

“David Melech Yisrael Chai VeKayam”: Kiddush HaLevanah, Midrash, Archeology and Redemption

Kiddush HaLevanah, History, Archeology (and the Yiddish Expression דוד מלך ישראל חי וקיים), R. Shimon b. Pazi, and the Religious and Political Significance of דוד מלך ישראל חי וקיים.

By: NACHMAN LEVINE

Rema, in a gloss to *Orach Chaim* 426:2, notes an Ashkenazic custom not recorded anywhere before his time: that of saying דוד מלך ישראל חי וקיים after the *berachah* of *Kiddush HaLevanah*:

And we have a custom to say [during *Kiddush HaLevanah*] דוד מלך ישראל חי וקיים, since his sovereignty was compared to the moon [in *Tehilim* 88:38] and is destined to be renewed in the future like it, and *Kneset Yisrael* will return to be united to her Husband, who is the Holy One, Blessed Be He, like the moon that renews itself with the sun... and therefore we do actions of joy and dancing in *Kiddush HaChodesh* [sic.] as the joy of a wedding. (R. Bachyei, *Parshat VaYeshev*)¹

This practice is not recorded *anywhere* before this; it doesn't appear in *Masechet Soferim* or the *Tur*, in any other sources of our *Kiddush HaLevanah*, or even the *siddurim* printed in 1525 and 1527.² Rema is the only one to record it, and he records it as a prevailing custom³ in his time among Ashkenazic Jews. Today it is universal in all Ashkenazic, Sephardic, and Yemenite *siddurim*. And while it didn't appear until the 16th-century, I would submit that it may be the theological heart of our *Kiddush/Birkat*

¹ ונוהגין לומר: 'דוד מלך ישראל חי וקיים,' שמלכותו נמשל ללבנה ועתיד להתחדש כמותה וכנסת ישראל תחזור להתדבק בבעלה שהוא הקדוש ברוך הוא, דוגמת הלבנה המתחדשת עם החמה שנאמר: "שמש ומגן ה'" (תהילים פד, יב) ולכך עושין שמחות ורקודין בקידוש החדש דוגמת שמחת נשואין (בחיי פרשת וישב וד"ע)

² Trino 1525; Prague 1527.

³ Here and in *Darhei Moshe* on the *Tur*, he cites R. Bachyei, *Bereishit* 38:29 on its connection to *Kiddush HaChodesh*.

Nachman Levine teaches in Detroit. His works on Tanakh and Midrash appear in various journals.

HaLevanab.⁴ *Siddur HaMekubal HaRav Hertz Shaliach Tzibur*, 1560, in fact, calls it a prayer. In Sephardic Baghdadi *siddurim* it is a prayer; its form is דוד מלך ישראל חי וקיים אמן נצה סלה ועד here and in the writings of the Chida. In *Siddur Ben Ish Hai*, the custom is to dance together while singing it.

But what is its meaning and connection to *Kiddush HaLevanab*? Several *Bavli*, *Yerushalmi* and midrashic sources, together with discoveries in archeology, iconographic realia, and Talmudic geography might clarify not only its historical significance but more importantly, its essential theological relevance to the meaning of our *Kiddush HaLevanab*. Putting the disparate sources together in the interface of *halachah*, *minhag*, midrash, history, and archeology reveals a remarkable picture with profound implications for the theological meaning of David Melech Yisrael Chai VeKayam and *Kiddush HaLevanab* itself.

David Melech Yisrael Chai VeKayam: The Source

The text's source in context is a story in *Bavli Rosh HaShanah* 25a:

אמר ליה רבי לרבי חייא: "זיל לעין טב וקדשיה ושלח לי סימנא: דוד מלך ישראל חי וקיים!"

Rebbi⁵ [R. Yehudah HaNasi] said to R. Chiyya, "Go to Ein Tab and sanctify the moon—and send me a sign (*simana*): דוד מלך ישראל חי וקיים."

Why is this significant? And what is a *simana*?

In the face of Roman persecution, the sanctification of the New Moon, which should be done by the Nasi,⁶ in this case Rebbi of the

⁴ In Sephardic Siddurim always: *Birkat HaLevanab*. In Ashkenazic ones always: *Kiddush HaLevanab*, a term that doesn't appear in the *Bavli*, *Yerushalmi*, or Rambam, but does in Ashkenazic tradition since the 12th-century *Sefer HaEshkol (Hilbot Roshei Chodashim)*. In Maharil (the source of Ashkenazic *minhag*) in *Hilbot Rosh Chodesh: מקדש והולך, מקדשין הלבנה*, etc., as in Rema's glosses to *Shulchan Aruch* ("מקדשים הלבנה"), interpreted as possibly signifying *Kiddush HaLevanab* as a replication of *Kiddush HaChodesh*. In R. Yosef Karo's (Sephardic) *Shulchan Aruch* it's always: *ברכת הלבנה*, in Rema's *Darkei Moshe* on *Tur* and *Hagabot* to *Shulchan Aruch*, always *קידוש לבנה* as here: *ורקודין בקידוש החדש*.

⁵ Actually: "Rabb?": "רַבִּי", throughout the *Mishnah*, *Tosefta*, etc.

⁶ *Mishnah Eduyot* 7:7; *Bavli Rosh HaShanah*; *Bavli Sanhedrin* 11a; Rambam, *Kiddush HaChodesh* 4:9–12.

family of *Malchut Beit David*,⁷ had to be reported using a secret password sign; a סימנא.⁸ (Rashi ad loc.: שגזרו שמד במקומו שלא יקדשו את החדש.) In fact, the *Talmud Yerushalmi* always calls the sanctification of the month סימנא.

What was at stake was not simply that preventing *Kiddush HaChodesh* would deprive the Jewish people of their very first *mitsvah*. Without a calendar, they would be bereft of a fundamental and indispensable basis of Jewish practice—and the Romans knew it. The *simana*'s political/theological significance may be reflected in how once in R. Abahu's time the sign was גאולתינו, "our redemption." (*Yerushalmi, Rosh HaShanah* 3:1). It was an attack on Jewish practice and in its way, on Jewish sovereignty.

Thus, at the simplest level, the David Melech Yisrael *siman* would allude, as Rema noted, to the dynastic line of David's kingship which "like the moon will last forever" (כירה יכון עולם, Tehilim 88:38) [Rashi, *Bavli Rosh HaShanah* ad loc.].⁹ It is also argued¹⁰ that it could allude to the connection of David and the moon's diminution with *Kiddush HaChodesh* in the midrash of R. Shimon b. Pazi (Rebbi and R. Chiyya's relative and colleague¹¹) in *Bavli, Chulin* 60a: "G-d told the moon 'Tzadikim will be called by your name.'" This is to say, "the small luminary" which David was also called in Shmuel 17:14. R. Shimon b. Pazi's remarkable connection with Rebbi, R. Chiyya, and the Simana will be very significant.

Shaarei Efraim 10:36 cites *Berit Kebunat Olam* that דוד מלך ישראל חי וקיים is *gematria* of *Rosh Chodesh*, commenting: "This is amazing." *Iyun Tefilah* (*siddur* commentary by R. Yaakov Tzvi Mecklenburg, author of *HaKetav VeHaKabalab*) feels that was exactly what Rebbi intended. Historians go so far as to suggest that דוד מלך ישראל חי וקיים may well be a coded numerical equivalent (819) for (in earlier Palestinian Aramaic plural form), קדשנא ירחא בעינא טבא, "I/we sanctified the month at Ein Tab."¹²

⁷ *Tosefta Horayot* 2:2; *Bavli Ketubot* 62b; *Bavli Sanhedrin* 38a; *Bavli Shabbat* 56a; *Yerushalmi Ketubot* 12:3; *Yerushalmi Kelayim* 12:3. Igeret R. Sberira Gaon, B.M. Lev-in edition, 12.

⁸ *Korban HaEdab, Yerushalmi Sanhedrin* 1:1.

⁹ דוד מלך ישראל חי וקיים appears in Mishlei 1:1, while תינא וקיים in Daniel 6:26 describes God and becomes His idiomatic title חי וקיים in *midrashim* and the liturgy. In a midrash in *Yerushalmi Shekalim* 2:5 R. Yaakov bar Idi, an Amora in the generation after Rebbi, says: וכי עלתה על דעתו של דוד שיהא חי וקיים לעולמים.

¹⁰ *Sefer HaEshkol, Hilchot Roshei Chodashim*, Rabbeinu Bachyei, *Bereishit* 38:29.

¹¹ *Yerushalmi, Shabbat* 12:13; *Esther Rabah* 4:4. See *Tosafot, Bava Kama* 149a s.v. *Mari*.

¹² L. Ginzberg, *Commentary on the Palestinian Talmud*, III, 130.

In short, the sign meant: David, the moon, is alive and well (R. Bachyei, *ibid*).¹³ There is probably even wordplay in the sign: Rebbi as *Nasi* of the line of David (דוד) told “[R.] *Chiyya*” (חי) to perform *Kiddush HaChodesh* for the *nesint* (מלך ישראל) and report that he *fulfilled* [וקים] the mission so he would know that: דוד | מלך ישראל | חי | וקים.¹⁴

Midrashim after Rebbi’s time¹⁵ equate the moon’s thirty-day waxing and waning imagery with a thirty-generation cycle of Davidic sovereignty. *Etz Yosef, Shemot Rabah* 15:26, sees the textual subtext as [החדש הזה] "לכם" (Ex. 12:2) reversed to "מלך."

“This month [moon] is for you.” (Ex. 12:2). A sign for you, just as the moon has its fullness and decrease, David’s reign, “like the moon will be forever. (Tehilim 89:38)

If you merit, you will count to its fullness [fifteen generations from Avraham to David], and if not, to its decrease [fifteen to Tzidkiyahu, the *Beit HaMikdash*’s destruction].¹⁶

In *Shmuel* I 20:18–29, David is specifically connected with the declaration of *Rosh Chodesh*:

And Yonatan said to David: “Tomorrow is *Rosh Chodesh*, the New Moon. You will be missed because your seat will be empty... He said, “Let me go because our family is observing a sacrifice...”

¹³ R. Bachyei, Rema’s source, also discusses its Kabbalistic significance.

¹⁴ The sign takes on a life of its own from here, from the text of the *LeShem Yichud* for *seudat Melaveh Malkah* in early Chassidic *siddurim* to a popular Israeli Zionistic folksong for its nationalistic undertones to the song on The Diaspora Yeshiva Band’s *Live From King David’s Tomb*.

¹⁵ *Pesikta Rabati, HaChodesh, Pesikta DeRav Kabanah* 12, collated in *Shemot Rabah* 15:26, *Tanhuma* (Buber) Bo 15.

¹⁶ In the *Kiddush HaLevanah ‘Yebi Ratzon’* attributed to the *Ari Zal* (evidently based on *Siddur R. Hertz Shaliach Tzibur* and R. Todros Abulafia’s *Otzar HaKavod, Rosh HaShanah* 25a) it is written: “May it be Your Will to fill the defect of the moon . . . and may it be fulfilled in us: ‘They will seek their G-d and David their king’ (Hoshea 3:5).” This startlingly combines *Bavli Sanhedrin* 42a/*Yerushalmi Berachot* 9:2’s עד שתתמלא פגימתה—when the moon’s crescent becomes full, the halachic deadline until when *Birkat HaLevanah* can be said—with *Pesikta Rabati*’s waxing/waning Davidic reign metaphor אם זכותם אתם מונין לאם זכותם אתם מונין לפגמו (“If you merit you will count to its fullness and if not, to its decrease”)—and also with the moon’s diminution in *Chulin* 60a. In this new metaphor, למלאות פגימת הלבנה now becomes a prayer for Davidic restoration to correct that cosmic defect.

So Rebbi sent R. Chiyya to sanctify the month and send back a sign—דוד מלך ישראל חי וקיים—from the *Beit HaVaad*, which was in Ein Tab.¹⁷

So Where Was Ein Tab and What Was its Significance?

Earlier sources and geographical historians¹⁸ always placed Ein Tab in the Galil, east of Zippori (where Rebbi lived for some years¹⁹) and between Zippori and Tiberias. But that's not where it is. And where it is located makes it the heart of *Kiddush HaLevanah's* meaning.

After the Bar Kokhba wars and Hadrianic decrees, the Jewish population was largely forced to move to north Israel²⁰ (and the *Sanhedrin* and *nesiut* moved from Yavneh in Judah to the Galil in the north (*Bavli, Rosh HaShanah* 31a). They moved so far north that whenever *Talmud Yerushalmi* speaks of חכמי הדרום, the Sages of the south, it means the sages of Lod in the center of Israel where the Tel Aviv Lod airport is today.

Jews and Torah generally thrived in the Galil in the 2nd–4th centuries in a fruitful period that saw the creation of the *Mishnah*, *Tosefta* and the *Talmud Yerushalmi*. The *nesiut* thrived. But sanctifying the moon in Beit Din became a serious problem.

This is because both *Kiddush HaChodesh* and *Ibur HaShanah* (adjusting the lunar and solar years) should ideally be done in *Eretz Yehudah*. In a *Bavli Sanhedrin* 11b *Baraita*.²¹ “We do not do *Ibur HaShanah* except in Yehudah and if they did it in the Galil it is *Me'uberet* [adjusted]”. And in some opinions, if not done in *Yehudah*, it would still not be *me'uberet*.

This presented no problem in the *Beit HaMikdash* and in Yavneh after the *Churban* where the *nesiut* and *Beit HaVaad* were in the same place. But with the move of the *Sanhedrin* and the *nesiut* to the Galil, *Kiddush HaChodesh* in *Yehudah* presented a serious challenge, especially with the danger involved together with Rabban Yochanan b. Zakai's *Takanah* that witnesses of the New Moon should testify “only in the place of the *Vaad*” (*Mishnah, Rosh HaShanah* 4:4).

¹⁷ *Tosafot, ad loc.*, from *Pesikta Rabati* 21.

¹⁸ From R. Yehosef Schwartz, *Tevnot HaAretz* (1804) until contemporary times, Michael Avi-Yonah, גיאוגרפיה היסטורית של ארץ ישראל (1984), etc.

¹⁹ *Yerushalmi Kila'im* 9:3.

²⁰ Dio Cassius, *Historia Romana*, 69, 1214: “Nearly all Judea was made desolate... many wolves and hyenas rushed howling into the cities.”

²¹ Variant versions in *Tosefta Sanhedrin* 2:3, *Yerushalmi Sanhedrin* 1:2, *Nedarim* 6:40, etc.

After an attempt to do the *Ibur* in Lod in *Eretz Yehudah* met with fatally disastrous results, the Sanhedrin wished to move the sanctification of the year, and even of *Rosh Chodesh*, safely up to the Galil.

Twenty-four carriages of the house of Rabbi went in to be *me'aber* the year in Lod and an *ayin hora* (evil eye) entered them and they all died at one time. From that hour on they removed [the *Ibur HaShanah*] from Yehudah and established it in the Galil. They wished to remove even the *simana* (*Kiddush HaChodesh*). R. Simon said to them, "We are not leaving in Yehudah even a remembrance." (*Yerushalmi, Sanbedrin 1:2*)

R. Simon protested that if it were moved, no remembrance of the *simana* would remain in *Yehudah*. R. Simon's name and his statement about the *simana* make for nice wordplay.²² In a similar wordplay, the *Yerushalmi* continues with *Tosefta, Sanbedrin 2:2*: על שלשה סימנין מעברין את השנה.

R. Simon's protest was not theoretical. He was personally involved as a member of the Beit Din in the calculations and deliberations of both *Kiddush HaChodesh* and *Ibur HaShanah*. His participations and rulings in the *Kiddush HaChodesh* process were cited for generations as authoritative²³ and his detailed directives to *ibur* calculators (*Yerushalmi Sukah 4:1*) were later incorporated into Hillel II's calendar. In the mid-rashic context he taught

Until Israel went out of Egypt, The Holy One Blessed be He sat and calculated and intercalated the months and years and sanctified them, and when they went out of Egypt, He gave it over to them and said, 'From now on the *Roshei Chodashim* are given over to you', as it says *החודש הזה לכם*, even before they received the Torah. (*Pesikta Rabati, HaChodesh*)

More importantly, he, like R. Chiyya in our *Bavli* source, was once sent by Rabbi to be *me'aber* the year and spent a Shabbat in Ono.

Moreover, R. Simon is in fact R. Shimon b. Pazi in the *Bavli*, author of the *Chulin 60a* midrash of the moon saying

Master of the Universe, how can the sun and the moon share one crown? God therefore said to her: If so, go and diminish yourself.

²² Greek/Latin/Hebrew triple- wordplay on his name in *Bereishit Rabah 93:4*: "ויגש אליו יהודה": זו היא השמת עין? נהפך הדבר שאמרת לסמיות עינים: אמר רבי סימון: "בנימוסות שלנו כתיב ..."

²³ *Yerushalmi Rosh HaShanah 3:1; Yerushalmi Berachot 4:1.*

She said: Master of the Universe, since I said a correct thing before You, I must diminish myself?... He said to her [to placate her]: Go; let the Jewish people count the days and years with you.²⁴

After the Sanhedrin was forced to leave Yavneh, the locus of the Beit Din for *Kiddush HaChodesh* was moved, probably to Lod, and from there to Ein Tab. In fact, R. Simon's son R. Yehudah testified to his father's ruling there that the *Rosh Chodesh* Torah reading could replace the reading of a fast day for rain only at Ein Tab, since only there was it known clearly to be *Rosh Chodesh* (*Yerushalmi Berachot* 4:1).

But where is Ein Tab?

Ein Tab was previously assumed to have been between Zippori and Tiberias. It was thought that the *Beit HaVaad* had moved there so that *Kiddush HaChodesh* could be done safely, using a secret password.

However, as it turns out, Ein Tab was *not* there. It is now conclusively identified²⁵ as the ancient small village of Enteba, equidistant between Lod and Yavneh. Ein Tab is actually and significantly in Eretz Yehudah.

The identification is based on the Madaba map, the oldest-known geographic floor-mosaic and oldest-surviving cartographic depiction of the Middle East, Israel, and Yerushalayim. The map is in the early Byzantine Church of St. George at Madaba, Jordan.²⁶ The floor-map dates from the 6th-century when the midrash *Vayikra Rabah* was created in Tiberias and the *Talmud Bavli* was completed.

²⁴ Strangely, while R. Simon lived in Israel, his Palestinian *Bereishit Rabah* midrash version has none of the *Bavli's* details, but simply that God diminished it since it entered the sun's domain and can be seen by day.

²⁵ Shmuel Klein: *Sefer HaYishuv* I, "Ein Tab"; *Eretz Yehudah*, 79; Shmuel Safrai, "המקומות לקידוש חודשים ולעיבור השנה בארץ לאחר החורבן", תרביץ לה (תשכ"ו), 27; M. Avi-Yonah, אטלס כרטא לתקופת המשנה והתלמוד, Yehoshua Schwartz, היישוב היהודי ביהודה אחרי מלחמת בר-כוכבא עד הכיבוש הערבי.

²⁶ מִדְבָּא: Bamidbar 21:30; Yehoshua 13:9,16; Yeshayahu 15:2; Divrei HaYamim I 19:7 and *Mishnah Mikva'ot* 7:1 about a Jewish community there in the times of R. Akiva.

search after His dwelling” (Devarim 12:5): “Every searching you search, should only be in the place of His Dwelling.”

So Chananiah of Ono, the town adjacent to the *Beit HaVaad* in Ein Tab, declares *Ibur* to be valid only if done in the place of the *shechinah* in Yehudah, and the one who explains that reasoning is R. Shimon b. Pazi—R. Simon in the Yerushalmi, himself a resident of Lod³¹ in Yehudah, who had protested the *simana*’s removal from there.

So where Ein Tab is matters, and that was the *siman*. With *Kiddush HaChodesh*’s return to Judah, David’s sovereignty, like the moon, reemerged after diminution. It re-established halachic dominion of the *nesiut* as *Malchut Beit David* in the place of *David HaMelech*, in the “dwelling-place of the *Shechinah*” where *Kiddush HaChodesh* should be done. Thus *לֹא יִסּוּר שֵׁבֶט מִיְהוּדָה*, “The scepter shall not depart from Yehudah” (*Bereishit* 49:10) in both senses, the kingdom of Yehudah in Eretz Yehudah.³² The *mitzva* in reinstated place and format was alive and well: מֶלֶךְ יִשְׂרָאֵל חַי וְקַיִּים.

Historians connect the desire to return *Kiddush HaChodesh* to Judah with the stabilizing of R. Yehudah HaNasi’s *nesiut*,³³ with control over the Jewish calendar as its most important manifestation. It is noted that while Rabbi does not mention any of the Sanhedrin’s disputes with the *nesiut* after the *churban*, he does cite the two cases in which it deferred to the *Nasi*, both in regard to *Kiddush HaChodesh*, in *Mishnah, Eduyot* 7:7 and *Rosh HaShanah* 2:9.³⁴

Tosafot (*Rosh HaShanah* 25a) concludes on the basis of *Pesikata Rabati* 21 that Ein Tab had a set *Beit Din* with the status of Yavneh.

Why do they sanctify the moon at Ein Tab? Because it is the *Beit Vaad*. *HaKadosh Baruch Hu* said: “It is the *Beit Moed* for the entire world as it says, *כִּי מִצִּיּוֹן תֵּצֵא תוֹרָה* (Yeshayahu 2:3) and the *Yerushalmi* [*Rosh HaShanah* 3:6] says, ‘Just as they blow the *Shofar* in Yavneh [on *Rosh Chodesh*, even on *Rosh HaShanah* that falls on *Shabbat*], so they blow it in Ein Tab’.

³¹ *Yerushalmi Betzab* 1:7.

³² Ginzberg, *Commentary on the Palestinian Talmud*, II, 130.

³³ Ginzberg, *ibid.* R. Yitzchak HaLevi, *Dorot HaRishonim*, II, 66; Urbach, *ההלכה* (1984) מועדי ישראל בתקופת המשנה והתלמוד, 346; Y. Tabori *התלמוד והמשנה*.

³⁴ Y. Levin, “*Tekufat Rabbi Yehudah HaNasi*,” in *מחורבן בית שני ועד* *הכיבוש המוסלמי*, 108.

It is suggested³⁵ Ein Tab was chosen for *Kiddush HaChodesh* as the closest place to Yerushalayim that could still serve as a Beit Din where it was possible to convene on a monthly basis. R. Simon's protest succeeded and though *Ibur HaShanah* was moved to the Galil, Ein Tab continued to be the place of *Kiddush HaChodesh* throughout the time the calendar was based on testimony and possibly long after that. Several *Yerushalmi* sources describe this.³⁶ And R. Simon's son R. Yehudah reported his father's policies on that testimony (*Yerushalmi, Rosh HaShanah* 3:1) and how it was clearly known to be *Rosh Chodesh* there (*Yerushalmi Berachot* 4:1).

Maharsha, Sanhedrin 42b interprets the *Kiddush HaLevanah berachab*³⁷ as equating the returned crown of Israel and the moon and signaling the return of *Malchut Beit David's* kingship. He notes: "And therefore we say in the moon's renewal: דוד מלך ישראל חי וקים".³⁸

Re-contextualized in *Kiddush HaLevanah*, דוד מלך ישראל חי וקיים now becomes a prayer³⁹ for that which we pray in the *berachab*: the Sanhedrin

³⁵ Yehudah Etzion, "כזה ראה והדש" Jerusalem: 1995 And see R. Y. HaLevi, *Dorot HaRishonim*, II, 66.

³⁶ *Berachot* 4:1, *Rosh HaShanah* 2:4 and 3:6; *Sukah* 2:8; *Ta'anit* 2:14; *Nedarim* 6:5; *Sanhedrin* 1:2; etc.

³⁷ The *berachab* is by R. Yehudah (bar Yechezkel), *Bavli Sanhedrin* 42a: R. Ashi said, "We [in Bavel] say as... R. Yehudah said, "אשר במאמרו ברא שהקים" etc." Since R. Yehudah passed away in 299 and Rav Ashi was born in 352, the *berachab* had been said in Bavel for well over half a century. R. Yehudah authored prayers as *Birkat Hallanot* (*Bavli, Berachot* 43b) and arguably perhaps even our *Sheva Berachot* in *Bavli Ketubot* 8a, mentioned nowhere else.

³⁸ The *berachab* doesn't explicitly equate David and the moon but alludes to verses that do. אשר במאמרו ברא שהקים וברוח פיו כל צבאם references *Tehilim* 33:6: כִּי יִגְדַּל עוֹלָם וְעוֹלָם וְיִבְרָא יְהוָה אֱלֹהֵינוּ וְיִבְרָא יְהוָה אֱלֹהֵינוּ פִּי כָּל צָבָאָם yet changes שָׁמַיִם to שָׁמַיִם as *Tehilim* 89:21–38: "כִּי יִגְדַּל עוֹלָם וְעוֹלָם וְיִבְרָא יְהוָה אֱלֹהֵינוּ וְיִבְרָא יְהוָה אֱלֹהֵינוּ פִּי כָּל צָבָאָם", the equation of David's kingship with the moon: "I found David My servant... his throne... like the moon will be established forever and as an enduring witness in the sky ["בְּשָׁמַיִם"]." Avudraham, *Birkhot HaReiyah*, notes "החוק וזמן נתן להם שלא ישנו את תפקידם" "A law and schedule He gave them that they not alter their task" references Yirmiyahu 31:34–35 through 3:20–26 equating David's kingship with their unchanging function: "Thus said God Who gave the sun for light by day, the laws of moon and stars... If these laws were annulled... only then could My covenant with My servant David be broken."

³⁹ The Kabbalist R. Todros Abulafia, *Otzar HaKavod, Rosh HaShanah* 25a, writes that Rabbi's *simana* was a prayer.

receiving the *Shechinah*⁴⁰ in the place of the *Shechinah*, as *Siddur HaMekubal HaRav Hertz Sbliach Tzibur* calls it: a prayer for Redemption.

Ein Tab: The Good Eye, The (Very) Bad Eye, the Wild Boar, and the Tenth Legion

But there's more. And here's where it gets very interesting. A very well-known series of midrashim—all of them from Rabbi Simon himself—identifies the Jewish people's archetypal enemy, Esav/Edom, and by extension, Rome,⁴¹ as a hypocritical swine showing off its 'kosher' hooves (as the only animal with the outward kosher sign of split hooves).⁴²

Midrash Bereishit Rabah 65:1

"The swine out of the wood ravages it [the vine [Israel] that G-d took out of Egypt]," (Tehilim 80:14). R. Pinchas and R. Chelkiah in the name of R. Simon said: 'Of all the prophets, only two, Moshe and Asaph, publicized it: Asaph said: "The swine out of the wood ravages it" while Moshe said: "And the pig, because it parts the hoof" (Devarim 14:8). Why does he compare [the Roman State] to a swine? When the swine lays down it puts out its hooves, as if to say, 'I am clean'; so this wicked State robs and oppresses and pretends to be executing justice. In this same way, for forty years Esau would ensnare married women and violate them, yet when he attained forty years, he compared himself to his father, 'As my father was forty years old when he married, so I will marry at the age of forty.'

Midrash Vayikra Rabah 13:5

R. Pinchas and R. Chelkiah in the name of R. Simon said: Of all the prophets, only two, Moshe and Asaph, publicized it: Asaph said: 'The swine out of the wood ravages it,' while Moshe said: 'And the pig, because it parts the hoof' (Devarim 14:8). Why is it compared to a swine? Just as the swine when reclining, puts forth its hooves as if to say, 'See I am clean,' so does the empire of Edom [Rome] boast under the guise of establishing a judicial tribunal as it commits violence and robbery.' It happened that a governor in Caesa-

⁴⁰ *Bavli Sanhedrin* 42a.

⁴¹ *Bavli Avodah Zarah* 10b; *Berachot* 62b; *Gitin* 57b; *Yerushalmi Shabbat* 10:9; *Taanit* 4:8; *Bereishit Rabah* 63:7,67:1; *Vayikra Rabah* 13:45; 15:9; 22:4; *Tanhuma*, *Bereishit* 7; *Eichav Rabah* 22:1; *Targum*, *Yeshayahu* 34:9. M. Hadas-Lebel, *Jérusalem contre Rome* (Paris, 1990), 46–82.

⁴² *Bavli Chulin* 59a.

rea put to death the thieves, adulterers, and sorcerers. He said to his counselor: 'I myself did these things in one night.'

R. Simon's midrashim here are quite complex and beautifully constructed in several layers of biblical and midrashic intertextuality.⁴³ They are all built on the list of Four Animals/Four Exiles in Daniel 7:2–8. Three are “like a lion”, “like a bear”, “like a leopard”, while the final, most frightening, fourth animal (“fearsome, dreadful, and very powerful... different from all the other beasts before it”) is not identified. That connection is even spelled out in a later version of this midrash in *Midrash Tebilim* 80:

ר' פנחס ור' חלקיה בשם ר' סימון אמרו למה לא פירש הנביא בשביל מלכות הרביעית, אלא משה ואסף.
[... in the name of R. Simon said] “Why did no prophet but Moshe and Asaf explicate the Fourth Kingdom?”

The “Ancient of Days” there in *Daniel* 7:2–27 explains it to Daniel as:

The fourth beast [means]—there will be a fourth kingdom upon the earth which will be different from all the kingdoms; it will devour the whole earth, tread it down, and crush it . . . Then the court will sit and his dominion will be taken away, to be destroyed and abolished for all time.

Tannaim identify the fourth animal with Edom/Rome (*Mechilta Bo, Mesichta DePeschab* 14; *Sifrei Bamidbar* 84 and 161), based on references to the Exile of Edom in Ovadiah 1 and Yeshayahu 63, and because of Rome's harsh decrees at that time.⁴⁴ By one hundred years after that identification, *Amoraim*, among them R. Simon's teacher R. Yohanan, now characterize the Fourth Animal/Exile (Edom) midrashically as a pig, by lining up the list with that of the four unkosher animals in Vayikra 11:4–7 and Devarim 14:6–8, as the four oppressive Exiles. (*Vayikra Rabah* 13:50: “Moshe foresaw the empires in their activities. “The camel, the rabbit, the hare, and the pig” (Devarim 14:7). “The camel is Bavel . . . The rabbit is Media . . . The rabbit is Greece . . . The pig is Edom.”) This earliest equation becomes a salient motif in midrashim and *piyyutim*⁴⁵ from that period on.⁴⁶ Since only the fourth unko-

⁴³ Yonah Frankel, *Darbei HaAgadah VeHaMidrash* I, 616, cites Zunz, *Gesammelte Schriften* III, p. 221 and the studies by Bacher, Krause, and Ginzberg.

⁴⁴ Similarly, the later *Shemot Rabah*, 15:6.

⁴⁵ Zunz, *Syn. Poesie*, 458–459.

⁴⁶ See Bacher, *Amoraei Eretz Yisrael*, II, 45.

sher animal, the pig, is described with its (outward) kosher sign of split hooves,⁴⁷ R. Simon now lines it up with Tehilim 80:9–18’s describing Israel as a vine that God moved from Egypt and planted, which a wild pig from the forest ravages:

גָּפֶן מִמִּצְרַיִם תִּסְיַע ... יְכַרְסֶמְנָה חֲזִיר מִיָּעַר... שׁוֹב נָא הִבֵּט מִשָּׁמַיִם וְרָאֵה וּפְקֹד
גָּפֶן זֹאת.

You moved a vine from Egypt... and planted it... a wild boar ravages it, God of Hosts, turn again, look down from heaven and see, take note of that vine.

Since the “vine” in its plain sense here is a metaphor for Israel, the “wild boar” is necessarily a specific nation that ravages it, now read as Edom. R. Simon uses this to construct a critique of the Roman State’s hypocrisy it piously claims is a system of law and justice.⁴⁸ I get the impression that he even artistically uses alliterative opening wordplay to connect the *Vayikera* and *Devarim* verses with *Tebilim* 80 [and *Daniel* 7:2–8] in the sounds of: "פרסמוה"מפריס פרסה"אסף אמר":

"מכל הנביאים לא פרסמוה אלא שנים, אסף ומשה: אסף אמר: "יכרסמנה חזיר
מיער", משה אמר "ואת החזיר כי מפריס פרסה."

[‘Of all of the prophets, no one publicized it but two, Moshe and Asaph: Asaph said: “The swine out of the wood ravages it;” Moshe said: “And the pig, because it parts the hoof” (*Devarim* 14:8).]

From here Rome/Edom’s duplicity is easily read back onto the emblematic personified hypocrisy of Esav’s taking Canaanite wives, marrying at forty as his righteous father Yitzchak did. All of this is very familiar to us from Rashi’s commentary on the Torah to Bereishit 26:34,

⁴⁷ “And the swine because it has hoofs and it does not chew the cud, it is unclean for you (*Vayikera* 11:7); “Also the swine, because it has hoofs, it does not chew the cud is unclean for you” (*Devarim* 14:8).

⁴⁸ Rabbi Shimon b. Pazi was also well-aware of and critiqued other manifestations of Roman life in Israel, saying in *Bavli Avodah Zarah* 18b: “Blessed is the man that has not walked in the counsel of the wicked nor stood in the way of sinners” (*Tebilim* 1:1). This refers to the theaters and circuses of the idolaters, and the Kenigiyyon [Greek/Latin: stadium animal fights the Romans provided in Israel]. He was aware of Roman Imperial military iconography, using it in *Shemot Rabah* 21:9 to describe Moshe’s staff at the Yam Suf as if a *magistrate’s fasces*, a bundle of rods with a projecting axe blade carried by lictors in Rome as a symbol of a magistrate’s power in administrative ceremonies, processions, and triumphs.

which eventually becomes popularized in the Yiddish expression, **סזיר פֿיט'ל**, pig's feet, to mean hypocrisy.

But while these midrashim—all from R. Simon—all build on verses in Vayikra, Devarim, and Tehilim, and the four animals list in Daniel 7:7, and stand entirely on their own as midrashim without any need for historical context, it just so happens that the Roman Tenth Legion Fretensis (Legio X Fretensis), garrisoned in Yerushalayim for more than a century and a half, which destroyed the *Beit HaMikdash* and always fought the Jews,⁴⁹ had as its emblem a wild boar, and everybody knew it.⁵⁰



The Tenth Legion was nicknamed “the boar” and its emblem, a boar or pig, was ubiquitous throughout Jerusalem, its base. Many ar-

⁴⁹ Starting from 67 under Vespasian when he was supreme commander of Roman forces in Judaea before becoming emperor during the civil war in 68. After mid-69, its commander may have been Terentius Rufus. It besieged Jerusalem in 70 and Masada in 73–74 and fought Bar-Kochba in one of the greatest disasters befalling the Roman empire. It then evacuated its Jerusalem fortress when Jewish rule was restored, and probably took part in the last stand, the siege of Beitar in 136.

⁵⁰ See A. Epstein, *Beit HaTalmud*, IV, 173, Ginzburg, *Legends of the Jews*, “Yaakov,” note 162. Isaac Heinemann, (*Darke HaAgadah*) (Jerusalem, 1949), 32 [Hebrew]. Samuel Krauss, *Persia and Rome in the Talmud and Midrashim* (Jerusalem: 1948), 100–105; 177–178 [Hebrew]. Irit Aminoff, *The Figure of Esau and the Kingdom of Edom in Palestinian Midrashic-Talmudic Literature in the Tannaic and Amoraic Periods*. (1981), 258–265. Louis H. Feldman, *Josephus's Interpretation of the Bible* (Berkeley, 1998), 323. *Ibid.*, *Remember Amalek: Vengeance, Zealotry, and Group Destruction in the Bible According to Philo, Pseudo-Philo, and Josephus* (Cincinnati: 2004), 67. Daphne Barak-Erez, *Outlawed Pigs: Law, Religion, and Culture in Israel* (Madison: 2007), 20. Jordan D. Rosenblum, “Why Do You Refuse to Eat Pork?": Jews, Food, and Identity in Roman Palestine” *JQR*, 100:1 (2010) 95–110; Misgav Har-Peled, *The Dialogical Beast: The Identification Of Rome With The Pig In Early Rabbinic Literature*, 2013. Ernest Wiesenberg, “Related Prohibitions: Swine Breeding and the Study of Greek.” *HUCA* 27 (1956): 213–233.

chaeological findings, bricks, tiles,⁵¹ and coins⁵² (still being found today⁵³) with its name and emblem substantiate its presence there. It's even suggested the emblem was intended to humiliate and antagonize the Jewish population, for whom it was forbidden to even raise pigs.⁵⁴ Moreover, historians suggest the symbolization of Rome as a pig may have come into prominence at the time of Hadrian and the fall of Beitar (135 CE) when, to insult the Jews, the image of a pig was attached to the southern gate of Jerusalem then transformed into the Roman colony, Aelia Capitolina.⁵⁵

There is no explicit mention of the iconographic connection in any Midrash. However, in a very late eleventh-century version of R. Simon's Midrash in *Midrash, Lekach Tov* we find:

“And Esav was forty years old” (*Bereishit* 26:34). This is as it says “the Fourth Animal,” that Daniel saw but did not mention its name. “And it was different from all the other beasts” (*Daniel* 7:7); it is the image of a pig and Daniel did not mention its name since it was so repulsive; it is the kingdom of Edom, meaning the kingdom of Rome that on its flag was engraved the image of a pig; it was compared to a pig, as it says, “A wild boar ravages it” (*Tehilim* 80:14) since it raises its hooves when it lies down, to say, ‘See I am pure’...

We also find in a Midrash that R. Simon taught—a pig (or two pigs). “...the pig dug its hooves into [the wall] and all of *Eretz Yisrael* trembled.” Since the context describes the war between Hyrcanus and Aris-

⁵¹ “The Kilnworks of the Tenth Legion Fretensis,” in *The Roman and Byzantine Near East: Some Recent Archaeological Research*, ed. John H Humphrey (Ann Arbor: *Journal of Roman Archaeology*, 1995), 273. H. Goldfus, B. Arubas, “The Kilnworks of the Tenth Legion at the Jerusalem Convention Center,” *Qadmoniot* 122, no. 2 (2002): 111–119 (Hebrew).

⁵² Dan Barag, “The Countermarks of the Legio Decima Fretensis (Preliminary Report),” *The Patterns of Monetary development in Phoenicia and Palestine in Antiquity. Proceedings of the International Numismatic Convention, Jerusalem 27-31 December 1963*, ed. A. Kindler (Tel Aviv: Schocken, 1967), 117–125, plates IX-XI. K. A. Linnqvist, “New Vistas on the Countermarked Coins of the Roman Prefects of Judaea,” *Israel Numismatic Journal* 12 (1992): 56–70. Countermarks of the boar emblem also appear on a Palestinian Judaea Capta coin of Titus and of Vespasian Barag, “Countermarks,” 120. A. Spijkerman, “Some Rare Jewish Coins,” *Liber Annus* 13 (1962/3): 315, fig. 56.

⁵³ A *Legio X Fretensis* tile was recently discovered near Jerusalem's Binyanei HaUmah.

⁵⁴ Mishnah Bava Kama 7:7.

⁵⁵ S. Krauss, *Monumenta Talmudica*, V, (Wien: 1914), 15.

tobulus, Rome's first entry into Israel, the pig motif has been interpreted to reflect the Fretensis Legion iconography.⁵⁶ (In *Avot DeRabbi Natan* I:4: Vespasian catapulted a pig's head onto the sacrificial limbs on the altar and Jerusalem was captured.) It's noted⁵⁷ in *Targum Sheni* to Esther 1:3 about the siege of Jerusalem: עד דאתא פרנטוס ונכס חזירא וזרק מן דמיה: "על בית מקדשא: "The gates did not want to open until פרנטוס came and slaughtered a pig and sprinkled some of its blood upon the Temple and defiled it and it opened itself" and that the name פרנטוס might parallel Fronto Haterius whom Josephus names as commander of the troops besieging the Temple Mount (*Wars* VI 238, 242), or that it might play on *perna*, Latin for ham⁵⁸.

What does this have to do with Rebbi, Ein Tab, and *Kiddush HaChodesh*?

Everything. This is what connects R. Simon's *midrashim* with his protest about *Kiddush Chodesh* leaving Eretz Yehudah. As mentioned, Rebbi's attempt to sanctify the *Ibur* in Lod met with fatally disastrous results (*Yerushalmi Sanhedrin* 1:2):

Twenty-four carriages of the house of Rebbi went in to be *me'aber* the year in Lod and an *ayin boRa* ['evil eye'] entered them and they all died at one time. From that hour on, they removed it [the *Ibur HaShanah*] from Yehudah and established it in the Galil. They wished to remove even the *simana* (*Kiddush HaChodesh*). R. Simon said to them, "We are not leaving in *Yebudah* even a remembrance."

What was the 'evil eye'? It was really evil. They were apparently attacked by the forces of Pescennius Niger⁵⁹ in the war between his armies and those of Septimius Severus in 193 CE, the year of the five emperors, in which five claimants fought for the title of Roman Emperor.⁶⁰ Rebbi

⁵⁶ Tal Ilan, "The Civil War of the Hasmonean Brothers" [Hebrew] in בין יוסיפוס ו"הזו"ל (Vered Noam, ed.), 318; Menachem Kister, "ביאורים באגדות החורבן באבות," דרבי נתן, *Tarbitz* 67, 1988, 484–529. Ginzberg, *Commentary on the Palestinian Talmud*, IV, 36-37.

⁵⁷ J. Rosenblum, "Why Do You Refuse to Eat Pork?", 108.

⁵⁸ T. Ilan, *ibid*, citing Beate Ego, *Targum Sheni zu Esther. Übersetzung, Kommentar und theologische Deutung*, Tübingen 1996, 179–80.

⁵⁹ G. Alon, תולדות ישראל בתקופת המשנה והתלמוד, vol. II; 64; 94–103.

⁶⁰ *Dio Cassius*.

and the Jews sided with Septimius⁶¹ (and received important privileges when he was victorious⁶²). Septimus and the House of Severus was generally positive in relations with Jews⁶³ while Pescennius once threatened to tax the air Jews breathed in Judea.⁶⁴

And in Judea, Pescennius' forces were the Tenth Legion.⁶⁵

The *Ibur HaShanah* at Lod was attacked by the Tenth Legion.⁶⁶ We may surmise that if R. Simon generally had reason to have hostility to the Tenth Legion, this would certainly add to the antipathy. His protest against moving the *Kiddush HaChodesh* because of the attack thus becomes even more significant.

This is particularly poignant as Maharsha reads R. Simon's Chulin 60a *midrash* of God telling the moon, "Go and diminish yourself" as an allegory about Israel's exilic diminution and renewed dominion. R. Simon's protest to retain *Kiddush HaChodesh* in Yehudah effectively stabilized and reinstated the *nesiut's* dominion there: David HaMelech was alive and well at Ein Tab.

A *Siman Tov* for Us

Maharsha (*Sanbedrin* 42a) and Maharatz Chayes (*Rosh HaShanah* 25a) connect *סמן טוב ומזל טוב יהא לנו ולכל ישראל* that we say in *Kiddush HaLevanah* with the [good!] *סימן* of *דוד מלך ישראל חי וקים* sent from Ein Tab. While *סמן טוב* from the 8th-century *Masechet Soferim* considerably predates the sixteenth-century custom of saying *דוד מלך ישראל*, reading the *סמן טוב* in connection with the "*David HaMelech*" *simana* (and saying it) expresses a great truth.

⁶¹ M. Avi-Yonah, *בימי רומא וביזנטיוס*, 48–51; G. Alon, *תולדות ישראל בתקופת המשנה*, vol. II; 94–103. Coins struck in Tzipori, Rebbi's city, testify to Jewish admiration of Septimus Severus: Y. Meshorer, "מטבעות ציפור כמקור היסטורי", *Tzifon* 42, 1978, 185.

⁶² *Scriptores Historiae Augustae*, Severus, IX, 5.

⁶³ *Ibid.* Alexander Severus' pro-Jewish attitude was so well-known that his detractors mocked him as "The Severan *Archisynagogus*" (*Scriptores Historiae Augustae*, Alexander, 28.7).

⁶⁴ *Scriptores Historiae Augustae*, Pescennius Niger, VII, 9.

⁶⁵ *Dio Cassius*.

⁶⁶ In its way the Roman attack on *Ibur HaShanah* emblematically embodied the midrashic opposition (*Bereishit Rabab* 6:6; *Tanhuma* (Buber) Bo 9; *Pesikta Rabati* 15): "The big one [עשו בנה הגדול]: *Rivkah's* big son Esav (*Bereishit* 27:15) counts to the big one [המאור הגדול: the sun:] and the small one [בנה הקטן]: her small son Yaakov] to the small one [המאור הקטן: the moon]."

It is our prayer for a redeemed world in which the workings of the universe might be validated and sanctified by the sovereignty of the Beit Din.⁶⁷ In articulating the core premise of our *Kiddush HaLevanah Berachah*, the hope and belief in redemption and renewal by Moshiach ben David,⁶⁸ the “*David Melech Yisrael Chai VeKayam*” *simana* certainly is and continues to be a *siman tov* for us, that *David HaMelech* is alive and well. ❧

⁶⁷ In Etzion’s formulation in כזה ראה וזה ש: a world in which every month the entire world would see how time can be sanctified on the testimony of two Jewish witnesses.

⁶⁸ For Rebbi himself as the potential Moshiach: *Bavli Sanhedrin* 98b, and as identified by his students (among them R. Chiyya) as the actual Moshiach: *Yerushalmi Shabbat* 16:1; *Vayikra Rabah* 15:4; *Eichah Rabah* 4.