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JERICO IN HALAKHA AND HASHKAFA

“Jericho First”—the concept associated with the initial phase of the current “peace process”—is not new. “Jericho first” also describes how the Israelites entered the land of Israel for the first time. That entry was distinguished by numerous miracles and launched the successful conquest and settlement of the land under the leadership of Joshua. Today, with world attention focused on a city that has long been on the Jewish map, it is appropriate to examine the halakhic and hashkafic attitudes toward this beautiful city. In the process, it will first be necessary to discuss some of the rich history and lore of Jericho.

The Jewish history of Jericho begins with the famous biblical story of its capture by Joshua.¹ As the Book of Joshua relates, Jericho was the first city captured by the Israelites upon their entry into the Land of Israel, and the conquest was accomplished through miraculous means.² In response to a Divine command (Joshua 6:1-21), the Israelites encircled the city once a day for six days and seven times on the seventh day in a procession that was led by seven priests with seven ram’s horns³ and the Holy Ark. After the final encirclement on the seventh day, they blew trumpets and the people issued a great shout;⁴ the city’s wall collapsed⁵ and the Israelites entered the city, burned and destroyed it and its contents, and killed its inhabitants.

Subsequent to its capture, there are many references to it in the Bible. When the Land was divided among the tribes of Israel, Jericho was included in the territory of Benjamin (Joshua 18:21). Not long thereafter, the “City of Palm-trees,” (a pseudonym for Jericho⁶) was captured from the Israelites by Eglon, king of Moab (Judges 3:13). When Hanun, the King of Ammon, shaved off half of the beards of King David’s ambassadors, David charged them to remain at Jericho until their beards grew back (II Samuel 10:5).⁷ In the days of Ahab, king of Israel, Hiel rebuilt Jericho and lost all his children (I Kings 16:34). The prophets Elijah and Elisha, as well as the “sons of the prophets,” lived in Jericho, and Elijah ascended to heaven in a chariot not far from Jericho (II Kings 2:1-11). Later, Elisha “healed” its bitter

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waters by casting salt into them (ibid v. 19-22),⁸ and thus the well that supplied the city with water was called the "Spring of Elisha." The Judean prisoners captured by the Israelites under Pekah, king of Israel, and released by order of the prophet Oded were returned to the "City of Palm-trees" (II Chronicles 28:15). Jericho is also the site of King Zedekiah's capture, which marked the beginning of the end of the first Temple (II Kings 25:5).⁹

During the return to Zion under Zerubabel, 345 "children of Jericho" returned from Babylonia (Ezra 2:34; Nehemiah 7:36) and presumably settled in their native town, as it is also stated that the men of Jericho assisted in rebuilding the walls of Jerusalem (Nehemiah 3:2). Finally, the Talmud provides ample evidence of Jewish settlements in Jericho during the Second Temple and Talmudic periods.¹⁰ In particular, during the final 200 years of the Second Temple, and especially during Herod's reign, Jericho figured prominently in the many political intrigues that occurred.

The history and information provided by archaeologists and historians,¹¹ although differing in some regards from the traditional sources, is in general supplementary and worthy of note. Jericho is considered the oldest town in Israel, if not in the world. This is due to its location near a water source and which, strategically, commands a fjord across the Jordan River. It has thus provided pottery, building samples, and other prized archaeological findings spanning millennia. Remains indicate that the city wall was destroyed by war and earthquake at least 17 times. Ancient cemeteries have provided human remains for study and have shed light on ancient burial practices, including those of the early Jews. Documents and *mikva'ot* from the Biblical and Talmudic period have been unearthed and have supplied information on how transactions were conducted and *mikva'ot* built in those periods.

Jericho continued to be an important city under the Romans, and under Pompey's occupation of Judea, Jericho became the capital of one of the five principalities. Herod made extensive use of the city and constructed many palaces and villas there, several of which are still standing today. The city was destroyed during the Great War with the Romans, but the Romans rebuilt it as a military installation soon thereafter.¹²

Until the Roman period, each succeeding group of settlers constructed their new city on the ruins of the previous city. However, in the Byzantine period, the city was relocated to its present location, about one mile east. This move may have important halakhic ramifications.

A Jewish community was reestablished in the city in the seventh century, possibly by Jews fleeing from Muhammad. Its synagogue, ori-

ented towards Jerusalem and containing a mosaic floor, has been excavated. The Jewish presence dwindled in the early middle ages, during which the town was fought over by the Crusaders and Muslims. After Jericho was entirely burned by the Crusaders, the town was practically uninhabited until the 19th century. The most recent destruction of Jericho, or Al-Rihad as it is now called, was in 1840 by Ibrahim Pasha in a punitive expedition against the Bedouins. At the beginning of this century only 40 to 50 Muslim families lived in Al-Rihad, while by the 1940s the town had expanded to about 3,000 residents. In 1967, the Israeli census indicated a population of almost 7,000, with another 2,000 living in the surrounding areas. Its current population is estimated at about 15,000.

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Immediately following the "battle" for Jericho, Joshua issued two proclamations, the first of which placed a *herem* (ban) on all property found within the city. Except for the gold, silver, copper and iron which were reserved for the treasury of God, everything was to be burned (Joshua 6:21-25). The seriousness of this *herem* in God's eyes is evidenced by the severity of the punishment meted out to the entire Israelite people on account of Akhan's violation of it, as described in chapter 7 of Joshua. Joshua's second proclamation cursed any person who rebuilt the city: "And Joshua charged the people with an oath at that time, saying: 'Cursed be the man before the Lord, that rises up and builds this city, Jericho; with the loss of his first-born shall he lay the foundation, and with his youngest son shall he set up the gates of it'" (Joshua 6:26). This curse is an enigmatic and unexpected conclusion to the extensive preparations for the conquest of the first city in the land where the Jews are supposed to *live*.¹³ It is this curse that we will analyze from a halakhic perspective.

Joshua's curse on rebuilding Jericho was eventually fulfilled when, some 500 years later, Hiel rebuilt Jericho and all of his children died (I Kings 16:34). The incident as reported in the Prophets is cryptic and occupies a mere one verse: "In his [Ahab's, king of Israel] days did Hiel the Bethelite build Jericho; with Abiram his first-born he laid the foundation, and with his youngest son Segib he set up the gates; according to the word of the Lord, which He spoke by the hand of Joshua the son of Nun."

The motive behind this strange curse has been the subject of much discussion. Maimonides¹⁴ suggests that it was intended to guaran-

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tee that the city remain in the same destroyed condition as when God wrought the great miracle of sinking the walls, thus providing physical, tangible evidence to proclaim this great miracle to all. In a similar vein, the Talmud records a blessing to be recited upon seeing the wall(s¹⁵) of Jericho in their destroyed state (*Berakhot* 54a).

Keli Yakar on Joshua states that the reason for this prohibition is the same as for the ban on benefitting from property seized from Jericho, and cites a variety of reasons for that ban, some of which are easier to extend to the rebuilding prohibition than others. Before offering the various reasons why Joshua may have enacted the two bans, he points out that *Radak* did not need to supply Joshua's justifications, since he holds that the prohibition of rebuilding was a direct command from God, with the original communication simply not recorded.¹⁶ The reasons are given by those who hold that Joshua issued both commands on his own initiative. The first reason is that since the city was captured on Shabbat, no benefit should be gained from it. Secondly, Jericho, like all "firsts" in halakha, was set aside as holy to God. Third, it was treated as an *ir ha-nidahat*, a city destroyed by the courts due to widespread idol worship (Deut. 13:13-18). *Keli Yakar* also cites an opinion that since Jericho's capture was entirely supernatural, it is as if God Himself had captured it and therefore the city should be left to Him. Finally, he quotes *Ralbag* that the ban was designed to prevent one who might benefit from items taken from Jericho or from building the city, from attributing his success to Jericho and its base beliefs.

Modern commentators have stretched their imagination to provide alternate explanations for the curse. One recent suggestion,¹⁷ which has no textual support, is that it was intended as a public health safeguard to keep people away from a water source that was spreading, via a snail, the parasite responsible for the disease schistosomiasis.

Traditional commentators have also advanced reasons for the specific punishment for rebuilding Jericho. *Malbim* suggests that building a city is a way to leave a permanent name in this world, a way of achieving immortality. As a punishment for rebuilding Jericho, the transgressor would leave behind no living descendants, the normal avenue for attaining immortality. *Abarbanel* proposes that he who builds that which God desired left in ruins will suffer God's destruction of that which the person intended to "build," i.e., his children.

Whatever the purpose of the curse, Joshua pronounced it, the "Heavenly court" seconded it,¹⁸ and the Talmud records it and even seems to have expanded it. The Talmud (*Sanhedrin* 113a) explains that the prohibition includes "building Jericho, even if it is called by another

name, or building any other city and calling it Jericho."¹⁹ Presented with the above facts, which include: that Joshua issued a curse; David's men and other Israelites seem to have lived in Jericho pre-Hiel; Hiel was punished for violating the curse; there were post-Hiel Jewish settlements in Jericho up to and during the Talmudic period; and that the Talmud explicitly discusses the prohibition, several questions can be asked: Does the prohibition of rebuilding Jericho still apply? Is it permitted to build and/or live in Jericho nowadays? The prohibition must have existed at some point, as evidenced by Hiel's punishment, yet, as cited above, Jews seem to have lived there in the period of the Judges and during King David's reign. Furthermore, *Rambam* and all major codifiers omit this prohibition. And just because they left it out, does that mean we can ignore a curse of Joshua's that is explicitly discussed in a *beraita*?²⁰ These questions, which had little relevance for centuries, suddenly became practical 28 years ago.

To open the discussion, we will start with the question so eloquently phrased by R. Haim Berlin:²¹ "Why did Rambam, who sifted with 13 sieves through the entire corpus of Torah and did not neglect even one law from the written or oral Torah nor from anything written in both Talmuds and all the *beraitot* . . . omit [the law] to not build Jericho?" In attempting to answer this question, R. Haim Berlin cites a *Tosefta*²² and a *Yerushalmi*²³ that both state that once Jericho is rebuilt, there is no prohibition to live there and, presumably, to construct dwellings there. In addition, he claims, it appears that soon after Joshua razed the city, the Canaanites rebuilt it,²⁴ thus permitting settlement by Jews. Furthermore, this permission to dwell in rebuilt Jericho is not a special law related to Jericho, as might be assumed by its mention in the *Tosefta* and *Yerushalmi*, but rather, notes Rav Berlin, it complies with the usual laws of vows. If one vows not to benefit from a house, then if the house is destroyed and rebuilt—even in the same location—the vow no longer applies.²⁵ Thus, even if Jericho were subsequently re-destroyed, the prohibition would still no longer apply. This explains why Rambam omitted this prohibition—it no longer applied once the Canaanites rebuilt the city.

One problem with this scheme is Hiel's punishment. If the prohibition no longer applied even in the days of King David, why was Hiel punished for violating it years later? The answer must be the second half of the prohibition as explained in the Gemara cited above, that of building another city and naming it Jericho. According to Rav Shimon ben Elazar, this was Hiel's sin,²⁶ and the Bavli (*Sanhedrin* 113a) and *Yerushalmi*²⁷ both seem to agree. Although both *Rashi* and *Maharsha*²⁸

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have some trouble with this explanation, it is the only one that can explain Hiel's sin within the framework of understanding that permits building and living in Jericho proper once it was rebuilt once. One problem remains: since this approach maintains that the prohibition of building another city with the name Jericho, the prohibition which Hiel violated, is still in force, the original question returns: why did *Rambam* and all the other codifiers omit it? To this Rav Berlin has no answer, but he cautions that we should nonetheless be careful not to violate the prohibition.

This approach to the prohibition, that once Jericho was rebuilt the prohibition is gone, is not unique to Rav Berlin, although approaching it via the general laws of vows seems to be. *Meshekh Hokhma*,²⁹ among others, also proposes that the prohibition falls away once Jericho is rebuilt. To explain why the prohibition falls away, Rav Waldenberg³⁰ suggests, based on *Rambam*, that the purpose of the original ban was to preserve the scene of the miracle so that all could behold God's wonders. Therefore, once it is rebuilt, the purpose of the ban no longer exists and it is permitted to rebuild the city. This would also explain the Jewish settlement in Jericho in the Talmudic period even according to Rav Waldenberg, who rejects the notion that Hiel built another city and called it Jericho. In order to explain Hiel's punishment in light of a seeming Jewish settlement in Jericho in King David's time, he proposes two possible solutions, one relating to Hiel and one to King David's men. In relation to Hiel, it is possible that the curse only applied to one who builds the city in its entirety—walls, gates, etc.,³¹ which had not been done until Hiel dared to do it. Thus, he was punished, while those who came before him and lived in an unwallled settlement in King David's period were not. Alternatively, it is possible that King David's messengers were Canaanites and not Jews and therefore the prohibition regarding Jericho did not apply to them.³² Either of these two explanations, along with the approach that once it is rebuilt there is no prohibition, resolves the difficulties nicely.

One problem remains with Rav Waldenberg's explanation. There would seem to be two halakhot relating to the remains of Jericho's city wall, which was miraculously destroyed. The first is that they must remain untouched and the city not rebuilt so that the miracle can be seen and appreciated by all. The second is the obligation to recite a *berakha* upon seeing them in their ruined state, just as one is obligated to recite a *berakha* upon seeing any object or place where a miracle was performed for the entire Jewish nation. The prohibition of building the city and the obligation of reciting a *berakha* appear to be inextricably

linked; if the prohibition exists, the obligation exists, otherwise neither exist. Yet the halakha relating to the *berakha* is discussed in *Shulhan Arukh*,³³ while the prohibition of building the city is not mentioned. A possible explanation is to reinterpret one of these laws, and that this is what *Arukh haShulhan* does, although not explicitly. He cites almost verbatim the text of the Talmud which lists all of the "miracle sites" at which blessings are recited. He also includes one very significant addition, from our perspective. When he mentions "the walls of Jericho," he adds, "That means, their location." In the next paragraph he further explains that some of those items listed in the Talmud refer to the actual item, while others refer simply to the location at which the miracle occurred. In that paragraph he totally omits any mention of the walls of Jericho. It must be assumed that he felt that all that is required is the site, not the actual wall, although he gives no source for this. According to this reading, there is no contradiction between the two laws. The prohibition of building the city was meant to preserve a higher level of remembrance, the actual destroyed walls. Once they have been tampered with, the prohibition is lifted. The *berakha*, on the other hand, does not require a tangible artifact, and one's being at the location where the miracle occurred is significant enough to warrant a blessing.

One of Rav Waldenberg's suggestions is that the curse only applie(s)(d) to one who builds the city in its entirety—walls, gates, etc. This idea is adopted and expanded by Rav Sternbuch,³⁴ who proposes that the prohibitions apply only to one who builds a complete city similar to the original Jericho and with the explicit purpose of memorializing the city destroyed by Joshua. Thus, if one simply builds a house on the site of ancient Jericho with the purpose of dwelling there, but with no intention to commemorate the ancient city, there is no prohibition. The same logic also applies to building another city with the name Jericho.³⁵ R. Sternbuch also mentions that if there is currently a city on the original site, as he says there is today, there is certainly no prohibition to live and build there, although he does not explicitly extend that to mean the prohibition is permanently removed.

The approaches presented thus far to understanding the prohibition have assumed that once the city is rebuilt, even once, the prohibition is permanently removed. An alternate approach to the historical facts can lead to a different conclusion. This approach would explain the Jewish settlements in Jericho during the Second Temple period by positing that once the city is built, one may live there. Hiel's crime would then be that he violated the essence of the prohibition and actually *built* Jericho. As for King David's men, it is possible they were not in Jericho

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proper, but in its "suburbs."³⁶ According to this approach, there is not today, and there never has been, a ban on living in Jericho, but there has always been, and continues to be, a prohibition to build the city.

Rav Shimon Falk³⁷ has also dealt with this issue. As one explanation of the Jewish settlements subsequent to Hiel, he cites the Yerushalmi (*Sanhedrin*, end of chap. 10) and the Tosefta (*Sanhedrin* 14) that say that once Jericho is built, one can live there. However, he also offers a novel approach. He suggests that Joshua's phraseology was very specific. The original curse says, "Cursed be the *man* . . ." Thus, the curse applies only to individuals. If the Jewish community as a whole hires workers to build Jericho, there is no prohibition. The Jewish settlements before Hiel had all been community efforts. He was the first to challenge³⁸ Joshua's curse as an individual, and he paid the price.

Most of the above explanations suggest that the first part of the prohibition, that of building Jericho itself, has somehow been removed. That answers the question of why the codifiers omitted it, but it still leaves us wondering about the omission from the codes of the second half of the prohibition, that of building another city and naming it Jericho. For those who propose that that is what Hiel did, this question certainly remains unanswered. But for the others, there is a clever solution proposed by Nahalat Shimon,³⁹ who suggests that although there were two distinct prohibitions, one of them, the one related to the original city, is primary. The secondary one, that of building another city and naming it Jericho, is linked to the primary one such that once the first prohibition is removed (by an illegal construction of Jericho proper such as was done by Hiel, for example), *both* prohibitions no longer apply. This explains why both prohibitions are now void and thus omitted from the codes.

Rav Sha'ul Yisraeli⁴⁰ has also dealt with this issue, but from a different angle, and reached different conclusions. His approach is to emphasize the comparison between the prohibition of building Jericho and the ban on building or benefiting from an *ir ha-niddahat*, a city destroyed by the courts due to widespread idol worship (Deut. 13:13-18). This comparison is based on Rav Rahaya's statement (*Talkut Shimoni*, Joshua 6): "It [Jericho] was made like an *ir ha-niddahat*, and an *ir ha-niddahat* is prohibited from all benefit." Rav Yisraeli proceeds to explain the seemingly divergent sources which portray an inhabited city of Jericho before Hiel, Hiel's punishment, and later settlement during the Talmudic period by asserting that the cities referred to are all *not* the original Jericho. The city that was inhabited pre-Hiel was

another unwallled city with the name Jericho. And, as per the Tosefta cited above, the city that Hiel built was also not the original Jericho. Rather, he merely walled in an existing city named Jericho. Joshua's whole curse (both halves of it) only relates to walled cities. This is derived from the comparison to an *ir ha-niddahat*, which must be a walled city. Based on this comparison, even in the original Jericho, those parts that were outside the city wall, as referred to in Joshua 5:13, and by the phrase *Ir Temarim*—city of date-palms,⁴¹ were not included in the original ban. Post-Hiel inhabitants,⁴² therefore, resided either in an unwallled Jericho, or in the original Jericho's unwallled section, against which there is no ban.

All of the above applies to naming another city Jericho. However, Rav Yisraeli posits that Jericho proper is designated a *tel olam*, a permanent ruin, similar to an *ir ha-niddahat*,⁴³ and can *never* be rebuilt or settled.⁴⁴ This is an eternal ban and unrelated to if it currently has walls. In conclusion, he maintains that it is forever prohibited to live in the original walled Jericho and that there is a perpetual ban on building another walled city and naming it Jericho. However, living in such a city or building an unwallled Jericho is not a problem.

To summarize, then, two verses in the Bible deal with the prohibition of living in Jericho: the curse in Joshua and its fulfillment in I Kings. In a brief statement, the Talmud accepts the curse as a double prohibition to build the original Jericho or to build any other city and call it Jericho.

Nevertheless there is evidence that Jericho was inhabited by Jews in all periods, pre- and post-Hiel, indicating that they did not avoid the city. In addition, the major codifications omit these prohibitions. Modern commentators⁴⁵ have sought to reconcile the contradictory evidence and justify the codifiers' omission by proposing a number of solutions. These solutions include some of the following ideas:

(1) Once Jericho has been rebuilt, even once and even illegally, the prohibition is removed forever. This rebuilding may have occurred at the hands of the Canaanites soon after Joshua conquered it, or it may have taken place years later by Hiel.

(2) If the city was built, even wrongly, it is permitted to live there, although the prohibition to build it may still exist.

(3) It is only prohibited to build the city completely, as it originally was, with walls, gates, etc.

(4) Both prohibitions apply only if the intent is to actually commemorate the original city of Jericho destroyed by Joshua.

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(5) The prohibition applies only to individuals, not the Jewish community as a whole.

(6) Finally, it is possible the prohibition existed and continues to exist, and all evidence of Jericho's habitation refers either to other Jerichos, which have a different sort of prohibition, or to "suburbs" of the original Jericho.

It is almost unanimously agreed that there is no prohibition to build or live in the original Jericho nowadays. The application to the present Jericho is less certain, however, since it would seem that historically there is little doubt that the current city of Jericho is *not* located on the site of the original city that existed in Joshua's time. Thus, to build or live in present-day Jericho might fall under the rubric of "building another city and naming it Jericho," a prohibition more applicable today than the prohibition of living in the original city, especially post-Hiel. Only according to Rav Yisraeli's analysis would there be a benefit from Jericho's move to its present site. If the site of the present Jericho is on the outskirts of the original Jericho, then it is not a new city, as the outskirts of the original Jericho were called Jericho (as noted above), yet it does not fall under the ban of the original Jericho since it was not within the original walls that existed when Joshua captured it. This notwithstanding, most authorities see no problem with building and living in the present Jericho, for whatever reason.

Regarding the second half of Joshua's curse, there is less consensus whether the prohibition of building another city and naming it Jericho applies today. It is therefore generally advised that one not do such a thing.

A blessing should be recited upon seeing the ruins, or, according to *Arukh haShulhan*, the site of the ruins, of the original Jericho.

But the very strong question on all of the codifiers remains: since, according to many opinions, at least one of the prohibitions applies today, why did the codifiers not include this prohibition in their legal works? Furthermore, according to the opinion that Hiel built the original Jericho, and that removed the ban, why does the Talmud record both bans? One could answer that the Talmud is simply explaining Joshua's original intent and not stating the current status. If so, however, it would behoove the Talmud to state that matters have changed since the original proclamation. Thus, no matter how the ban is explained and how the various recorded Jewish settlements in one Jericho or another are explained, the Talmudic statement and the codifiers' silence remain *tzarikh iyyun*—they require explanation.

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Jericho, the first city captured, was considered a special city in many ways.⁴⁶ One of these was its link to Jerusalem, the holiest city. Although Jericho lies 30 miles east of and about 3,600 feet lower than Jerusalem,⁴⁷ many of the rituals taking place in the Temple in Jerusalem were said to have been sensed in Jericho. The sounds of the flute, cymbals, *magrefa*,⁴⁸ and *shofar* and the Levites' daily song, were heard in Jericho. In Jericho was also heard the sound of Gavinni, the Temple sexton, as he roused the priests with his cry: "Arise, priests, to your service; Levites to your pulpits, and Israelites to your stands." And after he finished, the sound of the opening of the great gate of the Temple was heard in Jericho. Some say that even the voice of the high priest as he intoned the Divine Name on Yom Kippur was heard in Jericho. The link between the two cities was olfactory as well; the scent of the incense burning in the Temple was not only perceptible, but was all-pervasive in Jericho. It is said that the goats in Jericho would sneeze from the smell of the incense. In addition, the women of Jericho, even brides, had no need for perfume, for the same reason.⁴⁹

There are three ways to understand these descriptions. They can be viewed as natural events, and Jericho simply as a landmark, i.e., every place within a 30 mile radius was also able to perceive this events. Alternatively, the Talmud could be using *guzma* (exaggeration) to stress a point, but in reality these events were not perceptible in Jericho. Finally, it could be understand the way Ra'avad explains it. Ra'avad,⁵⁰ in the name of his teacher, asserts that the statements regarding these perceptions applies uniquely to Jericho, and there only by virtue of a miracle. He then elaborates on why God would perform such a miracle. It is because "Jericho is like Jerusalem." Just like all "firsts," be they grain, fruits, shearings or male children, are consecrated, so too, Joshua consecrated the first section of the Land of Israel he captured. Because of this holiness, Jericho is similar to Jerusalem, which is the holiest city. To emphasize this point, God performs this miracle, which produces a tangible link between the two cities. Although not stated by Ra'avad, this would also provide another rationale for Joshua's ban;⁵¹ just as all "firsts" are subject to restricted use, so too the first of the Land was set aside as holy and was to have limited use.

This connection between Jericho and Jerusalem, or more specifically the *Bet haMikdash* and Jericho, is further highlighted by a most enigmatic *Sifrei*.⁵² When the Land of Israel was originally divided

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among the various tribes, it had not yet been revealed where the Temple would be constructed, and hence which tribe would have to give up some of its land for that purpose. Since the site of the Temple Mount in the second Temple period was 500 x 500 *amot*,⁵³ a 500 x 500 *ama* area was set aside as part of the original allocation in the outskirts of Jericho and would be given to the tribe in whose territory the Temple would eventually be built, in exchange for the land they would give up for the Temple site.⁵⁴ It therefore turns out that the original land set aside for the *Bet haMikdash* was set aside not in Jerusalem but in Jericho!

The link between the Temple service and Jericho extended to the priests officiating in the Temple. The Talmud tells us that not all the priests worked every week; they were divided into 24 work groups called *mishmarot*. We are told: "There were 24 *mishmarot* in all of the Land of Israel and 12 in Jericho." In explanation of the implication that there are more than 24 total *mishmarot*, the Talmud says: "When the time came for a *mishmar* to ascend to Jerusalem, half of the *mishmar* would ascend from its hometown to Jerusalem and half to Jericho," and thus, half of the *mishmar* was always in Jericho.⁵⁵ It is amazing but true that when the *kohanim* went to perform their twice-yearly service in the Temple, half went to Jerusalem and half carried out their obligation/privilege by being stationed in, of all places, Jericho!

Even today, we have in our liturgy a reminder of one of the links between Jericho and Jerusalem. In the *Bet haMikdash* it was the custom during *Sukkot* to march daily around the altar and say, "*Ana Hashem hoshia na, ana Hashem hatzliha na*" (Psalms 118:25). On the seventh day, they would encircle the altar seven times in remembrance of the conquest of Jericho. After the destruction of the *Bet haMikdash* this custom was moved to the shul and is now carried out on *Hoshana Rabba*.⁵⁶

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However Joshua's curse is interpreted, to leave the city barren or simply not to build it a fortifying wall, there is no historical precedent for excluding Jericho from the boundaries of the Land of Israel. From all of the above it is clear that Jericho has always been viewed as an integral part of the Jewish state, and it appears to have had a Jewish population for most of its history. The ban was not meant in a negative fashion, but as a segregation for holiness. Jericho was considered the "key" to the land of Israel for the Jews.⁵⁷ The Zohar⁵⁸ states that Jericho is considered equal to all of the Land of Israel.⁵⁹

The traditional connections between the Jewish people and Jericho go back to ancient times and project to the end of days.⁶⁰ These links go all the way back to identifying Jericho as the threshing floor of Atad,⁶¹ the place where Jacob our forefather was mourned, all the way forward in time to the messianic period when the enemy Gog will be defeated in the Valley of Jericho.⁶²

Jericho is unique: It is the physical link between the Land of Israel and *hutz la'aretz*, the link between the Jewish people and the converts who were originally given the city, the first city captured by the Israelites on their entrance into The Land, it has direct spiritual and physical links to the holy city of Jerusalem, and its connection to the sense of smell symbolizes its bridge between the physical and spiritual realms.⁶³ It is truly a special city. As Rabbi Eliezer Waldenberg wrote over twenty years ago: "There is no prohibition from Joshua to weaken our efforts to do all we can to prevent this important city from leaving our authority, . . . All this [the many connections between Jerusalem and Jericho] teaches us that Jericho should never again leave our possession, just as, God willing, the holy city of Jerusalem will never again leave our possession."⁶⁴

NOTES

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1. The city is mentioned in *Humash* a number of times as a geographical marker, not specifically related to the Jews, e.g. Numbers 22:1, Deuteronomy 32:49; 34:1,3.
2. *Hazal* suggest that Jericho was selected to be captured first because its capture was more difficult than that of all of the other towns in the Land combined (*Be-midbar Rabba*, 15:1; see also *Be-midbar Rabba* 15:15). Rav Sternbuch (*Moadim uZemanim* 5:347, p. 207) proposes that capturing walled cities is more difficult and hence requires greater miracles, giving these sites their additional level of holiness (*Kelim* 1:1). Thus, Jericho has a level of holiness above that of the average walled city. [See later in this article for more on Jericho's holiness.] See also *Likutei Halakhot, Breslav, Hilkhos Birkhat haRe'ah* 5:7 for an additional reason why Jericho was the first city the Israelites captured, based on the sense of smell and Jericho's special connection to it.
3. Rav Ya'akov ben Abba Mari ben Samson Anatoli (13th century, France and Italy) (*Melamed haTalmidim*, p. 119, cited by Rav M. Kasher in article 31 in the back of *Torah Shelema*, vol. 16), suggests that the number seven

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is significant as part of the Torah's message of eradicating idolatry. *Eliyahu Zuta* (22:8) notes that the use of the *shofar* in the conquest of Jericho is one of the reasons for the *shofar*'s creation.

4. This method of capturing a city is alluded to in Jeremiah 50:15 as one that will be used in the future against Babylonia.
5. Actually, the Talmud (*Berakhot* 54a) states that the wall was "swallowed in its place," i.e., it sunk rather than falling over. This is based (*ibid.*, 54b) on Joshua 6:20 and explained by the fact that the walls' breadth and height were equal and thus, there was no point in their falling over. *Maharsha* (*Berakhot* 54a) adds that the sinking, rather than collapsing, of the wall facilitated the capture of the city, since the Israelites were able to proceed straight into the city without having to worry about debris from a collapsed wall.
6. See Deuteronomy 34:3 and II Chronicles 28:15. *Targum Yonatan* translates "*Ir haTamarim*" (city of palm-trees) in Judges 1:16 and 3:13, and "*Tamar*" (palm-tree) in Ezekiel 47:19, as "Jericho." The source for this nickname is the region's fertility and hence the abundance of palm trees. The fertility of the region, alluded to in the Bible, is discussed at length by Josephus (*Wars*, iv. 8, par. 3). The etymology of its true name, *Yericho*, is not as obvious. One suggestion links it to the word *re'ah*, scent, since the city was known for the sweet-smelling balsam plants which grow in the Jordan valley (Rashi on Ezekiel 27:17; *Yosifon* 38; Rashi on *Berakhot* 43a, s.v. *Shemen*). Others link it to the word *yare'ah* (moon) for a variety of reasons. It is either simply alliteration (*Tikkunei Zohar*, *tikkun* 5), or it hints at the ease with which the moon was seen from Jericho and hence the reliability of the witnesses coming to testify before the court in Jerusalem regarding the new moon (*Yosifon*, 38; see Rabbenu Bahya on Deuteronomy 32:49), or it relates to the fact that the early inhabitants were moon worshipers (Josephus, *Wars* i. 6, par. 6; *Yosifon* 38). The two explanations of the word *Yericho*, scent and moon, may relate to the two spellings found in *Tanakh*, with and without a *yud* (See commentaries to *Yosifon*, 38).
On other aspects of Jericho's name, Jericho and date-palms, the link between Jericho and Babylonia based on date-palms, and several other aspects of Jericho, some touched on in this paper, see: R. Arye Hendler (*Yeshivat Sha'alvim*), *Hen Makom*, pp. 35-63.
7. This story is thought to be the source of a number of English sayings in which Jericho is the proverbial place of waiting or obscurity, or of a distant, out-of-the-way place. The expression, "From Jericho to June," means a prodigious distance; "Gone to Jericho" means "Gone to no one knows where"; "Go to Jericho" means "Begone!"; "Stay in Jericho" means "Wait until you have grown older and wiser"; to "wish one to be in Jericho" is to wish one far away (J.A.H. Murray, *Oxford Dictionary*, s.v. "Jericho"; *Legends of Judea and Samaria*, by Zev Vilnay, Vol. 2).
8. This incident is mentioned in the prayer to rectify a bad dream (*Y. Berakhot* 5:1; *B. Berakhot* 58b; *The Complete Artscroll Siddur*, p. 696). The spring is called *Ein es-Sultan* by the local Arabs and is the halakhic/historical border between the tribes of Benjamin and Joseph (Joshua 16:1,7; 18:12).
9. See also Jeremiah 39:5 and 52:8.

10. See *Berakhot* 37a; *Pesahim* 55b-56a (for a beautiful explanation of one of the items listed here, that of the people in Jericho not saying "*Barukh Shem . . .*" in the *Shema* prayer, see *Hen Makom*, p.62, who cites *Ohev Yisrael*, *Vayehi*, p. 55-57); *Sota* 48b; *Sanhedrin* 11a, as well as sources cited in the next two sections.
11. See *Encyclopaedia Judaica*, Vol.9, p. 1366-1372 and *Jewish Encyclopedia*, Vol.7 p.110-112.
12. The Christian tradition claims that miraculous acts of Jesus, such as healing the blind, occurred in Jericho during this period (*Matthew* 20:29; *Mark* 10:46; *Luke* 18:35).
13. According to *Keli Yakar* on Joshua, the strangeness of this curse, and the fact that it would appear strange to the Israelites entering the Land, is emphasized by the need for Joshua to assemble the entire people together and cause them to take a joint oath.
 Note that this is not the same *Keli Yakar* as the one on *Humash*. This one is by the Sephardi (Syrian), Rav Shmuel Laniado (d. 1605). *Keli Yakar* on *Humash* is by the Ashkenazi, Rabbi Ephraim Solomon ben Aaron of Luntshits, Poland (1550-1619).
14. *Moreh Nevukhim* 3:50. Cited by *Radak*, *Abarbanel*, *Malbim*, *Rif* and *Da'at Mikra* to Joshua 6:26. *Da'at Mikra* (Joshua 6:26, footnote 73) cites evidence that this type of curse, i.e., not rebuilding a captured city, existed among other nations as well.
15. See *Dikdukei Soferim* on *Berakhot* 54a. See also *Yalkut Shimoni* (Joshua 11) regarding Jericho's having seven concentric walls.
16. See below note 18 for Abarbanel's justification of this position.
17. E.V. Hulse (1971), "Joshua's Curse and the Abandonment of Ancient Jericho: Schistosomiasis as a Possible Medical Explanation," *Medical History* 15:376-386. See also Robert G. Boling, "Jericho Off Limits," *Biblical Archaeologist*, Spring 1983, pp. 115-116.
18. *Yerushalmi*, *Berakhot*, ch. 9, cited in *Sha'arei Torah*, *Kuntras* 4, *Siman* 42 and *Tsits Eliezer* 11:12:9. God's agreement is suggested by the fact that the curse was carried out exactly as specified when Hiel violated it, and, according to *Malbim* and *Rif*, hinted at by the phrase, "And the Lord was with Joshua" (Joshua 6:27) immediately following the curse.
 The above assumes that Joshua issued the curse and the *herem* on his own initiative, as stated explicitly by *Rif* on Joshua 6:26. *Abarbanel* has difficulty with this proposition and states that Joshua would never have issued such a proclamation on his own. Rather, he contends that it was an explicit command from God. He even finds the source of this command in the phrase, "For the place that you are standing is holy" (Joshua 5:15). The phrase, "Before the Lord," in Joshua 6:26, and the phrase, "According to the word of the Lord," in I Kings 16:34, are also cited as proofs of this position. (Other explanations of the phrase, "Before the Lord" are also offered. *Keli Yakar* says it includes future generations whose souls are already "before the Lord." See *Nahalat Shimon* on Joshua, by Rabbi Shimon Krasner, 1978, 6:26, for a detailed legal discussion of how a *herem* can apply to those not present and to future generations.)
19. The Talmud's second prohibition seems to clash with the reason Maimonides gives for the ban: If the purpose is to leave intact the original ruins,

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why should there also be a prohibition on building other cities and calling them Jericho? *Keli Yakar* provides a possible answer. Building another city and calling it Jericho might lead people to assume that this was the original Jericho, not see any sunken walls, and deny that a miracle ever happened. This explanation, however, would limit the second prohibition to the Land of Israel and remove the problem of all the other "Jerichos."

20. *Sanhedrin* 113a. See Rav Eliezer Waldenberg, *Tsits Eliezer* 10:1:12.
21. *Sha'arei Torah*, op. cit. (d. 1910) He was the son of the *Netsiv* (Rav Naftali Tsevi Yehuda Berlin, 1816-1893) and brother of Rav Meir Bar-Ilan (1880-1949).
22. *Sanhedrin*, Chap. 14.
23. *Sanhedrin*, end of chap. 10.
24. See Judges 1:15. For this purpose it is irrelevant whether Joshua's curse applied to non-Jews as well. Based on Rambam's explanation of the curse, it should apply to Gentiles, and Shadal says that the phrase, "Before God" in the curse indicates it applies to all people anywhere in the world.
25. *Shulhan Arukh, Yoreh De'a*, 216:5. See also *Tosafot, Temura*, 6b s.v. *veHashta*, that this is according to all opinions.
26. *Tosefta, Sanhedrin*, chapter 14.
27. *Sanhedrin* 10:2,8 explains that Hiel was not from the tribe of Benjamin, and thus would not have had the ability to build the original Jericho located in Benjamin's territory. In addition, Jericho was in the Kingdom of Judah, while the text presents Hiel as a resident of Ahab's Kingdom of Israel. *Sefer Margalioth haYam on Sanhedrin* points out that Jericho is always written with "vav" as the last letter, except in the Hiel story, where it in ends with a "heb," indicating that it was not the original Jericho, but another city with that name.
28. Comments to *Sanhedrin* 113a.
29. Parshat *Re'eh*. Written by Rav Meir Simcha haKohen of Dvinsk (1843-1926), author of *Or Same'ah*.
30. *Op. cit.*
31. Rav Waldenberg cites this suggestion in the name of *Shut Zikhron Yosef, Hoshen Mishpat* 2, who rejected this answer.
32. The proposal that a settlement of Canaanites (who were permitted to live there) and not Jews (who were not) existed, is in contradistinction to Rav Berlin's suggestion that even if others build the city, Jews may now build and live there. Rav Berlin's argument seems to make sense according to Rav Waldenberg's own logic: If the issue is seeing the original ruins, why should it matter who destroys the ruins—it should now be permissible to live in the city. It would also seem that the original curse should apply to non-Jews as well, if the issue is maintaining the original ruins.
33. Rambam is off the hook here since he does not mention the prohibition of building the city. However, in his discussion (*Hilkhot Berakhot* 10:9) relating to saying a *berakha* on the site of a miracle, he cites only some of the Talmud's examples, but leaves out the reference to the walls of Jericho. He therefore leaves out both *halakhot* and does not exhibit this internal contradiction.
34. *Moadim uZemanim* 5:347, footnote on p. 207.
35. This may have been part of Rav Shlomo Goren *zt"l*'s logic during a person-

- al conversation with him in 1981, when I asked him about the propriety of the name "Mitzpe Yeriho" that was being used for a new settlement overlooking the Jordan Valley. In addition, he told me, the main reason it was not a problem was that the city was not being called Jericho, but rather, Jericho was serving as a geographical reference as its part of a larger name. In other words, as in many other areas of *halakha*, a *shem lavaya*, an "escorting" name—makes the whole name different.
36. This solution (based on Joshua 5:13 and *Nedarim* 56b) is presented by *Shut Zikhron Yosef*, *op. cit.*, as well as by *Radak* on I Kings 17. The extension of this, presented next, is not theirs, but mine. The suggestion regarding the suburbs of Jericho may be problematic in light of one of the few sources portraying Jericho in a negative light (*Ruth Rabba*, Introduction: 2; *Etz Yosef*, *op. cit.*), which seems to indicate that the Elisha story occurred in the very Jericho that Joshua cursed.
 37. In *Tel Talpiot*, 1919; 82 and 91. He is also the author of *Shut Shem mi-Shimon*. This suggestion is also found in *Meshekh Hakhma*, *Re'eh*, and is similar to the explanation given on a different verse in the *Sifrei* (*Tsav*: 132).
 38. A *midrash* (*Seder Eliyahu Zuta* 8:3, ed. Ish-Shalom, 1904, p. 185) relates that Hiel was at first reluctant to build Jericho, but Ahab [king of Israel and builder of altars to pagan gods] challenged him. He said: "You poor fool! The words of the Almighty God [conveyed through Moses] were not fulfilled in regard to me. Although he warned: 'Take heed . . . lest your heart be deceived and the anger of the Lord be kindled against you . . . so there shall be no rain.' And it is years that I worship idols and the heavens has not been shut up [it still rains]. . . all the more so will the words of His pupil Joshua remain unfulfilled." Hiel then built Jericho, with the ensuing loss of all of his children, and Eliyahu the prophet saw to it that for Ahab's sake, a drought soon followed. A similar story is related in Y. *Sanhedrin* 10:2 and B. *Sanhedrin* 113a, although in the Bavli, Ahab's comparison is stated after Hiel has already lost at least one son. What is staggering, and is alluded to in the Gemara, is Hiel's reluctance to see God's hand at work even as his children are dying. That Ahab could convince him to start is understandable, but that Hiel should persist is a strong testament to the power of the *yetzer hara* in clouding clear thinking.
 39. On Joshua, p. 152.
 40. *Sefer Eretz Hemda*, addition to *Sha'ar* 4:2.
 41. Walled cities did not contain trees. See *Baba Batra* 24b, and apply the principle to non-Jewish cities.
 42. Since these include Elisha, Rav Yisraeli would be positing that the water Elisha "cured" may not be body of water called the Spring of Elisha located near the original Jericho.
 43. The precise meaning of the phrase *tel olam* in its original context is a subject of dispute in the *Mishna* in *Sanhedrin* 111b, although it appears that all agree that the city should remain uninhabited.
 44. This explanation is cited as one possibility by the *Korban ha'Eda* on the Yerushalmi *Sanhedrin* 10:2. *Nahalat Shimon* (*op. cit.*) on Joshua, p. 150 footnote 3 discusses the two possibilities mentioned by the *Korban ha'Eda*.

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45. It should be noted that all of those cited who dealt with these problems are later than the mid-19th century.
46. Even people and objects connected to Jericho are considered special. Counted among the descendants of Rahav, the inn-keeper of Jericho who housed Joshua's spies, are Jeremiah and Ezekiel the prophets and Hulda the prophetess (Joshua 2:1; *Yalkut Shimoni*, Joshua 9; *Pesikta de-Rav Kahana* p.115a).
47. The *Rav miBartenura* on *Tamid* 3:8 says that they are 10 *Parsaot* apart.
On many of the sources in this section in an historical context, see Joshua Schwartz, "On Priests and Jericho in the Second Temple Period," *JQR* 79:1 (July 1988), pp. 23-48.
48. A special instrument capable of producing hundreds of sounds. See *Arakhin* 10b-11a.
49. *Tamid* 3:8; *Yoma* 39b. See also *haKohen meLublin* in *Dover Tzedek*, p.145-146 about the ten items that were perceptible in Jericho. See also *Zohar* 2:8b about the journey of the Messiah from Jericho to Jerusalem.
50. *Tamid*, chapter 3:1,8 (printed at the end of *Tamid*). Compare this also to *Maharal* in *Gur Arye*, *Beha'alotekha*, Numbers 10:32; and *Morah Nevukhim* 1:8. The only piece of evidence pointing toward the first understanding, that Jericho is non-specific and simply an example, is that the *Mishna* in *Tamid* 3:8 also states that Rabbi Eliezar ben Diglai claimed that his father's goats in Har Mikhvar also sneezed from the incense. Har Mikhvar is given many possibly identifications, but Jericho is not one of them.
51. This is mentioned by *Keli Yakar* (see text accompanying note 16) and *Moadim uZemanim* 5:347, footnote p. 207, who also cites this suggestion in the name of Radak.
52. Numbers 10:32 (*Beha'alotekha*: 81). See also: *ibid*, *Re'eh*: 62; *ibid*, *Zot haBerakha* 352; *Avot deRabi Natan* 35:4; *Yalkut Shimoni*, *Shoftim* 1:38; *Tosafot*, *Baba Kama* 82b, s.v. *ve'ein*; *Tosafot Yeshanim*, *Yoma* 12a, s.v. *ha*.
53. *Middot* 1:1.
54. Rashi cites this midrash on Numbers 10:32 and he adds that the 500 x 500 *ama* area around Jericho was not given to any one tribe, because they would then eventually lose it. Rather, it was given to the descendants of Yitro, Moshe's father-in-law, until such time as the Temple would be built (See Judges 1:16; On giving it to Yitro's descendants see Zvi Grumet, "Within and Without Our Encampment in the Desert: The Ambivalent Acceptance of a Biblical Convert," *Tradition* 28:3). For a possible practical halakhic ramification of this, see *Tosafot* to *Baba Batra* 81b. See also the *Ragotchaver* in *Tzafnat Pane'ah*, *Sanhedrin* 113a, who suggests that they banned use of this area and set it aside for Temple use.
55. *Ta'anit* 27a. See *Rabbeinu Hananel* and *Rabbeinu Gershom* on this *Gemara* for differing interpretations. See also *Yerushalmi Ta'anit* 4:2. The *Gra* states that this discussion relates to the *mishmarot* of *leviim*, not *kohanim*. Even if that is the case, the amazement of this statement is still there, only slightly weaker. Although *Rambam* (*Hilkhot Kelei haMikdash* 3:9, 4:3) cites the history and procedure of the *mishmarot* (*kohanim* and *leviim*) as related in the Talmud, he leaves out the section dealing with Jericho. It is even more surprising that the *Arukh haShulhan* *he'Atid*

- (*Hilkhot Kelei haMikdash*, *Dinei Kohanim*, 22:1-29) who raises a whole series of items relating to the *mishmarot* that Rambam seems to have left out, does not ask about the Jericho connection.
56. Yerushalmi *Sukka* 4:3; *Midrash Tehillim* (*Shoher Tov*) 17 (ed. Buber), p.65; Eliezer of Gremiza, *haRokeah haGadol*, 1960 (ed), p. 124, n. 221; Rav Avraham Yitzchak Sperling, *Sefer Ta'amei haMinhagim* (Eshkol Publishing), paragraph 804, page 351.
 57. *Be-midbar Rabba* 15:15; *Tanhuma*, *Beha'alotekha*:14.
 58. *Zohar Hadash*, *Bereshit*, page 13, column 4.
 59. Jericho symbols are linked to the Jewish people even by secular representatives. The rose of Jericho is a plant which, after it has produced seeds, rolls itself up into a dry ball. When this ball is plunged into water, it opens and spreads out into the shape of a rose; therefore, it has become the symbol of resurrection. The rose of Jericho also became a symbol of the Jewish national revival in the land of the forefathers.
 In 1862, Moshe Hess, a Zionist precursor, told the following story: once there was a powerful knight who went east to take part in the siege of Jerusalem. He had a Jewish friend, a famous rabbi who, faithful to his people and his God, dedicated all his strength to the study of the Torah. When the knight returned from the wars, he went to visit his Jewish neighbor and found him engrossed in the holy books. "God is with you, my friend," he said. "I come from the Holy Land, and here is a precious gift as a token of our devotion to each other. I live by my sword and you dedicate yourself to the teachings of the living God." And he extended to the rabbi a dry rose of Jericho. Deeply moved, the rabbi took it into his hands; his hot tears fell onto the dry leaves, and lo and behold, a miracle happened: the hard ball opened up and flourished like a rose. "Do not wonder, my friend," said the rabbi, "that the withered rose should flower again. This rose, when it is touched by the breath of love, warms up and then revives and blooms, even though it has been uprooted from the soil for a long time. Thus will the people of Israel bloom and flourish again, and the holy spark which has nigh been extinguished under the ash will be rekindled and burn like a fiery torch." (Moshe Hess, *Rome und Jerusalem*, 1863, (Hebrew translation, David Zemah, 1899), p.85; A.H. Langbank, *ha-Magid*, XXI, no. 36, 1877, p.329. Cited in Vilnay, *op. cit.*)
 60. Although, the historical centrality of Jericho certainly still persists, its unique link to Jerusalem and added degree of holiness may only exist during the Temple period (see Sternbuch, *op. cit.*).
 61. Genesis 50:9-12; *Genesis Rabba* 96. More precisely, it is identified as Bet Hogla, a site right outside Jericho.
 62. Ezekiel 38-39; *Berakhot* 58a; *Sifrei*, *Devarim* 357.
 63. See *Hen Makom*, p.62-63.
 64. This statement (like this article), was probably not made as a halakhic or political statement about whether a specific piece of the Land of Israel should be given away in a "peace treaty." More likely, it was a *hashkafic* or philosophical statement on how we should view Jericho.