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MASSEKHET

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'Massekhet' is a periodical established in memoriam to Esther Aumann, one of the first students in the Matan *Beit Midrash*. Esther, who devoted her life to her home and to raising her family, began attending the *Beit Midrash* at the age of sixty-two and for the first time in her life delved into the depths revealed in the study of Gemara, Tanach and Jewish Philosophy. Six years later she passed away of cancer. The story of her life epitomizes the complete metamorphosis that women's Torah study has undergone in the last generation.

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English Abstracts

The absence of women in three books of the Bible Creative reading of the *Midrash*

Israel Rozenon

Implicit in the three *midrashim* that this article presents is commentary connected to women. The first *midrash* comes from the Babylonian Talmud *Avodah Zarah* 19a, asks if the wording '*ashre ish*' (praiseworthy is the man) in the Book of Psalms pertains only to a man and excludes a woman. The *midrash* explains that this phrasing also includes a woman and that the use of 'man' intends to praise one who repents while still at the peak of their strength. The second, from *Kohelet Rabah* 7: 23, examines the meaning of the feminine phrasing in Ecclesiastes '*amrah kohelet*' (said Kohelet - The feminine form of the verb is used here while the masculine form is used in the rest of the book) and sees in this feminine language the possibility of articulating the Holy Spirit that stands at the foundation of the *Tanach*. The third *midrash*, in the Babylonian Talmud *Megilah* 14b, brings to light that Rahab the harlot converted and married Joshua.

At first, the three *midrashim* deal with questions that seem to be 'local', that is they touch upon only a small part of the text - a word or verse - that stands before the commentator. Yet, it seems that a broader statement is hidden in these *midrashim*, and they say something about the book in general from which the verse under discussion was taken. It turns out that the books from which these

verses have been taken - Psalms, Ecclesiastes, and Joshua - do not refer to women or see them as part of the subject of the book. The *Midrash* points this out and suggests an alternative account that brings out the feminine voice in connection to the book under discussion. From this aspect, the *midrashim* analyzed in this article represent a broader view which fuses together a religious, literary, ideological, and feminine account.

Blindness as grounds for divorce

Simcha Emanuel

Is a woman able to demand a *get* (letter of divorce) from her blind husband with the claim that sharing her life with him is a burden too heavy to carry? And is there a difference between a woman married to a man that was blind at the time of the wedding, and a woman who married a healthy man who became blind only after the wedding? Tannaim and Amoriam have debated over these questions, and most medieval rabbis ruled that blindness, and certainly blindness in only one eye, is not grounds for forcing a *get*. In Germany, at the beginning of the thirteenth century, an incident occurred that caused the most thorough discussion on this matter to take place. Rabbi Simcha of Speyer then ruled that blindness was grounds to force divorce. And according to him, it is preferable for a woman to remain alone for the rest of her life rather than to be married to a blind man. We know from other sources that Rabbi Simcha of Speyer became blind himself at the end of his days. When he wrote his sharp words about the misery of a blind man and of his wife, is intriguing. Were they written from his personal experience? And no one knows better than one with experience. However, after following the details of the incident that Rabbi Simcha judged and then coming to understand Rabbi Simcha's blindness it becomes evident that his sharp words about the misery of the blind man, and mainly that of the wife of the blind man, were apparently said before Rabbi Simcha knew that this tragedy awaited him.

Our women have a lovely custom:

Halakhic decisions in accordance with women's
practice in the Middle Ages

Liora Elias Bar-Levav z"l

In this article the author examines instances in which rabbinic authorities took into account the actions of women and their customs. The purpose of the article is to explore the degree of influence that women had on the development of Halakha and Halakhic rulings, and the meaning of this influence with regards to Halakha, women, and rabbinic authorities. The article is based on ten Halakhic rulings that were given by sages in Germany and France in the twelfth and thirteenth centuries. These rulings are found in responsa about Halakha and *Minhag* (custom). The customs that are examined come from various areas: kindling lights for the Sabbath, *kashrut*, ritual immersion, and the recitation of blessings. The fact that in only a small number of cases women are mentioned in the context of a Halakhic ruling deserves investigation, and this fact testifies to the situation in general, whereby women had no part in determining the Halakha, even passively. The data are insufficient in order to evaluate to what degree men appreciated the women of their community for preserving the traditions of these customs.

London, Jerusalem, Petach Tikva:
Milestones in the writing and acceptance
of Hannah Barnett-Trager

Yaffah Berlovitz

The paper deals with two issues: presenting the writings of English Jewish writer Hannah Trager (1870-1943); and the way they were accepted by the Jewish public in England and Eretz Israel in early and late 20th Century.

Hanna Trager was destined by her life and time to witness major events in the history of pioneering life in Eretz Israel. Born in London, her father, Zerach Barnett, had spent many years moving between London and Eretz Israel, and played a major role in the renewed settlement of late 19th Century. He was among the founders of the new Meah Shearim neighbourhood outside the walls of old Jerusalem (1875); among the founders of Petach Tikva – the first farming community (1878); and builder of Neve Shalom (1891), one of the first Jewish neighbourhoods near Jaffa.

Trager lived through these historical events as a child, and the memories might have left no great impression, were it not for a further sequence of historical events – the Balfour Declaration and the British occupation of Eretz Israel (1917) – which inspired her to link her personal biography, the history of the new Yishuv, and the British Empire's policies, into her own literary national narratives. These narratives were expressed in her children's literature as well

as in adult belletristic memoir writings, directed at English Jewish readers.

The paper's first part claims that it was this historical constellation that had made Trager into a writer, creating, at the same time, an eager readership for her books.

In view of this enthusiastic reception by a readership including intellectuals who lavished her with accolades and wrote Forewords to her books, the paper's second part seeks to track the dynamics of her writings' acceptance in Eretz Israel, especially upon her return here in 1926.

Two types of acceptance are noted:

1. In the later 1920s and 1930s, even when Trager's writings dealt with Eretz Israel narrative, they were incompatible with the local cultural ethos (*Heimatsliteratur*) that had developed here, and were therefore suppressed and forgotten by critics and readers alike.
2. A late dynamic of acceptance, beginning around the 1970s, shows how current contemporary trends affected her re-discovery. Indeed, it is these trends, such as the Israeli readers' renewed interest in the history of the Yishuv, or feminist awareness which slowly permeated public and academic agenda, which eventually returned Trager to the cultural collective memory and to the Israeli bookshelf.

The Character of Eli

Mordechai Sabato

In this article the author analyzes the character of Eli as it is portrayed in the first thru the fourth chapters of Samuel I, contrasting it with the character of Samuel.

Eli is described in the Biblical text as a man who sees his role mainly as a guardian of the outward holiness of the Tabernacle and holy instruments, preferring this over other values. This attitude causes him to rebuke Hannah when he suspects that she was desecrating the holiness of the Tabernacle without first checking if his suspicion was justified. At the end of his life, when the news reaches him of the defeat of the nation and the Ark's capture by the Philistines, the knowledge that makes him collapse is the news of the Holy Ark and not the tidings of the massive slaughter of the people.

His attitude filtered down to the nation and caused them to see the outward holiness of the Holy Ark as the most important element rather than the ethical behavior of the people and priests.

Eli's understanding is a result of his great awe of holiness and a disconnection of sacredness from its ethical implications. Therefore, we do not find Eli praying to Hashem to nullify a decree – neither for his sake nor on behalf of the nation. Eli reasons that it is impossible to stand before Hashem to ask for a change of decree. In contrast to Eli, a priest tied to the Tabernacle in Shiloh, Samuel is not tied to any particular place. Samuel was consecrated as a

Nazarite and as he grew was selected as a prophet. This enabled him to fulfil his role even after the destruction of the Tabernacle. Samuel teaches the nation that what is essential is not the external sacredness of instruments, rather it is their internal meaning. He prays on behalf of the nation during the war against the Philistines. The similarity of the description of this war against the Philistines and that of the previous war in Eli's time highlights the dissimilarity of Eli's and Samuel's conduct.

Despite this contrast, Samuel is described in the text as Eli's '*yetsir kapav*' (creation). His birth was made possible thanks to Eli's blessing, Eli raises and educates him, and even his designation as a prophet is made possible by virtue involvement and guidance. In this way, Eli is in fact a partner in raising the man that rectified the defects that his own leadership created in the nation. The conduct of Eli who accepted upon himself the burden and personally trained the one who would succeed him and replace his sons, is itself a result of his complete submission to sacredness. It turns out that the characteristic of Eli that fostered faulty religious sensibilities within the nation is the very same trait that enabled him to raise the man that would mend these faults.

Moshe and Mordechai - The Maharal's commentary
on the Scroll of Esther

Orit Ramon

Like many of the commentators on the Scroll of Esther, the Maharal relates to the reality in which he lived. He uses the scroll to describe the Habsburg Empire and the players in power during the second half of the sixteenth century. He describes the social structure of the empire and of Prague - its capital. The Maharal develops a political theory out of his description and critical examination of the reality that, if implemented, could have secured, in his opinion, world order and stability. Within this theory the Maharal also defined the place of the Jewish community in the general political order, and from this he also discussed the pattern of Jewish leadership that was represented by the figure of Mordechai. The Maharal adopted the parallel that the Sages showed between the characters of Moshe and Mordechai. He identified the leadership of the Biblical Mordechai with that of the Court Jew, Mordechai Meisel (1528-1601), and by this showed a pattern of leadership fitting the Jewish community in the Diaspora. Moshe and Mordechai, according to this, were both Court Jews.

Liturgies composed at the brink of national catastrophe - 'Akdmut Milin' by Rabbi Meir ben Isaac of Worms and the Yom Kippur liturgical address by Rabbi Leo Baeck

Dalia Marx

This article will examine two event specific liturgical pieces. Both of them were created at the brink of national catastrophe. The first is the *Piyyut* (liturgical hymn) '*Akdmut Milin*' by Rabbi Meir ben Isaac of Worms, which is read in the framework of the Torah reading on Shavuot. The hymn was composed on the eve of the first crusade and massacres in the Jewish community of Rhineland (1096). The second piece is a liturgical address by Rabbi Leo Baeck. Rabbi Baeck distributed the address to be read in all the Jewish congregations of Germany on the eve of Kol Nidre 5695 (1935) a short time after the enactment of the Nuremberg Laws, the laws that took away the rights as citizens from the Jews.

More than eight hundred years separates these two pieces. And while they differ in their language, style, liturgical genre, purpose and the way in which they were preserved in later practice, they both were composed by prominent Rabbinic figures in the geographical area that is now Germany and they were meant to be read in the synagogue at the religious pinnacle of an important holiday. Despite their differences, the similarities they share make their discussion in juxtaposition compelling and valuable.

The article reviews both the works independently of one another and with regard to their particular background. Then, similarities

and differences between them are studied. The article discusses the function of this type of liturgy, and examines how the liturgy addressed the time for which it was designed and how it filled its intended role.

The Rabbinate and Leadership of Rabbi Yosef Messas

Itai Moryosef

Rabbi Yosef Messas was born in 1892 in the city of Meknes, Morocco to his father Rabbi Hayim Hahasid. When he was thirty two years old Rabbi Yosef was asked to serve the community of Tlemcen, Algeria. He served as the city's rabbi for seventeen years. He became very well known in that community, and even after he left his good name remained.

In 1940 he returned to Meknes. He served as the head of the religious court and taught many people until 1964 when he was fortunate to make Aliyah to the Land of Israel. In Israel he was chosen to be the Chief Sephardic Rabbi of Haifa and its outlying towns. He kept this position until the day he died, the second of Shevat, 5734. Many of his writings were Responsa, interpretations, and commentaries.

In this article three *halahic* responses are discussed that concern marriages that Rabbi Messas permitted where the couple threatened to be married in a civil ceremony if he did not marry them. Within Rabbi Messas' address he acknowledged that the rabbinate, in his opinion, needs to reach out and concern itself with Jews that are estranged, not to push them even farther away. The fear of those that would maliciously exploit the rabbinate, and try to force the judges to permit them to be married must be pushed aside, lest they

go and get a civil-secular marriage certificate instead of a communal-Jewish marriage.

Additionally, the article discusses in detail his halahic considerations:

1. The distinction between different levels of prohibitions. That is to say, Rabbi Messas does not apply the same level of stringency to Rabbinic decrees and Torah law, allowing him a certain flexibility.
2. One needs to look for the reason behind rabbinic decrees and rules, and when the reason does not exist the ruling may be nullified.
3. Rabbi Messas was well aware of reality, and did not want to force any philosophy. He recognized the decrease of the rabbinical authority's power at that time, and acknowledged a limitation of its power. This understanding gave rise to his fundamental claims: that it is best to avoid disagreement and argument; that if couples asking to be married will not listen to the rabbis they need to find an opening to permit the marriage; that even a Cohen who did not marry a woman due to her inferiority - it is as if they were married, because it is very difficult to separate them, etc.
4. *Hilul Hashem* (desecration of Hashem's name): He thinks that coercion in the instances under discussion would only lead to lowering the respect of the Rabbinate and would increase the phenomenon of civil marriage.

The influence of personal history on rabbinic commentary and the relevant messages that it delivers: Nadav and Avihu's sin

Bracha Elitzur

This article examines the background in which many sermons from the period of the Tannaim and Amoraim were formed. The sermons at hand address the heavy punishment for the sin of Nadav and Avihu. It was a high point of the dedication of the *Mishkan*, a time when all the eyes of Israel were on the revelation of the *Shechina*. The thesis standing at the center of the article states that the personal history of a commentator, or the issues that he handled as a public leader, guided his interpretation of Nadav and Avihu's sin. The Sage's personal history sharpened his sensitivity to events that paralleled his own experiences. His commentary revealed how he coped with them. The time and place in which he lived influenced how he dealt with biblical stories. Furthermore, commentaries about bible stories entail relevant messages that the Sage was trying to convey to his listeners. The following examples prove this thesis.

Rabbi Eliezer ben Hyrcanus associates the heavy punishment of Aaron's sons with the fact that they taught *halacha* (Jewish law) in the presence of their teacher Moses. Rabbi Eliezer lived in a turbulent time period when the Sages were formulating the Oral Law. They were disputing how to determine halacha: Were they to follow the majority, or perhaps *masoret* (tradition) should override

the majority? Should they allow halacha to be changed according to the Thirteen Attributes, or perhaps only masoret could determine halacha? Rabbi Eliezer was a firm believer in masoret. He voiced his obstinate stance concerning Aaron's sons by claiming that their new interpretation of the halacha lead to their death.

Rabbi Ishmael explains that Aaron's sons entered the Temple in an intoxicated state. Rabbi Ishmael is apparently the grandson of Rabbi Ishmael the *Cohen Gadol*. According to a Babylonian masoret, he also lost two sons. The biographical parallels of priesthood and bereavement explain why he chose a sin that seems like a minor slip. His explanation does not reveal serious faults in Aaron's sons' behavior or ethics (or that of Rabbi Ishmael's sons). On the other hand, he testifies to the importance of the strict regulations of the temple obligations. And that any deviation from them would result in a heavy punishment.

Rabbi Levi claims that Aaron's sons were proud saying, '*shahatsim hayu*' (they were arrogant). Their pride prevented them from marrying women that were not suitable for them, and from having children. Rabbi Levi addresses the issue of arrogant leaders in many sermons. It seems that his sermon about the death of Aaron's sons constitutes part of the public objection to arrogance of the leaders in his generation.

Interpreting that Aaron's sons' sinned by abstaining from having children fits in with many other sermons that describe the punishment of biblical figures who also abstained from fulfilling the commandment of propagation. It seems that these sermons were delivered as the Sages struggled with the reality that this commandment was not being entirely fulfilled, due to cultural, social, religious and economical causes that called to reduce birth rate. They were disputing Christian theories that preached a life of abstinence.

Rabbi Yohanan consoles Rabbi Elazar ben Phadat, his student and friend, by showing him his son's bone. His words tear at the heart *'den garma de'asira'ah bir'* (this is a bone from my tenth son). Rabbi Yohanan lost ten of his children. He does not delve into the interpretation of the sins of Aaron's sons. On the one hand, Rabbi Yohanan's perspective is from the side of a bereaved parent. He has no satisfactory explanation. On the other hand, he cannot completely identify with the reaction of the bereaved father *'veyadam aharon'* (Aaron was silent). Rather, Rabbi Yohanan describes the permanent suffering of a bereaved parent from a Godly perspective *'kasheh lephane hakodesh baruch hu besha'ah shebnehem shel tsadikim mistaklim behaiye avihen'* (It is difficult for the Holy One, Blessed Be He, when sons of the righteous die in their fathers' lifetime).

For whom are these seats reserved?
The Revealed, Hidden, and Veiled in Fog

Michal Shir-el

Mekomot Shemurim (Reserved Seats) is a book dealing with ethnic and gender relations. In the book, researcher Tamar El-or observes a group of women from a distressed neighborhood of Bnei Brak. Through the personal stories of these women El-or uncovers new territory and raises issues that have been marginalized in Israeli dialogue in general and are absent from gender and ethnological research in particular.

The book tells the story of ultra-orthodox women whose place within the Ashkenazi hierarchy is determined by their *Mizrahi* origins. They strongly identify with the ultra-orthodox world and yearn for their children to be accepted to elite Ashkenazi educational institutions. These desires are on the one hand evident, while on the other hand kept quiet. The price is certainly high – living life as a marginal minority within a society that bestows patronizing and, at best, tolerant treatment.

The researcher puts the spotlight on the 'industry' of bringing Jews back to religious observance, where women are important targets. Here the power struggle becomes clear between the Ashkenazi, secular, Zionist world and that of the ardent group of Mizrahi rabbis some of whom grew out of the secular world, or close to it, and is now wishing to tell the Zionist story differently. They are

defying the hegemonic Zionist story and not closing themselves in the ultra-orthodox world as the Ashkenazi Jews have.

A clear example of this is the phenomenon that Tamar El-or discusses in the third chapter, titled 'To be like the rest of the women – the veil and the microscope'. She discusses the effort that women make to obtain a modern education and career in order to earn a respectable living in the ultra-orthodox world. Thus, they hold a modern perspective in their practical lives while keeping an ultra-orthodox view in regards to their religious experience.

This new research challenges conceptual categories prevalent in Israeli rhetoric. Israeli society no longer reflects accepted normative divisions within society, but rather throughout its existence has created structures more complicated than religious – secular, ultra-orthodox – Zionist, or Jewish-Israeli polarities.

'*Mekomot Shemurim*' is an ironic title signifying the empty chairs in the ultra-orthodox world, waiting for all who have not yet crossed over from the secular world. There is a place that waits for them and will happily receive them, with the heavy price of life in a society that grants clear hierarchical advantages to those born to parents from the 'right' lands – from the West.

On this note, the researcher brings in her personal story. From her story it becomes clear that this matter is not exclusive to the ultra-orthodox. Both the secular and the religious-Zionist societies succeeded in covering up their 'hierarchical advantage', the advantage that creates broad opportunities and choice for Ashkenazi Jewry as opposed to Mizrahi Jewry. Currently Israeli society has difficulty recognizing or acknowledging the outcome of 'hierarchical advantage' and therefore the issue is dealt with by individuals alone. In contrast, the ultra-orthodox society is more transparent about the ethnic issue, and perhaps this can explain why the '*Shas* Revolt' has held its ground as a political and educational movement.