

THE ROLE OF מִדַּת דִּינָא IN THE TARGUMIM

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1. Rabbinic Context

The Attributes of Justice and Mercy are well known from their relatively frequent appearances within the midrashim. It is somewhat surprising, therefore, to realize that these figures are rarely employed within the targumim. Furthermore, in all but one instance, it is only the Attribute of Justice which is found in the targumim. So, how often do they occur in the targumim? Specifically, what role does מִדַּת דִּינָא, the 'Attribute of Justice', play in the targumim? As we attempt to answer these questions we will begin with a very brief summary of the origins and role of the Attributes of Justice and Mercy within rabbinic literature in general and then move on to examine the occurrences of these terms specifically within the targumim.¹

Initially the Attributes of Justice and Mercy represented merely alternate expressions of God's traits as judge and these traits were in turn equated with the names of God. Thus יְהוָה ('the LORD') was equated with the Attribute of Mercy while אֱלֹהִים ('God') was equated with the Attribute of Justice. As Sifre to *Deut.* 3.23 states:

The LORD [3.24]: Whenever Scripture says *the LORD* [יְהוָה], it refers to his quality of mercy, as in the verse, *The Lord, the Lord, God merciful and gracious* [Exod. 34.6]. Whenever it says *God* [אֱלֹהִים], it refers to his quality of justice, as in the verses, *The cause of both parties shall come*

1. For a general survey, see Ephraim E. Urbach, *The Sages: Their Concepts and Beliefs* (Cambridge, MA: Harvard University Press, 1995), pp. 448-61; and G.F. Moore, *Judaism in the First Centuries of the Christian Era*, I (Cambridge, MA: Harvard University Press, 1927), pp. 386-400. For discussion of *Memra* and the Attribute of Mercy, see C.T.R. Hayward, 'Memra and the Attribute of Mercy', Chapter 4 of his *Divine Name and Presence: The Memra* (Ottawa: Allenheld Osman, 1981). The summary presented here follows Urbach's outline of the development of the Attribute of Justice within rabbinic literature.

before God [אֱלֹהִים; Exod. 22.8], and *Thou shalt not revile God* [אֱלֹהִים; Exod. 22.27].²

Very quickly, however, the Attributes became hypostases, independent entities whom God consults in his heavenly court.³ As the Attribute of Justice took on the role of 'prosecuting attorney' the Attribute of Mercy, in the role of advocate appealing for clemency, became equated with God himself.⁴ It is therefore as the agent of God's righteous punishment that we most often find the Attribute of Justice.⁵ Thus *Leviticus*

2. *Sifre Deut.* 3.24 (§26). This translation is slightly modified from Reuven Hammer's *Sifre: A Tannaitic Commentary on the Book of Deuteronomy* (New Haven: Yale University Press, 1986), p. 49. See also *b. Ber.* 60b; *Exod. R.* to 3.6; *Gen. R.* to 12.15, 33 and 21.7.

Hayward, however, has demonstrated that the targumim are 'unaware' of the rabbinic rule that יְהוָה is equated with mercy and אֱלֹהִים is equated with justice. 'Nowhere in the Targumim, so far as we are aware, is this element of justice ever attributed to the title "Iohim"; the Targumim seem completely unaware of any distinction in theological sense between YHWH and "Iohim" (Hayward, *Divine Name*, p. 45). It is important to remember that Hayward's study focuses upon the *acts* of justice and mercy attributed to YHWH/"Iōhīm rather than upon the figures of the Attributes of Justice and Mercy.

3. See, e.g., *Gen. R.* to 1.26: 'R. Hanina did not say thus, but [he said that] when he came to create Adam he took counsel with the ministering angels, saying to them, *Let us make man*. "What shall his character be?" asked they. "Righteous men shall spring from him", He answered, as it is written, *For the Lord knoweth the way of the righteous* (Ps. 1.6), which means that the Lord made known the way of the righteous to the ministering angels; *But the way of the wicked shall perish*: He destroyed [hid] it from them. He revealed to them that the righteous would arise from him, but he did not reveal to them that the wicked would spring from him, for had he revealed to them that the wicked would spring from him; the Attribute of Justice would not have permitted him to be created'. See also, e.g., *b. Šab.* 55a, *Meg.* 15b, *Sanh.* 94a and 97b.

All translations of midrashim and talmudic texts are from *Soncino Classics Collection* CD-ROM (Chicago: Davka Corporation, 1996), unless otherwise stated.

4. See Urbach, *The Sages*, pp. 460-61. In *b. Meg.* 15b, for example, during an exposition of Isa. 28.5-8 a dialogue is established directly between the Attribute of Justice and God: 'Said the Attribute of Justice before the Holy One, blessed be he: Why this difference between these [Israel] and the others [the nations]? The Holy One, blessed be he, said to him: Israel busy themselves with the Torah, the other nations do not busy themselves with the Torah—he replied to him, *But these also reel through wine, and stagger through strong drink...they totter in judgment* [Isa. 28.7-8]'.⁵

5. See *Lam. R.* 1.13.

Rabbah speaks of the Attribute of Justice as 'acting against' the generation of the flood, Sodom and Gomorrah, and those who worshipped the golden calf.⁶ In a similar vein, *Exodus Rabbah* to 6.2 describes how the Attribute of Justice wanted to smite Moses for his insolence at doubting that God would deliver Israel.⁷

For this reason did the Attribute of Justice seek to attack Moses, as it says: *And God* [אלהים] *spoke unto Moses* [6.2]. But when God reflected that Moses only spoke thus because of Israel's suffering, he retracted and dealt with him according to the Attribute of Mercy, as it says: *And he said unto him: I am the LORD* [יהוה, 6.2].⁸

The midrashim also describe מרת דינא as having been active in Jerusalem's destruction. For example, in commenting on Lam. 1.13, 'He spread a net for my feet [וַיִּרְדֵּנִי פֶרֶשׁ רֶשֶׁת לְרַגְלִי]', 'R. Bebai of Sergunieh said: וַיִּרְדֵּנִי indicates, "He saw that the Attribute of Justice overtook her".' וַיִּרְדֵּנִי is thus explained as a compound of 'he saw' (ויראה) and 'justice' (דין).⁹

The book of Lamentations is, in fact, a particularly fruitful text for the introduction of מרת דינא. In the *Targum to Lamentations* we find that מרת דינא occurs three times as a fully personified figure who is given speech.¹⁰ It was this comparatively frequent occurrence of the מרת דינא in *Targ. Lam.* that led to my present investigation. Considering the active role played by the Attribute of Justice in the midrashim it might be reasonable to expect that we would find it occurring with similar frequency in the targumim. Yet, *Targ. Lam.* aside, the Attribute of Justice is rarely found in these texts.

6. The intersecting verse is Eccl. 3.16, 'Moreover I saw under the sun that in the place of justice, wickedness was there, and in the place of righteousness, wickedness was there as well'. See also *Exod. R.* to 32.11. *Exod. R.* to 6.2 has an extended discussion of how the Attribute of Justice wanted to smite Moses for doubting God's promise to deliver the Israelites from Egypt.

7. *Exod.* 5.22-23, 'Then Moses turned again to the LORD and said, "O LORD, why have you mistreated this people? Why did you ever send me? Since I first came to Pharaoh to speak in your name, he has mistreated this people, and you have done nothing at all to deliver your people."'

8. The two halves of *Exod.* 6.2 are interpreted based upon the use first of אלהים and then of יהוה.

9. מרת דינא also occurs earlier in *Lam. R.* to 1.13 and again in *Lam. R.* to 2.4.

10. For another example of the Attribute of Justice speaking out see *b. Meg.* 15b.

2. Targumic Evidence

Neither the Attribute of Justice nor the Attribute of Mercy occurs at all in *Targum Onkelos*, *Targum Neofiti*, *Targum Jonathan* or *Targum Pseudo-Jonathan*. In fact, outside of *Targ. Lam.*, מרת דינא occurs only once in *Targum Qohelet* and twice in *Targum Esther*, I (3.1 and 6.1). The latter occurrence is in conjunction with the מרת רחמין and is only attested in one MS. As we shall see, it is likely that מרת דינא was not the original reading of *Targ. Esther*. I 6.1, therefore it appears that the Attribute of Justice only occurs five times and the Attribute of Mercy only once in all the targumim!¹¹

Targum of Lamentations

Of the three instances in *Targ. Lam.*, in each case the Attribute of Justice announces the reasons for Israel's suffering and punishment.¹² The Hebrew text of Lam. 1.1 is quite terse.

How lonely sits the city
that once was full of people!
How like a widow she has become,
she that was great among the nations!
She that was a princess among the provinces
has become a vassal.¹³

איכה יִשְׁבֶּה בְּדָר הָעִיר רַבְתִּי עַם
הָיְתָה כְּאַלְמָנָה רַבְתִּי בָנוֹיִם
שָׂרָתִי בְּמִדְיָנוֹת הָיְתָה לְמַסִּי:

The targumist, however, has greatly expanded this first verse of Lamentations in order to set the context for the reading of the entire book.¹⁴ *Targ. Lam.* seeks to ensure that the audience realizes that Jerusalem was destroyed due to Israel's sin and not because their God has forsaken them. Thus, we are told that Jeremiah declared Jerusalem's punishment by comparing it with the punishment of Adam and Eve. If their

11. The corpus of targumic literature is, of course, vast and there remains the possibility that an instance of the Attributes has missed my notice.

12. They are 1.1, 2.20 and 4.13.

13. All biblical quotations are from the NRSV unless otherwise stated.

14. See my 'Targum Lamentations 1.1-4: A Theological Prologue', in Paul V.M. Flesher (ed.), *Targum Studies. III. Ernie Clarke Memorial* (Atlanta: Scholars Press, forthcoming).

punishments are similar then the reasons for such judgment must also be similar. Therefore, 'the Attribute of Justice spoke and said, "Because of the greatness of her rebellious sin which was within her, thus she will dwell alone as a man plagued with leprosy upon his skin who sits alone"' (ענת מדת דינא וכן אמרת על סגירות חובה אשה ומה דבגדה) (בגין תהא יתבא בלחודה כגבר דמכחש סגירו על בסריה דבלחודה יתב).

In this case, the Attribute of Justice is not appealing to God to punish Jerusalem, instead it is announcing the punishment that God *has already* decided to mete out. We may contrast this with many of the midrashim where מדת דינא is described as appealing for God to punish the sinner or as carrying out that punishment. In *Targ. Lam.* 1.1 מדת דינא merely states what God has already decided he would do to punish Jerusalem and why God's decision is just. This punishment parallels that of Adam and Eve. Just as the eating of the forbidden fruit was an act of rebellion punished with banishment, so too Israel's rebellion against God would result in the exile of his people from Jerusalem.

The Attribute of Justice appears again in 2.20. The biblical text is a strong accusation against God, as the author cries out horrified by what has befallen his people.

Look, O LORD, and consider!

To whom have you done this?

Should women eat their offspring,
the children they have borne?

Should priest and prophet be killed
in the sanctuary of the Lord?

ראה יהוה יהוה ונהיטת למי עוללת פה
אם תאכלנה נשים פרים עולי טפחים
אם תהרג במקדש ארץ בהקנבא:

The biblical text of v. 20 contains serious charges against God. The fact that women are driven to eat their children and priests and prophets are killed in the sanctuary are the direct result of God's allowing this calamity to befall his people. The targumist represents the initial argument with a few minor changes.

See, O Lord, and observe from heaven against whom have you turned.
Thus is it right for the daughters of Israel to eat the fruit of their wombs
due to starvation, lovely children wrapped in fine linen?

חוי יי וחדי מסתכל מן שמיא למן אסתקפתא כדן אב חוי לבנאחא דשר
למיכל בכפנא פירי בטניהון עולימא רגיתא דהו מתלפפין בסריגין דמילתין

The women, we are told, are identified specifically as the 'daughters of Israel' and their 'offspring' (פריים) are described as the 'fruit of their womb' פירי בטניהון. The daughters of Israel resort to cannibalism due to starvation (בכפנא) and their young (and the *hapax legomenon* טפחים) are poignantly described as 'lovely children wrapped in fine linen'.¹⁵ At this point in our targum the Attribute of Justice responds to the charges, asking,

Is it right to kill priest and prophet in the Temple of the Lord, as when you killed Zechariah son of Iddo, the High Priest and faithful prophet in the Temple of the Lord on the Day of Atonement because he told you not to do evil before the Lord?

ענת מדת דינא וכן אמרת אב חוי למקטל בבית מקדשא דיי כהנא
ונביא כמה דקשלחון לזכריה בר עדוא כהנא רבא ונביא מדינא בבית
מקדש דיי ביוםא דכפוריא על דאוכח יחון דלא תעבדון רביש
קדם יי:

As in 1.1, the Attribute of Justice is employed by our targumist in order to explain why these atrocities have been allowed to happen to Israel. In this instance,¹⁶ the targumist is recasting the biblical text (20c), transforming its meaning by changing the identity of the speaker. The Attribute of Justice goes on to specify the crimes for which Jerusalem and her people were being punished, 'you killed Zechariah son of Iddo... because he told you not to do evil before the LORD'. As is often the case in rabbinic literature in general and in *Targ. Lam.* specifically, the principal of מדה כנגד מדה is applied and Jerusalem's punishment is defined by her crime.

The same is true of the statement made by the Attribute of Justice in 4.13.

15. The *hapax legomenon* טפחים and the *hapax legomenon* טפחתי in 2.22 are derived from either an Arabic (B. Albrektson, *Studies in the Text and Theology of the Book of Lamentations with a Critical Edition of the Peshitta Text* [Studia Theologica Ludensia, 21; Lund: C.W.K. Gleerup, 1963], p. 120) or Akkadian root (D. Hillers, *Lamentations* [AB, 7A; Garden City, NY: Doubleday, 2nd edn, 1992], p. 98), both of which refer to child birth/rearing. It is likely that our targumist was unaware of this etymology and so rendered both terms with *לפך, 'to swathe, wrap' (M. Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature* [New York: Judaica Press, 1992], p. 715b).

16. In 1.1 the Attribute of Justice's speech is not based on the biblical text.

The Attribute of Justice spoke up and said, 'All this would not have happened but for the sins of her prophets who prophesied to her false prophecies and the iniquity of her priests who offered up burning incense to idols. They themselves caused the blood of the innocent to be shed in her midst'.

ענת מדת דינא וכן אמרה לא הוות כל דא אלהן מחובת נביאה דמנכאן
לה נבואת שקרא ומעוויית כדנחא דאסיק קפורה בוסמין לשעוותא ואנן גרמ
לאחשד בגוה דם זכאין:

In v. 13, as in 1.1 and 2.20, the targumist uses the Attribute of Justice in order to introduce Jerusalem's sins. In this instance the biblical text itself presents a reason for Jerusalem's punishment, stating directly that 'it was for the sins of her prophets and the iniquities of her priests, who shed the blood of the righteous in the midst of her'. Considering the context, it is not surprising that our targumist proceeds to specify what 'the sins of her prophets' and 'the iniquities of her priests' were. The prophets, we are told, gave false prophecies and the priests offered sacrifices to idols. Quite simply, they did the opposite of what God had called each of them to do. Although it is unlikely that our targumist has a specific incident in mind, the fact that the targum specifies that 'they themselves caused the blood of the innocent to be shed' emphasizes the complete abrogation of their duties by the prophets and priests. It is the responsibility of these men, perhaps more than any others, to protect the lives of the innocent and yet, not only did they allow them to be killed, 'they themselves caused' them to be killed.

Unlike the descriptions of the Attribute of Justice in the midrashim, *Targ. Lam.* has used the figure as a spokesman rather than an agent of destruction.¹⁷ This enables the targumist to explain why these horrible events have come upon Israel and to demonstrate that they were deserved, since a fundamental element of the Attribute of Justice is that its actions are righteous, even if God may temper the punishment with his mercy.¹⁸

17. As is already found in the biblical text of Lamentations, it is God himself who goes forth like an enemy against his people. The targumist does not require a mediator other than Nebuchadnezzar (2.4).

18. It is important to note that the Attribute of Mercy does not appear in *Targ. Lam.* In fact, a consistent theme of the book of Lamentations which is extended in *Targ. Lam.* is that for Jerusalem there is no comforter and there is no mercy (see 1.2, 9; 2.13, etc.). She is denied all solace in her mourning. God himself has no

Targum of Esther I

ענת מרת דינא occurs twice in *Targ. Esth.* I at 3.1 in all MSS and at 6.1 in one MS variant. The targum to 6.1 begins with the cry of the women from the house of Israel being heard in heaven, and God asks, 'What is this voice of young goats that I hear?'

Then the attribute of compassion replied, saying as follows [ענת מרת דינא]: It is not the voice of young goats that you hear but the voice of women from the house of Israel who are destined to be killed upon the decree of the wicked Haman.¹⁹

Only one MS, Paris Heb. 110 of the Bibliothèque Nationale,²⁰ includes the Attribute of Justice and reads ענת מרת דינא רחמין וכן אמרה. The targum goes on to tell how God has mercy upon his people, and such a context is a strong indication that the majority reading, which does not include מרת דינא, is probably correct. *Targ. Esth.* I to 6.1 does, therefore, present us with an example of the מרת רחמין within the targumim, but it is an isolated appearance.

The occurrence of מרת דינא in 3.1 is, however, certain and plays a role similar to that found in *Targ. Lam.*

After these things, the attribute of justice entered before the Master of the World and thus it said [ענת מרת דינא קדם]: Did not the wicked Haman descend and go up from Susa to Jerusalem to abolish the rebuilding of the Temple; and now King Xerxes has promoted Haman, son of Hammedatha, who is descendant from Agag, son of the wicked Amalek, and has appointed him chief over everything and established his throne over those of all the princes that are with him. Replied the Master of the World and said as follows. I do not wish to destroy him from the world as long as he is not [yet] known in the world, let go of him until he will become great and known among all nations, then will I punish him for all the oppression that he and his ancestors have done to the people of the house of Israel.²¹

The additions found in *Targ. Esth.* I, like the midrashim found in *Est. R.*, ascribe to Haman a role in obstructing the reconstruction of the Temple. In the targum we are given a glimpse into the heavenly court

mercy in exacting his punishment. See *Lam.* 2.17, for example: 'He destroyed and had no mercy'.

19. Bernard Grossfeld, *The Aramaic Bible. XVIII. The Two Targums of Esther* (Edinburgh: T. & T. Clark, 1991), p. 69.

20. Grossfeld, *Esther*, p. 2.

21. Grossfeld, *Esther*, p. 51.

where the Attribute of Justice comes before God to ask why he has not already destroyed such a wicked man. God responds that he first wants him to be made great so that all the nations might know of his downfall. It is important to note that God instructs מִדָּה דִּינָא to 'let go of him until he will become great', implying that the Attribute of Justice was preparing to enact judgment upon Haman.

In this passage, we find מִדָּה דִּינָא in a role similar to that of both *Targ. Lam.* and the midrashim. As in *Targ. Lam.*, the Attribute of Justice declares the sins committed by the offender. He reminds God that not only did Haman try to 'abolish the rebuilding of the Temple', but he was also descended from Agag, 'son of the wicked Amalek'. Unlike the role played by מִדָּה דִּינָא in *Targ. Lam.*, but similar to what we find in the rest of the rabbinic corpus, it is implied in this text that the Attribute of Justice will be the agent of Haman's destruction.

Targum of Qohelet

Finally, in *Targ. Qoh.* 10.8 we again find the Attribute of Justice providing an explanation for Israel's suffering.

Solomon said by the spirit of prophecy, 'I have seen the people who were enslaved previously to the people of Israel, growing strong and riding on horses like rulers while the people of Israel and their nobles walk like slaves on the ground'. The Attribute of Justice answered and thus said [ענה מִדָּה דִּינָא וְכִין אַמְרָת]: 'They caused all this themselves just as a man who digs a pit at the crossroads is liable to fall in it so a people who transgressed the decree of the Memra' of the Lord and breached the fence of the world falls into the hand of the wicked king who bites them like a serpent.'²²

In v. 6 God enables the Edomites²³ to enslave Israel. This, in turn, leads to Solomon's prophetic vision of a subservient Israel. In response, the Attribute of Justice explains that God has allowed the conquest of his people due to their refusal to obey the *Memra* of the LORD. This usage of מִדָּה דִּינָא is directly parallel to that found in *Targ. Lam.* The Attribute of Justice is not the agent of punishment, rather it explains why God

22. *Targ. Qoh.* 10.7-8; Peter S. Knobel, *The Aramaic Bible. XV. The Targum of Qohelet* (Collegeville, MN: Liturgical Press, 1991), p. 48.

23. On the difficulties of identifying the Edomites in *Targ. Qoh.* see Knobel, *Qohelet*, p. 12. For a more general discussion, see G. Cohen, 'Esau as Symbol in Early Medieval Thought', in A. Altmann (ed.), *Jewish Medieval and Renaissance Studies* (Cambridge, MA: Harvard University Press, 1967), pp. 19-48.

has allowed tragedy to befall his people and how such action (or God's allowing others to act against his people) is just.

3. Conclusions

In sum, it appears that מִדָּה דִּינָא, a figure common in midrashic literature, is a relatively rare occurrence in the targumim. In *Targ. Esth.* 1.3.1 the Attribute of Justice asks God why he has not yet punished the wicked Haman. God directs מִדָּה דִּינָא to 'let go of him' since Haman was to grow powerful before he would be destroyed. This characterization is in keeping with that found in the midrashim, as it brings an accusation against the wicked *seeking* their just punishment. Although the book of Esther is *potentially* about the destruction of the Jews, it is, in fact, a story about God's salvation of his people. Thus the role of the Attribute of Justice is confined to indicting Israel's enemy. However, in the majority of instances where the Attribute of Justice appears in the targumim, it announces the charges against *Israel*. In each case, מִדָּה דִּינָא explains *why* God has allowed Jerusalem/Israel to be defeated, and the answer is always that Israel has sinned.

The nature of the Attribute of Justice in *Targ. Lam.* and *Targ. Qoh.* is predicated by the biblical text. In *Targ. Lam.* it is because the biblical text presents a clear challenge to God's justice as the biblical author asks, 'How could God allow such a catastrophe to befall his chosen people?' The targumist uses מִדָּה דִּינָא to answer this charge. Although *Targ. Qoh.* brings this challenge to the text (perhaps precipitated by external events such as contemporary persecution), the role of the Attribute of Justice is the same as that found in *Targ. Lam.*; it explains that Israel has deserved her fate due to her refusal to obey the Word of the LORD.

Within these targumim, the Attribute of Justice is not the *agent* of destruction. This is contrary to the majority of midrashic passages which feature the Attribute of Justice. In the midrashim it is either seeking to punish transgressors, exacting that punishment, or is being restrained from such action by the Mercy of God (sometimes represented by the מִדָּה רַחוּמִין). Furthermore, the Attribute of Justice *rarely* (if ever) speaks in the midrashim. The figure found in the targumim is a fully personified character who is granted speech and converses with God and the audience (*Lam.* 2.20). By contrast, the midrashic figure is more vague, referred to rather than heard. The figure of מִדָּה דִּינָא in the targumim

has a distinct and separate identity from God. It stands beside God and converses with him and, in the majority of occurrences, the Attribute of Justice proclaims the sin of Israel and the justice of God's actions.

'IS SAUL ALSO AMONG THE SCRIBES?'
SCRIBES AND PROPHETS IN *TARGUM JONATHAN**

Anthony J. Saldarini

In a number of passages, *Targum Jonathan* transforms prophets into scribes. The most striking example is found in 1 Samuel 10, where Saul, who has just been anointed king of Israel by Samuel, meets a band of ecstatic prophets, is seized by the Spirit, and joins them in prophesying. This manifestation of the power of God's Spirit in Saul has been predicted by Samuel as a sign which authenticates Saul's choice as king of Israel. The targumist translates the biblical passage as follows:

⁵And when you enter there to the city, you will meet a band of scribes going down from the house of feasting and before them lyres and timbrels and cymbals and lutes and they will be singing praise. ⁶And the spirit of prophecy from before the Lord will reside upon you, and you will sing praise with them, and you will be changed into another man... ¹⁰And they came there to the hill, and behold a band of scribes met him, and the spirit of prophecy from before the Lord resided upon him, and he sang praise in their midst. ¹¹And everyone who knew him yesterday and the day before saw it, and behold, he was singing praise with the scribes. And the people said, each man to his neighbor: 'What is this that has happened to the son of Kish? Is Saul also among the scribes?' ¹²And a man from there answered and said: 'And who is their master?' Therefore it became a proverb: 'Is Saul among the scribes?' ¹³And he ceased from singing praise and entered the house of feasting.

Though the targumist replaces 'prophets' with 'scribes' here, he is not hostile to prophecy, for he necessarily refers to prophets and prophecy often in his translation of the Former and Latter Prophets. In fact, he

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