

פּוֹלְמוֹס שֶׁל אֶסְפִּינּוּס: 7 Daf Ditty Gittin



Titus Flavius Vespasianus, Imperator Caesar Vespasianus Augustus

ריש גלותא לרב הונא כלילא מנא לן דאסור א"ל מדרבנן *דתנן בפלגמי
של אספסינוס גזרו על עטרות חתנים ועל האיהוס אודיבי קם. רב הונא
לאפניי א"ל רב הסדא קרא כתיב ° כה אמר ה' אלהים הסר המצנפת
והרס העמדה ואת לא זאת השפלה הגבה והגבוה השפיל וכי מה ענין
מצנפת אצל עמדה אלא לומר לך בזמן שמצנפת בראש כ"ג עמדה
בראש כל אדם נסתלקה מצנפת בראש כ"ג נסתלקה עמדה בראש כל
אדם אודיבי אתא רב הונא אשטדנהו דהוי יתבי א"ל האלהים מדרבנן

אמר ליה ריש גלותא לרב הונא: כלילא מנא לן דאסור? אמר ליה:
מדרבנן, דתנן: בפולמוס של אספסינוס גזרו על עטרות חתנים ועל
האירוס.

The Exilarch said to Rav Huna: From where do we derive that it is prohibited to place a garland on a groom's head? Rav Huna said to him: It is prohibited by rabbinic law, as we learned in a mishna (Sota 49a): In the war [pulumus] of Vespasian they decreed upon the

garlands of bridegrooms, meaning that bridegrooms may no longer wear garlands, and they decreed upon the drum [irus], meaning they also banned the playing of drums.

אֲדַהְכִי קָם רַב הוּנָא לְאַפְנוּיִי, אָמַר לִי רַב חֲסִדָּא, קָרָא פְתִיב: "כֹּה
אָמַר ה' אֱלֹהִים הָסֵר הַמְצַנְפֵת וְהָרֵם הָעֲטָרָה זֹאת לֹא זֹאת הַשְּׁפֵלָה
הַגְּבִהָ וְהַגְּבִיחָ הַשְּׁפִיל" –

In the meantime, Rav Huna stood to relieve himself, and after he left, Rav Hisda, who had not spoken up to that point out of reverence for his teacher, Rav Huna, said to the Exilarch: A verse is written with regard to this matter:

לֹא כֹה אָמַר אֲדַנִּי יְהוָה. הָסִיר הַמְצַנְפֵת. וְהָרִים הָעֲטָרָה: זֹאת
לֹא-זֹאת--הַשְּׁפֵלָה הַגְּבִיחָ. וְהַגְּבִיחָ הַשְּׁפִיל.
31 thus saith the Lord GOD: The mitre shall be removed, and
the crown taken off; this shall be no more the same; that which
is low shall be exalted, and that which is high abased.

“Thus says the Lord God: The mitre shall be removed, and the garland taken off; this shall no more be the same; that which is low shall be exalted, and that which is high abased” (Ezekiel 21:31).

Rashi to Ezek 21:31

הָסִיר הַמְצַנְפֵת וְגו'. כְּתַרְגוּמוֹ אַעֲדֵי מְצַנְפַת מִשְׁרִיָּה כֹהֵנָא רַבָּא
וְאַבְטַל כְּתַרָּא מְצַדְקִיָּה מֶלְכָּא אָמַר דִּין וְדִין בְּאַתְרֵיהּ לֹא יִתְקִיִּם:

I shall remove the turban and lift off the crown, etc. This is to be explained as the Targum renders: I shall remove the turban from Seraiah the High Priest, and I shall abolish the crown from King Zedekiah. He said: Neither this nor that will remain in its place.

הַגְּבִיחָ וְגו'. גְּדַלְיָה בֶר אַחִיקָם דְּלֹאוּ הוּוּ דִּילֵיהּ יִסְבּוּנָה וְצַדְקִיָּה
דְּדִלְיָה הִיא תַעֲדֵי מִינֵיהּ:

the humble will be uplifted Gedaliah the son of Ahikam, to whom it did not belong, will take it, and Zedekiah, to whom it did belong it will be taken from him.

וכי מה ענין מצנפת אצל עטרה? אלא לומר לך: בזמן שמצנפת
בראש כהן גדול – עטרה בראש כל אדם, נסתלקה מצנפת מראש
כהן גדול – נסתלקה עטרה מראש כל אדם.

But in what way is a mitre connected to a garland? These two are not placed on the head of the same type of person. **Rather**, this verse serves **to say to you: When the mitre is found on the head of the High Priest**, i.e., when the Temple is standing, then **a garland** may be found **on the head of every man** at his wedding. However, once **the mitre is removed from the head of the High Priest**, the garland is removed from the head of every man.

אדהכי אתא רב הונא, אשפחניהו דהוי יתבי, אמר ליה: האלהים!
מדרבנו, אלא חסדא שמך וחסדאין מילך.

In the meantime, Rav Huna came back and he found them sitting and discussing this matter. **He said to Rav Hisda** in the form of an oath: **By God!** This prohibition applies **by rabbinic law**. **However, your name is Hisda and your words find favor [hisda'in]**, as you have discovered a fine source for this *halakha*.

רבינא אשפחיה למר בר רב אשי דהוה גדיל כליא לברתיה, אמר
ליה: לא סבר לה מר: "הסר המצנפת והרם העטרה?" אמר ליה:
דומיא דכהן גדול – בגברי, אבל בנשי – לא.

The Gemara relates: **Ravina found Mar bar Rav Ashi braiding a garland for his daughter** upon her marriage. **He said to him: Doesn't the Master hold** in accordance with the aforementioned *halakha* derived from the verse: **"The mitre shall be removed and the garland taken off"**? **He said to him:** This prohibition was stated in reference to one who is **similar to a High Priest and is only applicable with regard to men**. However, with regard to women, the Sages did **not** issue this decree.

מאי "זאת לא זאת" דרש רבי עזירא, זימנין אמר לה משמיה דרב
אמי, וזימנין אמר לה משמיה דרב אסי: בשעה שאמר הקדוש ברוך
הוא לישראל: "הסר המצנפת והרם העטרה", אמרו מלאכי השרת
לפני הקדוש ברוך הוא: רבוננו של עולם, זאת להן לישראל,
שהקדימו לפניה בסיני "נעשה" ל"נשמע"!

With regard to the above verse, the Gemara asks: **What** is the meaning of the expression: **"This shall no more be the same"**? **Rabbi Avira interpreted this verse homiletically. Sometimes he would say it in the name of Rav Ami, and sometimes he would say it in the name of Rav Asi: When the Holy One, Blessed be He, said to the Jewish people at the time of the destruction of the Temple: "Remove the mitre and take off the garland," the ministering angels said before the Holy One, Blessed be He: Master of the Universe, is this the appropriate treatment for the Jewish people, who, at the giving of the Torah at Sinai, preceded the statement of:**

ז אם-לא ימצא הנגב ונקרב בעל-הבית אל-האלהים: אם-לא
שלה ידו. במקלאת רעהו. 7 If the thief be not found, then the master of the house shall
come near unto God, to see whether he have not put his hand
unto his neighbour's goods.

"We will do" to the statement: "We will hear" (Exodus 22:7)?

אמר להן: לא זאת להן לישראל, שהשפילו את הגבוה והגביהו את
השפל, והעמידו צלם בהיכל?

God said to them: **Is this not appropriate for the Jewish people, who lowered the exalted and who exalted the lowly, i.e., they did not serve God, and instead worshiped idols when they established an idol in the Sanctuary?** This response is alluded to in the verse: "This shall no more be the same."

Summary

4) Wearing a crown

The Reish Galvasa asked R' Huna for the source that it is prohibited to wear a crown.

R' Huna states that it is only Rabbinically prohibited.

R' Chisda suggests a verse that serves as the source but R' Huna rejects the suggestion.

Mar bar R' Ashi taught that the restriction applies only to men's crowns.

R' Avira presents an exposition related to the issue of wearing a crown.

A second exposition of R' Avira is recorded.

A last exposition related to the last part of the verse is presented.

SUMMARY¹

When a person asks on Erev Shabbos regarding the Ma'aser, Eruv Chatzeiros and Hadlakas Neiros he should do so in a pleasant manner. (1)

A person should not project excessive fear to his family because an Adam Gadol did so and they tried to feed him Eiver Min ha'Chai as a result.

Hashem Yisbarach does not allow even the animals of Tzadikim to stumble into an Aveirah.

Even if a Rasha is causing someone distress one should not put him in the hands of the authorities. (2)

To play music or sing at a festivity is forbidden.

If somebody is angry or has a monetary complaint on his friend and he keeps silent Hashem Yisbarach will implement the Din for him.

When Aspasyanus brought his army on Yerushalayim the Chachamim decreed that crowns for Chasanim and that an Irus (a musical instrument) are forbidden.

If a person sees that his Mezonos are lacking he should give some of them to Tzedakah. (3)

Anyone who shears off some of his property and gives Tzedakah from it will be saved from the Din of Gehinom.

Even a poor person who is supported by Tzedakah must give Tzedakah. (4)

Someone who is traveling from Ako to Keziv, the land on his right is Chutz la'Aretz and on his

¹ <https://www.dafyomi.co.il/memdb/revdaf.php?tid=19&id=7>

left is Eretz Yisrael. (5)

It is a Machlokes Tana'im regarding a Get that is brought on a boat from one place to another in Eretz Yisrael whether the Shali'ach must say B'Fanai Nichtav. (6)

The Tana Kama says that if dirt from Chutz la'Aretz is brought on a boat in Eretz Yisrael the produce that grows on the boat is Chayav in Ma'aser and Shevi'is.

Rebbi Yehudah says that the produce that grows on the boat is only Chayav in Ma'aser and Shevi'is if the boat touches the ground.

Notes:

- (1). By asking in a pleasant manner his family will be more willing to accept his words.
- (2). By going early and staying late in the Beis Midrash the Resha'im will be disbanded.
- (3). If one has plenty of Mezonos he should certainly give Tzedakah.
- (4). If he does so he will no longer be a poor person.
- (5). Although Ako is the on the northern border of Eretz Yisrael there is a strip of land to the north from Ako to Keziv that is also part of Eretz Yisrael.
- (6). According to Rebbi Yehudah a boat in Eretz Yisrael that does not touch the ground has the status of Chutz la'Aretz and the Shali'ach must say B'Fanai Nichtav. According to the Chachamim a boat in Eretz Yisrael has the status of Eretz Yisrael and the Shali'ach does not have to say B'Fanai Nichtav.

BORDERS OF ERETZ YISRAEL

Rabah Bar Bar Chanah says that when a person asks on Erev Shabbos before dark if the Ma'aser was separated and if the Eruv Chatzeiros was made he should ask in a pleasant manner so that they will listen to him. R. Ashi said that he didn't hear this statement of Rabah Bar Bar Chanah but he did anyway out of his own logic. The Maharsha asks that the statement of Rabah Bar Bar Chanah in the first place is out of his own logic! The Maharsha answers that the logic of Rabah Bar Bar Chanah is that by talking in a pleasant matter his words will be listened to. The logic of R. Ashi however is that it is proper that a person should always speak in a pleasant fashion irrespective of whether his words will be listened to or not.

MATNOS ANIYIM

If an Ani comes to asks for his needs to be filled and the giver is unable to give him everything that he needs he should give as much as he can afford. How much should he give? Up to a fifth of his holdings is a Mitzvah Min ha'Muvchar, one tenth is a Midah Beinoni, less than that is an Ayin Ra'ah. A person should never give less than a third of a Shekel a year and if one does give less than that he did not fulfill the Mitzvah. Even a poor person who is supported by Tzedakah is obligated to give Tzedakah to someone else. (Rambam Hilchos Matnos Aniyim 7:5)

Rav Avrohom Adler writes:²

Excessive Fear

Rabbi Avahu said: A man should never instill excessive fear in his household. For a great man once did instill excessive fear in his household, and because of that, they fed him a “big thing” (i.e., forbidden food). This man was Rabbi Chanina ben Gamliel. The Gemora asks: Do you think that they actually fed him forbidden food? Hashem does not even allow the animal of a righteous person to transgress (referring to the animal of Rabbi Pinchas of Yair, who would not eat untithed produce); certainly, Hashem would not bring a stumbling block to the righteous person himself! The Gemora answers: They wanted to feed him a limb from a live animal (because they had lost the meat that they were planning on serving), but ultimately, he was saved from it.

Mar Ukva

Mar Ukva sent the following question to Rabbi Elozar, saying: Certain men are attacking me, and I am able to hand them over to the government; am I allowed to? Rabbi Elozar scored lines on a paper and wrote the following verse: I said, I will take heed to my ways, that I do not sin with my tongue, I will guard my mouth with a muzzle even while the wicked one is before me. He added (in explaining the verse): Although a wicked one is fighting me; I will guard my mouth with a muzzle.

Mar Ukva again sent to him saying: They are painng me tremendously, and I cannot endure them. Rabbi Elozar sent the following verse: Wait quietly for the salvation of Hashem and long for Him. He explained the verse to mean that one should wait for Hashem with the redness of the sun and He will cast them down for you corpse upon corpse. Go to the Beis Medrash in the early morning and leave late in the evening and there will soon be an end of them. Rabbi Elozar had hardly spoken the words when Geniva (his primary antagonist) was placed in chains.

Music and Wedding Crowns

They sent the following question to Mar Ukva: From where is it known that music (by parties) is forbidden? He scored lines on a paper and wrote the following verse: Rejoice not, O Israel, in joy like the nations. The Gemora asks: Should he not rather have sent the following verse: They shall not drink wine with music, old wine shall be bitter to those that drink it?

The Gemora answers: From this verse, I would have concluded that only musical instruments are forbidden, but song is permitted. Mar Ukva derived from the other verse that even vocal music is forbidden.

Rav Huna bar Nassan said to Rav Ashi: What is the point of the verse: Kinah and Dimonah and Adadah (towns located in the territory of Yehudah)? He said to him: The verse is enumerating towns in Eretz Yisroel. He (Rav Huna bar Nassan) said to him: Do I not know that the verse is enumerating towns in Eretz Yisroel? But I want to tell you that Rabbi Geviha from Argiza learned

² https://dafnotes.com/wp-content/uploads/2015/12/Gittin_7.pdf

the lesson from these names: Whoever has cause for anger [kinah] against his fellow, and yet remains quiet [domem], He, who abides for all eternity [adei ad] shall execute judgment on his behalf.

He (Rav Ashi) said to him: If that is so, the verse: Tziklag and Madmanah and Sansanah should also convey a lesson? He (Rav Huna bar Nassan) said to him: If Rabbi Geviha from Bei Argiza were here, he would derive a lesson from it. Rav Acha from Bei Chozaah expounded it as follows: If a man has a complaint against his fellow for taking away his livelihood [tzakaas legima] and yet remains quiet [domem], He, who dwelled in the thornbush [sineh] shall execute judgment on his behalf. The Reish Galusa (Exilarch; leader of the exile) said to Rav Huna: From where is it known that wedding crowns are forbidden?

Rav Huna replied: It is a Rabbinic decree. For we learned in a Mishna: During the war of Vespasian (against Yerushalayim) they decreed a ban on the bridegrooms' wreaths and concerning the iyirus (a musical instrument similar to a tambourine). [These decrees were enacted in order not to forget the destruction of the Beis HaMikdash.]

Rav Huna then got up to relieve himself. Rav Chisda said to the Exilarch: There is scriptural verse for it as well (since he was a student of Rav Huna, he did not say this in Rav Huna's presence): Thus says Hashem, God, "Remove the turban, and take the crown off. This shall not be the same; that which is low shall be exalted and that which is high abased."

What is the connection between the Kohen Gadol's turban and the crown? It is to teach that when the turban is worn by the Kohen Gadol, ordinary people (as a groom) can wear the crown, but when the turban has been removed from the head of the Kohen Gadol (after the destruction of the Temple), the crown must be removed from the head of ordinary people. At this point, Rav Huna returned, and found them still discussing the matter.

He (Rav Huna) said to him (Rav Chisda): I swear to you that the prohibition was made by the Rabbis on their own authority, but as your name is Chisda, so do your words find favor. Ravina found Mar bar Rav Ashi weaving a wedding crown for his daughter. He (Ravina) said to him: Master, do you not hold with the interpretation of the verse: "Remove the turban, and take the crown off."? He replied: Only the men have to follow the example of the Kohen Gadol; women do not.

Expositions

The Gemora asks: What is the meaning of the words in this verse: This not this? Rav Avira gave the following exposition, sometimes in the name of Rav Ammi and sometimes in the name of Rav Assi: When God said to Israel, "Remove the turban, and take the crown off," the ministering angels said to the Holy One, Blessed be He, "Master of the Universe, is "this" (punishment) fitting for Israel who at Mount Sinai said, 'we will do' before 'we will hear'?" Hashem replied, "Should not

‘this’ be for Israel, who have made low that which should be exalted and exalted that which should be low, and placed a graven image in the sanctuary?”

Rav Avira gave the following exposition, sometimes in the name of Rav Ammi and sometimes in the name of Rav Assi: What is the meaning of the following verse: Thus says Hashem: Though they are united, and likewise many, even so shall they be shorn off, and it shall pass away etc.? If a man sees that his livelihood is precisely sufficient for him, he should give charity from it, and he should certainly do so if it is plentiful. What is the meaning of the words: even so shall they be shorn off, and it shall pass away?

A braisa was taught in the academy of Rabbi Yishmael: Whoever shears off part of his possessions and gives them to charity will be saved from the punishment of Gehinom. This is comparable to two sheep crossing a river, one was shorn and the other was not shorn. The shorn one gets across, the unshorn one does not (because of the weight of the wet wool; so too, a person who gives charity will enter the next world). And though I have afflicted you. Mar Zutra said: Even a poor man who himself receives charity should also give charity. I will not afflict you anymore. Rav Yosef taught a braisa: If he does so, Heaven will not show him again signs of poverty.

Akko

The Mishna had stated: Rabbi Yehudah says: From Rekem eastwards is considered “abroad,” and Rekem itself is like those areas to the East (and if one brings a get from Rekem, he would be required to testify that it was written and signed in his presence). From Ashkelon southwards is considered “abroad,” and Ashkelon itself is like those areas to the South. From Akko northwards is considered “abroad,” and Akko itself is like those areas to the North. [*The Western border is the Mediterranean Sea.*]

Rabbi Meir says: Akko is like Eretz Israel with respect to gittin. It would seem from Rabbi Yehudah that Akko is in the extreme north of Eretz Yisroel. The Gemora asks a contradiction from the following braisa: If one was going on the road from Akko to Keziv, all the land on his right, east of the road, is tamei with respect to the laws of the Land of the Nations (the Rabbis instituted that areas outside of Eretz Yisroel are considered to impart impurity) and the obligations of ma’aser and sabbatical year do not apply to it, unless it is a place which is definitely known to be liable (the road sometimes veers to the east or the west, and there are places that although they are east of the road are nevertheless part of Eretz Yisroel). The land on his left, west of the road, is tahor with respect to the laws of the Land of the Nations and is subject to the rules of ma’aser and sabbatical year, unless it is definitely known that it is exempt.

Up until where does this halachah apply? As far north as Keziv. Rabbi Yishmael the son of Rabbi Yosi said in the name of his father: As far as Lavlavo. [Evidently, Akko is not the most northern city in Eretz Yisroel!?] Abaye answers: A narrow strip does in fact jut out beyond Akko (our Mishna was discussing the main part of Eretz Yisroel). [Though Akko is on the extreme North of the main body of Eretz Yisroel, the narrow strip of territory jutting out beyond Akko leading to Keziv belongs to Eretz Yisroel.]

The Gemora asks: And is this strip important enough for the Tanna to define it so precisely? The Gemora answers: Yes, it is, for the Torah also gives indications in the same manner, for it is written: And they said, “Behold, there is the festival of Hashem from year to year in Shiloh, which is north of Beis El, and east of the road that goes up from Beis El to Shechem, and south of Levonah.” And Rav Pappa pointed out, that it means ‘the east of the road.’

Brought by Boat

One braisa teaches: If a man brings a get in a boat, it is as if he brought it from one place to another place in Eretz Yisroel. Another braisa teaches that it is as if he brought it from one place to another place outside of Eretz Yisroel. Rabbi Yirmiyah said: This is not difficult (as both braises are referring to a case where the get was written in a boat on a river in Eretz Yisroel), for the latter braisa is based upon the ruling of Rabbi Yehudah, and the former braisa is following the opinion of the Chachamim. For we have learned in the following Mishna: Plants that were grown in soil from outside of Eretz Yisroel, which were brought in a boat to Eretz Yisroel are subject to the obligations of ma’aser and the Sabbatical year. Rabbi Yehudah said: This is correct only if the boat touches the riverbed, but if not, the obligations do not apply. Abaye said that both braisos are in accordance with Rabbi Yehudah, and it is still not difficult. One braisa refers to a boat which does not touch the riverbed, and the other refers to one which does.

A Righteous and Wise Donkey

Rabbi Pinchas ben Yair’s donkey was stolen and it refused to eat the food it was offered because the food wasn’t tithed! The author of Gan Yosef zt”l wondered: It was a wise donkey. It should have eaten most of the food and left some for ma’aseros. He replied that the question is merely an error. The donkey was wiser than we think. If it had done so, its captors would have thought that it was satisfied with a lesser amount than it was offered and after a few days it would be left with a very small portion.

Various Halachot³

A number of pieces of wisdom from *our daf*:

- A man should not terrorize his home for fear that people could cause him to sin (for example by serving him the severed leg of an animal still alive)
- When annoyed with another person's transgressions, Rabbi Eliezar tells Mar Ukba to simply say "resign yourself to the Lord and wait patiently for Him"?
- Music and drink are not always recommended at tables where there is wine.

³ <https://dafyomibeginner.blogspot.com/2015/>

- Bridegrooms do not wear garland crowns at their weddings.
- All people must give charitably according to their means.
- A get written on a boat at sea is considered to have been written within the land of Israel when the boat is relatively close to the shore.
- A simple pot (likely pottery that has not been fired) is used for many purposes - garbage collection, plant pot, etc.
- The rabbis debate the northern borders of Israel along the Mediterranean Sea - their debate continues today!

"SHIRTUT," MUSIC, BORDER TOWNS, CROWNS, AND TZEDAKAH

Rav Mordechai Kornfeld writes:⁴

The Gemara (6b) discusses Rebbi Evyasar's reliability as a Halachic authority with regard to three areas (bringing a Get from Bavel, Shirtut, and the misdeed of Pilegish b'Giv'ah). The Gemara then digresses into a list of a number of seemingly unrelated discussions:

1. Mar Ukva's plea to Rebbi Elazar to allow him to speak up to the authorities against those who were causing him harm
2. The question of why listening to music is not permitted (see Insights to Sotah 48a)
3. Derashos regarding the names of border towns in Eretz Yisrael
4. The source for the prohibition of Kelila (a bridal tiara)
5. The Derashah of Rav Avira regarding giving Tzedakah regardless of whether one is rich or poor, and how doing so will save the giver from Gehinom.

What is the connection between these different teachings?

(a) The **MAHARATZ CHAYOS** writes that the connection between the teachings is only external in nature:

1. The Gemara discusses the story of Mar Ukva's plea to save himself from his oppressors because of Rebbi Elazar's reply to him that he should write a verse with Shirtut. This is related to the laws of Shirtut which Rebbi Evyasar discussed earlier.

⁴ <https://www.dafyomi.co.il/gitin/insites/gi-dt-007.htm>

2. For the same reason, the Gemara records the discussion of the source for the prohibition against listening to music. When Mar Ukva provided the source, he wrote the verse with Shirtut.
3. The discussion of the names of the border towns is cited here because it emphasizes the importance of remaining silent in the face of oppressors and provides support for Rabbi Elazar's original answer to Mar Ukva (in statement #1), that when a person is subject to the taunts and abuse of oppressors, he should remain silent.
4. The discussion of the prohibition of Kelila is mentioned because of its similarity to the prohibition of music. Both were instituted because of Zecher l'Churban.
5. The discussion of giving Tzedakah is mentioned here simply because Rav Avira taught that Derashah, at times citing it in the name of Rabbi Ami and at times citing it in the name of Rav Asi, just as Rav Avira made the previous Derashah in the name of Rabbi Ami and Rabbi Asi regarding the verse, "Haser ha'Mitznefes" (the source for the prohibition of Kelila). Although Rav Avira does not cite that verse as the source for the prohibition of Kelila, after the Gemara brings that verse as the source it cites Rav Avira who uses that verse for a different Derashah, and then it continues with another Derashah which Rav Avira taught.

As the Maharatz Chayos points out, this approach is not entirely satisfactory, because the Gemara does not cite every statement of an Amora every time one of his statements is quoted. Rav Avira made many statements in the name of Rabbi Asi throughout Shas. See also the **TUREI EVEN** in Megilah (end of 2b) who shows that when the Chachamim provide a list of statements from a certain Amora, it is not necessarily an exhaustive list. (It is also evident from Rashi in various places that the connection between statements which the Gemara quotes is not just technical, related to the name of the person who said the statements, but the connection is thematic as well. That is, there is an additional factor besides the technical element which connects them.) Accordingly, what more can be added to explain this Gemara?

(b) Perhaps the connection between these different statements of the Gemara may be understood as follows.

1. Geniva, who was oppressing Mar Ukva (who was either already the Reish Galusa at the time or was not yet the Reish Galusa at the time), may have been a member of the family of the Reish Galusa. The Gemara records the incident with Mar Ukva and Geniva as an example of the effects of being "Matil Eimah Yeseirah," of placing undue fear in one's home. Not only can such conduct cause one to transgress the laws of the Torah, but it can also cause a person to meet an untimely death, as was the case with Geniva.
2. The next Gemara discusses Mar Ukva's reply to those who asked him for the source that music is prohibited. The Yerushalmi, cited by Tosfos (6b, DH Amar Rabbi Yitzchak), expounds on that story, and explains that Mar Ukva's reply was sent to the house of the Reish Galusa (before Mar Ukva was appointed to that position), the members of which were accustomed to arising and going to sleep to the sound of music. (In the Yerushalmi's version, Mar Ukva reversed the words of the verse in order to circumvent the necessity to write it with Shirtut.) Hence, the connection between this incident and the previous one recorded in the Gemara might be that this message of Mar Ukva was the source of strife between him and the Reish Galusa's household which led to the conviction of Geniva at the hands of the king. The Reish Galusa's household did not want to accept Mar Ukva's ruling, which is why Mar Ukva needed to provide them with an indisputable source.

3. The discussion of the names of the border towns is related to Rebbi Elazar's original advice to Mar Ukva to stand silent in the face of oppression, as the Maharatz Chayos explains (see also next Insight).

4. The next Gemara relates that the Reish Galusa asked Rav Huna for the source that Kelila is prohibited. Once again, it was the Reish Galusa -- who was accustomed to extravagance -- who wanted to make a Kelila for his daughter's marriage, and the Chachamim prohibited it because of Zecher l'Churban. Rav Chisda was afraid that the Reish Galusa would not listen to the words of the Chachamim, so he attempted to find a source for the prohibition in the words of the Nevi'im. Rav Huna, however, insisted that the prohibition was only mid'Rabanan and that the verse was an Asmachta. He did not want the Reish Galusa to treat the words of the Chachamim lightly. He wanted to teach the Reish Galusa that even a rabbinic requirement obligates him, just like a verse.

5. The next Gemara -- which discusses giving Tzedakah -- cites a verse that teaches that even if a person is poor, and certainly if he is rich, he should give Tzedakah. Why is it necessary to point out that "certainly if he is rich" he should give Tzedakah? Why would one think that a poor person has a greater obligation to give Tzedakah than a wealthy person? The Gemara says that the verse teaches that a person who is rich should not consider the wealth to be his own earnings and a result of his own luck and thus spend it on extravagant items which people are not normally accustomed to buying, as the Reish Galusa did. Rather, one should realize that all of his money is a gift from Hash-m, and if one receives more money, the purpose of it is to give more Tzedakah. Instead of spending it on a Kelila for a wedding, he should spend the extra money to provide Simchah at the weddings of poor people. The verse is emphasizing that the fact that a person is wealthy does not entitle him to spend more money on luxuries for himself than is necessary. Rather, it obligates him to give more to Tzedakah than other people give.

THE MESSAGES INHERENT IN THE NAMES OF TOWNS

The Gemara presents two exegetical interpretations of verses which list the names of towns on the southern border of the region of Shevet Yehudah. The verse, "Kinah, v'Dimonah, v'Ad'adah" (Yehoshua 15:22), teaches that when a person is suffering from the antagonism of someone else and yet he remains silent, "Shochen Adei Ad" -- the One who dwells eternally -- will take up his case. "Tziklag, u'Madmanah, v'Sansanah" (Yehoshua 15:31) teaches that when a person has a complaint against his fellow man for taking away his livelihood and yet he remains silent, "Shochen ba'Sneh" -- the One who dwells in the [burning] bush -- will take up his case.

(a) Why does the Gemara address only these sets of towns from all of the different sets of towns listed in Sefer Yehoshua?

(b) Why does the first verse allude to Hash-m by the appellation of "Shochen Adei Ad," while the second verse alludes to Hash-m as "Shochen ba'Sneh"? (See [IYUN YAKOV](#).)

(a) The [MAHARIM SHIF](#) explains that these lists contain names of towns with somewhat odd pronunciations. They are the only names that have repetitive syllables ("Ad'adah," "Sansanah").

The names of the cities might have been only "Adah" and "Sanah," and the syllables were doubled in order to teach these Derashos.

(b) The first verse teaches that if a person is being oppressed by someone, he should remain silent, because he is not the only one who is being angered by others and remains silent. Hash-m Himself constantly tolerates sinners who willfully transgress His word and "anger" Him, and He remains silent and is "Erech Apayim," slow to anger, as the name "Shochen Adei Ad" implies -- Hash-m remains patient, forever waiting for the sinner to repent. (The Gemara in Megilah (31a) mentions the verse which uses this phrase to describe Hash-m, "Shochen Ad v'Kadosh Shemo, Marom v'Kadosh Eshkon, v'Es Daka u'Shefal Ru'ach..." (Yeshayah 57:15). The verse teaches that Hash-m lowers Himself, as it were, to take care of the downtrodden, and as great as Hash-m is, He acts in a way which teaches humility to mankind.)

The verse says that just as Hash-m eventually brings justice to the Resha'im who anger Him, a person may rest assured that the people who oppress him will have to face justice at some point, even if he remains silent.

The next Derashah discusses a person whose livelihood is taken away by someone else and yet he remains silent. The verse says that he is not the only one who suffers a loss because of what others perpetrate against him. Hash-m appeared to Moshe Rabeinu in a burning bush in order to teach him that "Imo Anochi b'Tzarah" -- "I am with him in his suffering" (Tehilim 91:15); when the Jewish people suffers, Hash-m, as it were, experiences the suffering with them. When Pharaoh subjected the Jewish people to forced labor, there was a "Tzimtzum" -- Hash-m's Divine abode was restricted. The oppressor of His nation takes away from Hash-m's peace, as it were. Hash-m ultimately does justice to sinners who cause "Tzimtzum" to the Divine presence by distracting His people from serving Him, the same way the person whose livelihood is being infringed upon may rest assured that even if he remains silent, Hash-m will eventually take up his case and see to it that justice is carried out.

THE STATUS OF RIVERS IN ERETZ YISRAEL

The Gemara discusses the Halachah of a Shali'ach who delivers a Get from a boat traveling on a river in Eretz Yisrael. The Gemara suggests that the Halachah depends on the Machlokes between Rabbi Yehudah and the Chachamim, who argue about whether the plants that grow in soil in a boat traveling on a river in Eretz Yisrael is obligated in Terumos and Ma'aseros. The Gemara says that if such soil is obligated in Terumos and Ma'aseros, it must be considered part of Eretz Yisrael, and therefore one who brings a Get from the boat would not have to say "b'Fanai Nichtav."

Why does the Gemara suggest that the Halachah of Gitin is connected to the obligation of Terumos and Ma'aseros? The reason why the Chachamim instituted that a Shali'ach must say "b'Fanai Nichtav" was the concern that the Get was not written Lishmah, or the concern that there will be no witnesses available to validate the Get. People in a boat traveling in the middle of Eretz Yisrael are certainly available to validate the Get if necessary, and if they live in Eretz Yisrael they are assumed to be knowledgeable in the laws of Lishmah. The Halachah of one who brings a Get from a boat should depend on whether the witnesses are available to validate it, and whether they are

knowledgeable in the laws of Lishmah; it should *not* depend on whether or not plants that grow on a boat are obligated in Terumos and Ma'aseros!

TOSFOS (DH Atzitz Nakuv, and 8a, DH Rebbi Yehudah Omer) explains that the people who write the Get certainly are considered to be available to validate it (Metzuyin l'Kaimo) and they know that it must be written Lishmah (Beki'in Lishmah). Nevertheless, if the boat is not considered to be in Eretz Yisrael, they would be required to say "b'Fanai Nichtav" due to a Gezeirah of "she'Lo Tachlok b'Medinas ha'Yam," to avoid differentiating between areas outside of Eretz Yisrael; all of Medinas ha'Yam is given the same Halachah.

The Gemara proposes this logic earlier (4a) with regard to cities that are "Muvla'os" when it explains why Rebbi Eliezer requires a Shali'ach who comes from such cities to say "b'Fanai Nichtav" even though they are Metzuyin l'Kaimo and they are Beki'in Lishmah. The reason why a Shali'ach from those cities must say "b'Fanai Nichtav" is "she'Lo Tachlok b'Medinas ha'Yam." Although the Chachamim argue with regard to "Muvla'os" and maintain that the Gezeirah applies only to areas that are distant from Eretz Yisrael and not to areas that border Eretz Yisrael, they agree that when a Shali'ach brings a Get within a country that is distant from Eretz Yisrael -- but which happens to have frequent internal travel ("Shayaros Metzuyos") and the people there happen to be Beki'in Lishmah -- he still must say "b'Fanai Nichtav" because of "she'Lo Tachlok b'Medinas ha'Yam."

(Bavel, according to Rav on 6a, is an exception to this rule. Since there was a large Jewish population there and it was known to have "Shayaros Metzuyos" and to be Beki'in Lishmah, there was no fear that it would be confused with the rest of Medinas ha'Yam. See CHIDUSHEI HA'RAN, cited in Insights to 6a.)

A river in Eretz Yisrael is not considered to be like "Muvla'os" because people do not normally write Gitin there, and therefore the Chachamim did not exclude it from being considered like Chutz la'Aretz.

However, it is problematic to suggest that the Chachamim considered all of Chutz la'Aretz to have the requirement of "b'Fanai Nichtav" according to Rava. According to Rava, the enactment to say "b'Fanai Nichtav" is not related to Chutz la'Aretz per se; rather, "b'Fanai Nichtav" must be said whenever one travels from one Medinah to another Medinah, and it is *not* said whenever one travels within a single Medinah where "Shayaros Metzuyos." What difference does it make if the river is called "Medinas ha'Yam" or not? The fact that it is called "Medinas ha'Yam" should not automatically require that "b'Fanai Nichtav" be said if there are "Shayaros Metzuyos."

The same question may be asked on the Gemara earlier (4a), which says "she'Lo Tachlok b'Medinas ha'Yam" even according to Rava.

The answer is that according to Rava, the decree was to say "b'Fanai Nichtav" when one travels from one Medinah to another. If a river in Eretz Yisrael is not considered part of Eretz Yisrael, it is considered a different Medinah, a Medinah in its own right. Although there are "Shayaros Metzuyos," a Shali'ach still must say "b'Fanai Nichtav" since he is bringing the Get across a border from one Medinah to another. The same applies to two neighboring cities on opposite sides of the

border between two Medinos. The requirement to say "b'Fanai Nichtav" applies because of "she'Lo Tachlok b'Medinah l'Medinah," according to Rabbi Eliezer, even if one city is "Muvla" within the border of the other Medinah. The Tana Kama of the Mishnah will exempt any cities in different Medinos which are either "Muvla" or "Samuch" to the other Medinah.

However, if the decree was to say "b'Fanai Nichtav" even when there are "Shayaros Metzuyos" in certain places because of "she'Lo Tachlok b'Medinas ha'Yam," then why should "b'Fanai Nichtav" *not* be necessary after the people became Beki'in Lishmah in Bavel, or after transportation between places in Bavel became frequent (according to Rashi on 6a, m'Chi Asa)? There is a rule that any Gezeirah made by the Chachamim "b'Minyan" needs another Minyan of Chachamim to remove it. When did the Chachamim remove the Gezeirah to say "b'Fanai Nichtav"?

The answer must be similar to the answer that **TOSFOS** gives to a parallel question in Avodah Zarah (35a and 57b). The Gezeirah was made only to apply to places which were not Beki'in Lishmah, or which did not have "Shayaros Metzuyos" between them. Although in a country where the Gezeirah applied generally, it also applied to the few cities that were exceptions and *were* Beki'in Lishmah and Metzuyin l'Kaimo, nevertheless for an *entire* country that was Beki'in Lishmah and Metzuyin l'Kaimo the Gezeirah was never instituted. (See also Tosfos to Beitzah 6a, DH v'ha'Idna.)

SOIL OF CHUTZ LA'ARETZ IN ERETZ YISRAEL

The Mishnah states that plants which grow in soil of Chutz la'Aretz in a boat on a river in Eretz Yisrael are obligated in Ma'aser and Shevi'is. Rabbi Yehudah exempts such plants, except when the boat is "Gosheshes" (it touches the riverbed). The Gemara suggests that the same Machlokes would apply in the case of an Atzitz Nakuv on top of stilts in Eretz Yisrael.

With regard to an Atzitz Nakuv, the Gemara does not mention that it contains soil of Chutz la'Aretz. Presumably, the Halachah would apply regardless of the source of its soil. Why, then, does the Mishnah mentioned specifically that the plants in the boat grow in soil of "*Chutz la'Aretz*"?

(a) The **MISHNEH L'MELECH** (Hilchos Bikurim 2:9, DH v'Da she'Rabeinu Ovadyah) writes that it is an obvious and simple fact that soil of Chutz la'Aretz and soil of Eretz Yisrael have the same Halachah: when it is in an Atzitz Nakuv resting on the ground it is considered part of Eretz Yisrael, and when it is separated from Eretz Yisrael it is considered part of Chutz la'Aretz and is exempt from Ma'aser and Shevi'is. He adds that this point is clear from the Gemara here as well (presumably because if plants that grow in soil of Eretz Yisrael are obligated in Ma'aser when the soil is on the boat, why should a Shali'ach who brings a Get from the boat be obligated to say "b'Fanai Nichtav" as though he brings a Get from Chutz la'Aretz?). He explains that the reason why the Mishnah says that the soil is from Chutz la'Aretz is to teach that even soil from Chutz la'Aretz has the status of Eretz Yisrael when it arrives in a boat within the boundaries of Eretz Yisrael (according to the Chachamim in every case, and according to Rabbi Yehudah only when the boat is "Gosheshes").

(b) However, **RABEINU KRESKAS** and the **ME'IRI** explain that the Atzitz Nakuv resting on top of stilts -- which the Gemara compares to plants in a boat on a river in Eretz Yisrael -- also contains soil from Chutz la'Aretz. Their words imply that there is a difference between soil of Chutz la'Aretz and soil of Eretz Yisrael. If the soil would be from Eretz Yisrael, even Rabbi Yehudah would agree that the plants that grow in it are obligated in Terumos and Ma'aseros.

This also seems evident from **TOSFOS** (DH Ha Rebbi Yehudah). Tosfos asks, why is a Shali'ach not obligated to say "b'Fanai Nichtav" when he brings a Get from an upper story (Aliyah) of a house in Eretz Yisrael? After all, it should be no different from a case of a plant in soil from Chutz la'Aretz that was brought to that Aliyah which is exempt from Ma'aser (because it is like a plant in an Atzitz she'Eino Nakuv)! Tosfos' question implies that he maintains that plants that grow in soil from Eretz Yisrael are obligated in Terumos and Ma'aseros even if they grow in an Atzitz she'Eino Nakuv.

Tosfos must have learned this from the Mishnah which implies that plants in soil from Eretz Yisrael in a boat that is not "Gosheshes" are obligated in Ma'aseros even according to Rabbi Yehudah. (When the **TOSFOS HA'ROSH** asks this question, he omits the words "[soil] of *Chutz la'Aretz*," which implies that he understands the Gemara like the Mishneh l'Melech.)

The **MIKDASH DAVID** (Zera'im 55a) cites proof to this from the Yerushalmi (Chalah 2:1) which says that if earth from the riverbank on the western side of the Jordan River washes away to the eastern side, the plants which grow there are obligated in Terumos and Ma'aseros. This implies that the earth of Eretz Yisrael is *always* obligated in Terumos and Ma'aseros, regardless of where it is (unless it is placed on top of earth of Chutz la'Aretz, in which case it becomes Batel to Chutz la'Aretz). The Yerushalmi (Chalah 4:4:) explains that the reason why soil of Chutz la'Aretz in a boat becomes obligated in Terumos and Ma'aseros is the Halachah that when land outside of Eretz Yisrael is conquered it becomes like land of Eretz Yisrael with regard to Ma'aseros. The soil in the boat (when the boat is not "Gosheshes" according to the Chachamim, or when it is "Gosheshes" according to Rabbi Yehudah) is obligated in Ma'aseros because it is transformed into soil of Eretz Yisrael by virtue of its location on a river which is inside Eretz Yisrael (it is as if it was conquered). (See also the explanation of **MAHARI BEN MALKITZEDEK** on the Mishnah there.) This implies that if the soil originally came from Eretz Yisrael it certainly would be obligated in Terumos and Ma'aseros.

According to this opinion, why should a person who brings a Get from a boat in Eretz Yisrael be obligated to say "b'Fanai Nichtav" just because the soil of *Chutz la'Aretz* is exempt from Terumos and Ma'aseros? If the boat would contain soil of Eretz Yisrael, it would be obligated in Terumos and Ma'aseros, and the only reason why the soil of Chutz la'Aretz is exempt is that it is not mixed together with the land of Eretz Yisrael (and therefore it is not considered as if it was conquered) and it is not Batel to the rest of the land of Eretz Yisrael! The boat itself, however, might be considered to be in Eretz Yisrael, but it cannot be Mevatel the soil of Chutz la'Aretz inside of it because the soil of Chutz la'Aretz still remains separate and distinct.

It must be that the soil of Chutz la'Aretz becomes Batel to Eretz Yisrael when it is brought to Eretz Yisrael *not* because it is no longer recognizable and distinct, but because everything underneath it is Eretz Yisrael, and the upper soil cannot have a different status than everything beneath it unless it is separated from the rest of the ground (in an Atzitz she'Eino Nakuv). Therefore, if a boat

floating on the river would be considered to be touching the ground of Eretz Yisrael, the soil inside of it would be like topsoil (since the boat is considered like an Atzitz Nakuv). Since Rebbi Yehudah maintains that plants that grow in the boat are not obligated in Terumos and Ma'aseros, he does not consider the boat to be resting on the land of Eretz Yisrael (since the water is not considered like part of Eretz Yisrael). Consequently, a person standing on the boat is considered standing in Chutz la'Aretz.

(According to this opinion, whenever the Mishnah discusses the Halachah of Atzitz Nakuv, it refers to an Atzitz Nakuv filled with soil from Chutz la'Aretz.)

כֹּה אָמַר אֲדֹנָי יְהוִה הַסִּיר הַמְצִנֶּפֶת וְהָרִים הָעֵטָרָה זֹאת לֹא-זֹאת
הַשְּׁפֹלָה הַגְּבוּהָ וְהַגְּבוּהָ הַשְּׁפִילָה:

thus said the Sovereign GOD: Remove the turban and lift off the crown!

This shall not remain as it is; exalt the low and abase the high.

Ezek 21:31

The Garlands of Bridegrooms

Steinsaltz (OBM) writes:⁵

In the context of messages sent back and forth “from Israel to Bavel”, the Gemara records a discussion about certain rabbinic enactments following the destruction of the Temple that limited the full celebration of weddings. The specific question that was raised relates to the *atarot hatanim* – crowns worn by the groom – a tradition that was discontinued as a sign of mourning over the *hurban bet ha-mikdash*. As a source for this, Rav Huna quotes a Mishna from *Massekhet Sota* (49a) that as a result of *pulmus shel Aspasyanus* – Vespasian’s war – grooms no longer wore these crowns.

The *pulmus shel Aspasyanus* that is referred to here is actually what is called “the Great Revolt”, which ended with the destruction of the Second Temple. It is called Vespasian’s war because Vespasian was the Roman general who presided over most of the fighting beginning from 67 CE. The *atarot hatanim* under discussion were commonly worn by grooms on the occasion of their weddings at that time.

The Gemara in Tractate *Sota*, which is the source for this *halakha*, teaches that some wanted to replace the crowns with less elaborate symbols of celebration made of plants and flowers, but the conclusion of the Gemara is that those, too, should not be used. In *Massekhet Sota*, reference is made to other similar enactments, including a restriction of *atarot kalot* – crowns worn by a bride to her wedding – which was established after *pulmus shel Titus*. That enactment was limited,

⁵ <https://steinsaltz.org/daf/gittin7/>

however, only to particularly unique crowns, which were called *ir shel zahav*. Other, simpler decorations remained permitted.

The *ir shel zahav* was a special ornament made in the shape of a city wall. Such an ornament could only be worn by women from very wealthy families. Occasionally a special version was made that was called a *Yerushalayim shel zahav*.

Singing while drinking wine

זמרא מנא לן דאסיר

The conclusion of the Gemara is that now, after the destruction of the Beis Hamikdash, it is prohibited to sing while partaking of wine in a banquet hall (משתאות בית), (whether one sings with musical accompaniment, or even if one sings only vocally, with his mouth.⁶

Rashi (to Chagiga 15b,) explains that this rule is due to our being in a state of mourning for the loss of the Beis Hamikdash. Rambam (Hilchos Ta'aniyos 5:14) also lists this halacha among the measures enacted as a reaction to the loss of the Beis Hamikdash. A completely different approach to this halacha is found in the Mishnah in Sotah (48a) which teaches that “With the suspension of the Sanhedrin, singing in the taverns was abolished.”

Along this line, the Yerushalmi (Sotah, 9:12) quotes Rav Chisda who says that during the era when the Sanhedrin convened, people did not sing songs which contained vulgarities or disgusting notions. A genuine respect for the sages pervaded people’s souls, and as a result, society conducted itself with a high standard of decency. When the Sanhedrin was forced to disband, society as a whole suffered a setback, and people lost their moral bearing. Without the institution of Sanhedrin to serve as their role model, a general sense of perversity grew, and this was reflected in that songs now featured indecent content.

This is why, according to the Yerushalmi, singing in the taverns became prohibited. The Rishonim discuss the technical parameters of when this prohibition is in effect. Rashi here says that the restriction not to hear music is only applicable in a tavern. Tosafos notes that when Mar Ukva cites the verse from Hoshea 9:1 (“*Rejoice not Israel like the exultation of the peoples, for you have strayed from your God*”) as the source for this halacha, the Gemara asks why he does not learn it from the verse in Yeshayahu 24:9— “*They do not drink wine with song.*”

It seems, says Tosafos, that singing is only prohibited while drinking wine, for if it was prohibited at other times as well, it would be obvious that the verse from Hoshea was a more appropriate source for this halacha. We see, therefore, that the rule against singing is only applicable in a tavern, with or without music.

⁶ <https://dafdigest.org/masechtos/Gittin%20007.pdf>

However, the law does not prohibit singing outside of a tavern, as this is permitted even with music. Rambam learns that song is prohibited because of the destruction of the Beis Hamikdash.

Tur and Shulchan Aruch understand that Rambam rules that the law applies to singing with musical accompaniment whether in a tavern or not, but in a tavern, song is prohibited even without instrumental accompaniment.

Handing a fellow Jew to the authorities

בני אדם העומדים עלי ובידי למסרם למלכות וכו'

People who stand against me and it is within my power to hand them over to the king...

Shulchan Aruch (1) rules that it is prohibited to inform on or hand over (מוסר) another Jew to an idolater. This restriction applies whether one is giving a fellow Jew or even his money to the idolater and it does not matter whether the Jew is wicked or one who is a בעל עבירות.

Even if he was causing someone distress it is not permitted to inform on him and one who does so lose his share in the World-to-Come.

If, however, a person was oppressing and causing distress to the community it is permitted to hand him to idolaters. The distinction between one who causes distress to an individual and one who causes distress to a community is utilized by Mahari Asad (2) to explain our Gemara.

Mar Ukva thought that he should be permitted to inform on the person who was causing him distress since, as the Reish Galvasa, he is equivalent to the community. R' Elazar disagreed and asserted that since Geniva was distressing. Mar Ukva on a personal level rather than something related to his communal position it was not permitted to inform on him to the idolaters.

Teshuvos Minchas Yitzchok (3) was asked whether it is permitted to inform the authorities about a Jew who does not follow the speed limit. On the one hand, it is prohibited to hand another Jew over to the authorities but perhaps his unsafe driving habits put others in danger and it should be permitted.

Minchas Yitzchok responded that if the driver speeds in such a way that he could not stop quickly enough to prevent an accident he is considered a pursuer (רודף) and it is permitted to tell the authorities about his unsafe driving. He cites a ruling of Tur (4) as proof to his position. Tur rules that a person riding a horse is not permitted to ride quickly when people are around out of concern that he will not be able to stop when necessary.

Certainly, this principle could be applied, asserts Minchas Yitzchok, to a person who is driving too quickly in his car. Therefore, the driver should be warned against driving too fast and if he ignores the warning it is permitted to inform the necessary authorities.

- .1 שו"ע חו"מ סי' שפ"ח סעי' ט'.
- .2 שו"ת מהר"י אסאד ח"א יו"ד סי' רצ"ט.
- .3 שו"ת מנחת יצחק ח"ח סי' קמ"ח.
- .4 טור חו"מ סי' שע"ח. ■

Forbidden Song

"זמרא מנלן דאסור..."

On *our daf* we find that singing is prohibited. Many poskim were asked whether one may listen to music nowadays.

The Chelkas Ya'akov, zt"l, answered one such questioner as follows: "There is a strong reason to support permitting singing. When Chazal prohibited singing there was no such thing as a radio. Although all song was included in Chazal's prohibition, in the case of a radio the singers are not visible and the music is heard from a distance.

This has the halachah of a panim chadashos and should not be prohibited out of hand." The Kanfei Aharon, zt"l, also permitted listening to music, but he concluded, "At the very least one should refrain from these forms of music during sefirah and the three weeks."

A man once had a very ill daughter who enjoyed hearing live music and so he had someone play a piano for her every day. When the three weeks approached, the girl's father asked Rav Shlomo Zalman Auerbach, zt"l, if she could continue to hear the piano during the three weeks. "She definitely can," replied Rav Shlomo Zalman. "Why is this any different from any other prohibition such as anointing, which is permitted if done for a need and not for pleasure?"

Similarly, he would permit a widow or someone who was depressed to listen to taped music in private since his purpose is to relieve his pain or fear and not for pleasure. A certain person who was very weak from his fears and nerves didn't know how to calm down. After much running from doctor to doctor he finally found that listening to music recordings on his gramophone soothed him wonderfully. He had a big problem though. What could he do on Shabbos? Early turntables were operated by a spring-driven motor that required rewinding for each record played—although they did not run on electricity, their use still involved rabbinic prohibitions.

He asked the Yad Yitzchak, zt"l, about this. The posek replied, "Since this problem is such a difficult one for you, especially on Shabbos when you are not busy with your affairs, there is special halachic license in your case.

If you fear heaven, however, you will find another way to avoid any possibility of chilul Hashem. If you cannot, you may arrange with your non-Jewish help to operate this machine for you in private. Why is this different from the halachah that a very sick person may tell a non-Jew to do a Rabbinic melachah for him on Shabbos?”

Head to Head

Rabbi Elliot Goldberg writes:⁷

Today, we read what at first glance appears to be a simple exchange between two rabbinic colleagues:

Rav Huna bar Natan said to Rav Ashi: What is the meaning of that which is written: Kina, and Dimonah, and Adadah (Joshua 15:22)?

He said to him: The verse is listing the cities of the land of Israel.

Rav Huna needs help understanding a verse that is just three words long (all proper nouns) and appears to be a part of some kind of list. Indeed, this verse is part of a larger section, spanning 43 verses, listing the cities assigned to the tribe of Judah. Rav Ashi provides him with a straightforward explanation of the verse, but Rav Huna is not pleased with this answer:

Rav Huna said to him: Is that to say that you think I don't know that the verse is listing the cities of the land of Israel? Rather, Rav Geviha from Argiza explained it as follows: Anyone who harbors jealousy (kina) toward another, and yet remains silent (domem), He who dwells for all eternity (adei ad) performs judgment on his behalf.

Rav Huna takes offense at the assumption he doesn't know these cities are in the land of Israel, which should be obvious from context since they are part of what is apportioned to an Israelite tribe. In his contemptuous response to Rav Ashi, he reveals that he is in possession of Rav Geviha's creative, midrashic interpretation of the place-names.

Rav Ashi doesn't take this lying down, and challenges Rav Huna:

If that is so, you should also expound the verse: Ziklag, and Madmannah, and Sansannah (Joshua 15:31), in a similar manner.

At this point Rav Huna, who only quoted another person's interpretation about the first verse, is at a loss to provide a parallel interpretation for these place names. Instead, he replies:

If Rav Geviha from Bei Argiza was here, he would have an explanation for it.

It's not uncommon in the Talmud for a student to ask his teacher a question, seeking to learn from him a matter of halakhah or an interpretation of a verse. But something here feels out of place.

⁷ Talmud from my jewish learning

Why would Rav Huna bar Nathan ask Rav Ashi a question if he already knows the answer? Is he looking for an alternative? Is he testing Rav Ashi to see if he knows what Rav Geviha said?

This is no simple student-teacher relationship. These are two greats in conversation: Rav Huna is the Exilarch, the official, state-sponsored leader of the Jewish community in Babylonia. Rav Ashi is the head of the rabbinic academy in Sura, a major center of Jewish learning. Perhaps, then, this exchange is less about seeking new understandings of Torah and more about a competitive tension between the two leaders. Maybe Rav Huna is baiting Rav Ashi by asking what appears to be a simple question. When he gets a straightforward but too-easy answer, he jumps on the opportunity to point out his rival's ignorance of a more complete one. Meanwhile Rav Ashi, unaware of the midrashic tradition, challenges his colleague to apply this method to additional verses and exposes a gap in Rav Huna's skill.

While the Gemara often depicts collegiality, the rabbis do not shy away from writing about interpersonal conflicts. Sometimes, these are overt — such as the many conflicts between Rabban Gamliel and Rabbi Yehoshua. And sometimes, as on today's page, they're more subtle. One thing is for sure: No matter how united and dedicated they were in their mission to interpret Torah and halakhah for the Jewish people, interpersonal tension was as much a part of the rabbinic world as it is a part of our own.

Today's midrashic interpretation might also be in place to remind us that leaving conflict and jealousy to fester can be unhealthy. After all, as Rav Huna taught us:

Anyone who harbors jealousy (kina) toward another, and yet remains silent (domem), He who dwells for all eternity (adei ad) performs judgment on his behalf.

Sometimes, as on today's page, it's better to just have it out — even if it's not so pretty.

Rabbi Johnny Solomon writes:⁸

Our daf (Gittin 7a) records an exchange of ideas between Mar Ukva and Rabbi Elazar (ben Pedat) which, if more carefully examined, teaches us much about both these scholars and about the need to have a go-to person.

Mar Ukva was the Exilarch in Bavel who had a student called Gniva. However, as we are taught in Gittin 31b, while Gniva was a learned individual, he was also someone who weaponized his Torah knowledge to cause rifts, anguish and to harass others – especially Mar Ukva.

In terms of Mar Ukva, he was a great Torah scholar who spoke with authority as the Exilarch and head of a Beit Din. Mar Ukva was also affluent. However, Mar Ukva was a sensitive soul, and beyond the fact that was he incredibly careful to act with integrity towards others, he was also very generous towards the poor. Some scholars claim that Mar Ukva's father was the previous Exilarch, Rav Huna Kamma. Yet whether or not this is the case, it is clear from his teachings that he had

⁸ www.rabbijohnnysolomon.com

huge reverence for his father's piety (see Chullin 105a), while he also showed great reverence to his teacher Shmuel (see Moed Katan 16b).

Yet, and this seems apparent from what we know of Mar Ukva, he doesn't seem to have had many friends or confidants - other than his wife whom we are told was very righteous (see Ketubot 67b). Given this, and like many other children of leaders (nb. for an article on this topic regarding of children of Rabbis, see Dr. Y. Levitz's 'The Rabbi and His Family') and leaders themselves, it seems that Mar Ukva wasn't sure what to do in response to the taunts and harassment of Geniva. With all this in mind we can turn to today's daf where we read that Mar Ukva writes a letter to Rabbi Elazar (ben Pedat) – a younger contemporary who had moved from Bavel to Israel - to seek his advice. Significantly, and in contrast to Mar Ukva, Rabbi Elazar was very poor. However, he was also a sensitive soul and was someone of great integrity. Moreover, notwithstanding his own poverty, Rabbi Elazar was also very generous towards the poor. Yet beyond this, Rabbi Elazar had three further qualities: He himself was a leader. He was brilliant. And he only spoke the truth and avoided all forms of flattery (see Sotah 41b).

And why did Mar Ukva write to Rabbi Elazar?

Perhaps because Mar Ukva wasn't sure how to handle his student Geniva and he wanted to hear the opinion of someone of a similar age? Or perhaps because Mar Ukva felt that he and Rabbi Elazar shared similar values and so he wanted his advice? Or perhaps because Rabbi Elazar was the only person Mar Ukva felt he could turn to from whom he would get an honest reply without confusing what he would say with words of flattery? Yet whatever the case, this is what Mar Ukva did, writing to Rabbi Elazar that: 'there are people who attack me, and I have the ability to pass them to the authorities. What shall I do?' Rabbi Elazar replied by quoting Tehillim 39:2 and by then suggesting that attacks is part and parcel of being a leader and that silence is often the best response.

However, what Rabbi Elazar didn't realize was that Geniva's personal attacks were vicious. Consequently, Mar Ukva replied to Rabbi Elazar saying, 'They torment me so much that I am unable to withstand these attacks'. Rabbi Elazar replied by quoting Tehillim 37:7 while offering Mar Ukva some practical advice: if you dedicate more time in the Beit Midrash – arriving early and leaving late – the problem will resolve itself. We are then told that 'once these words left Rabbi Elazar's mouth' (הַדְּבָר יָצָא מִפִּי רַבִּי אֶלְעָזָר), Geniva was arrested by the authorities.

But this response raises two questions. Firstly, what does Mar Ukva's going to the Beit Midrash have anything to do with Geniva's harassing behaviour? And secondly, if Rabbi Elazar was writing these words, why does the Gemara state that 'once these words left Rabbi Elazar's mouth', then the situation changed?

My suggestion is that it all relates to why Mar Ukva was writing to Rabbi Elazar in the first place – namely the sense of isolation, loneliness and vulnerability which Mar Ukva felt. True, he was the Exilarch. And true, he was affluent. But Mar Ukva was a sensitive soul who'd likely felt alone and misunderstood as a youngster, and who still felt alone and misunderstood now as the Exilarch.

And what did Rabbi Elazar do for him? He challenged Mar Ukva to do something for himself. Go to the Beit Midrash – not to teach others, but for yourself. Go there and mix with others. Go there

and know that you are not alone. And what made Mar Ukva listen to Rabbi Elazar? It was the fact that, notwithstanding he received this advice in a letter, he felt that Rabbi Elazar was truly talking not at him, but with him. Thus the Gemara writes, ‘once these words left Rabbi Elazar’s mouth’ (הַדְּבָר יָצָא מִפִּי רַבִּי אֶלְעָזָר).

Being any kind of leader is not easy, but it is made almost impossible if you don’t have someone to talk to. This is why Mar Ukva was comforted by his exchange with Rabbi Elazar, because though they lived in different countries, he sensed that Rabbi Elazar was talking with him and, in that moment, that he was uttering a prayer that his situation improves.

Ultimately, we all need a go-to person to whom we can turn who we feel can understand our situation and who will tell us what we need to hear. It may be a friend. It may be a mentor. It may be a Rabbi. But whoever it is, it needs to be someone who doesn’t just talk at us but with us; and who doesn’t just tell us what to do, but who also prays for our success as well.



Wedding Dance by Pieter Brueghel the Younger

To fight the bad or not to fight

Mark Kerzner writes:⁹

⁹ <https://talmudilluminated.com/gittin/gittin7.html>

One should never be too assertive with the members of his household; if he is, they will lie to him out of fear and lead him to multiple sins. For example, Rabbi Chanina ben Gamliel used to put fear into his servants, and they fed him a prohibited thing. What happened? A part of a properly slaughtered animal was lost, and they substituted it with another, cut from a live animal.

But is it possible that a righteous Rabbi Chanina would eat anything not kosher? God watches even over the animals of the righteous, like in the story where a donkey would not eat food from which tithes was not separated, how much more so over the righteous themselves? - True, they wanted to feed him a prohibited item, but something prevented this.

Mar Ukva sent a question to Rabbi Elazar, "There are bad people who hurt me, and I can give them away to the government, should I?" Rabbi Elazar took out a piece of parchment, made lines for writing and wrote, "Let me not do wrong with my mouth with an evil person is in front of me." Mar Ukva replied, "But they are torturing me!" Rabbi Elazar then wrote, "Be silent unto God, and the enemies will disappear." Rabbi Elazar's words took effect right away, and the enemies of Mar Ukva were led away in chains.

The Talmud then discusses why, according to Mar Ukva, a meal can be accompanied by joyous music only if it is a meal connected to a mitzvah, as well as other signs of diminished joy, decreed after the destruction of the Temple.



Elli Kranzler, Selichot Concert 2017

Yosef Lindell writes:¹⁰

I'm dreading the High Holidays this year, but for all the wrong reasons.

I'm not feeling much of the existential dread that is supposed to come from musing on how the books of life and death will soon be open before the King of Kings. And although I fear the course of the coronavirus pandemic and the lives it will upend in the coming year, that's not what I'm talking about either.

Rather, I'm worried about something far less important: how the prayer service will be different. My trepidation concerns all of the majestic Hebrew poetry that will be skipped, the words that will be hurriedly muttered under a mask and the lack of swaying bodies beseeching God in unison. And to be honest, I'm going to miss the singing most of all.

Since I'm Orthodox, I can't use technology during the holiday, so I'm left with toughing it out alone at home or braving what will certainly be a pared-down in-person service. Based on rabbinic guidance, many Orthodox synagogues open for the holidays will heavily abridge the davening, or prayer. And when you're looking to shorten things, the easiest stuff to take out is the Hebrew poetry, or *piyyutim*, and the soulful congregational singing. In fact, you can kill two birds with one stone: singing is one of the easiest ways to spread the virus anyway.

For me, however, the High Holiday prayers are a collection of peak experiences and transcendent moments centered around song. I will never forget the booming baritone of Rabbi Aryeh Hendler at Yeshivat Shaalvim, where I spent my gap year in Israel. I fondly recall the voices of hundreds of students echoing off the vaulted ceiling of Yeshiva University's community synagogue on 185th Street in Manhattan's Washington Heights. And then there's the year I got to experience Yom Kippur at the Hebrew Institute of Riverdale graced by the angel-sweet prayers of Elli Kranzler.¹¹

In recent years, I have sometimes led substantial portions of the High Holiday services at a couple of local synagogues. For at least a month before the holidays I practice the words, melodies, and cantorial flourishes constantly: in the car, while washing dishes, even under my breath when walking down the street. I may not be sufficiently possessed by thoughts of judgment and repentance, but I am certainly obsessed with their sound.

But this year, without the music to keep me going, there is a part of me that does not want to attend shul at all. Maybe I should abscond to my basement and sing the service to myself, taking comfort in the words and tunes I know so well. The pretend version might be better than the real thing. I suddenly understand why the Hasidic masters of old went out to the fields alone to commune with God. Yet I am also ashamed of such thoughts: Could I turn away from my congregation, even in its reduced state, on the holiest days of the year? And to abandon them in this year of all years! Have I become so invested in song that I have forgotten about sincere prayer?

Perhaps I need to rethink the place of music in prayer. Jewish tradition, as it turns out, is sometimes ambivalent about it in the first place. The Talmud (Gittin 7a) proclaims instrumental music

¹⁰ <https://blogs.timesofisrael.com/this-rosh-hashanah-im-going-to-miss-the-singing-the-most/>

¹¹ See his Rosh Hashanah album on Soundcloud.

forbidden following the destruction of the Temple. It brings too much joy when the Jewish people are supposed to be in mourning.

While this prohibition has been softened over time, and vocal music has almost universally been considered permissible, there have sometimes been vigilantes who felt otherwise.

Rabbi Leone Modena records that one Shabbat in Ferrara, Italy, in 1605, when a synagogue choir got up to enhance the prayers, another man stood up to drive them away, arguing that music has been forbidden since the Temple was destroyed. And in the latter half of the 19th century, when the battles between Orthodoxy and Reform in Western Europe were at their fiercest, Rabbi Yosef Zechariah Stern, in a responsum opposing certain Reform synagogue innovations, remarked that “in prayer, which is a substitute for the service of the heart, there is no place for melodies, only the uttering of the liturgy with gravity.”

The dominant view, however, is quite different. As the 13th-century *Sefer Hasidim* writes, “When you pray, use those tunes that are pleasant and sweet in your eyes.” There are long-lived and varied liturgical music traditions throughout the Jewish world borrowing from Western and Eastern musical modes and motifs. Nowadays, many synagogues value congregational singing as well. But maybe the dissenters also have a point. Too much focus on the aesthetics of prayer can bring divided motivations and detract from prayer itself. The *Shulhan Arukh*, the widely accepted 16th-century code of Jewish law by Rabbi Yosef Karo, chastises a “leader who lengthens the prayer” if he “intends to ... rejoice in his [own] voice,” although praises one who uses his sweet voice to “give thanks to God.”

Perhaps this dichotomy is expressed no better than by a non-Jew, the church father Augustine of Hippo in his “Confessions.” He writes that he is “inclined to approve of the custom of singing in church,” but only so that “weaker spirits may be inspired with feelings of devotion.” Why? He continues: “When I find the singing itself more moving than the truth which it conveys, I confess that this is a grievous sin, and at those times I would prefer not to hear the singer.”

Augustine speaks to the same concern as Karo: How does one know whether they are having an authentic religious experience or just like the music? Many years ago, I posed this dilemma in passing to a friend, asking how, when he leads the High Holiday services, he navigates between prayer and performance. He was somewhat taken aback by the question. For him, there was no performance. He saw himself, I suppose, in the service of the congregation and in the thrall of God.

When I am honest with myself, however, I am not always as sure where my motivations lie. Of course, I am singing to inspire others, but to what extent am I also singing just for myself, to create my own peak religious experience?

And maybe this is where I’ve gone astray. If I take a step back, song is important not because it makes me feel good, or even because it personally brings me closer to God, but because it has the power to bring the congregation together. True, I may feel connected to God through song, but far

more important is how the music can connect the worshipers to each other and direct their thoughts to God collectively.

When the prayer leader chooses a good tune, one that brings everyone present to join their voices in unison, it can change the entire tenor of the prayers. When properly directed, the congregation increases its devotion with the intensity of the song. Heartfelt song can make everyone laser focused on what we are really asking for from God. There are moments, evoked by song, when I not only feel the palpable presence of God, but when I am connected to everyone in the room around me.

Indeed, this time of year is all about interdependence: Repentance is not just between me and God, but about righting the wrongs I've done to others. When we confess our sins in the synagogue on Yom Kippur, we first do it silently to ourselves, but then we repeat it together in unison with a tune that seems far too upbeat for the occasion. By the time Yom Kippur is over in fact, we've repeated this ebullient confessional five times. But that's the point: there is confidence in numbers, and we can't get through the Days of Awe alone.

This year, paradoxically, coming together is all about staying apart. By taking steps to keep the virus at bay, we are holding onto each other, preserving ourselves and our communities for a different, better year. So perhaps we can harness the emotions of heartfelt song and the transcendent feelings of unity they evoke by directing them into a new High Holiday service where we respect each other, appropriately distance, and gather only to the extent that is safe. By doing so, we are singing in our hearts, even if not out loud.



A map of Mantua from 1628 by Gabriele Bertazzolo

Reclaiming the Musical Past: Leon Modena and Salamone Rossi in Context

Rebecca Cypess writes:¹²

Since the founding of the Maccabeats in 2007, it has become increasingly common for a *sheliah tzibbur* in American synagogues to be accompanied by singers who provide a cappella harmony in the synagogue liturgy, especially for holidays and other special occasions. In some cases, such polyphonic (multi-voice) music-making takes the melodies of a traditional *nusah* and embeds it in a rich harmonic context. In other cases, polyphonic music from other sources—Leonard Cohen’s *Hallelujah*, for example—finds its way into synagogue practice.

This custom is not a new one. In 1604, the rabbi and cantor Leon Modena was criticized for introducing a nearly identical practice into his synagogue in Ferrara, in northern Italy. Modena’s detractors claimed that a cappella harmonization violated halakhic prohibitions against celebratory music-making in synagogue. In his *teshuvah* on this subject, Modena wrote, “If, at his side, [the *sheliah tzibbur*] had assistants whom the Lord favored with a sweet voice, and they sang along with him not **in order** [i.e. by means of composition] but rather *a[d] aria*, as is customary all day long in the Ashkenazi congregations, and it should happen that they relate to and coordinate with him, would it be considered a sin on their part?”^[1] Singing *ad aria* is what is often done today in a cappella polyphony in synagogue: the *sheliah tzibbur* chooses a melody and applies it to a *piyyut* or other liturgical text; the accompanying singers harmonize with him according to a set of shared musical conventions. These shared conventions allow the singers to *improvise* their harmonies—to make them up on the spot.

Yet Modena also refers to another practice: singing “in order” (*be-seder*), by which he meant singing *compositions*—polyphonic works in which every voice is written out in musical staff notation. Composition would have enabled the incorporation of more complex, less predictable music. Yet, from a halakhic standpoint, musical composition and its reliance on staff notation were a double-edged sword. Composition was an artform that developed over centuries in association with the evolution of musical styles used in European churches. It was also used for repertoires with no obvious ties to the church, but some in the Jewish community viewed it as essentially connected to non-Jewish musical traditions.

It is therefore remarkable that Modena later became involved in a musical project that was indeed centered on the composition of Hebrew liturgical music. Just over 400 years ago, on Rosh Hodesh Marheshvan 5383 (1622), the Mantuan Jewish composer Salamone Rossi signed the letter of dedication of the first book of polyphonic Hebrew musical compositions in history: *Ha-Shirim*

¹² <https://thelehrhaus.com/culture/reclaiming-the-musical-past-leon-modena-and-salamone-rossi-in-context/>

asher le-Shlomo. (The title, “The Songs of Solomon,” is a play on both the biblical *Shir ha-Shirim* and on the composer’s own name.) The book featured a lengthy preface by Modena, incorporating both his *teshuvah* from 1604 and a new essay outlining his involvement in Rossi’s project.

The title page of Rossi’s volume celebrated the innovative nature of these compositions, calling the book *hadashah ba-’aretz*, “something new on earth” (Figure 1), and Modena’s preface predicted that this book would be the first of many in the Jewish tradition. Yet that goal proved elusive: Rossi’s compositions stood as the only exemplars of liturgical Hebrew compositions for centuries, and his first successors were composers associated with the Reform movement in the nineteenth century. Indeed, those reformers celebrated Rossi as a model for their work.^[2] Today, Rossi’s music is still performed, but not typically by Orthodox groups. (In my opinion, the best performances of these works are those by Profeti della Quinta, which can be found on YouTube.^[3]) Indeed, within the Orthodox world today, many people have never heard of Rossi; the music he composed would sound foreign in a modern-day Orthodox synagogue or if performed at a popular Jewish music concert aimed at Orthodox audiences.



Salamone Rossi, title page of the *sesto* (sixth voice) partbook, from *Ha-Shirim asher le-Shlomo* (Venice: Bragadini, 1622–1623)

Despite his currency among nineteenth-century adherents to Reform, the construction of Rossi's volume suggests that he and Modena were attempting to operate within a halakhic framework. This point is clear from the nature and contents of Modena's introductory material. In addition to defending the use of improvised polyphony, Modena provided a justification of the use of *composed* music in the synagogue. He and Rossi clearly anticipated that the *Shirim* would be met with skepticism within the Jewish community—in particular, due to the halakhic sources that curtailed the practice of music as a sign of mourning for the ancient Temple or in order to avoid non-Jewish influence. Indeed, in the twentieth century, *Tzitz Eliezer* (13:12), sensitive to these issues, dismissed Modena's *teshuvah* as illegitimate. Given the halakhic sources that sought to limit music among the Jewish community, how could Rossi and Modena justify their attempt to introduce composed polyphony—a musical style associated with secular and Christian contexts—into synagogue worship?

In this essay I will revisit Rossi and Modena's project in the *Shirim*. As I will argue, whether or not one agrees with Modena's positions, his collaboration with Rossi was, in fact, firmly rooted in a distinctly Jewish outlook and a framework of respect for Halakhah. A full appreciation of these points first requires exploration of the music-historical contexts of the Jewish communities in northern Italy in the sixteenth and early seventeenth centuries, including their active participation in—and advancement of—Italian musical life, as well as the cultural permeability of the Italian ghettos that arose during this period. While it might seem at first glance that Rossi and Modena were simply attempting to counter the halakhic restrictions on music and to justify the adoption of musical customs from the non-Jewish world, I will argue that the *Shirim* in fact represented an effort to bring what they viewed as advanced musical practice into the sweep of halakhic life—to reclaim music as a historic Jewish art and a site of national self-expression.

Jews and Musical Life in Early Modern Italy

Understanding Rossi's *Shirim* and Modena's justification of them requires a brief survey of musical life among Jews on the Italian peninsula in the sixteenth and seventeenth centuries. Prior to the unification of Italy in the nineteenth century, the Italian peninsula consisted of a collection of principalities, city-states, and territories, some governed by the papal authorities and others by local hereditary rulers; Venice, that most cosmopolitan city at the center of important trade routes, boasted a complex system of government with republican (though not egalitarian) pretensions. The experience of Jews in this social and political landscape was paradoxical. On one hand, the Christian authorities and rulers often sought to contain Jews and mitigate their impacts on the broader, predominantly Christian society in which they lived. On the other, this communal containment meant that Jews were often centralized and united, and this configuration allowed aspects of Jewish culture to thrive.

As historian Robert Bonfil has argued, this paradox is exemplified in the ghettos that were built in many Italian cities.^[4] In 1516, Venice became the first locale to construct a ghetto and require urban Jews to live there; many other Italian cities followed suit, including Rome (1555), Florence (1571), Mantua (1612), and others. These ghettos had both advantages and disadvantages. They

restricted where Jews could live, but they meant that Jews could continue to live in those cities, rather than being expelled. (By contrast, the Kingdom of Naples expelled its Jews in 1541; the Papal States did so in 1569; and the Duchy of Milan followed in 1597.) The ghettos of Venice, Rome, Florence, and Mantua, among others, inscribed Jews within the landscape of the cities, meaning that these communities experienced a measure of safety and stability. Moreover, as Bonfil observes, whereas the Venetian ghetto was placed on the outskirts of the city, most other Italian ghettos were located at the center of their respective cities, often near a major church. While the doors of ghettos were closed at night, they were generally open during the day, meaning that Jews were able to move about the city and mix with their non-Jewish neighbors, and non-Jews often entered the ghetto to do business or for other reasons, including out of a sense of curiosity.

The Jewish experience also varied over time, with Jews sometimes living in safety and sometimes experiencing harassment, violence, and forced conversion. Jews, like prostitutes, were generally required to wear a special hat or badge, which marked them as marginal and undesirable. Salamone Rossi, a frequent employee of the court of the ruling Gonzaga family in Mantua, was exempted from the requirement to wear such a physical marker of his Judaism. This exemption was a sign of his special status in relation to the ducal court, making him an exception that proved the rule.

The precariousness of Jews' existence extended to their professional lives. It is well known that early modern Jews were often restricted, whether by formal law or by informal understanding, from participation in a wide array of professions. Mobile by necessity, Jews frequently had international connections that meant that they had the wherewithal to be successful in business. What is less well known, however, is that Jews in early modern Italy found professional opportunities and success in the field of music.^[5] They performed as instrumentalists and singers; they taught these subjects to both Jews and Christians; they performed in private homes of adherents to both religions; they participated in the busy field of instrument design and creation, also serving as instrument dealers and traders.

Within their own communities, too, Jews cultivated music actively. These “insider” musical activities included the authorship of Hebrew-language treatises on music and the development of traditions of sung poetry and musical theater intended for insider audiences. (Nevertheless, in the city of Mantua, Jewish musical theater was so highly prized that the Gonzagas required the Jews to perform musical theater for them annually, and non-Jews sometimes entered the ghetto to experience the art form for themselves.) While Rossi's *Shirim* clearly display his full integration into the stylistic world of the broader society in which he lived, their Hebrew texts—many of them liturgical, meant to be performed as part of synagogue worship—suggest that they should be understood as an example of such insider-oriented musical innovations. For musicologist Stefano Patuzzi, they exemplify Rossi's status as a “marginal mediator.”^[6]

Jews' active participation in the musical life of early modern Italy presented challenges to the halakhic tradition. Communal authorities needed to contend with Mishnaic and Talmudic sources that sought to limit Jewish musicianship. *Hagigah 15b* relates that Elisha ben Abuyah, the heretic who came to be known as *Aher*, abandoned his Judaism because “Greek [i.e., vernacular] song never left his lips.” Thus, the Talmudic tradition exemplified there suggests that the power of music from outside the religious tradition led to the spiritual downfall of one of the greatest rabbinic minds of his generation. Even more sweeping is the discussion in *Gittin 7a*, which suggests that

all song—indeed, all music—should be curtailed as a sign of mourning following the destruction of the ancient Temple in Jerusalem. These sources—and a long line of commentaries on them—debate the extent of these prohibitions, with factors such as the medium of the music (voices vs. instruments) and the presence or absence of intoxicating drink playing pivotal roles. I will return to these issues when I discuss Modena’s *teshuvah* below.

Still, by the turn of the fifteenth century, some communal leaders had begun to lament the state of disrepair into which the Jewish musical tradition had fallen. Don Isaac Abravanel, the leader of the Jewish community of Spain who settled in Italy following the expulsion of the Jews in 1492, wrote in his [commentary to Exodus 15](#), the Song at the Sea, that music had been an integral part of ancient Jewish practice. Enumerating various types of Hebrew poetry, some of which relied on musical performance, Abravanel explained that song served a key purpose in the transmission of traditions and texts: “For most people forget plain texts [i.e., those that are not sung], even if they study them day and night. But when [the texts] are set to melodies to which they can be sung and played, they will be remembered forever by means of their melodies.” For Abravanel, music impressed the meanings of the words in the memory of those who sing and hear them—an observation that was, for him, borne out by the survival of the Masoretic cantillation system and the texts that it was meant to deliver. Abravanel was clear that the oral tradition of music that had existed prior to the exile was rich and advanced. It was not only melodies and rhythms of ancient Jewish music that were lost; so, too, was the tradition of musical instruments, as Abravanel explains in the same passage:

In their practice [in the Temple] everything was done according to the various instruments and their types: their strings, their threads, and their holes: *kinor*, *'ugav*, and *tof* and *halil* and *minim* and *metzaltim* and *negivot* and *gitit* and the *sheminit* and the *'asor*, and the *nevel* and the *maḥol* and their like . . . for this science [of music] holds great powers—wondrous matters pertaining to divinity.

Abravanel cited the unstable nature of oral transmission as a reason for the loss of knowledge of the Jewish musical tradition: “There is no doubt that [ancient Jews] once had known melodies, but those were forgotten because of the passage of time and the length of the exile.” In this statement, he was echoing an idea from the early fourteenth-century poet Immanuel Ha-Romi, who lamented what he saw as the Jews’ loss of musical tradition to the Christians: “What will the science of *niggun* say to the others? ‘I was surely stolen from the land of the Hebrews [Gen. 40:15].”^[7]

In his commentary, Abravanel conceded that the Jewish musical tradition was in a state of disrepair, but he insisted that music had once encompassed a central feature of Jewish life. Its loss was a result of the exile and oppression that Jews had faced in foreign lands. Not surprisingly, non-Jews viewed the situation quite differently. Musicologist Ruth HaCohen has identified what she describes as a “music libel against the Jews”—a persistent and insidious feature of European discourse for centuries.^[8] The music libel contends that Jews were ethically incapable of creating harmonious music because of their failure to accept Christianity as truth. The “noise” they created was a result of their immorality and errant ways. Thus, the English traveler Thomas Coryat, who visited Venice in the early seventeenth century, described synagogue music there as:

an exceeding loud yaling, undecent roaring, and as it were a beastly bellowing of it forth. And that after such a confused and hudling manner, that I thinke the hearers can very hardly understand him [i.e., the cantor]: sometimes he cries out alone, and sometimes againe some others serving as it were his Clerkes hard without his seate, and within, do roare with him, but so that his voyce (which he straineth so high as if he sung for a wager) drowneth all the rest.^[9]

Modern readers familiar with the participatory chanting of synagogue liturgy may recognize features of Coryat's description, even as we chafe at his discriminatory characterization. In synagogue practice, the *sheliah tzibbur* leads the congregation and keeps them more or less together, but every individual is expected to contribute to the *kol tefillah*, the persistent sound of prayer. For those of us who know and participate in this practice, there is nothing unusual, and certainly nothing objectionable, about it. For Coryat, by contrast, this apparently disorganized music was a sign of Jews' baseness—their animal-like, “beastly” nature.

In sum, music was a contested space. Jews in early modern Italy used music within their own community—as a means of expression and of creating communal and cultural cohesion—and, in a variety of capacities, within the broader societies in which they lived. They were highly trained in musical performance; they were skilled teachers of music; they contributed to instrument design and used their international networks to disseminate instruments and notated scores of music; they were fluent in the latest developments in the musical styles cultivated by the Italian courts and the print market. Yet the halakhic sources argue for a curtailing of music, and Italian synagogue practice remained in a very different style—one that could be easily understood, both by insiders and outsiders, as disorganized—and this perception led writers like Abravanel to lament the loss of the ancient Jewish musical tradition. It is within the context of these tensions—tensions of musical history, musical practice, and musical identity—that Modena's writings and Rossi's *Shirim* should be understood.

Modena's *Teshuvah* and Musical Practice from Improvised Harmony to Polyphonic Composition

Modena's preface to Rossi's *Shirim* suggests that he was well aware of the potential halakhic objections to the innovations of the volume. There are two aspects to these innovations: one is the introduction of harmony writ large in synagogue, and the other is the use of *composition* to prearrange synagogue music; I will address each of these in turn. At first glance, it would be easy to think of either of these as adopting a clearly non-Jewish practice into the synagogue. Yet, as I will show, Modena viewed them as central to reviving the lost art of music that had been the pride of ancient Judaism.

As noted at the outset of this essay, in 1604, Modena had attempted to introduce polyphonic music in the Italian style into the synagogue liturgy. Although most listeners were pleased with the result, one communal leader in attendance, Rabbi Moses Coimbram, objected, citing the passage in *Gittin* mentioned above. In response to this episode, Modena authored his *teshuvah* laying out his justification for the cultivation of musical education and musical practice within the Jewish community. He engaged with the halakhic debates over the extent of the Talmudic prohibition on music, considering the various parameters that must be weighed in evaluating the permissibility of

music making: “two of [those parameters] concern the practice of song [*zemer*] and four its intention and its occasion.” The first five of these had been well-rehearsed by this point (see especially *Tur Orakh Hayyim* 560:3 and Rambam in *Laws of Fasts*, chapter 5, as well as the sources presented in Rabbi Todd Berman’s recent *Lehrhaus* essay, “Secular Music and the Jewish Soul”):

The first is instrumental music [*zimra de-mana*]; the second, vocal music [*zimra de-fuma*]; the third, singing [*leshorer*] while drinking wine; the fourth, enjoying oneself like kings; the fifth, gladdening a groom and bride or for a ritual observance; and, **to add still another one, [the sixth], studying the science [of music] [*illmod ha-hokhmah*] in order to remember it on ritual occasions.**

The permissibility of the use of music to gladden a bride and bridegroom leads Modena to affirm the need for beautiful music in synagogue, as he draws on the familiar analogy between a wedding and the sabbath: “I do not see how anyone who has a brain in his skull could cast doubt on praising the Lord in song [*zimra*] in the synagogue on special sabbaths and holidays. It will be called a ritual observance just as gladdening a bridegroom and bride, for every holy sabbath is, among us, a bride, and we are obliged to adorn and gladden her with all kinds of gladness.” It is by extension of this practice that Modena justifies the most innovative aspect of his position: the *study* of music, if applied to a *devar mitzvah*, is not only permitted, but something to be celebrated. After all, Modena reasons, if God saw fit to endow some people with a natural talent for music, then it would be nonsensical to forbid them to refine that talent through practice so that it can be used to greatest advantage for a *devar mitzvah*.

In crafting his logical argument, Modena gave pride of place to the notion, already articulated by Abravanel, that the Jewish musical tradition as practiced in the Temple in Jerusalem had once been the envy of the world. Now, nearly 1600 years after the destruction of the second Temple, Modena lamented what he perceived as a lack of refined musicianship within synagogue worship, and he noted that non-Jews regularly mocked Jews for their apparent lack of musicianship: “Will we, who were Masters of Music in our prayers and our praises, now become a laughingstock to the nations, for them to say that no longer is [this] science in our midst? . . . No sensible person or sage would think of prohibiting the praise of the Lord (may He be blessed) with the most pleasant voice possible and with this science that awakens souls to his glory.”

As noted above, the musical practice that Modena applied in Ferrara—singing *ad aria*—did not imply formal composition, but relatively informal harmonization, as is often practiced today when a cappella harmony is used in synagogue. Modena notes that the *sheliah tzibbur* is required to make his voice as pleasant as possible. Beautification of that voice by additional singers who harmonize with him is, for Modena, a natural extension of this principle. The use of recognizably secular or Christian tunes was not essential to the practice of singing *ad aria*; the adoption of specific forms of “Greek song” was thus not the central issue here. Instead, it was the very use of harmony that prompted Coimbram’s objection. And yet, Modena’s note that this practice had already been adopted by Ashkenazi congregations—as distinct from those who followed the Italian rite—confirms that he viewed the introduction of improvised polyphony as only a minor innovation.

Modena's language also confirms that he understood the introduction of *composed* polyphony—singing “in order,” *be-seder*—as another matter entirely, and this was the innovation that Rossi's *Shirim* introduced. In Rossi's compositions, strophic poems such as *Adon Olam* and *Ein Kelokeinu* are not set to repeating *arie*, as was common in the singing of strophic *piyyutim*. Instead, Rossi creates new music for each stanza of the poem. Moreover, the music is not predictable, and it therefore requires the singers to engage with the notated musical score—to read and interpret it both rhythmically and melodically, and to work out the complex interactions of the voices with one another. Rossi's music does not derive recognizably from any preexistent melody; rather, Rossi composed each piece anew, specifically for the piece of the liturgy that he was setting. Nevertheless, this musical style engages in a much deeper way with non-Jewish musical practices because of its use of polyphonic counterpoint (in which the voices are independent and interact according to strict rules) and its reliance on staff notation—a system that had developed over centuries especially for church worship. It is thus even more striking that Modena saw Rossi's innovations as operating within a Jewish framework.

To fully appreciate the significance of Rossi's use of staff notation, it is helpful to compare it to a distinctly Jewish system of musical notation: Masoretic trop. Trop differs from staff notation in that the trop markings do not specify the precise pitches (higher vs. lower notes) of the melodies they record; this is why different communities execute trop using different melodies from one another. (Think of the differences between how Ashkenazi and Yemenite communities read from the Torah today; the melodies sound completely different.) The trop can record rhetorical phrasings, accentuation of words, and relative importance of words. But while it can suggest the general directionality of the melodies, trop does not capture specific pitches, as staff notation does. This is why the Masoretic musical tradition is subject to interpretation and change with time and place.

The pitch-specificity of staff notation is what facilitates the composition of polyphonic music of the sort that Rossi employed. If a strophic song is being performed using a commonly known tune or *aria*, there is no question about how to harmonize with that tune, and notation is unnecessary. In the absence of a predictable melody, however, it is very difficult to improvise polyphony or counterpoint in which the different voices complement one another. The staff notation that Rossi adopts here was developed by Christian composers over centuries to suit the kinds of musical idioms used in church. Thus, the shift that Rossi's *Shirim* introduced was not just the introduction of a non-Jewish style of music into synagogue, but the introduction of a style that relied on literacy and fluency in staff notation—a system developed for Christian liturgical practice.

Modena clearly recognized the dramatic nature of this shift, and he called special attention to it in his essay outlining Rossi's compositional process: “Blessed are you now, congregation of believers, for we have succeeded in a peaceful beginning: **an inkwell may be seen in our days**, alongside that wise man who writes and prints these praises in song.” The inkwell here refers to the medium of written musical notation used to create musical compositions. Modena's veneration of the inkwell highlights the introduction of the literate tradition of composition into the synagogue.

The apparent mismatch of staff notation and synagogue worship may be seen in the unusual typography of Rossi's *Shirim*. While the music is written according to the European custom, from left to right, each Hebrew word appears under the musical notation such that it must be read from left to right despite the Hebrew words themselves reading right to left in line with Hebrew practice (Figure 2). The reader's eye must constantly skip to the right to locate the next Hebrew word, which is again read from right to left.



Salamone Rossi, “Baruch ha-ba be-shem Hashem,” from *Ha-shirim ’asher li-Shlomo* (Venice: Bragadini, 1622–1623). Each independent voice was printed separately; this book includes only the music for the *sesto* (sixth) voice.

Thus, even more than the improvised polyphony that Modena introduced in Ferrara in 1604, Rossi's compositions would seem deeply problematic from a halakhic standpoint. After all, these works adopt not just the musical style of non-Jews, but a whole system of notation and composition that originated in church worship. Yet Modena did not see them in this light. Instead, he went out of his way to frame the entire field of music as a Jewish one. In his understanding, the development of Christian music was a historical anomaly that required correction: music was an ancient Jewish art, one that had been "stolen from the land of the Hebrews." In Modena's understanding, it was time for Jews to reclaim their lost tradition and reassert their primacy in the practice of music.

Rossi's *Shirim* as a Reclaiming of Ancient Jewish Music

For Modena, there was an indelible link between Jews and music. This was attested throughout the Bible, and it was embodied in the figure of King David, whom God endowed with deep musical understanding. In seeking to promote what he saw as advanced musical practice among the Jews of Italy, Modena framed Salamone Rossi as a latter-day David who had been graced with a similar level of understanding. (Even Rossi's first name positioned him as the heir to King David.)

Modena's preface to the *Shirim* creates a narrative of musical history that explicitly links Rossi's work to the lost art of music from the ancient Temple. He recalls the wisdom of the ancients:

Sages sprouted like grass in all studies in ancient Israel—because of them all lofty sciences flourished; they won the honor and respect of the nations, rising on wings like eagles. As one of them [the sciences], it [music], too, was not absent from them [the sages] in its perfection; it was taken from them as from a man.

In Modena's history, King David was responsible for promoting and advancing "orderly" music within the Jewish tradition: "Who could forget or fail to remember the efforts of old King David in providing, beforehand, orderly instruction in the rudiments of song for all the sons of Asaph, Heman, and Juduthun, as written in the book of Chronicles [1:25:1], to make them understand how to produce sounds?" Modena's use of the word "orderly" (*be-seder*) echoes his description of musical composition as "order" (*seder*). Through this link, he connects David's musical practice to Rossi's art of composition.

After establishing the wisdom of the ancients in the art of music, Modena takes up the narrative of loss adopted by Abravanel a century earlier:

Yet the circumstances of our foreign dwellings and of our endless running throughout the lands, and the results of life in foreign lands, were enough to make [the Jews] forget all knowledge and lose all intelligence. For the wrath of the Lord was upon the nation; and He afflicted and besotted them and made them wander into a pit empty of all understanding. Moreover, when they were in a land not of their own, the wisdom of their sages disappeared.

In Modena's framing, the remedy to this loss was the study of the highest forms of music practiced in his own day in Italy, for in this elite musical art, one could discern echoes of the ancient art of Jewish music: **"Still, their ears picked up a trace of it afterwards from their neighbors, as the remnant of the city [Jerusalem] in these generations at the end of time."** With these lines, Modena framed Rossi's compositions not as an adoption of non-Jewish musical idioms, but as a reclaiming of the lost, stolen art of Jewish music. It was on this basis, Modena explained, that Rossi proceeded with the composition of his *Shirim*:

Imputing his power to his God, he worked and labored to add from the secular to the holy to honor the one who favored him by using that with which he had been favored. . . . Day by day he would enter into his notebook a certain psalm of David or a formula for prayer or praise, reverence, and divine song, until he succeeded in gathering some of them into a collection, making several available. When people sang them, they were delighted with their many good qualities; the listeners too were radiant, each of them finding it pleasant to hear them and wishing to hear the remainder. . . . He agreed to give them to the press in order to leave behind a name better than sons, for he is beginning something that will not be outdone and that did not exist as such in Israel.

Like Modena, many Jews would have understood the stark distinctions between the sounds of music inside and outside of the synagogue, since Jews were integrally connected to the musical styles prevalent in northern Italy, and they used those styles both within their own community and in the context of their larger society. They used music as a means of communal cohesion and self-definition; they made a living through music; they used music to mediate their relationships with their non-Jewish neighbors. Indeed, Rossi's career stands as evidence of all these points. They suggest that the distinction that many writers today attempt to make between "Jewish music" and "non-Jewish music" is an artificial one. Jews in early modern Italy made music of all kinds, and, in doing so, they rendered it all part of Jewish history and identity.

Through their extensive experience with music, Jews in northern Italy would have thought of polyphonic, contrapuntal musical composition as representing the best of Italian musical culture. How, then, could they stand by while music-making in synagogue was denigrated as chaotic or beastly? In the context of the early seventeenth-century, the adoption of composed polyphony in synagogue was a matter of *kiddush Ha-Shem*. Modena makes this point clear: "No sensible person or sage would think of prohibiting the praise of the Lord (may He be blessed!) with the most pleasant voice possible and with this science [of music] that awakens souls to His glory."

Conclusion

As noted above, Rossi's compositions had no immediate successors, and no other polyphonic synagogue music appeared in print until the nineteenth century. The reasons why others in Rossi's circle did not pick up on his cue to write such music for the synagogue are unclear. From the standpoint of musical style, Rossi's Hebrew compositions are quite conservative. From the standpoint of Jewish law and custom, however, it seems possible that they were too progressive—that there were too many Jews who objected to the introduction of this musical style into sacred contexts. Another possible reason may be the plague that hit northern Italy in 1629–1630. This devastating episode may have killed too many Jews who had become musically educated, or it

may have drawn communal attention away from the arts and refocused it instead on mere survival. How Rossi died is unknown, but the fact that his latest known publication is dated 1628 has led scholars to speculate that he died during this plague. Whatever the case, his musical innovations in synagogue led nowhere.

Nevertheless, Rossi's *Shirim* and Modena's prefatory essays serve as a fascinating case study. Without rendering judgment on the halakhic permissibility of Rossi's music or its use in *tefillah*, my aim has been, simply, to meet Rossi's compositions and Modena's writings on their own terms and within the context in which they lived. Rossi was celebrated for his musical skills both within the Jewish community and far beyond it; Modena understood this and collaborated with Rossi to attempt a revolution in Jewish musical practice. In their framing, the adoption of polyphony in synagogue was not a matter of non-Jewish influence but of national identity and national pride. Far from degrading synagogue worship, polyphonic composition offered them a means of recapturing, reviving, and reclaiming the lost art of ancient Jewish music.

[1] The full text of Modena's responsum is also transcribed in Shlomo Simonsohn, ed., *She'elot u-Teshuvot: Ziqne Yehudah* (Jerusalem: Rabbi Kuk Foundation, 1956), 15–20. The translations here are quoted or adapted from Salamone Rossi, *Sacred Vocal Works in Hebrew: Ha-Shirim asher le-Shlomo / "The Songs of Solomon,"* ed. with introduction and notes by Don Harrán, Complete Works, part 3, vol. 13a (S.l.: American Institute of Musicology and Neuhausen: Hansler, 2003).

[2] The first modern edition of Rossi's music was published by the Reform cantor Samuel Naumbourg; see Salamone Rossi, *Cantiques de Salomon Rossi: Hebreo*, ed. Samuel Naumbourg (Paris: Chez l'editeur, 1876).

[3] As would have been done in Rossi's day, Profeti della Quinta perform Rossi's music using only men's voices, including on the high parts.

[4] Robert Bonfil, *Jewish Life in Renaissance Italy*, trans. Anthony Oldcorn (Berkeley: University of California Press, 1994), 44–50.

[5] An excellent overview and interpretation are in Daniel Jütte, "The Place of Music in Early Modern Italian Jewish Culture," in *Musical Exodus: Al-Andalus and Its Jewish Diasporas*, ed. Ruth F. Davis (Lanham, MD: Rowman and Littlefield, 2015), 45–61.

[6] Stefano Patuzzi, "Salamone Rossi's *Songs of Solomon*: The Pleasures and Pains of Marginality," in *Music and Jewish Culture in Early Modern Italy*, eds. Lynette Bowring, Rebecca Cypress, and Lizza Malamut (Indiana University Press, 2022), 185–194.

[7] Immanuel Haromi, *Mahbarot*, ed. Dov Yarden (Jerusalem: Bialik Institute, 1957), 6:341.

[8] Ruth HaCohen, *The Music Libel against the Jews* (New Haven, CT: Yale University Press, 2011).

[9] Thomas Coryat, *Coryat's Crudities* (London: Stansby, 1611), 231–233.



Rule of Rome Timeline (230 BCE-400 CE)

13

ca. 230-146 B.C.E.	Coming of Rome to the east Mediterranean.
142-129 B.C.E.	Jewish autonomy under Hasmoneans.
63 B.C.E.	Rome (Pompey) annexes the land of Israel.
37-4 B.C.E.	Herod the Great (Jewish Roman ruler of the land of Israel).
37 B.C.E.	Herod captures Jerusalem, has Antigonus II executed, and marries the Hasmonean princess Mariamne I.
20 B.C.E.	Herod creates Temple Mount and begins to rebuild the Temple in Jerusalem. Project continues until 72 C.E..

¹³ <https://www.jewishvirtuallibrary.org/rule-of-rome-timeline-230-bce-400-ce>

ca. 4 B.C.E.-ca. 30 C.E.	Joshua/Jesus “the Christ.”
MODERN ERA	Hillel & Shammai (Jewish sages).
6 C.E.	Rome establishes direct rule of prefects in Judea.
ca. 13 B.C.E.- 41 C.E.	Philo Judaeus of Alexandria.
ca. 30 C.E.	Jesus is crucified.
36-64 C.E.	Paul “the apostle” (Jewish “Christian”).
ca. 37-100 C.E.	Josephus (Jewish leader, historian).
ca. 40 C.E.	Gamliel/Gamaliel I (Jewish leader-scholar).
ca. 50-125 C.E.	Christian Testament (NT) writings.
66-73 C.E.	First Jewish Revolt against Rome.
69 C.E.	Vespasian gives Yochanan ben Zakkai permission to establish a Jewish center for study at Yavneh that will become the hub for rabbinic Judaism.
70	Destruction of Jerusalem and the second Temple.
73	Last stand of Jews at Masada.
ca. 90-100	Gamaliel II excludes sectarians (including Christians) from the synagogues.

ca. 90-150	Writings (third and last division of Jewish Scriptures) discussed and accepted as sacred scripture.
114-117	Jewish Revolts against Rome in Cyprus, Egypt and Cyrene. The Great Synagogue and the Great Library in Alexandria are destroyed as well as the entire Jewish community of Cyprus. Afterwards, Jews were forbidden in Cyprus.
120-135	Rabbi Akiva active in consolidating Rabbinic Judaism.
132-135	Bar Kokhba rebellion (Second Jewish Revolt). Roman forces kill an estimated half a million Jews and destroy 985 villages and 50 fortresses.
136	Hadrian renames Jerusalem Aelia Capatolina and builds a Pagan temple over the site of the Second Temple. He also forbids Jews to dwell there. Judea (the southern portion of what is now called the West Bank) was renamed Palaestina in an attempt to minimize Jewish identification with the land of Israel.
138-161	Antoninus Pius, Hadrian's successor, repeals many of the previously instituted harsh policies towards Jews.
193-211	Roman emperor Lucius Septimus Severus treats Jews relatively well, allowing them to participate in public offices and be exempt from formalities contrary to Judaism. However, he did not allow the Jews to convert anyone
ca. 200	Mishnah (Jewish oral law) compiled/edited under Judah the Prince.
200-254	Origen (Christian scholar, biblical interpreter).
203	Because of his health, Judah HaNasi relocates the center of Jewish learning from Beth Shearim to Sepphoris.

212	Roman Emperor Caracalla allows free Jews within the empire to become full Roman citizens.
220	Babylonian Jewish Academy founded at Sura by Rab.
220-470	Amoraim, or Mishna scholars, flourish. The Amoraim's commentary, along with the Mishna, comprises the Talmud.
222-235	Emperor Alexander Severus allowed for a revival of Jewish rights, including permission to visit Jerusalem.
240-276	Rise of Mani/Manichaeism World Religion synthesis.
ca. 250	Babylonian Jews flourish (as does Manichaeism) under Persian King Shapur I
250-330	Early development of Christian monasticism in Egypt.
263-339	Eusebius (Christian author, historian)
303	Violent persecution of Christians by Emperor Diocletian.
To 311	Sporadic persecution of Christianity by Rome.
306	One of the first Christian councils, the Council of Elvira, forbids intermarriage and social interaction with Jews

312/313	Emperor Constantine embraces Christianity, announces Edict of Toleration
315	Code of Constantine limits rights of non-Christians, is Constantine's first anti-Jewish act.
368	Jerusalem Talmud compiled.



Rabbi Yochanan ben Zakkai's Request ¹⁴

Vespasian's troops brutally conquered the north of Israel, eradicating all resistance. Meanwhile, the Jewish factions – now increasingly concentrated in Jerusalem – moved beyond power struggles into open civil war. While Vespasian merely watched from a distance, various factions of Zealots and Sicarii fought each other bitterly, even those that had common goals. They killed those advocating surrender. Thousands of Jews died at the hands of other Jews in just a few years. Long before, the residents of Jerusalem had stored provisions in case of a Roman siege. Three wealthy men had donated huge storehouses of flour, oil, and wood—enough supplies to survive a siege of 21 years.

¹⁴ https://www.chabad.org/library/article_cdo/aid/953564/jewish/Rabbi-Yochanans-Request.htm

The Zealots, however, wanted all-out war. They were unhappy with the attitude of the Sages, who proposed sending a peace delegation to the Romans. In order to bring things to a head and force their fellow Jews to fight, groups of militias set fire to the city's food stores, condemning its population to starvation. They also imposed an internal siege on Jerusalem, not letting their fellow Jews in or out.

The greatest Jewish sage of the time was Rabbi Yochanan ben Zakkai. He wisely foresaw that Jerusalem was doomed and understood the need to transplant the center of Torah scholarship to another location, to ensure the survival of Torah study after Jerusalem's destruction. He devised a plan that would allow him to leave Jerusalem, despite the Zealots' blockade. He feigned death so that he could be carried out of the city. His disciples carried the coffin out of the city's walls, and Rabbi Yochanan proceeded directly to Vespasian's tent. He entered the tent and addressed Vespasian as "Your Majesty."

"You are deserving of death on two accounts," said Vespasian. "First of all, I am not the emperor, only his general. Secondly, if I am indeed emperor, why did you not come to me until now?" Rabbi Yochanan answered: "You are an emperor, because otherwise the Holy Temple would not be delivered in your hands.... And as for your second question, the reckless Zealots would not allow me to leave the city."

While they were speaking, a messenger came and told Vespasian that Nero was dead and he had been appointed the new Roman emperor. Vespasian was so impressed with Rabbi Yochanan's wisdom that he offered to grant Rabbi Yochanan anything he wanted as a reward. Rabbi Yochanan made three requests.¹ The primary request was that Vespasian spare Yavne – which would become the new home of the Sanhedrin – and its Torah sages.

Rabbi Yochanan thus ensured the continuation of Jewish scholarship after the fall of Jerusalem. Even though they would no longer have a Temple or a homeland, the Jews would always have a spiritual center in the Torah.

In 69 CE, Vespasian returned to Rome to serve as emperor, but first he appointed his son, Titus, to carry on in his stead. In 70 CE, Titus came towards Jerusalem with an army of 80,000 soldiers.

FOOTNOTES

1. Rabbi Yochanan did not request that Vespasian spare Jerusalem because he felt that a request of such magnitude would be refused. The Sages in the Talmud question the wisdom of this decision—with some who opine that such a request would have been honored, but G-d, who had already decided to destroy Jerusalem, purposely stymied Rabbi Yochanan.



Surrendering to the Romans

The remarkable parallels in the stories of Josephus' and Rabban Yohanan ben Zakkai's surrenders to the Romans reveal more about Jewish memory than Jewish history.¹⁵

After dealing with much internecine strife, the Jewish leader, surrounded by Roman troops, surrenders to the Roman general, predicts that the general will be named emperor, and is treated with remarkable clemency.

If the story is familiar, it most likely reminds the reader of the first century CE escape of Rabban Yohanan ben Zakkai from Jerusalem, retold in several different versions. Yet the description also applies to historian, soldier, and political figure Josephus Flavius' first century CE description of his own surrender to the Romans in Jotapata. The selections below from Josephus' history, the *Jewish War*, and from one talmudic account of Rabban Yohanan's escape are excerpted from the longer accounts, with an eye towards highlighting the similarities between the tellings.

The Siege of Jotapata

After conquering the town of Gabara, Vespasian turned his attention to Jotapata which, Josephus writes, the general believed was a significant enemy stronghold. While Vespasian laid siege to the town, Josephus sneaked in and rallied the people to defend themselves. Nevertheless, it was clear to Josephus that the town would eventually fall. At this point, Josephus tried to convince the townspeople that he should escape:

¹⁵ <https://www.myjewishlearning.com/article/surrendering-to-the-romans/>

"Josephus, hiding his concerns for his own safety, said that he was trying to leave in order to help [the townspeople]. By staying he could provide little help. If they were captured, what help would it be for him to die with them. If he were outside, he could put together an army from the whole Galilee to divert the Romans from the siege" (JW 3.197-199).

The people were not swayed and insisted that Josephus stay.

"So, Josephus decided to stay, so he turned their despair into a weapon and exclaimed, 'Now is the time to begin the fight, when there is no hope of deliverance, for it is glorious to give one's life to win renown, and to make oneself remembered through some great deed'" (JW 3.204).

Josephus led the townspeople in a valiant defense of the city, but, as Josephus later claimed he had predicted, the town fell on the 47th day. The Romans searched for Josephus,

"But while the city was being captured, Josephus, aided by some divine providence, had escaped from amidst the enemy and jumped into a deep pit...where he found forty persons of distinction hidden with supplies that would last for several days."

In the cave, Josephus "remembered the dreams by which God had forewarned him of the impending fate of the Jews and the destinies of the Roman emperors" (JW 3:351). As he considered surrendering, the other people in the cave shouted at him:

"'Are you so in love with life, Josephus, that you can bear to live as a slave? We will lend you a sword and a hand. If you die willingly, you will die as the general of the Jews; if you die unwillingly, you will die as a traitor.' As they said this, they pointed their swords at him and threatened to kill him if he surrendered to the Romans" (JW 3.357-360).

Josephus argued against suicide, but to no avail, but ultimately convinced the people to draw lots to kill each other. "However, Josephus, shall we say by luck or by divine providence, was left with one other man" (JW 3.391) whom he convinced to join him in surrendering to the Romans. Josephus is brought to Vespasian, and says:

"You believe, Vespasian, that I am merely a prisoner, but I come to you as a herald of greater destinies. ... You will be Caesar, Vespasian. You will be emperor, and your son here" (JW 3:400-401).

Josephus remained in custody until the events of 69 C.E. proved his prophecy correct.

Yohanan ben Zakkai's Escape

The story exists in several versions; this version comes from the Talmud, Gittin 56a-b.

"The *biryonim* (revolutionaries) were then in the city. The rabbis said to them, 'Let us make peace with [the Romans]. They would not let them. They said, 'Let us fight them. The rabbis said: That will do nothing. [The *biryonim*] went and burned the stores of wheat and barley creating famine...."

"Abba Sikra, the head of the biryonim in Jerusalem, was Rabban Yohanan b. Zakkai's nephew. [Yohanan] sent to [Abba Sikra] saying, 'Come to me secretly.' When he came, he said, 'How long are you going to continue killing everyone with starvation?' He replied, 'What should I do? If I say anything to [the other biryonim], they'll kill me.' "

"Yohanan said, 'Fix it so I can leave. Maybe I'll be able to save a little.' Abba Sikra said to him, 'Pretend to be sick, let people know and ask about you. Then put something rotten next to you so they'll think you are dead. Then let your students carry you out—no one else, lest they realize you're too light.' They did this; R. Eliezer carried one side [of the bier] and R. Joshua the other."

"When they reached the gates, they wanted to pierce [the body.] He said to them, 'They'll say you stabbed our teacher.' They wanted to hit [the body]. 'They'll say you hit our teacher.' They opened the gate, and [Yohanan] got out."

Although some imagine these "gatekeepers" to be Roman guards enforcing the siege, the narrative indicates that Yohanan needed to deceive the biryonim, not the Romans. Roman guards would not have been impressed by an argument like "they'll say you stabbed our teacher" but Jewish biryonim trying to prevent desertion might have been.

"When Yohanan [got to Vespasian], he said, 'Peace on you, O king, peace on you, O king. [Vespasian] said, 'You deserve two death verdicts, one since I am not king, and once, because if I am king, why have you only come now?' Yohanan answered, 'You are truly a king, for Jerusalem will only be conquered by a king...'"

"At that moment, a messenger came from Rome saying, 'Rise, for Caesar is dead, and those who matter in Rome have decided to make you emperor'.... Vespasian said, 'I am now going, and I will send a replacement. But ask for something that I can give you.' Yohanan said to him, 'Give me Yavneh and its sages...'"

Jewish tradition sees this as the foundation of the rabbinic movement in Yavneh, a resurrection of Judaism outside the dying city of Jerusalem.

Comparing the Stories

Many have associated these two stories because of the prediction of Vespasian's ascent to the emperorship, but the other common elements are just as striking. Each expresses a profound sense of hopelessness; the revolt has no chance of succeeding against the overwhelming power of Rome, although escape might allow for some degree of help.

In both stories, hopelessness leads to self-destructiveness. The people in the cave at Jotapata were set on suicide, and the rabbinic story describes the revolutionaries in Jerusalem burning the food. In both stories, despair is used to manipulate or motivate the people into fighting the Romans.

The revolutionaries are presented as intolerant of any dissent. The people in the cave would kill Josephus, and Abba Sikra confesses to Rabban Yohanan that the other *biryonim* would kill him. In order to escape, Josephus asserts that his drawing the last lot was due to "luck or divine providence;" any reader, ancient or modern would not hesitate to add the third, most probable

explanation: trickery. Similarly, Rabban Yohanan's escape required him to trick the guards at the gates.

Historians who have tried to identify the history in the two accounts may have asked the wrong question. The similarity of the two narratives teaches more about memory than about history.

Both stories were written after Rome's destruction of the Temple, and the authors of each story made a clear point about accepting and living with that new reality. The stories attest to the fact that the revolutionaries were deceived, not only by Josephus and Yohanan in their respective escapes, but in their perception that they could throw off Rome.

Both saw the loss of Jewish independence as a tragedy, and both sought, in Yohanan's words "to save a little." Josephus lived in Rome under imperial patronage, and Yohanan lived in the former imperial estate of Yavneh; accommodation to Rome allowed each to create a legacy for later generations.

History  Skills



Vespasian: the emperor that saved Rome¹⁶

¹⁶ <https://www.historyskills.com/classroom/ancient-history/anc-vespasian-reading/>

Emperor Vespasian ruled Rome from AD 69 to 79. He had a very interesting career before becoming emperor. He served in the military for many years and eventually rose through the ranks to become one of the commanders of the Roman forces in Britain.

In AD 68, he played a key role in bring back stability to Rome after the death of Nero and establishing the Flavian dynasty of emperors, which also included Titus and Domitian.

In this article, we will explore his life and imperial reign, including his successes and failures. Finally, we will take a look at his legacy after his death in AD 79.

Early life

Vespasian was born in November of AD 9 to a little-known family of equestrian status in the small village of Falacrinae, in Italy.

Vespasian's father was called Titus Flavius Sabinus, who had had a successful career as a tax collector and banker in the Roman provinces of Asia Minor. It appears that he had developed a reputation for being honest. Vespasian's mother was called Vespasia Polla, who came from a well-respected equestrian family.

Not much is known about Vespasian's childhood, but it appears that was given a respectable education in the village, supervised by his grandmother. However, it was his older brother, Titus Flavius Sabinus (who was named after his father), who became more important to the family early. Sabinus had successfully entered into Roman politics and was awarded with a military command in the Danube region.

Vespasian's early career

Following in the footsteps of his older brother, Vespasian received his first taste of military life AD 36 when he was appointed a military tribune in the region of Thrace, north of Greece. He served under Emperor Tiberius' son, Drusus, and quickly gained a reputation as an effective commander.

In AD 37, he was elected as *quaestor* in Crete and Cyrene, as *aedile* in AD 39, and *praetor* in AD 40. His political success seems to have brought him to the attention of the emperor Caligula.

Also, in AD 39, Vespasian married Domitilla the Elder, a woman from a wealthy family. They would go on to have two sons together: the future emperors, Titus and Domitian.

First military commands

When Claudius became emperor after Caligula's assassination in AD 41, Vespasian assigned as the commander of the Roman legion (Legio II Augusta) in Germania.

Then, in AD 43, emperor Claudius decided to launch a massive military invasion of Britain. The German legion, including Vespasian, was called up to participate. Vespasian worked under the overall commander, Aulus Plautius, and quickly earned a reputation as a reliable staff member.

Vespasian earned a name for himself as an extremely capable commander during several early battles on the rivers Medway and Thames. As a result, he was entrusted to lead forces into the south-west of Britain. By the end of his time in Britain, Vespasian had participated in about thirty separate battles and captured around twenty towns.

Unfortunately, the intensive warfare took a toll on Vespasian, since he had received a number of wounds. In AD 50, he decided to return to Rome and pursue a political career.

Political career

In AD 51, his military reputation and popularity allowed him to serve as consul. However, when his time in the role had expired, he decided to go into a temporary retirement, as he had offended emperor Claudius' wife, Agrippina.

Even though Claudius had died in AD 54, Agrippina's son, Nero, had become emperor, which meant that Vespasian wouldn't return to another political position for over a decade.

Then, in AD 63, he was appointed governor of Africa Proconsularis (modern Tunisia). Governorships like this were highly sought after by Roman politicians, as they usually used the power and position to increase their own wealth through corrupt means.

However, Vespasian openly rejected this approach and, instead, chose to focus on limiting expenses. As a result, he earned a reputation as an effective administrator by reforming the tax system and improved the infrastructure of the province. It is said that he also needed to spend some of his own money to pay for necessary projects. As he was approaching the end of his governorship, people joked that Vespasian was leaving much poorer than when he arrived.

Jewish Revolt

When Vespasian returned to Rome, Vespasian called upon his military experience once more. In AD 66, Jewish rebels in the Roman province of Judaea had risen up in armed revolt against Roman rule. In response, Vespasian was appointed as the overall commander of the Roman forces in Judaea and was sent to crush the rebellion.

This event was significant, since Judaea had never had a legionary army appointed to it before. Regardless, Vespasian was assigned three legions and a large auxiliary force.

Over the next two years, AD 67 and 68, Vespasian successfully conducted two major campaigns that defeated many of the rebels and won back much of the province. By AD 68, only the capital city of Jerusalem still held out against him.

The final success of the Judean campaign was interrupted by political events back in Rome.
Year of the Four Emperors

In AD 68, Nero committed suicide, which led to a power struggle between powerful generals for who would be the next emperor. This was the beginning of a tumultuous period called the 'Year of the Four Emperors'.

The first commander to seize control of Rome was Galba, who ruled for a short time. To show his loyalty to Galba, Vespasian sent his son Titus to Rome in late AD 68. However, on the journey, Titus heard that Galba had been murdered and that another general, called Otho, was now emperor. Then, Otho was overthrown by Vitellius, the governor of Germany.

By this time, Titus returned to Judea to update his father with the changing political landscape in Rome. After hearing the news, Vespasian decided to march on Rome himself and take power. Leaving Titus in charge of finalising the Judaeian campaign, Vespasian marched part of the army back to Italy and arrived in Rome in AD 69. Vespasian's troops dragged Vitellius from the imperial palace, executed him, and threw his body into the Tiber River.

Therefore, in December of AD 69, Vespasian became emperor, establishing the Flavian dynasty.

Reign

Vespasian's first task as emperor was to stabilise the empire after the turmoil of Nero's reign and the Year of the Four Emperors. He did this by strengthening the army, reforming the tax system, and improving relations with the provinces. He also began construction on several public works projects, including the Colosseum.

As emperor, Vespasian faced many challenges. The first challenge was bringing to a conclusion the Jewish rebellion. In AD 70, his son, Titus, launched a successful military campaign against the city of Jerusalem and captured it. The glory for this victory went to Vespasian and it helped to solidify his position as emperor. The capture of Jerusalem also brought an influx of cash and slaves into Rome, which Vespasian used to build his construction projects like the Colosseum.

Due to his popularity, Vespasian was able to rule effectively for ten years. The one criticism that ancient authors make of Vespasian is that he did not like to spend money. He was known as a 'miser', but this was likely because he wanted to be prepared for any financial challenges that might arise.

Death and legacy

In AD 79, Vespasian fell ill with a fever while on a trip to Apulia. He decided to return to Rome but died on the way in the town of Aquae Cutiliae. His last words were, "Oh dear, I think I'm becoming a god." Vespasian died of natural causes in AD 79 at the age of sixty-nine. He was succeeded by his son Titus.

Vespasian's reign was marked by stability and prosperity after the turmoil of Nero's reign. He is remembered as an effective ruler and builder who left a lasting legacy on Rome. After his death,

Vespasian was deified by the Senate and his memory was honoured with public statues and coins. His name was also given to a number of public works projects, including the Colosseum.



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Brass Coin of Vespasian, with Inscription "Iudaea Capta." Struck in 72 C.E.(From Madden, "History of Jewish Coinage.")

VESPASIAN

Richard Gottheil and Samuel Krauss write:¹⁷

Emperor of Rome from 69 to 79; founder of the Flavian dynasty. The defeat of Cestius Gallus convinced Nero that the Jewish uprising was a serious matter, and he transferred the command of his army to the veteran Flavius Vespasianus, who had already fought courageously against the Britons. In the winter of 67 Vespasian made his preparations for war in Antioch, and in the following spring marched on Ptolemais. After joining his son Titus, who had advanced with an army from Alexandria, Vespasian found himself in command of a powerful force, consisting of the fifth, tenth, and fifteenth legions, twenty-three auxiliary cohorts, and six squadrons of horse, in addition to the troops of the native vassals, of the Jewish King Agrippa II., and of the kings of Commagene, Emesa, and Arabia (Josephus, "B. J." iii. 7, § 1). The entire Roman army must have mustered at least 60,000 men.

Gadara and Jotapata Surrender

The first aim was the conquest of Galilee, a wealthy and populous district of Palestine, which was defended by Josephus. Upon the approach of Vespasian, however, the protecting army fled in confusion, and the city of Gadara fell into the hands of the Romans. All its inhabitants were put to the sword by order of Vespasian, and Gadara and the neighboring towns and villages were burned (*ib.* iii. 7, § 1). These events were followed by the reduction of Jotapata in a siege which is

¹⁷ <https://www.jewishencyclopedia.com/articles/14687-vespasian>

described in detail by Josephus, who found himself compelled to surrender. Vespasian, like his son Titus, treated the captive as a friend. The operations were now interrupted by a brief truce, while the conqueror marched through Ptolemais to Cæsarea, where he rested his troops (*ib.* iii. 9, § 1). Vespasian himself went to Cæsarea Philippi, Agrippa's capital, where festivities in his honor were celebrated for twenty days. He then led his army against Tiberias, which willingly surrendered, and also against Taricheæ, which fell into his hands in the beginning of the month of Elul.

A terrible punishment awaited the conquered. Galilee was entirely depopulated; 6,000 youths were sent to Nero to work on the isthmus of Corinth; 1,200 old men were killed; and the remaining Jews, more than 30,400 in number, were sold as slaves, servitude being also the fate of those who were given to Agrippa (*ib.* iii. 10, § 10). There now remained only the fortress of Gamala, whose defenders repulsed the Romans so disastrously that Vespasian in person had to urge his soldiers on. The fortress was reduced at last, however, and the Romans massacred 4,000 Jews, the rest preferring death by their own hands. In the meantime the fort of Itabyrion at Tabor had surrendered, while the city of Giscala was reduced by Titus, so that Galilee was entirely subdued by Vespasian.

The simplest procedure would now have been an attack upon Jerusalem, as was desired by the Roman lieutenants, but Vespasian decided to leave the city to itself, knowing that Jewish factional strife would gradually weaken it (*ib.* iv. 6, §§ 2, 3). Notwithstanding the heavy rains, he advanced toward Perea, and occupied the Hellenistic city of Gadara, while Placidus, his second in command, was engaged in subduing the remainder of the district. Once more Vespasian marched from Cæsarea, and occupied in turn the cities of Antipatris, Lydda, Jamnia, and Emmaus, leaving the fifth legion in the last-named city, after which he scoured Edom, returning to Emmaus, and finally marching northward in the direction of Jerusalem through the district of Samaria. He met with little resistance in any of these places, even Jericho and Adida being easily taken by the Roman soldiers. Gerasa alone had to be conquered and destroyed by one of his generals (*ib.* iv. 9, § 1); this, however, can not have been the great Gerasa, which was a Hellenistic city.

Prolongs War for Political Reasons

Vespasian doubtless desired to prolong the campaign in Judea, since this left him in command of a large army, which was desirable in view of the imperial succession. When he heard, however, that Simeon bar Giora had invaded and ravaged southern Palestine with his Jewish hordes, he determined to restore order there, and accordingly invaded and subdued the districts of Gophna and Acrobata in the month of Siwan, 69. He likewise captured the cities of Bethel and Ephraim, while Hebron was taken by his tribune Cerealis (*ib.* iv. 9, § 9). The Romans now had free access to Jerusalem from all sides, although some places, such as Emmaus, Herodium, Masada, and Machærus, still remained in the hands of the Jews.

In the meantime the imperial throne of Rome had been filled successively by Galba, Otho, and Vitellius; and the Oriental legions, following the example of the army of the Rhine, gave an emperor to Rome in the person of Vespasian. This event, which was to prove important for the history of the world, was doubtless planned in Palestine, where, according to Josephus, the proclamation was issued, although Tacitus and Suetonius assert that the Egyptian legions were the first to hail Vespasian emperor, on July 1, 69. Two personages of Jewish descent were particularly active in connection with this event—Berenice, the mistress of Titus, and Tiberius Julius

Alexander, governor of Egypt. Josephus boasts that he foretold Vespasian's election to Vespasian himself and received his freedom as well as permission to accompany the emperor to Alexandria as a reward for his prophecy. According to Talmudic sources, however, Johanan ben Zakkai was the first to predict Vespasian's elevation to the imperial throne. The statement that he was unable to draw on one of his shoes for joy (Git. 56b) may be explained by the fact that the phrase "calceos mutare" (to change the shoes) was used also to denote promotion to a higher rank ("Monatsschrift," 1904, p. 277). The fact that the proclamation of Vespasian was issued from Judea led Josephus, followed herein by Tacitus ("Hist." v. 13) and Suetonius ("Vespasianus," § 4), to interpret an ancient oracle foretelling that a ruler from Judea should acquire dominion over the entire world as an allusion to Vespasian (Josephus, *l.c.* vi. 5, § 4). The new emperor left his son Titus in command of the army, while he himself hurried to Rome to take possession of the throne.

The Judean Triumph and Medals

In the eyes of the Roman people Vespasian and Titus shared in the glory of the subjugation of Palestine, yet neither of them assumed the title "Judaicus," probably because this term referred to the religion as well as to the nationality of the Jews. In addition to the honors bestowed on Titus by the Senate, and the memorials erected to his praise, several decrees and monuments refer to Vespasian. The coins bearing the legend "victoria navalis" probably commemorate his pursuit of the Jews at Tarichæa on rafts, and the same circumstance doubtless explains why Titus brought a large number of ships with him when he entered Rome in triumph (*ib.* vii. 5, § 5). Together with his sons Titus and Domitian, Vespasian celebrated his own triumph in the year 71 (*ib.* vii. 5, § 7; Dio Cassius, lxvi. 7). In addition to the triumphal arch erected in honor of Titus, which still stands near the Roman Forum, another arch of Titus existed, until the fifteenth century, in the Circus Maximus, which bore an inscription expressly stating that Titus had conquered the Jewish people at the command and counsel of his father, and under his auspices ("C. I. L." vi., No. 944; "R. E. J." i. 35). All three Flavian emperors struck coins with such legends as Ἰουδαίας ἐαδωκυίας "Iudæa devicta," or "Iudæa capta" (Madden, "Coins of the Jews," pp. 207-229), and numerous inscriptions furnish material for an exact determination of the names of the legions and officers that took part in the war; such lists have been compiled by Arsène Darmesteter and Joseph Offord.

The sacred vessels from the Temple at Jerusalem were deposited in the Temple of the Goddess of Peace, erected by Vespasian in commemoration of his victory, but destroyed by fire in 191; and other trophies were preserved in the imperial palace (Josephus, *l.c.* vii. 5, § 7; Jerome, "Comm. on Isaiah," xxix. 1). The Circus Maximus still exists, stained with the blood of Jewish martyrs. Vespasian instituted also the Fiscus Judaicus, and did not hesitate to claim all Judea as his property (Josephus, *l.c.* vi. 6, § 6). A papyrus from the Egyptian province of Arsinoe, preserved partly in London and partly in Vienna, gives detailed information concerning a special impost levied on the Jews in addition to the customary poll-tax. This papyrus is dated in the fifth year of Vespasian's reign, and shows that the tax was payable by every Jew and Jewess over three years of age. The annual amount of the special Jewish assessment was 8 drachmæ 2 oboles per individual, and to this was added an extra income tax of 1 drachma. The poll-tax itself amounted to 40 drachmæ, so that the Jews were heavily burdened, at least throughout Egypt. Christian sources further state that Vespasian caused all Jews of the house of David to be executed, and thus instigated a great persecution (Eusebius, "Hist. Eccl." iii. 12, based on Hegesippus). He also closed the Temple of

Onias, in 73, and enlarged the pomerium of the city of Rome, which might be done only by an emperor who had increased the territories of the empire.

Talmudic References

Vespasian is frequently mentioned in rabbinical literature, the war, with which certain mourning customs were associated, being called "polemos shel Aspasyanos" (Soṭah ix. 14), and "Vespasian and his comrades" (*i.e.*, his sons) being accused of enriching themselves from the treasures of Israel (Midr. Teh. xvii. 2). When Vespasian came to Jerusalem he encamped outside the wall and made propositions of peace to the Jews which were rejected. According to Ab. R. N., Recension B, § 6, certain Jews in the city communicated treacherously with Vespasian by means of arrows; but this statement confuses Vespasian with Titus, while other passages confound him with Hadrian, or even with Nebuchadnezzar. "One of these will destroy the holy Temple, and that one is the miscreant Vespasian" (Midrash ha-Gadol on Gen. xxv. 23, ed. Schechter; in Gen. R. lxvii. the name of Hadrian is substituted). The passage "I have not despised them" was interpreted as meaning, "I have not despised them in the days of Vespasian" (Sifra, xxvi. 44; Esth. R., beginning); and it is clear from a statement of Jerome on Joel iii. 3 that several haggadic passages were likewise regarded as allusions to Vespasian. Various legends concerning this emperor appear in rabbinical literature, the first one being told by Josephus ("Ant." viii. 2, § 5), who relates how a Jewish exorcist displayed his skill to Vespasian. The shiploads of captive Jews are generally, and correctly, associated with the name of Titus; but according to a later legend (Buxtorf, "Synagoga Judaica," ix. 231; "J. Q. R." xv. 664), which apparently sought to attribute to Vespasian all the evils that befell the Jews, the future emperor guided three vessels filled with Hebrew prisoners to Lavanda, Arlada, and Bardeli.

Vespasian collected his memoirs of the Jewish war; and these were mentioned, and probably also used, by Josephus ("Vita," § 65; comp. "Contra Ap." i., § 10).

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The Second Jewish Temple. Model in the Israel Museum.

JEWISH LITURGICAL RESPONSES TO THE ROMAN DESTRUCTION OF THE TEMPLE

Ruth Langer writes:¹⁸

Until its destruction, the Jerusalem Temple was the religious center of Jewish life. It was there that hereditary priests and levites offered the daily elaborate, covenant-maintaining sacrificial worship commanded by God in the Torah (Pentateuch). Individual Jews, even from afar, participated vicariously through their annual half-shekel tax (Ex 31:13-16) and by local gatherings when “their priests” took their turn (m. Taan. 3). Crowds gathered for the three annual pilgrimage festivals; others offered personal sacrifices when possible– in thanksgiving, or for purification, including from sins.^[1]

In the summer of 70 CE, the Romans utterly destroyed the entire edifice as they quashed the Judean revolt. After the failure of a second revolt in 135 CE, the Romans banished Jews from the city and built a temple to Jupiter on the Temple Mount. Because Deuteronomy 12 limited sacrificial worship to “the place which God will choose,” understood as Jerusalem, legitimate worship of God could not simply be transferred to another location. The depths of the existential crisis created cannot be overstated. It is the *hurban*, destruction, worse than the Holocaust. A well-known rabbinic teaching imagines the world as a three-legged stool, with the legs being Torah, worship,

¹⁸ <https://www.ismreview.yale.edu/spring2021/jewish-liturgical-responses-to-the-roman-destruction-of-the-temple>

and acts of lovingkindness (m. Avot 1:2). The loss of the Temple's worship thus had a broad destabilizing impact. Jews probably shared with their Greco-Roman neighbors an understanding that civilization's stability depended on cultic worship. Christian memory is that the Romans persecuted early Christians precisely for threatening the state's stability by refusing to participate in the Roman civic cults.^[2]

The Romans did destroy the Judean state, but not the Jews and their relationship to their God. We know little about immediate Jewish responses to the tragedy except from rabbinic teachings dating from the third century onwards.^[3] They record that Judaism retooled as an interim measure, expecting a divine salvific intervention to restore the nation and its worship system. These teachings formed the Jewish memory of this disaster and ongoing Jewish responses to it. Memories of the Temple and hopes for its restoration became central themes of the rabbinic system, especially its rituals. Only as nineteenth-century Jews became citizens in Christian lands did theological reforms and secularism recast this disaster as progress.

The rabbinic system encoded ritual responses in three main modes: salvage, ritualized mourning, and eschatological hope.

Salvage

The third-century rabbinic texts record that one of the first acts of the surviving rabbis after Temple sacrifices ceased was to determine possible points of continuity. Which non-sacrificial Temple rituals could persist, at least with some modification?

Thus, while Tabernacles celebrations with the palm branch (*lulav*) had taken place all seven days of the festival in the Temple but only one day outside it, Rabban Yochanan ben Zakkai ruled that the seven day celebration should now be universal. The rabbis debated where the ram's horn (*shofar*) may be blown now when the New Year falls on the Sabbath: anywhere, at any rabbinic court, or only at the central court in Yavneh (m. RH 4:1-3)? Similarly, they ruled that priests should continue to bless the people (Nu 6:22-27) but in diminished form, as three separate blessings, substituting for God's real name, and only raising their hands to shoulder height (m. Sotah 7:6).

Mosaics from 4th-6th century synagogue floors show that Temple symbols like these remained symbolically important. Indeed, the Temple's seven-branched candelabrum (*menorah*), whether functional or depicted, was the primary symbol of Jews until the nineteenth century.^[4]



Mosaic from the Hammat Tiberias synagogue floor. Tamar Mekom

The rabbis taught a liturgical system that fulfilled the most important functions of Temple rituals but in new, purely verbal forms. They expected universal Jewish participation in daily verbal prayer, corresponding to the times of the lost Temple's sacrifices (m. Ber. 4:1, 3) and fulfilling their covenantal function. However, references to sacrificial worship and requests to restore it appear only scattered throughout the larger system of prayer. Every service pleads that God be satisfied with verbal worship as a substitute for sacrifices; the preliminary morning liturgy includes study passages about sacrifices.

On holidays, this becomes a more dominant theme. Biblical passages commanding the day's sacrifice are read from the Torah as well as focusing the day's additional service. This includes Yom Kippur, the Day of Atonement (Lev 16). Atonement for sins was a Temple function that transferred easily to this rabbinic, non-sacrificial context. While still evoking memories of the day's elaborate Temple rituals, the day came to focus on confession and penitential prayer.^[5] Atonement for many sins, though, could be sought every weekday, through the regular liturgy. Thus, the most significant Temple functions were modified or transferred, providing Jews with ritual continuity.

Ritualized Mourning

However, the discontinuities were also stark; mourning for lost rituals factored significantly in coping with the disaster. Zechariah (7:3, 8:18), in the wake of the restoration from Babylonia, knew fast days mourning the loss of the First Temple. After the Roman destruction, Jews merged these events into a single fast on a shared fifth-month anniversary, the Ninth of Av (mid-summer), preceded by a three-week penitential season. The liturgy for the day includes chanting the biblical

book of Lamentations and a wealth of poetic laments (*qinot*) elaborating on the biblical book and reflecting on this and later disasters. Today, these include the Holocaust.

This sense of mourning traditionally also pervades daily life. Rabbinic texts recall that after the destruction, pietists sought to implement an all-pervasive mourning, banning consumption of meat and wine and even marriage and procreation. The rabbis argued this was unsustainable: not only would people openly rebel, resulting in outright disobedience to God's Torah, but this path's full logic would complete the Roman's goal of wiping out Israel. Total, paralyzing mourning was logical, but it was not feasible. Instead, they advocated, a constant low-level of mourning should pervade Jewish life. One should leave an obvious patch unplastered in one's house, something should remain unbeaten at a meal, and a piece of jewelry should remain unworn (t. Sot. 15 ends; b. BB 60b.).

The better-known custom of breaking something at a Jewish wedding communicates a similar message. The Talmud teaches that, "in this world," i.e., after the destruction of the Temple, it is forbidden to be completely joyous. They tell of two different jubilant wedding celebrations where leading rabbis tempered the festivities by smashing expensive glassware (b. Ber. 30b-31a).^[6] This precedent was integrated into subsequent ritual. Orthodox Jews today verbalize the meaning of this moment by first chanting, "If I forget you, O Jerusalem, let my right hand wither; let my tongue stick to my palate if I cease to think of you, if I do not keep Jerusalem in memory even at my happiest hour" (Ps 137:5-6). Some place ashes on the couple foreheads first. Then, after "breaking the glass," the party begins.^[7]

Eschatological Hope

This talmudic passage explicitly contrasts "this world"'s limited joy with that of the eschatological "world to come," when, exile over, "our mouths will be filled with laughter and our tongues with joyous singing" (Ps 126:1-2). Such messianic hope pervades Jewish ritual life, a hope that embeds within it an expectation that God will end the current exile and restore an ideal human earthly existence. Thus, the seven blessings, recited for the bride and groom at the wedding ceremony and repeated at festive meals for the following week, ask God to cause the barren Jerusalem to know joy (implicitly, like that of this wedding) when her children are regathered to her. They praise God effusively for creating all possible dynamics of joy and ask that these sounds of joy soon fill Jerusalem (b. Ket. 8a).

Liturgical expressions of this hope for restoration appear constantly. The rabbinic weekday prayer petitions God to provide all the necessary elements of the messianically restored state, including its place of worship. The additional services of festive days not only recall the day's sacrifices, but also pray for their restoration. For the last half-millennium, "Next year in Jerusalem!" has concluded the Passover Seder. In some synagogues, it concludes the Yom Kippur fast as well. More ancient is the Aramaic beginning of the Seder that moves from identification with enslaved, suffering ancestors to a hope that next year, we will gather as free people in the Land of Israel. Indeed, a restoration of the biblical worship system is only a part of Jewish messianic hopes which emerge from prophetic visions of a perfected world combined with expectations that God will, once again, end Israel's exile and restore her national existence in her homeland.

Meshing this dream with modern realities is extremely complex – resulting in a range of conflicting understandings. Traditional, Orthodox Jews preserve the received rituals and pray for rebuilding the Temple but differ among themselves both in their eagerness to reimplement sacrificial worship and also about the theological significance of today’s State of Israel and its ingathering of exiles. Only a tiny minority actively prepare to resume sacrificial worship on the Temple Mount, the current locus of the Muslim Dome of the Rock and Al Aqsa Mosque, the third holiest site in the Islamic world.^[8]

For the liberal and even secular end of the Jewish spectrum, the State of Israel may or may not hold national and cultural significance, but they do not pray for restoration of the Temple and its sacrifices. These belong to history, and messianic times will manifest themselves primarily in the fulfillment of prophetic visions of universal peace and wellbeing.^[9]

Liberal liturgies were adapted to reflect these evolving understandings. For instance, the Conservative movement’s prayer books shifted all discussions of Temple worship to the past tense, eliminating any prayers for its restoration. The Reform movement’s liturgies went further originally, eliminating all prayers about a return to Zion and any mention of sacrifices. From the nineteenth century, synagogues frequently were called “Temple” to indicate that they, with their verbal prayer, were now the only place of legitimate, God-desired, Jewish worship. Only in the 1970s did the first movement-wide American Reform prayer book, *The Gates of Prayer*, include recognition of a relationship to modern Israel.

Conclusion

Many of these same dynamics of salvage, mourning, and hope shape responses to other times of disaster. Is the Covid-19 pandemic one of them? Modern medicine has greatly reduced the plague’s lethality; modern communications technology has enabled much to be salvaged, to persist in diminished form. Certainly, most grieve for most aspects of their pre-pandemic world, and hope for its return, albeit marked by the lives lost. But perhaps because this hope is still very present, it does not look like this pandemic will create a radical ritual response, a major rethinking of the way the Jewish community stands before God, akin to the emergence of rabbinic liturgy in the aftermath of the *ḥurban*. Born out of disaster, that liturgy contains the seeds for surviving bad times and good.

[1] For a description of the operation of the Temple and its role in the “common Judaism” of the time, see E. P. Sanders, *Judaism: Practice and Belief, 63 BCE-66 CE* (London/Philadelphia: SCM Press/Trinity Press International, 1992), chs. 5-7.

[2] See Candida R. Moss, *Ancient Christian Martyrdom: Diverse Practices, Theologies, and Traditions* (New Haven: Yale University Press, 2012), 8-16, who points to the limited sources that serve as reliable historical sources for this dynamic.

[3] Jonathan Klawans, “Josephus, the Rabbis, and Responses to Catastrophes Ancient and Modern,” *Jewish Quarterly Review* 100:2 (Spring 2010): 287-89.

[4] Steven Fine, *The Menorah from the Bible to Modern Israel* (Cambridge, MA: Harvard University Press, 2016), Ch. 2, “Flavian Rome to the Nineteenth Century.”

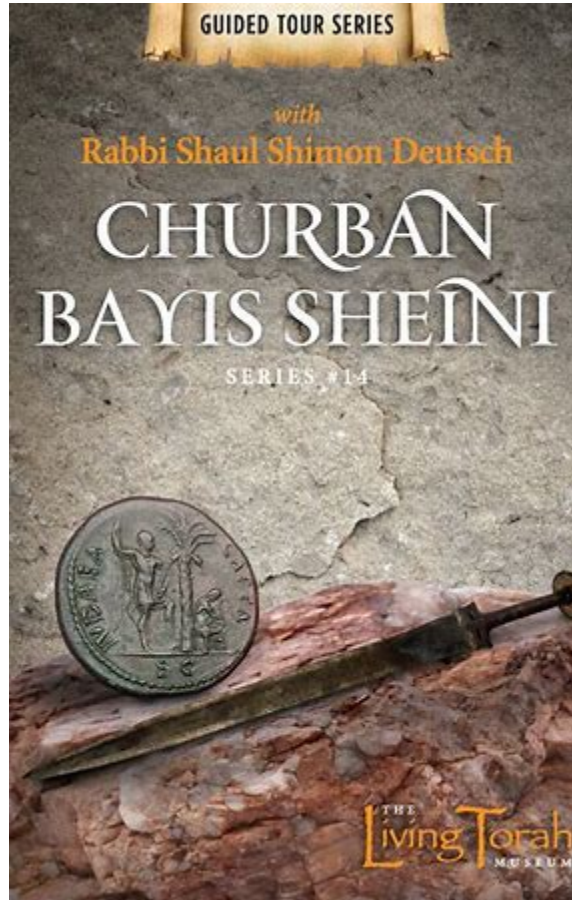
[5] Klawans, 304-306, argues that there is no evidence that Jews were particularly concerned over the loss of the various Temple rituals connected to repair of sin.

[6] In actual practice today, the choice of what to break is based on its fragility. Lightbulbs are a common choice, especially as their vacuum enhances the sound produced.

[7] For example, <https://www.youtube.com/watch?v=nvOtcWEFWo8>.

[8] See, for instance, the website of The Temple Institute in Jerusalem, <https://templeinstitute.org/>.

[9] For a fuller discussion of these dynamics, see my “Israel in Jewish Theologies,” in *Enabling Dialogue About the Land: A Resource Book for Jews and Christians*, Philip A. Cunningham, Ruth Langer, and Jesper Svartvik, eds. (New York, Mahwah, NJ: Paulist Press, 2020), 49-57.



Responses to the Churban: Crying, Laughing and Taking Action

Rabbi Dov Linzer writes:¹⁹

The most immediate response to the destruction of the Temple was crying, sorrow and lamentations – a response that we try to relive on Tisha b’Av. But it is not possible, certainly on a national level, for the sense of tragedy and loss to dominate and define our religious life. We thus find that soon after the destruction, other responses began to emerge, not only crying, but also laughing and a taking of action and shifting of priorities. All of these responses remain appropriate today, and we must give each one its due in our religious life.

The most famous story about opposing reactions to the Churban is found in Gemara Makkot {source 1}. The response of crying over the destruction is the natural one, but Rabbi Akiva laughs. How did he explain why he was laughing? How would you reframe this in theological terms? What implications does R. Akiva’s response have for one’s religious focus – should it be directed to the past, the present, or the future?

¹⁹ <https://library.yctorah.org/2016/08/responses-to-the-churban-crying-laughing-and-taking-action/>

What do you think is the significance of the word נחמתנו, “you have consoled us”? What person requires consolation? What should be the result of being consoled in terms of how a person moves forward?

1. Bavli, [Makkot \(24b\)](#)

<p>שוב פעם אחת היו עולין לירושלים, כיון שהגיעו להר הצופים קרעו בגדיהם. כיון שהגיעו להר הבית, ראו שועל שיצא מבית קדשי הקדשים, התחילו הן בוכין ור"ע מצחק.</p> <p>אמרו לו: מפני מה אתה מצחק? אמר להם: מפני מה אתם בוכים? אמרו לו, מקום שכתוב בו והזר הקרב יומת ועכשיו שועלים הלכו בו ולא נבכה?</p> <p>אמר להן: לכך אני מצחק, ... באוריה כתיב: לכן בגללכם ציון שדה תחרש [וגו'], בזכריה כתיב: עד ישבו זקנים וזקנות ברחובות ירושלם, עד שלא נתקיימה נבואתו של אוריה – הייתי מתיירא שלא תתקיים נבואתו של זכריה, עכשיו שנתקיימה נבואתו של אוריה – בידוע שנבואתו של זכריה מתקיימת.</p> <p>בלשון הזה אמרו לו: עקיבא, ניחמתנו! עקיבא, ניחמתנו.</p>	<p>Once again they (Rabban Gamliel, Rebbe Eliezer ben Azaryeh, Rebbe Yehoshua, and Rabbi Akiva) were coming up to Jerusalem together, and just as they came to Mount Scopus they saw a fox emerging from the Holy of Holies. They fell a-weeping and R. Akiva seemed merry.</p> <p>Wherefore, said they to him, are you merry?</p> <p>Said he: Wherefore are you weeping?</p> <p>Said they to him: A place of which it was once said, "And the foreigner that draws nigh shall die," is now become the haunt of foxes, and should we not weep?</p> <p>Said he to them: Therefore am I merry; ... In the [earlier] prophecy [in the days] of Uriah it is written, "Therefore shall Zion for your sake be ploughed as a field etc." In Zechariah it is written, "Thus says the Lord of Hosts, There shall yet old men and old women sit in the broad places of Jerusalem." So long as Uriah's [threatening] prophecy had not had its fulfilment, I feared that Zechariah's prophecy might not be fulfilled; now that Uriah's prophecy has been [literally] fulfilled, it is quite certain that Zechariah's prophecy also is to find its literal fulfilment.</p> <p>Said they to him: Akiva, you have comforted us! Akiva, you have comforted us!</p>
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The rabbis walking with Rabbi Akiva wept when they saw the destroyed Temple. There is no indication that they were in ongoing grief over its loss; quite the contrary – they only reacted when seeing it directly in its state of destruction, but their weeping indicated a depth of despair. In contrast, although Rabbi Akiva was quite willing to have rent his garment earlier and show proper mourning, he was not prepared to allow it to pull a person into a state of despair.

He responded by laughing; by expressing faith and hope. His response was both theological and practical. On a theological plane, he was stating that far from interpreting the destruction of the Temple as God having abandoned us and an undermining of faith, it should in fact be seen as a sign of God's ongoing connection to us and a strengthening of faith. This event was not random

but was part of God's plan and was prophesied in advance. God is in an ongoing relationship with us, and this destruction is only the first step in a process that will lead to ultimate redemption.

His response was also practical. We cannot live our lives looking backwards at what we lost. We must look forwards, towards the future, with full faith that there will again be a Temple, and this faith and hope should direct our religious lives in the present.

The use of the word "consoled" is significant. When a person loses a close relative, there is time for deep mourning – the day of the death and the week following the death. But over time the mourning becomes less intense – a month passes and then a year – and hopefully the person finds some consolation. Being consoled does not mean, God forbid, forgetting about the person who has passed. That loss will most likely always be felt. But it means coming to terms with it, not letting it absorb one's life, and allowing oneself to move on. This was R. Akiva's response – our faith must guide us forward; we cannot become absorbed in our sense of loss.

One of the rabbis in the group with Rabbi Akiva was Rabbi Yehoshua, a teacher of Rabbi Akiva. In the Gemara in Baba Batra {source 2}, a story is related about how Rabbi Yehoshua engaged a group of people who were mourning grievously over the loss of the Temple. What is his response to them? Does he say that their behavior is completely inappropriate? What balance does he find for how mourning over the Temple should be best expressed? In the final quotes from the Biblical verses, can you hear an echo of the exchange that Rabbi Akiva had with the other rabbis (including R. Yehoshua)?

2. Bavli, [Baba Batra, 60b](#) | בבלי, בבא בתרא (ס:)

ת"ר: כשחרב הבית בשניה, רבו פרושין בישראל שלא לאכול בשר ושלא לשתות יין.

נטפל להן ר' יהושע, אמר להן: בני, מפני מה אי אתם אוכלין בשר ואין אתם שותין יין?

אמרו לו: נאכל בשר שממנו מקריבין על גבי מזבח, ועכשיו בטל? נשתה יין שמנסכין על גבי המזבח, ועכשיו בטל?

אמר להם: א"כ, לחם לא נאכל, שכבר בטלו מנחות! – אפשר בפירות.

פירות לא נאכל, שכבר בטלו בכורים! – אפשר בפירות אחרים.

מים לא נשתה, שכבר בטל ניסוך המים! – שתקו.

אמר להן: בני, בואו ואומר לכם: שלא להתאבל כל עיקר אי אפשר – שכבר נגזרה גזרה, ולהתאבל יותר מדאי אי אפשר – שאין גזרין גזירה על הצבור אא"כ רוב צבור יכולין לעמוד בה...

אלא כך אמרו חכמים: סד אדם את ביתו בסיד, ומשייר בו דבר מועט... עושה אדם כל צרכי סעודה, ומשייר דבר מועט... עושה אשה כל תכשיטיה, ומשיירת דבר מועט...

שנאמר: אם אשכחך ירושלים תשכח ימיני תדבק לשוני לחכי וגו'...

וכל המתאבל על ירושלים – זוכה ורואה בשמחתה, שנאמר: שְׂמַחו אֶת יְרוּשָׁלַם וְגִילוּ בָהּ כֹּל אֹהֲבֶיהָ שִׁישׁוּ אֶתָּה מְשׁוּשׁ כֹּל הַמִּתְאַבְּלִים עָלֶיהָ

Our Rabbis taught: When the Temple was destroyed for the second time, large numbers in Israel became ascetics, binding themselves neither to eat meat nor to drink wine.

1. Joshua entered into conversation with them and said to them: My sons, why do you not eat meat nor drink wine?

They replied: "Shall we eat meat which used to be brought as an offering on the altar, now that this altar is now annulled? Shall we drink wine which used to be poured as a libation on the altar, but now no longer?"

He said to them: If that is so, we should not eat bread either, because the meal offerings have ceased. – "We can manage with fruit" [they replied.]

We should not eat fruit either, [he said,] because there is no longer an offering of first fruits. – "We can manage with other fruits"

But, [he said,] we should not drink water, because there is no longer any ceremony of the pouring of water. To this they could find no answer.

He said to them: My sons, come and listen to me. Not to mourn at all is impossible, because the blow has fallen. To mourn overmuch is also impossible, because we do not impose on the community a hardship which the majority cannot endure...

Rather, the Sages have ordained thus: A man may stucco his house, but he should leave a little bare... A man can prepare a full-course banquet, but he should leave out an item or two... A woman can put on all her ornaments, but leave off one or two...

For so it says, If I forget thee, O Jerusalem, let my right hand forget, let my tongue cleave to the roof of my mouth if I remember thee not, if I prefer not Jerusalem above my chief joy...

And whoever mourns for Zion will be privileged to behold her joy, as it says, "Rejoice ye with Jerusalem, and be glad with her, all ye that love her: rejoice for joy with her, all ye that mourn for her" (Isa. 66:10).

The ascetics that R. Yehoshua encountered were committed to live a life in grief over the Temple and expressed this by living a life of asceticism and self-denial. It should be noted that this is far more than the group of rabbis who were travelling with R. Akiva, who only reacted when actually seeing the Temple in its state of destruction. The reaction of this group, by contrast, was seen as extreme – to constantly be mourning the destruction of the Temple is not a healthy way to live a religious life. It mires a person in grief and does not allow for a person to grow religiously or to make a contribution to the world. This group is, in fact, identified as “ascetics,” people whose religiosity is expressed primarily through withdrawal from the world.

1. Yehoshua demonstrates to them that they cannot be fully consistent with their position, and that the response of mourning has to be balanced with the need to live in the world. Thus, while not completely ruling it that this might be acceptable for some individuals, this response is clearly wrong for the community as a whole. The proper response is to give the grief some symbolic expression, but to not let it absorb our lives.
2. Yehoshua’s response reflects R. Akiva’s response from the previous story. He affirms the appropriateness of a symbolic response (e.g., leaving a part of the house unplastered) – just as R. Akiva shared in the rending of the garments – while he rejects an over-indulgent response – just as R. Akiva rejected the weeping of the rabbis. Most significant is his final statement. It is not only a statement of hope in the future redemption, but – like R. Akiva – quotes a Biblical verse showing that the seeds for the future redemption are present in the current destruction. Grief for the destruction is proper and appropriate, but it must be in the context of realizing that this is a stage to the future redemption. With the grief must come faith and hope.

A very different response to that of R. Akiva is the response of Rav Yochanan ben Zakkai. Look at the following story from Avot d’Rebbe Natan {source 3} which parallels the first story of R. Akiva and the rabbis, except here the protagonist is Rav Yochanan ben Zakkai. [The foil is also once again R. Yehoshua, a student of Rav Yochanan ben Zakkai and a teacher of Rabbi Akiva.] What is Rav Yochanan ben Zakkai’s response to Rabbi Yehoshua’s grieving? How does it differ from R. Akiva’s response? Does he say that our prayers count as if they were sacrifices, or is he saying something else? What is the significance of the verse he quotes from Hoshea?

3. Avot d’Rebbe Natan, A, Chapter 4 | אבות דרבי נתן נוסחא א פרק ד

פעם אחת היה רבן יוחנן בן זכאי
יוצא מירושלים והיה ר' יהושע
הולך אחריו וראה בית המקדש
חרב

אמר ר' יהושע אוי לנו על זה שהוא
חרב מקום שמכפרים בו עונותיהם
של ישראל.

א"ל בני אל ירע לך יש לנו כפרה
אחת שהיא כמותה ואיזה זה
גמילות חסדים שנאמר כי חסד
חפצתי ולא זבח (חושע ב' י'). שכן
מצינו בדניאל איש חמדות שהיה
מתעסק בגמילות חסדים. ומה הן
גמילות חסדים שהיה דניאל
מתעסק בהם אם תאמר עולות
וזבחים מקריב בבבל והלא כבר
נאמר השמר לך פן תעלה עולותיך
בכל מקום אשר תראה כי אם
במקום אשר יבחר ה' באחד שבטיך
שם תעלה עולותיך (דברים ל"ג י"ד)

אלא מה הן גמילות חסדים שהיה
מתעסק בהן היה מתקן את הכלה
ומשמחה ומלווה את המת ונותן
פרוטה לעני ומתפלל שלשה
פעמים בכל יום ותפלתו מתקבלת
ברצון שנאמר...

One time, Rabban Yochanan ben Zakkai was
leaving Jerusalem and he saw Rebbe Yehoshua
going after him, and he saw the Temple
destroyed.

Rebbe Yehoshua said: "Woe to us that this is
destroyed! The place where the sins of Israel
were atoned for!"

He said to him: "My son, do not be distraught.
We have an atonement that is similar to this.
And what is it? It is acts of loving-kindness,
as it says, "For I desire loving-kindness, not
sacrifice." (Hoshea 6:6). And so we find
regarding Daniel, that he was involved in
loving-kindness. And what loving-kindness
was he involved in? If you say he was offering
burnt-offerings and sacrifices in Babylon,
but the verse states "Guard yourself lest you
offer your burnt-offerings in any place that
you see, save the place that the Lord will
choose from one of your tribes, there you
shall offer your burnt-offerings (Deut. 12-13-
14).

But rather what loving-kindness did he
perform? He would prepare the bride and
cause her to rejoice, and accompany the
dead, and give a coin to the poor, and pray
three times a day, and his prayer was
received with desire, as it states...

In stark contrast to R. Akiva, Rav Yochanan ben Zakkai moves the focus away from the Temple, even from a future, rebuilt Temple. Rav Yochanan ben Zakkai's response is that there are forms of atonement of religious worship which are equivalent – just as good – as those of Temple worship. He says that our prayers are received ברצון, with desire – purely on their own accord. Notice that this is not the principle of ונשלמה פרים שפתנו, that our prayers are treated like sacrifices, which recognizes that sacrifices are the ideal, but rather that they are כמותה, equivalent to sacrifices. [These two ways of how to see prayer relates to the debate of whether prayer corresponds to the sacrifices or to the prayer of the forefathers; Rav Yochana ben Zakkai is clearly siding with the latter approach.]

Not only does Rav Yochanan ben Zakkai give prayer and acts of loving-kindness their own intrinsic religious weight equivalent to that of sacrifices, but he also even alludes to a more radical possibility. He quotes the verse in Hoshea, "for I want loving-kindness, not a sacrifice," implying that these forms of worship, namely, prayer and acts of kindness, are better than sacrifices. [Clearly, the verse in context is meant as a critique of sacrifices that are brought without concomitant ethical life, but the subtext of its being quoted here is clear.]

1. Akiva's response of hope and faith focuses us on the future. Although a powerful antidote to excessive mourning, it comes with the cost of implicitly conceding that our current religious existence is only second-rate. We have faith for a future time when we will be able to live our lives according to its religious ideal, but right now we are living an impaired religious existence. Rav Yochanan ben Zakkai's response, in contrast, is to state that in the absence of the Temple, *our religious life can be just as vibrant and meaningful as before*. There now are other centers of holiness and religious activity – perhaps quieter, more private forms – prayer, helping a bride, accompanying a body to be buried – but these are just as powerful as the worship in the Temple.

This is not to say that Rav Yochanan ben Zakkai did not fully feel the profound religious loss of the Temple – he actually lived through its destruction. This is rather a question of religious leadership and of shaping a religious life. Now that we don't have the Temple, we have three choices:

1. Look back – be in a constant state of mourning over the loss of the Temple.
2. Look to the future – Mourn the loss of the Temple and have faith and hope in its future rebuilding, while living religious lives that we experience to be less than ideal.
3. Live in the present – mourn the loss of the Temple, while living religious lives that we experience to be equally vibrant and meaningful.

The ascetics adopted the first response. Rabbi Akiva, the second. Rabban Yochan ben Zakka, the third. His greatness as a religious leader was to recognize that however profound the loss of the Temple was, it was his responsibility as a leader, and our responsibility as a people, to find new centers of *kedusha*, and to affirm that our current religious life was as powerful and meaningful as it was before the Temple was destroyed. Certainly, there would be times when we have to acknowledge otherwise, and to realize that our religious lives were less than ideal because there was no Temple and no sacrifices. But these would be proscribed times – when seeing the Temple destroyed, when putting ashes on the head of the groom, during the week and day of Tisha b'Av. But for us to live a healthy religious life, our regular mindset must be that of living a *lichatachila* religious existence, with sources of *kedusha* and worship equivalent to that of the Temple.

The competing approaches of Rabbi Akiva and Rabban Yochanan ben Zakkai can be seen reflected in a number of Talmudic passages, and in historical events. The story from Gittin {source 4}, tells of a deal that Rabban Yochanan ben Zakkai made with Vespasian before the latter destroyed the Temple. What was that deal? How does it reflect a historical reality?

The passage also relates that Rabbi Yosef, or possibly Rabbi Akiva, critiqued his actions as foolish. Where was this critique coming from?

4. Bavli, [Gittin \(56b\)](#) | תלמוד בבלי מסכת גיטין (גו:)

אמר ליה: מיזל אזילנא ואינש
אחרנא משדרנא, אלא בעי מינאי
מידי דאתן לך.

אמר ליה: תן לי יבנה וחכמיה...

קרי עליה רב יוסף, ואתימא רבי
עקיבא: +ישעיהו מד+ משיב
חכמים אחור דעתם יסכל, איבעי
למימר ליה לשבקינהו הדא זימנא.
והוא סבר, דלמא כולי האי לא
עביד, והצלה פורתא נמי לא הוי.

He (Vespasian) said (to R. Yochana ben Zakkai); I am now going, and will send someone to take my place. You can, however, make a request of me and I will grant it.

He said to him: Give me Yavneh and its Wise Men...

R. Yosef, or some say R. Akiva, applied to him the verse, '[God] turns wise men backward and makes their knowledge foolish'. He ought to have said to him; Let them [the Jews] off this time. He, however, thought that so much he would not grant, and so even a little would not be saved.

Rabban Yochanan ben Zakkai, the leader of the Jewish people at the time of the destruction of the Temple, realized that the end was inevitable. Rather than trying to hold on to the impossible, he made his peace with the current reality, and made plans for how the people and the religion would survive moving forward. He realized that there would need to be a new center of *kedusha*, and that would be Yavneh. Yavneh would replace Jerusalem, and *talmud Torah* would replace Temple worship as the center of religious activity. R. Yochanan ben Zakkai focused neither on holding onto a lost past nor on wishing for a messianic and yet-to-be-realized future. He focused rather on the present and the realistic future and planned accordingly. In so doing, he gave us a Judaism that was fully vibrant in the present.

[It is also interesting to contrast the focus on *talmud Torah*, here, over the focus on prayer and *gemilut chasadim* in the previous story. Perhaps the difference is the following: Yavneh is a religious center and takes the place of the Temple. But just as the Temple worship was limited to the *kohanim* and to those who could make it to Jerusalem, a life of *talmud Torah* was limited to the scholarly elite. While Torah would be the new focal point of *kedusha* for the nation, on the individual level, a lay person's religious life would be defined by that of prayer and good deeds.] In contrast, Rabbi Akiva (or Rabbi Yosef), would have been unwilling, had they lived at that time, to accept the reality that the Temple was about to be destroyed. The Temple was so central to their religious life, that they would have tried to hold onto it, even in face of the impossible. This is how Rabbi Akiva's faith in the future Temple, in the necessary centrality of the Temple, would have played out at the time of its imminent destruction. This is how Rabbi Akiva would have theoretically responded had he been alive at the time. But we do know how Rabbi Akiva actually did respond to the historical events of his time. R. Akiva backed Bar Kokhba and believed him to be the *moshiach* who would herald in the rebuilding of the Temple. Central to Rabbi Akiva's religious life was a pining for the future in which the Temple would be rebuilt, and he acted accordingly.

Another reflection of these two approaches can be seen in the debate between Rabbi Tarfon, a student of Rav Yochanan ben Zakkai, and Rabbi Akiva regarding the *brakhah* made during

the *seder* over the completing of the telling of the story of the Exodus {source 5}. How is this debate in line with the two approaches we explored above?

5. [Mishnah Pesachim, 10:6](#) | [משנה פסחים י:ו](#)

<p style="text-align: center;">וחותם בגאולה</p> <p style="text-align: center;">רבי טרפון אומר אשר גאלנו וגאל את אבותינו ממצרים ולא היה חותם</p> <p style="text-align: center;">רבי עקיבא אומר כן ה' א-להינו וא-להי אבותינו יגיענו למועדים ולרגלים אחרים הבאים לקראתינו לשלוש שמחים בבנין עירך וששים בעבודתך ונאכל שם מן הזבחים ומן הפסחים כו' עד ברוך אתה ה' ג[ו]אל ישראל:</p>	<p>And he concludes with [a formula of] redemption.</p> <ol style="list-style-type: none">1. Tarfon (student of R. Yochanan ben Zakkai) used to say: "Who redeemed us and redeemed our fathers from Egypt," but he did not conclude [with a final blessing]. <p>R. Akiva said: "So may the Lord our God and the God of our father suffer us to reach other seasons and festivals which come towards us for peace, rejoicing in the rebuilding of thy city and glad in thy service, and there we will partake of the sacrifices and the Passover-offerings etc. As far as Blessed art thou, O :Lord, who hast redeemed [redeems] Israel."</p>
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For Rabbi Tarfon, the brakhah is about one thing: blessing God for having redeemed us from Egypt. In contrast, for Rabbi Akiva, any past redemption must give us hope for the future redemption. But with this giving of hope comes a cost – a recognition that our current religious life is second-rate. And here that point is made explicitly. In the very text of the *brakhah* we state that we look forward to a time when we can do the *seder* night like it really should be done – with the eating of the *korban pesach*. While no one would debate that currently we are not fulfilling all the mitzvot of the seder night, the debate here is whether this is a point that should be made explicitly. Is it important to emphasize what we don't have now and our hope for the future, or to focus on the powerful sources of our religious experience and life of Torah and mitzvot in the present?

We have seen that Rav Yochanan ben Zakkai emphasized the vibrancy of the present over a focus on the past or the future. At the same time, he recognized that we must give time to mourn over and remember the Temple. We have seen above some forms of this: leaving a part of the house unplastered and the like. A different set of practices are mentioned in the Mishnayot as *takanot*, institutions, established by Rabban Yochanan ben Zakkai specifically to remember the Temple. See the Mishna and Gemara in Sukkah {source 6}. How is the emphasis of this practice different from the practices mentioned in Baba Batra {source 2}? Notice also that the verse quoted here is different than the one quoted above. What do you make of this difference? Now see how Rav Soloveitchik explains these differences {source 7}. Whose approach do you see this most reflecting – that of R. Akiva or of Rav Yochanan ben Zakkai

6. Bavli, [Sukkah \(41a\)](#) | בבלי, סוכה (מא.)

משנה] בראשונה היה לולב ניטל
במקדש שבעה, ובמדינה יום אחד.
משחרב בית המקדש התקין רבן
יוחנן בן זכאי שיהא לולב ניטל
במדינה שבעה, זכר למקדש.
ושיהא יום הנף כולו אסור.

גמרא] מנא לן דעבדינן זכר
למקדש? אמר רבי יוחנן: דאמר קרא
כי אעלה ארכה לך וממכותיך
ארפאך נאם ה' כי נדחה קראו לך
ציון היא דרש אין לה, דרש אין לה –
מכלל דבעיא דרישה.

Mishnah] Originally the lulav was shaken in the Sanctuary during seven days and in the country only one day. When the temple was destroyed Rabban Yochanan ben Zakkai ordained that the lulav should be shaken in the country seven days, in remembrance of the Sanctuary. [He] also [ordained] that during the whole of the day of the waving [of the Omer] the new grain should be forbidden.

Gemara] From where do we know that we must perform [ceremonies] in memory of the Temple? – R. Yochanan replied, Since Scripture says, “For I will restore health unto thee, and I will heal thee of thy wounds, says the Lord, Because they have called thee an outcast. She is Zion, there is none that seek her out” – “There is none that seek her out” implies that she should be sought.

7. Reshimot Shiurim, HaRav Soloveitchik, [Sukkah \(41b\)](#) | רשימות שיעורים, הגרי"ד סולוביצ'יק, (: סוכה (מא)

מנ"ל דעבדינן זכר למקדש
כשמביאה הגמ' במס' בב"ב את
מנהגי האבילות בזה"ז שהם זכר
למקדש כגון כשד אדם את ביתו
בסיד משייר בו אמה על אמה כנגד
הפתח בלתי מסויד זכר למקדש וכן
מנהג שימת האפר בראשי החתנים
זכר למקדש היא מבארת הטעם
ע"י הפסוק אם אשכחך ירושלים
תשכח ימיני ולכאורה קשה למה
לא הביאה הגמ' דידן אותו הפסוק
ואותן ההלכות דאבלות זכר
למקדש?

ונראה שבזכר למקדש יש שני דינים

(א) הלכות אבילות זכר למקדש זוהי
הגמ' בב"ב היסוד של דינים אלו
נלמד מהפסוק "אם אשכחך
ירושלים" והוא לזכור ירושלים כפי
שהיתה ולהתאבל על חורבנה

(ב) דין לזכור את המצוות הקשורות
למקדש היינו להעלות על לבנו את
המקדש כשיהיה בבנינו ב"ב זוהי
הסוגיא שלפנינו. יסוד דינים אלו
מהפסוק "ציון היא דורש אין לה"
אין בכך חלות אבילות על העבר
אלא קיום על שם העתיד לבא
כשהמקדש יבנה

ויתכן שזכר כפול זה מרומז בקרא
במגילת איכה "זכרה ירושלים ימי
עניה ומרודה כל מחמדיה אשר
היו לה מימי קדם" – "ימי עניה
ומרודה" היינו החורבן והאבילות
עליו, "כל מחמדיה" היינו המצוות
שנתקיימו במקדש מאז ואנו
מקיימים אותן עתה ע"ש המקדש
כשיהיה בבנינו.

"From where do we know that we [do rituals in] remembrance of the Temple?" – when the Gemara in *Baba Batra* (60b) records the practices of mourning nowadays that we do in remembrance of the Temple – for example, when 1 person plasters his house, he must leave a cubit by a cubit opposite the door unplastered in remembrance of the Temple, and similarly the practice of putting ashes on the foreheads of grooms in remembrance of the Temple – it explains the reason for this based on the verse, "If I forget thee, O Jerusalem, let my right hand forget". On the face of it, this is difficult – why did our Gemara not cite the same verse and list the same practices of mourning [as appear in *Baba Batra*] which are done in remembrance of the Temple?

It seems [that the explanation is] that *zekher li'mikdash* has two aspects to it:

[1] The laws of mourning that are done in remembrance of the Temple. This is the Gemara in *Baba Batra*. The basis for these laws are learning from the verse "If I forget thee O Jerusalem," and its purpose is to remember Jerusalem as it was [in its past glory] and to mourn over its destruction.

[2] The requirement to remember the mitzvot that are associated with the Temple, that is to say, to remember and imagine the Temple as it will be when it will be rebuilt, speedily in our days. This is the Talmudic discussion here [in *Succah*]. The basis for these laws is from the verse, "She is Zion, there are none that seek her out". There is not in this any aspect of mourning for the past, but rather an act of religious meaning regarding the future which will arrive when the Temple is rebuilt.

It is possible that this double aspect of remembrance is alluded to in the verse in *Eicha*: "Jerusalem remembered in the days of her affliction and of her miseries all her pleasant things that she had in the days of old." (1:7). – "The days of her affliction and of her miseries" – this refers to the destruction and the mourning over it. "All of her pleasant things" – these are the mitzvot that were fulfilled in the Temple in the past and that we fulfil now to represent what will be in the Temple when it is rebuilt.

Rav Soloveitchik has pointed to the way in which the passage in *Succah* differs from that in *Baba Batra*. He states that the practices in *Baba Batra* are meant to remember, and mourn for, the destruction of the Temple, whereas the practices in *Succah* are meant to remember the Temple in its glory, the rituals that were performed there, and to imagine what it will be in the future. Therefore, the first a practice of mourning, while the second are practices of reliving

religious ritual. In an even sharper formulation, the Rav has been quoted as saying that the practices in Baba Batra are *zekher li'churban*, to remember the destruction, while the practices in Sukkah are *zekher li'mikdash*, to remember the Temple as it was when it was built. This framing is a beautiful expression of Rabbi Akiva's approach – a mourning for the past with a hope for the future.

It is possible, however, that Rabban Yochana ben Zakkai's *takanot* were not meant so much to focus us on the future as to give our present greater religious power and vibrancy. As I have written about elsewhere, a close look at these *takanot* reveal that their impact was not to make us sense our loss over not having the Temple, nor even to help us imagine what things would look like in a future Temple. Just consider – how many people who take the *lulav* on Chol HaMoed are even aware that they are not doing a Torah mitzvah, let alone think that this has something to do with the Temple? If one were looking for a ritual that reminds us of the Temple, she could point to the *hoshanah* procession – that is a new ritual whose purpose is obvious: to remind us of a similar Temple ritual. But this was not a ritual instituted by Rabban Yochanan ben Zakkai. All of Rabban Yochanan ben Zakkai's *takanot* to remember the Temple were a continuation, and at times expansion, of a practice that existed outside the Temple. What he had established was simply this: all these practices would continue *even after there was no Temple*. The effect of his *takanot* were to expand existing mitzvot. When there was a Temple – *lulav* was only taken one day outside of the Temple. Now, post-Temple, it was taken for all seven days everywhere – the mitzvah had expanded, had burst beyond the confines of the Temple.

A sharp expression of this is his debate with the Benei Bateira, a family of significance in the Temple hierarchy {source 8}. Using his political acumen, Rabban Yochana ben Zakkai was able to establish the practice of blowing the shofar on Shabbat even outside of the Temple. The Gemara states that the concern here was for accidental carrying of the shofar, but whatever the reason, it seems like something larger was at stake. What do you think that larger issue was?

8. Talmud Bavli, Rosh Hashana (29b) | תלמוד בבלי מסכת ראש השנה (כט:)

משנה] יום טוב של ראש השנה שחל להיות בשבת במקדש היו תוקעים אבל לא במדינה משחרב בית המקדש התקין רבן יוחנן בן זכאי שיהו תוקעין בכל מקום שיש בו בית דין אמר רבי אלעזר לא התקין רבן יוחנן בן זכאי אלא ביבנה בלבד אמרו לו אחד יבנה ואחד כל מקום שיש בו בית דין:

גמרא] תנו רבנן: פעם אחת חל ראש השנה להיות בשבת, [והיו כל הערים מתכנסין]. אמר להם רבן יוחנן בן זכאי לבני בתירה: נתקע – אמרו לו: נדון. – אמר להם: נתקע ואחר כך נדון. לאחר שתקעו אמרו לו: נדון! – אמר להם: כבר נשמעה קרן ביבנה, ואין משיבין לאחר מעשה.

Mishna] If the festive day of New Year fell on a Sabbath, they used to blow the shofar in the Temple but not in the country. After the destruction of the Temple, Rabban Yochanan ben Zakkai ordained that it should be blown [on Sabbath] in every place where there was a beit din. R. Eliezer said: Rabban Yochanan ben Zakkai laid down this rule for Yavneh only. They said to him: it applies equally to Yavneh and to any place where there is a beit din.

Gemara] Our Rabbis taught: Once New Year fell on a Sabbath [and all the towns assembled], and Rabban Yochanan said to the Benei Bateira, Let us blow the shofar. They said to him, Let us discuss the matter. He said to them, Let us blow and afterwards discuss. After they had blown they said to him, Let us now discuss the question. He replied: The horn has already been heard in Yavneh, and what has been done is no longer open to discussion.

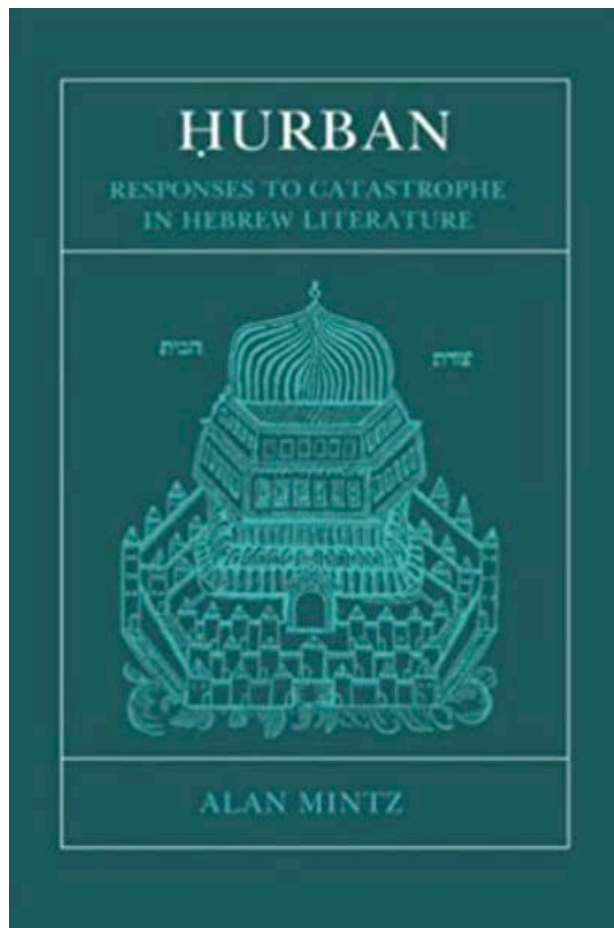
Based on our discussion above the answer is obvious. On a symbolic level, by allowing the shofar to be blown in Yavneh is a statement that Yavneh has replaced Jerusalem as the religious center. The other position in the mishna, that it could be done in any beit din, is even a more powerful expression of this. Now that Torah has replaced the Temple as the center of *kedusha*, it is more widely accessible. It is not limited to the one central location – Yavneh – but can be found in any beit din, or wherever Torah is being learned. This was the genius of Rabban Yochana ben Zakkai's leadership – to move us from Jerusalem to Yavneh to wherever Torah can be found.

In the immediate aftermath of the destruction of the Temple, the responses of Rabbi Akiva and Rabban Yochanan ben Zakkai were both necessary. People who were in deep mourning had to be given hope for the future, and people had to be encouraged to refocus their religious priorities and to find meaning and power in their current religious lives.

Perhaps at that time Rabban Yochanan ben Zakkai's response was the more urgent one. In our time, the pendulum has swung. Most of us already implicitly embrace Rabban Yochanan ben Zakkai's approach. We need no encouragement to not focus on the Temple or to see the vibrancy of our current lives of mitzvot and Talmud Torah. This is a good and healthy thing. To live full religious lives, we must feel that we are not living a second-rate Judaism. However, what is more needed nowadays, at least at certain times, is the crying-laughing response. For so many people, it is difficult to connect to a sense of loss over the Temple, even at the brief times devoted for this

during the year – the three weeks, the nine days, Tisha b'Av. If anything, our challenge nowadays is to reconnect with R. Akiva's response, to find ways – at least during the times in the year designated for it – to try to imagine what is missing from our religious lives, how they are less than ideal, what it means that there is no Temple, to mourn that loss, and to be inspired with a hope and faith that will drive us to more realize that ideal in the future and in our own lives.

וכל המתאבל על ירושלים – זוכה ורואה בשמחתה, שנאמר: שמחו את ירושלים וגילו בה כל אהביה שישו אתה משוש כל המתאבלים עליה



Alan Mintz. Hurban: Responses to Catastrophe in Hebrew Literature²⁰

Theodore Weinberger writes:²¹

²⁰ Syracuse: Syracuse University Press, 1996.

²¹ <https://www.h-net.org/reviews/showpdf.php?id=1123>

In *Hurban*, Alan Mintz skillfully traces paradigm shifts in Hebrew Literature as it responds to catastrophe. The traditional literary paradigm for responding to catastrophe, according to Mintz, is found in Deuteronomy. There, destruction and suffering are clearly linked to sin. Mintz argues that after the destruction of the first Temple, the book of Lamentations can be seen as wrestling with the received covenantal paradigm: "The awareness of sin in lamentations is therefore secondary to the experience of abandonment and the horror of destruction" (p. 3). While ultimately Lamentations does make the traditional association of suffering with sin, the traditional paradigm was shaken.

According to Mintz, the next key moment in Hebrew Literature's response to catastrophe comes in the eleventh and twelfth century Crusader massacres in the Rhineland Jewish communities. After this devastation, there was a rupture in the traditional pairing of suffering with sin: "The correlation between the massive visitation of destruction and the massive commission of transgression was an admission that the self-percep-

tion of the Jews of Mainz, Speyer, and Worms could not authorize" (p. 6). A new paradigm emerges, one that utilizes the notion of "afflictions from love." Suffering is now seen as being visited upon the Jewish people as a sign of divine love; the idea is that "suffering is an opportunity awarded by God to the most worthy for the display of righteousness and for the garnering of the otherworldly rewards" (p. 6). This new "afflictions from love" paradigm holds right through subsequent devastations in the Jewish community, such as the Black Death crisis in 1348 and the Chmilenicki destruction in 1648.

It is not until the Russian pogroms of 1881-1882 and 1903-1905 that Mintz detects a further shift. In response to this suffering, a small group of Hebrew writers (Mintz highlights the work of Abramowitch, Tchernichowsky, and especially Bialik) utilize the traditional Deuteronomic paradigm in a radically new way; they show how sin must now be defined not as failure to obey God's command, but as weakness--political and physical. In this new paradigm, Jewish suffering comes from Jewish weakness; thus a proper re-

sponse to Jewish suffering is Jewish strength--and Jews can only be strong in their own country.

Ingeniously, Mintz argues that it is because of this "Zionist paradigm" that for the Yishuv the Holocaust was not technically a catastrophe "in the narrow sense of an event which possesses the potential for unhinging meaning," (p. 9). The writers in this "Zionist paradigm" mode had *already established* the idea that European Jewry was doomed to destruction, and while no writer predicted the Holocaust, when it did come, the Holocaust was "a tragic realization of an inevitable tendency" (p. 9). All this helps explain the almost complete absence of serious Hebrew literature on the Holocaust until after the 1961 Eichmann trial. The two exceptions to this postwar silence, the poetry of Uri Zvi Greenberg and the fiction of Aharon Appelfeld, do not usher in a new paradigm as much as they show how the Zionist paradigm falls short. In Greenberg's poetry and in Appelfeld's short stories, Mintz shows how Zionist ideology is no effective shield from Jewish suffering. In the wake of the Eichmann trial, Mintz sees Israeli literature making tentative steps to confront the Holocaust. And so, to conclude, Mintz looks at the Holocaust poetry of Israelis Abba Kovner and Dan Pagis, and the "Holocaust" novels of several contemporary Israeli writers.

Israeli literature making tentative steps to confront the Holocaust. And so, to conclude, Mintz looks at the Holocaust poetry of Israelis Abba Kovner and Dan Pagis, and the "Holocaust" novels of several contemporary Israeli writers.

Mintz covers a lot of ground in this work. His argumentation as to the shifts in paradigms is sound, and his close reading of texts, especially those of Modern Hebrew literature, is elegant without being too jargon-laden. The major criticism I have with this work is that Mintz leaves the reader in 1996 exactly where he left the reader in 1984 (when it was first published by Columbia University Press)--this book contains no additional text by Mintz. This is most problematic in Mintz's treatment of Appelfeld. While it was audacious in 1984 to entitle his chapter on Appelfeld "The Appelfeld World" and then go on only to consider Appelfeld's short stories published between 1962 and 1971, it simply is preposterous to do so

in 1996. Appelfeld has by now just too many published novels for Mintz to get away with this. Additionally, an overview of the last dozen years in Hebrew literature would have allowed Mintz to conclude his work less tentatively than he does so here. He ends *Hurban* by saying "the long estrangement between the contemporary Zionist enterprise and the full Jewish past is ready to be lessened. The encounter is just beginning" (p. 269). But if Mintz is right in saying that the Eichmann trial was a catalyst for this beginning, then the last twelve years have added a substantial chunk to the encounter that Mintz speaks of, and it would have been edifying for him to have commented on it. Of course, my criticism can constitute a compliment as well, for what I am saying is that Mintz is such a wonderful reader of Hebrew literature that I am disappointed in him for not taking the opportunity of giving me as much as he could have. Still, Mintz's work here on "responses to catastrophe in Hebrew literature" is convincing, and if you didn't read this book in the 1980's, take advantage of its new life in the 1990's.