Jonathan Adler adds, "The underlying idea is, presumably, that each individual is a rational, autonomous being and so fully responsible for the inferences he draws, just as he is for his acts. It is deception, but not lies that require mistaken inferences and so the hearer's responsibility."[22] Insofar as one is not telling a lie, one is not violating the duty of truthfulness. The victim who is misled bears partial responsibility because he had to make an inference and then forms the belief that what he has inferred is true, whereas an overt liar assumes full responsibility. Michael Sandel explicates Kant's distinction further, "A misleading statement that is nonetheless true does not coerce or manipulate the listener in the same way as an outright lie. It is always possible that a careful listener could figure it out."[23] Roderick Chisholm and Thomas Feehan argue that a liar violates the listener's trust in a way that a misleader does not. The listener has a right to expect that the speaker believes what is said to be true, but no such right with respect to other claims that are conveyed. "Lying, unlike other types of intended deception, is essentially a breach of faith."[24]

[21] Alasdair MacIntyre, "Truthfulness, Lies and Moral Philosophers: What Can We Learn from Mill and Kant," in *The Tanner Lectures on Human Values 16*, ed. G. B. Peterson (Salt Lake City, UT: University of Utah Press, 1994), 337.

[22] Adler, "Lying, Deceiving or Falsely Implicating," 444.

[23] Sandel, *Justice*: *What's the Right Thing to Do?*, 137. Cameron Shelley, however, argues that misleading truths are not consistent with the categorical imperative and are, therefore, not morally permissible from a Kantian perspective since manipulation, impermissible in Kantian ethics, is intended by the speaker. The onus is, therefore, on the speaker to avoid deliberately misleading the audience, as opposed to the onus that Sandel puts on the audience to interpret the statement in order to discern the truth (Cameron Shelley, "On the Impermissibility of Telling Misleading Truths in Kantian Ethics," *Open Journal of Philosophy* 2, no. 2 [2012]: 89–91).

[24] Roderick Chisholm and Thomas Feehan, "The Intent to Deceive," *Journal of Philosophy* 74, no. 3 (1977): 153.

In opposition to Kant, but like Plato, St. Chrysostom, and Hugo Grotius, Benjamin Constant defends the lawfulness to lie of necessity and challenges Kant's assertion by raising a hypothetical objection. If, according to Kant, truth-telling is a universal imperative, then it follows that one must (if asked) tell a known murderer the location of his prey.[25] Kant responds as Constant inferred, that one has a moral duty not to lie to the murderer: "Truthfulness in statements that cannot be avoided is the formal duty of man to everyone, however great the disadvantage that may arise therefrom for him or for any other."[26] Kant suggests responding to the would-be murderer with a misleading truth.

Constant objects and argues that truth-telling is only a duty towards him who has a right to the truth. Therefore, there is no need to tell a misleading truth, but rather, it is ethical to lie to the would-be murderer.

> It is a duty to tell the truth. The concept of duty is inseparable from the concept of right. A duty is that on the part of one being which corresponds to the rights of another. Where there are no rights, there are no duties. To tell the truth is therefore a duty, but only to one who has a right to the truth. But no one has a right to the truth, which injures others.[27]

Constant does not mean that the murderer's violation of the law prohibiting murder justifies the liar's violation of the universal law of truth-telling. Rather, he attempts to demonstrate through his objection that in such a case the liar does not violate the law at all. In the seventeenth century, Dutch Protestant thinker Hugo Grotius attempted to preserve absolutism about lying by narrowing the definition of the lie, so that only a false assertion "to one with a right to the truth" would constitute a lie. Grotius considers a falsehood

[25] Benjamin Constant, "On Political Reactions," Part VI, No. 1, 123, first pub. France, 1797.

[26] Kant, "On a Supposed Right to Lie," 347. In response to the murderer objection, Kant assumes there is no way to remain silent or evade the question. Therefore, Kant rules that one has an ethical obligation to be truthful (although one does not have to be particularly forthcoming about such information). In his *Lectures on Ethics*, Kant writes, "We may knowingly deceive the other in a permissible way, if we try by our action or utterance to promote the truth, or avert an evil" (Immanuel Kant, *Lectures on Ethics*, trans. Peter Heath, ed. Jerome Schneewind [Cambridge: Cambridge University Press, 1997], 27:700). A blatant lie has one motive: to protect one's friend from harm. A misleading truth, however, has two motives: to save the friend and to uphold the duty to tell the truth.

[27] Constant, "On Political Reactions," 123.

a lie only if it conflicts with a right of the person to whom it is addressed. For example, since a thief has no right to the information he tries to extort, to speak falsely to him is not a lie.[28]

Whereas Kant argues that one must follow one's duty, regardless of circumstances and of consequences, Constant urges that one should follow the best available course of action, taking circumstances and outcomes into consideration. According to Constant's example, the liar lies to the murderer because it is the moral choice in order to save his friend's life. The potential victim is supposed to be his friend, whose trust he has accepted and encouraged by allowing him to take refuge in his home. The murderer is trying to make the liar complicit in a profoundly wrongful act. The liar's motivation is respect for the law in order to come to the aid of someone in dire need.[29] Furthermore, Constant argues by induction that one has no duty to tell the truth to the murderer, since the murderer, in his intent, forfeits the rights instrumental to his action. The liar is relieved from the obligation to follow his duty of truth-telling towards someone whose very intent is to use this obligation to harm others.

Kant, however, refuses Constant's distinction and contends that if one lies regardless of one's good intentions, and, as a result, hinders someone who is even now planning a murder, the liar is responsible for the consequences.

> Truth is not a possession the right to which can be granted to one person and denied to another … the duty of truthfulness … makes no distinction between persons to whom one has this duty and to whom one can exempt himself from this duty … Although in telling a lie I do not actually do anyone a wrong, I [nevertheless] violate the principle of right with respect to all unavoidably necessary utterances [i.e., the principle of right is thereby wronged formally, though not materially]. This is much worse than [committing an] injustice to any particular person.[30]

[28] Hugo Grotius, *On the Law of War and Peace*, trans. F. W. Kelsey (Indianapolis, IN: Bobbs-Merrill Co., 1925).

[29] David Sussman, "On the Supposed Duty of Truthfulness," in *The Philosophy of Deception*, ed. Clancy Martin (Oxford: Oxford University Press, 2009), 235. Philosophers have extended Constant's argument in defense of lying to the would-be murderer. "Force has been thought to be justifiable in all such cases of a wrongful threat to life. If to use force in self-defense or in defending those at risk of murder is right, why then should a lie in self-defense be ruled out? Surely if force is allowed, a lie should be equally, perhaps at times more, permissible" (Bok, *Lying*, 41).

[30] Kant, "On a Supposed Right to Lie," 347–49.

According to Kant, what Constant neglects to consider is that by lying to the murderer, one can violate the necessary preconditions of "rightful relations" in general, even if not in violation of one's (the murderer's) actual rights, in particular. Kant agrees with Constant that the murderer is not morally entitled to the truth, and the liar would not wrong him by lying in these circumstances, as he would in circumstances that are directly proscribed by the moral law. However, Kant deviates from Constant in his judgment that the deception constitutes a lie in the sense of right, regarding the aspects of morality that deal with humans' decisions as free and equal members of a political community, but not in the juristic sense since the would-be murderer has forfeited his rights. Kant argues that even though the liar has a moral reason to lie, and would not wrong the potential murderer by his lie, such lying could nevertheless wrong the body politic and violate the rights of humanity, as the ethical obligation not to lie is necessary to uphold the trust integral to the maintenance of a just social order. Kant argues that rights must be generally enforceable and not depend on individual discretion and initiative or be justified by the benefits they may produce. Rightful relations could not be maintained if it was ethical for an individual to lie (and thereby ignore the right of the deceived), whenever he believed that enough good might come to another as a result.[31] Thus, Kant maintains that to be truthful is an unconditional command of reason which holds in all circumstances. Constant, however, is not persuaded by Kant's prerequisite of rightful relations and argues that in certain circumstances, as in the example of the murderer, lying is the *ethical* mode of conduct.

Despite biblical prohibitions, lying is not explicitly condemned in the Bible in absolute terms. Since the Bible rarely expresses overt moral judgments of its characters, ethically ambiguous narratives depicting deception are left open to interpretation. While not an exhaustive discussion of every biblical depiction of deceit, a philosophical analysis of numerous episodes, in light of the arguments advanced in the debate over deception, affords alternative interpretations, elucidates the complex moral problems raised by the stories, and contributes to an enhanced understanding of the biblical text which allows for a more informed evaluation by the reader.

[31] Sussman, "On the Supposed Duty of Truthfulness," 225–43.

Sister–Wife Narratives

Genesis recounts three episodes of a husband calling his wife his sister lest he be killed by those who desire her. In all three instances, the husband and wife journey to a foreign land in which they have an inferior political status as the reigning king's subjects. As a result, the patriarchs consider themselves (and their wives) to be in danger at the hands of strong foreign rulers and thus lie about their wives' identity in an effort to protect themselves from harm.[32]

The three narratives have the following elements in common:

1. Setting – the patriarch and his wife travel to a foreign land.
2. Deception – the patriarch lies about his wife being his sister.
3. Divine influence – God alters the course of events.
4. Discovery – the foreign ruler discovers the ruse.
5. Confrontation – the foreign ruler confronts the patriarch with the truth.
6. Result – the patriarch is given material gifts.

The first instance takes place when Abram journeyed to Egypt due to famine in his land. Upon approaching the foreign country, Abram said to Sarai his wife:

> Behold now, I know that you are a fair woman to look upon. And it will come to pass, when the Egyptians shall see you that they will say: This is his wife; and they will kill me, but you they will keep alive. Say, I beg you, you are my sister; that it may be well with me for your sake, and that my soul may live because of you.

[32] It has been suggested that "diplomatic marriages between Near Eastern potentates of varying authority was a significant practice for establishing or maintaining cordial relationships for economic, military or political reasons. Since Abraham and Isaac were considered resident aliens at the mercy of and in need of protection from the local kings of the foreign lands, out of fear of danger, they may have deceived in an effort to establish good relationships and ensure security. A relationship between a Hebrew and the local king could be mutually beneficial." The Hebrew patriarch desired protection, water, and grazing opportunities, while the foreign king was interested in the material blessings of the Israelites (Gen. 12:22–23; 26:27–29). Since Abraham and Isaac had no daughters to offer their prospective allies, and since adultery was considered immoral by the Egyptians, they deceptively presented their wives as sisters so that a symbiotic relationship could be established (James Hoffmeier, "The Wives' Tales of Genesis 12, 20 & 26," *Tyndale Bulletin* 43, no. 1 [1992]: 91, 99).

Sarai's beauty caused her to be taken[33] to Pharaoh and the king "dealt well with Abram for her sake." As a result, God struck Pharaoh with a plague "because of Sarai, Abram's wife" until the king deduced that she was the reason for his affliction. Pharaoh, therefore, questioned Abram's intentions, "What is this that you have done to me? Why did you not tell me that she was your wife?"[34] Pharaoh then had his men escort Abram and Sarai and all of their possessions from the land. The moral ambiguity of the narrative raises the question of whether or not it was ethical for Abram to deceive Pharaoh by identifying Sarai as his sister. Ethical considerations advanced in the contemporary philosophical debate can contribute to an analysis of this challenging episode.

According to an absolutist position, Abram seems to have acted unethically by lying to Pharaoh about Sarai's identity, since moral actions do not derive their worth from expected consequences. Thus, just as in Kant's response to Constant's objection, Abram was not justified in asking his wife to lie to his potential Egyptian murderer. Rather, the patriarch had an ethical duty to treat all humans with rightful relations, whereas lying to Pharaoh deprived the foreign ruler of his ability to make free, rational choices which is what it means to be human. As a result of the lie, Pharaoh acted differently than he would have had he been truthfully informed of Sarai's status. Though the foreign rulers who were believed to kill men in order to take their wives would not be morally entitled to the truth, and the liar would not be wronging him by lying under these circumstances, according to Kant, identifying Sarai as his sister constitutes a lie in the sense of right, regarding the aspects of morality that impact humans' decisions as free and equal members of a political community and is, therefore, unethical. While the patriarchs may have had a morally significant reason to lie, such lying could nevertheless wrong the body politic and violate the rights of humanity, as the ethical obligation not to lie is necessary to uphold the trust integral to maintain a just social order.

[33] Sarai (Gen. 12: 15) was taken, as were Dinah (Gen. 34:2) and Esther (Esther 2:16); they did not seem to voluntarily go to the foreign rulers. The same language in all three references emphasizes the passivity of the women; none are heard or consulted.

[34] Gen. 12:11–19.

Abram, however, did not seem to be occupied with moral concerns. The stark juxtaposition of Pharaoh's (and later Abimelech's) reaction to having taken a married woman, to Abram's (and later Isaac's) lack of explicit moral concern about their wives being taken by another man as a result of the lie, implies that the foreign kings have greater moral concern than do the patriarchs. Rather, Abram's lie demonstrated a lack of faith in God's protection and exhibited his fear and greed, as it permitted his wife to be taken in order to save his own life.[35]

In an explication of the absolutist position on deception, Christopher Tollefsen argues that a lie leads to additional lying and other evils.[36] Augustine claims that lying affects the character of the liar, since even if he lies for a justified good cause, he may become disposed to lie in other contexts as well. Validation of lying in some contexts can, thus, lead to further use of lies, perhaps when the good consequences are not as clear, or may motivate the liar to make other moral 'accommodations' for the sake of an important end. Not only can lies impact the liar's character, but others can emulate such deception. Pamela Tamarkin Reis argues that Sarai and Rebekah learn to lie from their husbands' deceit in the sister–wife narratives and each later 'collects her debt' for their husbands' sacrifice of their honor.[37] Sarai blamed Abram for Hagar's lack of respect for her and banishes her as a result. "My wrong will be upon you … The Lord will judge between me and you."[38] Rebekah facilitates the deception of Isaac by orchestrating the ruse for Jacob to receive the blessing Isaac intended to bestow upon Esau. While the Bible does not cast explicit moral judgment upon the deceivers, later consequences of such lies may imply the biblical disapproval of deceit.

However, based on Kant's distinction between lies and misleading truths, it is possible to view Abram's conduct as ethical, even according to an absolutist position, in light of Abraham's

[35] Naḥmanides, Commentary on Gen. 12:6. Naḥmanides suggests that it was because of Abraham's lack of faith in God's protection that his descendants' exile in Egypt was decreed. Cassuto, Commentary on Genesis, 351–2.

[36] Christopher Tollefsen, *Lying and Christian Ethics* (New York: Cambridge University Press, 2014).

[37] Pamela Tamarkin Reis, "Take My Wife, Please: On the Utility of the Wife/Sister Motif," *Judaism* 41, no. 4 (1992): 306–15.

[38] Gen. 16:5.

rationalization in the second episode. Abraham (and later Isaac) may not have lied altogether, as Abraham explains to Abimelech in the second sister–wife narrative.[39] Abraham again identified his wife as his sister to Abimelech king of Gerar, who subsequently took Sarah. However, before Abimelech could approach her, God appeared to him in a dream and related to him that he shall die because Sarah is a married woman. Since Abimelech had been misled by Abraham, he defended himself before God, "Lord, will You slay even a righteous nation? Did he not himself say to me: She is my sister? and she, even she herself said: He is my brother. In the simplicity of my heart and the innocence of my hands have I done this."[40] God acknowledged that Abimelech was innocent, which is why He prevented him from sinning with Sarah. Abimelech admonished Abraham for his deception, "What have you done to us? And how have I sinned against you that you have brought on me and on my kingdom a great sin? You have done deeds to me that ought not to be done."[41] Abraham clarified his intentions, "Because I thought: Surely the fear of God is not in this place; and they will slay me for my wife's sake. And moreover she is indeed my sister, the daughter of my father, but not the daughter of my mother; and so she became my wife."[42] In an effort to save his life, Abraham told a misleading truth, and not an overt lie since Sarah was Abraham's niece (Abraham's brother's daughter), and in biblical language even distant relatives were described as brother/sister. (For instance, Lot, Abraham's nephew is called his 'brother.')[43] In Hebrew parlance, 'sister' is also an expression of love.[44] Thus, Abraham pursued his goal of saving himself and his wife in a way that upheld the duty of truth-telling and can be considered ethical even if misunderstood by the foreign kings, since they bore responsibility for their false inferences.

[39] Gen. 20:2–10.

[40] Gen. 20:4–5.

[41] Gen. 20:9.

[42] Gen. 20:2–12.

[43] Gen. 13:8; 14:14.

[44] In Song of Songs, the male protagonist uses 'sister' as a term of endearment for his beloved. "You have ravished my heart, my sister, my bride; you have ravished my heart with one of your eyes, with one bead of your necklace. How fair is your love, my sister, my bride! … A garden shut up is my sister, my bride; a spring shut up, a fountain sealed" (Song of Songs 4:9–10, 12). "Say to wisdom: 'You are my sister,' and call understanding your kinswoman" (Prov. 7:4).

Constant's argument in the philosophical debate over the ethical nature of deception can support an alternative interpretation of the narrative which morally exonerates the patriarchs even if they told an outright lie. While Kant and biblical exegetes draw distinctions between overt lies and misleading truths, according to Constant, *any* deception, including explicit lies, may be justified in those instances in which the person being deceived has no right to the truth.

As Constant urges one to follow the best available course of action, in consideration of circumstances and outcomes, Abram's, and later Isaac's, lies can be considered moral as they were uttered in an effort to prevent harm and preserve their own well-being, and that of their wives. Pharaoh and Abimelech did not have a right to the truth since, like the would-be murderer in Constant's hypothetical objection, the foreign rulers forfeited the rights instrumental to their action since it was believed that they would use the husbands' obligation of truth-telling to kill them. The lies can, thus, be justified as the only weapon of the weak against some force seeking to harm them or others.[45]

Criticisms of Abram for lacking faith in divine protection can be rebutted since one is not permitted to rely on a miracle in order to save one's life and the preservation of life prevails over the competing moral imperative of not lying.[46] Furthermore, it can be argued that Abram showed trust that God would save Sarai from the lust of Pharaoh in order to fulfill His promise to Abram of offspring.[47] Condemnation of Abram's deceptive character as fearful and greedy can similarly be refuted, as his courageous character and selfless demeanor was demonstrated earlier in his efforts to

[45] David Marcus, "David the Deceiver and David the Dupe," *Prooftexts* 6 (1986): 163–83; Niditch, *Underdogs and Tricksters*; Ora Horn Prouser, "The Phenomenology of the Lie in Biblical Narrative" (PhD diss., Jewish Theological Seminary of America, 1991).

[46] Radak, Commentary on Gen. 12:13. Radak understands "that it may be well with me" to mean that Abraham would be left alive. Additionally, Malbim argues that Abram's descent to Egypt was not due to a lack of trust in God, but rather as a result of his self-perception as too insignificant to warrant God's modification of nature to provide for him during a famine in order to fulfill His earlier blessing. Since Abram went to Egypt with the intention of returning, it was as if he had never left Israel (Malbim, Commentary on Gen. 12:10).

[47] Gen. 12:1–2, 7; 17:19.

rescue his nephew, Lot, from captivity and his refusal of spoils from the King of Sodom.[48] Rather, Abram may have viewed his predicament as a moral dilemma in which he sought to choose the lesser of two evils. If he revealed that Sarai was his wife, he would be killed and Sarai would be left to abuse in an immoral society, whereas if he deceived, his wife may be violated, but both would survive.[49]

Alternatively, it has been argued that Abram's deceitful tactics may have been his effort to spare his wife any violation. In biblical times, it was traditional for fathers and older brothers to take responsibility for the women in the family. For example, Laban arranged his sister Rebekah's marriage[50] and Dinah's brothers negotiated her marriage with Shechem.[51] In both instances, brothers delayed their sister's nuptials. Consistently, Abram may have referred to Sarai as his sister with the expectation that potential suitors would approach him to arrange the marriage of his sister and he would be protected from mistreatment due to their interest in Sarai.[52] Abram's intention may have been to detain them by placing Sarai's dowry so high that no man who desired her would be able to afford it until they were able to return to their land, thereby escaping any harm. Unfortunately, Abram may not have anticipated Pharaoh's ability to take Sarai without his consent.[53] The weakness of such an argument, however, lies in the subsequent sister–wife episodes. Even if Abram was motivated to lie in order to detain Sarai's suitors until he and his wife were able to return to their land, his misjudgment of Pharaoh's ability to take Sarai without his consent only excuses his deception in the first instance. Despite Pharaoh's anger and rebuke over being duped, Abraham again lies to a foreign ruler, Abimelech, in the later narrative in Genesis 20. Why would Abraham continue the lie in Genesis 20 after he realized that foreign kings could take Sarah and why did Isaac not learn from his father's example

[48] Gen. 14:12–23.
[49] Radak, Commentary on Gen. 12:13.
[50] Gen. 24:55.
[51] Gen. 34:13–17.
[52] See Samuel David Luzzatto's (Shadal) Commentary on Genesis, based on R. Nissim, Abravanel, and Seforno.
[53] Cassuto, Commentary on Genesis, 350–3.

when he replicated the deception with Abimelech?[54] If that was truly Abraham's motivation in the first episode, once he saw that the lie did not achieve his goal of preventing his wife from being taken, why would he perpetuate the lie (again unsuccessfully) with another foreign king?

The second episode provides further insight into Abraham's challenging behavior. When Sarah's true status was later revealed to Abimelech in a dream and he realizes that he had been duped by Abraham's lie, Abimelech challenged God, "Will you also slay a righteous person?" Abimelech's plea is reminiscent of Abraham's objection to God's plan to destroy Sodom,[55] since Abraham viewed Gerar as another Sodom and, therefore, lied about his wife's identity. Unlike his speechlessness in the first narrative, in response to Abimelech's confrontation, Abraham offered two reasons for calling Sarah his sister: "Because I thought: Surely the fear of God is not in this place; and they will slay me for my wife's sake. And moreover she is indeed my sister, the daughter of my father, but not the daughter of my mother; and so she became my wife."[56] Abraham considered Gerar to be a morally corrupt environment which lacked 'fear of God,' in which a lonely and defenseless traveler would be abused. Nehama Leibowitz deduces that "it is the attitude towards the minority, to the defenseless outsider or stranger that determines whether a particular person or group possesses the fear of God."[57]

Nahum Sarna similarly interprets the biblical term 'fear of God' to denote moral and ethical behavior. "Its application is universal,

[54] And Isaac dwelled in Gerar. And the men of the place asked him of his wife; and he said: "She is my sister"; for he feared to say: "My wife"; "lest the men of the place should kill me for Rebekah, because she is fair to look upon." And it came to pass, when he had been there a long time, that Abimelech king of the Philistines looked out at a window, and saw, and, behold, Isaac was consorting with Rebekah, his wife. And Abimelech called Isaac, and said: "Behold, it is clear that she is your wife; and how could you say: She is my sister?" And Isaac said to him: "Because I said: Lest I die because of her." And Abimelech said: "What is this you have done to us? One of the people might easily have slept with your wife, and you would have brought guiltiness upon us." (Gen. 26: 6–10)

[55] Gen. 18.

[56] Gen. 20:11–12. Rashi and Ibn Ezra condone Abraham's ambiguous rationale due to the danger that he confronted.

[57] Leibowitz, *Studies in Exodus*, 36.

transcending religious or national divisions."[58] As mentioned in Chapter 2, just as Amalek is described later in the Bible as lacking 'fear of God' for attacking the weak and enfeebled who straggled behind the Israelites on their way out of Egypt,[59] Abraham perceived Gerar as similarly exploiting the weak and defenseless. He therefore, called Sarah his sister again, since deception is a justified strategy employed by the weak against a potential oppressor. Since the patriarchs had no rights in the foreign lands, Claus Westermann argues, "the mighty colossus engenders the feeling of utter powerlessness on the part of the lesser one. It is in this situation in the ancient world that the ruse everywhere has its place. The ruse is the only weapon left for the powerlessness given over to the mighty."[60]

Isaac, therefore, repeated his father's prevarication as he referred to his wife as his sister when he, too, feared, "lest the men of the place should kill me for Rebekah, because she is fair to look upon."[61] However, unlike in the previous two episodes with Abraham, Rebekah was not taken before the foreign king discovered the falsity. Rather, Abimelech saw Isaac consorting with Rebekah, understood that she was his wife and reprimanded him for misleading his people. "What is this you have done to us? One of the people might easily have slept with your wife, and you would have brought guiltiness upon us."[62] As in the previous episodes, God did not punish the patriarchs for their deception, but rather intervened in a way that could be perceived as rewarding their deceptive behavior and protecting the deceiver. In all three narratives, the wives were restored unharmed to their husbands and they returned to their land with greater prosperity than before.

[58] Sarna, *JPS Torah Commentary: Genesis*, 143, on 20:11. Sarna clarifies that the term is not to be interpreted as synonymous with conscience, since the desired norms of conduct are conceived as being God-given rather than being derived from the intuitive discrimination between right and wrong. He elaborates upon his discussion of the term in light of other references in *Exploring Exodus*, 25–6. Other references to the term which can be interpreted similarly, include: Gen. 20:11; Gen. 42:18; Lev. 19:14, 32; Deut. 25:18; Job 1:1, 8.

[59] Deut. 25:18.

[60] Claus Westermann, *Genesis 37–50: A Commentary*, trans. John Scullion (Minneapolis: Augsburg, 1986), 164.

[61] Gen. 26:7.

[62] Gen. 26:10.

Despite the rebuke of the foreign leaders, Abraham and Isaac's underhanded tactics are neither condemned nor praised in the Bible, which leaves the moral nature of their behavior ambiguous. While an absolutist would argue that the patriarchs acted unethically by overtly lying about the identities of their wives, there may be room to consider their prevarications as technically true, however misleading, and therefore not unethical. However, according to Constant's reasoning, Abraham and Isaac may have even been relieved altogether from their obligation to follow their duty of truth-telling towards those foreign rulers whose very intent was to use the truth to harm them.

Simeon and Levi's Ambush of Shechem

In a similar incident, Jacob's sons, Simeon and Levi, engaged in a deceptive act to liberate their sister, Dinah, who was taken and violated by a foreign ruler. Shechem, the Hivite prince, captivated by Dinah's beauty, "took her, and lay with her, and humbled her."[63] The question of whether Shechem rapes Dinah has been debated in scholarship due to the ambiguity in the biblical language. The verbs describing Shechem's actions "he took her, and lay with her, and humbled her" can be interpreted in multiple ways. While the verse can be read as Shechem forcibly raped the object of his desire,[64] alternative readings have been suggested.[65] "He took her" could denote moving Dinah to a different location, for instance to

[63] Gen. 34:2.

[64] Many commentators assume Dinah was raped and did not consent to her relations with Shechem. See: Caroline Blythe, *The Narrative of Rape in Genesis 34: Interpreting Dinah's Silence* (Oxford: Oxford University Press, 2010); Eryl Davies, *The Dissenting Reader: Feminist Approaches to the Hebrew Bible* (Aldershot: Ashgate, 2003), 56–7; Danna Fewell and David Gunn, "Tipping the Balance: Sternberg's Reader and the Rape of Dinah," *Journal of Biblical Literature* 110, no. 2 (1991): 193–211; Naomi Graetz, *Unlocking the Garden: A Feminist Jewish Look at the Bible, Midrash and God* (Piscataway, NJ: Gorgias Press, 2005), 28; Frances Klopper, "Rape and the Case of Dinah: Ethical Responsibilities for Reading Genesis 34," *OTE* 23, no. 3 (2010): 652–65; Ilona Rashkow, *Taboo or Not Taboo: Sexuality and Family in the Hebrew Bible* (Minneapolis: Fortune Press, 2000), 144–6; Susanne Scholz, *Sacred Witness: Rape in the Hebrew Bible* (Minneapolis, Fortress, 2010), 32–8; Yael Shemesh, "Rape is Rape is Rape: The Story of Dinah and Shechem (Genesis 34)," *ZAW* 119, no. 1 (2007): 2–21.

[65] Gen. Rabbah 80:2 interprets "And Dinah went out to look over the daughters of the land" (Gen. 34:1) as blaming Dinah for her behavior which invited trouble from Shechem.

Shechem's home, since it later says that the brothers took her from there after they killed the Hivites. The text states neither whether she was taken involuntarily to Shechem's house nor if she was there willingly and later taken home by her brothers against her will. "He laid with her" denotes sexual relations, but does not regularly mean force or rape in the Bible. "Humbled her" or "debased her" connotes humiliation, and while sometimes implying rape, can also simply mean a lowering of Dinah's status.[66] Tikva Frymer-Kensky argues, based on the word order, that 'lay' before 'violated' implies illicit, but not abusive intercourse. The fact that he had relations with her, even if consensual, degrades her since she has no right to consent, and by extension, degrades her family, from whom Shechem did not receive permission.[67] Dinah's consent is not mentioned in the text (in fact, the reader hears nothing directly from her and little about her). Regardless of whether or not Shechem raped

[66] The same term denoting improper treatment that degrades or disgraces is used to refer to Sarah's treatment of Hagar and the Egyptians' treatment of their Israelite slaves.

[67] Tikva Frymer-Kensky, "Virginity in the Bible," in *Gender and Law in the Hebrew Bible and the Ancient Near East*, ed. V. H. Matthews, B. M. Levinson, and T. Frymer-Kensky (Sheffield Academic Press, 1998), 87. Frymer-Kensky argues that there is no indication in the story that Shechem overpowered Dinah. However, his relations with her constituted a moral outrage that may not be done since he degraded or violated her by not treating her with the proper treatment that her status required. Dinah did not have the right to consent, since a father determines when his daughter should marry and until then she must remain a virgin. The fact that Shechem had not spoken to Dinah's parents in advance constituted a serious impropriety. He thereby treated her as a "harlot," as Dinah's brothers claim in Gen. 34:31, "as a woman whose own consent is sufficient because her sexuality is not part of a family structure" (Tikva Frymer-Kensky, *In the Wake of the Goddesses* [New York: The Free Press, 1992], 194, 274; *Reading the Women of the Bible* [New York: Schocken, 2002], 182) For additional arguments that Shechem seduced, but did not rape, Dinah, see: Nissan Ararat, "Reading according to the 'Seder' in Biblical Narrative: To Balance the Reading of the Dinah Episode," *Hasifrut* 27 (1978): 15–34; Lyn Bechtel, "What if Dinah is Not Raped? (Genesis 34)," *JSOT* 62 (1994): 19–36; Mayer Gruber, "A Re-examination of the Charges against Shechem Son of Hamor" [Heb.], *Beit Mikra* 44 (1999): 119–27; Ellen van Wolde, "The Dinah Story: Rape or Worse?" *OTE* 15, no. 1 (2002): 225–39; Nicolas Wyatt, "The Story of Dinah and Shechem," *UF* 22 (1990): 433–58; Yair Zakovitch, "A Survey of the Literary Study of the Bible in Israel," *Newsletter of the World Association for Jewish Studies* 20 (1982): 19–38; Helena Zlotnick, *Dinah's Daughters: Gender and Judaism from the Hebrew Bible to Late Antiquity* (Philadelphia: University of Pennsylvania Press, 2002), 35–42. Zlotnick argues that Dinah could have conceivably reciprocated Shechem's affection.

Dinah, his act constituted a moral outrage and a debasement of her from a social-juridical perspective.

Shechem's lust for Dinah turned into love and, thus, he asked his father, King Hamor, to arrange their marriage. Hamor approached Jacob to request the formal marriage of his daughter, an effort to rectify his son's having improperly taken her without her father's permission. Shechem was willing to give whatever was necessary in order to have Dinah as his wife in an acceptable way. "Let me find favor in your eyes, and what you shall say to me I will give."[68] If Jacob and his sons would be willing to concede to Hamor's request, the two nations would exchange women in marriage and obtain rights to dwell in the land and conduct trade. However, Jacob's sons were enraged due to the violation of their sister and, in response to Hamor's proposal, devised a manipulative plan. Even though they had no intention of allowing their sister to marry Shechem, Dinah's brothers deceptively accepted the proposal upon the condition that all Hivite males be circumcised before intermarrying with the Israelites.

> And the sons of Jacob answered Shechem and Hamor, his father, with guile, and spoke, because he had defiled Dinah their sister, and said to them: "We cannot do this thing, to give our sister to one that is uncircumcised; for that is a reproach to us. Only on this condition will we consent to you: if you will be as we are, that every male of you be circumcised; then will we give our daughters to you, and we will take your daughters to us, and we will dwell with you, and we will become one people."[69]

As those circumcised were recuperating, Simeon and Levi ambushed and killed all of the Hivite males, including Hamor and Shechem.

> And it came to pass on the third day, when they were in pain, that two of the sons of Jacob, Simeon and Levi, Dinah's brothers, each man took his sword, and came upon the city secretly, and killed all the males. And they killed Hamor and Shechem, his son, with the edge of the sword, and took Dinah out of Shechem's house, and went forth. The sons of Jacob came upon the slain, and spoiled the city, because they had defiled their sister.[70]

The moral ambiguity of the narrative leaves open to interpretation the question of whether or not it was ethical for Simeon and Levi to engage in deception in response to the violation of their

[68] Gen. 34:11.
[69] Gen. 34:13–16.
[70] Gen. 34:25–27.

sister. Such complex moral issues can be elucidated by the ethical considerations advanced in the contemporary philosophical debate over deception.

An absolutist position renders Simeon and Levi's act of guile unethical. The brothers agreed to the covenant with no intention of fulfilling their end. They lied to Hamor and Shechem by expressing a willingness to allow Dinah, as well as the rest of the Israelite women, to marry into the Hivite nation and then reneged on their commitment. Their deception constituted a lie in the sense of the rights of free and equal members of a political community, but not in the juristic sense, since Shechem may be undeserving of the truth if he forcibly took and continued to hold Dinah. As a result of the deceit, Hamor and Shechem were denied the ability to make free, rational choices, since had the brothers been truthful, Hamor and Shechem surely would not have agreed to the condition of circumcision, and would not have put their subjects in a compromised predicament. Accordingly, the brothers had an ethical duty to tell the truth even if they had a moral reason to lie. Though they did not owe the truth to Shechem, such deception would nevertheless wrong the body politic and violate the rights of humanity.

Simeon and Levi's deception not only demonstrated a breach of covenant and an abuse of the rite of circumcision, but also a disproportionate response to the violation of their sister, since mass slaughter, including the killing of innocent civilians, does not balance even against rape according to conventional normative scales.[71] Furthermore, the nature of their massacre was immoral, as they unjustly attacked the Hivites when they were in an enfeebled state following their circumcision and unable to defend themselves. Like Amalek who was condemned in the Bible for unfairly attacking the weak stragglers who lagged behind the Israelites on their way out of Egypt,[72] Simeon and Levi also engaged in unjust war practices by exploiting the defenseless. While the conduct of Dinah's brothers may be understandable on an emotional level, as they were enraged and desired to take revenge upon him who violated their sister, their aggressive response was not justified on moral grounds.

[71] Fewell and Gunn, "Tipping the Balance."

[72] "Remember what Amalek did to you by the way as you came forth out of Egypt; how he met you by the way, and killed the hindmost of you, all that were enfeebled in your rear, when you were faint and weary; and he feared not God" (Deut. 25:17–18).

Disapproval of Simeon and Levi's actions was expressed by Jacob immediately following the massacre as he articulated concern regarding the consequences that their actions would have upon their entire family.

> You have troubled me, to make me odious to the inhabitants of the land, even to the Canaanites and the Perizzites; and, I being few in number, they will gather themselves together against me and kill me; and I shall be destroyed, I and my house.[73]

Israel was few in number and surrounded by those who could destroy her. Should the Hivites' allies retaliate to exact vengeance upon Jacob's sons, the casualties would be far vaster than the original violation of Dinah. Thus, unlike her brothers, Jacob remained silent regarding the honor of his daughter. Fewell and Gunn suggest:

> Jacob's initial silence is wisdom in the face of a potentially explosive situation for his family as a whole. In fact, by avoiding confrontation, he allows the Hivites to offer a potential solution of restitution. Jacob has also been deceived by his sons' conditions. His anger is understandable. His sons have usurped his authority, deceived him in the process, and acted without responsibility. They leave him to face the consequences, him and the rest of the family.[74]

It is also possible that Jacob remained silent because he considered his daughter's predicament and evaluated that marriage, even to her violator who had come to love her, was in her best interest. As is described in Gen. 34:3, Shechem loved Dinah and "spoke to her heart." Thus, Dinah may have been reassured and not detained in Shechem's house, but rather remained there voluntarily, although the text does not specify the condition under which she stayed in his house. According to the biblical law in Exodus, if a man entices a virgin who is not betrothed, and lies with her, he must pay a dowry for her to be his wife. If her father refuses, the law states, "he shall pay money according to the dowry of virgins."[75] A later law in Deuteronomy requires a man who finds a virgin and "lays hold on her, and lies with her" to pay her father fifty shekels and she will be his wife and he can never have the right to divorce her, since he

[73] Gen. 34:30.
[74] Fewell and Gunn, "Tipping the Balance," 208.
[75] Exod. 22:15–16.

violated her.[76] A defiled woman would likely be denied marriage to anyone besides her violator and Shechem was certainly willing to make the required restitution to Jacob. Thus, marriage to Shechem would enhance Dinah's status as a violated woman.[77] Even if this may have been Jacob's intention, he only articulated concern for the fate of the larger family, but not specifically for his daughter. Jacob's silence after hearing of his daughter's violation may have been due to his desire to consult with his sons before reacting. Jacob was perhaps satisfied with the terms of Simeon and Levi's proposal, while not realizing their deceitful intentions and, therefore, voices his disapproval only after the massacre.[78]

Explicit evaluation of the brothers' behavior as immoral can be found later in Genesis when Jacob emphatically expressed reproach for his sons and their conduct. In his "blessing" to his sons on his death-bed, Jacob condemned Simeon and Levi for their earlier act.

> Simeon and Levi are brothers; weapons of violence their kinship. Let my soul not come into their council; to their assembly let my glory not be united; for in their anger they slew men, and in their self-will they crippled oxen. Cursed be their anger, for it was fierce, and their wrath, for it was cruel; I will divide them in Jacob, and scatter them in Israel.[79]

It is implied that Jacob's accusation, though made in general terms, refers to the episode with Shechem since that is the only instance in the Bible where the brothers are mentioned together by name. Moreover, the expressions "weapons of violence" and "for in their anger they slew men" can be understood only as a reference to Shechem. Jacob's curse, "I will divide them in Jacob, and scatter them in Israel," was fulfilled as the tribe of Levi received no portion among his brothers and its cities were scattered throughout the tribes of Israel, while the tribe of Simeon settled mainly within the territory of Judah, failing to obtain an independent portion.

[76] Deut. 22:28–29. The law has been interpreted as rape or shameful sexual relations, which diminishes the value a virgin would bring to her father as a commodified bride.

[77] Fewell and Gunn, "Tipping the Balance," 210. That it is in Dinah's best interest to marry Shechem is analogous to Tamar's response to Amnon's demand that she leave his house after raping her. "No, my brother, for this wrong in sending me away is greater than the other which you did to me" (II Sam. 13:16). Tamar is cast away as a desolate woman left to bear her shame alone.

[78] *Ibid*., 198.

[79] Gen. 49:5–7.

"Cursed be their anger, for it was fierce, and their wrath, for it was cruel" implies that Simeon and Levi did not need to kill every male and plunder the city. The episode in Shechem can be juxtaposed to the Book of Esther, which explicitly notes that the Jews defeated their enemies throughout the King's provinces, "but on the spoil they laid not their hand."[80] Thus, later biblical references imply a moral condemnation of the brothers' actions.

However, the moral ambiguities within the challenging biblical episode allow for multiple readings, in light of the ethical considerations of the philosophical debate over deception. While it is clear in the Scriptural text that Simeon and Levi acted deceptively, as it says, they "answered with guile," their action was not necessarily unethical. An alternative reading renders Simeon and Levi's use of deceit a justified weapon of the weak on behalf of the marginalized and voiceless Dinah. Since Dinah had been held as a prisoner in Shechem's house, her brothers did not have the ability to decline Hamor's offer. Just as Constant deemed it ethical to lie to save one's hiding friend, so too it may have been ethical for the brothers to lie in order to save their sister. Like Constant, Grotius only considered a falsehood a lie if it conflicts with a right of the person to whom it is addressed.[81] Since Shechem had no right to take, violate, or continue to hold Dinah, much less marry her, he was not deserving of the truth and such deception was considered ethical in an effort to facilitate her rescue. Meir Sternberg argues that if the brothers refused to allow Dinah to marry Shechem, "they were left no avenue to the retrieval of their sister except force."[82] Because the Hivites were in a position of absolute strength, far outnumbering Simeon and Levi, deceit was necessary and, therefore, the brothers resorted to trickery to make their odds more even.

The order of events also demonstrates that their plan was enforced and purposive rather than an expression of blind rage. First her brothers attacked the people, then they killed Hamor and Shechem, and only then did they rescue Dinah, thus implying that they had to counteract all possible resistance and future retaliation. The brothers' killing of the Hivites, including the innocent civilians

[80] Esther 9:16.
[81] Grotius, *On the Law of War and Peace*.
[82] Meir Sternberg, *The Poetics of Biblical Narrative* (Bloomington, IN: Indiana University Press, 1985), 468.

among them, was not a disproportionate reaction to Shechem's act, since had they only attacked Hamor and Shechem, the Hivite subjects would have certainly come to their rulers' defense and would have likely, along with their allies, waged a vengeful retaliation, which was precisely Jacob's articulated fear. Thus, as in war ethics, the brothers may have viewed innocent war casualties as a justified consequence in an effort to fight Shechem by all necessary means in order to rescue Dinah from her unjustified capture. Alternatively, Maimonides asserts that the Hivites knew what Shechem had done, but failed to bring him to justice. According to Maimonides, failure to punish the culprit is as heinous as commission of the transgression and constitutes a capital offense since it is a violation of the commandment of *dinin*, the final Noahide commandment, which obligates the bringing to justice of violators of the other six laws.[83] The Hivites were, therefore, not innocent casualties. Simeon and Levi's deceptive attack upon Shechem is not condemned in the Bible, but seemingly justified in an effort to rescue Dinah "because *they* had defiled their sister."[84] Thus, the collective responsibility and punishment was appropriate. Furthermore, the brothers' motivation is articulated not as an emotional expression by the brothers themselves, but rather from an external, and thereby, objective perspective throughout the narrative.

> And the sons of Jacob came in from the field when they heard it; and the men were grieved, and they were very angry, *because he had done a vile deed in Israel in lying with Jacob's daughter; which ought not to be done* … And the sons of Jacob answered Shechem and Hamor his father with guile, and spoke, because he had defiled Dinah their sister … The sons of Jacob came upon the slain, and spoiled the city, *because they had defiled their sister*.[85]

Scripture's description of Shechem's action as "a vile deed in Israel in lying with Jacob's daughter; which thing ought not to be done" reflects the universal nature of the disgrace of such an act. Throughout the episode, the Bible does not criticize the brothers' conduct, but rather seems to condemn Shechem's behavior and provides objective justification for Simeon and Levi's decision,

[83] Maimonides, *Mishneh Torah*, Laws of Kings 9:14.
[84] Gen. 34:25–27.
[85] Gen. 34:7, 13, 27.

external to the brothers' passions. Having accomplished their objective of rescuing their sister, Simeon and Levi left the city while the rest of the brothers despoiled. Simeon and Levi's dissociation from the looting emphasized their single-minded and selfless goal; namely, to redress the wrong done to their sister and the whole family for whom exogamous marriage was forbidden.[86]

Even Jacob's rebuke for his sons' deceptive behavior immediately following the attack was not on moral grounds, but out of fear that Shechem and his allies would retaliate. Jacob did not reprimand his sons for the massacre, abuse of circumcision, or breach of covenant, but rather only expressed concern of consequential danger.[87] Simeon and Levi responded rhetorically and had the final word in the dialogue: "Should one deal with our sister as with a harlot?,"[88] thereby silencing their father's objection, which reflected his reluctance to defend the fate and honor of his daughter.[89] The juxtaposition of Hamor, Shechem's father's, proactive advocacy for his son highlights the inactivity of Jacob on behalf of his daughter. Perhaps Jacob's lack of articulated sympathy for Dinah was because she was the daughter of his unloved wife, Leah, as opposed to the love and devotion Jacob demonstrated in speech and action for the sons of his beloved Rachel. Jacob's apathy is contrasted to the brothers' dedication, "the solidarity engendered from birth in the children of a wronged mother."[90] Jacob's voice of self-preservation was opposed to his sons' voice of idealism. Simeon and Levi would stop at nothing to do right by their sister. This may be demonstrated in the text's identification of Dinah as the "daughter of Leah"[91] in the beginning of the narrative and Simeon and Levi as "Dinah's brothers"[92] when they massacred the Hivites and rescued their sister. Though it is not explicit in the text, Scripture can be viewed as

[86] Sternberg, *The Poetics of Biblical Narrative*, 472.

[87] "You have troubled me, to make me odious to the inhabitants of the land, even to the Canaanites and the Perizzites; and, I being few in number, they will gather themselves together against me and kill me; and I shall be destroyed, I and my house" (Gen. 34:30).

[88] Gen. 34:31.

[89] Jacob is depicted as a weak and timid character, perhaps reflecting his fear of conflict (as with Esau and Laban).

[90] Sternberg, *The Poetics of Biblical Narrative*, 469.

[91] Gen. 34:1.

[92] Gen. 34:25.

condoning the brothers' act, since their moral motivation to rescue and vindicate their sister's defilement concludes the narrative. The brothers wanted to teach the Hivites and other nations that they will violently avenge wrongs that are done to them so that nations will hesitate before attacking Israel in the future. Jacob's fear that the nations of the land would collaborate and attack him and his family was never realized, but rather "a terror of God was upon the cities that were round about them, and they did not pursue after the sons of Jacob."[93] It is unclear whether the divine dread was God's dispensation to protect Israel from animosity that the raid caused or as a result of the massacre that intimidated the local peoples into leaving them alone. Either way, the brothers' vengeful behavior did not worsen their predicament, but strengthened their status amidst the surrounding nations.

Additionally, Shechem and Hamor are not depicted by the Bible as innocent victims of deceit. After all, their description of the agreement with Jacob's sons to the inhabitants of their city also contained deceit, as they emphasized the economic dominance over the Israelites that they would gain, as well as other ways that the covenant would benefit them.

> And Hamor and Shechem, his son, came to the gate of their city, and spoke with the men of their city, saying: "These men are peaceable with us; therefore *let them dwell in the land, and trade therein; for, behold, the land is large enough for them; let us take their daughters to us for wives, and let us give them our daughters*. Only on this condition will the men consent to us to dwell with us, to become one people, if every male among us be circumcised, as they are circumcised. *Shall not their cattle and their substance and all their beasts be ours?* Only let us consent to them, and they will dwell with us."[94]

Shechem and Hamor emphasized their will in the agreement by inverting the description of the intermarriage, declaring: "let us take their daughters to us for wives," instead of the original "You shall give us your daughters." Conversely, they focused on their own discretion, "and let us give them our daughters," instead of the original "You shall take our daughters for yourselves." They added their intention to gain property from the agreement – "Shall not their cattle and their substance and all their beasts be ours?" – which

[93] Gen. 35:5.
[94] Gen. 34:20–23.

they did not divulge to Simeon and Levi. Similarly, their addition, "Behold, the land is large enough for them," minimized the threat that the inhabitants of Shechem may have felt regarding their resources when encroached upon by another nation.[95] Thus, the text can be understood as supportive of the ethical nature of the deceptive actions of Simeon and Levi, as reflected in the objective condemning comments of Shechem's behavior, the exchange between the brothers and their father at the end of the narrative, "the fear of God" imposed upon the nations thus protecting Jacob and his sons from retaliation, and the biblical depiction of Shechem and Hamor's intentions in the agreement. Meir Sternberg adds to such justification of Simeon and Levi's deception, "Poetic justice that adheres to the choice of circumcision as the instrument for punishing rape also extends to the spoliation of those (subjects of Hamor) who made an alliance under the slogan 'Will not their cattle and their property and all their beasts be ours?' "[96]

Jacob did not rebuke his sons on moral grounds immediately after the massacre, but rather waited many years until the end of his life in Egypt, when the dangers of the Hivites were long over, to articulate his moral judgment of Simeon and Levi. In his "blessing" to his sons on his death-bed, Jacob condemned Simeon and Levi for their earlier act.[97] Though Jacob's curse, "I will divide them [Levi] in Jacob, and scatter them in Israel," was fulfilled as the tribe of Levi received no portion among his brothers and its cities were scattered throughout the tribes of Israel, while the tribe of Simeon settled mainly within the portion of Judah, failing to obtain an independent portion, it was not the final word on the matter. The tribe of Levi channelled its zealousness in a constructive manner and became God's servants in the Temple; in place of the inheritance taken from them in Jacob's curse, they were rewarded with "the portion of God." Furthermore, their anger was sublimated, in accordance with law and judgment, as manifested by their fulfillment of Moses' directive to punish the Israelites who participated in the Sin of the Golden Calf.[98]

[95] It is possible to suggest that Hamor and Shechem were merely trying to encourage their subjects to agree to be circumcised by emphasizing the benefit and minimizing the threat. However, even if this was the case, the Bible still negatively depicted the leaders in a manipulative and deceitful way, as opposed to portraying them as innocent victims of the brothers' deceptive manipulation.

[96] Sternberg, *The Poetics of Biblical Narrative*, 471.

[97] Gen. 49:5–7.

[98] Exod. 32:26.

A subsequent reference in Deuteronomy also may be interpreted as retrospective approval of Simeon and Levi's action. Deut. 7:1–4 states, "You shall make no covenant with them and show no mercy to them; you shall not make marriages with them; your daughter you shall not give to his son." Dinah's brothers seem to have fulfilled the letter of a later biblical law against exogamy to the nation at large.[99] Thus, later references can also be interpreted to exonerate the brothers of moral wrongdoing.[100]

The entire episode is highly ambiguous, beginning with Hamor's "taking of Dinah" and ending with Jacob's final message to his sons. The Bible neglects to cast any explicit, objective moral judgment on Simeon and Levi's acts and even later circumstances throughout their lives can be interpreted in multiple ways, according to the various ethical considerations in the philosophical debate over deception, to condemn or condone their violent behavior. Simeon and Levi's act may be rendered unethical due to the deception with which it was conducted. Their manipulative covenant deprived Shechem and the Hivites of free and rational choice and can be conceived of as a disproportionate response to Shechem's offense against their sister. Alternatively, their deceitful attack may be viewed as the necessary, and thereby ethical, means to retrieve Dinah safely from her violator and the Hivites who failed to hold their leader accountable for her unjustified capture.

Midwives' Deception of Pharaoh

While in most instances of deception in biblical literature the Bible's judgment of deceit is ambiguous and open to interpretation; there are two occasions of biblical lying which seem to be morally justified and even praised in Scripture. The midwives of the

[99] Meir Steinberg, "Biblical Poetics and Sexual Politics: From Reading to Counterreading," *Journal of Biblical Literature* 111, no. 3 (1992): 463–88.

[100] The Book of Jubilees further justifies the brothers' attack and views Shechem's act as morally reprehensible. "Dinah was snatched away to the house of Shechem … He lay with her and defiled her, but she was little, only twelve years old" (Jub. 30:2). Jubilees attributes the massacre of Shechem to the judgment of God: "The Lord handed them over into the hand of the sons of Jacob" (Jub. 30:6). The brothers' names were recorded in heaven and Levi was rewarded with the priesthood for his zeal (Jub. 30:17–23). It is insinuated that Jacob approves of his sons' actions, as his protest in Gen. 34:30 is merely alluded to in Jub. 30:25, and his later curse in Gen. 49:5–7 is omitted.

Israelites in Egypt lied to Pharaoh regarding the vigorous nature of the Israelite women in order to protect the male babies from the royal genocidal decree. Similarly, Rahab, a harlot in Jericho, lied to the King's messengers in order to protect the Israelite spies sent to investigate her land. The midwives and Rahab are seemingly rewarded for their underhanded conduct by receiving divine protection. However, ethical considerations advanced in the moral debate regarding whether or not it is ever ethical to lie or deceive support alternative evaluations of even these two episodes of biblical deception.

Intimidated by the increasing strength of the Israelites in Egypt, Pharaoh decreed that all of the male Hebrew babies should be killed. In an effort to avoid heeding his command, Shiphrah and Puah, the midwives of the Israelites,[101] deceived Pharaoh by claiming that the Hebrew women were more vigorous than the Egyptians and gave birth before the midwives arrived.

> And the king of Egypt spoke to the Hebrew midwives, of whom the name of the one was Shiphrah, and the name of the other Puah; and he said: "When you do the act of a midwife for the Hebrew women, you shall look upon the birthstool: if it be a son, then you shall kill him; but if it be a daughter, then she shall live." But the midwives feared God [*Elohim*], and did not do as the king of Egypt commanded them, but saved the male children alive. And the king of Egypt called for the midwives, and said to them: "Why have you done this thing, and have saved the male-children alive?" And the midwives said to Pharaoh: "Because the Hebrew women are not as the Egyptian women; for they are lively [*hayyot*], and are delivered when the midwife comes to them." And God dealt well with the midwives; and the people multiplied, and grew very mighty. And it came to pass, because the midwives feared God, that He made them houses.[102]

It can be argued that Pharaoh was unsuspecting of the midwives' deception because they belittled the Israelite women as *hayyot* – animals which give birth so quickly that they did not need

[101] The Hebrew text can yield the renderings "Hebrew midwives" and "midwives of the Hebrew women" which aroused much debate in rabbinic (BT Sotah 11b) and exegetic texts regarding the religious status of the midwives. Rashi, Ibn Ezra, Rashbam, and Naḥmanides argue that the midwives were Hebrews themselves (namely, Jochebed and Miriam). A counter-tradition of Philo and Josephus (*Antiquities* II, 9.2) argues that the midwives were Egyptian since Pharaoh gave the decree to Egyptians, who, unlike Hebrew midwives, were not as likely to violate his decree.

[102] Exod. 1:15–22.

midwives.[103] Pharaoh is too willing to listen to a negative statement about the Hebrews and does not recognize the midwives' willingness to defy him. The Bible is explicit about the midwives' motive for their dangerous violation of Pharaoh's decree. It was due to their fear of God that they disobeyed the royal command. Nehama Leibowitz argues that the term 'fear of God' is considered by the Bible to be a universal moral value, denoting the ethical attitude towards the weak and defenseless.[104] She cites four references of the phrase: As was discussed earlier, Abraham claims to Abimelech that he lied because he thought that the fear of the Lord was not in this place (Gen. 20:11), Joseph tells his brothers in Egypt that he fears God (Gen. 42:18), fear of God is attributed here to the midwives (Exod. 1:17), and Amalek, having attacked the enfeebled, is described as not fearing God (Deut. 25:18). Unlike the Amalekites, who demonstrated a lack of 'fear of God' as they attacked the weak who straggled behind the Israelites,[105] the midwives, despite their opportunity to exploit the defenseless Hebrew women, instead chose to adhere to a higher moral law over obedience to the sovereign's depraved law to kill the Hebrew babies.

While the Bible's reward for the midwives' fear of God is explicit, there is no mention of the biblical attitude regarding their use of deceptive tactics. Such an omission need not necessarily be interpreted as condoning deceitful behavior. According to the Kantian considerations analyzed earlier, an absolutist position would deem the well-intended lies uttered by the midwives unethical, since there is a categorical imperative to tell the truth, with no exception or expediency. Thus, just like Kant's response to Constant's hypothetical murderer objection, the midwives had a moral responsibility to tell the truth regardless of the consequences, as truthfulness is a necessary prerequisite for rightful relations. Even if Pharaoh was not entitled to the truth, according to Kant, lying would wrong the body politic and violate the rights of humanity, as the ethical obligation not to lie is necessary to uphold the trust integral to the maintenance of a just social order.

[103] Frymer-Kensky, *Reading the Women of the Bible*, 25.

[104] Leibowitz, *Studies in Exodus*, 36. See also: Sarna, *Exploring Exodus*, 25–26. Other references to the term which can be interpreted similarly include: Gen. 20:11; Gen. 42:18; Lev. 19:14, 32; Deut. 25:18; Job 1:1, 8.

[105] Deut. 25:18.

If, according to an absolutist argument, the midwives acted unethically by lying, why are they rewarded for their prevarication? The divine protection bestowed upon the deceivers may have been reward, not for their lies, but rather for their action, namely for saving the Hebrew babies. Since they risked their lives by engaging in the capital offense of rebellion against the kingdom, God protected them from any repercussions.

However, the moral ambiguities within this biblical episode allow for multiple readings, in light of the ethical considerations of the contemporary philosophical debate. According to Constant's approach, the midwives' lie could be rendered the ethical mode of conduct in such a circumstance since Pharaoh, like the murderer in Constant's example, was not deserving of the truth. The midwives' deceit was a justified weapon of the weak against a stronger oppressor; an effort to combat Pharaoh's authority which would not have been possible through direct means. Richard Patterson writes, "Trickery in the form of deliberate deception, whether in word or deed, appears to be justified under the normal circumstances of wartime activities. The same would apply where a quasi-wartime situation exists involving clear opposition to God and his people by a godless regime or individual."[106] The midwives would, therefore, be relieved from their duty of truth-telling towards someone whose very intent was to use this obligation to harm the innocent. Just as in Constant's example, the midwives can be viewed as having acted morally by lying to Pharaoh, the would-be murderer, in order to save the lives of the Hebrew babies, since Pharaoh, like the murderer, was trying to make the midwives complicit in a profoundly wrongful act. It has been suggested that Pharaoh, fearing a rebellion, attempted to dupe the Hebrew mothers into believing that they birthed stillborns, as he commanded the midwives to kill the male babies on the birthing stools. The midwives merely repaid the monarch in kind by duping him into thinking the Israelite women gave birth and saw their live babies before they could arrive.[107] As a result of their deceptive efforts, the midwives were rewarded for putting themselves

[106] Richard Patterson, "The Old Testament Use of an Archetype: The Trickster," *JETS* 42 (1999): 387.

[107] William Propp, *Exodus 1–19: A New Translation with Introduction and Commentary*. The Anchor Bible (New York: Doubleday, 1999), 142.

at risk in order to fulfill God's will. "And it came to pass, because the midwives feared God, that He made them houses,"[108] which exegetes interpret as protection from Pharaoh.[109]

Though the midwives were praised and rewarded by God for saving the Israelite babies, the ethical nature of their deception can be perceived in multiple ways, in light of ethical considerations. According to some approaches, their positive ends do not necessarily justify their immoral means of deceit, as their reward may have been for their actions and not for their lies. However, alternative readings evaluate their deception as moral since they selflessly and courageously misguided the king in order to save the innocent babies whom he threatened unjustly.

Rahab's Concealment of the Spies

God's praise and protection for the midwives in Egypt as a result of their deception has been compared to that which He extends to Rahab, the foreign harlot who also lied to shield the Israelites from the reigning king who sought their harm. When Joshua sent two spies to investigate Jericho before its conquest, the men turned in to Rahab because it was unlikely that they would attract attention at a prostitute's house which was frequented by men who were discreet about their identities. When the King of Jericho ordered Rahab to reveal the individuals, she lied and said they had left, while actually she had concealed them under flax on her roof.

> Yes, the men came to me, but I did not know where they were from; and it came to pass about the time of the shutting of the gate, when it was dark, that the men went out; where the men went I do not know; pursue after them quickly; for you shall overtake them.[110]

Rahab's deception was clever, since instead of denying having seen the spies, which would have raised more suspicion, she acknowledged that she had provided lodging for them, unaware of their identity before they left. Rahab pretended to demonstrate her national loyalty by instructing the king's officers to "pursue

[108] Exod. 1:21.

[109] Saadia Gaon argues that because the midwives risked their lives on behalf of the Israelite babies, God ensured their protection in secure places where Pharaoh's servants could not find them (Saadia Gaon, Commentary on Exod. 1:21).

[110] Josh. 2:4–5.

after them quickly; for you shall overtake them." Once the king's messengers left in pursuit of the spies, in exchange for her deceit, Rahab requested a "true token"[111] from the Israelites to symbolize their promise of protection for her and her family during the imminent conquest, as she had heard about God's redemption of the Israelites from Egypt and knew that God would give them her land.

> For we have heard how the Lord dried up the water of the Red Sea before you, when you came out of Egypt; and what you did to the two kings of the Amorites, that were beyond the Jordan, to Sihon and to Og, whom you utterly destroyed. And as soon as we had heard it, our hearts melted, neither did there remain any more spirit in any man, because of you; for the Lord your God, He is God in heaven above, and on earth beneath.[112]

The spies gave Rahab a sign affording her protection during the impending conquest to compensate her for her discretion.

> Behold, when we come into the land, you shall tie this piece of scarlet thread in the window which you let us down by; and you shall gather to you into your house your father, and your mother, and your brothers, and all your father's household. And it shall be, that whoever shall go out of the doors of your house into the street, his blood shall be upon his head, and we will be guiltless; and whoever shall be with you in the house, his blood shall be on our head, if any hand be upon him.[113]

Like the lie of the midwives, Rahab's deception can also be interpreted and evaluated in multiple ways, in light of the ethical considerations of the contemporary philosophical debate. According to the absolutist position, although well intended like the midwives, Rahab had an ethical obligation to tell the truth regarding the whereabouts of the spies. Neither her personal status in society nor anticipation of her future well-being could exonerate her from depriving other humans of their ability to make free and rational choices, as Kant argues that deception is not contingent upon individual discretion and initiative nor is it justified by the benefits it may produce. Unlike in the case of Pharaoh, whose individual rights were not violated since he was morally undeserving of

[111] Josh. 2:12.
[112] Josh. 2:10–11.
[113] Josh. 2:18–19. The Midrash (Pirka d'Rabeinu Hakodosh 15) suggests that as a result of Rahab's lie, she inherited life in this world and the world to come and eight prophets descended from her (BT Megilla 14b).

the truth, Rahab not only violated the necessary preconditions of rightful relations in general, but additionally the rights of the King of Jericho, in particular, to be informed of the foreign spies who came to investigate his land in preparation for conquest. As a result of Rahab's deception, the King and his messengers acted differently than they would have had they received accurate information. Thus, the protection that Rahab and her family were afforded by God and the Israelites during their conquest of her land can be interpreted as reciprocation for her protection of the spies during their investigation, but not as a justification or reward for the unethical deceptive means she employed. Perhaps she could have responded to the king's inquiry with a misleading truth, which, unlike her outright lie, pays homage to duty and respects the dignity of moral law, while it is left for the hearer to decipher.

However, an alternative interpretation of Rahab's underhanded tactics can be supported by other ethical considerations advanced in the contemporary moral debate. Constant urges one to follow the best available course of action, taking circumstances and outcomes into consideration. Thus, Rahab, a lowly, vulnerable, and mistreated member of society who had to resort to prostitution, may be justified in her use of deceptive tactics as her only means of defense against a stronger oppressor, as she would not have been successful in defying the King in a direct manner. Rahab was marginalized in society, not only by her social status as a prostitute, but physically as well, as she lived in the wall of the city. "Then she let them down by a cord through the window; for her house was upon the side of the wall, and she dwelled upon the wall,"[114] peripheral to the city and most exposed to enemy attack. Susan Niditch suggests that the "ideology of tricksterism" is common to situations in which there is "a contest between those occupying a marginal place in society and the powerful, those at the center of society with the capacity to oppress."[115] Rahab found herself, as a result of the spies' visit, in such a contest with the ruling authority. Her deception was not self-serving, since it could have led to greater personal danger in the event that the King realized that he was tricked. Rather, motivated by the urgent duty to come to the aid of those in dire need of

[114] Josh. 2:15.

[115] Susan Niditch, *War in the Hebrew Bible* (New York: Oxford University Press, 1993), 119.

her help, she risked her life by engaging in deceit. Like the foreign midwives, Rahab demonstrated faith in God, resorted to deception in order to benefit the Israelites, the outsiders in a foreign land, and was similarly rewarded by God for putting herself in danger by receiving protection during the Israelite conquest of Jericho. With an understanding of the course of history, Rahab anticipated God's successful conquest of Jericho and followed the best available mode of conduct in light of her circumstances. Unlike other criticisms of prostitution in the Bible, there is no judgment of moral deficiency regarding Rahab. McQuilkin argues, "Rahab acted in the faith that the God who was with Israel was mightier than the gods of Jericho, and she did the right thing – she sided with God's people and deceived through actions and words in what may properly be called an act of war."[116]

Like the midwives, Rahab received biblical praise and reward for her protection of the Israelites; however, the ethical nature of her deception can be evaluated in multiple ways, in light of considerations advanced in the contemporary philosophical debate. According to some readings, though her deceit served a constructive end for which she was rewarded, it did not necessarily justify the immoral means used. However, other readings exonerate her from any ethical wrongdoing, as she acted in self-defense and should be glorified for her bravery in protecting the spies and aiding the Israelites in their conquest of the land.

Jacob's Ruse to Obtain Isaac's Blessing

Perhaps the most challenging and blatant example of lying in the Bible occurs in the account of the ruse in which Jacob deceived his father in order to obtain the blessing Isaac intended to give to Esau. When Isaac grew old, he summoned Esau, his elder and favored son,[117] to hunt and prepare savory food so he could bless his first-born before his own death. Rebekah, having received a divine prophecy while pregnant that her elder son shall serve his younger brother,[118] overheard Isaac's request of Esau and facilitated Jacob's

[116] Robertson McQuilkin, *An Introduction to Biblical Ethics* (Wheaton, IL: Tyndale House, 1989), 441.
[117] Gen. 25:28.
[118] Gen. 25:22–23.

deception of his father by orchestrating the plan in which Jacob pretended to be Esau in order to receive the blessing Issac wanted to bestow upon Esau.

> And he [Isaac] said [to Esau]: "Behold now, I am old, I do not know the day of my death. Now therefore, take your weapons, your quiver and your bow, and go out to the field, and bring me venison and make me savory food like I love and bring it to me that I can eat; that my soul may bless you before I die." And Rebekah heard when Isaac spoke to Esau his son. And Esau went to the field to hunt for venison and bring it. And Rebekah spoke to Jacob saying "… Now, listen to my voice according to that which I command you. Go now to the flock and bring me two goats and I will make them savory food for your father the way he likes it and you shall bring it to your father, that he may eat, so that he may bless you before his death."[119]

Following Rebekah's instructions, Jacob disguised himself in Esau's clothes and with goat hair on his skin so he would smell and feel like his brother, and appeared before his blind father as Esau to be blessed. However, were Jacob and Rebekah ethically justified in their deceptive conduct or did they act immorally in Jacob's acquiring that which was intended for another?

According to an absolutist position, Jacob acted unethically, as did Rebekah, who facilitated the plan, since moral actions do not derive their worth from expected consequences. Thus, just as in Kant's response to Constant's objection, Jacob was not justified in disguising his identity before his blind father in order to obtain the blessing under false pretenses. Isaac Arama identifies the episode as one of deception and challenges Jacob's pure image, as the Midrash describes him as pious and truthful. In *Akedat Izhak*, Arama questions the cleanliness of Jacob's hands when he puts on goat hair and claims to be Esau.[120] Jacob behaved immorally by explicitly lying to his father when he approached Isaac with food and was asked to identify himself. Jacob responded: "*I am Esau your first-born*; I have done according to what you have requested of *me*. Arise, I beg you, sit and eat of *my* venison, that your soul may bless me."[121] Jacob also used deceptive speech when Isaac

[119] Gen. 27:2–10.

[120] Isaac Arama, *Akedat Izhak* Gate 23. Arama, who lived during the persecution in fifteenth-century Spain, recounts Christians invoking this biblical story to support their accusations of Jews being deceitful like their forefathers.

[121] Gen. 27: 19 (italics are mine to emphasize lies).

asked how he arrived so quickly. "For the Lord your God sent me good speed."[122] And again in response to Isaac's question, "Are you really my son Esau?," Jacob answered, "[It is] I."[123] Jacob violated his ethical duty to treat all humans with rightful relations, as lying to Isaac deprived his father of his ability to make free, rational choices, which is what it means to be human. As a result of the lie, Isaac acted differently than he would likely have done, had he been truthfully informed of his son's identity. Unlike the deceived murderer in Constant's objection, Isaac was deserving of the truth, thus Jacob was wronging him by lying under these circumstances, and transgressed the sense of right, regarding the aspects of morality that impact humans' decisions as free and equal members of a political community. While Rebekah and Jacob may have had a morally significant reason to lie, as they may have anticipated the consequences had Esau received the blessing of his father, such lying could nevertheless wrong the body politic, since the ethical obligation not to lie is necessary to uphold the trust integral to maintain a just social order. Even if God desired Jacob to receive the blessing (thus fulfilling the divine prophecy that the elder would serve the younger), unethical tactics were not justified obtaining it.

Absolutists argue that the justification of one lie can lead to additional lying and other evils.[124] As Isaac probed to confirm Jacob's identity as Esau, Jacob responded to additional questions with more lies. As mentioned in the analysis of the sister–wife narratives, Reis argues that Rebekah learned to lie from her husband's deceit in the narrative in which Isaac identified Rebekah as his sister before Abimelech[125] and later 'collected her debt' for her husband's sacrifice of her honor. Rebekah facilitated the deception of Isaac by orchestrating the ruse for Jacob to receive the blessing Isaac intended to bestow upon Esau.[126]

While the Bible does not cast explicit moral judgment upon the deceivers, later consequences of such lies may imply the biblical disapproval of deceit. Scholars argue that Jacob was repaid

[122] Gen. 27:20.
[123] Gen. 27:24.
[124] Tollefsen, *Lying and Christian Ethics*.
[125] Gen. 26:7.
[126] Reis, "Take My Wife, Please," 306–15.

throughout his life in just retribution [*midah keneged midah* – measure for measure] for his unethical behavior in obtaining the blessing. Nahum Sarna accuses Jacob of "moral lapses" and concludes that "an explicit denunciation could hardly be more effective or more scathing than Jacob's unhappy biography."[127] Richard Friedman asserts that Jacob is repaid with deception throughout his life and suffered just consequences for deceiving Isaac and Esau.[128] As a form of retribution, since Jacob deceived by acting as his older brother, Esau, he was later deceived by Leah acting as her younger sister, Rachel.[129] "Jacob became the victim of 'symmetrical poetic justice,' deceived in the blindness of the night by having Leah passed off on him as Rachel, and then rebuked by Laban, his deceiver, 'this is not done in our region to give the younger daughter before the firstborn,'[130]"[131] as Jacob had previously done to his own father.

The Midrash connects the two episodes of deception:

> All that night she [Leah] acted the part of Rachel. As soon as he [Jacob] arose in the morning, "and behold it was Leah." Jacob said to her: Daughter of the deceiver! Why have you deceived me? Said she to him: And you – why did you deceive your father?! When he said to you: "Are you my son, Esau"? You said to him: "I am Esau your firstborn." Yet you say: "Why then have you deceived me!?" Your father, did he not say about you: "Your brother came with deceit?"[132]

The patterns of Jacob's life were later replicated by his son Joseph, another younger son favored by his parent over his brothers and condemned to exile because of sibling jealousy. The parallel of the two narratives is the treatment of the son of the beloved wife as firstborn in disregard of the actual elder son.[133] Jacob was again repaid in kind for his deceit by his sons who deceived him regarding the disappearance of Joseph with the bloodied technicolored coat. The

[127] Sarna, *Genesis*, 398.
[128] Richard Friedman, "The Jacob Cycle in Genesis. Deception for Deception: Who Breaks the Cycle?" *Bible Review* 2 (1986): 22–31.
[129] Daube, *Studies in Biblical Law*, 192.
[130] Gen. 29:26.
[131] Alter, *The Art of Biblical Narrative*, 45.
[132] Midrash Tanhuma, Vayetze 11; Gen. Rabbah 70:17 also suggests the substitution of Leah for Rachel representing Jacob's 'measure for measure' punishment.
[133] Levenson, *The Death and Resurrection*, 66.

brothers used an article of Joseph's clothes to deceive their father, Jacob, just as Jacob had used Esau's clothes to mislead his father, Isaac. Censure of Jacob's conduct is found elsewhere in the Bible, thereby indicating a negative evaluation of Jacob's acts. "The Lord has also a controversy with Judah, and will punish Jacob according to his ways, according to his doings will He recompense him."[134] Jeremiah warns, "Take heed every one of his neighbor, and do not trust in any brother; for every brother acts subtly (כִּי כָל-אָח עָקוֹב יַעְקֹב), and every neighbor goes about with slanders,"[135] a clear linguistic condemnation of Jacob's behavior.

Even if it could be argued that Jacob was merely receiving the blessing which was rightfully his, since he was legitimately entitled to the birthright which he purchased from Esau in Genesis 25, one can argue that his purchase of the birthright was unethical and exploitative. As cited in the previous chapter, Susan Niditch views the episode of the purchase of the birthright as "extortion by a clever con artist" with the purpose of providing "an initial and incomplete working out of the trickster pattern fully articulated in Chapter 27."[136] This is also the way that the ruse is perceived by Esau.

> And it came to pass, as soon as Isaac had finished blessing Jacob, and Jacob was barely gone from the presence of Isaac his father, that Esau his brother came in from his hunting. And he also made savory food, and brought it to his father; and he said to his father: "Let my father arise, and eat of his son's venison, that your soul may bless me." And Isaac his father said to him: "Who are you?" And he said: "I am your son, your firstborn, Esau." And Isaac trembled very exceedingly, and said: "Who then is he that has taken venison, and brought it me, and I have eaten of all before you came, and have blessed him? Yes, and he shall be blessed." When Esau heard the words of his father, he cried with an exceeding great and bitter cry, and said to his father: "Bless me, even me also, my father." And he said: "Your brother came with guile, and has taken away your blessing." And he [Esau] said: "Is not he rightly named Jacob? for he has supplanted me these two times: he took away my birthright; and, behold, now he has taken away my blessing." And he [Esau] said: "Have you not reserved a blessing for me?" And Isaac answered and said to Esau: "Behold, I have made him your lord, and all his brothers have I given to him for servants; and with corn

[134] Hos. 12:3.
[135] Jer. 9:3.
[136] Niditch, *Underdogs and Tricksters*, 101.

and wine have I sustained him; and what then shall I do for you, my son?" And Esau said to his father: "Have you only one blessing, my father? bless me also, my father." And Esau lifted up his voice, and wept. And Isaac his father answered and said to him: "Behold, of the fat places of the earth shall be your dwelling, and of the dew of heaven from above; And by your sword shall you live, and you shall serve your brother; and it shall come to pass when you shall break loose, that you shall shake his yoke from off your neck." And Esau hated Jacob because of the blessing with which his father blessed him. And Esau said in his heart: "Let the days of mourning for my father be at hand; then will I slay my brother Jacob."[137]

Esau considered himself deceived and wronged by Jacob over the birthright and the blessing.

However, considerations discussed in the contemporary debate over the ethical nature of deception can support alternative interpretations of the complex tale. Based on Kant's distinction between lies and misleading truths, it is possible to view Jacob's conduct as ethical, even according to an absolutist position. Several exegetes argue that Jacob did not lie altogether, but only uttered misleading truths. While Jacob's identification as "Esau, your firstborn"[138] seems to be an explicit lie, exegetes repunctuate the words to avoid attributing an overt lie to Jacob. Rashi interprets Jacob's response as a mental reservation, in which only a partial but highly misleading truth with the intent to deceive was uttered, while adding in one's mind the missing words that would render the statement non-deceptive, as to not be responsible for the 'misinterpretation' made by the listener. Rashi explains Jacob's response to his father: "I am he who brings to you, and Esau, he is your firstborn."[139] Similarly,

[137] Gen. 27:30–41.

[138] Gen. 27:19.

[139] Rashi on Gen. 27:19; Rashi offers similar repunctuated interpretations elsewhere. When Isaac asks his father about the animal at the Binding, Rashi interprets Abraham's response, "God will provide Himself the lamb for a burnt-offering, my son" (Gen. 22:8) to mean: "God will see and choose for Himself the lamb, and if there will be no lamb, my son will be for a burnt offering" (Rashi, Commentary on Gen. 22:8). In an additional instance of deception, Elisha, the prophet, lied to Ben Hadad, King of Aram in II Kings 8:10, "And Elisha said to him: 'Go, say to him: You shall surely recover; howbeit the Lord has shown me that he shall surely die.'" Rashi consistently interprets the verse to mean "shall surely recover" is directed at Hazael, the messenger, while "shall surely die" relates to Ben Hadad, thereby denying the prophet's lie (Rashi, Commentary on II Kings 8:10). Radak suggests that Elisha meant that Ben Hadad will not die from his current disease, but will soon die from another cause, although this is not at all evident from the later text.

later in the narrative when Isaac attempted to confirm his son's identity, "Are you really my son Esau?," Jacob answered, "I am"[140] (and not "I am Esau"), once again not uttering an outright lie. Others argue that Jacob did not lie at all, since he was entitled to identify himself as the firstborn after he legitimately purchased Esau's birthright.[141] As mentioned earlier, after the sale, Esau is referred to as "the elder son,"[142] and not the "firstborn." Therefore, when Jacob came to take the blessing that was meant for the firstborn, he was entitled since he acquired the birthright from Esau, who had relinquished it and sold it to him. Rather, it was Esau who acted as a deceiver by not disclosing that he had sold his birthright, while Jacob was fulfilling the sale (and Rebekah was fulfilling her previous divine prophecy). Thus, Jacob may have technically upheld the duty of truth-telling and his conduct can be considered ethical even if misunderstood by his father. After all, as Kantian philosophers explain, one's duty is confined to the truth that one asserts, what Isaac mistakenly infers from Jacob's statement is his own responsibility, as he is a rational and autonomous being.

Constant's argument in the philosophical debate over the ethical nature of deception supports an alternative interpretation of the narrative which morally exonerates the patriarch even if he told an outright lie. While Kant and biblical exegetes draw distinctions between overt lies and misleading truths, according to Constant, *any* deception, including explicit lies, may be justified in certain circumstances. Jacob's lies can be considered moral since it can be argued that they were uttered in an effort to preserve the spiritual well-being of his future progeny. Though Jacob may have been entitled to Esau's birthright, he did not reveal his purchase to his father, because he could show no proof. Esau would likely have denied the transaction, since his later reaction demonstrated his regret

[140] Gen. 27:24

[141] The anonymous Nizzahon Vetus writes:

> "I am Esau your firstborn." One can say that Jacob did not lie. In fact, this can be said without distorting the simple meaning of the verse, but by explaining it as follows: I am Esau your firstborn, for Esau sold him the birthright in a manner as clear as day. It is, indeed, clear that Jacob was careful not to state an outright lie from the fact that when Isaac asked him, "Are you my son Esau?" he responded, "I am" (Gen. 27:24), and not, "I am Esau." (David Berger, *The Jewish–Christian Debate in the High Middle Ages: A Critical Edition of the Nizzahon Vetus* (Northvale, NJ: Jason Aronson, 1996), 56)

[142] Gen. 27: 1, 15, 42.

for the sale and his perception that he had been duped, and Isaac would not have believed him. Therefore, Jacob had to take other measures in order to obtain that which was rightfully his. Sissela Bok writes, "Other deceptive schemes are held excusable by liars not so much because they punish those guilty of injustice as because they retrieve or protect what the liars think rightfully their own."[143] Deception was considered acceptable conduct for the socially weak to obtain their just due in the Bible. Fewell and Gunn argue, "The family underdogs, the mother and younger son, capsize the traditional power structure, namely the link between patriarch and firstborn."[144] Ora Horn Prouser explains that deception was not a sign of moral weakness, but rather a tool of those who were in a weaker social situation.[145]

The Midrash and exegetical commentaries further exonerate Jacob's deceptive conduct by suggesting that Isaac misperceived Esau's worthiness of the blessing which needed to be corrected through deception since Isaac would not be persuaded through direct means. The Midrash explains that Isaac loved Esau because his oldest son deceived him by pretending to be pious. Regarding the biblical description of Esau as a hunter, the Midrash suggests:

> He (Esau) was a trapper and a fieldman, trapping (i.e. deceiving) at home and trapping in the field. Trapping at home (by asking) "How do you tithe salt?"; in the field (by asking) "How do you tithe straw?"[146]

[143] Bok, *Lying*, 82. For example, BT Yoma 83b relates a story in which R. Judah and R. Josi ask their host, Kidor, to hold their money for safekeeping over the Sabbath. When the Sabbath ended and they asked Kidor to return their money; he denied ever having been given it. Subsequently, they saw him outside with lentils on his mustache. They went to his house and lied to his wife that her husband had requested that she return their money and as a sign that they were telling the truth, he told them to tell her that he had eaten lentils.

[144] Donna. N. Fewell and David. M. Gunn, *Gender*, *Power, and Promise* (Nashville, TN: Abingdon Press, 1993), 75.

[145] Prouser, "The Phenomenology of the Lie," 183.

[146] Gen. Rabbah 63, 10; Tanhuma Toledoth 7. Additional Midrashic and Aggadic literature further disparage Esau's character in an effort to justify the divine choice of Jacob.

> R. Johanan said: That wicked one [Esau] committed five sins on that day: He had relations with a girl who was betrothed to another, and murdered someone, and denied God's existence, and denied the resurrection of the dead, and spurned the birthright. [We know that] he lay with a betrothed maiden, because it is written here, "And Esau came in from the field," and it is written elsewhere [Deut. 22, in connection with a betrothed girl], "He found her in the field." [We know that] he committed murder,

Rashi refers to this Midrash in his explanation that since both salt and straw do not require tithing, Esau led his father to believe he was punctilious in his observance.[147] Rebekah, having received a divine prophecy during her pregnancy of the younger twin's rule over the elder that she did not share with Isaac, overheard her husband's request of Esau and devised a plan in order to thwart Isaac's intention to bless Esau.[148] Rebekah resorted to deception, not because she was a devious wife, but due to her subordinate status to Isaac. Within biblical patriarchy, primogeniture and parental blessings applied strictly to males. Therefore, Rebekah was not able to bestow the blessing upon the one she considered to be the appropriate son and had to trick Isaac, who would not have

> because it is written here [that he was] "faint," and it is written elsewhere (Jer. 4), "Woe is me now, for my soul is faint before the murderers." [We know that] he denied God, because it is written here, "What benefit is this to me" (*lama zeh li*), and it is written elsewhere (Exod. 15), "This is my God (*zeh eli*) and I will praise Him." And [we know that] he denied the resurrection of the dead because he said, "Behold, I am about to die …," and also that he spurned the birthright because it is written, "So Esau despised his birthright." (BT Baba Bathra 16b)
>
> Other Sages identify Esau with the "scoundrel who says in his heart, There is no God," mentioned in Ps. 14:
>
> "A scoundrel (*naval*) says in his heart …" – This refers to the wicked Esau, who said one thing with his mouth but something else in his heart. In his heart, he said, "The days of mourning for my father draw near …," while with his mouth he said, "Here I am" … And why is he called "*naval*" [scoundrel]? R. Judah said in the name of R. Samuel: Because he filled the entire world with disgusting things (*neveilot*). He established, *batei kiklin*, *batei kotzim*, theaters, circuses, and temples of idolatry. R. Huna said: Because he filled the land with Jewish carcasses (*mei-nivlatam shel Yisrael*). R. Abba said: Because he was despicable (*menuval*). He set up statues of himself at the entrance to the prostitute and at the entrance to toilets and bathhouses. This is as it is written, "Your contemptibleness has deceived you, the pride of your heart" (Jer. 49:16). (Midrash Shochar Tov 14:4)
>
> The Midrash Tanhuma concludes:
>
> We find that all the transgressions that God hates were all to be found in Esau. (Midrash Tanhuma [6], Toldot 8)

[147] Rashi, Commentary on Gen. 25:27.

[148] According to Naḥmanides, "Isaac intended to bless Esau that he merit the blessing of Abraham to inherit the land and become the one with whom God would make the covenant since he was the firstborn" (Naḥmanides, Commentary on Gen. 27:4). Naḥmanides explains that Rebekah withheld from her husband the prophecy that she received from God while she was pregnant, not only for reasons of morality and modesty, because "she went to seek God," without Isaac's permission, but also because she suspected that he would still not bless Jacob out of his great love for Esau, but would leave it in the hands of Heaven. She knew that due to her ruse, Jacob would be blessed with a full heart and willing mind.

willingly conceded to his misperception of Esau's worthiness.[149] Thus, Rebekah instructed Jacob, her favorite son,[150] to present food which she would prepare to his father in the guise of his brother in order to receive the blessing Isaac intended for Esau.[151] As a result of the disguise, Isaac was able to correct his intended wrong which was due to his misjudgment of his sons and thereby actualize the divine prophecy. However, the Bible's literary and theological ambiguities make it unclear whether God's prophecy to Rebekah that the elder would serve the younger reflected divine foreknowledge or divine control. When she took it upon herself to affect the outcome, it is debatable whether her actions were in pious obedience to the divine will or out of loyalty to her preferred son. The Midrash justifies Rebekah's noble intentions:

> It was not because Rebekah loved Jacob more than Esau that she did this thing (i.e. arranged matters so that Jacob should acquire Esau's birthright; Gen. 27), but because she said: "Let him (Esau) not go in and mislead that old man" so that one might apply to him (to Isaac) the words "(He that justifies the wicked and condemns the righteous) even they both are an abomination to the Lord." (Prov. 17:15)[152]

[149] Esther Fuchs, "Who is Hiding the Truth?," in *Feminist Perspectives on Biblical Scholarship*, ed. Adela Collins (Chico, CA: Scholars Press, 1985), 137–44.

[150] The text explicitly describes Isaac's favor of Esau and Rebekah's preference for Jacob. "Now Isaac loved Esau, because he did eat of his venison; and Rebekah loved Jacob" (Gen. 25:28). No reason is given for Rebekah's favor for Jacob, reflecting an unconditional and unqualified love, whereas Isaac's love for Esau is conditional, depending on the food that Esau brings him. On their comments on Gen. 25:23, Rashbam and Seforno both attribute Rebekah's favoritism for Jacob as due to God's revelation to her that the elder would serve the younger.

[151] Gen. 27:1–5.

[152] Gen. Rabbah 65,6; Yalkut Shimoni Gen. 113. Nahum Sarna suggests that God's prophecy to Rebekah "tacitly asserts that his [Jacob's] claim to be heir to the divine promise rests solely upon God's predetermination. Thus, his election is thereby disengaged from the improper means he later employed to obtain his rights" (Sarna, *Genesis*, 179). Targum Jonathan claims that Rebekah heard Isaac's request of Esau by the spirit of holiness. Similarly, the Midrash on Gen. 27:42 interprets that Esau's secret intention ("in his heart," v.41) to kill Jacob became known to Rebekah through prophecy (Yalkut Shimoni Genesis, 116); see Ginzberg, *Legends of the Jews*, 286, n.109. Christian interpretation similarly justifies Rebekah's deceptive behavior: "Rebekah, full of the Holy Spirit, and knowing what she had heard before she gave birth, namely, that the older would serve the younger (Gen. 25:23) … said to her younger son, 'Go to the flock and fetch me two kids …' (Gen. 27:9)" (Jerome, Epistle xxxvi, 16,3) Thus, it was God who inspired her to advise Jacob in the divine scheme. St. John Chrysostom argues that one must always consider motivation. Since if only the action was considered without the motivating reason behind it, one would have

Even though Jacob immediately expressed reluctance regarding his mother's deceitful plan, his reticence was not on moral grounds, but rather out of fear that he would not be able to successfully deceive his father. "Behold, Esau my brother is a hairy man, and I am a smooth man. My father perhaps will feel me, and I shall seem to him as a mocker; and I shall bring a curse upon me, and not a blessing."[153] Jacob hesitated, not because he viewed his act as one of deceit, but was worried that it would *seem* so to his father. Rebekah reassured him that she would assume responsibility if her plot went awry and took measures to ensure that Isaac would not detect the fraud by dressing Jacob in Esau's garments and putting goat skins upon his hands and neck so he would smell and feel like his brother and his real identity would not be detected by his blind father.[154]

When Jacob approached Isaac with the food and his father asked him to identify himself, Jacob responded: "I am Esau your firstborn; I have done according to what you have requested of me. Arise, I beg you, sit and eat of my venison, that your soul may bless me."[155] Jacob came to take the blessing that was meant for the firstborn with the knowledge that he acquired the birthright from Esau, who had relinquished it and sold it to him. This was perhaps why Jacob did not demonstrate reluctance on moral grounds, but only out of fear of being discovered and cursed by Isaac. Additionally, Ibn Ezra opposes those who claim that Jacob could not have deceived his father to secure the blessing since he was a prophet and a prophet never lies. He distinguishes between prophets who reveal commandments, who never lie, and prophets who foretell the future, who may pervert the truth, and cites several occasions in which they lie and deceive to fulfill God's will when the circumstance demands, including David,[156] Elisha,[157] Micaiah,[158]

to judge Abraham guilty of killing his son (Gen. 22) and Phinehas would be viewed as a murderer (Num. 25:7–8). However, since Abraham acted in obedience to the divine command and Phinehas was driven by zeal for God, neither are condemned by the Bible. Consistently, since Rebekah and Jacob only acted in order to fulfill God's plan, they are not to be deemed as immoral (*Homilia LIII in Genesim*).

[153] Gen. 27: 11–12.

[154] Gen. 27: 15–16.

[155] Gen. 27: 19.

[156] David perverted the truth due to need when he spoke to Abimelech (I Sam. 21:6).

[157] Elisha did not speak the truth when he said to Hazael that Ben Hadad, King of Aram will recover from his illness (II Kings 8:10).

[158] Micaiah uttered a vain prayer in deference to King Ahab (I Kings 22:15).

Daniel,[159] and Abraham,[160] who he deems were all morally justified in their deception.[161] So, too, Jacob lied in order to obtain the divine blessing of which he was worthy.

Since Rebekah prepared the food for Jacob to bring to Isaac while Esau was hunting, the brief time that elapsed between Isaac's request and Jacob's presentation of food aroused Isaac's suspicion. Blind and reliant on his sense of touch, such doubts were articulated by Isaac when he requested of Jacob, "Come near, I beg you, that I may feel you, my son, whether you are my son Esau or not."[162] Isaac acknowledged, "The voice is the voice of Jacob, but the hands are the hands of Esau."[163] Still skeptical, Isaac continued to probe, "Are you my son Esau?," to which Jacob responded, "I am."[164] Even though Isaac voiced initial doubts, he did not continue to question or to attempt to verify further that it was, in fact, Esau who would receive the blessing. He did not call in a third party, insist that Jacob present himself before him, or wait until his suspicions were addressed. While Isaac may have considered the possibility that it was Jacob whom he was blessing, he nevertheless decided to proceed. Upon smelling the smell of the field on Jacob dressed in Esau's clothes, Isaac blessed his son with prosperity and leadership, "Let peoples serve you, and nations bow down to you. Be lord over your brothers, and let your mother's sons bow down to you."[165]

The question, however, remains whether a father's blessing can be stolen. It does not seem ethical that a blessing obtained by Jacob through deceit should be valid, since Isaac bestowed it upon him with the intention that he was giving it to Esau. If Jacob had stolen his father's possession, by law it would not have belonged to Jacob. Joseph Rackman suggests that Isaac, not wanting to choose between his sons, as his father, Abraham, had, intended to split the material and spiritual blessings between his sons, whom he loved and believed would serve God's interests,

[159] Daniel said to King Nebuchadnezzar, "My Lord, the dream be to them that hate you" (Dan. 4:16).

[160] Abraham said to Abimelech, "she is indeed my sister" (Gen. 20:12) and to his attendants at the binding, "we will worship and return to you" (Gen. 22:5).

[161] Ibn Ezra, Commentary on Gen. 27:19.

[162] Gen. 27:21.

[163] Gen. 27:22.

[164] Gen. 27:24.

[165] Gen. 27:29.

by blessing Esau with material and Jacob with spiritual prosperity. Isaac felt Esau, a skilled trapper and a man of the field, would be the appropriate leader of a strong nation which would be the ally of a spiritual nation, led by Jacob, a simple dweller in tents.[166] Isaac realized, after Esau's choice of idolatrous wives, that he was no longer a fit recipient of the blessing to be the perpetuator of the patriarchal legacy.[167] "And when Esau was forty years old, he took as a wife Judith the daughter of Beeri the Hittite, and Basemath the daughter of Elon the Hittite. And they were a bitterness of spirit to Isaac and to Rebekah."[168] Esau's marrying Canaanite wives, daughters of the foreign nations living in the land, violated the covenant of circumcision that Abraham's servant swore at the time of Abraham's own circumcision: "And I will make you swear by the Lord, the God of heaven and the God of the earth, that you shall not take a wife for my son of the daughters of the Canaanites, among whom I dwell."[169] Despite Isaac's "bitterness of spirit" as a result of Esau's marital choices, he still intended to bless Esau with property and power, thereby breaking with the tradition of his ancestors, who vehemently opposed such a union.[170] However, Rebekah, as Sarah before her, wanted everything to be bestowed upon one son, Jacob, since she felt that the two blessings could not be separated, as the material is needed to maintain a high spiritual level. Jacob's deception, facilitated by Rebekah, was successful, but not because he "stole" the spiritual and material blessings. While Isaac had intended all along to bestow the spiritual blessing upon Jacob, he may have realized, as a result of Jacob's deception, the brothers' inability to share the blessings. Thus, like his father, Isaac had to exclude one son, and therefore, even after discovering the ruse, did not give the material blessing to Esau. David Berger similarly suggests that Rebekah and Jacob may have underestimated Isaac, who had intended to bless Esau,

[166] Joseph Rackman, "Was Isaac Deceived?" *Judaism* 43, no. 1 (1994): 37–45.
[167] Yair Zakovitch, *Jacob: Unexpected Patriarch* (New Haven, CT: Yale University Press, 2012), 40.
[168] Gen. 26:34–35.
[169] Gen. 24:3.
[170] Malbim, Commentary on Gen. 27:1.

the pragmatic and aggressive hunter, with temporal supremacy, but had planned from the outset to give the blessing of Abraham to Jacob, the spiritual shepherd.[171] The deception, nevertheless, was still necessary for Jacob's supremacy. Isaac's blessing, intended for Esau, but mistakenly bestowed upon Jacob in disguise, actualized the prophecy that had been foretold to Rebekah during her pregnancy, though not disclosed to Isaac.[172]

Shortly following Jacob's exit following his receipt of the blessing, Esau presented his food to his father and identified himself with the words "I am your son, your firstborn, Esau."[173] Isaac trembled exceedingly and questioned whom he had blessed earlier, but confirmed that the blessing upon Jacob shall stand. "Who then is he that has taken venison, and brought it me, and I have eaten of all before you came, and have blessed him? Yes, and he shall be blessed."[174] Despite his trembling, Isaac demonstrated no reproach or rage towards Jacob for his deception. Ann Engar suggests that Isaac may have trembled once he realized that God had achieved His ends despite Isaac's own wishes.[175] Thus, Isaac's trembling may not reflect his regret, but rather may be due to his long misperception of his sons, which he mended through the blessings. Alternatively, Charlotte Katzoff argues that Rebekah's plot succeeded because Isaac cooperated in his own deception, since he wanted to believe Jacob,[176] along the lines of Kant's concept of internal lies. Isaac may have been lying to himself about Esau's meriting the blessing. Isaac's "dim eyes" may not only refer to his physical blindness, but also to his reluctance to see the truth of Esau's character due to his

[171] David Berger, "On the Morality of the Patriarchs," in *Modern Scholarship in the Study of Torah* (Northvale, NJ: Jason Aronson, 1996), 142.

[172] "And the elder shall serve the younger" (Gen. 25:23).

[173] Gen. 27:32.

[174] Gen. 27:33.

[175] Ann Engar, "Old Testament Women as Tricksters," in *Mappings of the Biblical Terrain: The Bible as Text*, ed. V. Tollers and J. Maier (Cranbury, NJ: Associated University Presses, 1990). Naḥmanides also suggests Isaac's reaffirmation of the blessing implies that it had been given against Isaac's will and was impossible to transfer to Esau. Naḥmanides claims that Isaac knew through divine inspiration from the moment he uttered the blessing that it was indeed for Jacob.

[176] Charlotte Katzoff, "Jacob and Isaac: A Tale of Deception and Self-Deception," in *Philosophers and the Jewish Bible*, ed. C. Manekin and R. Eisen (Bethesda, MD: University of Maryland Press, 2008), 145–51.

affection for his son.[177] Blindness is a common Scriptural metaphor for a lack of moral discrimination. "For the bribe blinds the eyes of the wise."[178] The Midrash connects Isaac's blindness to his poor judgment, and alludes that the delicacies Esau regularly brought his father served as a bribe which blinded him.[179] Such a reference is similar to the blindness attributed to Eli, who was unable to recognize the true nature of his sons in the Book of Samuel.[180] By the time of the episode of the blessing, Isaac may have realized that Jacob was the appropriate recipient of this blessing as well, despite his favor of Esau. He loved Esau too much to tell him, so Rebekah may have needed to deceive him and help him deceive himself.[181] Therefore, even if Isaac suspected Jacob was tricking him, he still blessed him, and when the guise was revealed to him, he reaffirmed the blessing upon Jacob instead of expressing anger or transferring it to Esau, as he originally intended. David Daube argues that the blessing was valid and ratified by Isaac after he was informed of the fraud. Isaac's reaffirmation, "Yes, and he shall be blessed," is a confirmation of the blessing, as Isaac was conscious and responsible for giving the blessing to Jacob; thus it was irrevocable.[182]

Upon discovering the ruse, Esau "cried with an exceeding great and bitter cry"[183] and pleaded for his father to bless him as well, to which Isaac responded, "Your brother came with guile, and has taken away your blessing."[184] Esau charged his brother with

[177] Abravanel, Commentary on Gen. 25:28.
[178] Exod. 23:8.
[179] Gen. Rabbah 65:5.
[180] I Sam. 3:2–13. Parallels of an old father who misjudges the impropriety of his sons can also be drawn to Samuel and David. "And it was, *when Samuel was old*, that he made his sons judges over Israel" (I Sam. 8:1); "And *King David was old*, advanced in years, and they covered him with clothes, but he was not warmed"(I Kings 1:1). Each narrative emphasizes that the father ignores his sons' behavior or fails to rebuke them: "And he made his sons judges" (I Sam. 8:1); "and (Eli) did not restrain them" (I Sam. 3:13); "and his father had never grieved [reproached] him" (I Kings1:6). Similarly, the old and blind Isaac fails to realize Esau's true character and mistakenly desires to bestow the blessing upon him.
[181] Ora Horn Prouser, "The Truth about Women and Lying," *JSOT* 61 (1994), 22.
[182] Daube, *Studies in Biblical Law*, 191.
[183] Gen. 27:34.
[184] Gen. 27:35.

deception and related this deceit with Jacob's earlier ruse to purchase his birthright for a pot of lentils. "Is not he rightly named Jacob? for he has tricked me these two times: he took away my birthright; and, behold, now he has taken away my blessing."[185] However, Targum Onkelos and Rashi neutralize the meaning of Isaac's depiction of Jacob's action as "your brother came with wisdom."[186] Genesis Rabbah adds that Jacob came to his father "with the wisdom of the Torah."[187] Both the Targum and Midrash suggest that Jacob acted properly in depriving Esau of the primogeniture through such means,[188] which may explain why neither Isaac's exceeding trembling nor Esau's great and bitter cry cause Rebekah or Jacob to express any moral qualms about their action.

After the initial deception of the first blessing, Isaac had no blessing left to give to Esau, since, despite Isaac's favor for Esau, he understood that his elder son was unworthy of the spiritual leadership bestowed upon the recipient of the remaining blessing of Abraham. Instead, he offered Esau, "And by your sword shall you live, and you shall serve your brother; and it shall come to pass when you shall break loose, that you shall shake his yoke from off your neck."[189] With recognition that Jacob was the appropriate recipient of the patriarchal legacy, Isaac asked God to bestow upon him the blessing of inheritance of the holy land and of the perpetuation of the mission of the patriarchs. "And God Almighty bless you, and make you fruitful, and multiply you, that you may be a congregation of peoples; and give you the blessing of Abraham, to you, and to your seed with you; that you may inherit the land of your inhabitance, which God gave to Abraham."[190] God's message to Jacob in a dream several verses later serves as divine confirmation of the blessing of Abraham, thus affirming that Jacob was

[185] Gen. 27:36.

[186] Rashi, Commentary on Gen. 25:35. However, Ibn Ezra rejects Rashi's interpretation and translates *mirmah* as deceit.

[187] Gen. Rabbah 67:4.

[188] The Targum and Midrash similarly explain the "guile" employed by the sons of Jacob who deceived Shechem and Hamor in order to avenge the defilement of their sister, Dinah (Targum Gen. 34:13; Gen. Rabbah 80,8; Yalkut Shimoni, Genesis 134; Tanhuma Toledoth 24).

[189] Gen. 27:40.

[190] Gen. 28:3–4.

the rightful beneficiary, even given the tactics used to obtain the blessing.[191]

In the aftermath of the bestowal of blessings, Esau's fury and hatred for Jacob as a result of the deception motivated his desire to kill his brother. "And Esau hated Jacob because of the blessing with which his father blessed him. And Esau said in his heart: 'Let the days of mourning for my father be at hand; then I will kill my brother Jacob.' "[192] Rebekah, in order to protect her beloved Jacob from Esau's wrath, instructed him to flee to her brother's home, but once again did not divulge her true intentions when seeking her husband's permission. "And Rebekah said to Isaac: 'I am worried for my life because of the daughters of Heth. If Jacob take a wife of the daughters of Heth, such as these, of the daughters of the land, what good shall my life do me?' "[193]

Though exegetical and rabbinic sources cast Esau's character in a negative light, portraying him as deserving of the deception and unworthy of the blessing since Esau had previously spurned his birthright and sold it to Jacob,[194] the text itself does not explicitly disparage him. In fact, Esau demonstrated a steadfast commitment to honoring his father throughout the narrative. At the inception of the episode, he fulfilled his father's request for savory food without hesitation. The Sages even acknowledge the positive character trait that Esau possessed – he honored his father.

"A son honors his father"[195] – This is Esau, who honored his father greatly. He would go out to the field and hunt venison, and bring it, and cook it, and bring it in to his father, and feed him every day.[196]

[191] "And he dreamed, and behold a ladder was set up on the earth, and the top of it reached to heaven; and behold the angels of God were ascending and descending on it. And, behold, the Lord stood beside him, and said: 'I am the Lord, the God of Abraham your father, and the God of Isaac. The land on which you lie, to you will I give it, and to your seed. And your seed shall be as the dust of the earth, and you shall spread abroad to the west, and to the east, and to the north, and to the south. And in you and in your seed shall all the families of the earth be blessed. And, behold, I am with you, and will protect you wherever you go, and will bring you back to this land; for I will not leave you, until I have done that which I have told you.'" (Gen. 28:12–15).

[192] Gen. 27:41.

[193] Gen. 27:46.

[194] Gen. 25:34.

[195] Mal. 1:6.

[196] Exod. Rabbah 46.

Even at the conclusion of the story, despite his obvious motivation to kill his brother, Esau conquered his murderous passion for the sole reason of not wanting to cause anguish to his father. By contrast, in a later narrative, Jacob's sons did not demonstrate the same respect for him, as they allowed their rage and vengeance towards Joseph to overpower their desire not to cause their father inconsolable grief. Rebekah and Jacob both seemed to underestimate Esau's virtue. Rebekah did not need to send Jacob away for twenty years of exile in the home of Laban, after which she never saw her son again. Upon his return to Canaan from Padan-Aram, Isaac was still alive and therefore Esau did not intend to kill Jacob, rendering Jacob's fear of Esau and prayer for protection from him unnecessary.[197] Even after Isaac sent Jacob to Paddan-Aram to find a wife among the daughters of Laban, the Bible records, "And Esau saw that the daughters of Canaan were not pleasing to Isaac his father; so Esau went to Ishmael, and took, in addition to the wives that he had, Mahalath the daughter of Ishmael Abraham's son, the sister of Nebaioth, to be his wife."[198] It is disputed whether Esau's marriage to an Ishmaelite woman after the deception of the blessing was negative or positive. While Rashi and the Midrash interpret Esau's action with contempt, "Because of his wives he added another evil deed onto his former evildoing,"[199] Seforno, among others, praises Esau for not marrying a Canaanite since he sought to honor his father, thereby perpetuating his image as a respectful and devoted son.[200] It may also be fitting that Esau took a wife from Ishmael, since Esau was the elder, rejected son and marries a woman from the house of the elder, rejected son of the previous generation.

However, the arousal of sympathy for the deceived Esau and Isaac need not indict Jacob for his deception. After all, the characters of Jacob and Rebekah can also be viewed in an honorable light, despite their morally questionable act. Jacob can be viewed not as a self-interested character in pursuit of material or political power, but rather as a selfless individual who was willing

[197] Gen. Rabbah 75:3.
[198] Gen. 28:8–9.
[199] Rashi, Commentary on Gen. 28:9.
[200] Seforno, Commentary on Gen. 28:9.

to forgo his own well-being for the sake of the future of his nation. Jacob likely anticipated Esau's reaction to his deception, yet was willing to suffer the consequences. The entire ruse reflected the consciousness of divine destiny, as the fulfillment of the blessing would not manifest itself with Jacob, but rather with the economic, political, and spiritual prosperity of the nation which would emerge from him in future generations. Jacob was motivated by a feeling of moral responsibility for his progeny. Had Rebekah and Jacob passively witnessed the bestowal of the blessing(s) upon Esau, their lives would have progressed, but their descendants would have faced moral consequences. While the conduct of Rebekah and Jacob may be considered successful and morally acceptable in the Bible in an effort for the socially weak to obtain their just due, the deceivers still suffered consequences for their ruse. As a result of the deception, the family was torn apart, Esau sought to kill Jacob, Jacob fled from Esau's rage for twenty years in which he was deceived and mistreated in the house of Laban, and Rebekah never saw her beloved son again.[201] Though many interpreters deduce that Jacob was wrong for his deceptive behavior as a result of later consequences that parallel his earlier acts and serve as a just retributive [*middah keneged middah*] punishment, such consequences do not prove his behavior was immoral and it is possible to argue that his deception was justified and appropriate in such a situation, even though he suffered in its aftermath. Nehama Leibowitz asserts that even the Sages who defend Jacob "detect the workings of strict justice which is no respecter of persons, in what has befallen Jacob."[202] Even if he was justified in his behavior, his entire life was affected by his deception. Jacob's deception which impacted the rest of his life was done for the greater good of his nation.

The Midrash records an earlier conversation between Jacob and Rachel when Jacob proposed that she pledge herself to him. She responded, "I have a father who is a deceiver and you will not be equal to him." "Why would he deceive me?," asked Jacob. "Because I have an older sister," she replied, "and he will not permit me to marry before her." (In that case) "Jacob retorted, then I am his

[201] Rebekah is never mentioned in the Bible after the deception of Isaac (Gary Rendsburg, "Notes on Genesis XXXV," *Vetus Testamentum* 34, no. 3 [1984]: 364–5).

[202] Leibowitz, *Studies in Genesis*, 322.

brother in deceit." (To this) Rachel remonstrated, "Is a righteous individual permitted to resort to trickery?" Jacob replied "Yes, for it is written (regarding God) 'With the pure, You show Yourself pure, but with the perverse You show Yourself subtle' "(II Sam. 22:27).[203] Rachel probed whether or not an individual is obligated to remain morally steadfast and refuse to compromise his ethical standards no matter the cost? Jacob responded with no ethical reservation, but rather his actions demonstrated that a righteous individual can resort to trickery, as an expression of *imitatio dei*, Judaism's highest moral criterion.[204]

In light of ethical considerations, Rebekah and Jacob's deception of Isaac and Esau to obtain the blessing can be perceived in different ways. According to some readings, they acted unethically and paid dearly, even 'measure for measure,' for depriving Isaac and Esau of their rightful relations. Rather, they should have found some other method to achieve the desired end of the bestowal of the blessing upon Jacob. However, though Jacob and Rebekah suffer for their deceit, the Bible does not explicitly condemn their tactics, but on the contrary, Isaac and God reaffirm the blessings upon Jacob that had been given to him through deceit. Other readings imply that their conduct was ethically permissible in order for the socially weak to obtain their just due, since they needed to take the initiative to ensure the blessing was granted to the appropriate recipient for the benefit of future generations.

Tamar's Disguise

Tamar's deceptive initiative can be similarly interpreted in diverse ways. Childless widows had a lowly status in society during the biblical era, and Tamar, in particular, was suspected of being responsible for the deaths of her husbands. When Judah's eldest son, Er, was killed for being 'wicked in the sight of the Lord,' Judah instructed his second son, Onan, to perform a levirate marriage (*yibum*) with his brother's widow, Tamar, in order to continue the legacy of the deceased. However, Onan, knowing that the child would not

[203] Yalkut Shimoni, sect. 125.

[204] Norman Frimer, "A Midrash on Morality or When is a Lie Permissible," *Tradition* 13, no. 4 (1973): 26. This Midrash is also quoted in BT Baba Bathra 123a; Megilla 13b.

perpetuate his own legacy and not wanting to split his father's inheritance with a baby who would be considered Er's son, spilled his seed, which was also 'evil in the sight of the Lord,' and punished by death. Judah told Tamar to remain unwed until Shelah, his third son, reached adulthood; however, the text reveals to the reader (but not to Tamar) Judah's deceptive intentions never to give his third son to Tamar, for he feared Shelah would meet the same demise as his older brothers. "For he [Judah] said: 'Lest he also die, like his brethren'."[205] When Tamar realized that Shelah had grown and Judah did not intend for her to marry him, she, in the disguise of a harlot, deceived Judah into fathering a child for her.[206]

> And she took off her garments of widowhood, and covered herself with her veil, and wrapped herself, and sat in the entrance of Enaim, which is by the way to Timnah; for she saw that Shelah was grown up, and she was not given to him as a wife. When Judah saw her, he thought she was a harlot; for she had covered her face. And he turned to her by the way, and said: "Come, I beg you, let me come in to you"; for he did not know that she was his daughter-in-law.[207]

Tamar, dressed as an ordinary prostitute, was not condemned or threatened for it does not seem unusual in the text for Judah to approach a harlot along his way. However, Judah's secretive maneuverings after sleeping with her testifies to the disreputability of his conduct.[208]

The Bible is not explicit regarding Tamar's motives. Perhaps she selflessly wanted to enter into the levirate marriage in order to perpetuate the name of her dead husband. Alternatively, Tamar may have acted out of her desire to bear children and again be associated with Judah's family, since a childless widow held a precarious status in ancient Israel.[209] A widow was only integrated into her husband's family through the children she bore him. Since a wife did not inherit her husband's property, if a man died, his widow relied on her children (who inherit his property) for

[205] Gen. 38:11.

[206] Deut. 25:5–10 states that the brother of the dead husband must perform the levirate marriage. However, the earlier custom was that if the brother could not perform *yibum*, the father of the dead man could do so, as indicated by Hittite and Assyrian laws (S. A. Levinstam, "Yibbum, Yavam, Yevama," *Encyclopedia Mikra'it* [Jerusalem: Bialik Institute, 1962], vol. III, 444–7).

[207] Gen. 38:14–16.

[208] Gen. 38:20–23. Judah sent her compensation through a messenger in an effort to retrieve the collateral she had taken from him.

[209] Prouser, "The Truth about Women and Lying," 21.

financial support. Childless widows had no patriarchal protection and were misfits in the social structure.[210] Through levirate marriage, male members of society preserved proper socio-structural categories by preventing sociological misfits, such as the young childless widow, while participating in the production of offspring, even if only in the name of a deceased brother.[211] "The levirate duty not only honored the dead brother and continued his line, but also reaffirmed the young widow's place in the home of her husband's people; for as a childless widow, she no longer fit either of the acceptable categories for the childbearing woman,"[212] since she was no longer a virgin nor belonged in her father's home, and therefore Judah's attempt to send Tamar back to her father's home appeared inappropriate. The social fabric as a whole was weakened by her predicament and therefore she pursued unusual means to rectify the situation.

> Tamar is one of those women in the patriarchal stories who, unjustly disadvantaged, seizes the initiative herself, even in opposition to established custom and order; she revolts against their constriction like Hagar, Rebekah, Leah and Rachel, and Lot's daughters. Tamar can procure her right only by revolting against her father-in-law's authority and by behaving in a way that is a grave offense to custom.[213]

Judah promised Tamar a goat for her services and gave her his signet, cord, and staff as collateral.[214] Tamar conceived by him, but when it was later exposed that she was pregnant, Judah sentenced her to death because infidelity during betrothal (after all, she had been promised to Shelah), was considered adultery, which was punishable by death.[215] By the same law, her partner was also condemned to a similar fate; however, Judah was unaware that he had relations with her. When she revealed the collateral given to

[210] "As a daughter, the woman was under her father's protection, as a wife, she was under her husband's protection and in the event of her husband's death, as a mother, she was under her children's protection" (Susan Niditch, "The Wrong Woman Righted," *Harvard Theological Review* 72 [1979]: 145).

[211] Deut. 25:5–10.

[212] Niditch, "The Wrong Woman Righted," 146.

[213] Westermann, *Genesis 37–50: A Commentary*, 56.

[214] Ann Engar suggests that the items Tamar requests of Judah for collateral reflect his leadership and inheritance: his seal authorizes actions, the cord binds generations and the staff guides his flock. Thus, her request of pledges is an appeal for his authority and lineage (Engar, "Old Testament Women as Tricksters," 149).

[215] Deut. 22:13–21.

her by the man who had impregnated her,[216] he acknowledged his wrongdoing.

> "By the man, whose these are, am I with child"; and she said: "Identify, I beg you, whose are these, the signet, and the cords, and the staff." And Judah acknowledged them, and said: "She is more righteous than I; forasmuch as I did not give her to Shelah my son."[217]

While Tamar was reduced to disgraceful and deceptive behavior, she was not in violation of Jewish law. The prohibition on incestuously sleeping with one's father-in-law, which warranted the death penalty described in Lev. 20:12, had not yet been imposed in the days of Tamar. Judah realized that he motivated Tamar to resort to such an act because he did not give her Shelah as he promised. Through her children, Tamar was again made a full member of the patriarchal family of Judah which she had first joined through her marriage to Er.

Though Tamar did not transgress Jewish law by having relations with her father-in-law, she may have violated moral law by deceiving him, which, according to Kant, deprives man of his humanity – the ability to make free and rational choices. It is clear from his reaction that Judah had no idea that he had relations with his daughter-in-law and surely would not have had he been informed of her true identity beforehand. Furthermore, Judah's praise for her righteousness may not have referred to her underhanded tactics, but rather to her dedication to perpetuate his family's legacy when he wronged her by not marrying her to Shelah.

However, alternative readings suggest Tamar's deception was considered ethically acceptable conduct for the socially weak to obtain that which was rightfully theirs when it could not be achieved directly. After all, Tamar employed deception to avoid an unjust

[216] Tamar uses the same language (in Gen. 38:25) as Joseph's brothers (including Judah) had used when they asked their father to identify Joseph's torn and bloody coat (*hakhar na* – הַכֶּר-נָא – in Gen. 37:32). As R. Johanan comments in Midrash Rabbah, "The Holy One, blessed be He, said to Judah: 'You said to your father, הַכֶּר-נָא; as you live, Tamar will say to you, הַכֶּר-נָא" (Gen. Rabbah 85:11). Umberto Cassuto argues that the intentional textual parallel demonstrates that Judah was being punished measure for measure [*middah keneged middah*] for his instigation of Joseph's sale that caused his father unrelenting grief (Umberto Cassuto, *Biblic al and Ori ental Stu dies*, vol. 1: *Bible* [Jerusa lem: Magnes Press, 1973], 30–1).

[217] Gen. 38:26.

punishment of not receiving Shelah as a husband. Additionally, according to the common-law doctrine of necessity which justifies a lesser evil in order to avoid a greater evil, the imperative of procreation overrides the prohibition of incest, as in the case of Lot's daughters. Moreover, Tamar was praised for her moral rectitude, since, even though Judah shamed her by accusing her of harlotry and sentencing her to death, she maintained the forbearance to reveal to him his misjudgment of her in a subtle manner that would not cause him public shame.[218] Through this union, Tamar gave birth to Perez,[219] whose lineage led to King David.[220]

As in the case of Rebekah, it can be argued that Tamar's trickery demonstrated that she had a greater understanding of the needs of her family and her nation than her male counterpart. Rebekah and Tamar each employed underhanded tactics in order to reveal the truth to the recipient of their deceit. Rebekah and Tamar helped Isaac and Judah, respectively, realize their misperceptions and recognize the will of God, as both women used deception against their family members to ensure the succession of God's chosen heir. Rebekah helped Isaac realize that Esau was undeserving of the

[218] Ruth similarly takes deceptive measures to rescue herself from the precarious social status of a childless widow. Both Tamar and Ruth assume compromising positions and the risk of an accusation of harlotry (Ruth 3:13) in order to reenter the patriarchal clan. Radical acts by both Tamar and Ruth are viewed positively by the Bible.

[219] Gen. 38:29.

[220] Ruth 4:18–22. BT Megilla 4:10 juxtaposes the union of Judah and Tamar to other seemingly illicit biblical relationships. "Because of the sensitive nature of their content, certain biblical passages were to be read aloud in synagogue, but not translated, while others were not to be read aloud at all. Among the former group are included Gen. 35:22, which describes Reuben's lying with his father's concubine Bilhah, and II Sam. 11:2–17, the story of David's adultery with Bathsheba. II Sam. 13:1–4, which refers to Amnon's incest with his half-sister Tamar, is neither to be read nor translated. Genesis 38 is also mentioned by the Rabbis, yet *is* to be read and translated. All of the incidents deal with suspicious, seemingly improper sexual encounters. The first three are destructive of the social fabric, leading to distrust and resentment in the case of Reuben, resulting in the murder of Uriah in the case of David, and his own death and bitter family strife in the case of Amnon. In contrast, the union of Judah and Tamar does not mar the social fabric, but repairs it. The Rabbis wish to set the tale of Tamar apart from the other three incidents and thereby acknowledge its sociologically constructive message" (Niditch, "The Wrong Woman Righted," 149).

blessing, while Jacob was the appropriate recipient. Tamar aided Judah in understanding that she was not responsible for the deaths of his elder sons and was the fit matriarch of his descendants. Through the ruses, the gap between the perspectives of liar and deceived closed. Once deception rids Isaac and Judah of their earlier misconceptions, Isaac reaffirmed the blessing he gave to Jacob when deceived and Judah proclaimed Tamar's righteousness to be greater than his own. Both Jacob (the younger son) and Tamar (the childless widow), the socially weak in their respective narratives, resorted to deceptive acts in order to obtain their just due and right a wrong (it can be argued that Jacob was wrongfully not considered the firstborn though he had purchased the rights from Esau and Tamar was wrongfully denied Shelah), neither of which would have been accomplished through direct means. Thus, their deception was not condemned in the Bible and their actions can be considered ethically permissible and integral to the perpetuation of the Jewish legacy. Michael Williams concludes that the biblical evaluation of deception is positive "when the perpetrator deceives one who has previously wronged him in order to restore his own condition to what it would have been had it not been disrupted, while at the same time not harming the victim."[221] Thus, such deception serves as retaliation in restoration of the status quo, or *shalom*, which can be defined as contentment about one's welfare, security, and ability to get along with others.[222] However, deception by a superior party which involves an abuse of power and causes a breach in the status quo (*shalom*) was clearly considered wrong in the Bible. For instance, Er and Onan are killed for their deception, while Judah's underhanded denial of Shelah to Tamar, Laban's continuous deceit and mistreatment of Jacob,[223] Potiphar's wife's deception to incriminate Joseph,[224] Jacob's sons' misguidance of their father regarding Joseph's disappearance,[225] and David's deception to send Uriah to

[221] Williams, *Deception in Genesis*, 54.

[222] Claus Westermann, "Peace (*Shalom*) in the Old Testament," in *The Meaning of Peace: Biblical Studies*, trans. Walter Sawatsky (Louisville, KY: Westminster John Knox Press, 1992), 28.

[223] Gen. 30:31–34. As a result, Jacob was justified in deceptively fleeing from Laban with his family (Gen. 31:1–2).

[224] Gen. 39:7–18.

[225] Gen. 37:32.

the front lines to be killed[226] are condemned as they detract from *shalom*. The Bible seems to consider deception an inappropriate and ineffective strategy for the strong. Thus, Pharaoh's refusal to liberate the Israelites after he promised to do so[227] and Saul's attempts to deceive David[228] were rendered unsuccessful. Additionally, Cain unsuccessfully lies to God after murdering Abel[229] and Saul lies to the witch of En-Dor about his identity, but is quickly found out.[230]

Like Rebekah's and Jacob's deception, the morality of Tamar's disguised seduction can be viewed from multiple perspectives. While technically she did not utter an overt lie, she unethically misled Judah into achieving her objective, which he would have never agreed to knowingly. Alternatively, Tamar's tactics may have been morally justified as the only means to achieve that which she had rightfully been promised, and for such a deceptive initiative, she was praised.

God's Deceptive Instructions

When evaluating the ethical nature of biblical characters' deception, the source of their deceit must also be considered. There are episodes in the Bible in which God Himself instructs, or commands, individuals to lie which require moral analysis. For instance, in Exodus, even though God intended to liberate the Israelites from slavery and bring them into the Promised Land, He instructed Moses to ask Pharaoh for permission to take the Israelites on a three-day journey to worship in the desert, with the implicit understanding that they would return.[231] Furthermore, God seems to command an additional deception before the Israelites departed from Egypt when He instructed them to 'borrow' objects of silver and gold and clothing from their neighbors when they had no intention of

[226] II Sam. 11.
[227] Exod. 9:27; 10:16–17.
[228] I Sam. 18:17–29.
[229] Gen. 4:9.
[230] I Sam. 28:8–12.
[231] Exod. 3:16–22. However, Pharaoh may have suspected that they would not return, which is why he tried to negotiate with Moses, only permitting them to leave if the women, children, and property remained in Egypt.

returning them to their owners. In another instance of divine deception, God instructed Samuel to lie when the prophet expressed fear of personal danger during his anointment of David as king in Saul's stead. As we inquired in Chapter 2, can God command that which is immoral? How can God's instructions to deliberately mislead be reconciled with ethics? How does such divine conduct affect the biblical notion of God as a moral Deity? Alternatively, does God dictate morality, rendering these deceptions ethical, or can other ethical considerations justify the morality of divine instructions of deceit?

Like divine command theorists' arguments for the ethical nature of the commands of the Binding of Isaac and the annihilation of Amalek, God's instructions of deception can be similarly understood as ethical, as God dictates morality. However, other interpreters argue that God did, in fact, command humanity to engage in unethical acts, yet many of these interpretations suggest that such behavior is justified. For instance, Moshe Greenberg describes God as working within the framework of human frailty rather than having His way by recourse to miracle. "Where wicked superior force must be overcome for a just cause, an effective deception is as much a part of God's arsenal as miracles." He cites expression of this policy in Ps. 18:27, "With the pure do You show Yourself pure; and with the crooked do You show Yourself subtle." Rashi comments on this verse in Psalms that the crooked one alludes to Pharaoh.[232] Therefore, it can be argued that God was willing and able to instruct deception, though technically unethical, as justified vindication to expedite the sinners' (Pharaoh's and the Egyptians') self-imposed

[232] Samuel David Luzzatto (Shadal) comments on the verse "And each woman shall ask" (Exod. 3:22):

> There is no doubt that this was an act of deception, for the Israelites would not tell the Egyptians that they would not return, but rather that they would go for three days and then come back. The term 'borrowing' refers to [a situation of] intending to return … and the truth is that this was a divine deception … God desired judgment and justice, that Israel would not come out of Egypt empty-handed, and therefore He commanded that they deal in a deceptive way with the one who himself was crooked ... but how could God command an act of deception? Would this command not leave a harsh and evil impression in the hearts of the Israelites, from which they may learn deceptive language and to perform deceitful acts? … I say that the Israelites, who suffered what they suffered at the hand of the Egyptians and recognized their evil deeds – when they were commanded concerning this act, and when they fulfilled it … no impression of license for deception was left in their hearts. On the contrary, it was impressed upon them that God recompenses each

downfall. Joseph Alexander explains that every individual receives from God exactly what he deserves. "The same course of proceeding which would be perverse in itself or towards a righteous person, when pursued towards a sinner becomes a mere act of vindicatory justice."[233] In both instances in Exodus in which God instructed Moses and the Israelites to mislead Pharaoh and the Egyptians, such deception can be condoned as the weapon of the weak Israelites against their strong and unjust oppressors. Robert Chisholm considers divine deception to be appropriate as a punishment which renders just judgment upon sinners.

> God's needy and faithful people will always find Him reliable and truthful, but His enemies may discover He is willing and able to use deception and enticement to evil to hasten their journey down the pathway of destruction they have chosen to travel.[234]

However, God, on occasion, also seems to use deception earlier in the punishment process in order to afford sinners an opportunity to repent before just retribution ensued.[235] Following the two earliest sins recorded in the Bible, God questioned the sinner, thereby offering him a chance to confess and express remorse. After Adam and Eve violated the divine prohibition of eating from the forbidden tree of knowledge, God asked Adam, "Where are you?"[236] God's question can be viewed as deceptive by the reader, since an omniscient God knew the whereabouts of His creatures. Rather the question can be interpreted as God's affording Adam an opportunity to admit his sin and repent. Similarly, following Cain's murder

person as he deserves; He punishes the wicked and the cruel for their evil deeds. For the Israelites did not perform this on their own initiative … but rather did it because they were so commanded by their leader, who spoke to them in the name of God. Thus, what was impressed upon their hearts was that God detests unjust people, and that He saves those of oppressed spirit and performs good for them.

233 J. A. Alexander, *The Psalms Translated and Explained* (Grand Rapids, MI: Baker, 1975), 81.

234 Robert Chisholm, "Does God Deceive?" *BSac* 155 (1988): 28.

235 Joseph, like God, utilized deceptive tactics to give sinners an opportunity to confess their wrongdoing. Joseph employed deception by accusing his brothers of espionage and by having a 'stolen' object planted in Benjamin's sack, in order to determine if they had remorse for their earlier sin. After his brothers admitted their previous wrongdoing regarding the sale of Joseph, and repented by protecting the erroneously accused Benjamin, Jacob's only remaining son from his beloved wife, Rachel, Joseph concluded that his brothers ought to be forgiven for their previous sinful conduct which was responsible for his descent to Egypt and for the grief they had caused their father.

236 Gen. 3:9.

of his brother, God asked him, "Where is Abel, your brother?,"[237] although the all-knowing God was aware of the act that had transpired. Both Adam and Cain attempted to deceive God in their responses to the divine questioning and neglected to acknowledge their wrongdoing.[238] As a result, both sinners were ultimately punished by God for their misconduct.

Moreover, philosophers argue that Pharaoh's subjugation of the Israelites in Egypt can be considered similar to wartime, during which traditional ethics are not imposed and less than ethical tactics are permitted. Thus, when the Israelites finally departed from Egypt, God instructed them to feign confusion in the wilderness so that Pharaoh would think they were lost and pursue them.[239] Ibn Ezra comments that Moses' request of a three-day journey into the wilderness led Pharoah to believe that Moses knew the way to the place where they intended to sacrifice. When Pharaoh heard that the Israelites started to go by way of the wilderness and then backtracked to go in another way (as God instructed, unbeknownst to Pharaoh), Pharaoh surmised that Moses had deceived him with false pretenses, and actually intended to flee, since one who flees often becomes confused on the way. Ibn Ezra argues that God intended for Pharaoh to be deceived so that he would order the Egyptians to pursue the Israelites and ultimately drown in the Red Sea.[240]

Arguments for vindicatory justice have also been advanced with regard to God's instruction to the Israelites to 'borrow' objects of silver and gold and clothing from their Egyptian neighbors even though they had no intention of returning them. "Every woman shall borrow from her neighbor, and of her that stays in her house, jewels of silver, and jewels of gold, and raiment."[241] Since the subjugation of the Israelites in Egypt was based on deviousness and deception, as Pharaoh states, "Let us deal shrewdly with them,"[242] the Israelites

[237] Gen. 4:9.

[238] In Gen. 3:10, Adam claimed he was afraid because of his nakedness (although he had been naked throughout the narrative and expressed no earlier fear), while Cain claimed, "I do not know, am I my brother's keeper?" (Gen. 4:9).

[239] Williams, *Deception in Genesis*, 62. Williams views Exod. 14:1–4, in which God instructed the Israelites to feign confusion in the wilderness, as an example of divine deception.

[240] Ibn Ezra, Commentary on Exod. 14:2.

[241] Exod. 3:22; 12:35–36.

[242] Exod. 1:10.

were similarly liberated with guile. Such arguments that attempt to justify the divine instruction suggest that these provisions were restitution for the deprivations of slave labor or compensation for the unpaid wages of slavery. Cassuto argues that God saw to it that the emancipated Israelites were treated in accord with the Bible's obligation of masters to provide for their Hebrew slaves when discharging them. He identifies similar language in Exodus to that in Deuteronomy, since the law was of ancient origin.[243]

> And when you let him go free from you, you shall not let him go empty-handed; you shall furnish him liberally out of your flock, and out of your threshing-floor, and out of your winepress; of that which the Lord your God has blessed you, you shall give to him. And you shall remember that you were a bondman in the land of Egypt, and the Lord your God redeemed you; therefore I command you this today.[244]

Cassuto reasons that since the Israelites who were led out of Egypt had already served their masters the number of years that providence had predetermined,[245] justice dictated that they were entitled to liberation with bounty. Even though Pharaoh and the Egyptians could not be forced by Moses to fulfill their obligation, the Heavenly court imposed such justice. "And the children of Israel did according to the word of Moses; and they borrowed from the Egyptians jewels of silver, and jewels of gold, and raiment. And the Lord gave the people favor in the sight of the Egyptians, so that they let them have what they asked. And they despoiled the Egyptians."[246] God's orchestration thus fulfills His earlier covenantal promise to Abraham, "and also that nation, whom they shall serve, will I judge; and afterward shall they come out with great substance."[247]

[243] Cassuto notes the striking similarity between the phrases in Exodus – *ki telekun lo tel'ku reqam* – and in Deuteronomy – *w'ki t'sall'hennu … lo t'sall'hennu reqam* (Cassuto, Commentary on Exodus, 44).

[244] Deut. 15:13–15.

[245] Gen. 15:13; Exod. 12:40–41.

[246] Exod. 12:35–36. Some translate וַיְנַצְּלוּ, אֶת-מִצְרָיִם as "And they stripped Egypt bare," or "And they exploited Egypt," implying that the Israelites did not simply request nor were they merely given gifts upon their exit from Egypt, but rather they forcefully took the Egyptians' possessions, even if they were justified in doing so.

[247] Gen. 15:14.

Though Samuel declared that God does not lie in the context of His rejection of Saul,[248] in an additional instance of divine deception that has been interpreted as just retribution, God instructed Samuel to lie when the prophet expressed fear of personal danger during his anointment of David as king in Saul's stead. Saul's failure to comply with God's command to annihilate Amalek caused God to reject him as king and replace him with a more appropriate leader who would obey the divine will.[249] The deceit suggested by God as a response to Samuel's reluctance can be viewed as a form of 'measure for measure' punishment for the lie that Saul articulated regarding his fulfillment of the divine command to kill all of the Amalekites, in an effort to cover up his insubordination in sparing King Agag and the best of the Amalekite property.[250] When Samuel evoked apprehension that Saul would find out and consider Samuel's mission a treasonous

[248] "And also the Glory of Israel will not lie nor repent; for He is not a man that He should repent" (I Sam. 15:29). Additional biblical denials of God's prevarication include: "God is not a man, that He should lie; neither the son of man, that He should repent: when He has said, will He not do it? or when He has spoken, will He not make it good?" (Num. 23:19); "Into Your hand I commit my spirit; You have redeemed me, O Lord, the God of truth" (Ps. 31:6).

[249] I Sam. 15:26–28.

[250] Saul tells Samuel, "I have performed the commandment of the Lord" (I Sam. 15:13), though God had already revealed to Samuel what had actually transpired. When Samuel revealed that he knew that the animals had been spared, Saul once again attempts to deceive by blaming his nation for that which was ultimately his responsibility. "They have brought them from the Amalekites; for the people spared the best of the sheep and of the oxen, to sacrifice to the Lord, your God" (I Sam. 15:15). Yoshi Fargeon suggests, based on Abravanel's comment on Samuel, that Samuel also deceived God by expressing fear that Saul would kill him, since God's prophet did not actually want to heed God's instruction to anoint a new king in Saul's stead. After Samuel reveals to Saul God's rejection of him as king, the verse juxtaposes Samuel's and God's respective reactions: "for Samuel mourned for Saul, but God regretted that He had appointing Saul as king over Israel" (I Sam. 15:35). God even interrogates Samuel in the following verse, "Until when will you mourn over Saul, seeing that I have rejected him from being king over Israel?" In other instances in the Bible when a prophet expresses fear of a mission, God reassures the prophet and promises divine protection. However, here, Samuel deceptively articulates his reluctance to God, which God addresses with a deceptive response in like form (Yoshiyahu Fargeon, "'Why, O Lord, Do You Lead Us Astray?': God's Involvement in Lying and Deception in the Biblical Narrative" [PhD diss., Bar Ilan University, 2014], 274–84).

act punishable by death, God told His prophet to cover up his intention by professing to be offering a sacrifice.

> And the Lord said to Samuel: "How long will you mourn for Saul, seeing I have rejected him from being king over Israel? Fill your horn with oil, and go, I will send you to Jesse the Beth-lehemite; for I have provided Me a king among his sons." And Samuel said: "How can I go? If Saul hears of it, he will kill me." And the Lord said: "Take a heifer with you, and say: I have come to sacrifice to the Lord."[251]

God's mention of animal sacrifice in his instruction to Samuel reflected Saul's deception, as he defended his failure to heed God's command by blaming the nation for preserving the best of the Amalekites' animals to offer to God.

Absolutists would object to the justification of arguments of vindicatory justice since God's instruction of deception would be considered unethical regardless of whether or not Pharaoh, the Egyptians, or Saul were deserving of lies or punishment. However, the Kantian distinction between overt lies and misleading truths advances alternative readings of the divine deception that may exonerate God of any moral wrongdoing, even according to absolutism. It can be argued that God did not technically command an overt lie in any of the examples, even though He intended to mislead. For instance, it was technically true that Moses would lead the Israelites on a three-day (and more)[252] journey in the wilderness, וישאלו is an equivocal term and could simply be translated as 'ask,' despite the more common definition of 'borrow,' and Samuel *would* be offering a sacrifice as part of David's anointment and, therefore, offered a partial truth, merely neglecting to divulge the rest of the process.

Such arguments for misleading truths have been elaborated upon in various interpretations. Rashbam interprets Moses' request of a three-day leave as a hoax to trick Pharaoh. God afflicted Egypt with plagues and Pharaoh and the Egyptians tried to force the Israelites out to worship in the desert and pray on the Egyptians' behalf. They expected their slaves to return and lent them their possessions. Rashbam, however, rationalizes that God did not command a lie, but rather, *derekh hokhma* (wise

[251] I Sam. 16:1–2.
[252] Exod. 3:12; 24:5.

counsel) and cites the similar examples of I Sam. 16:2–3. While it was technically true that the Israelites would embark on a three-day journey, Moses omitted what would happen next.[253] Abravanel suggests that Moses did not disclose his full intention in order to test Pharaoh. God advised Moses in this deception to show Pharaoh's stubbornness in an effort to justify Israel's action against Egypt. A temporary break from state-imposed slavery for religious worship was not unprecedented and would not be viewed as unreasonable or exceptional in ancient Egypt.[254] The test revealed that if Pharaoh would not consider a temporary leave for the Israelites to worship for three days, how much less would he have entertained a request to liberate them permanently?[255] Nahum Sarna adds that the request of a three-day journey was not an overt lie, but meant to indicate that the "intended sacrifice, which would be anathema to the Egyptians, would take place well beyond the recognized range of Egyptian cultic holiness."[256] As the Bible states, "And Moses said: 'It is not right to do so; for we shall sacrifice the abomination of the Egyptians to the Lord our God; for if we sacrifice the abomination of the Egyptians before their eyes, will they not stone us? We will go three days' journey into the wilderness, and sacrifice to the Lord our God, as He shall command us.' "[257] Thus, the 'three-day journey' was not meant to describe the duration of the trip, but that the religious worship would take place far away (a distance of a three-day journey away) in order not to offend Egyptian religious sensibilities. As with any misleading truth, Pharaoh, the listener, was responsible for any mistaken inference. Furthermore, the request can be rationalized since God had told Moses at the burning bush that when He freed the Israelites from Egypt they would worship God at that site. However, even Sarna acknowledges, "undoubtedly, the formula is a stratagem designed to outmaneuver the

[253] Rashbam, Commentary on Exod. 3:11–12.
[254] Sarna, *Exploring Exodus*, 56; Kenneth Kitchen, *Ancient Orient and Old Testament* (Chicago: Intervarsity Press, 1975), 156–7.
[255] Abravanel, Commentary on Exod. 3:11.
[256] Sarna, *JPS Torah Commentary: Exodus*, 19.
[257] Exod. 8:22–3.

pharaoh's intransigence, the only device available to a helpless people, wholly subject to a tyrant's will."[258]

Like the three-day journey, God's instruction to 'borrow' from the Egyptians can be similarly regarded as technically a truth, since the biblical root of the verb "borrow" can also be interpreted as "request"[259] or "to give a gift."[260] Thus, God did not command the Israelites to immorally 'borrow' what they had no intention of returning, but rather He told them to request such items which the Egyptians would have no expectation of getting back. Rashbam comments that God commanded every woman to 'ask' – as an irrevocable and outright gift. The Israelites were the askers and the Egyptians gave them what they asked for as a gift.[261] It is conceivable that in an effort to rid Egypt of God's people and be alleviated of the suffering from the divine plagues, the Egyptians willingly gifted their gold, silver, and clothing to the Israelites as they were liberated from Egypt. Benno Jacob insists on such an interpretation, arguing that the conclusion of the verse of God's command has been commonly mistranslated. "Every woman shall borrow from her neighbor, and of her that stays in her house, jewels of silver,

[258] Sarna, *Exploring Exodus*, 55.

[259] Nahum Sarna notes that 'shall request' is the usual meaning of root *sh-'-l*, as in Josh. 15:18; Judg. 1:14; 5:25; 8:24; I Sam. 1:17, 27; 2:20; I Kings 2:22; 3:5, 10–11; 10:13; II Kings 2:9–10; 4:28; Ps. 2:8; 21:5; 109:10; Prov. 20:4; 30:7 (Sarna, *Exodus*).

[260] Jonah Ibn Janakh explicates the term in *Sefer Ha-shorashim* (Book of Verb Roots):

> "And each woman shall ask of her neighbor" (Exod. 3:21) – she will ask for this gift … If someone were to raise the objection that this term refers generally not to a gift but rather to a loan, we might answer that when Hannah declares, "I have given him (*hish'iltihu*) to God," she could not have meant this in the sense of a loan, but rather she meant it as a gift, for the Creator never asked for [a loan], and a loan does not involve an obligation of giving anything in return [i.e., someone who lends something to someone else does not do so in return for money, while here Eli declares, "May God give you seed from this woman in place of the gift that he has given to God"]; hence this [ie. God granting seed] is in return for the gift [that Samuel is dedicated permanently to God's service].

[261] Rashbam, Commentary on Exod. 3:22. Ḥizkuni similarly interprets that the Israelites asked for outright gifts instead of borrowed goods. Like Cassuto, discussed earlier, Ḥizkuni compares the Egyptians endowing the Israelites with gratuity of silver, gold, and clothing to the case of the master's farewell gift to his freed servant from his flock, threshing floor, and winepress (Deut. 15:13–14). The Israelites' gift was in place of the houses and property they once owned and left behind when they departed from Egypt.

and jewels of gold, and raiment, and you shall put them on your sons and daughters and you shall spoil the Egyptians."[262] Jacob argues the concluding term should be read "and you shall save the Egyptians" from the future destructive divine wrath and subsequent vengeance. By receiving such gifts, the Israelites would realize that Pharaoh and his courtiers were responsible for their afflictions, not all of the Egyptians.[263]

Regarding God's instruction of Samuel's deception of Saul as well, it has been argued that God did not encourage Samuel to lie at all, since, as Radak suggests, God merely commanded Samuel to tell Saul that he was offering a sacrifice which was, in fact, part of the royal anointment.[264] Such a mental reservation of the rest of the anointment process was the responsibility of Saul to decipher. Even an overt lie with the intention for Samuel to protect himself by misleading Saul can be viewed as ethical and a justified defense against Saul, who would act upon the truth to harm Samuel, and, therefore, such a lie would be permitted to avoid endangering a life. Just as with Moses and the Israelites in Egypt, God instructed Samuel to deceive when in an inferior position against a (potential) oppressor. Rashi concludes that since God articulated the prevarication, it was not only permissible, but a commandment. The Sages learn from this biblical reference that it is acceptable to misrepresent in order to keep the peace. "It is permitted for a person to deviate [from the truth] in a matter [that threatens] the peace."[265] The Talmud quotes a prooftext from Genesis in which

[262] Exod. 3:22; 12:35–36.

[263] Benno Jacob, *The Second Book of the Bible: Exodus* 3:22 (New York: KTAV Publishing, 1974), 345.

[264] Radak, Commentary on I Sam. 16:2.

[265] BT Yebamot 65b: R. Nathan said it is a commandment [to deviate from the truth in the interest of peace], as it says (I Sam. 16:2): "And Samuel said, 'How can I go? If Saul hears of it, he will kill me.' " Absent the *darkhei shalom* motive, concealing the primary motive behind one's actions while revealing only the secondary motive behind the action is a form of falsehood [*sheker*] (Ritva, BT Yebamot 65b). The Talmud references a final text to further demonstrate the permissibility to lie in order to keep the peace. At the Academy of R. Ishmael, it was taught: Great is the cause of peace, seeing that for its sake, even the Holy One, blessed be He, changed the truth, for at first it is written regarding Sarah's laughter upon hearing of her pregnancy (Gen. 18:12), "My lord [husband] is old," while afterward it is written (18:13), "And I am old." Rashi defends God's lie since He was concerned with preserving marital harmony. Naḥmanides, Rashbam, and Ibn Ezra argue that such was not an overt lie since Sarah had

Joseph's brothers lie about their father's death wish in an effort to preserve their safety.

> And when Joseph's brothers saw that their father was dead, they said: "It may be that Joseph will hate us, and will fully requite us for all of the evil which we did to him." And they sent a message to Joseph, saying: "Your father commanded before he died, saying: So shall you say to Joseph: Forgive, I beg you now, the transgression of your brothers, and their sin, for they did evil to you. And now, we beg you, forgive the transgression of the servants of the God of your father." And Joseph wept when they spoke to him.[266]

The Talmud deduces that since the brothers' lie was not held against them, it is permitted to alter the truth for the sake of peace and cites I Sam. 16:2 for support, as God directed Samuel to engage in deception in order to conceal the true purpose of his mission from Saul.

Commentators and philosophers have held diverse and unusual positions in their attempts to explain how God could command that which seemed unethical. Multiple readings of divinely instructed deception offer divergent interpretations of the ethical nature of God's commands. In several instances, it has been suggested that God commanded that which seems unethical as a just retribution for those who had previously acted immorally or as an effort to prevent future immoral acts. Alternatively, it has been argued that God's instruction was not unethical at all, even though He had the intention to mislead, since all that He commanded was technically true and mistaken inferences were the responsibility of the hearers.

included herself as a subject of her laughter, while God only reported one aspect of her reaction.

In BT Baba Mezia 23b-24a, the Talmud lists three reasons for which rabbinical scholars answer questions untruthfully: (1) for modesty; (2) for decency (not to publicize intimate matters); (3) to avoid placing financial impositions on someone, or alternatively, to avoid embarrassment. BT Ketubot 16b–17a discusses the permissibility of lying about a bride at her wedding. BT Nedarim 27b permits lying to thieves in order to protect oneself from financial harm since one is dealing with immoral people and has no other recourse (see Dratch, "Nothing but the Truth?" *Judaism* 37, no. 2 [1988]: 218–28).

[266] Gen. 50:15–17. Jacob was never informed about Joseph's brothers' sin and, therefore, did not give such a command.

Depictions of deception throughout biblical narrative have advanced diverse readings. The temptation to make the Bible conform to the values of one's society has motivated rabbinic expositors, exegetes, and philosophers to offer apologetic interpretation. The Targum tradition tends to neutralize a negative evaluation of biblical deception, by rationalizing deceptive activity and presenting more positive portrayals of deceivers and negative depictions of the deceived.[267] The Midrash also often adds a negative evaluation of the deceived in an effort to justify the deception.[268] Traditional exegetes attempt to exonerate biblical deceivers by repunctuating overt lies or by arguing that they are technically misleading truths or mental reservations to justify seemingly blatant deception.

However, such arguments may not be entirely satisfying to a reader. Despite clear prohibitions against lying, both in the judicial and non-judicial realms, the Bible does not seem to condemn deception in absolute terms. Though absolutists cogently argue that human beings have a right to free and rational decisions, and that consequences of deception can lead to other moral accommodations, nevertheless a categorical imperative seems untenable, since there are situations in which there may be an ethical obligation to deceive. Moreover, because both intend to mislead, the distinction between overt lies and misleading truths is difficult, as it is often used as a weak rationale for deception. As expressed in the Introduction, biblical characters are complex figures who exhibit great strengths and also struggle with weaknesses. Even if the acts analyzed throughout this chapter can be judged as technically ethical in order to accomplish a necessary goal, their motivations and the ways in which they are conducted may be far from morally exemplary, especially if more ethical routes could have been pursued. For instance, Abraham's and Isaac's sacrifice of their wives' honor is shameful, even if permitted out of self-defense since, along the lines of Constant's objection, the foreign kings had no right to the truth. Simeon and Levi were justified in their effort to rescue their sister and punish

[267] Williams, *Deception in Genesis*, 114–24.

[268] *Ibid*., 125–31. For instance, the Midrash evaluates Pharaoh and Abimelech negatively, while Simeon and Levi are justified. In the Midrash, Rebekah and Jacob are portrayed in a positive light, Esau is disparaged, and Laban is portrayed as a self-serving deceiver.

her violator; however, their covenant, ambush, and massacre may not have been the only way to retrieve Dinah, but rather may have been the result of their rage and vindictiveness. Rebekah's and Jacob's ruse to obtain the blessing from Isaac seems to be the most problematic episode of deception, even if Isaac and God later confirm Jacob to be the rightful recipient. Though Jacob may have been entitled to the blessing since he had purchased the birthright earlier and Esau was unfit to lead the family, his resorting to deception was far from noble, as he himself expresses reluctance. The overt lies and deception directed towards Isaac and Esau are difficult to condone, since Rebekah's prophecy that the elder would serve the younger could have been achieved in another manner, as Isaac may have intended all along for Jacob to perpetuate his legacy.

Alternatively, while lying and deception are generally viewed as morally reproachable in contemporary society, at times deception may not be a vice, but a social virtue in which deceit *is* the ethical mode of conduct. A contemporary paradigm may be the Righteous Gentile who lied to the Nazi who was seeking the hiding Jew. Deceiving the Nazi can be argued to be the ethical and courageous act, in which the liar boldly risks his own death in order to save the life of another, whereas divulging the Jew's whereabouts is the cowardly act, which saves the life of the truth-teller at the expense of sacrificing the life of the Jew. In biblical narrative as well, there may be instances in which it can be interpreted that characters had an ethical duty to deceive. The deception conducted by the midwives, Rahab, and Tamar can be viewed in such a manner, since each of these women risked her life when she found herself in a compromised predicament and was praised explicitly in the biblical text. The Bible extols the midwives for fearing God and deceiving Pharaoh in order to save the Israelite male babies from his unjust decree. Rahab, a marginalized harlot, is similarly rewarded with protection for hiding the Israelite spies from the King of Jericho. Tamar was praised by the object of her deception as "more righteous than I" when she resorted to deception to rectify an injustice done to her.

Subjecting God's ways to moral scrutiny is most challenging, even though all three instructions can easily be explained as technically true and the moral problem of deception can thereby be circumvented. However, in each case there is a clear intention to

mislead. While manipulation through overt lies or misleading truths ought to be considered generally unethical, misleading Pharaoh, the Egyptians, and Saul may be permissible to avoid danger and preserve life, since all three of them, judging from references elsewhere in the text,[269] would have likely harmed the deceiver if aware of the truth.

[269] Pharaoh and the Egyptians oppressed their Israelite slaves grievously throughout their servitude and would not have freely liberated them without the divine plagues. Saul demonstrated his desire to kill David in I Sam. 19–20.