בס"ד

IGGROT HA'ARI 2020-2021

אגרות הארי 5781

At Columbia University and Barnard College

Contributors

Serena Bane ....Writer
Daniel Barth ....Editor,Writer
Shmuel Berman ....Editor In Chief,Writer
Mimi Broches ....Writer
Joshua Brunnlehrman ....Writer
Orli Cohen ....Graphic Designer
Ezra Dayanim ....Editor,Writer
Alison Kanefsky ....Writer
Molly Nelson ....Art Director
Jackie Tokayer...Writer
Hannah Vorchheimer...Writer

On The Shoulders of Giants: A Letter From The Editor

Iggrot ha'Ari—The Lion's Letters— begun with a look towards the past, so it is only appropriate that we keep our legacy in mind as we march towards the future. Iggrot ha'Ari started in 2020, but it also began in 1996.

The first Iggrot ha'Ari journal published their first volume in Spring 1996, four years before I was born. The topics included ranged from a case study of Elisha ben Abuyah, the heretical Talmudic sage, to a critique of the philosophy of Mordechai Kaplan. By all metrics accessible to me a generation later, that first journal was a roaring success. The original journal's website lists additional volumes published each year until 2002, with additional editions released until 2005 elsewhere on the internet, when the journal ceased operations.
The question arises, then, what relationship our current project has with the 1990s-era Iggrot ha'Ari. We, who were toddlers when their writers were composing articulate analyses of the plight of the aguna— a woman whose husband refuses to divorce— and an exploration of the Angel of Death through Yiddish folklore? Better to let sleeping dogs— or, in this case, lions— lie.

Our desire to start this journal did not spring out of a random rediscovery of the Iggrot ha'Ari website; the reverse is true. We never would have been made aware of their spectacular work were it not for our desire to actually engage in a project of exactly this scope. Whatever their background, our writers felt an independent desire to append their own thoughts and inspection to the ever-increasing corpus of Jewish academic thought. We decided to take their name because we think we share their mission, and hope we can grow to fill their shoes. I cannot imagine any greater compliment for an initiative that so many must have poured their time, sweat, and tears into than for future students to share their views to such a degree as to start an identical project.

I say identical only with much hesitation, as the shoes we fill are large indeed. This question parallels the thought that has been echoed by human thinkers from time immemorial: why even try to imitate the superior teachers, thinkers, and writers of the past? It seems an exercise in futility. Jewish lore tells us that King Solomon himself pondered the same question in:

Do not say: How were the earlier days better than these? However, this question is not asked wisely. (Ecclesiastes 7:10)

In a world that is constantly changing, it is easy to reminisce about the past and excuse oneself from working on the present. I have found this fear of an inferior future particularly relevant in context of the recent pandemic, which has left its permanent mark on how we view society and interaction in general.

Just as our question is sourced from antiquity, so too is our answer: "this question is not asked wisely." It is impossible to compare a distant past to the present. We often remember the past with only the positive elements in mind, and we tend to neglect the myriad of issues that plagued society. Even in cases where the work of the past was of significantly higher quality, what is the point of asking why the past was so much better? By construction, the past is no longer extant.

Columbia's mascot and this journal's namesake— the lion— serves as the blueprint that defines our approach, and the metaphor that the Shulchan Aruch, the premier work of Jewish halakha, opens with serves as the mantra of our journal:

One should gather his strength like a lion to rise in the morning to serve his Creator and to awaken the dawn. (Orah Hayyim 1:1)

We have gathered our strength and awakened the dawn after fifteen years of night. That introduces our goal: not to be the original journal, but to continue its work in the best way we possibly can. We dearly hope that all of the original editors and writers are proud of what we have written, compiled, and accomplished.

Shmuel Berman, Editor In Chief

Daniel Barth, Editor

Ezra Dayanim, Editor

Molly Nelson, Art Director

Table of Contents

Confronting Cholera: Rabbinic Response and Ritual Change
Hannah Vorchheimer....................Page 6

Between Tradition and Modernity: A case study of Rabbi Azriel Hildesheimer
Daniel Barth....................Page 14

The Reconstruction Of Jewish Divinity Through Source Reinterpretation
Shmuel Berman....................Page 18

Comparing the *Mendelssohns of Jerusalem* and Introduction to the *Psalms*
Jackie Tokayer ....Page 25

Late Antique Jewish Burial From Around the Jewish Diaspora
Joshua Brunnlehrman....................Page 28

A Conception of the Development and Evolution of Halacha
Alison Kanefsky ....Page 33

Women and Judaism: From The Bible to Early Modernity
Mimi Broches....................Page 42

Paradigm of Perfection? A look into the Spousal Relationships of the Patriarchs and Matriarchs
Serena Bane ....Page 46

Rabbi Yehuda HaLevi's Stark Shift from Andalusian-Jewish Icon to Iconoclast
Ezra Dayanim....................Page 53

Works Cited....................Page 63

Hannah Vorchheimer

Hannah was born and raised in Manhattan. She is currently a freshman at Barnard College, and although her major is currently undeclared, she is interested in majoring in Religion and minoring in Arabic Language. After graduating from SAR High School, she spent her Shana Ba'Aretz learning at Migdal Oz.

Abstract

Throughout the mid 1800's, Cholera ravaged through Europe and quickly became the most feared disease of its time. Two of these European outbreaks, in 1831 and later in 1848, elicited a spectrum of responses amongst the major Jewish communities in cities such as London, Amsterdam, Vilna, and Posen. Cholera terrorized Jewish communities across Europe (much like the rest of the country), best demonstrated by the Hebrew name given to the epidemic, choli ra, literally translated as "evil sickness" (rather than a classic etymology related name), reflecting the fear it caused. In the wake of this plague, Jewish ritual was forced to adapt. This paper will explore the responses of two central European rabbinic figures, Rabbi Akiva Eiger and Rabbi Israel Salanter, and examine two dimensions of their novel responses to unprecedented challenges to Judaism; their general communal reaction and specific legal rulings that lead to enduring changes in ritual observance.

Confronting Cholera: Rabbinic Response and Ritual Change

Throughout the 19th century, a series of cholera epidemics spread through the globe. The first originated in India in 1817 and spread through British trading routes to places such as Asia and the Middle East. During the second outbreak, cholera reached Europe, once again as a result of trade and military channels. Three subsequent outbreaks of cholera continued to ravage Europe and other countries around the world for two decades until around 1851.[1] Cholera was known as the most feared disease of the 19th century because the cause was virtually unknown.[2] Two of these European outbreaks, in 1831 and later in 1848, elicited a spectrum of responses amongst the major Jewish communities in cities such as London, Amsterdam, Vilna, and Posen. Cholera terrorized Jewish communities across Europe (much like the rest of the country), best demonstrated by the Hebrew name given to the epidemic, choli ra, literally translated as "evil sickness" (rather than a classic etymology related name), reflecting the fear it caused.[3] In the wake of this plague, Jewish ritual was forced to adapt. This paper will explore the responses of two central European rabbinic figures, Rabbi Akiva Eiger and Rabbi Israel Salanter, and examine two dimensions of their novel responses to unprecedented challenges to Judaism; their general

1 There were three later outbreaks, but those by and large did not affect Europe

2 Editors, History.com. "Cholera." History.com, A&E Television Networks, 12 Sept. 2017, https://www.history.com/topics/inventions/history-of-cholera

3 Taub, Ira. "The Rabbi Who Ate on Yom Kippur: Israel Salanter and the Cholera Epidemic of 1848." And You Shall Surely Heal:The Albert Einstein College of Medicine Synagogue Compendium of Torah and Medicine , 2009, pp. 295–312.

communal reaction and specific legal rulings that lead to enduring changes in ritual observance.

R. Akiva Eiger (1761-1837) was the Rabbi of the Prussian city of Posen during the second cholera epidemic of 1831. Renowned for his astounding Talmudic knowledge, R. Eiger was a towering Rabbinic figure who wholeheartedly responded to the call to lead his community (and many other Jews as well) through the terrifying and unknown epidemic. His response consisted of different elements working together; including providing general guidance on navigating life in the midst of a health crisis and answering specific ritual questions.[4]

The prevalent mode of inquiry in that era was letters written by petitioners to the rabbinic authority. Between 1830-1831, R. Eiger answered a number of letters concerning the impact of the disease on Judaism and Jewish ritual.[5] An analysis of a few excerpts of these letters will advance a clearer and richer understanding of what R. Eiger's general disposition to the epidemic.

In 1831, R. Eiger responded to a question posed by his student R. Eliyahu Guttmacher as to whether praying in a prayer quorum during the outbreak was permissible.[6] While R. Guttmacher (rabbi of the nearby town of Pleschen) only requested an answer to a narrow legal, technical question, R. Eiger responded with a generalized commentary which reveals his broader approach to Jewish life during times of a plague. Though his area of expertise was primarily halacha, the corpus of Jewish law, this letter demonstrates his larger ability to deftly draw upon and incorporate medical advice in his responsa (despite not having any university education). R. Eiger states that,"in my view, it is true that gathering in a small space is inappropriate, but it is possible to pray in groups, each one very small, about 15 people altogether."[7] In terms of the ritual aspect, he acknowledged that actions on the part of the community don't have to be all or nothing, but explained that abiding by precautions set out by the government will allow for safe prayer services. Dr. Edward Reichman points out that this section of the letter is a remarkable example of R. Eiger's awareness of crowd control and social distancing as well as an intricate understanding of contagion.[8] This willingness to change ritual in consideration of medical guidance is of particular significance as even the Talmud seems to argue against the concept of changing Jewish practice in light of disease, calling on Jews to avoid the urge to distance themselves from disease and trust in God. In one such example[9], the Talmud details a story of the second century sage R. Akiva whose students refused to visit a fellow student who had fallen ill because they feared contracting the disease from him. R. Akiva went to visit the student himself, and when the student recovered, it prompted him to teach that visiting the sick helps them recover and thus those who refuse to visit the sick are as guilty as those who spill blood.

R. Eiger's medical knowledge was once again demonstrated in an 1831 High Holidays' pamphlet he wrote about navigating the High Holiday traditions during an epidemic, where he included a number of contemporary medical guidelines, for example, "leaving early on an empty stomach, and breathing the sharp toxic morning air is likely to cause cholera...the fumes of oil lamps… in the synagogues are harmful to one's health.[10]" He was aware of the ubiquitous miasma theory, the prevalent belief that disease spread through the air, and incorporated this knowledge into his recommendations, highlighting his deference to the medical community as well as astounding common medical knowledge for a rabbi.[11] Moreover, these publications and

4 During novel situations in Jewish law, where there isn't an explicit answer available in the books, the prevailing custom is to write letters to rabbinic figures asking them the questions, and as legal decisions, these rabbi are tasked with analyzing the sources and coming to a conclusion with guidance for what the person should do, and writing back responsa.

5 Letters of R. Akiva Eiger https://tablet.otzar.org/en/book/book.php?book=11272&width=0&scroll=0&udid=0&pagenum=119

6 Dunner, Pini. "A DISTINGUISHED RABBI RESPONDS TO THE THREAT OF A PANDEMIC – IN 1831." Rabbi Pini Dunner, 15 Mar. 2020, rabbidunner.com/a-distinguished-rabbi-responds-to-the-threat-of-a-pandemic-in-1831/.

7 Igrot Rabbi Akiva Eiger (Makhon Da'at Sofer, 5754), letters 71-73.

8 Reichman , Edward. "From Cholera to Coronavirus: Recurring Pandemics, Recurring Rabbinic Responses." Tradition, traditiononline.org/from-cholera-to-coronavirus-recurring-pandemics-recurring-rabbinic-responses/. Accessed 2020.

9 Nedarim 40a

10 Natan Gestetner, Pesakim ve-Takanot Rabbi Akiva Eiger (Jerusalem, 5731), letter 20, 70ff.

11 Reichman , Edward. "From Cholera to Coronavirus: Recurring Pandemics, Recurring Rabbinic Responses."

descriptions of basic preventative practices such as limiting the amount of people in synagogue, avoiding exposure to harmful substances, and basic hygienic recommendations was instrumental in preventing the spread of the epidemic, by informing those who otherwise wouldn't have known what to do, with clear and credible instructions, thereby greatly assisting in limiting the death toll in Posen.[12]

R. Eiger was abundantly clear in his view of Jews who violated the doctors' advice, emphatically stating that, "he who violates the words of the physicians regarding health behavior has sinned greatly against God, for danger supersedes prohibitions, especially in a case of danger to both oneself and others, which will lead to the spread of disease. His sin will be great to bear." The phrasing of a sin regarded as "too great to bear"[13] is a Biblical allusion to the words of Cain after God punishes him for the murder of his brother Abel.[14] The literary reference would have been widely recognized by any reader of the pamphlet, and as such implies R. Eiger view of those who violated the laws to be guilty of fratricide. Additionally, "sin" is repeated twice indicating the emphasis he placed on the religious consequences of going against the edicts of the medical community. Not only is it a flagrant violation of secular law, but also a direct sin against God Himself. The significance of a rabbi ascribing such a serious title of sinning against God for transgressing the rule of an inherently secular institution is extraordinary.

The trust in medical advice stems from the regard with which Judaism holds pikuach nefesh, saving a life above all else. R. Eiger specifically mentioned "danger supersedes prohibition" in the above letter; those who reject the advice of the doctors in an effort to continue "normal" religious ritual actually are going against what Judaism demands of them. R. Eiger ensured that the precautions were followed properly by recommending that local authorities be placed outside of the synagogues during the High Holidays as an additional safety measure, the services could be carried out properly.[15] Again, this highlighted the gravity in which R. Eiger held the precautions set out by the government, as well his deep trust in them.

Another component of his broad strategy was his advocacy for the care and support of both his own communities and other Jewish communities. In the same response to R. Guttmacher, R. Eiger suggests that:

"His Honor [honorific reference to R. Guttmacher] should collect, for each person... and from that His Honor should fund saving the lives of those stricken with the disease. And if His Honor wishes to send me some money from this sum to save lives, I will do so wholeheartedly, and the money will be distributed to the needy."[16]

R. Eiger personally involved himself in supporting the community, and encouraged others, like R. Guttmacher to do so. He established financial plans (as seen above) to be used for procuring medical supplies and services as well as aid to the poor.[17] On a larger scale, R. Eiger instituted societies to deal with chesed (lovingkindness), set up stations for the poor to receive hot drinks, personally went from house to house to deal with lack of food, and even established hospitals with staff to care for the ill.[18] He availed himself to assist his community in whatever capacity he could, be it legal decisor, fundraiser, or supporter. He led by example and set the tone for other communities, like that of R. Guttmacher, by establishing pandemic practices that others could follow suit and adopt.

His pandemic response extended to worldwide Judaism. In 1831 on the eve of Yom Kippur, the most auspicious day in the entire Jewish calendar, R. Eiger sent a letter to three Jewish communities in Hamburg, London, and Amster-

12 Dunner, Pini. "The Leadership of a True Giant ." rabbidunner.com, 29 Apr. 2020, rabbidunner.com/the-leadership-of-a-true-giant/.

13 Reichman , Edward. "From Cholera to Coronavirus: Recurring Pandemics, Recurring Rabbinic Responses."

14 Genesis 4:13, JPS translation

15 Natan Gestetner, Pesakim ve-Takanot Rabbi Akiva Eiger (Jerusalem, 5731), letter 20, 70ff.

16 Translation of Chidushei R. Akiva Eger, Nedarim 39 by R. Mordechai Torczyner

17 Ibid

18 Zuriel, Moshe. "Rabbi Akiva Eiger." Ravzuriel.com, ravzuriel.com/wp-content/uploads/2019/12/21.-%D7%A8-%D7%A2%D7%A7%D7%99%D7%91%D7%90-%D7%90%D7%99%D7%92%D7%A8.pdf.

dam, raising money for distribution to fellow Jews elsewhere in Europe. R. Eiger wrote this the day before Yom Kippur: as a Rabbi, it would have been logical to assume that he would be in the chaotic midst of the final preparations for the holiday. This indicates the urgency to which R. Eiger views the financial support of these communities. R. Eiger did not delegate authorship of the letter to an assistant, instead he personally composed the letter, assuming full responsibility for a task that meant a great deal to him; thereby displaying his care and love towards those who were suffering.

Despite the fact that R. Eiger was at the age of 70 at the time of the cholera epidemic, he still devoted all of his time to assisting those in his community and advocating for close adherence to the precautionary measures. He was recognized for his outstanding efforts by King Friedrich III, who bestowed upon him a medal of honor.[19] Through his unequivocal trust and promotion of the medical community, as well as his sensitivity towards halacha and pikuach nefesh, R. Eiger made an exceptional combined effort between halacha and medical knowledge to encourage adherence to the safety measures and ensure the continuity of Jewish practice, despite the turbulent times. It was truly incredible, that under the devastating circumstances of the outbreak, R. Eiger was so capable of informing others of what they could do to save their lives and Jewish ritual.[20]

The broad response of R. Yisrael Salanter (1810-1883), Rabbi of Vilna, Lithuania during the cholera epidemic of 1848, offers another approach. R. Salanter, another outstanding rabbinic figure, was best known as the father of the mussar, ethics, movement. While Jewish scholarship traditionally placed a heavy emphasis on the study of the Tanach and Talmud (the Written and Oral Law), R. Salanter introduced the importance of studying ethics in addition to the classic canon of Jewish texts. In this new focus on mussar, R. Salanter sought to integrate these classic modes of study as well as a focus on ethics and personal development.[21] In this framework, he pushed for not only an intellectual grasp of the material, but also for personal involvement and observation within a realm that previously prided itself on knowledge rather than action. His ability to recalibrate the paradigm of the priorities of traditional Jewish scholarship truly made him an innovator and revolutionary.[22] An understanding of R. Salanter's valued mussar approach will be fundamental in gaining a deeper appreciation for his general response to the cholera epidemic.

Similar to R. Eiger, one of the most indispensable ways to understand R. Salanter's attitude towards dealing with cholera is through analyzing his letters to his community members. Ohr Yisrael (the Light of Israel), a collection of R. Salanter's letters and writings, records an exchange between R. Salanter and a friend who expressed anxiety and depression after the loss of a dear friend from cholera. This letter is an example of the larger role of the Rabbi during the epidemic, who gave a sense of stability in a time of great upheaval and supported those who needed help moving back into the rhythms of daily life after catastrophic loss. R. Salanter was a figure who could be counted on for support in an incredibly emotionally trying time. He offered not only comforting words, but also offered more practical advice to "be sure to follow the behavior that the wise doctors instruct us—for we walk in the light of their words according to our religion's instructions.[23]" R. Salanter harkens back to R. Eiger's reverence for the medical community. R. Salanter also employs highly religiously charged language of "walk in the light" to elevate the doctors to a position of religious authority, by using a term traditionally associated with following the righteous way of God. This demonstrates a tremendous deference to the medical establishment and the importance R. Salanter placed

19 Dunner, Pini. "A DISTINGUISHED RABBI RESPONDS TO THE THREAT OF A PANDEMIC – IN 1831."

20 https://jewishchronicle.timesofisrael.com/rabbis-pandemic-edicts-save-lives-during-the-cholera-crisis-of-1831/

21 Taub, Ira. "The Rabbi Who Ate on Yom Kippur: Israel Salanter and the Cholera Epidemic of 1848."

22 Ibid

23 "Ohr Yisrael 22." Sefaria, https://www.sefaria.org/sheets/230203?lang=bi

on following the advice of doctors. This faith was further emphasized when doctors advised it was no longer recommended to eat fish (in those days, avoiding certain foods was a common preventative measure against cholera), R. Salanter declared that Jews who eat fish might as well eat pork; under the laws of kosher (dietary laws governing food), fish is permissible to eat, while pork is considered one of the most severe offenses.[24] His willingness to link fish and pork in the same category is a clear delineation of how seriously R. Salanter took the doctors' advice.

The letter was written around the time of Passover, so R. Salanter acknowledged the emotional difficulty of the ritual change, yet he implored "since all religious behavior is changed by law at a time like this—one should not be excessively embittered on the holidays. This is the time to observe and serve God in joy, and this will be our strength.[25]" R. Salanter expertly reoriented the conversation from the ubiquitous sadness and instead put a strong emphasis on trying to find a sense of religious normalcy despite the turbulent times. He roots the experience and central focus of the holidays in the service of God, rather than the changed practice and subsequent sadness. Worship of God, in his opinion, can still endure; the epidemic does not necessarily have to result in loss of religion or the happiness that stems from religious practice. From R. Salanter's letter, it seems there is a focus on emotional sensitivity, but also a drive to action: to not allow oneself to wallow in sadness, very reminiscent of his action driven mussar approach.

As demonstrated, the role of being a rabbinic figure in a major Jewish community demanded of them to respond to the pandemic in broad terms. As rabbis, they were primarily the decisors of Jewish law for their communities. Judaism is a practical and observance based tradition and the pandemic posed significant challenges to ritual normalcy. Because of the unique nature of epidemics, various complicated questions arose where the "right" answer could not always have been easily determined from precedent. Working from the broad reactions of these rabbis from the letters to the individual halachic innovations, will result in a deeper insight towards their approaches.

Using one specific ritual ruling of R. Salanter can demonstrate the integration of his broad ethics based paradigm in the general response previously discussed and a specific technical religious ruling. The dramatized short story by David Frischman, "Three Who Ate" details the events of the Yom Kippur of 1848. Cholera continued to ravage the city of Vilna as Yom Kippur was fast approaching; R. Salanter became increasingly concerned with the medical effects of the fast on his congregants.[26] Many community rabbis of the time permitted de minimis amounts of food or drink to get them through the day, in the case of medical urgency. R. Salanter openly flouted the prevailing attitude of horror towards eating on Yom Kippur, when he recited kiddush and declared from the pulpit, "with the consent of the All-Present...we give leave to eat and drink on the Day of Atonement,[27]" thereby publicly suspending the fast in an effort to minimize death and reducing exposure to more danger. R. Salanter directly quoted from the opening words of the liturgy of the Kol Nidre prayer when he stated "with the consent of the All-Present." By juxtaposing the liturgy of Yom Kippur with the kiddush, R. Salanter emphasized that God was the one authorizing their eating, because he most likely suspected that they would continue to fast despite the permissive ruling, because they knew the punishment for not fasting was karet, losing eternal life. This was in line with his mussar approach in which he successfully understood the mindset of his congregants.

It is important to note that not all recordings of the event share the shocking, public declaration and eating that was retold in the "Three

24 Taub, Ira. "The Rabbi Who Ate on Yom Kippur: Israel Salanter and the Cholera Epidemic of 1848."

25 Ohr Yisrael 22

26 It is important to note that the classic sources in halacha give a multitude of opinions on that extent to which a fast could be violated in the interest of public health Taub, Ira. "The Rabbi Who Ate on Yom Kippur: Israel Salanter and the Cholera Epidemic of 1848."

27 Frischman, David. "The Three Who Ate." Omanut, 1929

Who Ate". Other sources such as the Yiddish book, Gdoylim Fun Unzer Tsayt, retell the events of Yom Kippur where R. Salanter set up tables of food to eat (with less than the prohibited amount) in the courtyard and announced that those who felt weak could go into the courtyard and eat without consulting a doctor.[28] The accuracy of the stories is not the primary focus here, regardless of the specific details, the ruling itself was revolutionary and as such elicited protest. R. Betzalel HaKohen, a leading Rabbi of the city, protested R. Salanter's ruling that no doctor needed to be consulted.

R. Salanter's character and halachic priority of "u'bechartem bchayim" the imperative to live, not die at the hands of the commandments and to choose life is what made the decision so monumental. On a technical level, the fact that he suspended the fast publicly rather than granting exemptions on an individual basis, made his ruling especially provocative. This elicited an especially pointed comment by R. Betzalel HaKohen, who 20 years after the fact wrote,

"it is my obligation to make it known for all generations this great matter- that for three successive years greater than 12,000 men and women who fasted [on Yom Kippur during the cholera epidemic] throughout our lands and no ill befell any of them-and this was known to virtually the entire world at the time.[29]"

Even twenty years later, this somewhat dramatic reaction highlights the controversiality of the decision, and how some rabbinic figures were incredibly determined to emphasize that the traditions had remained the same no matter what the circumstance. This pattern of ruling was consistent with other halachic rulings he made where he was more than willing to be lenient in a case where life would be endangered, such as in the case where he allowed the preparation of warm food on Shabbat in order to ensure that both students in yeshiva and the sick would not weaken and die.[30]

While many of his contemporaries' decisions were also certainly motivated by pikuach nefesh, none seemed to be as lenient as R. Salanter was willing to rule. He was so driven to preserve life, many times at the cost of his reputation. Perhaps this was as a result of R. Salanter's focus on mussar; he believed that the preservation of life was the ultimate concern, and he took action on these beliefs, much like the mussar approach demanded. Moreover, he was already considered a revolutionary for his founding of the mussar movement, so making the lenient and progressive halachic decisions was well within his established reputation.

It is important to note that R. Salanter, though a halachic genius, modestly remarked that he did not even decide matters of halachic dispute in his own kitchen.[31] This further emphasizes the degree of importance in which R. Salanter viewed the Yom Kippur case (according to both narratives) to make such a controversial decision, going against the Rabbinic Court of Vilna and Vilna's reputation as the pantheon of Jewish scholarship; and as such the significance of making a radical decision in such a place could not be of more importance. Moreover, on the heels of the great sages of Vilna and going against the majority of the rabbinic establishment, R. Salanter signaled that this decision mattered more than that, since in his view, pikuach nefesh truly came before anything else, even when he previously shied away from making even basic decisions in his own home.[32] Through this landmark decision, R. Salanter was "careful not to allow an epidemic to serve as a spur to the lowering of a community's religious standards but framed their responses under the banner of a higher religious commitment to preserving life.[33]"

Returning to the responsa of R. Eiger, a response on a smaller and less revolutionary

28 Talmudology. "Blog: Science in the Talmud." Talmudology, 21 Feb. 2020, jeremy-brown-vpk4.squarespace.com/?offset=1582607040422.

29 "Ohr Yisrael 22."

30 Goldberg, Hillel. "Towards an Understanding of Rabbi Israel Salanter." Tradition , 1976, pp. 83–120., traditiononline.org/toward-an-understanding-of-rabbi-israel-salanter/.

31 Because of the complexities of the laws of Kosher, many (sometimes complex) questions come about during preparation of food in the home. Generally speaking, in Jewish law, the home is a realm where one can weigh the various factors and come to a decision, usually without even consulting a rabbi. In his own kitchen, however, R. Salanter wasn't even willing to do what most "regular" Jews were accustomed to doing

32 Taub, Ira. "The Rabbi Who Ate on Yom Kippur: Israel Salanter and the Cholera Epidemic of 1848."

33 Ibid

scope will be explored as an example of an enduring change to Jewish practice that came about as a result of the epidemic. The most notable and impactful of these being R. Eiger's decision to change the practice of the mourner's prayer, kaddish. Kaddish is recited by mourners for 11 months following the death of a relative. Prior to the cholera epidemic, this prayer was recited in the standard manner; one mourner would recite each kaddish (there are multiple throughout each prayer service), acting essentially as the prayer leader, and the congregation would respond "amen". However, the cholera epidemic would change normative Ashkenazi synagogue practice.[34] The handful of times kaddish was recited during each service would not have sufficed for each of the many mourners that the epidemic produced to recite the prayer individually, thus some of the mourners would inevitably be left without an opportunity to recite kaddish.[35] R. Eiger then made the decision to allow multiple mourners to recite one kaddish prayer simultaneously, overriding mainstream Ashkenazi practice. A motivating factor of this change perhaps was the emotional pain of the congregants if they were unable to say kaddish for their beloved family members. This custom of saying kaddish together was originally a Sephardi one. The Sephardi prayer experience is one that draws heavily on the collective voice, mainly expressed in the form of all congregants reciting the prayers out loud, rather than in Ashkenaz practice where the prayers are recited only by the chazzan, and everyone else simply answers "amen". As expected, some Ashkenazim were considerably upset with R. Eiger's ruling as this was never the practice in their synagogues. Moreover, they were particularly concerned as reciting the prayers together had never been part of their experience, and as such, they were worried that once people started reciting the kaddish together, it would create a cacophony of voices.[36]

R. Eiger only intended for this to be a temporary practice, and he wrote that "once the epidemic subsides...I established that they should no longer recite all of the Kaddeishim together.[37]" Despite R. Eiger's suggestion, the simultaneous kaddish, peculiarly became an everlasting norm, seemingly going against all halachic precedence before R. Eiger. The reason behind why this became a mainstream practice is unknown, so the following explanations are purely speculative. Perhaps people realized that it was actually comforting for each mourner to recite all of the kaddishes rather than just one, and so the practice evolved and remained even after the plague. This further emphasizes the prevailing theme that emerges from the rabbinic response, that the emotional needs influence the halachic process and the deliberations of the rabbis who make the decisions. The possibility also exists that there was simply a miscommunication, and people misunderstood R. Eiger's original decree: they heard that group kaddish was allowed, but failed to realize that it was only a temporary solution. On the other hand, this could be an example of a change that became so entrenched in the lives of those Jews, it inevitably became the prevailing practice, going beyond the written directive of R. Eiger. This emphasizes the lasting power and influence ritual change holds. Additionally, unlike the lenient Yom Kippur ruling which had the ability to change from one year to the next, because reciting the kaddish is a daily occurrence, there is no calendrical milestone where the practice could be restored. What was originally transient became permanent, highlighting the power of daily practice as well as this ritual change.

For generations, the entity that had sustained Jewish people and practice through extreme challenges was community and ritual practice. Coming together to serve God allowed them to derive strength from one another, no matter how great the adversary. Yet, the chol-

34 Before analyzing the trajectory of development of this prayer, it is critical to define two important terms: ashkenazi and sephardi. Ashkenazi is the traditions of those descending from European lineage, and sephardi is the traditions of those descending from Spanish or Middle Eastern lineage. Ritual was often influenced by the place the Jews resided in, and as such, there are often significant differences in tradition between the two.

35 Fischer, Elli. "Rov in a Time of Cholera." jewishreviewofbooks.com, 19 Mar. 2020, https://jewishreviewofbooks.com/articles/6892/rov-in-a-time-of-cholera/.

36 Shurpin, Yehuda. "Why and When Did Mourners Start Saying Kaddish Together?" Mourner's Kaddish, 2 Dec. 2019,www.chabad.org/library/article_cdo/aid/4564912/jewish/Why-and-When-Did-Mourners-Start-Saying-Kaddish-Together.htm.

37 Ibid

era epidemic profoundly undermined this, since gathering together was prohibited. Judaism could no longer continue on in the way it had for centuries in the face of adverse stressors. This made the response of the Rabbis of utmost importance. They were tasked with holding together a religion where both the foundations of ritual practice and coping mechanism were compromised. As demonstrated by their approaches, they accomplished an incredible feat by utilizing a broad communal based response as well as specific technical legal rulings, that allowed Jewish practice to survive yet another challenge. These rulings were not only significant in the remaining cholera outbreaks, but also eventually became the precedent in their own right and allowed others, for generations to come, to learn from Judaism's ability to withstand and adapt to challenges through the profound rabbinic leadership.

Daniel Barth

Daniel is a rising sophomore in the GS-JTS joint program.
He is planning on majoring in History and Jewish Ethics.

Abstract

The Jewish community of 19th century Europe was at a crossroads; with the rise of Enlightenment thought and political emancipation, Jews were seemingly forced to choose between clinging onto the past, or taking on their newfound position. For some, their independence meant that religion was no longer relevant to their lives, while others, through the rise of denominations, defined religion, and religious life, differently than the traditional understanding. For others, closing themselves off from, and rejecting, society was the only way to preserve their traditional lives. Rabbi Azriel Hildesheimer made it his life's goal to find a way to live his life, and, by proxy, all traditional Jews, between seemingly two contradictory worlds, and attempted to find the boundaries for a religious individual in a modern world.

Between Tradition and Modernity: A case study of Rabbi Azriel Hildesheimer

From Shtetl to Society

With the spread of Jewish emancipation throughout Europe in the 19th century, Judaism and the Jewish people were in unfound waters. While once concentrated in shtetls and enclosed communities, Jews were now recognized as equal citizens among their countrymen, providing them an opportunity to rise within the social strata. Jews were now enabled to interact with the greater European community, as the younger generations became urbanized, had access to greater economic opportunities, learned in gymnasiums, and became active within the broader European society.[1] Concurrently, the Jewish Enlightenment, or Haskalah, swept through the Jewish communities. This movement was characterized by its mission to revive the Hebrew language, challenging the language's sole use in prayer and learning, and its attempt to integrate rationalistic, liberal values with traditional Judaism.[2] Both of these new circumstances meant that the Jewish communities were no longer solely under the thumb of the local rabbi and the community's religious ideologies, and that they had the opportunity to exist within the non-Jewish world. These changes challenged the traditional approach to Judaism advanced by the rabbinic community. While the rabbinic class previously had complete authority over the Jewish communities, allowing for the enforcement of Jewish Law and continuity of Jewish norms on both a religious and political plane, these religious authorities now faced challenges of rampant assimilation and fervent communal reform.[3]

A contrast existed between the Kingdom of Hungary and German States in regards to the

1 Sorkin, David. Jewish emancipation: a history across five centuries

2 Feiner, Shmuel. The origins of Jewish secularization in eighteenth-century Europe

3 Reinharz, Jehuda and Schatzberg, Walter. The Jewish response to German culture: from the Enlightenment to the Second World War

varying degrees to which the Jewish communities liberalized and, in turn, how the rabbinic authorities grappled with these challenges. As the majority of Hungarian Jewish communities were centered in rural countryside, the concept of Jewish emancipation and Haskalah were non-existent, or gradually implemented, thus enabling the rabbinic communities to continue and strengthen their sway over the Jewish community, as they feared "once the smallest acquiescence to modernity was made, it might not be possible to prevent the tradition from… collapsing.[4]" Their main proponent, Moses Sofer of Pressburg, also known as the Hatam Sofer, was steadfast in preserving the traditional status quo, condemning those who proposed introducing any modern concepts to tradition. Sofer was known for his famous phrase of Hadash Assur min haTorah, or "innovation is forbidden according to the Torah," and staunchly opposed all aspects of the Reform movement. While there was some dissent within the Hungarian Jewish community, the schism in Hungary was less pronounced than within its German counterpart. This Hungarian reformist movement, dubbed the "Neologs," preserved most of the traditional religious institutions, with only minor changes to the liturgy and prayer system.[5] Whereas inside Hungary few Jews were exposed to liberal, contemporary ideas, outside of Hungary Orthodox rabbis were severely concerned with the pervading liberal approaches introduced by new movements to Judaism and communal life.

The Jewish communities within the German states were more urbanized and independent; Jews were more able to absorb Enlightenment thought and secular culture due to greater freedoms and frequent interaction with foreign thought. While secular ideas had been present in the work of other Jewish figures, starting with Moses Mendelsohn in the beginning of the 18th century, Enlightenment and rationalist theory became part of the German-Jewish corpus; a paradigm shift occurred in the minds of Jewish thinkers as they questioned the role, and importance, of the Bible, Halakha, and tradition, consequently framing the religion completely differently than the way it had been practiced for millenium.[6] This newfound knowledge was compounded with the fact that the German states lacked a singular religious leader and religious body. Since various Jewish communities had access to modern thought, the rabbinic community was forced to grapple with, and recognize, the varying opinions of Jews towards tradition and secularity. While Hungarian rabbis, like the Hatam Sofer, were able to shield their communities from the Enlightenment and had the wherewithal to utterly denounce these ideas, German rabbis were not awarded this opportunity, and, as such, had to come to terms with this new reality. This problem was somewhat less acute in Germany as its religious leaders were already generally more liberal than their Hugarian counterparts; however, this created certain difficulties in setting boundaries, both within their own communities and in secular-Jewish interactions. One such figure, Rav Azriel Hildesheimer, would make it his life's work to create an Orthodoxy that existed within both the traditional and progressive Jewish worlds, that is,"a response that would take into account the transformations in the community while simultaneously affirming the eternality and unchanging divine nature of halakha.[7]" Hildesheimer would garner both praise and scorn as he attempted to navigate this path. Through his efforts to balance these concepts at this critical moment, Hildesheimer would cement his place in Jewish history, forever altering the Jewish religious landscape.

Hildesheimer's Origins

Azriel Hildesheimer was born into a rabbinic family on May 11, 1820, in Halberstadt, located in the Kingdom of Prussia. Hildesheimer's more liberal approach to rabbinic tradition is rooted in his early education, first in elementary school, and then later in his yeshiva experience. Hildesheimer's primary teachers and mentors were Chacham Isaac Bernyas and Rabbi Jacob Ettlinger. Hildesheimer first attended Hasharat Tzvi under Bernays; Bernays, the chief rabbi of Hamburg, was educated in liberal studies - having been granted a degree from the University of Würzeberg - and instituted a secular curriculum in the community's Jewish schooling system. Indeed, Hasharat Tzvi was the first Orthodox school to implement secular studies. The school,

4 Elleson, David (19). Rabbi Esriel Hildesheimer and the Creation of a Modern Jewish Orthodoxy
5 Rethelyi, Mari. Hungarian Nationalism and the Origins of Neolog Judaism
6 Altmann, Alexander. Moses Mendelssohn: A Biographical Study
7 Elleson, David (22). Rabbi Esriel Hildesheimer and the Creation of a Modern Jewish Orthodoxy

funded by Zvi Hirsch Katzlin, a religious businessman, was founded so that non-religious Jews would be more inclined to pursue a Jewish education and thus strengthen their Jewish identity.[8] Although Bernays joined other Orthodox rabbis in condemning Reform practices, his rulings and practices altering certain aspects of religious life, specifically in his tendency to deliver his sermons in German in order to accommodate the lack of Hebrew fluency among the community, he was not fully accepted within the Orthodox "mainstream" community.

During his teenage years, Hildesheimer would spend time learning under the tutelage of Rabbi Yaakov Ettlinger. Ettlinger was a respected figure within the rabbinic community due to his commentaries on the Talmud, most notably his work Aruch la-Ner. He too was fervently opposed to the Reform movement, though, as opposed to Bernays, he did not advocate for any changes to traditional Judaic practices. What made Ettlinger distinct from his counterparts was the fact that he had been enrolled in the University of Würzeberg while learning in yeshiva. Both men, Bernays and Ettlinger, inspired Hildesheimer to attend university, enforcing Hildeshimer's idea that religious Jews could be "simultaneously bastions of Orthodoxy and receptive to a modernist Intellectual temple.[9]" Similar to his teacher, in 1840, Reflecting his teacher's actions, in 1840 Hildesheimer indeed learned under Ettlinger in yeshiva while simultaneously attending the University of Berlin, where he studied Semitic languages and mathematics; he would later earn a doctorate. After finishing his studies, Hildesheimer became the rabbi of Eisenstadt in Austria, and similarly to Bernays, established a parochial, co-educational school there that taught secular education such as math, science, and language, as well as the classical Judaic studies such as Bible, Halakha, and Talmud.

Hildesheimer followed in his teachers' footsteps by obtaining a university degree, but it was the founding of his yeshiva that would differentiate him from his teachers and establish himself as a figure in all German Jewish communities. In 1869 Hildesheimer moved to Berlin to become the rabbi of the Orthodox community (Adass Jisroel), requiring that the congregation allow him

8 Ibid., 13
9 Ibid., 14

to teach as he had previously done as rabbi of Eisenstadt. Following several years in this position, Hildesheimer proposed to a group of important Jewish figures -- some rabbis, some donors -- the need for a rabbinical seminary in Berlin. Hildesheimer having seen the changes occurring to the Jewish community in Germany recognized the need for the next generation of Orthodox rabbis to be strongly educated in secular subjects so that they could successfully exist within the broader Germany-Jewish society.

From Beliefs to Action

In 1873, the seminary, later termed the Rabbiner-Seminar zu Berlin, or Hildesheimer Rabbinical Seminary, opened its door to the first class of 30 students. The seminary required that the students have a background in secular topics, and while attending the yeshiva, needed to be enrolled in a university (while this academic system existed in the Breslau seminary, this was the first Orthodox institution that had this requirement). Similar to the Breslau seminary, and in contrast to the Hugarian and Lithuanian seminaries, the Hildesheimer seminary's curriculum included Bible, Hebrew language, midrash, geography, Jewish history, Prophets, and philosophy.[10] The seminar students devoted many hours to Talmud and Halakha, specifically Even HaEzer, Yoreh Deah, and Orah Hayim of the Shulhan Aruch, the foremost work on Jewish law. The students, however, did not learn the Hoshen Mishpat (civil law) of the Shulhan Aruch since the rabbis no longer held control over the Jewish community on civil law, as German law was the basis for procedure, Hildesheimer deemed it was not necessary that it be included in the yeshiva's curriculum. In general, Hildesheimer created a curriculum that he believed reflected the reality of the Jewish community in Germany.[11] He attempted to prepare his students as rabbis for the modern context, one in which they not only did not have complete authority over the community, but one in which there were competing philosophies and ways of life. As such, while the students were able to gain an academic degree, the fact that the seminary did not spend the entire time studying traditional Jewish texts meant that they were not as learned as their Hungarian counterparts. For

10 Ibid., 157
11 Ibid., 158

Hildesheimer, as seen in the curriculum he created, the purpose of the seminary was ultimately to create "someone capable of disseminating Orthodoxy and defending it in a challenging world.[12]"

Communal Reaction and Legacy

Once Hildesheimer created his seminary, it became a tool to repudiate and discredit his educational and theological approach, by both the secular and religious communities. In the liberal world, Leopold Low, the leading non-Orthodox rabbi of Hungary, wrote that Hildesheimer's yeshiva was poor in both its religious and secular education. For the religious world, the mainstream Orthodox at times viewed Hildesheimer as more of a threat to their own Orthodoxy than the other Jewish movements of the period. This stemmed from Hildesheimer's respect for the Oral Tradition and Jewish Law codes while also asserting the importance of secular knowledge. Rabbi Hilel Lichtenstein, a pupil of the Hatam Sofer, referred to Hildesheimer as "the wicked man Hildesheimer" and "the horse and wagon of the evil inclination.[13]" Despite the constant battling and disputation, by the end of his life Hildesheimer had garnered respect from many within the Orthodox community; "[he] had attained a position of structure and respect in the German and European communities.[14]" He enabled the creation of the new generation of versatile, fully educated rabbis who could deal with the issues facing contemporary society.

Despite his openness to secular education and modern ideas, Hildesheimer followed in the path of the Orthodox community in his fight against Reform Judaism, specifically attacking the movement for its changes within the synagogue and liturgical practice.[15] His own philosophical approach, however, created challenges that did not exist for his Hungarian counterparts. Hildesheimer, like other Orthodox rabbis, repudiated Abraham Geiger, a head rabbi of the Reform movement, quoting Psalms 137:7, "raze it, raze it to its very foundation[16]" when referring to Geiger's seminary. Hildesheimer did not want to cooperate with heterodox communities, as this would demonstrate recognition of their form of Judaism, but compared to his coreligionists, Hildesheimer "maintained unity for the idea of 'klal,' the feeling of solidarity with all Israel," and he would try "to relate [to] all segments of the Jewish community on matters of common concern,[17]" often in issues of fighting against anti-semitism and for the promotion of charities for Jews around the world and in Israel. This story is paradigmatic of Hildesheimer's personal relationship with the status of Judaism in Germany during the 19th century: while Judaism was in a crossroads, with the greats schisms occurring around him, despite his own personal beliefs -- which prevented him from being part of either the traditional or progressive camps -- Hildeshsimer was willing to interact and cooperate with all parts of the Jewish community in order to so that Judaism was preserved.

12 Ibid., 158
13 Ibid., 43
14 Ibid., 63
15 Student, Gil. Rav Hildesheimer's Response to Ultra-Orthodoxy
16 Elleson, David (57). Rabbi Esriel Hildesheimer and the Creation of a Modern Jewish Orthodoxy

17 Ibid., 89

Shmuel Berman

Shmuel Berman is a freshman in Columbia's School of Engineering and Applied Science. He enjoys reading classical and modern works of literature, and is planning on majoring in Computer Science.

Abstract

The evolution of Jewish law—halacha— has been well documented in both the modern and medieval eras, with most authorities accepting multiple valid practices and interpretations of the law. Thus, while the accepted law was debated within communities, differences between individuals or sects did not fracture any religious ties.

A study of Jewish theology will reveal an even more diverse array of opinions than there are on the ritual law; the main reason why schisms were not commonly sources in theological differences—though some did occur— is that theology has very little to do with everyday Jewish living. Nevertheless, philosophers and theologians from multiple cultures did interact with each other and quote opposing works while simultaneously claiming ultimate authority on the nature of the divine. This work attempts to study the structure and reasoning of those interactions and describe the connection to halachic evolution.

The Reconstruction Of Jewish Divinity Through Source Reinterpretation

Judaism has tolerated disparities in practice among different religious communities. In some cases, whole communities would observe a prohibition that another community permitted. Basic tenets, such as towards the quintessential headcovering, were radically different depending on geographic location, changing depending whether one was living in Germany, Italy, and Yemen. Even as Judaism's philosophy towards its own law system promotes the acceptance and exercise of correct and incorrect practice, it simultaneously enables differing rulings. Despites these communities being relatively isolated from one another, their ability to communicate -- as seen in the responsa of Maimonides to Yemen, or R' Shmuel de Medina's letter to the stranded Bulgarian community -- indicates their acceptance for differences in practice, and no single opinion claimed greater validity than the rest.

This religious freedom was not created by the rabbis of the Medieval period, but was merely a continuation of the system that had been put into place by earlier Sages. Different customs are mentioned throughout the Talmud, while all being maintained as sacred, implying that the rabbinic system requires specific countermeasures for certain circumstances. From the rabbinic perspective, there is no true disagreement in living differently, if those differences lie on a basis of common ground. It is no different than dressing in layers in colder climates, or making any other utilitarian— or pseudo-utilitarian, in a religious

sense— decision, as they believed this to be inherent to the meaning of the text. Accompanying this actionable freedom is an expanse of theological latitude. Judaism has allowed a far greater range of views about the Godhead than would be permitted in its sister religions; the Pharisees and Sadducees greatly differed in religious practice and theology but shared a society in ways that the Eastern Orthodox and Catholic churches never did.[1] This prerogative does not serve to negate or reject previous dogmas, but rather, allows each community, and generation, to weave seemingly incompatible strands of religious thoughts together.

The Appearance of Early Mystic Works in the Writings of Medieval Rationalists

It will be helpful to examine a work that most would place firmly in the category of mysticism— Sefer HaYetzirah. It's oldest mention occurs in the Talmud[2], where it is used to conjure a calf out of thin air. Tradition and most medieval commentators believed that it was written by Abraham the Patriarch, or even Adam; all agree it contains a spark of the divine and is not wholeheartedly man's work. Modern analysis indicates it probably dates back to late Mishnaic or early Talmudic times.

The book opens with the following:

By thirty-two mysterious paths of wisdom Jah has engraved [all things], [who is] the Lord of hosts, the God of Israel, the living God, the Almighty God, He that is uplifted and exalted, He that Dwells forever, and whose Name is holy; having created His world by three [derivatives] of [the Hebrew root-word] sefar : namely, sefer (a book), sefor (a count) and sippur (a story), along with ten calibrations of empty space, twenty-two letters [of the Hebrew alphabet], [of which] three are principal [letters] (i.e. ש מ א), seven are double-sounding [consonants] (i.e. ת"רפכ ד"גב) and twelve are ordinary [letters] (i.e. צ ע ס נ ל י ט ח ז ו ה ה ק).[3][3]

It contains the origin of many, if not all of, Jewish mystical content. The book represented the cursory esotericism of the relatively young Jewish mysticism. Specifically, the work discusses the importance and mystical value to Hebrew letters, interworking the concept as the fabric of the universe, and mentions the idea of Sefirot. Both of these topics would be central to Jewish mystic thought, and would be developed in much greater depth by later Kabbalists of the medieval era.

In the 9th century, thinkers such as Shabbethai Donnolo of Italy added upon the theology by extracting and forging ever greater mystical detail from inside of it. Even Saadia Gaon, a 10th century rabbi and contemporary of Donnolo, participated in this metaphorical conversation. Saadia Gaon is widely recognized in the rabbinic tradition as the seat of modern Jewish rationalism, and, yet, despite his antithetical theological outlook, he translated the book into Arabic. His translation shows he attributed a large amount of import to a book that, as, rather than quoting parts of the text to serve as a point to further his own argument, he translated the entire work; the value of the work, even his Saadia Gaon's eyes, is independent and necessary to be learned by all in Jewish community. Furthermore, in Tafsīr Kitāb al-Mabādī, he commented upon the concepts of the book, relating its content on Hebrew letters as mystical phenomenon or linguistic constructs to rational thought.

The argument I am formulating would be much less convincing if the only proof were to be taken from an authoritative, relatively ancient— at least in the traditional commentators eyes— as Sefer HaYetzira. The attitude we see here extends far past works, though, that were universally accepted. Take Shi'ur Qomah, one of the cornerstones of the mystical Hekhalot literature of the Talmudic time period. A bizarre work by modern standards, the book deals with God's physical stature, giving literal proportions of God's height, throne, and glory. Saadia Gaon is naturally skeptical about the authenticity of its religious value, but rather than dismissing the work without giving it a place in his own theological universe, he elects to refer the measurements and visions in the book to primordial creation-matter and the manifestation of God's glory instead of the Almighty himself.[4]

His attitude towards the work was echoed

1 See Pharisees, Scribes and Sadducees in Palestinian Society by Anthony J. J. Saldarini for more information on their shared society.

2 Sanhedrin 65b

3 Qafih, Yosef. "Sefer Yetzirah Hashalem (with Rabbi Saadia Gaon's Commentary)". The Committee for Publishing the Books of Rabbi Saadia Gaon: Jerusalem 1972, p. 35

4 Judah b. Barzilai, Peirush Sefer Yetzira, ed. Solomon Zalman, Hayyim Halberstam, Berlin 1885. Pg. 21

by many others, who reexpressed his rationalist interpretation of Shi'ur Quomah. Rabbi Moses Narbonne was a Spanish rationalist who lived in the 14th century; he wrote a commentary on Maimonides' "Guide to the Perplexed" called Perush mi-Millot ha-Higgayon, two commentaries on Aristotle's works, and a host of original philosophical treatises. His works firmly place him in the extra-rational camp of Jewish philosophers, almost to the same degree as Rav Saadia Gaon. He too ascribed enough importance to Shiur Quomah to write an original work on it, entitled Iggeret 'Al-Shi'ur Ḳomah. This came without any hesitation on its authenticity or religious value, but as he was a rationalist, the interpretation was consistent with his theological worldview.

Maimonides is an exception among the rationalist rabbis in regards to his perception of these two specific works. He dubbed the Shiur Hakuma a Byzantine forgery[5] and demanded it be burnt. However, Maimonides held this attitude towards many authoritative books, and his attitude towards tradition and unity with other approaches and streams of Judaism makes him himself, and by proxy his works, to be controversial as well. Abraham ben David, a 12th century Provencal rabbi, criticized his work greatly for lacking sources and citations almost across the board, even before the actual radical philosophical content spread across Europe in a literal wildfire. It is obvious, then, that Maimonides held a very different view about prior source material than was ever mainstream.

While we cannot utilize Maimonides' opinions as a test case, it does make using Rabbi Moses Narbonne as proof more feasible. He lived after Maimonides and praised several of his works, even commentating at least on one of his works. Narbonne was almost certainly aware of Maimonides suspicion regarding the legitimacy of the book, and was most likely aware of Rav Saadia Gaon's suspicion as well, yet none of this comes out in his work. Despite Maimonides' rejection, sNarbonne chooses to incorporate the concepts into his philosophy without hesitation.

The Utilization of Rational Philosophies in Pietist and Mystic Literature

Finding acceptance of rational works in Jewish mystical literature is more difficult. Pseudepigraphical works— those claiming to be the work of an earlier, almost always authoritative figure— are much more common in mystic circles. Both mystical works cited before fall into these categories, and they no doubt benefited from being attributed to prior authorities. The effect of these apocryphal tendences make our search extremely hard, as they preclude almost all philosophical works from being included. A truly philosophically rationalist Judaism did not develop for hundreds of years after the proto-mystical movements of the Talmudic period (such as Merkabah mysticism) were established, a time period which served as the latest possible target for pseudepigraphical works.

However, while the Middle Eastern mystical movements are poor targets to find this kind of "source appropriation,", the Hasidei Ashkenaz of the 12th century and the much later Hasidic movement in Eastern Europe, which flourished in the 18th and 19th centuries, are perfect examples of this post facto synthesis of source material.

Sefer Hasidim, written by Yehuda HaChassid of Regensburg, is widely considered to be the most important work of the Hasidei Ashkenaz movement. Descended either genealogically or thematically from the mystic 10th century scholar Abu Aaron, the work is a cornerstone of numerous theological innovations that result from a synthesis of philosophical and mystical works. It centers around interpreting the concept of God's kavod and the method of it's emanation.[6]

The book quotes Rav Saadia and is clearly influenced heavily by his theology. The explanation of God's glory and the separation between a tangible creation of God's presence from God himself is taken straight from Saadia's Emunot VeDeot. It goes on to describe different "worlds" of God's glory, connecting it with more esoteric meanings for the Sefirot. It leans much more towards the pantheistic than Saadia ever would concede, transforming Saadia's concept of created glory into all of kavod being a direct emanation of God himself.

One must recognize that the Hasidei Ashkenaz did not have access to an accurate translation of Saadia's works. While there was an

5 Maimonides and Philosophy: Papers Presented at the Sixth Jerusalem Philosophical Encounter, May, 1985. Shlomo Pines, Yirmiahu Yovel. Published by Springer, 1985. Pg. 85, footnote 11, relying on J. Blau, R. Moses B. Maimon — Responsa (Jerusalem, 1958), 1:201.

6 Dan, Joseph Jewish Mysticism / the Middle Ages. Aronson, 1998.

extant accurate Hebrew translation of Rav Saadia's Emunot VeDeot when Yehuda HaChassid wrote his book, it evidently had not reached their hand by that time. The translation they did have access to was incredibly poetic[7] and stripped of most of its rigorous rationality. Despite this, it is still somewhat difficult to believe they thought him a total mystic, and could not adduce any of his true meanings from his writings.

Other authors of the Hasidei Ashkenaz movement did precisely the same thing with the works of Ibn Ezra, another well known rationalist philosopher. Sefer HaChayyim is an anonymous work that provides further proof of this rational pseudo-continuity. In contrast to other mystical works, it provides a definitive ethical spin and deals with theological, theosophical, and ethical problems in a decidedly purposeful manner. The author was very familiar with the works of Ibn Ezra and quotes his exegesis numerous times. Later readers, such as Rav Moshe Taku of the 13th century, even claim that Ibn Ezra himself wrote the book.[8] However, there is little to no evidence to support this conclusion, and the mystical inclinations that the author clearly has are present in no other writings of Ibn Ezra. What can be said about its connection to Ibn Ezra and rationalism is that the generation after, and perhaps even the author themself, wished the book to be connected with that movement.

Perhaps the best way to characterize the prevailing attitudes towards the earlier rationalists by the later Hasidim is encapsulated in a common legend regarding the legendary founder of Hasidic Judaism, Rabbi Israel Ben Eliezer: the Baal Shem Tov. Born approximately 1700, he set off a wildfire of a movement that would span all of Europe and reinvigorate the relatively dormant Western mystical traditions. Among the beliefs espoused, though not original to him, was the idea of gilgul, or reincarnation. His secretary's son-in-law, Rav Dov Ben Samuel Baer, either coined or wrote down the preexisting belief that the Baal Shem Tov was the gilgul of Rav Saadia Gaon himself,[9] the aforementioned 10th century rationalist. Their views and opinions are almost totally at odds; it is very unlikely Saadia would agree with many of the Baal Shem Tov's teachings. What, then, can we take out of a legend like this?

An examination of attitudes towards earlier rationalist sources in Hasidic literature can help bridge this gap. For example, Rav Tzadok of Lublin, a 19th century Hasidic leader, frequently cites Maimonides in many of his works. In the 29th chapter of Zidkat HaZadik, his magnum opus on general exegesis and mystical thought, he quotes a passage from Maimonides' Yesodei HaTorah (from his greater work Mishne Torah). He uses the passage as a way in which to draw a spiritual parallel between the destruction and rebuilding of the Temple with the human soul in the process of sin and catharsis; this is reflective of Rav Tzadok's methodology, as the figure often combined psychology with different Kabbalistic ideas of the soul. His quoting at the of Maimonides does not serve to prove his point, but instead is actually a general instruction about how to obtain love and fear of God. I have reproduced a translation of the passage here:[10]

But how may one discover the way to love and fear Him? When man will reflect concerning His works, and His great and wonderful creatures,1 and will behold through them His wonderful, matchless and infinite wisdom, he will spontaneously be filled with love, praise and exaltation and become possessed of a great longing to know the Great Name, even as David said: "My soul thirsts for God, for the living God,"

In context of Tzadok's general thesis on the rebuilding of the soul, it is almost certainly untrue to maintain Maimonides' works as genuine telos for the complex machinery of his mystical process of reconstruction. On both ends of the theological spectrum, then, we have seen a tendency to appropriate sources, of which a cursory read would convince any reader that the source material and its author symbolize antithetical views.

A Presumption of an Appeal to Authority Does Not Suffice

The simplest explanations of these patterns do not hold up under scrutiny. When we ex-

7 "Hasidei Ashkenaz ." Encyclopaedia Judaica. . Encyclopedia.com. 23 Mar. 2021 <https://www.encyclopedia.com>.

8 "Sefer Ha-Hayyim ." Encyclopaedia Judaica. . Encyclopedia.com. 23 Mar. 2021 <https://www.encyclopedia.com>.

9 Shivchei HaBesht, p. 87

10 Mishneh Torah, Yesodei Hatorah, Perek Bet

amine classic, older texts, such as Shiur Ha'Qoma and Sefer HaYetzira, in a rationalist context, one might concede that these commentators are putting a metaphorical twist on an existing mystical work. However, Rav Saadia's, for instance, interpretation of Sefer HaYetzira is simultaneously genuine in nature and egotistical. For him, his rational commentary of mystical phenomena is not his own personal understanding, but rather is assumed to be the correct explanation of the text. Him sourcing the book to Abraham gives it inherent authority. For him, this knowledge must be the knowledge that Abraham received or produced with divine insight; therefore, it lies alone, outside of the realm of interpretations. On the other hand, Rav Sadia Gaon was well aware of the hysteria that surrounded the work, as it had for centuries already served as a primary basis for Jewish mysticism

The cryptic nature of the primary mystic sources make this problem hard to define. The rationalist sources leave us no such qualms that they are being quoted out of context. The Ibn Ezra, Maimonides, and Rav Saadia Gaon spell out how much they value science and a rational approach to living and theology; they have a systematic way of classifying God and his attributes.[11] When they are quoted as proof for God's emanation and omnipresence in physical reality, as is common in certain Kabbalistic circles, it is a clear contradiction, almost reminiscent of Orwellian doublethink. This would imply either a total lack of awareness or active malicious intent to latch on to authoritative sources. Are either of these really applicable, with the breadth of knowledge these Sages had access to? Moreover, we have thoughts from several of them— Saadia, Maimonides, Ibn Ezra, Rav Tzadok— on streams of thought they disagreed upon. As modern readers, it would be irresponsible to pretend this is a case of foolishness. If we construe this as maliciousness, even aside from the lack of motive, would any of this pretending really hold up under scrutiny? No source I have cited attempts to obfuscate its simple meaning.[12]

It seems altogether unlikely that Rav Tzadok would quote Maimonides or Rav Saadia Gaon alluding to Shiur Ha'Quoma in a half-hearted appeal to authority. It is incumbent on us to explain their behaviour and motives for this "pseudo-unity" of thought.

A Brief Explanation of Halachic Development

It is important to establish that none of what we have discussed previously implies that there is a lack of argument or disagreement in Judaism. Machloket, or debate, is a central tenet of halachic rulings and there is a vast corpus of works in which Sages disagree on halachic minutiae, many of which are wholly irrelevant in the post-Temple era. While it is generally agreed that the rabbis of a certain era are not to disagree with those from past periods of Judaism, there has never been a shortage of Jewish figures to disagree with their contemporaries. Even the first rule was broken by many prominent sages, such as the 18th century Vilna Gaon, who argued with Talmudic sages in some of his rulings.[13]

Historically, academic debates over theology and philosophy are not as common as the ones that occur over Talmudic casuistry. Nevertheless, we have seen numerous examples of such a thing occurring, even before the infamous feud between the "Mitnagdim" and "Chassidim" during the 18th and 19th centuries. However, when they did occur they were typically characterized by less argument and more radical action. Maimonides was met with fierce criticism, so much so that his opponents reported his works to the disliked Christian authorities, a deed that is heavily frowned upon in Judaism. Rav Saadia Gaon was not hesitant in work Emunot Ve'Deot to address individuals who held opinions he felt were incorrect as "fools." While it would be a stretch to claim that these opposing schools of thought hated each other, they certainly were very vocal about their differences.

This is exemplified by the comments of Gershom Scholem, the father of academic study of Jewish mysticism: "As a historian I do not believe there is one Judaism. I was not able to find it in all the years I dealt with its problems.[14]"

The first point we must establish to solve this oddly forced continuity is to firmly place Judaism— at least prior to the modern period

11 Which consists mostly of what he is not.

12 With the exception of some of Maimonides' works. However, these are altogether not relevant in our discussion of outside quotation, and mostly reflect the "elitist" nature of some of his views.

13 Resnicoff, Steven H. "Autonomy in Jewish Law—In Theory and in Practice." Journal of Law and Religion, vol. 24, no. 2, 2008, pp. 507–546., doi:10.1017/S0748081400001697.

14 Gershom Scholem, 1990. Miron, Ronny. "The Secret of Jewish Existence: A Metaphysical Analysis of Gershom Scholem's Idea of Jewish Historical Continuity." The Review of Rabbinic Judaism, vol. 17, no. 2, 2014, pp. 170–206., doi:10.1163/15700704-12341267.

and post-Talmudic— in the realm of text-centered cultures. As mentioned before, this is much more apparent in halachic works. Even the way Jews speak about quotations in halacha reflects this attitude; no one would remark that "Rabbi Yisrael Kagan quoted Rabbi Abraham Gombiner's opinion on the correct time to say the Shema prayer." Colloquially or even in the context of serious Talmudic study, the Mishna Brura is quoting the Magen Avraham.

It is in this way that opinions and personalities are fused and encompassed by the works they produce. To disagree with Rabbi Yosef Karo would be unthinkable; to disagree with his work, the Beis Yosef or Shulchan Aruch, is a normal part of the halachic process. Only within rulings that have immediate practical applications does any other personality other than the author have any effect whatsoever. Judaism does not only look to the Bible and Talmud as the living texts that daily living orbits. Every opinion, followed or not, becomes the lifeblood of a text that circulates for millenia and joins the Jewish corpus of tradition.

The theologians of Judaism were undoubtedly influenced by this mentality. A plurality of them— and the vast majority of rationalists— were Halachists themselves, and this text-centered technique did not limit itself to the realm of ritual law. The philosopher is able to draw an ancient work out on the page and revive it back to life, yet its author remains relatively irrelevant and safely in the grave.

This alone does not suffice to explain the phenomena we have been exploring. The text of A Guide for the Perplexed itself stands just as much in opposition against non- rational explanations for the Biblical commandments as Maimonides himself did (in fact, from a historical perspective, these works are all we have to define Rav Moshe Ben Maimon's views). There is much literature written on halachic reinterpretation of the Torah, but we will briefly discuss a Talmudic discussion.

The first is the discussion on the rebellious son, in hebrew the ben sorer umorer. The book of Deuteronomy gives relatively straightforward instructions on what is defined as a rebellious son and how to deal with one in Deuteronomy 21:18-21:

18)If a man has a wayward and rebellious son, who does not listen to his father or mother; they guide him and he does not listen 19) his father and mother shall grab him and bring him to the elders of his city, to the gate of his place 20) and they will say to the elders of his city: "our son is wayward and rebellious; he does not listen to us and is a glutton and drunkard." 21) Then all the men of his town will stone him and he will die. You will burn out the evil from amongst you. All of Israel will hear and fear.

The situation is simple. The son rebels and does not listen to his parents, and they bring him to the elders and he is stoned. The Talmudic discussion of this passage in Sanhedrin 68-71 makes the situation much more complex and imposes qualifications on what constitutes the case of a rebellious son. He must be between thirteen and thirteen and three months; he must steal and drink a precise quantity of a specific type of alcohol and food; his parents must look and sound identical. It concludes with the following line(Sanhedrin 71a):

There has never been a stubborn and rebellious son and there will never be one in the future.

This is a stark contrast from the original word of God in the Bible, which declared in no uncertain terms what must be done and how it was to be accomplished. The Amoraim and Tannaim accomplish this rationally, yes, by quotations from scripture and "proof" from the verse itself, but one gets the impression that they had an outside impetus to limit the case as much as possible a priori, with the proofs serving as more of a justification. Though I will not go into more cases here, the curious reader can research the case of the goring ox at the beginning of Tractate Bava Kamma or the discussions surrounding the mamzer in the fourth perek of Tractate Kiddushin.

We are faced with our initial problem of blatant reinterpretation in the face of an initial text that seems to make its views abundantly clear. The Written Law, as the Sages put it, is no longer in heaven; it is just a text for fallible people to use human logic to interpret and fit into a Judaic life.

In early rabbinic Judaism, this was limited

by the Oral Law, a series of Mosaic teachings and opinions surrounding how to interpret certain passages and commandments in the Torah. It owed its elastic nature to being purely oral, and was naturally adjusted with each generation. The revolutionary switch to an entirely text-based system started with Rabbi Judah the Nassi of the 2nd century CE compiling the Mishnah. While the Talmud itself would be compiled over the next few centuries, the process of the transfiguration of the Oral Law never stopped; it simply shifted to the realm of the text.

Static as this may be in comparison with memorized oral sayings, the reinterpretation of prior texts is what gives Jewish law its resilience and pliability. It is what enabled the 20th century rabbis to incorporate electricity into the existing rules of the Sabbath, and how Enlightenment era Jewish teachers were able to justify a dual curriculum with participation in the secular arts. Just as importantly as this interplay between the outside world and halacha is the activity inside the law itself, and how each new generation of Sages is given a say in the next generation of halachic living.

A Proposed Application in the Realm of Jewish Theology

This mode of continuity is well-defined in Halachic literature, but can we apply it to theology by association? Just because the players of the theological game were well-acquainted with the method of halachic renewal and interpretation does not follow that they assumed these same rules when they discussed fundamental beliefs about God. After all, the Law definitionally must change; can we say the same thing about God and his essence? The argument put forward by the Tannaim, shelo ba'shamayim hee, that the Torah is no longer in heaven, can definitionally not apply to God himself, for he remains in heaven eternally.

Within the context of Judaism, the answer may as well be yes. In many ways, the telos of God and the cosmos was not a subject that governed the lives of many rabbis throughout history, let alone the laity. No one individual could ever put forward the claim that God's essence or modus operandi had changed, but it is entirely possible— and indeed, historically probable— that no one belief system ever became entrenched enough in the Jewish psyche to become the canonical belief. It is not that innovation in the realm of God's ways convinced members of Jewish society to cast aside their former beliefs, but rather that they either held similar beliefs in the first place or had not even considered the subject.

We are forced to the conclusion of many Jewish theologians and historians: Judaism's theology is an *unbound* one.[15] The myth of a systematic theology is perpetuated by other Abrahamic religions, such as Catholicism, which are fundamentally based on central tenets of God's existence. While Christianity most often speaks of God's relation to Man, Judaism focuses on Man's relationship with God's world. The act of prayer, atonement, and the Sabbath may have theological components that let the observer acquire a meaningful relationship with God, but they are fundamentally encoded as acts or prohibitions that limit a Jew's interaction with their world.

It is through this logic that we can understand the evolution of Jewish theology through movements with little meaningful continuity from each in the realm of ideology. Ungrounded in any sort of permanence and existing in a particular time and place, disconnected both from ancestors and descendants, they brought prior texts alive again with their elucidation that was totally contradictory to the original author's intentions. A Jewish theologian's words would and will continue to die, only to be resuscitated as a permanent fixture of the "Oral" corpus of theology, rejuvenated with entirely new meaning without losing any of its original connotations.

15 Diamond, James Arthur. Jewish Theology Unbound. Oxford University Press.

Jackie Tokayer

Jackie Tokayer is a sophomore at Barnard studying Political Science

Abstract

This paper analyzes two works of Moses Mendelssohn-- Jerusalem and the introduction to his German translation of the book of Psalms-- and identifies differences as well as commonalities between them. Although on the surface, Jerusalem reveals an exclusively rational, reason-based relationship to Judaism whereas the intro to the Psalms espouses a more romantic and emotional relationship, a closer inspection reveals that the same spiritual outlook, driven by genuine love and reverence, underlie Mendelssohn's philosophy in both works. This essay identifies pitfalls in that philosophy and demonstrates problems it raises for Jewish continuity.

Comparing the Mendelssohns *of Jerusalem* and Introduction to the *Psalms*

Despite accusations of heresy, Moses Mendelssohn, the 18th-century German-Jewish philosopher associated with the founding of the Haskalah movement, was passionately committed to God and Jewish Law. The visceral, emotional connection to Judaism he possessed is evident in much of his work, but is perhaps most succinctly expressed in the introduction to his German translation of the book of Psalms, which contains romantic descriptions of the Psalms' poetic beauty and speaks to the sense of love and reverence with which Mendelssohn regards not only Jewish texts, but Judaism in general; this attitude is consistent with the philosophies of his Jerusalem as well, though not as initially obvious. But this outlook, which is present in Mendelssohn's underlying innate love, reverence, and emotional attachment, is precisely what caused him to develop philosophies that were dangerous for Jewish continuity. His own commitment was so strong that he failed to appreciate, or could not even conceive of the notion, that love and reverence were an insufficient basis for maintaining faithfulness to ritual action.

Because it is a philosophical work, Jerusalem places both Torah and Sinaitic Revelation within an academic and intellectual context. Through this viewpoint, any discussion of spirituality or personal inspiration, common within traditional works, is irrelevant and therefore absent (at least in any explicit manner). Instead, Mendelssohn's Jerusalem highlights his critical and methodological thoughts about Torah and Sinaitic Revelation. One of the book's central concepts is that there are two kinds of truth: eternal and temporal. Eternal truths are unchanging and not subject to time, and, like mathematics, are true wholly outside of anyone's knowledge or recognition of them as true. Belief in an eternal truth cannot be forced by one upon another. Temporal truths, on the other hand, are historical-- the occurrence or truth of which we are obliged to accept, if we are

to accept them at all, are from the testimonies of witnesses but we ourselves have never personally observed. Sinaitic Revelation is one such historical truth. Using this construct, Mendelssohn puts together a seemingly basic view of the Torah as being temporal but one that in his mind was not inferior to eternal truth. According to this view, the Torah is simply a divinely legislated legal text; it does not explicitly contain eternal truths, but rather only points in their direction. Anyone who reads Torah can arrive at eternal truth-- as long as they have the requisite degree of reason. It is reason itself that enables the contemplation necessary for the discovery of eternal truth which has already been defined as facts that exist independent of anyone's knowledge, acceptance or understanding.[1]

Preliminarily, the introduction to the Psalms seems to show an entirely different side of Mendelssohn, one in which all the critical judgements that dominate Jerusalem melt away. His translation of the Psalms was a very long and arduous project, one on which he spent over a decade of his life.[2] Nonetheless, Mendelssohn writes that it gave him "many pleasant hours… and sweetened many an anguished moment." (Moses Mendelssohn: Writings on Judaism, Christianity, and the Bible, 183) Mendelssohn's love of the text, and appreciation for its poetic beauty, comes through clearly and strongly in his writing. He writes that he would choose to work on a psalm that matched his mood, and allow its beauty to speak to him and inspire him.[3] He demonstrates the psalms' power to uplift spirits and speak to the soul. Mendelssohn engages with this text not (like in Jerusalem) in an intellectual or academic way, but instead in a spiritual way. He writes that in translating he tried to "capture the spirit" of each psalm. The idea of each psalm having a "spirit" crystalizes Mendelssohn's attitude toward the psalms: there is something deeper than meets the surface within each one-- something encrypted in the words, something beyond them. We can almost hear the love in his voice. To Mendelssohn, Jewish texts are clearly something he sees as beautiful and meaningful-- appealing to pathos more so than logos.

This deeply spiritual and lyrical side of Mendelssohn is not unique to his introduction of the Psalms; upon a closer inspection of Jerusalem, these same attitudes and inclinations are evident. It is unsurprising that the same man who lovingly translated the psalms in order to "better capture the spirit of the original," and "come nearer to its true sense," (Moses Mendelssohn: Writings on Judaism, Christianity, and the Bible, 183) also believed in rituals as a mechanism of spiritual arousal through which eternal truth are expressed. For example, Mendelssohn believed that there is much more to the ritual of laying on tefillin, or phylacteries, than just putting it on. The tefillin itself is not an eternal truth but rather represents an eternal truth. Through contemplation and intellectual work, the tefillin-wearer arrives at those eternal truths. Tefillin and all other rituals, according to Mendelssohn, "refer to, or are based on, eternal truths of reason, or remind us of them, and rouse us to ponder them. Hence, our rabbis rightly say: the laws and doctrines are related to each other, like body and soul." (Moses Mendelssohn: Writings on Judaism, Christianity, and the Bible, 89) This idea is profoundly emotional, if not even poetic concept, that there is more to a ritual action than its face value. For many, reading this work might deepen their respect and reverence for Judaism-- a religion that often seems to emphasize ritual action over actual mindset, and is brimming with rituals that can seem pointless when viewed within a modern context. Mendelssohn offers a romanticization of Judaism, one that could only seemingly come from an individual passionately committed to, and enamored with, God and Torah. This work is comparable to previous religious thinkers who often wrote about their perception of a deeper meaning and value in Judaism. As well, this is very much consistent with the attitudes exhibited in his introduction to the Psalms. It is inspired by Mendelssohn's strong sense of love and reverence.

However, in subjecting Torah and Jewish ritual to the type of analysis he does in Jerusalem, Mendelssohn inadvertently provided a rationale for dispensing with Jewish ritual altogether. If ritual is only important for its purpose in providing people a way to contemplate and arrive at eternal truth, what if one decides they can arrive there

1 "Polemical Writings: Jerusalem and Related Documents." *Moses Mendelssohn: Writings on Judaism, Christianity, and the Bible*, edited by Michah Gottlieb, Brandeis University Press, 2011.

2 "Writings on the Bible: Introduction to Translation of the Psalms." *Moses Mendelssohn: Writings on Judaism, Christianity, and the Bible*, edited by Michah Gottlieb, Brandeis University Press, 2011.

3 Ibid

through a different avenue? What if one decides the rituals are of no help to them in this endeavor? Mendelssohn's philosophy, as beautiful as it is, and while coming from a place of love and commitment, instead, ends up de-emphasizing the ritual act itself. While Mendelssohn himself was deeply committed to Jewish rituals, inspired by these works, many of the enlightened Jews of the following decades were not committed to ritual practice.

Another problem this philosophy poses lies in the intellectual intensity with which is required by the contemplative individual in order to access these truths. Mendelssohn was someone who experienced Judaism as profoundly meaningful-- so deep was its meaning that it required an intensive way of thinking about, and engaging in, it. Ritual action performed meaningfully, according to Mendelssohn, demands a great degree of aptitude, and contemplative work, on the part of the ritual actor. In reality, not every person has the capacity, or wherewithal, to go through this process every time they fulfill a mitzvah, or commandment, whether in prayer, laying tefillin, or kiss a mezuzah. For them, emphasis must be placed on ritual observance itself. Otherwise they will refrain from ritual observance altogether. Ritual, as expressed in Torah and mainstream Halakhic literature, is, in contrast to Mendelssohn, a simple endeavor, consisting solely of accomplishing an action. It is not beautifully expressed, it does not explain itself in a sensical or meaningful way. But this makes the ritual seem simpler, which in turn makes people without the capacity or desire to contemplate more likely to observe it than if they used Mendelssohn's framework. So guided are his philosophies in Jerusalem by his own love and reverence for Judaism, Mendelssohn seems to fail to account for these issues they bring about. The inclination to contemplate deeper truths symbolized by rituals was presumably natural to him as a philosopher and someone who found Judaism profoundly meaningful; and he, as a religious man, would never consider not observing rituals. He does not seem to consider how his philosophies in Jerusalem will be put into practice once read and followed by real people facing practical issues. Unfortunately, it seems that an emotional connection and passionate love, when emphasized over all other components (which Mendelssohn may or may not have meant to do), hinders a certain natural simplicity which can in turn discourse observance.

That Mendelssohn himself was so deeply religiously committed and yet ended up with not even one Jewish grandchild is a heart wrenching symbol of the shortcomings of his philosophies. It also demonstrates how narrow a group any possible followers of his had to be. Too observant for the Maskilim he paved the way for and too enlightened for the Orthodox mainstream of his time, Mendelssohn is a lonely figure in Jewish history. His romantic belief that performing rituals can bring about knowledge of the eternal truths that they are meant to represent is a beautiful idea, one which might even be true. But even so, it is a less than sustainable model. The way Mendelssohn observed and thought about Judaism constituted what, when put into practice, was a very fine line to walk and to live on-- one not many are capable of.

Joshua Ezra Brunnlehrman

Joshua Brunnlehrman is a sophomore in the JTS/GS joint program majoring in Talmud at JTS and Math/Computer Science at Columbia. His interests include serving on the board of Hillel's pluralistic Beit Midrash (WNLP), reading about the Cairo Genizah, and spending time with friends. He is so excited to be part of Iggrot Ha'ari and although this first edition was just published he is already looking forward to the next one!

Abstract

What did Jewish burial in late Antiquity look like? In the middle ages, burial in plots of ground in cemeteries grew to become the prevalent method of burial and the method that is still dominant to this day. Yet, as we know from tradition, burial does not require the existence of cemeteries; afterall our ancestors in Tanach & Talmud were buried in caves and underground tombs. So what did Jewish burial look like in Late Antiquity, specifically between the Biblical and Temple times and the Medieval Era? The development of Jewish burial practices spanned the entire Jewish diaspora and it took centuries to take shape, but by looking at the archeological findings of late antique burials we can come to understand what it meant to have a Jewish burial in late antiquity.

Late Antique Jewish Burial From Around the Jewish Diaspora

According to Rabbinic Judaism there exists a negative commandment against leaving the dead unburied.[1] In fact, even a high priest—who normally cannot become impure through contact with the dead—is not only permitted, but actually required to make himself impure to bury a Meit Mitzvah i.e someone who does not have anyone else to do the burial.[2] What makes this Mitzvah special is that it is a "Hessed shel emet," a true act of kindness, as one acts without a reward in return from the dead person since he is incapable of ever reciprocating the kindness.[3] Although Jews in late antiquity did not fully adhere to Rabbinic practice, they—like all other human beings—still had to grapple with the finality of life and what to do when someone dies.

In biblical times, ancient Israelites buried their dead in the earth; the Tanach frequently recounts the burials of various individuals—most notably Abraham, Isaac, Jacob, Sarah, Rebekah, and Leah in Ma'arat Hamachpelah, or Cave of the Patriarchs. Similarly to the account of Ma'arat Hamechpela, most burials in biblical and, later, in the Temple period occurred in rock-cut tombs. The process followed specific steps: when a person died, their body was laid to rest in a carved out niche, and after the body decayed, the bones were placed alongside those of past family members. This system of burial inspired the term "gathered to his people,"[4] when referring to someone's death in the Bible. Burying an individual twice was known as primary and secondary burial respectively.[5] It was also common that the bones of an individual were collected during secondary burial and placed into designated small chests

1 b. Sanhedrin 46a
2 b. Nazir 47b
3 *Rashi* Genesis 47:29, "Lovingkindness and truth"
4 Genesis 25:8
5 Jewish Encyclopedia, "Burial"

called ossuaries.[6] Even after the destruction of the Second Temple, and the subsequent exile, with the entire Jewish world being globally dispersed, they brought with them their tradition of burial. Despite this, external influences permeated within the communities, with each community adopting, to varying degrees, non-Jewish burial practices. During late antiquity, specifically, between the third and fifth centuries, a wide range of Jewish burial practices were observed. Since "inconsistencies of available evidence have impeded the development of cohesive theories about death and burial among ancient Jews," historians are forced to connect sources in order to gain a full picture of burial life in these Jewish communities.[7]

Under the modern streets of Rome, archeologists have uncovered five Jewish catacombs which are arguably the largest, most substantial source of knowledge for Jewish Diasporic life.[8] The significance of these catacombs is not that they contain many distinctive Jewish features, but, rather, that certain features indicate that Roman culture influenced Jewish community's burial practices: how the community attempted to exist within the wider Roman culture surrounding them while still holding on to religious practice. The influence is most distinctly seen in the fact that the catacombs are covered in Greek and Latin burial inscriptions. The decision to use the native language, rather than Hebrew or Aramaic, indicates that Roman Jews did not speak their ancestral tongue, or even use them for ritual practice;[9] of the inscriptions found between the first to third centuries 76% of them were either written in Greek or Latin. Beyond the inscriptions, the catacombs themselves are covered in Greco-Roman images and art. Adorning the walls and ceilings are pagan symbols such as puttis, a winged Roman angel, and the Greco-Roman Goddess Nike depicted wearing a laurel wreath crown, a symbol for victory.[10]

Although the Roman Jews of this period clearly adopted aspects of the wider Roman culture surrounding them, as seen through the catacombs, they still retained a discernible Jewish identity. Despite pagans practice typically including cremation of their dead, the Jewish community only buried their dead in line with normative Jewish burial customs, including secondary burial in ossuaries.[11] The most prominent feature of the catacombs' is that they were reserved solely for Jews[12]–"of the Jews, by the Jews, for the Jews." Although the inscriptions were not written in Hebrew or Aramaic, the content of the inscriptions discuss the ten synagogues found throughout Rome.[13] These synagogues had elected officials, evidenced by the luxurious titles provided on epitaphs.[14] Furthermore, alongside the Greco-Roman artwork, Jewish images, most famously the menorah, are prominently displayed throughout the catacombs. Following the destruction of the Temple in Jerusalem, the symbol of the menorah came to commemorate its destruction and the subsequent exile of the Jewish people.[15] The menorah marked the reality of Jewish identity in the Diaspora; the symbol stood to represent the loss of Jewish autonomy in the land of Israel and the lack of cohesion between communities as they were now living as minorities within foreign lands. The catacombs of Rome highlights the embrace, yet continuation of the Jewish tradition as while the practice of inhumation continued, the Jewish community took on Greco-Roman tradition as well.

A look at Venusia in southern Italy reveals that the same pattern emerged in its Jewish community. The Jews in Venusia were outwardly Roman, as shown by the physical construction of the catacombs according to Roman tradition rather than Jewish law, "even though the terrain made the latter entirely feasible."[16] The loculi engraved into the walls were used as the burial places for those of lower economic status while those of higher status were buried in arched recesses called "arcosolia."[17] Furthermore, the epigraphs themselves are written in Greek and Latin, similar to the Roman catacombs. Some also included Hebrew passages,[18] in addition to being "longer, more elaborate and more de-

6 Encyclopedia Judaica, "Ossuaries & Sarcophagi"
7 Stern, "Death and Burial in the Jewish Diaspora"
8 Rutgers, 79 & Stern, "Death and Burial in the Jewish Diaspora"
9 Rajak, 104 & Rutgers, 83
10 Visotzky, 207
11 ibid., 184 & Rajak, 116
12 Visotzky, 207
13 Laurenzi, 28
14 ibid., 36
15 Visotzky, 8 & Rutgers, 83-84
16 Williams, 39
17 Ibid.
18 Goodenough, 53

scriptive."[19] The most well-known example is Faustina's epitaph—Faustina being a first century Roman empress—which "discusses how two Apostles and two Rabbis spoke on behalf of her and established her lineage with prominent leaders of the community."[20] These two apostles are believed to be representatives of the Patriarchate in Palestine suggesting the Jewish Community of Venusia had formal relations with the established Rabbinic Jewish community in the Near East, despite not adhering so closely to the principles and beliefs of Rabbinic Judaism itself. The epitaphs also reveal that the community titles given to individuals in Venusia align with those found in the Roman Catacombs like "gerousiarch" which was given to Vitus, Faustina's grandfather.[21] Jewish images like lulavim and shofarot can also be seen inside the catacombs of Venusia, with the most common image being menorahs,[22] again demonstrating how the image of the menorah symbolized ancient Jewish identity in the Diaspora. However, unlike the Roman catacombs, there is no artwork in the Vensusian catacombs aside from the images on the epitaphs themselves.[23]

Additionally, most names in the inscriptions are Latin in character, as opposed to Semitic, suggesting that the Jews in Venusia "were not recent immigrants from Palestine or the eastern Mediterranean but people who had long been settled in a Latin-speaking environment.[24] In Rome, most Jews had similarly long since settled there—a Jewish presence can be traced back to the second century BCE[25]—and many in fact became freedmen–after having been brought over as slaves following the destruction of the Temple in 70 CE or the Bar Kokhba revolt in 135/136 CE–as evidenced by many Jews having double names. Furthermore, most names were also Greek (31%) or Latin (46%) rather than Semitic in origin, which only account for 13% of the names in the inscriptions.[26] Just like in Rome, the Venusian catacombs depict a Jewish community that appears Roman on the surface but at its core is fundamentally Jewish, as shown by their inscriptions and community relations.

19 Encyclopedia Judaica, "Epitaphs," 819
20 Bryan Rothman, n/a
21 Bryan, n/a
22 Bryan, n/a & Goodenough, 53
23 Goodenough 53
24 Williams, 48
25 Rajak, 104
26 Encyclopedia Judaica, "Catacombs"

Curiously, one of the images of menorahs in the Venusian catacombs depicts a nine-branched "hanukkiah," rather than the usual seven-branched menorah as used in the Temple in Jerusalem.[27] In fact, we see a similar phenomenon on a tombstone in Zoar—on the eastern shore of the Dead Sea in Ghor es-Safi, Jordan—over a thousand miles away from Venusia.[28] In Zoar one finds the usual Jewish funerary iconography like lulavim and menorahs that exist elsewhere in late antique Jewish burial. However, there are also a plethora of non-Jewish images present, such as the cross and the chi rho monogram.[29] Of the "over [350] inscribed tombstones from the 4th-6th centuries C.E." found in the biblical city of Zoar, only 70 are of Jewish origin, with the rest being Christian.[30] Here, one can find Jews and Christians burying their dead in the same burial location, a unique aspect distinct to Zoar Jewish burial practice; as stated previously, Jews typically buried their dead only amongst other Jews.

According to the Babatha documents, a satchel of legal documents from the 2nd century CE and discovered in 1960, Zoar was "known as a place where Jews and non-Jews lived side by side."[31] Many scholars understand the shared presence of both Jewish and Christians tombstones as a result of the close relations between Jews and non-Jews in Zoar. Moreover, the Jewish and Christian tombstones are almost identical, "they are made of the same local sandstone, cut in similar dimensions, and they generally use similar writing techniques (engraving and/or red paint), similar geometrical frames, and similar abstract ornamentation."[32]. Just as in Rome and Venusia, Jewish burial in Zoar outwardly appears consistent with the local customs of the area; Jews were buried with non-Jews and the tombstones were physically alike. Yet just as in Rome and Venusia, "in Zoar of late antiquity, there were no fuzzy boundaries between Christianity and Judaism"[33] as it is not difficult to determine which tombstones are Jewish and which ones are not. For example, in addition to the Jewish iconogra-

27 Noy, 78
28 Sussman, 232
29 Stern, 158
30 Wilfand, 513 & Stern, 158
31 Wilfand, 513
32 Stern, 159
33 ibid.

phy, Jewish tombstones were written in Aramaic while the Christian tombstones were written in Greek, with few notable exceptions.[34] So, unlike the Roman and Venusian catacombs where the Jewish inscriptions were written in Latin and Greek rather than Hebrew or Aramaic, the Jews of Zoar intentionally used Hebrew and Aramaic. Steven Fine, a historian of Judaism at Yeshiva University, makes the claim that this type of Aramaic can only be sourced to Jewish practice:

> "Most of the Jewish ones are inscribed in a dialect of Aramaic known to scholars as Jewish Palestinian Aramaic, which was understood by Aramaic speakers, Jews and non-Jews, Samaritans, Christians or Arabs, when spoken. But these Jewish tombstones were inscribed in the square Aramaic script (shared with Hebrew) that was unique to Jews at this time. Thus only Jews could read these inscribed tombstones. They were internal documents, readable almost exclusively by Jews familiar with the Jewish script."[35]

Furthermore, "many Biblical names were used by the Jews of Zoar as reflected on the tombstones, among them Jacob, Saul, Judah and Esther," again in stark contrast to the names found in Rome and Venusia.[36] However, the Hebrew word "Shalom"[37] and the community titles mentioned in Zoar like archsynsagogos and Rabbi[38] are the same titles as those found on inscriptions in Rome[39] and Venusia[40] respectively.

The Jews of Zoar further distinguished themselves from the Christians by dating their inscriptions using the Jewish calendar rather than the Julian calendar like the Christians. However, while they did use a lunar calendar, it was not identical to the one used by normatic rabbinic Judaism. While it is true that the Jews of Zoar did intercalate the month of Adar II and called the second month of Cheshvan "Marcheshvan"[41] as the Rabbis do in the Mishnah and Talmud,[42] they did not structure their calendar according to the fixed rules found in Rabbinic practice. Some years they celebrated Pesach before the spring equinox, and they sometimes celebrated Rosh Hashanah on days of the week forbidden by the Rabbis.[43] Moreover, there is no clear link between the burial practices in Zoar and Rabbinic practices; in fact, including a person's date of death was a very uncommon custom in Jewish burial practices of late antiquity.

Historians previously believed that North African Jewish burial practices, specifically in Gammarth, followed Palestinian Rabbinic thought.[44] The loculi in Gammarth were carved perpendicularly, as prescribed in the Mishnah and Talmud,[45] rather than parallel to the walkways as seen in Venusia and Rome.[46] While this does not definitively indicate a connection, as this also parallels regional practices, there exist other correlations between Rabbinic practice and Jewish burial at Gammarth Alfred Louis Delattre proposed that the Gammarth catacombs were built outside of the town to "separate the dead from the living," in line with Rabbinic practice.[47] But as Karen Stern contests, "burial on the outskirts of town [was] conventional among Africans from earlier antiquity through the Vandal conquest" and there has been no careful excavation to corroborate Delattre's claims.[48] She believes that the Jewish burial in Gammarth reflected local practices rather than being entirely distinct from it. For example, the artwork found in Gammarth, such as "human figures, typical stylistic motifs, as well as boat imagery and viticulture sequences," is typical of local North African practice and exists in other pagan and Christian burial sites.[49] Even the menorahs in Gammarth—normally used by scholars as benchmarks to recognize the existence of a Jewish identity in its users—in fact suggest that Jewish identity in Gammarth was fluid and not separated from its surroundings as many menorah images are part menorah and part cross.

> "Maximally, combinations of the menorah and cross indicate the degree to which some people saw it as possible, appropri-

34 ibid., 158
35 Fine, 56
36 ibid.
37 Wilfand, 518
38 Fine, 56
39 Laurenzi, 36
40 Bryan, n/a
41 Stern, 173
42 m. Taanit 1:3-4, b. Pesachim 94b

43 Stern, 176-177
44 K. Stern, 256
45 Bava Batra 6:8 & b. Bava Batra 100b-102b
46 K. Stern, 256 & 297
47 Bava Batra 2:9
48 K. Stern, 298
49 ibid., 288

ate, and desirable to identify simultaneously with the multiple gods and practices that the two images signify. Minimally, they indicate that though distinct Christian groups used these symbols, those Jews who rendered these images were not disturbed by this. They may not have been sensitive to the cross's integration into the structure of the menorah, or to variations in the menorah itself."[50]

Clearly, Jewish identity in Gammarth closely aligned with local practices, yet there still existed a discernible Jewish identity amongst the Jews of Gammarth. Furthermore, despite Jewish naming practices also largely reflecting the general trends of the culture, one can still locate "Jewish" names on inscriptions. Names were used to "index a distinct cultural milieu"[51] and most noticeable is the posthumous use of "Iudaeus" on tombstones to mark an individual as Jewish.[52] Therefore, just as in Rome, Venusia, and Zoar, although Jewish identity in Gammarth appears to be outwardly like the surrounding culture; nevertheless, the Jews in Gammarth maintained a distinct Jewish identity exhibiting similar characteristics to other Diasporic Jewish groups.

Through late antiquity, Jews in the Diaspora lived amongst various cultures, but, there still almost always existed certain common characteristics that defined Jewish identity and burial. Some common characteristics of Jewish burial included Jewish images such as lulavim and shofarot—with the most helpful icon to distinguish Jewish identity being the menorah—and the Hebrew word "Shalom." However, regional influences were much overt than Jewish ones. In Zoar, inscriptions were written in Aramaic and Hebrew rather than Greek or Latin and in Gammarth inscriptions were written in the various languages spoken in the wider region.[53] Furthermore, only some Jewish communities buried their dead in specifically Jewish cemeteries. As we see in Venusia, there seems to be a strong connection between the Palestinian Patriarchate and local Jews despite them not fully adhering to dogmatic Rabbinic ideology and rules. Furthermore, even in Zoar and Gammarth where Jewish practice aligned with dogmatic Jewish practices, the Jews of Zoar and Gammarth did not fully conform with Rabbinic practices. Jews identified themselves differently depending on the local cultures surrounding them yet simultaneously blended in with the local culture, thereby making it difficult for scholars to identify a singular Jewish footprint. There were not many common Jewish benchmarks, but each Jewish community, almost without fail, imprinted their uniquely Jewish customs and culture onto their burial practices.

50 ibid., 273
51 ibid., 135
52 ibid., 122
53 ibid., 192

Alison Kanefsky

Alison Kanefsky is a Junior at Barnard College majoring in Political Science. In addition to her coursework she is a fellow at a non profit mentoring students from different socioeconomic backgrounds as well as volunteering with individuals with special needs. Alison will also be interning for the Israeli Ambassador to the United Nations.

Abstract

The concept of halachic evolution is inherent to Judaism, yet today many people within Orthodoxy seem to be forgetting its significance. Throughout the Jewish tradition, the rabbinic leaders have taken concrete steps to advance halacha and shift it into something that they believed would be more acceptable and appropriate for their time period. Often this process included undertaking many logical jumps and derivations until our sages arrived at the conclusions they desired. This paper will explore a few of these instances; including the Talmud's interpretation of the rebellious son, the burning of an idolatrous city, and the treatment of bastards. We will also delve into the evolution surrounding the halachot in regard to Jewish marriage and divorce law, the sale of chametz, and the shmita year in the State of Israel. This paper hopes to demonstrate the powerful precedent within the Jewish tradition for halachic advancement and ends with an urge to continue this process today.

A Conception of the Development and Evolution of Halacha

The Jewish religion has undoubtedly been completely and utterly transformed since the second millennium BCE, the era of the matriarchs and patriarchs. Much of this initial change is documented in the Pentateuch itself; with the bestoment and subsequent acceptance of the 10 commandments at Mount Sinai, the religion is permanently transformed. Abraham, the first Jew, would not recognize the Judaism practiced by those in the desert. This trend continues: the Jews of the desert would find they have few rituals in common with the Temple-era Jews in the land of Israel, who in turn might feel very little kinship to the Judaism practiced in Babylon. One can argue that of the few constants throughout Jewish history, one might actually be change itself.

The shift in Jewish thought and practice did not end or come to a standstill with the codification of the *Talmud*. It is not far-fetched to say that Rav Soloveitchik, a modern *gadol hador* who was famous for his rationalism, would actively discourage contemporary Jews from believing in demons, yet the *Talmud* is filled with beliefs in these spirits and methods for how to best guard against them. Furthermore, change does not only come to fruition in the moment in which it is called; rather in our tradition, change is also predicted for the future. Rav Abraham Isaac Kook, the first Chief Rabbi of Israel, famously posits that during the time of *mashiach* the temple will smell like a bakery; he theorizes that man will reach a point of enlightenment where animal sacrifices, as commanded in the *Torah* and expanded upon

on the Talmud, will become morally unacceptable and grain will serve in their stead.[1]

Judaism was never intended as a stagnant religion; this tradition was originally handed down orally to ensure that the religion would forever be evolving, changing, and adapting to the current time. However, many have forgotten the importance and significance of this sentiment, choosing, instead, to work towards keeping this religion static. This paper sets out to explore moments in the halachic process where our respected rabbis, scholars, and sages took concrete action to move halacha forwards, at times in direct contradiction to precedent or the *Torah* itself. This paper will analyze the mechanisms used to accomplish these goals. It will offer explanations detailing how this is wholly in line with the Jewish tradition, as well as ideas as to why this process seems to have come to a standstill. Finally, the paper will suggest how we might move forward. In undertaking this piece, I hope to contribute to the appreciation of the *halachic* process as well as to an overall understanding and awareness of the goals and purposes of the *halachic* system.

The Process of Halachic Development in Regard to Biblical Commandments

Halachic development and evolution is entrenched throughout the corpus of Jewish writing. Within works, such as the Talmud, Mishneh Torah, Shulhan Aruch, etc., our sages undertook specific and definitive steps to advance halacha to a realm that they viewed as appropriate for their time. This was done for both ethical and practical reasons; the Talmudic sages went to great lengths to uphold their moral ideals and worked to reconcile areas where the *Torah* might conflict with their contemporaneous principles.

The first case this paper will analyze is the concept of the rebellious son, known in the Talmud as a *ben sorrer u'morrer*. Deuteronomy states:

> *"If a man has a wayward and defiant son, who does not heed his father or mother and does not obey them even after they discipline him, his father and mother shall take hold of him and bring him out to the elders of his town at the public place of his community. They shall say to the elders of his town, "This son of ours is disloyal and defiant; he does not heed our voice. He is a glutton and a drunkard." Thereupon the men of his town shall* ***stone him to death****"*[2]

Within these verses the *Torah* compels parents to condemn their own son to death. This seems to run counter to many ethical principles we have come to view as inherent to Judaism. The son is not offered an opportunity to defend himself or plead his case, and crucially, the dramatic death sentence robs the son of partaking in the very Jewish concept of *Teshuva*, repentance.

Our sages are similarly troubled by the implications of this commandment. When expounding upon this principle in Tractate *Sanhedrin,* they impose a plethora of limitations as to when this ruling can be enacted. First, they cement that a girl or woman cannot be subjected to this decree; they next delineate that a boy under the age of thirteen cannot be culpable since he has not yet accepted the *mitzvot*, but since the text specifies that the guilty individual is a "son" he must be younger than the age necessary to father a child of his own. These limiting criteria begin to narrow the possibilities of declaring a *ben sorrer u'morrer*.[3] Rabbi Yehuda approaches this dilemma with a different technique; he focuses on the words "our voice." For one to be labelled a *ben sorrer u'morrer* the parents must proclaim that the son has disobeyed their voice. Rabbi Yehuda points out that due to the grammatical formulation of the Hebrew word for voice, "*koleinu*", the mother's and father's voice must be exactly identical which entails the condition that they are completely identical in characteristics and appearance. This is obviously impossible, and thus, in accordance with Rabbi Yehuda, an individual can never qualify as a *ben sorrer u'morrer.* Notably, Rabbi Yehuda goes on to posit that this commandment was only written so that one may "expound upon new understandings of the *Torah* and receive reward for learning, an aspect of the *Torah* that has only theoretical value."[4]

The boldness and revolutionary nature of Rabbi Yehuda's postulation cannot be stressed

1 Olat Reiyah, Vol.1 (Jerusalem 1983)

2 Deuteronomy 21: 18-21 (emphasis added)

3 Sanhedrin 68b

4 Sanhedrin 71a

enough. Rabbi Yehuda effectively interprets the concept of *ben sorrer u'morrer* out of existence because he was troubled by its ethical implications. This does not represent a natural outgrowth of *halacha* that simply and easily evolved with time; in contrast, throughout this sugya, the Sages took incredible pains and employed extraordinary uses of logic to arrive at the *halachic* conclusion that essentially prohibits one from declaring a rebellious son.

This is not the only case in which the rabbis used the halachic process to develop a conclusion that seems counter to the commandment's original intention. Later in Tractate *Sanhedrin,* the Sages set themselves to make ethical sense of the commandment given to "put the inhabitants of an idolatrous town to the sword and put its cattle to the sword. Doom it and all that is in it to destruction… and burn the entire city with fire."[5] Instead of supporting this violent and vengeful commandment, the Sages undergo a similar process as the one employed in regard to adjudicating the *halacha* on who qualifies as a rebellious son. The rabbis first limit the criteria for condemning a town as idolatrous, both by narrowing the definition of "a town" as well as the requirements of what it means for an entire town to be in the throes of idolatry.[6] Furthermore, Rabbi Eliezer ultimately renders this commandment obsolete. He explicates that any city which contains even one *mezuzah* cannot be burned, for one cannot burn God's name; and in turn, any city that cannot be burned, cannot qualify as an idolatrous city because they must burn. Rabbi Eliezer further posits that one can never be absolutely certain that there are no *mezuzot* within a city's limits, and thus, one is prohibited from destroying the town.[7] Rabbi Eliezer's reasoning is considerably circular and somewhat logically dubious, yet it is upheld as *halacha* by the *Gemara* and future generations.

The last Talmudic example that we shall explore in this paper is the appropriate treatment and attitude towards *mamzerim*, children who are the products of biblically forbidden unions, as delineated by our sages. Deuteronomy states:

> *"A mamzer shall not enter into the community of the Jewish God; even one who is a descendent of a mamzer and 10 generations removed from the mamzer shall not enter into the community of the Jewish God."*[8]

This blatant ostracization and excommunication is not only problematic, but indubitably cruel as it punishes an innocent child and their descendants. Our sages were acutely troubled by this distressing commandment and worked to resolve the critical predicament. Firstly, Rav Yitzchak ruled that if a family is intentionally hiding the *mamzer* status of one or more of their children, it is prohibited for one who is suspicious to attempt to uncover the truth; rather one must let the lie continue. Further, Rav Yochanan pronounced that he knew several people in the community who were *mamzerim*, however he refused to expose them and considered it forbidden to reveal their identities.[9] Finally, later in the *sugya*, Rabbi Yosie proclaimed that in the time of *mashiach* all the *mamzerim* will be pure, and this concept will cease to exist.[10]

These are but a few examples throughout the Talmud where our sages consciously chose to create a *halachic* ruling that plainly deviates from the commandment given in the *Torah*. The *gemara* is replete with similar scenarios where our rabbis saw fit to use their discretion in order to adapt the halacha and shift its meaning to be more in line with their ethical and moral ideals. The sages have created a tradition where, as long as something is logically sound and a perspective of a reputable halachic authority, change is not only possible in our *halachic* system, but is in fact encouraged. Change is intentionally built-in to the *halachic* process.

Mechanisms for the Advancement of Halachot with Significance to Contemporary Times

The evolution of *halacha* did not end with the sealing of the *Talmud*, but rather continued to flourish. As science and technology advanced and new thoughts and ideas came to the forefront, *halacha* had to evolve in order to rise and meet new challenges and circumstances. In this

5 Deuteronomy 13:16,17
6 Sanhedrin 112b
7 Sanhedrin 13a
8 Deuteronomy 23:3
9 Kiddushin 71a
10 Kiddushin 72b

section we will explore creative solutions Rabbis have conceived to confront the inequities in Jewish Orthodox marriage and divorce law, the development of *mechirat chametz*, the selling of leaved food for Passover, as well as how we currently manage *shmita*— years in which the land of Israel is required to lie fallow—, in the modern State of Israel.

The realm of marriage and divorce laws is an area in Jewish practice ubiquitous with gender inequality. Women, quite plainly, do not enjoy the same freedom and control as men, and are given few fundamental rights by the *Torah*. When illustrating how divorce will be conducted the *Torah* states:

> *"A man takes a wife and possesses her. She fails to please him because he finds something obnoxious about her, and he writes her a bill of divorcement, hands it to her and sends her away from his house."*[11]

The *Mishnah* continues to expand on this idea and further cements the disparity in how the *halacha* views the rights of men and women during a divorce by explicitly writing:

> *"A man who wishes to divorce his wife is not like a woman who seeks divorce from her husband. A woman is divorced in accordance with her will or against her will. A man cannot divorce his wife except of his own free will."*[12]

The sentiment expressed in these laws, that a woman is subject to the will of her husband and lacks control over essential aspects of her life, is quite obviously both astonishingly sexist and misogynistic. It is troubling that these laws exist in a text that is "meant for every generation" and intended to be a "light unto the other nations of the world." However, this is exactly why the evolution and advancement of *halacha* is crucial to Judaism. Throughout Jewish history, rabbis have been similarly perplexed by the obvious disregard of a women's agency by these laws and have instituted multiple rulings aimed at protecting and empowering women in this area.

One of the first laws implemented to curtail the unilateral power of a husband over the marriage was the introduction of the *Ketubbah*, the Jewish marriage contract. This document compelled the husband to pay his former wife a significant sum of money if he divorces her without a legitimate reason. The *Ketubbah* aimed to counter the complete control that husbands enjoy and ensure that a man does not leave his wife destitute, while also serving as a disincentive for a needless divorce. This is still the prevailing form of protection offered to Jewish women embarking on their marriage. An additional form of powerful protection is found in Rabbeinu Gershom's *takanah*, or rabbinical ordinance, which adjudicates that a man is prohibited from having more than one wife at a given time and from divorcing his wife without her consent, both of which are acceptable under biblical law. This *takanah*, unfortunately, is not wholly accepted even today. As we have explored in the preceding section, there is precedent to shift the exact interpretation of biblical law and therefore, many are calling for the widespread adoption and implementation of Rabbeinu Gershom's imperative *takanah*.

The *get*, the Jewish writ of divorce, is one the most salient issues in this area and has wide ranging implications. Under Jewish law, only the husband can issue a *get* and the wife cannot force his hand. Her marital freedom is entirely contingent on him.. If a woman does not receive a *get*, she is not permitted to remarry and any subsequent children she may have will be designated as *mamzerim*. Fortunately, the *Mishnah* delineates certain circumstances where a husband can be compelled to give his wife a *get*:

> *"These are the men whom we force to divorce their wives: A man smitten with boils, a man who has polypus, a gatherer of handfuls of excrement, a refiner of copper and a tanner."*[13]

In these cases, the wife can demand a writ of divorce on the basis that her husband is repulsive to her and she feels as though it is impossible to remain in this marriage. Many rabbis have used this *Mishnah* as a basis to expand the situations in which a wife can demand a divorce. The *Sefer HaAguddah* argues that a husband who commits

11 Deuteronomy 24:1
12 Mishna Yevamot 14:1
13 Mishnah Ketubot 7:10

adulterous acts is even more repulsive to his wife than the conditions stipulated in the *Mishnah*, therefore, using the same logic, an adulterous husband should be forced to issue his wife a *get.*[14] Additionally, Rav Yosef Karo posits that if a man is violent towards his wife, then he can be compelled to grant his wife a *get* because he has "sinned." This introduces a new line of logic to the conversation, one that if utilized correctly, can create many new opportunities where a man is forced to issue a writ of divorce.

However, these instances above seem to directly counter the commandment in Deuteronomy that stipulates that the *get* must be given through "free will." When one is compelled or coerced it seems legitimate to suppose that free will has been eliminated. Maimonides approaches this issue and simply elucidates that the husband "can be beaten until he says, 'I agree.'"[15] By uttering these words, we are allowed to assume that the husband is acting with free will. Maimonides further supports his argument by explaining that beating a man does not take away his free will, rather a husband who refuses to issue his wife a *get* is, in reality, suffering under the control of his *yetzer harah*, evil inclination. In fact, by beating him, we are actually restoring the man's free will by saving him from his *yetzer harah*.

These derivations represent the rabbis taking initiative to systematically shift biblical laws in order to create a process that is more equitable and just. Nevertheless, it would be inauthentic of this paper not to note that pressing inequalities, that have severely and harshly impacted the lives of many women, still persist to this day. Therefore, a strong case can be made that the halacha has not yet progressed to a place where it can ensure substantial equality and the necessary rights to women entering and attempting to leave Jewish marriages. Today, in an act to surmount these problematic biblical laws, many couples have begun to sign halachic prenuptial agreements which aim to ensure legal culpability in the secular court system and specific consequences if a husband does not issue a *get.* The halachic prenup has been endorsed by many contemporary influential and important rabbis, such as Rabbis Ovadia Yosef, Zalman Nechemia Goldberg, Gedalia Dov Schwartz, Asher Weiss, Chaim Zimbalist, and Rabbi Hershel Schachter. Furthermore, in 2006, the Rabbinical Council of America passed a resolution that discourages rabbis from officiating ceremonies for couples without this prenuptial agreement in place. The codification of the prenup suggests a legitimate avenue with which to bypass arguably antiquated biblical laws is another step in the evolution and advancement of our halachic system.

Mechirat chametz and the modification of *shmita* laws are additional instances where our scholars saw fit to circumvent biblical commandments in order to ensure that the halacha remains relevant throughout all generations. *Mechirat Chametz* was conceptualized to avoid the biblical prohibition of owning leavened bread on Passover as outlined in *Shemot* verses 12:19 and 13:7:

"No leaven shall be found in your houses for seven days…."[16]

"Throughout the seven days unleavened bread shall be eaten; no leavened bread shall be found with you, and no leaven shall be found in all your territory."[17]

In the early stages of Jewish history this is exactly what was done; as Passover approached, the Jews found ways to dispose of all their *chametz* and ensured that there was no leavened bread in their possession. It was not until the time of Beit Hillel that the idea for a sale of *chametz* to a non-Jew was conceived:

"For the entire time that it is permitted for a Jew to eat leavened bread, it is also permitted for him to sell it to a gentile. The Jew ceases to be responsible for leavened bread sold to a gentile from the moment it is sold."[18]

However, this does not describe the *mechirat chametz* framework that we are all accustomed to today; Beit Hillel makes no mention of the return of *chametz* to the Jewish owner following the conclusion of the holiday. Rather, Beit Hillel intended for this sale to simply act as an additional mechanism for the disposal of *chametz*. It is in

14 Rabbi Alexander Suslin HaCohen, Sefer HaAguddah 77
15 Mishneh Torah, Hilchot Gerushin, 2:20
16 Exodus 12:19
17 Exodus 13:7
18 Pesachim 21a:15

Tosefta Pesachim where we see the roots of the well utilized tradition. It outlines a situation where:

> *"A Jew and a non-Jew are traveling on a ship, and the Jew has chametz in his possession, he may sell it to the non-Jew or give it as a gift, and then acquire it back from him, after Pesach - but only if he had given it to the non-Jew unconditionally."*[19]

However, this too is not wholly in line with the modern practice. This stipulates that the Jew is on board of a ship which implies a number of extenuating considerations: perhaps, there is no feasible way to dispose of the *chametz*, or it is likely that a limited amount of food was brought for the trip and any needless destruction could result in a lack of nutrition for the rest of the time aboard, therefore, immediate harm might befall those traveling with the Jew. Furthermore, the *Shulchan Aruch* explicitly states that any sale with the condition that the *chametz* be returned is prohibited.[20] How then did we arrive at our practice today which seems diametrically opposed to the spirit of our tradition?

Since Jews were not allowed to own land in medieval Europe, many of them found themselves in the beer and whiskey business, substances that are composed of *chametz*. If they were to destroy all their *chametz* their entire livelihood would be destroyed along with it. Therefore, they employed the concept of *mechirat chametz* as seen in the *Talmud* with the understanding that their merchandise would be returned to them following Passover, although this was not explicitly stated to keep with the technicalities of the *halacha*. During this time the *Bach* expands on this idea and thus, brings into fruition the *mechirat chametz* we use today:

> *"In this land, where most commerce is in whisky and one cannot sell it to a non-Jew outside the home ... there is room to permit sale to a non-Jew of all chametz in the room, as well as the room itself."*[21]

He introduces the now widespread concept of selling areas of one's house, such as rooms or individual cabinets, to streamline the process. This iteration of *mechirat chametz* has become so ingrained and accepted within our tradition that the *Mishnah Berurah* goes as far as to recommend selling "certain areas in one's home that may be too difficult to check for *chametz*."[22]

Nevertheless, many Jewish scholars throughout time remain troubled by this circumvention of a biblical law. However, as Rav Moshe Lichtenstein recently stated in, "The *Torah* never meant that the *mitzvah* of destroying *chametz* should destroy a person's livelihood. Therefore, when the Jews began to do business with *chametz*, and their livelihoods depended on it, circumvention became a necessary and legitimate option."[23] *Mechirat chametz* is thus, the paradigm of a *halacha* that advanced due to the needs of the Jewish people at the time.

Similarly, *shmita*, the commandment that one cannot sow the land of Israel every seven years, has led to many obvious contemporaneous challenges in the modern state of Israel. In order to understand the mechanisms which may be used to circumvent this difficulty, it is prudent to consider the way in which the Jerusalem *Talmud* dealt with this commandment in their time. The *gemara* relays an argument between Rabbi Yehuda HaNasi and his brothers in which Rabbi Yehuda continuously declared areas in Israel exempt from *shmita*. When he pronounced that the city of *Beit Shan* would, too, be exempt, his brothers were bewildered: Jews have lived in *Beit Shan* for generations and thus, it was outrageous to decide that this city would not officially be considered part of the land of Israel. Rabbi Yehuda replied that it is his duty to take care of the needs of the people in Israel.[24] This is a shocking argument; Rabbi Yehuda effectively declares that it is within his power to nullify a commandment because that *mitzvah* would negatively affect the Jewish People. Rabbi Yehuda acted in a similar manner when a poor man is brought before him for violating the laws of *shmita*; in this case he adjudicates that this man should not be held culpable because "he works to keep himself alive."[25] This is an incredibly important precedent that can have enormous repercussions on the future of

19 Tosefta Pesachim 2:6
20 Shulchan Arukh, Orach Chayim 448:3
21 Bach, Orach Chaim 448:2:1

22 Mishnah Berurah 433:23
23 Rav Moshe Lichtenstein, Ha'arama in Halakha The Facts, The Mechanism, and the Objective
24 Jerusalem Demai 2:1
25 Jerusalem Taanit 3:1

the *halachic* process and how commandments, that arguably adversely affect the Jewish people, are implemented. Moreover, later in the *sugya* we learn that Rabbeinu Hakodesh once actually ruled that it was permitted to abolish the *shmita* year. He believed that once the Jewish people entered exile, this commandment lost its stature as a biblical *mitzvah* and became one that is rabbinic in nature. Rabbeinu Kadosh posited that the great economic distress and the potential for enormous losses if the Jewish people do not farm for a whole year outweighed the need to adhere to this commandment. However, this ruling was rejected by Rabbi Pinchas ben Yair.[26] The Babylonian Talmud also records instances in which the *shmita* was suspended due to outside concerns. In Tractate *Sanhedrin* it was documented that the Jewish people were permitted to sow during this year because they were obliged to pay taxes to their non-Jewish rulers.[27]

Nevertheless, today, in the modern State of Israel, the Rabbbinic authorities do not rely on the logic of the *Talmudic* Rabbis, nor do they employ the precedent that in some cases it is permitted to disregard the *shmita* commandment. Instead, they utilize a concept very similar to *mechirat chametz*; during the seventh year, they sell their land to someone who is not Jewish residing in Israel and the non-Jew is able to continue working this land during this year in which many believe is prohibited. However, Rabbi Eliezer Berkovits argues that this practice is an embarrassment to the State of Israel. He contends that a core principle of Zionism is Jewish ownership of the land and giving over this ownership to non-Jews every seven years stands contrary to the ideals of the Modern State. Instead, he urges that we learn from and utilize the teachings of the *Talmud*, and in keeping with our tradition, suspend the prohibition of farming the land during the seventh year.[28]

Not In Heaven

Any work that attempts to delve into the evolution of *halacha* would be remiss to exclude the famous *machloket*, argument, between Rabbi Eliezer and Shmuel found in Tractate *Bava Metzia*. Rabbi Eliezer and Shmuel were in the midst of an argument on the correct *halacha* and the *Talmud* states that Rabbi Eliezer was able to bring forth all the necessary and sufficient proofs for his perspective, but still his contemporary rabbis disagreed with him. To further demonstrate that he was surely correct, Rabbi Eliezer exclaimed that if he was in the right, then various aspects of nature would support him; indeed, a tree uprooted itself, a stream began to flow in the opposite direction, the once stable walls of the study began to lean inwards, all in support of Rabbi Eliezer's rationale. When this was still not enough to win the argument, a heavenly voice came down and pronounced Rabbi Eliezer's opinion as correct. However, Rabbi Yehoshua quickly refuted the voice by proclaiming "It is not in heaven."[29] The Talmud continues to explain that: "since the *Torah* was already given at Mount Sinai, we do not regard a Divine Voice."[30]

This story serves as the penultimate justification for the intentional evolution of *halacha*. Yes, it is accepted that the *Torah* and the commandments are divine and, perhaps, the perfect word of God. However, it is equally accepted that men, themselves, have the ability to employ their discretion, within reason, when interpreting these commandments. In its introduction to the *Choshen Hamishpat*, the *Ketzot Hachoshen* explains:

> *"The Torah was not given to ministering angels. It was given to man with a human mind. He gave us the Torah in conformity to the ability of the human mind to decide, even though it may not be the Truth… only true according to the conclusions of the human mind… Let the truth emerge from the earth. The truth must be as the sages decide with the human mind."*

Indeed, once the *Torah* was given to humans, it left the realm of heaven-- the realm of idealism and perfection. The commandments now exist within the realm of the imperfect, and as such, it is sensible that they must adapt to this world.

Furthermore, when the Israelites accepted the *Torah* at *Har Sinai* they entered into a *brit*, a lasting covenant with God. A covenant is defined as an agreement between two partners who both owe and contribute something to the other party;

26 Ibid.
27 Sanhedrin 26a
28 Eliezer Berkovits, Not in Heaven
29 Deuteronomy 13:12
30 Bava Metzia 59b

our relationship with God is not one of complete and total subservience, but rather it is a partnership. Rabbi Sacks' gives voice to this idea and states that "The difference between the Written and Oral Torah is profound. The first is the word of G-d, with no human contribution. The second is a partnership – the word of G-d as interpreted by the mind of man."[31] God formed the structure of *halacha*, and it is our responsibility to expound on this structure and create an extensive halachic system, one with the fluidity and ability to shift and change while remaining authentic to God's initial structure. Rabbi Sacks further posits that the "essential nature" of Oral Law is to embody "the collaborative partnership between G-d and man, where revelation meets interpretation."[32]

The Importance of an Ever-Evolving Halachic System

One of the most monumental events in Jewish History is the codification of *Torah She Ba'al Peh*, the oral law. This action has had far-reaching consequences that continue to impact Jewry today and will surely persist for both the near and distant future. There are many ideas as to why these laws were given to the Jewish people orally; some suggest that it is to further enhance one's learning-- if one is required to commit these laws to memory than it is more likely that one will learn and study the tradition with a great intensity. However, a more interesting suggestion is that aspects of the Jewish tradition were handed down orally to allow for it to shift and change with each subsequent generation.[33] Without a written text, the laws are not bound, rather they are fluid and dynamic, and ready to change with time. Rabbi Abraham the son of Maimonides was a fervent supporter of the notion that the laws must be interpreted for each generation. He writes:

> *"The rule of the matter is-- say I-- that a dayan (judge) who in his decisions follows only what is written and clearly stated is weak and wanting… Every dayan and everyone who renders decisions must weigh them according to each case that comes before him… The numerous case histories in the Talmud, which incorporate only part of the laws, were not reported for nothing; but neither were they recorded so that in those matters the law should always be as it is written there."*[34]

The Oral Torah was codified in an act of self-preservation. Rabbi Yehuda HaNasi, who is credited with compiling the oral law, believed that if the tradition was not written down, then it would be lost forever, and with it Judaism. This act indubitably contributes and may be solely responsible for the robust Jewish life we enjoy today. However, it is important to remember, although many do not, that this written text is far from the ideal form of Oral Torah.

Our sages have succeeded in ensuring the relevancy of our tradition over the course of many generations, however as Rabbi Eliezer Berkovits argues in his seminal work, *Not in Heaven*, it is time for the passionate promotion of *halachic* evolution and development. We are no longer threatened to the extent in which we were when the oral law was codified; we have returned to the land of Israel and have begun to rebuild our nation. Now is the time for advancement. Rabbi Berkovits elegantly and effectively articulates this important sentiment and writes:

> *"Halacha, which in exile had to be on the defensive, building fences around communal islands, now ought to resume its classical function and originate new forms of relevant Torah realization in the State of Israel. It should concern itself with questions of social justice, economic honesty and fairness…"*[35]

The oral law was codified during one crisis, and today Orthodox Judaism seems to be in the midst of another; however, the key to this crisis may be the return to a fluid conception of *halacha*. The 21st century is witnessing droves of women and people who identify as LGBTQ+ leave orthodoxy. Women have become more and more disillusioned with the few opportunities that exist in Orthodox Jewish leadership and the fact that regardless of the amount of *Torah* knowledge

31 Rabbi Sacks, Ki Tissa (5773) – Two Types of Religious Encounter
32 Ibid.
33 Eliezer Berkovitz, Not in Heaven
34 As quoted in Menahem Elon, Hamishpat Hai'irvri (Jerusalem: Magnes, 1988), vol. I, p.345 [Hebrew]
35 Eliezer Berkovits, Not in Heaven, p. 137

they acquire, they will never be awarded equal stature and respect as men. Similarly, it seems as though LGBTQ+ people face insurmountable challenges within the Orthodox community; they are discouraged from expressing themselves and living authentic lives-- ones that will bring them happiness. As the secular world becomes more accepting of these important ideas, Orthodox Judaism remains stagnant and is quickly falling behind the times on incredibly serious and crucial issues. It cannot be overstated how detrimental this is to the lives of many of those who practice Orthodoxy. However, as this paper hopes to illustrate, this is not the way of Judaism. We have a long tradition of *halachic* evolution; we have been given tools and mechanisms to shift and advance *halacha* in order to prevent the crisis we are experiencing. If there is precedent to circumvent biblical laws, then there is certainly room in our *Torah* to bypass ideas such as the one that women cannot serve as Rabbis to Orthodox communities. Moreover, perhaps it is time to act in line with Rabbi Yehuda HaNasi who permitted farming during the *shmita* year in areas of Israel, and in doing so nullified a commandment because that *mitzvah* would negatively affect the Jewish People and critically analyze which commandments are adversely affecting us, as a people, today. Or we can simply look to Rabbi Yehuda who effectively interpreted *ben sorrer u morrer* out of existence, and declare that the commandment “not to lie with a male as one lies with a woman”[36] was similarly given so that one may “expound upon new understandings of the *Torah* and receive reward for learning, an aspect of the *Torah* that has **only theoretical value**.”[37]

Unfortunately, any paper of this nature will be forced to contend with “slippery slope” arguments: if you choose to change one thing in *halacha* what stops you from changing others and disrupting this continuity of Judaism? In the case of arguing for continuity, the analysis of different cases studies in this paper as well as the in depth study of the logic of respected rabbinic authorities, has hopefully shown that it is wholly in line with our tradition to push *halachic* evolution forward when the need arises. Moreover, it is a very weak argument to postulate that those that are calling for an advancement of *halacha* in order to conceive a more inclusive Judaism, so that more people will feel loved, accepted, and appreciated within this religion, are actually doing so to subvert or debase Jewry. It is completely and wholly within our traditional understanding of the *halachic* process to advocate for change, to morph, shift, and adapt our *halachic* system in accordance with the time it is being practiced. Perhaps, this is why our religion has been able to endure over 2 millennia and it will need to continue evolving to remain relevant over the next two and beyond.

36 Leviticus 18:22
37 Sanhedrin 71a (emphasis added)

Mimi Broches

Mimi Broches is a native Seattlite in the Joint Program between the Jewish Theological Seminary and Columbia University. In her free time she enjoys volunteering at the Columbia Food Pantry, finding new and creative ways to enjoy time with friends, and of course, exploring Columbia's campus. Mimi has a passion for Jewish education in both a formal and informal setting.

Abstract

Women's voices throughout history have long been devalued and relegated to the background; this is evident especially in the Jewish canon and throughout Jewish history. In classical Jewish texts women are often discussed from a male-dominated perspective. Although women's voices begin to emerge in mainstream Judaism in the early modern age, it is impossible to ignore the lack of a forceful female perspective from our tradition over the past few thousand years. The question must be raised: is it possible to bring forward these long-shunned voices and piece them together into a coherent and profound tapestry of ideas and thought? Fortunately, while we are now able to construct a space for contemporary women's voices, it remains a seemingly insurmountable challenge to recover those lost voices of the past.

Women and Judaism: From The Bible to Early Modernity

Despite a rise in women's voices within the Jewish textual tradition, the lack of historical accounts from a woman's perspective will remain a gap within the Jewish canon forever. The majority of historical Jewish texts frames women through the eyes of men; the early modern era marked the advent of women's historical voices. Through these perspectives, we can understand women from our past and piece together gaps within our tradition that are not directly present within religious or historical texts.

The Tanakh introduces women from a third-person perspective, leading to devolution from equality to inequality within the first three chapters. In Genesis, there is an inconclusiveness surrounding the role of women and their relationship to men. This ambivalence is most clear within the two creation stories, as the woman is demoted from man's equal to a submissive sidekick. In Genesis 1, woman and man are created simultaneously, highlighting the equality within their partnership.[1] If this had been the sole creation story there would have been set precedent of women as equals in the Biblical text, but this narrative is reversed in Genesis 2, which offers an alternative story of creation. Key differences between these stories mark a decrease in status for women. First and foremost, the woman is created from the man, making her secondary to him. Moreover, a woman is assigned the role of "helper" to man, with the text using the words "*ezer kenegdo*", further removing the sense of equality introduced in the first chapter.[2] Finally, within the third chapter woman is punished for eating from the tree of knowledge, highlighting a clear patriarchal belief: the woman's initiating the sin of eating from the tree of knowledge show-

1 Genesis 1:27
2 Genesis 2:20-24

cases her independent ability to self-determine and is punished for it, implying that womankind possessing these traits is anegative. The woman is punished and demoted as submissive to man, who is intended to rule over her. This is stated explicitly in Genesis 3, resulting in the introduction of the patriarchal idea that women should submit to men.[3] Within these first three chapters of the Jewish Bible women are placed below men, in a role where they are expected to help men in accordance with their wishes. These first three chapters of Genesis introduce an issue that persists throughout Jewish textual tradition: what is the role of women within society?

Later in the Tanakh, women are presented under a dichotomy highlighted within Proverbs chapter 7,[4] written as a message from father to son in which the father both idealizes and demonizes women within the same chapter. The fourth verse equates wisdom to the role of a sister, writing, "Say to wisdom, 'You are my sister,'"[5] a positive connotation. Conversely, the end of the chapter relates women to temptation, stating, "Do not let your heart turn to her ways or stray into her paths. Many are the victims she has brought down; her slain are a mighty throng. Her house is a highway to the grave, leading down to the chambers of death."[6] This bears a negative connotation and is written as a warning against this woman. These two parallels show how women can be both demonized and idealized within the same chapter. Nevertheless, this idealized, flattering depiction of women dissipates as the chapter ends with such negative and insulting castigations. At the conclusion of the chapter one comes away with a negative view of women, conflating them with temptation rather than wisdom.

Judaism's continued evolution resulted in changed perspectives regarding women; the rabbis of the Talmud express this evolved perspective through literature that places women solely in the home and private sphere, excluded from Jewish institutions. Often within the Mishnah and Talmud the rabbis take passages from Tanakh and expand or clarify the meaning of such passages. This system of commentary and clarification can be seen as they approach the question of what exactly distinguishes women and men on a legal level. Mishnah *Sotah* 3:8 asks "what are the differences between a man and a woman?" answering with a series of legal distinctions. These distinctions are categorized through an exemption for women from "positive time-bound mitzvot" holding judicial positions, marriage, and divorce.[7] These exemptions, specifically regarding judicial offices, result in women lacking access to authoritative ranks within Jewish institutions as they were denied access to many fundamental Jewish commandments. Furthermore, women lacked the ability to enter their relationships with men as equals as they lack a certain authority in marriage and divorce, the sole facets of relationships that are conducted within the Jewish institutional sphere and not the home. Relegating women outside of Jewish institutions has had a lasting effect on the ability for dozens of generations to access women's voices as they were not presented with a space to express themselves.

The absence of a female presence within the legal realm of relationships resulted in many rulings that clearly lack a woman's voice. This is evident within the Shulchan Arukh, Even Ha'Ezer when discussingthe issue of marital rape. Although this behavior is generally forbidden, there is a disturbing note regarding permitted coercion when the author suggests "appeasing" the wife in order to acquire consent.[8] This highlights the dearth of female representation within the Jewish textual tradition, but one can still detect the clear discomfort with this topic, and thus can infer that there is a woman's voice present within the ultimate ruling of this prohibition. This highlights the way in which although female perspectives can be present in medieval Jewish texts, they are not wholly uncensored, a common theme from this specific period of time.

It was not until the early modern era that women's voices emerged in the Jewish canon. This emergence is seen through the writings of Gluckel of Hameln, a Jewish business woman and diarist in the 18th century,[9] and the Tkhines, a collection of Yiddish prayers written by laywomen throughout the 15th through 19th centuries.[10]

3 Genesis 3:1-7
4 Proverbs 7
5 Proverbs 7:4
6 Proverbs 7:25-27

7 M. Sotah 3:8
8 Shulchan Aruch Even Haezer: 25:2
9 Glueckel, Marvin Lowenthal, and Robert S. Rosen. *The Memoirs of Glückel of Hameln*. New York: Schocken Books, 1977. Print.
10 Weissler, Chava. "Tkhines." *Jewish Women's Archive*, 20 Mar. 2009, jwa.org/encyclopedia/article/tkhines.

Within these texts we get a glimpse of the role women played in late medieval and early modern Jewish life, how they approached their respective situations, and their commitment to their faith despite its general attitudes regarding women. This movement eventually resulted in the Seyder Tkhines, a version of the classical Jewish prayer book but created *for* women *by* women. This book was meant to provide women a prayer service that paralleled and connected to their life at home.[11] The introduction of Jewish women's voices in the liturgical realm confirms some pre-existing beliefs about the role of Jewish women of the time, specifically their role within the home, but also presents a new perspective highlighting the way in which they cleaved to God.

Within both Tkhines and Gluckel's memoir women write about their relationship with God and the home. Gluckel's unique ability to keep a diary that was ultimately published as a memoir was an unprecedented result of her status within society. Her elite class and work as a businesswoman opened a door for her to compose this previously-unrivaled work. In her memoir she details the responsibilities of being a matriarch in the early modern Jewish age. The role she plays as a woman in the home parallels the placement of women within Talmudic thought. This is highlighted through her focus on day-to-day ritual life, the main focus of women's authorship of that period.

Tkhines, compilations of prayers composed by women, seem to follow these same life-cycle events, most of which take place within the home. These events include the lighting of Shabbat candles and baking challah. These prayers portray what women were doing at this time and how they viewed their relationship with God and Judaism. A jarring aspect of this relationship is the absence of a communal space, such as a synagogue or Beit Midrash; rather, these women are connecting to God from their private homes.

Despite these unprecedented and profound new perspectives of women finally entering the Jewish canon, these texts describe women's roles as within the private sphere, rather than within the broader Jewish institutions. This dynamic is further perpetuated in the infamous writings of Sholem Aleichem, a 20th century playwright, specifically his story of "Tevye the Dairyman," an early iteration of o the famous play *Fiddler on the Roof*. "Tevye the Dairyman" follows the story of Tevye and his family throughout the process of marrying off his daughters and is composed from the perspective of Tevye, the man of the house. Tevye's daughters each represent a time in which women gained more control over their spouses, from an arranged marriage for the eldest daughter to the youngest daughter marrying a non-Jewish boy without her parents' consent. While telling the story of the evolution of marriage as presented through Tevye's daughters, Aleichem provides an interesting way to see how men of this time viewed women.[12] Sholem Aleichem's story depicts women as those who run the household, fulfilling the role of a stereotypical housewife. These women remain within the house and, despite new freedoms, specifically the freedom to choose a life-partner, these women never enter the wider Jewish communal space.

Within the early modern era Jewish women began to share their perspectives in ways that were previously impossible. Through the work of Gluckel of Hameln and the Tkhines it becomes clear that these women had a distinct role within the Jewish experience, centered around the private home. The expression of this experience is often missing from male dominated texts such as rabbinic works, and adds a new dimension to understanding the Jewish experience of the time. These works and others like them open the door to the addition of female perspectives when studying Jewish history and understanding our religion, something vital that was missing for many previous generations.

As more women's voices than ever before enter our Jewish textual tradition, one naturally wonders how these women felt in the past. Although women's perspective's have not been recorded throughout history one can look for undiscovered historical accounts and attempt to piece together clues to understand women's perspectives more deeply. Nevertheless, the gap created by the stifling of women's voices in the past will forever play a role in how history and the Bible

11 Kay, Devra. *Seyder Tkhines: The Forgotten Book of Common Prayer for Jewish Women.* Philadelphia: 2004; Kratz-Ritter, Bettina.

12 Sholem Aleichem, 1859-1916. Tevye The Dairyman: and The Railroad Stories. New York: Schocken Books: Distributed by Pantheon Books, 1996.

portray Jewish women. Fortunately, we can now strive to create a space where women's voices' are valued and influential, but it is just as crucial to reconstruct the lost, silenced voices of the past which still strongly influence modern Jewish life.

Serena Bane

Serena Bane is a First-Year at Barnard College. After attending the The Frisch School, Serena studied at Midreshet Lindenbaum for her year in Israel. Serena is interested in studying Psychology and Political Science.

Abstract

In Jewish collective history, the three patriarchs, Abraham, Isaac and Jacob, and four matriarchs, Sarah, Rebecca, Rachel and Leah, are often considered the epitome of the ideal Jew. However, there are numerous occasions in the Torah, primarily in the instances of strained spousal relationships, in which the patriarchs and the matriarchs exhibit behaviors that most modern readers would consider less than ideal. Analyzing the struggles of these relationships allows readers to view the patriarchs and matriarchs as relatable human beings who, despite their struggles, were able to create and sustain the legacy of an entire nation.

Paradigm of Perfection? A look into the Spousal Relationships of the Patriarchs and Matriarchs

The three patriarchs and four matriarchs have been idealized as paragons of moral and religious excellence throughout the past two millennia; historically, the Jewish community has looked to biblical texts regarding these characters as sources of inspiration and action. Their names are mentioned in the daily liturgy, such as in the *Shemoneh Esrei,* a prayer that is recited three times a day. This favorable light stands in stark contrast to events described in the text of the Torah, where there are numerous occasions where the patriarchs and the matriarchs exhibit behaviors that most modern readers would view negatively. Many of the most egregious incidents concern intermarital affairs between spouses. Although tradition has idolized their personalities, and have used the stories as models to emulate, as modern readers, we can recognize the deceit, errors and lack of communications as attributes to avoid and learn from.

As the first of the forefathers, Abraham set the precedent for the belief in and dedication to God that became the fundamental basis for Judaism. In Jewish commentaries, Abraham's life is defined through a series of tests from God in which he exemplifies blind faith; this is most apparent in the commentaries relating to the story of the Binding of Isaac and Abraham's passage to Canaan.[1] His unwavering belief in God is the reason that Abraham is considered the first Jew and is given such praise by the rabbis. However, from the texts themselves, these stories portray Abraham as sinning or making errors, especially in regards to his relationship with Sarah.

When Sarah is first introduced, as Sarai, the first description written about her is that she is barren (Genesis 11:29-30). The mention of Sarah's difficulty getting pregnant at the outset of the introduction of her character is appropriate since

1 Rashi, Sforno Bereshit 22:1

much of her personal turmoil stems from her desire for a child and her inability to have one. Barrenness, infertility and difficulty having children are common causes of strain in a relationship.. The first scenario which portrays animosity and tension between Abraham and Sarah occurs as a result of their inability to have a child. As stated in *Genesis 16:1*,

"And Sarai, the wife of Avram, had not bore for him [children]"

The phrasing of this verse raises the question of why the Torah says Sarah was unable to give birth to Abraham's child specifically, and does not mention her desire to have a child. The implication of this word choice denotes that Sarah felt obligated to Abraham to provide him with a child, a feeling that is common among couples who are struggling with barrenness. The feeling of obligation, coupled with the inability to provide, can cause emotional struggles and lack of harmony between spouses,[2] evident in Abraham and Sarah's situation by the progression of events in *Genesis 16*. Sarah tells Abraham that since she is unable to have kids, he should procreate with her maid servant, Hagar. However, when Abraham obliged and Hagar conceived a child, Hagar viewed Sarah as inferior, causing Sarah to feel shame.[34] Rabbi Shlomo Yitzchaki, an 11th century French exegesis writer also known as Rashi within the Jewish tradition, further explains why Sarah felt so badly. According to Rashi, anyone who does not have children is "not built up in this world,"[5] meaning, they are not fully alive and their name and essence are not perpetrated in the future. The story ends with Sarah's maid servant and husband having a child, while she is left barren and is full of shame. This causes a rift in Abraham and Sarah's relationship; Sarah says to Abraham "The wrong done to me is your fault!."[6] Rashi explains that Sarah blamed her situation, accusing Abraham of being selfish, because Abraham only asked God for a child for himself, rather than asking for a child for Sarah. Rashi further explains that Sarah accosted Abraham for not defending her against the harsh words and treatment of Hagar. Radak,[7] Rabbi David Kimhi, 12th century rabbi, philosopher, and biblical commentator, and Sforno, Ovadia ben Jacob Sforno, 15th century rabbi, biblical commentary and philosopher,[8] both add upon Rashi's commentary. Both figures explain that the harsh words and inconsequential treatment Sarah is referring to relates to only Hagar being pregnant. This follows the chronology of the Bible: Sarah is so jealous of Hagar, and her child, that she not only treats Hagar harshly, but forces Hagar to leave.

At the end of the interaction, according to the words of the Torah, Abraham sides with his wife and gives Sarah permission to treat Hagar as she saw fit. However, Rabbi Saadia Gaon and Rabbeinu Chananel -- also known as Chananel ben Chushiel -- both rabbis of the Geonic period, believe that Abraham did not agree with Sarah's treatment of Hagar;[9] he thought her treatment was too harsh. Through Abraham's actions, having a child with Hagar when Sarah was barren, he gave Hagar an elevated status in society. It was through this elevated status that Hagar felt she could look down upon Sarah, and when she acted upon her position, Abraham did not defend Sarah against this tormenting. Abraham is not the only one to blame for the imperfections in their marriage. It is Hagar's son, Ishmael, who will continue to be a burden in Sarah's life and will remind her of her trouble having children, even after she does ultimately have children of her own. In Bereshit Chapter 21, after Isaac is born, Sarah sees Ishmael "playing"[10] and calls for the expulsion of Hagar and her son. Chizkuni and Radak interpret the "playing" of Ishmael to mean that Ishmael was belittling and making fun of Isaac. This is a parallel to the story when Hagar belittled Sarah years prior, specifically, around the time of Hagar's pregnancy. Thus, it is likely that Sarah felt inferiority and jealousy towards Hagar from that instance; when Hagar's son bullied her own, the feelings resurfaced, which then led to Sarah expelling them from her house. Marriage and couple's therapist, Nicole Arzt states that "repression can emerge in dreams, intrusive thoughts, anxiety, and relationship problems." Evidently, these negative feelings that Sarah repressed towards her husband's son likely caused a drift in her and Abraham's marriage.

Hagar and Ishmael are not the only obsta-

2 https://www.verywellfamily.com/how-infertility-impact-your-marriage-and-relationship-4121098
3 Bereshit 16:4
4 Ibid.,
5 Rashi Bereshit 16:2
6 Bereshit 16:5
7 Radak Bereshit 16:5
8 Sfarno Bereshit 16:5
9 Rav Saadia and Rav Chananel on
10 "מְצַחֵק" is the ambiguous word the verse uses

cles in Abraham and Sarah's marriage. Abraham and Sarah's inability to have children may have led to communication issues between them. Rabbi Eitan Mayer, Rabbi at Midreshet Moriah, a girl's seminary in Jerusalem, gives a theory about Sarah and Abraham's lack of communication. In Bereshit 17, among the decree of Brit Milah and the renaming of Abram to Abraham and Sarai to Sarah, God tells Abraham that he will have a baby through Sarah. Verse 17 states, "Abraham fell on his face and laughed and said to himself, "Can a child be born to a man a hundred years old, and can Sarah bear a child at ninety?" God continues, telling Abraham that he will name the child Isaac and He will maintain His covenant with Isaac and Isaac's offsprings. In the next chapter, Chapter 18, three men arrive at Abraham's house and tell him that in the following year, he and Sarah will have a son. Sarah is in the entrance of the tent, behind Abraham, and when she hears what these men are saying she starts laughing. She is so old and has already stopped menstruating; she is bewildered as to how she is able to get pregnant now. God sees Sarah laughing and asks Abraham "why did Sarah laugh?" A surface level interpretation can explain God's questioning why Sarah is laughing in awe of this revelation as if she does not believe God is able to bestow her a child. It is almost as if God is asking Abraham, "Why is Sarah laughing? Does she think this is funny? Does she not believe in my Greatness?" Rav Eitan Mayer, however, gives a different interpretation of God's question. When Abraham found out the chapter earlier that he and Sarah would be having a child, he also laughed to himself. This raises the question: why is God only asking Abraham about Sarah's laughing? If the reason that God is concerned about laughing is because He thinks that it insinuates lack of belief, then shouldn't He be questioning Abraham about his laugh? Rabbi Mayer answers this by saying that God is not asking Abraham why Sarah is laughing in a way that implies He thinks she doesn't believe in Him. When God is asking Abraham why Sarah is laughing now Sarah's laughter implies that she is shocked by this revelation. However, Abraham already was told in the previous chapter that he and Sarah would be having a baby, so when God asks why Sarah is laughing, he really is rebuking Abraham for not telling Sarah beforehand when he himself found out. God's question in this light would be reframed as "why is Sarah laughing as if she has never heard this before, if I told you this a while ago?" This interpretation provides another dimension of Abraham and Sarah's relationship; many of the issues in the stories relate to the lack of communication between the couple. Abraham and Sarah were unable to have a child for many years, and now they finally are having one. Abraham should have told Sarah right away, she would have been exhilarated since she is finally having her long awaited child. The fact that Abraham kept this piece of information from Sarah, especially with the nature of the situations, shows the large gaps in their communication skills and puts into question Abraham's conscientiousness.

A third example that depicts the relationship strains between Abraham and Sarah, and perhaps the most extreme, was the lack of communication during the Sacrifice of Isaac. As part of Abraham's set of tests to prove his loyalty to God, Abraham was tasked with the impossible task of sacrificing his own son.[11] Throughout his life, the concept of children and continued legacy was at the forefront of Abraham's head, and was the deciding factor and motivation for many of his decisions. Asking Abraham to give up the son he had waited so long for was the ultimate test of his dedication to and belief in God. Consistent with his character, Abraham agreed. Sarah, however, was absent from the text during this whole scenario. As Yitzchok's mother, it would make logical sense that she would have a say in the matter, yet there is no mention of her name, let alone her reaction or input. It would be one thing if Sarah agreed to the sacrifice because of her adamant belief in God and her commitment to His Honor, but it seems as though Sarah was unaware about the whereabouts of Abraham and Yitzchok. Many meforshim, including Midrash Pirkei De-Rabbi Eliezer, an aggadic-midrashic work on the Torah,[12] Chizkuni, also known as Hezekiah ben Manoah, a 13th century French rabbi,[13] and Rashi[14] further this approach by saying that not only did Sarah not know about Abraham's intention to sacrifice Yitzchok, when she found out, she died. Midrash Pirkeri De-Rabbi Eliezer and Rashi explain that this was a literal death; Sarah's soul literally left her body from shock. Chizkuni on the other hand derives from Talmud Nedarim that

11 Bereshit 22:2
12 Chapter 31
13 Chizkuni Bereshit 23:1
14 Rashi Bereshit 23:2

someone who no longer has a child alive is considered dead, and applies this theory to Sarah, claiming it was a societal perception of death rather than a literal loss of life.[15] Either way, the effect that Abraham's decision had on Sarah, and the way in which he went about keeping the secret away from her, put a final, irrevocable strain on their relationship. This decision to act without the consent of the other partner, in this case, possibly killing their only child, led Sarah into an insurmountable despair, that arguably led to her death. In general, making a decision regarding the well-being of a child with the input of only one parent is disrespectful and goes against the basic rules of parenting. Especially in an extreme life or death situation such as this one, Abraham should have consulted with, or at least mentioned to Sarah, his plan's regarding Isaac's life.

When examined outside the context of spousal relations, these three markers in Abraham and Sarah' life still have a large influence on the perception of their characters and the development of their stories. The common denominator between the three stories is children. Generally, these stories are utilized in connection with each other to show Abraham and Sarah's desire to have a child and the challenges they went through until they birthed Isaac, or to demonstrate the extent of Abraham's belief while portraying Sarah as a woman of lesser faith. However, I would argue, that the main takeaway of these stories is that, despite their high regard in Jewish culture and tradition, Abraham and Sarah had a flawed relationship- fragmented by their infertility issues and lack of communication.

Abraham and Sarah were not the only spouses whose relationship issues largely play into defining their legacy. Rebecca and Isaac are most famously known for the twin sons that they bore, Jacob and Esau, the rivalry between the two and the constant familial trickery. The trickery in the family stems from the lack of communication and honesty between Rebecca and Isaac from the beginning of their relationship and builds up in intensity until it reaches the climax of the well-known story of Jacob stealing his brother's blessing.

In Bereshit Chapter 25, after being barren and Isaac praying on her behalf, Rebecca became pregnant with twins. However, even after the conception, Rebecca did not have a smooth pregnancy; Verse 22 states that the children struggled in her womb and she became distraught. Rebecca went to inquire from God about the commotion within her, and was told the famed revelation "Two nations are in your womb, Two separate people will come from your body; One person will be mightier than the other, And the older will serve the younger." Nowhere in the Torah does it mention that Rebecca relayed this message on the fate of her children to her husband. Chizkuni[16] says that the reason Rebecca did not pass on the message is because she did not want to cause Isaac pain in knowing that one of his sons would be wicked. Chizkuni further elaborates and claims that this guarding of the truth is the reason that Isaac will never believe that his son, Esau, is corrupt. Rebecca purposefully withheld vital information from her husband in order to protect him and preserve his innocence on the temperament of his sons. This was divine information, directly from God, and Rebecca knowingly withholding information of this extremity from her husband is a sign of a lack of honesty. Isaac is not completely innocent either; according to Chizkuni's interpretation, in which he says that Isaac would never believe Esau was wicked, it appears that Isaac will only believe facts that are directly from God's mouth. However, the fact that Rebecca knew that there was a problem and withheld the information from Isaac, shows that she knew that Isaac would likely not believe her if she were to tell him the truth and he only would have believed it was if it had come from God directly. S

The lack of openness and the withholding of truth in Rebecca and Isaac's relationship, eventually led to a more extreme case of trickery. In Bereshit Chapter 27, Isaac calls to Esau and instructs him to hunt and prepare food for him so that he can give Esau a blessing before he dies of old age. Rebecca overhears this conversation and goes to tell Jacob everything she heard. She tells him that Isaac is planning to give Esau a blessing and that Jacob must take the blessing instead. The first flaw in this situation is the almost malicious eavesdropping on Isaac and Esau's conversation. Even if Rebecca did not listen without permission and she heard this from prophecy, such as Or HaChaim states,[17] Rebecca did not bother to clarify the circumstances of the

15 Talmud Nedarim Daf 64

16 Chizkuni Bereshit 25:23

17 Or Hachaim 27:6

situation. According to Radak,[18] Rebecca did not realize that Jacob would receive a blessing as the second-born child, and out of jealousy that her favorite child was not being blessed, she devised a plan so that he would receive a blessing. Had she spoken to her husband, perhaps the circumstances would have been made more clear and she would have realized that Jacob would receive a blessing regardless. However, this was not the case and Rebecca instructs Jacob to bring her two small animals that she will turn into a meal, which he will then present to his father under the guise of Esau, his brother.

To make matters worse, Rebecca capitalized on Isaac's weaknesses in order to trick him. In Bereshit Chapter 27 verse 1 the Torah states "When Isaac was old and his eyes were too dim to see." Rebecca knew that because Isaac could not see, it would be easier to deceive him by mimicking Esau's hairness on Jacob's body and therefore included that at the forefront of her plan. Trickery is detrimental to a relationship in and of itself, but taking advantage of one's partner's weaknesses signifies deeper seated relationship and self issues. Rebecca's actions towards Isaac convey that she views her relationship, and husband, as something to be exploited.

The Netziv, 19th century rabbi, Naftali Zvi Yehuda Berlin, explains Rebecca's secrecy through an alternate lens. The Netziv does not view Rebecca's secrecy as stemming from a place of malice, rather one of fear- fear of Isaac. The Netziv references the interaction when Isaac and Rebecca first meet. In Bereshit Chapter 24 verse 65 the Torah states that when Rebecca saw Isaac she covered herself with her veil, as if to hide. From the outset of their relationship, there were traces of fear which caused Rebecca to hide something from Isaac. First, it was herself physically and now, it is the impending revelation that her twins are the origins of two competing nations and the secret that she helped Jacob steal his brother's blessing. Regardless of if the secrecy arose due to broken communication or fear, a couple should aim to be forthcoming with each other. Fear in a relationship can draw a wedge between the two partners, and in this case it caused a wedge between the two brothers as well. The secrets between Isaac and Rebecca altered Jewish history; in a relationship, pathways need to be open for clear and easy communication. Rebecca and Isaac should have had open lanes of communication so that trickery was not central to their legacy. Whether the fear stemmed from gender hierarchy, fear of upsetting her husband or awe of her husband's family legacy, letting fear dictate one's life or relationship is not an ideal by metric.

It is also interesting to consider the wife-sister narratives of Abraham and Isaac when they pose their wives as sisters in order to save their lives from the king. In Bereshit 12, Abraham (here referred to in the Torah as Abram) went to Egypt in order to avoid a famine. Before even getting to Egypt, Abraham decided that Sarah's beauty was a threat to his life and that he was going to introduce her as his sister in order that Pharaoh not kill him. The same situation occurred in Bereshit 20, and both times, the king took Sarah for themselves. They gave her back to Abraham when Hashem intervened to punish them. Isaac uses the same stunt in Bereshit 26 when he goes to Gerar, claiming that Rebecca is his sister. Avimelech, the king, found out that Rebecca was not in fact Isaac's sister before anyone took her for sexual relations. However, if Isaac knew what happened when his father used this trick, why would he do it again? To protect himself regardless of the circumstances. The fact that Abraham and Isaac put themselves before their wives dignity and pawned off their wives without explicit permission shows a lack of compassion, thoughtfulness and empathy. This narrative demonstrates generational descent of overlooking their wives' feelings.

The deceit and communication issues continue down the familial line with Rachel, Leah and Jacob's complex marital situation. Bereshit 29 quickly glosses over the story of Jacob's work to earn Rachel's hand in marriage and ending up with Leah. On the night he was supposed to marry Rachel, Laban switched her out for Leah. He cohabited with her and only realized in the morning that it was Leah who he had married. Many questions arise from the conciseness of this story, most obvious, how did Jacob not realize he was marrying the wrong sister? The possible answers to this question bring to light the flaws in Jacob's approach to relationships and Rachel and Leah's flawed behaviors in these uncertain circumstances. Starting with Rachel and Leah, there is a notable midrash[19] that Jacob

18 Radak Bereshit 27:5

19 Talmud Bavli Bava Batra 123a

gave distinct signs to Rachel that she was supposed to repeat back to him during the wedding to ensure that he was marrying the right person. When Laban took Leah to be wed to Jacob, Rachel gave over these signs to Leah in order that she not be embarrassed. This was an incredibly righteous and respectful act to save her sister from potential embarrassment. However, it does make apparent Rachel's complacency in Laban's actions. Had her priority been to marry Jacob, as was promised, she would have been active in achieving this goal. Rachel's priorities seem entirely misplaced; it seems absurd to trick an individual into a lifetime of marriage merely to avoid a moment of embarrassment.

If Jacob loved Rachel so strongly that he worked for her for seven years, notwithstanding the darkness, how could he not tell by her voice that it was not her on the night of their marriage? Even Isaac, who was losing his vision, had suspicions when Jacob tried to trick him into thinking he was Esau to steal the blessing. The famous line " "the voice is the voice of Jacob, but the hands are the hands of Esau"[20] portray Isaac utilizing his senses other than vision to determine which son was in front of him. Jacob should have been able to determine, if not from sight, then from Leah's voice. Radak comments in response to this that Jacob was extremely modest and did not speak to his wife during sex or the entire night thereafter. However, this acclaimed modesty seems out of line with Jacob's less than modest attitude up until this point: kissing Rachel when they met and then telling Laban that he finished his seven years of work and wanted to have relations with her. According to the Bechor Shor, the reason that Leah's voice did not give away her disguise was not because Jacob was silent the entire night, but that Jacob did not actually know Rachel's voice very well. According to this approach, the marriage was arranged through Laban and therefore, Jacob did not have numerous correspondences with Rachel. This portrays Jacob as naive; he fought for seven years to marry a woman but yet could not recognize her voice. Bereshit Rabbah frames the account slightly differently. It was not that Jacob and Leah were silent the entire night. Jacob called out Rachel's name and Leah responded; he had minimal reason to believe that he was being tricked. Bereshit Rabbah's outlook highlights both Jacob's naivety and lack of personal connection (for not recognizing Leah's voice) and Leah's dishonesty for playing along with the false narrative.

The whole story of Jacob marrying Leah instead of Rachel, no matter how little space is dedicated to it textually, presents many ambiguities which highlight the imperfect relationship. It reflects negatively on Rachel and Leah's characters that they agreed to trick Jacob in the first place. Marriage is sacred and it is immoral to misguide someone into marrying the wrong person. Although the idea was not their own, they did nothing to stop it and, according to Midrashim and Meforshim, even perpetuated the lie on their own intuition through their actions. The chronicle also slightly discredits Jacob's character. This account reveals the naivety, haste and carelessness that Jacob had regarding his relationship with Rachel. He clearly did not know her well enough to distinguish her from her sister, despite working for her family for seven years and even when in close proximity with his bride on their wedding night, he lacked the communication skills to recognize that the situation was off kilter.

One final scene that highlights Rachel and Jacob's lack of communication is when Rachel stole her father's idols. In Bereshit 31, God commanded Jacob to return back to the land of his father. Jacob, exhausted by Laban's dishonesty in business and terrified his wives would be taken from him, prepared his family to leave and embarked on a journey away from Laban's house. Rachel, without mentioning this to Jacob, stole Laban's idols, which he regarded as gods. Laban was not informed that Jacob was leaving and when he realized that they had left, he chased after them. When he caught up to Jacob and his family, he asked why they had left in such haste, but more importantly, why did Jacob take Laban's gods. Jacob, of course, did not know that Rachel had stolen them,[21] and therefore promised Laban that "with anyone who you find your gods will not remain alive". The lack of communication between husband and wife is mind boggling, to the point where Jacob would curse his wife to death.

Rachel could have easily told her husband about her plan and her actions, yet she decided to keep it a secret. Had she had told Jacob that she was the one who stole the idols, if he indeed loved her, it is possible he would have given an alternate threat to Laban, something less intense

20 Bereshit 27:22

21 Bereshit 31:32

and permanent than death. Rachel's decision to hide her actions was risky and could have endangered her and her family. Again, we see Rachel's stark bravery and courageousness being misused. The priorities seem misplaced and their sacrifice and courage is morphed into foolhardiness.

In Judaism, the forefathers and foremothers are deemed religious role models and are celebrated as such. The contradiction arises in what the lasting legacy of the patriarchs and matriarchs should be; either they should be put on a pedestal and celebrated as perfect, holy figures or be appreciated and revered despite their flaws. A deep reading of the chronicles of the patriarchs and the matriarchs depicts them as functional human beings with normal struggles, which makes it easier for modern day Jews to relate to. Their status of role models and religious leaders should not be diminished due to their mistakes, rather their imperfections should be learned from and celebrated. Everything is two sides to the same coin. Abraham kept information from Sarah, presumably to protect her from pain and disappointment, yet this highlighted the communication gap in their relationship. Rebecca tricked Isaac because she was too afraid of him to speak to him straight out about it; however, the reason for the trickery was out of the goodness of her heart and care for her son. Rachel deceived Jacob on his wedding night to prevent anyone from embarrassment, which was an act of kindness and courageousness, but it showed her disregard for Jacob's feelings and lack of proactivity.

Abraham, Isaac, Jacob, Sarah, Rebecca, Rachel and Leah were able to reach such a high level of holiness and be the grassroots movement of an entire nation while grappling with their own relationships. Analyzing the relationships of the patriarchs and matriarchs is not meant to demean them in any way, but rather to point out that even the holiest of people are still grounded in humanity. Admiration must not equate to idolization and we must view them as people, albeit very special progenitors of our nation.

Ezra Dayanim

Ezra Dayanim hails from the Greater Washington area and is currently enrolled in the Joint Program between the Jewish Theological Seminary and Columbia University. In his free time Ezra enjoys reading, playing guitar, exercising, and exploring New York City's West Side and campus. Ezra is currently planning on studying Political Science at Columbia and Talmud and Rabbinics at the Jewish Theological Seminary.

Abstract

Rabbi Yehuda HaLevi, for much of his youth and early adulthood, was a peruser of the Andalusian-Jewish elitist social scene. His adventures frequenting the saturnalian and privileged delights of the elite Jewish circles are reflected in his early works in which he composed elaborate and romantic poems of love and nature. However, we see a stark shift in his later work in which he becomes exceedingly religious and focused on the Land of Israel as a spiritual haven. What precipitated his shift from an icon of the Andalusian Jewry to a somber, yearning devotee of the Holy Land and harsh critic of Diasporic Jewry?

Rabbi Yehuda HaLevi's Stark Shift from Andalusian-Jewish Icon to Iconoclast

Rabbi Yehuda HaLevi, the Andalusian physician, poet, and author of the philosophical work the *Book of Refutation and Proof on Behalf of the Despised Religion* (Arabic: *Kitâb al-ḥujja wa'l-dalîl fi naṣr al-dîn al-dhalîl*), otherwise known as *The Kuzari*, is a prominent figure in Medieval Jewish History. He is best known for his poetry and *The Kuzari* and the Zion-centric themes that permeate his works. HaLevi's philosophy can perhaps best be encapsulated in Israeli Prime Minister Golda Meir's famous remark in 1969: "There is no Zionism except the rescue of the Jews."[1]

While Zionism is a relatively modern philosophy that was nonexistent in HaLevi's time, and we must not read anachronistic political ideologies into HaLevi's medieval mindset, the root of this sentiment reverberates throughout his work. To HaLevi, the Land of Israel was everything. It provided a religious haven for Jews and a place for them to reclaim their spiritual heights, escape the moral and nonmaterial ailments of their neighbors, and embrace their religious birthright. However, HaLevi was not always such an ardent believer in the spiritual power of the Land of Israel. In fact, early on in his life he was an adherent, rather, of the mystique and aura surrounding Andalusian Jewry and the Diaspora and many of his early works in fact revolve around nature, joviality, and romance. He only refocused his philosophy and mindset towards the Land of Israel following a complete collapse in his faith brought on by several critical factors including the deteriorating conditions for Jews in the Diaspora and the lack of an authentic spiritual faith HaLevi believed plagued Diasporic Jewry, followed by his subsequent resurgence as an Israel-centric philosopher and poet, leading to his eventual *aliyah* at the very end of his life.

I. <u>His Early Life, Pre-Transformation</u>

1 https://www.jewishvirtuallibrary.org/golda-meir-on-zionism

Yehuda HaLevi was born between 1075 and 1085 in either Toledo in southern Castile or, according to acclaimed American-Israeli author Hillel Halkin, the northern town of Tudela, to a distinguished family in the Jewish leadership class.[2] It is unclear where exactly HaLevi was born and raised, but "it is now generally believed to have been the more northern town of Tudela."[3] This assertion is predicated on a translation of an Arabic work composed by Moshe ibn Ezra, a 11th century Andalusian philosopher and poet and HaLevi's mentor (not to be confused with the famous biblical commentator Abraham ibn Ezra). While ibn Ezra documents that HaLevi was born in "Talitala," or Toledo, the Israeli literary historian Hayim Schirmann asserts that it should be read as "Tatila," otherwise known as Tudela.[4] Whatever the case, we know at least that HaLevi was born in one of these two Muslim cities, both of which eventually fell to the Christian *reconquista*, Toledo in 1085 and Tudela in 1115, yet "even in Christian Toledo, he would have acquired a Judeo-Arabic education, for the city retained its Arabic character for some time after the Christian conquest."[5] This perhaps explains why in his youth much of his poetry was written in the "formal, prosodic" Andalusian style modeled after Arabic prosody.[6]

As a young man, HaLevi journeyed south to Granada, "the heartland of Arabized Jewish culture," and there joined a group of intellectuals, philosophers, and Jewish communal leaders centered around Moshe ibn Ezra. Although little is known about HaLevi's personal life once he arrived in Granada, we know that he served as a physician in both Toledo and Cordoba for part of his adult life. He also visited North Africa on occasion and was involved with several of the major Jewish leaders of the age, including Joseph ibn Megas, the "chief rabbinic leader of al-Andalus." It is also known that he was "involved in community leadership" and had a family, although next to nothing is known about them; we do know that he had a daughter and a grandson "whom he left behind" on his ultimate journey to Israel, from which it can be inferred that he also had a wife. However, we know naught about her; HaLevi never mentions her in any of the existing documents we possess today.[7] We know that HaLevi became a talented poet, though "it is not known whether he ever wrote poetry to earn his livelihood," or if it was solely a hobby. There is evidence to suggest that, based on "his enormous productivity as a liturgical poet and author of laments for the dead," that he did write in some "official capacity." He was also known to compose love poems, wedding songs, nature poems, and even poetic riddles.[8] It is apparent that HaLevi honed these skills under the tutelage of Moshe ibn Ezra whilst in Granada and found work as a bard of sorts to pay his keep while living in the ibn Ezra household, frequenting the bacchanalian and saturnalian "drinking parties" common in "upper-class Andalusian society," even amongst the Jews, and serving as entertainment.[9] Surrounded by the great Andalusian Jewish thinkers and poets of the time, such as both Moshe and Yitzhak ibn Ezra and Yehuda ibn Giyat, they "must have talked shop often" and continued the development of "Hebrew poetry based on the rules of Arabic verse" which had a rich history in Andalusian Jewry, stemming from the influence of the distinguished Hasdai ibn Shaprut, personal physician for the caliph Abd al-Rahman III, a "financial minister and statesman at [al-Rahman]'s court, the recognized political leader of Andalusian Jewry, and a generous patron of rabbinic scholarship." Throughout his life ibn Shaprut brought many a scholar-poet to al-Andalus, and in particular Cordoba, including the "resplendent" Moroccan Dunash ben Labrat, "who first introduced the meters, and some of the themes, of Arabic poetry into Hebrew," a specific method employed by HaLevi and his contemporaries in their poetry.[10]

II. Circumstances Surrounding His Transformation

At a certain point in Yehuda HaLevi's life we see a shift in his focus, especially in his poetic works. Whereas previously HaLevi's poetry consisted primarily of "love poems and wine ditties, poems of friendship and other personal lyrics having little, if any, reference to the state of Jewry in his day," at a certain stage we see a shift from more secular-oriented subjects to the religious and an intense focus on Hebraism as opposed

2 Scheindlin, 15
3 Halkin, 21
4 Halkin, 315
5 Scheindlin, 15
6 Brann, 125
7 Scheindlin, 15
8 Scheindlin, 16
9 Halkin, 29
10 Halkin, 31

to Arabism, *Arabiyya*, to which many Andalusian Jews felt an attachment.[11][12] What precipitated this thematic change? The 20th century Polish-American Zionist historian Salo Wittmayer Baron argues that the Yehuda HaLevi recognized today, the devotee of Zion and the Hebraic-centric poet and philosopher, came about and was shaped as a result of four distinct factors. The first was the ascension of both the Crusaders onto the global scene and the Spanish *reconquista* in Iberia and the development of Islamic fanaticism in North Africa and the Palestine region, resulting in a new climate of "ruthless intolerance and mutual annihilation" and the "old easygoing ways and the cultivation of arts and letters [giving] way to increasing repression" and oppression.[13] In Muslim lands this oppression took the form of the fanatical Almohades determined to oppress the Jews and Christians in their caliphate; in Christian lands several pogroms occurred in Christian Iberia, despite (albeit exaggerated) reports of 40,000 Jews fighting in the Christian armies at the Battle of Sagrajas, as well as Crusader massacres throughout Jewish Europe.[14] This led to the second of the factors theorized by Baron, a theory of increasing "inner disintegration," meaning mass conversion to either Christianity or Islam, a decreasing faith in Jewish thought and philosophy, and the gradual internal collapse in Jewish communal society. Jews in the Iberian Peninsula, fearful of "great anti-Jewish massacres from France to Central Europe" in the north, and unwilling to migrate east to the lands of increasing "religious fanatacism and intolerance," often converted in large numbers, ingratiated themselves with their neighbors, or otherwise abandoned Jewish ritual.[15] Baron adds two "weaker" theories of legal discrimination and rising counts of heresy among the Jews, notably Karaism, but it is apparent from HaLevi's writings at this time that the first two factors, especially the conversion factor and Diasporic Jewry's dearth of belief coming as a result of living amongst foreign nations, were the primary reasons for his shift in attitude. However, one must be careful not to read HaLevi into a Zionist mindset; instead of conceiving the Land of Israel in a nationalistic sense, as a homeland for displaced and unwelcome Jews, he rather viewed it in a religious sense, that the deterioration of Jewish spirituality and sanctity in the Diaspora needed a reawakening and the only place where this process could occur was their ancient homeland.

11 Baron, 255
12 Brann, 124
13 Baron, 248
14 Baron, 249
15 Baron, 252

Around this period there arose among Andalusian Jews several influential Messianic cults and a spirit of Messianism took hold of many Jews, regardless of their respective political, economic, social, or religious status. Indeed, University of Oklahoma Professor Norman Stillman notes in his *The Jews of Arab Lands* history and source book that there were several false Messianic figures at that time, including a certain Ibn Arich. Although that specific "Messiah" was quickly quashed by "the rabbinic and courtly elite," who had him "flogged and excommunicated before the entire congregation," gradually even rabbinic figures and the elite class bought into the Messianic mania. Indeed, this proved true with Yehuda HaLevi, who, as Stillman notes, "believed that the dominion of Islam would pass away" in 1130 due to some cataclysmic Messianic event.[16][17] This rise in sectarian Messianic movements was in response to the dismal reality the Jews faced, and I personally postulate that this was a purely psychological phenomenon in which the Jews, unable to face the severely poor prospects facing them, became somewhat deluded with illusions of Messianic grandeur. This rise in Messianic hope of the coming of a glorious age of Jewish religious splendor and the subsequent disappointment that occurred must be viewed as the final straw in prompting Yehuda HaLevi to renew and rejuvenate himself and his global and religious outlook.

In the early-12th century there was a great Messianic spirit permeating the collective heart of Andalusian Jewry. Even prominent rabbinic figures such as Yehuda HaLevi succumbed to this evidently absurd hope that a Messiah would arise and restore the Jews to their former glory. The failure of this vision, combined with HaLevi's "growing despair and disappointment" due to the Jews' political, religious, and social situation, caused HaLevi to become bitter and, Stillman adds, "endure a crisis of faith."[18,19] Emory Pro-

16 Stillman, 60
17 Baron, 256
18 Berger, 217
19 Stillman, 60

fessor Michael S. Berger writes that HaLevi, in addition to much bitterness, also exhibits a burgeoning sense of resentment towards the Jews of his time. The question must be asked: for what reason does HaLevi focus his anger towards the Jewish community? Berger postulates that HaLevi was embittered for several reasons: he was frustrated by the fact that the Jews "refused to acknowledge the changing climate" and manifested a growing sense of "widespread religious skepticism."[20] This view was supported by, or rather was first espoused by the late-19th and early-20th century physician and a founder of the Jewish Theological Seminary of America (JTSA), Solomon Solis Cohen, who documented in a 1916 essay in *The Menorah Journal* that Yehuda HaLevi "profoundly despised all . . . apostasy" to which "many Jews had yielded both in Christian and Mohammedan [Muslim] lands," and even provides evidence from one of HaLevi's poems[21].[22] HaLevi, coping with the apparent demise of Judaism in both Christian Europe and the Muslim East and North Africa and the Jews' lack of ability to withstand the crushing tides of assimilation and persecution in the Diaspora, as well as the disappointment of false hope in some sort of Messianic salvation, briefly succumbed to grief, guilt, and a religious crisis. HaLevi, however, eventually freed himself from the shackles of doubt and despair and, as is well documented, recovered "with a new, deeper sense of spiritual certainty" and a renewed and refreshed religious outlook and devotion to the Holy Land, penning his *Kuzari* and ultimately embarking on a final pilgrimage to the Land of Israel.

III. <u>Post-Transformation and *The Kuzari*</u>

There are several competing elements to Rabbi Yehuda HaLevi's devotion towards the ideals of the Land of Israel. This new stage of his life begins with a tempered adoration of the Holy Land, and it is during this period that he composes his "Songs of Zion," a "stirring cycle of poems" in which "he expressed his yearning to return to his ancestral homeland."[23] This critical juncture in his life served as a launching pad for what became his most defining work and greatest achievement: *The Kuzari*.

The Kuzari was written by Rabbi Yehuda HaLevi during the 1130s and consists primarily of a dialogue between two figures, the Khazar king and the *Haver*, literally translating to "friend" in English. Essentially, the Khazar king is curious about Judaism and is considering converting, and the book is a series of questions the pagan asks the *Haver*, thought to be representative of Yehuda HaLevi, about such subjects as the theory of *creatio ex nihilo*, the differences between Jewish culture and *Arabiyya*[24], the viability of Greek philosophy, and most importantly, the Land of Israel.

In his *Kuzari* HaLevi completely and utterly "rejected the ethos of Andalusian Jewish culture" and the community's way of life, "particularly that of the intellectual and political elite, the very circles in which he traveled."[25,26,27] Yet *The Kuzari* was more than simply a rejection of Andalusian Jewish culture; it was an acknowledgement, a resounding acceptance that "the perfect Jewish life . . . was possible only in Israel."[28] It was an assertion that the Jews' best and only hope to reclaim the *Torah* and the mantle and sanctity of the chosen nation was to return to Israel. For the Jewish nation to "regain its rightful status it had to live in [the Land of Israel]."[29] It was "conspicuously apologetic" and a "glorification of rabbinic Judaism."[30,31] *The Kuzari* provided Jews facing a spiritual crisis in the Diaspora with a reasonable and profound argument for attempting a pilgrimage to the Land of Israel in the hope that they could once again reclaim the spiritual and religious heights of their ancestors and achieve a closer relationship with the Divine.

Although my essay thus far has centered around external motivations for Yehuda HaLevi's change of heart, I would suggest that instead of reading his writing of *The Kuzari* and focus on Zion solely as a result of the rapidly declining status of the Jews in the Diaspora, HaLevi instead was primarily motivated by a spiritual awakening in which he recognized that the Land of Israel had an intrinsic quality to it which made it the sole land in which the Jews could once again achieve

20 Berger, 217
21 "Time - servers are the fearful slaves of slaves ;
Alone on earth , who serves the Lord is free ;
Each soul shall win the gift that most it craves
Seek God , my soul ; God shall thy portion be !"
22 Cohen, 90
23 Stillman, 60

24 Arabism - to be explained.
25 Stillman, 60
26 Berger, 217
27 Brann, 124
28 Stillman, 61
29 Katzew, 194
30 Baron, 257
31 Stillman, 60

a sacred intimacy with Divinity and spiritual security and rescue themselves from the spiritual malaise of the disastrous Diaspora. To HaLevi, there was an inherent difference between the Land of Israel and the Diasporic lands, and especially between the culture that would come of living in the Holy Land and the holiness of Hebrew and that of *Arabiyya*, "the doctrine that propagated Arab supremacy."[32] Rabbi Jan D. Katzew of Hebrew Union College addresses HaLevi's proposed difference between Hebrew and Arabic. HaLevi, first and foremost, "did not accept any notion of Arabic qua holy language," and "reserved that title for Hebrew alone"[33]; rather, "Arabic was just like any other language."[34] As Cornell religion historian and professor Ross Brann summarizes, "the superiority of Hebrew" according to HaLevi "is demonstrated by . . . historical evidence of its antiquity and its transmission of culture" and "its unique status as the linguistic vehicle for divine communication," though the latter reason is more pertinent to the argument that Hebrew is the sole sacred language as presented in *The Kuzari*.[35] Katzew concludes that "according to Halevi, Hebrew, as the language of biblical transmission, was as holy as the transmission itself. To have conceded to Arabic linguistic superiority would have seemed to Halevi as vitiating the language of Torah, and by extension, acquiescing to the claims of the Moslems" and the philosophy of *Arabiyya*, a clear violation of HaLevi's new vision of a Jewish spiritual haven in Israel, of which Hebrew was a crucial aspect.[36]

A major theme of *The Kuzari* is this idea that the people of Israel "had fallen prey to the disease of the other organs," meaning the surrounding nations. As HaLevi writes in *The Kuzari*:

> Just as the heart's inherent equilibrium and pure makeup allows the soul to attach to it, so too does the Divinity attach Itself to Israel because of their inherent nature. But it still becomes tainted at times because of the other organs, such as from the desires of the liver or the stomach. . . . Similarly, Israel becomes tainted from their mingling with the other nations, as it says, "And they mingled with the nations, and they learned from their ways."[37]

HaLevi viewed the exposure of Diaspora Jewry to outside influences as harmful to our ability to be sanctified once more. Non-Jewish influences, Diasporic influences, posed a form of ethereal harm towards the Jews, especially in al-Andalus. HaLevi, while empathetic to those he viewed as diseased and disagreed with him, did not agree with their decision and "believed that for the people of Israel to regain its rightful status, it had to live in [the Land of Israel]."[38]

What about the Land of Israel was so conducive to the Jews reclaiming their spiritual height and reviving a long-suppressed meaningful religious fervor? Indeed, the theme of there being a special quality to the Land of Israel is argued by HaLevi throughout his *Kuzari*; for example, he argues that Abraham the Patriarch, when "removed from his land" of Ur Kasdim and ordered to head to the land God had chosen for him[39], began to "excel spiritually and became worthy of cleaving to Divinity." Indeed, HaLevi attempts to prove this through arguing that "prophecy and prophets abounded among Abraham's progeny as long as they were living in Canaan [biblical Land of Israel], and as long as they utilized the tools for spirituality, namely, the preservation of purity, the observance of the commandments, and the sacrifices."[40] These sentiments are echoed elsewhere in *The Kuzari* where HaLevi points out that throughout Tanakh when the text refers to an entity as "away from God's presence"[41] it means that the subject "was driven out of" Israel[42].

HaLevi expresses his thoughts in *The Kuzari* on the superior and innate quality of the Land of Israel in numerous and romanticized ways. He describes how "the air of [the Land of Israel] makes one wise"[43] and he provides a metaphor for explaining the salutary effect of the Land on its inhabitants:

> [1] The Rabbi said: "This is like your mountain - you say that it has exceptional vineyards. Nevertheless, if the grapevines were not planted on it,

32 Katzew, 180
33 *Kuzari* 2:68
34 Katzew, 190
35 Brann, 135
36 Katzew, 192
37 *Kuzari* 2:44.3 (quoting *Tehillim* 106:35)
38 Katzew, 194
39 *Bereishit* 12:1
40 *Kuzari* 2:14.11
41 *Bereishit* 4:16, *Yonah* 1:3, etc.
42 *Kuzari* 2:14.3-4
43 *Kuzari* 2:22.9

> or if its soil were not cultivated properly, it would not produce grapes! [2] The land's distinguished qualities are manifest first and foremost in the nation, which is the elite and heart, as I have already discussed. [They are like the vines in the analogy.] The land is then aided by the deeds and laws [of the *Torah*] that relate to it, which are like the cultivation of the vineyard. Ultimately, this elite nation cannot achieve Divinity anywhere else, just as the vineyard cannot successfully grow anywhere else except on the mountain.[44]

This excerpt is self-explanatory. The Jewish nation cannot flourish spiritually and religiously anywhere save the Land of Israel. As Bar Ilan-based Professor Dov Schwartz puts it so succinctly, Yehuda HaLevi "define[d] the land as a necessary condition for the perfection of any Jew," depending on a series of factors: "the genetic constraint, according to which only a Jew could become a prophet," and the "religious constraint, according to which only fulfillment of all the commandments by all parts of the Jewish people makes prophecy possible."

IV. The Journey to the Holy Land

At the conclusion of *The Kuzari* Yehuda HaLevi added an epilogue of sorts, a series of paragraphs, questions and responses between the Khazar king and the *Haver*, that do not seem to fit. This section begins with telling us of the *Haver*'s intent to leave for Israel, much to the disappointment of the Khazar king.[45] The *Haver* proceeds to elaborate upon his yearning to make *aliyah*, to go up to the Holy Land, and the benefits of doing so, such as automatic atonement for our sins and the purification of our souls.[46] He even counters the argument of potential dangers in his journey such as his ship sinking in the Mediterranean by noting that if one "dedicates the rest of his life to the fulfillment of God's will," in other words by going to live the Land of Israel, "then such a person may place himself in danger," and even if he dies on his journey God will favor him and "appease" him because his "death brought atonement for his numerous sins."[47] It should not be surprising then, that after the completion of his life's work *The Kuzari* in the late-1130s Rabbi Yehuda HaLevi "left Spain for Egypt and proceeded from there to Palestine where he died in July 1141."[48] Indeed, as Dov Schwartz notes, "Halevi drew much from the Shiite Muslim notion of *safwa*, that is, uniqueness or inherent religious superiority; but he laid the foundations for the idea of the very soil of the Holy Land as a necessary component in the personal and collective perfection of the Jew." The notion of *aliyah* was ingrained in his mind for personal, nationalistic, religious, and spiritual reasons, and it is only fitting that HaLevi undertook this difficult voyage at the twilight of his life, as a testament to his work and his passions.

In the years 1138-1141 Rabbi Yehuda HaLevi "suddenly decided to abandon his busy medical practise [sic] in one of the largest cities of Spain, to leave behind his family which included a beloved grandson and namesake, Yehudah and to give up nearly all of his fairly considerable earthly possessions in order to proceed to Palestine." What makes this even more astounding and laudable is the fact that HaLevi was elderly and in declining health, and at that time Palestine was under control of the "Jew-baiting Crusaders."[49] This was by no means a pleasure trip to a paradisiacal remote location. Palestine was among the most contentious regions in the known world, site of a continuing three-way conflict for the past forty years or so between the Crusaders, the divided Seljuks, and the weakening Fatimids. The difficulties associated with the journey did nothing to make this endeavor easier. HaLevi documents that there was a mighty storm while at sea, a mystifying phenomenon given HaLevi's seemingly prescient language about drowning at sea previously mentioned above, and he spent several years sojourning in Egypt for unknown reasons.[50][51] We also know that gradually HaLevi's close traveling companions abandoned him, including Moshe ibn Ezra's brother and possibly his own son-in-law[52] Yitzhak

44 *Kuzari* 2:12
45 *Kuzari* 5:22.1
46 *Kuzari* 5:23.3
47 *Kuzari 5:23.4*

48 Stillman, 61
49 Baron, 257
50 Cohen, 157-158
51 Halkin, 194
52 This point is debated by historian Shelomo Dov Goitein based on his translation of the word "*'amm*" used by HaLevi's contemporary and dear friend Halfon ben Netanel. It can mean either "paternal uncle" or "father-in-law," and Goitein opts for the latter. Raymond Scheindlin opts for a different meaning, arguing that based on what he could find in medieval Arabic reference books "*'amm*" could also be a term for a distinguished elder or a close and respected family friend.

ibn Ezra, who moved to Baghdad and converted to Islam, a stark and devastating betrayal HaLevi never recovered from; Shlomo ibn Gabbai and Aharon el-Ammani both later deserted HaLevi as well, either remaining in Egypt or returning to Spain before the final leg of the journey that would take HaLevi to Palestine. In addition, HaLevi faced constant travel delays, self-doubt and resistance.[53]

It is unknown if HaLevi ever, in truth, entered the Land of Israel, but the latest existing records indicate he died in Tyre in 1141, never having realized his dream of entering the heart of Israel and seeing Jerusalem. Some scholars cite the popularized legend of "his death in Jerusalem at the hands of a Beduin raider whose horse's hoof struck the poet while he sang his immortal *Ode to Zion*," but the tale is unsubstantiated by fact.[54] It is tragically ironic that HaLevi's own dream went unrealized while he himself mourns in *The Kuzari*, through the *Haver*, Moses' unfulfilled mission to enter the "Promised Land," "in seeking to convey his feelings regarding the land [sic] of Israel."[55] His story undertakes an even more devastating tone when one reads a poem he wrote prior to arriving in Egypt:

> If you, my lord, would do my will,
> Let me travel to my Lord,
> For I will have no peace until
> I make my home in His abode.
> Do not, my footsteps, linger while
> Death overtakes me on the road.
> Beneath God's wings, I ask to rest
> Where my ancestors were laid.[56]

HaLevi, in poor health and aware that his journey would slow once he arrived in Egypt and encountered the bustling Jewish community there, expressed his greatest desire and begged to be allowed to reach the Land of Israel, ultimately in vain.[57]

Beyond a recitation of the facts surrounding HaLevi's legendary journey, it is only appropriate that this essay discuss his possible motivations for doing so. It might appear obvious to the reader that HaLevi was clearly motivated by a spiritual and religious yearning to experience Israel, but it is, in truth, a hotly debated topic. After all, HaLevi undertook, while in middling health, an extremely difficult journey to a land plagued by political and social unrest and upheaval, all while abandoning his successful life back in Spain. In Professor David J. Malkiel's essay in the *Mediterranean Historical Review*, "Three Perspectives on Judah Halevi's Voyage to Palestine," he puts forth three different perspectives on why Yehuda HaLevi attempted to immigrate to the Land of Israel and places them in conversation with each other. Ezra Fleischer, the distinguished Romanian-Israeli Hebrew-language poet and philologist, terms HaLevi's journey as a "a political and educational ideological programme: 'The poet's [HaLevi's] act was intended to serve as a model. He sought to delineate for Spain's Jews, for Judaism, a possible, recommended, route for survival, in any case another option – proud and independent – of existence.[58]'" Fleischer also asserts that this was intended as a permanent "act of emigration rather than pilgrimage," and supports this by noting the company of Yitzhak ibn Ezra, HaLevi's possible son-in-law, but the absence of HaLevi's daughter and grandson, and argues that he "intended for them to follow in due course."[59] However, we must temper Fleischer's interpretation of HaLevi's voyage, as Malkiel notes:

> Fleischer's perception of Halevi's odyssey does, indeed, appear to be coloured by modern Jewish history. Admittedly, Halevi saw violence and acculturation as very real threats to the future of Spanish Jewry, and in this regard Fleischer's references to survival seem appropriate. The references to Jewish pride (*zeqifut qomah*), however, are clearly anachronistic, for this expression reflects the characteristically Zionist ideal, not found prior to the modern era, of replacing the weak and downtrodden Jew of the Diaspora with a strong, proud and independent Jew.

Fleischer's interpretation was much too influenced by modern Zionism, and it is unlikely that this was truly HaLevi's motivation.

JTSA Professor Emeritus Raymond Scheindlin has quite a different theory regarding

53 Halkin, 220-230
54 Baron, 258
55 Katzew, 194
56 Halkin, 198
57 Halkin, 198
58 Fleischer, 'Essence', 10, 13–14
59 Malkiel, "Three Perspectives"

Yehuda HaLevi's reasons for his ill-fated journey. Scheindlin "locates Halevi's journey in the broader context of a turning to God, akin to the similar religious experiences of medieval Sufis or other varieties of Muslim experience." It was more of a personal-religious experience as opposed to a more nationalistic perspective; this view is aligned with historian Shelomo Dov Goitein who "shunned the Zionist perspective on Halevi's journey, flatly declaring that 'the geographical aspect of ha-Levi's beliefs was not essentially 'nationalistic.''' Rather, HaLevi's poems "indicate that [he] was motivated by his longing for God's presence and his expectation 'of "beholding the beauty of the Lord", of coming home.'"[60]

My personal preference is David J. Malkiel's own "multi-tiered approach," a "synthesis" of the other two theories. "Given his renown in Spain and abroad," HaLevi recognized that his every word and action "was subject to universal scrutiny." Halevi "realized that even if his decision to emigrate were entirely personal, it would send a powerful message to the Jews of Spain and other lands." But yet, instead of solely acting, HaLevi also wrote, "sharing his thoughts and feelings" about his journey in "prose and poetry." As Malkiel notes, this was a paradoxical act; despite the personal nature of HaLevi's writings they were widely available to the public. "Given that Halevi was aware of the public nature of his writing, he must have intended to convey a social and educational message to his audience, even if this intention was not exclusive and perhaps not even primary." Malkiel acknowledges that this theory is not his own innovation and was actually first composed by Russian-Israeli politician and founding father Ben-Zion Dinur and promulgated by Rabbi Israel Levin. Yet what Dinur lacks in his own theory, points out Levin and by extension Malkiel, is the personal-religious factor. According to Malkiel, Halevi's *Zionides*, the series of poems and songs HaLevi composed celebrating Zion, "express motifs common to the *Zuhd* type of ascetic poetry of Islam, in which one rejects material pleasure and social interaction and strives to purify his soul and direct his thoughts and actions to the service of God, so as to merit the ultimate reward in the Afterlife." Malkiel even provides evidence, pointing to HaLevi's poem "Still Chasing Sun at Fifty?"[61] in which "Halevi channels his *Zuhd*-like sentiments toward the journey to Palestine, which involves shunning family, friends and the good life, and instead risking life and undergoing privation in order to draw near to God." Rabbi Levin cites two poems in which HaLevi "expressly sets the goal of divine worship above his ideals of messianic redemption and the return to the Holy Land," underscoring this point.

It is only logical to suggest that Yehuda HaLevi's voyage came about as a result of several factors and motivations, and both the personal-religious approach and the public model approach resonate. While the personal-religious theory is more appropriate for the time period it is rational to suggest that HaLevi, aware of the public nature of his writings and thought, understood that people would derive a message from his writings, even if that was not his primary intent. It may not have been for a nationalistic purpose and it may not have had proto-Zionist undertones, a movement barely conceived of in the Middle Ages, but it certainly might have had that effect on some individuals and HaLevi recognized that.

V. <u>Conclusion</u>

Throughout Rabbi Yehuda HaLevi's lifetime we see a profound shift in focus and thought; throughout the first three quarters or so of his life he was much more focused on the secular, on themes such as romance, nature, and gaiety and merrymaking, and paid barely any attention or devoted any part of his work towards the Jewish people and the Land of Israel. Yet at a certain stage in his life, at a low point for both him, facing a crisis of faith, and the Jewish Diaspora at large, heavily influenced by the surrounding cultures and socially and economically insecure, he suddenly had a reawakening and began to devote his works towards the Land of Israel and the spiritual and religious promise it holds. He became obsessed with this idea that only in the Land of Israel could the Jewish nation reclaim the spiritual heights it once held in its heyday, and by extension free itself of the shackles of corrupt external influences and virtual subjugation to their neighbors. It is during this time in his life that he wrote *The Kuzari*, in which he detailed at length his thoughts on the Land of Israel and his ratio-

60 Goitein, *A Mediterranean Society*, 5: 467.

61 Scheindlin, *Song of the Distant Dove*, 185

nale for holding it in such high esteem, which, despite being somewhat controversial and receiving a mixed reception[62], eventually spread far and wide throughout the Jewish world. His life ended with a difficult, troubled, yet bold and inspirational ill-fated voyage to the Holy Land whose motives are still debated extensively today.

Despite having only come into his realization several years before his death (the early-1130s), HaLevi accomplished more as a result of his fervent passion for Israel than most accomplish in a lifetime. He was an exceptional and motivated authority who inspired generations of thinkers, including the modern Zionist movement. The aforementioned Salo Baron argues that *The Kuzari* was “an unabashed statement of [Jewish and Israeli] nationalism, very much in the modern sense of the word.”[63] Regarding HaLevi’s voyage, Malkiel notes that the early Zionist professor Jacob Naftali Herz Simhoni offered a Zionist interpretation of HaLevi’s *aliyah*, describing Halevi “as outgrowing his youthful exuberant attitude toward this-worldly delights, and moving from a rejection of worldly existence – an attitude Simhoni views as an inevitable consequence of the bleakness of *Galut* – to a synthesis of the material and spiritual realms.” Simhoni feels this is the “significance of Halevi’s odes to Zion, and he sees Halevi as the ‘national poet’ of the Middle Ages, for devoting himself single-mindedly to the twin themes of Exile and Zion.” As Malkiel sums up, “[n]ationalist fervour suffuses Simhoni’s reading of Halevi’s writing.”

It is important to acknowledge that toward non-Jews, especially Arabs, HaLevi was an ethnocentric and chauvinistic thinker, one who believed that Judaism and the Land of Israel were superior to the other nations, especially Arab society and its *Arabiyya* philosophy, which, to be fair, was also predicated on the belief that Arabs were a superior ethnic group. While HaLevi had his fair share of exceptionally redeeming qualities and was a celebrated and distinguished leading thinker and authority of medieval Judaism, he had his faults and we must recognize them, especially in our modern society in which relations between Jews and Arabs are often polarized, particularly in that land which HaLevi held in such high regard. These are the sort of archaic prejudices we must work to overcome in order to come together and have utter peace.

Nevertheless, Yehuda HaLevi is a towering figure in Jewish history, one who stands as an early proponent for immigration to Israel and the rare figure who followed through with his life’s principles, despite having the odds stacked against him. His poems remain as a testament to both his tremendous talent as a poet and ability to express himself and to his love and devotion to his passion, the Land of Israel and all the promise it held. His crowning achievement, *The Kuzari*, remains as one of the most important apologetic works of Jewish philosophy and has had a tremendous impact on contemporary Jewish thought and modern history. And his final voyage remains an inspiration for generations of Jews hoping to one day make the same journey and arrive in the land of their forefathers, the land which HaLevi himself considered as the sole realm in which we could live perfectly pure Jewish lives, observing completely the laws of our ancestors and reclaiming the spiritual and religious peak that has eluded us in the Diaspora.

62 Stillman, 61
63 Baron, 257

Works Cited

Hannah Vorchheimer -Confronting Cholera: Rabbinic Response and Ritual Change

Dunner, Pini. “A DISTINGUISHED RABBI RESPONDS TO THE THREAT OF A PANDEMIC – IN 1831.” Rabbi Pini Dunner, 15 Mar. 2020, www.rabbidunner.com/a-distinguished-rabbi-responds-to-the-threat-of-a-pandemic-in-1831/.

Dunner, Pini. “The Leadership of a True Giant .” Rabbidunner.com, 29 Apr. 2020, www.rabbidunner.com/the-leadership-of-a-true-giant/.

Editors, History.com. “Cholera.” History.com, A&E Television Networks, 12 Sept. 2017, www.history.com/topics/inventions/history-of-cholera.

Fischer, Elli. “Rov in a Time of Cholera.” jewishreviewofbooks.com, 19 Mar. 2020, https://jewishreviewofbooks.com/articles/6892/rov-in-a-time-of-cholera/

Friedman, Rabbi Elisha. “How One 19th-Century Rabbi Responded to a Worldwide Cholera Epidemic.” My Jewish Learning, www.myjewishlearning.com/article/how-one-19th-century-rabbi-responded-to-a-worldwide-cholera-epidemic/.

Frischman, David. “The Three Who Ate.” Omanut, 1929

Goldberg, Hillel. “Jewish Leadership During Cholera Epidemic, 1848.” Aish.com, 25 Oct. 2020, www.aish.com/ci/s/Jewish-Leadership-During-Cholera-Epidemic-1848.html.

Goldberg, Hillel. “Towards an Understanding of Rabbi Israel Salanter.” Tradition , 1976, pp. 83–120., www.traditiononline.org/toward-an-understanding-of-rabbi-israel-salanter/.

“How a Once-in-a-Generation 19th-Century Rabbi Responded to Cholera.” Mosaic, 24 Mar. 2020, www.mosaicmagazine.com/picks/religion-holidays/2020/03/how-a-once-in-a-generation-19th-century-rabbi-responded-to-cholera/.

Jacobs, Joseph, et al. “Akiva Eiger.” The Jewish Encyclopedia, Funk & Wagnalls, 0AD, www.jewishencyclopedia.com/articles/5447-eger.

“Ohr Yisrael 22.” Sefaria, www.sefaria.org/sheets/230203?lang=bi.

Reichman , Edward. “From Cholera to Coronavirus: Recurring Pandemics, Recurring Rabbinic Responses.” Tradition , www.traditiononline.org/from-cholera-to-coronavirus-recurring-pandemics-recurring-rabbinic-responses/. Accessed 2020.

“Singular Kaddish.” TREASURES OF ASHKENAZ, www.treasuresofashkenaz.wordpress.com/tag/singular-kaddish/.

Shurpin, Yehuda. “Why and When Did Mourners Start Saying Kaddish Together?” Mourner's Kaddish, 2 Dec. 2019, www.chabad.org/library/article_cdo/aid/4564912/jewish/Why-and-When-Did-Mourners-Start-Saying-Kaddish-Together.htm.

Talmudology. “Blog: Science in the Talmud.” Talmudology, 21 Feb. 2020, www.jeremy-brown-vpk4.squarespace.com/?offset=1582607040422 .

Taub, Ira. “The Rabbi Who Ate on Yom Kippur: Israel Salanter and the Cholera Epidemic of 1848.”

And You Shall Surely Heal:The Albert Einstein College of Medicine Synagogue Compendium of Torah and Medicine , 2009, pp. 295–312.

Ury, Zalman. “Salanter's Ethical Teachings.” Tradition , 1970, pp. 38–46., www.traditiononline.org/salanters-ethical-teachings/.

Zuriel, Moshe. “Rabbi Akiva Eiger.” Ravzuriel.com, www.ravzuriel.com/wp-content/uploads/2019/12/21.-%D7%A8-%D7%A2%D7%A7%D7%99%D7%91%D7%90-%D7%90%D7%99%D7%92%D7%A8.pdf.

Joshua Brunnlerhman - Late Antique Jewish Burial From Around the Jewish Diaspora

Fine, Steven. “Tales from Tombstones.” The BAS Library, 31 Aug. 2015, https://www.baslibrary.org/biblical-archaeology-review/38/2/5.

Goodenough, Erwin Ramsdell. Jewish Symbols in the Greco-Roman Period. [New York], 1953, http://hdl.handle.net/2027/uc1.32106019677670.

Laurenzi, Elsa. Jewish Catacombs: The Jews of Rome: Funeral Rites and Customs. Gangemi Editore, 2013.

Master, Daniel M., editor. The Oxford Encyclopedia of the Bible and Archaeology. Oxford University Press, 2013.

Noy, David. Jewish Inscriptions of Western Europe. 1st pbk. ed, Cambridge University Press, 2005.
Rajak, Tessa. “The Jewish Diaspora in Greco-Roman Antiquity.” Interpretation: A Journal of Bible and Theology, vol. 72, no. 2, Apr. 2018, pp. 146–62. DOI.org (Crossref), doi:10.1177/0020964317749542.

Riordan, Rick. The Trials of Apollo. First edition, Disney-Hyperion, 2018.

Rothman, Bryan. Epitaphs from the Venusian Jewish Community, 2020.

Stern, Karen B. Death and Burial in the Jewish Diaspora - Oxford Biblical Studies Online. http://www.oxfordbiblicalstudies.com.ezproxy.cul.columbia.edu/article/opr/t393/e30. Accessed 23 Dec. 2020.

---. Inscribing Devotion and Death: Archaeological Evidence for Jewish Populations of North Africa. Brill, 2008.

Stern, Sacha. “The Jewish Aramaic Tombstones from Zoar.” Journal of Jewish Studies, vol. 68, no. 1, Apr. 2017, pp. 158–79. DOI.org (Crossref), doi:10.18647/3306/JJS-2017.

SUSSMAN, VARDA. “A Candelabrum on a Tombstone from Zoar.” Israel Exploration Journal, vol. 33, no. 3/4, Israel Exploration Society, 1983, pp. 231–34.

Visotzky, Burton L. Aphrodite and the Rabbis: How the Jews Adapted Roman Culture to Create Judaism as We Know It. First edition, St. Martin’s Press, 2016.

Wilfand, Yael. “Aramaic Tombstones from Zoar and Jewish Conceptions of the Afterlife.” Journal for the Study of Judaism, vol. 40, no. 4–5, 2009, pp. 510–39. DOI.org (Crossref), doi:10.1163/157006309X443521.
Williams, Margaret. “The Jews of Early Byzantine Venusia: The Family of Faustinus I, the Fa-

ther.” Journal of Jewish Studies, vol. 50, no. 1, Apr. 1999, pp. 38–52. DOI.org (Crossref), doi:10.18647/2165/JJS-1999.

Ezra Dayanim - Rabbi Yehuda HaLevi's Stark Shift from Andalusian-Jewish Icon to Iconoclast

Baron, Salo W. “Yehudah Halevi: An Answer to an Historic Challenge.” Jewish Social Studies, vol. 3, no. 3, 1941, pp. 243–272. JSTOR, www.jstor.org/stable/4464422. Accessed 2 Dec. 2020.

Berger, Michael S. “Toward a New Understanding of Judah Halevi's ‘Kuzari.’” The Journal of Religion, vol. 72, no. 2, 1992, pp. 210–228. JSTOR, www.jstor.org/stable/1205150. Accessed 30 Nov. 2020.
Brann, Ross. “Judah Halevi: The Compunctious Poet.” Prooftexts, vol. 7, no. 2, 1987, pp. 123–143. JSTOR, www.jstor.org/stable/20689179. Accessed 30 Nov. 2020.

Cohen, Solomon S. "Judah Halevi." The Menorah Journal, vol. 2, 1916, pp. 79-90. ProQuest, http://ezproxy.cul.columbia.edu/login?url=https://www-proquest-com.ezproxy.cul.columbia.edu/docview/1296710817?accountid=10226.

Cohen, Solomon S. "Judah Halevi." The Menorah Journal, vol. 2, 1916, pp. 154-159. ProQuest, http://ezproxy.cul.columbia.edu/login?url=https://www-proquest-com.ezproxy.cul.columbia.edu/docview/1296636508?accountid=10226.

Epstein, Isidore. “Judah Halevi as Philosopher.” The Jewish Quarterly Review, vol. 25, no. 3, 1935, pp. 201–225. JSTOR, www.jstor.org/stable/1451619. Accessed 30 Nov. 2020.

HaLevi, Yehuda. The Kuzari: In Defense of the Despised Faith. Translated by Rabbi N. Daniel Korobkin, Feldheim Publishers, 2013.

Halkin, Hillel. Yehuda Halevi. Edited by Jonathan Rosen, Nextbook/Schocken, 2010.
Katzew, Jan D. “Moses Ibn Ezra and Judah Halevi: Their Philosophies in Response to Exile.” Hebrew Union College Annual, vol. 55, 1984, pp. 179–195. JSTOR, www.jstor.org/stable/23507614. Accessed 30 Nov. 2020.

Malkiel, David J. "Three Perspectives on Judah Halevi's Voyage to Palestine." Mediterranean Historical Review, vol. 25, no. 1, 2010, pp. 1-15. ProQuest, http://ezproxy.cul.columbia.edu/login?url=https://www-proquest-com.ezproxy.cul.columbia.edu/docview/1036010244?accountid=10226, doi:http://dx.doi.org.ezproxy.cul.columbia.edu/10.1080/09518967.2010.494091.

Scheindlin, Raymond P.. The Song of the Distant Dove: Judah Halevi's Pilgrimage. United Kingdom, Oxford University Press, USA, 2008.

Schwartz, Dov. “Judah Halevi On the Land of Israel.” My Jewish Learning, 2020, www.myjewishlearning.com/article/judah-halevi-on-the-land-of-israel/.

Stillman, Norman. “The Best Years: Mediterranean Jewry in the Islamic High Middle Ages.” The Jews of Arab Lands: A History and Source Book, edited by Norman Stillman, The Jewish Publication Society, 1979, pp. 60–61.