Between Rashi and Maimonides

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ואע"פ שרז"ל קבלו: Peshat and Halakhah in Radak's Exegesis

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Challenging rabbinic *aggadot* and the suggestion of *peshat* interpretations that contradict them was much more prevalent in the medieval Jewish world than the questioning of rabbinic halakhic interpretations. As other exegetes, Radak regularly disputes rabbinic *aggadot*, usually on the grounds of either flawed reasoning or deviation from the biblical record of events.

This paper analyzes the much less frequent phenomenon of Radak's challenges to rabbinic halakhic interpretations, which has not been studied extensively. Owing to the powerful influence of the rabbis as those who set the standards of normative religious practices and due to the importance of those standards for the devout Jewish community, rejection of rabbinic legal decisions was always considered more complicated and awkward than rejection of *aggadot*.[1] Radak's reasoning in this area is important because of the scarceness of medieval exegetes who present *peshat* interpretations that contradict rabbinic halakhah.

From the point of view of intellectual history, the existence of *peshat* explanations that contradict rabbinic halakhah is a vital

1. See, e.g., M. Lockshin, "Tradition or Context: Two Exegetes Struggle with Peshat," in *From Ancient Israel to Modern Judaism: Intellect in Quest of Understanding. Essays in Honor of Marvin Fox*, J. Neusner, E. S. Frerichs, and N. M. Sarna, eds. (Atlanta: Scholars Press, 1989), Vol. 2: 175 n. 9. I thank Sara Japhet and Marty Lockshin for reading and commenting on a fuller version of this paper, which will appear in my forthcoming *The Challenge of Received Tradition in Medieval Exegesis: Dilemmas of Interpretation in David Kimhi's Biblical Commentary*, and for helping me clarify a number of issues.

aspect of Radak's approach. However, it must be emphasized that this is still a very limited phenomenon in his works.

In contrast to Radak's explicit methodological statements that *aggadot* sometimes contain illogical material,[2] no broad programmatic statement about rabbinic halakhic traditions appears to exist in his writings. There are also no extant commentaries written by Radak on the legal books of Exodus through Deuteronomy.[3] Therefore, his approach to rabbinic halakhic material can only be derived from his comments on specific biblical narrative and legal texts.

In discussing interpretations that contradict halakhah, scholars distinguish between non-halakhic and anti-halakhic comments. It is feasible to abide by both the *peshat* and rabbinic interpretations presented in non-halakhic comments. On the other hand, since there is direct opposition between the *peshat* and rabbinic interpretations presented in anti-halakhic comments, one could not possibly act upon both simultaneously. For example, Rashbam's metaphorical interpretation of the sign in Exod. 13:9 (והיה לך לאות על ידך "This shall serve you as a sign on your hand") does not negate the rabbis' halakhic interpretation of the verse as a source for the law of phylacteries. But if the Atonement Scapegoat is set free as Rashbam explains at Lev. 16:10, it can not also be killed as the rabbis required.

Anti-halakhic statements appear to be more revolutionary than non-halakhic ones because, even though both may oppose rabbinic halakhic decisions, only anti-halakhic statements directly cancel and preclude the rabbis' halakhic interpretations of verses. Radak's commentaries include bold, blatantly non-halakhic comments, but no explicit anti-halakhic comments.

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2. One can point to Radak's comments on 1 Sam. 28:25, in which he quotes and appears to agree with Samuel ben Hofni's assertion that rabbinic interpretations need not be accepted when they contradict reason. At 1 Kings 18:26, Radak prefaces his quotation of an aggadah by saying that *aggadot* sometimes contain material that is remote from reason.
3. In a private conversation, S. Japhet suggested that Radak avoided writing on the legal biblical books because he realized the gravity of contradicting rabbinic halakhic traditions.

Taken together, the examples analyzed in this paper demonstrate that Radak did not differentiate between narrative and legal biblical sections when using the *peshat* technique. Furthermore, and perhaps even more significant, Radak was willing to question rabbinic halakhic statements based on his *peshat* exegesis. While Radak may have learned elements of this method from others, he moved beyond his predecessors in a number of ways.

1. Precedents

Even though they did not hesitate to challenge rabbinic *aggadot*, many of Radak's recognized predecessors who came from the Babylonian and Spanish traditions deliberately avoided anti-halakhic and non-halakhic *peshat* interpretations. The *geonim* "unquestionably retained their complete allegiance with regard to matters of law in the broadest possible sense."[4] Philological exegetes are generally characterized as not arguing against accepted halakhah.[5]

A known precedent for offering *peshat* explanations that conflict with halakhah can be found in the northern French school, in the pioneering work of Rashbam (ca. 1080–1160) and other twelfth century exegetes.[6] Rashi usually does not offer *peshat* explanations that conflict with halakhah. In some exceptional cases, he does this without mentioning the fact that a contradiction is inherent in his explanation.[7]

Even though Rashbam viewed rabbinic interpretations as the

4. R. Brody, "The Geonim of Babylonia as Biblical Exegetes," in *Hebrew Bible/Old Testament,* M. Saebo, ed. (Göttingen: Vandenhoeck und Ruprecht, 2000), Vol. 1 Part 2, 86.
5. See, e.g., S. Abramson, מפי בעלי לשונות (Jerusalem: Mosad Harav Kook, 1988), 199, and A. Maman, "Peshat and Derash in Medieval Hebrew Lexicons," *Israel Oriental Studies* 19 (1999): 349, 353. See also M. Perez, "פרשנותו הפילולוגית של ר' יהודה אבן בלעם", PhD dissertation (Bar Ilan University, 1978), 326. For an analysis of Radak's Spanish and Babylonian predecessors' views, see my *Challenge of Received Tradition.*
6. M. Kasher cites numerous examples of medieval *peshat* explanations that conflict with rabbinic halakhah in תורה שלמה (New York: American Biblical Encyclopedia Society, 1955/6), Vol. 17: 298–301.
7. See B. Gelles, *Pashat and Drash in the Exegesis of Rashi*, (Leiden: E. J. Brill, 1985), 34–41.

main meaning of the text, as he states explicitly in his comments on Exod. 21:1, he insisted on writing an almost exclusively non-rabbinic commentary that offered *peshat* alternatives to both halakhic and aggadic rabbinic interpretations.[8] Rashbam conceptually divorced his *peshat* exegesis of legal verses from the rabbinic exegesis of those verses, remaining steadfast in his commitment to offer the former, while accepting the latter as religiously binding.

In Rashbam's famous programmatic statement in his comments on Gen. 37:2, he mentions both rabbinic halakhah and aggadah in the same breath, treating them similarly.[9] Rashbam's work represents the high point of *peshat* exegesis in northern France.[10]

Because of the innovation in Rashbam's approach and because Radak moved significantly beyond his Babylonian and Spanish predecessors with his forthright contradictions of rabbinic halakhah, the influence of Rashbam's boldness on Radak cannot be ignored.[11] Radak appears to build on Rashbam's work, even if

8. See E. Touitou, "על שיטתו של רשב"ם בפירושו לתורה", *Tarbiz* 48 (1978/9): 253, and idem, "The Method in Rashbam's Commentary on the Halakhic Parts of the Torah," *Milet: Everyman's University Studies in Jewish History and Culture* 2 (1985): 275–88.

9. Even though Rashbam believed that *peshat* interpretations were valid in both legal and narrative biblical sections, he differentiated between the two types of biblical texts. His commentary on the legal sections is shorter than his commentary on the narrative sections, because halakhah often left little room for "speculative" *peshat* interpretations, which would not be binding on a practical level.

10. According to Y. Nevo, פירושי רבי יוסף בכור שור על התורה (Jerusalem: Mosad Harav Kook, 1994), 5, Rashbam's method shaped the approach of others in the northern French school. Nevo quotes a number of cases in which Rabbi Joseph Bekhor Shor presents *peshat* interpretations that contradict halakhah (6–8). In at least some of these cases, Nevo shows how Bekhor Shor relied on dissenting opinions already found in rabbinic literature. On Rashbam's influence on his contemporaries and later thinkers, see also M. Sabbato, "פירוש רשב"ם על התורה", *Mahanayim* 3 (1992): 122–4; D. Rosin, *R. Samuel b. Meir als Schrifterklärer* (Breslau: F. W. Jungfer, 1880), 52–54; and S. Japhet, "The Tension between Rabbinic Legal Midrash and the 'Plain Meaning' (*Peshat*) of the Biblical Text — An Unresolved Problem?: In the Wake of Rashbam's Commentary on the Pentateuch, in *Sefer Moshe: The Moshe Weinfeld Jubilee Volume*, C. Cohen, A. Hurvitz, and S. M. Paul, eds. (Indiana: Eisenbrauns, 2004), 422–425.

11. After exploring possible rabbinic and medieval precedents for Rashbam's approach to legal verses, M. B. Berger, "The Torah Commentary of Rabbi Samuel ben Meir," PhD dissertation (Harvard University, 1982), 290–313, concludes "As an exegetical

none of his comments directly cancels or precludes the rabbis' halakhic interpretation of a verse.

Although Radak almost never quotes Rashbam,[12] he was probably aware of the approaches of the *peshat* school in northern France. Evidence exists of other northern French ideas having been disseminated in southern France.[13] Even if Radak did not know Rashbam's work directly, it may have influenced the Provencal environment sufficiently to promote greater readiness to accept non-halakhic interpretations, which in turn led Radak to offer them.

If Rashbam and others in his school did not pave the way for Radak's license to explain biblical texts contrary to halakhah, then Radak must have arrived at the same conclusions as Rashbam did independently, building on the basic tools he had learned from his Babylonian and Spanish predecessors. In any case, Radak's approach when he contradicts rabbinic halakhah points to an affinity between himself and the exegetes of northern France.[14]

Radak's challenges to rabbinic halakhic traditions are evident when he comments on both legal and narrative texts. His inter-

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endeavor, however, Rashbam's work is without precedent in rabbinic Jewish history — both ancient or medieval…Important for us to remember is that Rashbam himself was well aware of the newness of his endeavor and readily admits to it." (313)

12. Of the northern French school, Radak mentions Rashbam and Joseph Bekhor Shor by name in his comments on Gen. 45:24 and Joseph Kara by name in his comments on Gen. 19:31. According to H. Cohen, ed., *The Commentary of Rabbi David Kimhi on Hosea* (New York: Columbia University Press, 1929), xxxv n. 1, the references in Gen. 45:24 are a later addition into Radak's commentary.

13. See I. Twersky, *Rabad of Posquieres* (Cambridge: Harvard University Press, 1962), 35, 232–236. According to I. M. Ta-Shema, רבי זרחיה הלוי בעל המאור ובני חוגו (Jerusalem: Mosad Harav Kook, 1992), 104–112, the halakhic works of the northern French Tosafists were known in southern France in the twelfth century. R. Abraham b. Nathan ha-Yarhi of Lunel travelled extensively all over France and incorporated material from northern France into his *Sefer ha-Manhig.* See E. Kanarfogel, *Peering through the Lattices: Mysical, Magical and Pietistic Dimensions in the Tosafist Period* (Detroit: Wayne State University Press, 2000), 51 n. 50, and 56 n. 65.

14. Certainly, the early Babylonian and Spanish precedents may themselves have influenced Rashbam and others in northern France. On this possibility, see A. Grossman, חכמי צרפת הראשונים (Jerusalem: Magnes Press, 1995), 471–3, 554–64 and M. Cohen, "מקור ספרדי אפשרי למושג פשוטו של מקרא אצל רש"י", *Rashi: His Image, His Work and His Influence for Generations*, S. Japhet and A. Grossman (Jerusalem: Zalman Shazar, 2008), 353–79.

pretation of legal texts will be analyzed first, since his method is closest to Rashbam's in that area.

2. Radak's Interpretations of Biblical Legal Texts

The following two cases are the ideal point at which to compare Radak's method to Rashbam's, since both cases deal with interpretation of explicitly legal verses in Deuteronomy. Radak even takes Rashbam's method one small step forward by making the *peshat* interpretations more essential than the rabbinic ones.

In commenting on 2 Kings 3:19, Radak acknowledges that his *peshat* explanation is non-halakhic. In that verse, Elisha tells the kings of Israel, Judah and Edom that they will emerge victorious against the Moabites and וכל עץ טוב תפילו "You shall fell every good tree." A rabbinic interpretation (*Tanhuma Buber* Phinehas 5) points out the apparent inconsistency between Elisha's prophecy and Deut. 20:19, which commands one not to destroy fruit trees. Radak observes:

> כי הכתוב לא אמר, "לא תשחית את עצה" (דב' כ:יט) אלא כשיצורו על עיר כמ"ש הטעם, "כי ממנו תאכל", ואע"פ שרז"ל קבלו כי בכל מקום ובכל זמן אסור להשחית עץ מאכל, פשט הכתוב הוא שלא אמר אלא בעת המצור.
>
> Because the text did not say, "You must not destroy its trees" (Deut. 20:19) except when they would besiege a city as the reason is written, "You may eat of them", and even though our rabbis of blessed memory received [a tradition] that in every place and at every time it is forbidden to destroy fruit trees, the *peshat* of the text is that it was commanded only at the time of a siege.

While rabbinic halakhah dictates that one may never destroy fruit trees,[15] Radak limits the biblical prohibition in Deut. 20:19 to

15. See, e.g., Kiddushin 32a, where Deut. 20:19 is understood to forbid destruction even of objects other than trees.

the specific context of a siege.[16] He reasons that since the three kings were not engaged in a siege and were thereby permitted to fell fruit trees, Elisha did not violate the law when he commanded them to do it.

By restricting his non-halakhic comment to the *peshat* sphere, Radak's analysis demonstrates a complete severance between the *peshat* and halakhic realms, which is a well-known feature of Rashbam's work. On the other hand, whereas Rashbam insists that rabbinic interpretation is more primary than *peshat*, Radak specifically states the opposite, and has Elisha expecting his audience to obey the simple meaning of a legal verse rather than the rabbinic one.[17]

The following example is slightly less radical than the previous case, because Radak's *peshat* interpretation can easily coexist with the rabbinic one, even though Radak himself does not view them as coexistent. 2 Kings 14:6 justifies Amaẓiah's actions in not killing the sons of those who had killed his father by a reference to Deut. 24:16, which states "nor shall children be put to death for parents." In commenting on the verse in 2 Kings, Radak negates the significance of the rabbinic approach to the verse in Deuteronomy when he says:

> כי משמעות הכתוב כן הוא כמו שאמר "איש בחטאו יומתו" (דב' כד:טז) אלא שרבותינו ז"ל קבלו, כי בכלל לאו זה עדות קרובים, כמו שתרגם אונקלוס...אבל עיקר האזהרה היא כי לא יומתו אבות בעון הבנים, ולא בנים בעון האבות, כמו שהביא ראיה הנה מן הפסוק.
>
> Because the meaning of the verse is just this as it states [later in the same verse] "A person shall be put to death

16. Rashbam interprets Deut. 20:19 in the context of a siege, but his explanation does not negate the rabbinic inclusion of other cases besides a siege. By introducing the reason behind the commandment in Deut. 20:19, Radak highlights his resemblance to Maimonides, whose most radical anti-halakhic statements are found in his discussions of the reasons for the commandments.

17. Berger, "Torah Commentary," 273, cites several examples in which Rashbam offers reasons for the *peshat* laws "as if they [the anti-halakhic interpretations] and not the halakhic traditions were actually practiced." At 2 Kings 3:19, Radak is more direct about the practical implementation of his anti-halakhic interpretation than Rashbam is in the examples Berger quotes.

> only for his own crime" (Deut. 24:16) but our rabbis of blessed memory received [a tradition] that included in this prohibition is the testimony of relatives, as Onkelos translated…but the essence of the prohibition is that parents should not be put to death for the sin of their sons, and not sons for the sin of their parents, as he brought proof in this case from the verse.

As Radak understood them, when the rabbis (B. Sanhedrin 27b) explained the first half of the verse as excluding the testimony of relatives, they meant to overshadow the plain interpretation that sons should not be killed for their fathers' sins. Radak's wording of "but" shows that his *peshat* explanation and the rabbinic view of the verse do not concur. Radak's comment in this case again demonstrates a complete separation between the *peshat* and halakhic realms. Radak asserts that the rabbinic explanation should be viewed as only a secondary interpretation of the verse, leaving the primary intent of the verse intact.

The wording Radak uses when discussing this case is as important as his choice of interpretation. Labeling the simple meaning of the verse "the essence of the prohibition" establishes that it is the more important one. While Radak's explanation of Deut. 24:16 is not original,[18] his characterization of the *peshat* as primary is innovative.

Radak provides two pieces of evidence that the plain meaning is the primary intent of the verse, one from the second half of the verse from Deuteronomy, and the other from the biblical quotation in 2 Kings of the verse from Deuteronomy. These proofs show that Radak found biblical evidence convincing justification and sufficient motivation to counter the rabbinic view.

Rashbam regularly, but not always, quotes the rabbinic halakhic interpretations he contradicts by his *peshat* explanations of legal verses, even though he hardly does this when his *peshat* interpretations conflict with rabbinic *aggadot*. Scholars explain

18. See, e.g., Judah Ibn Balaam's interpretation on Deut. 24:16.

these quotations as an attempt to prove his respect for rabbinic halakhah or to counteract the uneasiness his audience might experience when reading anti-halakhic or non-halakhic *peshat* explanations. E. Touitou sees these quotations of rabbinic halakhic traditions as proof that Rashbam was aware of the tension between his *peshat* interpretations and rabbinic halakhic traditions, something that others have questioned. Rashbam also often acknowledges the anti-halakhic or non-halakhic character of his interpretations, for the same reasons.[19]

In the two cases discussed above, Radak quotes the rabbinic halakhic interpretations of the verses and concedes the non-halakhic aspect of his interpretations. However, in a number of cases (where the number is of statistical significance) Radak does not explicitly recognize that his views contradict rabbinic halakhah. In these cases, Radak also does not quote the halakhic opinions he is rejecting. These cases validate Radak's connection to Rashbam, by showing that both exegetes offer explicit as well as undeclared *peshat* interpretations that contradict rabbinic halakhah.

Cases in which Radak does not identify an interpretation's anti-halakhic or non-halakhic character or the rabbinic halakhic opinion he is rejecting are not relatively more frequent in Radak's work than in Rashbam's. However, Rashbam usually does not quote rabbinic traditions, which makes his quotation and reference to them specifically in halakhic contexts noteworthy. Radak, on the other hand, quotes rabbinic traditions constantly in both halakhic and aggadic contexts. Therefore, his ***lack of*** reference to, or quotation of, these rabbinic halakhic traditions is especially noteworthy. Following Touitou's logic regarding Rashbam, when Radak fails to note the rabbinic sources he contradicts, he

19. For a discussion of this phenomenon in Rashbam's work, see Berger, "Torah Commentary," 275–279 and E. Touitou, *Exegesis in Perpetual Motion: Studies in the Pentateuchal Commentary of Rabbi Samuel ben Meir* (Ramat Gan: Bar-Ilan University Press, 2003), 178. Rashbam's comments on Exod. 22:1–2 and 29:37 are typical cases in which Rashbam does not state that his interpretations contradict rabbinic halakhah.

demonstrates a greater ease and lack of hesitation than Rashbam concerning non-halakhic interpretation of legal verses.

Another way in which Rashbam deflects criticism is by placing programmatic statements favoring rabbinic interpretations near his more radical anti-halakhic and non-halakhic interpretations. Radak does not appear to make any such programmatic statements that stress the supremacy of rabbinic halakhic traditions, which further proves his lack of hesitation to contradict rabbinic halakhic traditions.

Lev. 19:26 states: לא תאכלו על הדם. לא תנחשו ולא תעוננו "You shall not eat anything with its blood. You shall not practice divination or soothsaying."[20] The rabbis (B. Sanhedrin 63a) offered multiple explanations of the first prohibition by itself, while a number of exegetes base their *peshat* interpretations of "You shall not eat anything with its blood" on the imitation of sorcerers or magicians. For example, Rashbam explains that the sorcerers ate at the grave of a murdered man to prevent his being avenged or for some other magic. Naḥmanides explains that the sorcerers collected blood in vessels so that demons would come eat the blood and tell them the future. Rashbam and Naḥmanides acknowledge that the *peshat* and rabbinic interpretations of "You shall not eat anything with its blood" diverge, since the rabbinic interpretations are not connected to magic or sorcery.

1 Sam. 14:32 asserts, "The troops ate on the blood." Many exegetes understand the people's sin to be a violation of Lev. 19:26.[21] Typical of exegetes who do not connect the verse in 1 Samuel to the verse in Leviticus is Radak, who (in 1 Sam.) says:

> ואין זה פירוש "לא תאכלו על הדם," רק פירושו כמו שהוא חק הזובחים לשדים, שאוכלים סביב הדם אחר שזבחו להם, וזה הדבר

20. I thank my colleague Mordechai Cohen for bringing this example to my attention and for discussing it and other aspects of this paper with me.

21. Of commentators on the Pentateuch at Lev 19:26, ibn Ezra and Naḥmanides are representative of those who connect 1 Sam 14:33 to Lev 19:26. Ibn Ezra says: "'והעד הנאמן דברי שאול... כי כן כתוב הנה אוכלים 'על הדם'". "The proof [of my interpretation of Lev 19:26] is the words of Saul…and so is it written behold they are 'eating on the blood.'" See also Ibn Ezra's יסוד מורא וסוד תורה, ed. J. Cohen with U. Simon (Ramat Gan: Bar Ilan University Press, 2002), 72.

> למד מענייננו "לא תנחשו ולא תעוננו." ורז"ל פירשו כי היו מקדישים שלמים ואוכלים לפני זריקת הדם.
>
> This is not the meaning of "You shall not eat anything with its blood," only its meaning is like the rite of the sacrificers to the demons, that they eat around the blood after sacrificing to them, and this matter is learned from its context "You shall not practice divination or soothsaying." And our rabbis of blessed memory explained that they were dedicating peace offerings and eating before applying the blood. [22]

Radak's interpretation of Lev. 19:26 does not match any rabbinic interpretation of the verse from B. Sanhedrin 63a. In fact, it is almost the same as Rashbam's and Naḥmanides' *peshat* interpretations. Yet Radak does not identify his interpretation as *peshat*, nor does he mention that it does not fit the rabbis' halakhic interpretations of the verse from Leviticus.[23]

In his comments on Ezek. 33:25, Radak explains, "You shall not eat anything with its blood" as he did in 1 Samuel, saying:

> "על הדם תאכלו": ואני צויתי לכם "לא תאכלו על הדם" כי היא עבודת עכו"ם, שהיתה חק מן הזובחים לשדים שאוכלים סביב הדם אחר שזבחו להם, וזהו דבר הלמד מענינו "לא תאכלו על הדם לא תנחשו ולא תעוננו."
>
> "You eat with its blood": And I commanded you "You shall not eat anything with its blood" because this is idol

22. The rabbinic interpretation in this case assumes a connection between the verse in Samuel and the verse in Leviticus, even though Radak in his *peshat* interpretation does not. Rabbi Isaiah of Trani is another commentator on the Prophets who does not connect the verse from 1 Samuel to the verse from Leviticus.

23. Later in the same passage, Radak states: "זה פירשו רבותינו ז"ל כי על השלמים אמר שהיו אוכלים בלא זריקת דם. אבל אין משמעות פשטי הפסוקים אלא כמו שפירשנו כי החטא היה מפני הדם נבלע בבשר ולא היה מתמצה היה..." "This is the way the rabbis of blessed memory interpreted that it is about the peace offering that it says that they were eating without applying the blood. But the significance of the peshat of the verses is none other than as we explained that the sin was because the blood was ingrained in the meat and it was not extracted…". Here, Radak's insistence on his peshat interpretation relates to the historical question of the people's sin and not to the halakhic meaning of Lev 19:26.

> worship, as there was a rite from the sacrificers to the demons that they eat around the blood after they sacrifice to them, and this is a matter learned from its context "You shall not eat anything with its blood. You shall not practice divination or soothsaying."

In this passage, Radak repeats his non-rabbinic explanation of Lev 19:26, without identifying this interpretation as *peshat*; neither does he quote rabbinic interpretations of that verse. This case demonstrates the incongruity of Radak's failing to note a well-known, rabbinic tradition, while Rashbam mentions it.[24]

In discussing Deut. 21:23, Radak again fails to note his interpretation's apparent conflict with rabbinic interpretations of that verse. The verse forbids leaving a corpse hanging overnight and connects this act to desecration of the Land of Israel. The rabbis (B. Sanhedrin 46b) understood the verse's prohibition to include all corpses, not just those that were hanged, and in any land, not just the Land of Israel. In his comments on Josh. 8:29, Josh. 10:27, and Ezek. 39:12, Radak appears to limit the prohibition to corpses that were hanged and to corpses in the Land of Israel, which follows a strictly straightforward interpretation of Deut. 21:23. Radak's interpretation, which is similar to Rashbam's explanation of the verse in Deuteronomy, is non-halakhic.

In another example, Maimonides recognizes "eye for eye, tooth for tooth" (Lev. 24:20) as a paradigmatic case of rabbinic halakhic interpretation conflicting with the plain sense of Scripture. In discussing the verse, Maimonides states:

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24. Radak might have been specifically inclined to explain Lev. 19:26 non-halakhically because the verse is known as a לאו שבכללות "a prohibition that includes multiple, unrelated proscriptions." The manifold rabbinic explanations of the verse may have signalled its potential to include other valid interpretations. In his *Sefer ha-Riqmah* (Jerusalem: The Academy of the Hebrew Language, 1964), 363, and his *Book of Roots* (Jerusalem: The Academy of the Hebrew Language, 1966), 74, Ibn Janah appeals to the multiple, rabbinic interpretations of Lev. 19:26 to justify non-halakhic interpretation, which may further have influenced Radak. Naḥmanides later uses similar reasoning to support a novel interpretation of the injunction כל חרם אשר יחרם מן האדם לא יפדה "No human being who has been proscribed can be ransomed" at Lev 27:29, arguing that the verse may include multiple, unrelated proscriptions, including his own.

> The punishment meted out to anyone who has done wrong to somebody else consists, in general, in his being given exactly the same treatment that he has given to somebody else. If he has injured the latter's body, he shall be injured in his body, and if he has injured him in his property, he shall be injured in his property…and he who has deprived someone of a member shall be deprived of a similar member, "The injury he inflicted on another shall be inflicted on him" (Lev. 24:20). You should not engage in cogitation…[25]

In his comments on Judg. 15:11, Radak uses the same straightforward, anti-halakhic explanation of Lev. 24:20 as Maimonides, in order to justify Samson's revenge against the Philistines. Radak appears to be explaining Lev. 24:20 as referring to bodily harm, since that is exactly what Samson did to the Philistines, despite the well-known rabbinic explanation (B. Baba Kamma 83b) that the verse demands monetary and not bodily retribution. While his interpretation of Lev. 24:20 directly contradicts and precludes the rabbinic halakhic interpretation of that verse, Radak makes no mention of this fact when he says:

> רע עשו לי, ורע עשיתי להם. וכן "כאשר יתן מום באדם כן ינתן בו" (וי׳ כד:כ).
>
> They (the Philistines) did evil to me (Samson), so I did evil to them. So too "The injury he inflicted on another shall be inflicted on him" (Lev. 24:20).[26]

25. *Guide* 3:41. Translation follows S. Pines, *The Guide of the Perplexed* (Chicago: University of Chicago Press, 1963), 3:558, with minor adaptations.
26. Ibn Ezra might have served as Radak's source for this interpretation. See his short and long commentaries on Exod. 21:24, short and long commentaries on Exod. 21:29, and his commentary on Lev. 24:19. See also Lockshin, "Tradition or Context," 185 and n. 70.

3. Radak's Interpretations of Biblical Narrative Texts

When interpreting legal texts, Radak's method is similar to Rashbam's method, although there are some differences between them. However, Radak boldly challenges rabbinic halakhic traditions even based on his reading of biblical narrative texts, although Rashbam and other twelfth century northern French exegetes rarely do this.[27]

It is understandable that Radak is more innovative when interpreting narrative rather than legal texts. Evidently, since he primarily interpreted narrative texts, Radak thought his exegesis in that area was most secure. Nevertheless, the northern French boldness in legal contexts, which allowed for biblical exegesis that contradicted rabbinic halakhic traditions, probably paved the way for Radak's non-halakhic interpretation of narrative texts.

In grappling with the question of whether King Solomon was permitted to marry Pharaoh's daughter or not, Radak analyzes two rabbinic views from B. Yevamot 77b, although the talmudic passage does not mention King Solomon specifically. Rabbi Judah's view, which rabbinic decisors accept as binding, is that both male and female Egyptian converts may not marry into the Israelite congregation for three generations. According to this position, King Solomon would have been forbidden to marry Pharaoh's daughter, even if she converted to Judaism. Rabbi Simeon's view is that only male Egyptian converts are prohibited. Radak reasons that since the biblical text does not fault him for doing it, King Solomon must have been permitted to marry Pharaoh's daughter,

27. Gen. 1:5 is one famous case in which Rashbam's explanation of a narrative was understood as having halakhic ramifications. However, his comments on Gen. 1:14, s.v. ולימים, apparently temper the anti-halakhic implications of Rashbam's remarks on Gen. 1:5. For a discussion of Rashbam's interpretation of Gen. 1:5 and reactions to it, see M. Lockshin, *Rabbi Samuel ben Meir's Commentary on Genesis* (Lewiston: Edwin Mellen Press, 1989), 38–9. Another example in which Rashbam's interpretation of a narrative opposes rabbinic halakhah is at Num 25:4. Rashbam explains the root יקע to mean killing by hanging, while rabbinic halakhah (B. Sanhedrin 45b) assumes that hanging is only done after the sinner is killed. Radak at 2 Sam. 21:6 appears to follow Rashbam's non-halakhic interpretation.

which supports Rabbi Simeon's opinion.[28] At 1 Kings 3:3 Radak says:

> ...היתה אסורה לו לפי שהיתה מצרית ראשונה. ומרבותינו ז"ל שאמרו (יבמות עז:) כי מותרת היתה לו, כי מה שאמר "בנים אשר יולדו להם דור שלישי" (דב' כג:ט) בנים ולא בנות. ואף על פי שלא נקבעה ההלכה כדברי זה החכם, אף על פי שאמר כי קבלה היתה בידו, נראין דבריו. כי לא ראינו בכתוב שחטא שלמה על שלקח בת פרעה...
>
> ...She was forbidden to him because she was a first generation Egyptian convert. And [one] of our rabbis of blessed memory said (B. Yevamot 77b) she was permitted to him, because when the verse says "Children born to them in the third generation" (Deut. 23:9) this means sons and not daughters. Now even though the halakhah was not decided in accordance with the words of this sage, even though he said that he had a received tradition in his hand, his words appear to be correct. Because we do not see in the text that Solomon sinned by taking the daughter of Pharoah...

Radak accepts the rabbis' decision against Rabbi Simeon's opinion, even while making a strong case for it. This acceptance is seen in his initial statement that "she was forbidden to him because she was a first generation Egyptian convert," as per Rabbi Judah's opinion.

Radak's acquiescence to the rabbinic decision renders his seemingly non-halakhic backing of Rabbi Simeon's opinion as purely theoretical and seems to illustrate that he understood the gravity of making anti-halakhic suggestions. Radak hesitates because Rabbi Simeon's stance was not accepted as binding, but he buttresses Rabbi Simeon's opinion by labeling it a received tradition and registers puzzlement that the rabbis rejected it.

For an exegete, using his textual analysis to scrutinize rabbinic

28. The biblical text censures Solomon only for marrying many women, for allowing them to turn his heart astray, for permitting them to worship idols, and for worshipping on the forbidden shrines (1 Kings 11:1–5).

law is more complicated than simply disagreeing with rabbinic interpretation of a legal text, because such scrutiny goes against the normal flow of information. Rabbinic literature usually informs exegetes' reading of the biblical text, but their reading of the biblical text does not usually inform their understanding of rabbinic literature. Radak is acting more like a rabbi in the Talmud, whose reading of the biblical text informs his understanding of halakhic questions. In fact, his reasoned endorsement of Rabbi Simeon's viewpoint is comparable to Rabbi Simeon's own justifications in the Talmud.

In his comments on Judg. 18:5, Radak again tries to use his biblical analysis to change a halakhic ruling, but stops short of doing it decisively. The rabbis in B. Shevuot 35b state that all divine names in the narratives about Micah are references to idols, except for the one in Judg. 18:31. Because these names do not refer to God, they have no special sanctity and one is permitted to erase them.

Radak challenges the rabbinic assertion that all divine names in the Micah narratives refer to idols. He further rules that one who abides by Jewish law is not permitted to erase these divine names, as they may have special sanctity based on his interpretation. Radak's analysis renders much of the legal discussion in B. Shevuot 35b meaningless. He says:

> ...אם כן, "באלקים" זה אינו נמחק כי קדוש הוא. ולדברי רבותינו ז"ל שאמרו (שבועות לה:) כל "אלהים" האמור במיכה חול חוץ מאחד שהוא קדש "כל ימי היות בית אלהים בשילה" (שו' יח:לא). אם כן, "באלהים" זה חול הוא ונמחק. והנה הדבר אצלינו ספק ומספיקא אני אומר שאינו נמחק. ואני תמיה על "כי נתנה אלהים בידכם" (שו' יח:י), איך אמרו עליו שהוא חול? ואף רבי אליעזר ש... והנה לא הסכים עמו יונתן בן עוזיאל. ואם זה "באלהים" הוא חול ...
>
> ...If so, this [instance of the word] "God" is not erasable because it is holy. According to our rabbis of blessed memory who said (B. Shevuot 35b) every [instance of the word] "God" in the Micah narratives is unholy [refers to idols] besides one that is holy "throughout the time

> that the house of God stood at Shiloh" (Judg. 18:31). If so, this [instance of the word] "God" is unholy and erasable. Now the matter is in doubt by us and in doubt I say that it may not be erased. I am amazed at "For God has delivered it into your hand" (Judg. 18:10), how could they say that it is unholy? Even Rabbi Eliezer who [did not completely agree with the other rabbis, agreed with them in this instance]…But Jonathan did not agree with him [that the word "God" in Judg. 18:10 is unholy]. And if this [instance of the word] "God" is unholy [the verse is understood as follows]…

In contrast to the case of 1 Kings 3:3, Radak's interpretation does not concur with any of the various talmudic opinions. Moreover, and quite significantly, Radak's interpretation at Judg. 18:5 is limited to exegesis of the narrative. Radak only questions the rabbis' reading of the biblical narrative, not their halakhic premise that divine references to God may not be erased. Nevertheless, Radak specifically states that his disagreement with the rabbis has practical halakhic ramifications. According to the rabbis, one may erase the divine name in Judg. 18:5, but following Radak, he may not.

Certainly, Radak is not the only exegete who disagrees with the rabbis about what biblical names are or are not divine.[29] The novelty in Radak's comment on Judg. 18:5 lies in his advocating a change in the practical Jewish approach to the text and in his unabashed tone when doing that.

In spite of Radak's innovative claim, he is deferential to the rabbinic view. To begin with, he registers hesitation in his phraseology והנה הדבר אצלנו בספק, ומספיקא אני אומר אינו נמחק "Now the matter is in doubt by us and in doubt I say it may not be erased." By saying that "the matter is in doubt," Radak means that he is not so certain that his interpretation is correct that he is willing

29. See, e.g., Rashbam's comment on Deut. 21:23, where his interpretation of "God" in the verse to mean judges differs from the midrashic traditions and Rashi's interpretation. Rashbam interprets the tetragrammaton at Gen. 18:13 as a reference to one of the angels.

to decisively cancel the rabbinic view. Nevertheless, he finds his explanation sufficiently convincing to cast aspersions on the rabbinic explanation and force a change in the practical law regarding the sanctity of the verse, even if it is only because "the matter is in doubt." Radak's uncertainty mitigates the significance of his comment, but it does not necessarily derive from the halakhic implications of his view, as he often compares his views to those of others and evaluates the relative merits of each.

Radak's challenging at Judg. 18:5 of the rabbinic interpretation of Judg. 18:10 is essentially the same as his regular critiques of rabbinic aggadic interpretation, except for its halakhic outcome. His tone and rationale are similar to the tone and rationales he uses when questioning rabbinic *aggadot*. Similarly, when Radak challenges rabbinic *aggadot*, he does not always decide against them conclusively, just as in this case.[30] Overall, his attitude towards rabbinic halakhot and *aggadot* is equivalent, which is one of the hallmarks of Rashbam's method.

In the following case, Radak's comprehension of a biblical narrative weakens a rabbinic ruling. His sole interest appears to be interpretation of the biblical events, and Radak seems ready to promote his explanation of the narrative regardless of its halakhic consequences.

In contrast to his comments on 1 Kings 3:3 and Judg. 18:5, Radak does not acknowledge that his explanation undermines the basis of a halakhic ruling, although he asserts that his explanation contradicts the rabbinic understanding of the narrative. Just as in the case of legal texts, Radak does not always acknowledge that his interpretations of narrative texts contradict rabbinic halakhah. This failure to publicize his approach demonstrates that Radak was quite comfortable with his potential undermining of rabbinic halakhah.

The rabbis (B. Nazir 4b) were of the opinion that Samson was different from other nazirites in that he was permitted to come

30. See, e.g., Radak's comments on Josh. 4:11 and 2 Chron. 5:9, in which he ends complex challenges to rabbinic traditions by saying "their insight is broader than our own."

into contact with corpses. Even though Radak acknowledges the rabbinic view, in commenting on Judg. 13:4 he assumes that Samson was forbidden to come into contact with a corpse, just like any other nazirite. Radak also bases his explanations of Judg. 14:19 on the assumption that Samson was just like any nazirite.

Radak's rejection of the rabbinic view of Samson carries halakhic significance. The Mishnah in Nazir 1:2 defines a category of נזיר שמשון "Samson-like nazirite," determining differences between a regular nazirite and a Samson-like nazirite. The rabbis in B. Nazir 4b debate whether a "Samson-like nazirite" may be exposed to dead bodies, just as Samson was. By Radak's reasoning that Samson was forbidden to be defiled by corpses just like any other nazirite, the rabbinic discussion in B. Nazir 4b and the category of a Samson-like nazirite lose much of their significance.

In his comments on Judg. 13:4 and 14:19, Radak categorizes the rabbis' view of Samson's status as a received tradition. This classification makes Radak's rejection of the rabbinic view all the more fundamental. Not only does he question rabbinic reasoning, he is even willing to argue with rabbinic received traditions, "*Kabbalah*."

In another case at 2 Kings 15:1, Radak's comprehension of biblical chronology again potentially weakens a rabbinic ruling. Radak concedes that the rabbis learned a halakhic ruling from their understanding of the narrative, but he stands by his interpretation of the biblical narrative nonetheless. This he does despite his recognition that his interpretation might weaken the rabbinic halakhic ruling.

4. Radak's Explicit Comparison of Biblical Legal and Narrative Texts

The following examples confirm that Radak did not treat legal verses differently from narrative ones. In both examples, Radak quotes legal verses to support his explanation of narrative texts.[31]

31. For a thorough discussion of Radak's attitudes towards biblical repetition, including

The rabbis sometimes read halakhic meaning into redundancy in halakhic contexts. For instance, the rabbis explained the repetitive command זכור…לא תשכח "Remember…do not forget [Amalek's deeds]" (Deut. 25:17–19) as two separate injunctions — one not to forget with one's heart, and one to recollect verbally. Radak at 1 Sam. 1:11, on the other hand, explains that the repetition at Deut. 25:17–19 strengthens the commandment, even though this non-halakhic explanation is akin to his customary והכפל לחזק "and the doubling is to strengthen" in narrative contexts. Radak equates the verses in Deuteronomy with the narrative verse in Samuel, saying:

> "וזכרתני ולא תשכח את אמתך" – הכפל לחזק התפלה והבקשה, וכן "זכור את אשר עשה לך עמלק…לא תשכח" (דב' כה:יז-יט) לחזק המצוה, ודרשו רז"ל …
>
> "And will remember me and not forget Your maidservant" — The doubling is to strengthen the prayer and the pleading, and so too "Remember what Amalek did to you on your journey…Do not forget" (Deut. 25:17–19) to strengthen the commandment, and our rabbis of blessed memory interpreted…

Another case in which Radak equates legal verses with narrative ones is at Gen. 24:39, where he analyzes Eliezer's description of his encounter with Rebecca. Radak says:

> ובשנות הדברים האלה, יש בהם שנוי מלות, אבל הטעם אחד. כי גם בעשרת הדברים, שהוא עקר התורה, בשנותו אותם במשנה תורה (ראה דב' ה:ו-יח), שנה בהם במקומות המלים, אבל הטעם אחד.
>
> And when repeating these words, there are changes in the words, but the meaning is one. Since also in the Ten Commandments, which is the essence of the Torah, when

a brief analysis of these two examples, see A. Seidler, "דרכו הפרשנית של רבי דוד קמחי", PhD dissertation (Bar Ilan University, 2003), 63–108 and idem, "'הכפל לחזק' כשאין לו טעם אחר – 'טעמו האחר' של הכפל בפירוש רד"ק", *Tarbiz* 77: 3–4 (2009): 555–571.

> he repeated them in Deuteronomy (5:6–18), he changed the words in some places, but the meaning is one.[32]

Certainly, Radak sometimes accepts rabbinic interpretations of biblical repetition in legal contexts.[33] Nevertheless, these examples show that he also did not hesitate to equate legal verses with narrative ones.

5. Conclusion

Taken together, the examples analyzed in this paper demonstrate that Radak did not differentiate between narrative and legal biblical texts when using the *peshat* technique. He also believed that the biblical text could be understood concurrently by a number of different methods. Radak sometimes concedes that his interpretations are non-halakhic, but sometimes he does not recognize the non-halakhic aspect of his interpretations. At least one of his interpretations is anti-halakhic, although he does not explicitly state this fact.

While a general framework and isolated examples of anti-halakhic and non-halakhic interpretations existed in the Spanish and Babylonian traditions that influenced Radak, both the innovative boldness in Radak's approach and the similarity of his presentation to Rashbam's, suggest that Rashbam's work influenced Radak or his audience. Radak's connection with twelfth century northern French exegesis was always disputed, but it is confirmed by his method in halakhic contexts.

Rashbam's ideas are usually understood as having limited

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32. Radak here appears to follow Ibn Ezra, who read little meaning into discrepancies between the two sets of the Ten Commandments. See Ibn Ezra's long commentary on Exod. 20:1. Ibn Ezra and Radak appear to ignore various halakhic interpretations of discrepancies between the two versions of the Ten Commandments. Among these is the rabbinic explanation (Berakhot 20b) that זכור "Remember [the Sabbath day]" (Exod. 20:8) applies to positive commandments, while שמור "Observe" (Deut. 5:12) applies to negative commandments. The rabbis (Mekhilta of Rabbi Simon Bar Yohai ad loc) also explained that לא תחמוד "You shall not covet" (Exod. 20:14) applies to actions, while לא תתאוה "You shall not crave" (Deut. 5:18) applies to thoughts.

33. See, e.g., Radak's comments on Jer 36:27 and a short list in Seidler, "לדרכו", 99 n. 145.

influence on exegetes outside of northern France.[34] Radak's method in halakhic contexts demonstrates that Rashbam's ideas spread south to Provence and were accepted to some extent in that environment.

The significant impact of Rashbam's ideas is seen in Radak's wanting to carry them even a bit further than Rashbam did in a number of ways. In the first place, Radak designates *peshat* interpretations as more primary than rabbinic, halakhic interpretations. He also bases contradictions of rabbinic, halakhic interpretations on his interpretations of narrative texts, and appears to suggest overturning those rabbinic, halakhic rulings. Radak's slight extensions of Rashbam's method do not signify any great innovation, but rather attest to the ease with which Radak accepted Rashbam's revolutionary approach.

Radak differs significantly from Rashbam and other twelfth century, northern French, radical *peshat* exegetes who followed his lead. While Rashbam was not fond of rabbinic quotation in his commentaries, Radak quotes rabbinic traditions constantly and they are necessary in his view. Therefore, Radak's readiness to question rabbinic halakhic traditions shows that he, and most likely others of his contemporaries, did not view this questioning as contradictory to the necessity and authority of rabbinic traditions.

34. Berger, "Torah Commentary," 332–351, explores various reasons that Rashbam's method was not more popular among readers in later generations. M. Lockshin, "Rabbi Samuel ben Meir's Commentary on Genesis," PhD dissertation (Brandeis University, 1983), 428, claims that Rashbam's commentary was not well-liked because it disregarded the tension between *peshat* and homiletical interpretation. Touitou, "על שיטתו", 253 n. 26, maintains that already in the generation after Rashbam lived, *peshat* commentators warned of the dangers inherent in his exegetical freedom. Touitou also lists numerous later religious commentators who preferred IbnEzra's approach to Rashbam's. See also M. Lockshin, "Truth or *Peshat*: Issues in Law and Exegesis," in *Law, Politics and Society in the Ancient Mediterranean World*, B. Halpern and D. W. Hobson, eds. (Sheffield: Sheffield Academic Press, 1993), 271.