

## SHE IS MORE RIGHTEOUS THAN I\*

וַיְהִי כַּמִּשְׁלֹש חֳדָשִׁים וַיִּגַּד לִיהוּדָה לֵאמֹר  
זָנְתָה תָמָר כַּלְתֶּךָ וְגַם הֵנָּה הָרָה לְזָנוּנִים  
וַיֹּאמֶר יְהוּדָה הוֹצִיאֶנָּה וְתִשְׂרֹף:  
הוּא מוֹצֵאת וְהִיא שְׁלָחָה אֶל־חַמִּיהָ לֵאמֹר  
לְאִישׁ אֲשֶׁר־אֵלֶּה לּוֹ אֲנֹכִי הָרָה  
וַתֹּאמֶר הַכֹּרֶנָּה לְמִי הַחֹתֶמֶת וְהַפְּתִילִים וְהַמָּטָה הָאֵלֶּה:  
וַיֹּכֵר יְהוּדָה וַיֹּאמֶר צְדָקָה מִמֶּנִּי  
כִּי־עַל־כֵּן לֹא־נִתְּתִיהָ לְשִׁלָּה בְּנִי וְלֹא־יָסַף עוֹד לְדַעְתָּהּ:

And it came to pass about three months after, it was told to Judah, saying:  
Tamar your daughter-in-law has played the harlot and, also, she is pregnant by harlotry.  
And Judah said, bring her out and let her be burned.  
When she was brought out she sent to her father-in-law, saying:  
By the man whose these are, I am pregnant.  
And she said, discern please, whose are these—the signet and the cords and the staff?  
And Judah recognized [them] and said, she is more righteous than I  
inasmuch as I did not give her to Shelah my son.  
And he did not again lie with her.

*And it came to pass about three months after, it was told to Judah, saying, Tamar your daughter-in-law, has played the harlot and, also, she is pregnant by harlotry—Both of her husbands, Judah's first and second sons—Er, who practiced anal sex so Tamar would not become pregnant and lose her beauty, and Onan, who, as yavam, did not want to father a child that would not be his and thus practiced coitus interruptus (Yevamot 34b)—were killed by God for their sins and left Tamar childless. Tamar had tricked Judah into playing the yavam by disguising herself as a harlot. And Judah said, bring her out and let her be burned—As the family head, Judah had the “power of life and death” over Tamar, even though she lived with her parents; because as a *shomeret yavam* (“awaiting the levir”), “any extralevirate sexual relationship would have been adulterous,” carrying the death penalty (N. Sarna). What Tamar had done was considered incest in the Torah—although it was an ancient custom for the widow of the dead man to be married by the brother, or the father, or the nearest relative in the family. When she was brought out she sent to her father-in-law—Although being taken out to be burnt, “her heart was strong as a lion” (Sforno). Saying: *By the man whose these are, I am pregnant. And she said, discern please, whose are these—the signet and the cords and the staff? [which he had left with her as a pledge until he sent her payment]*—She had it within her power to shame Judah but instead left it to his own conscience to acknowledge that he had fathered the child, even at the risk of her own life. Thus the Talmud teaches: “It is better for a man that he should cast himself into a fiery furnace than he should put his fellow to shame in public. From whence do we know this? From Tamar, of whom it says, When she was brought forth etc.” (Berachot 43b) *And Judah recognized [them] and said, she is more righteous than I inasmuch as I did not give her to Shelah my [third] son.*—He had it within his power to deny paternity and to avoid public humiliation but did not. And instead he affirmed that what she had done was for a good purpose, acceptable to God, because “a holy spirit was enkindled within her” (Genesis Rabbah 85:9). *And he did not again lie with her*—Although some [commentators] say, the meaning is that he did not cease from knowing her [sexually].*

\* Genesis 38:24-26 (in Vayashev)