

WOMEN IN RASHI'S TIME: IT WASN'T THE DARK AGES FOR THEM

In July 2005, Jewish scholars throughout the world will commemorate the 900th anniversary of the death of Rabbi Shlomo haYizhaki, better known as Rashi. But sadly, many Jewish women have never heard of Rashi. Others know him only as the author of Bible and Talmud commentaries. While Rashi is justifiably famous for these*, it was under his authority and that of his Ashkenazi colleagues that Jewish women in medieval France enjoyed power over their own lives that their Sephardic sisters in the so-called golden age of Spain could only imagine. Most Jews today, women and men alike, are unaware that 900 years ago, during the time known as the Twelfth Century Renaissance, the status of Jewish women reached heights not to be seen again until the 20th century.

Ironically, it was through the efforts of two unknown inventors that this period of prosperity, tolerance and intellectual accomplishment was set in motion. Midway through the tenth century, the inventions of covering a plough's wooden nose and a horse's delicate hooves with metal precipitated a revolution in agriculture. With the power of a horse hitched to his sturdy steel-plated plough, a peasant was able to work the heavy soil deeper and faster. Productivity skyrocketed and for the first time in history, the land of Northern France yielded more food than its inhabitants could eat.

Eager to trade their surplus produce for luxuries, the French lords found the Jews, who had lived among them since the days of the Romans, a perfect partner. The Jewish merchant knew that, no matter how far away he traveled, he would always find other Jews who shared the Hebrew language, who would shelter him in their midst, and who would trust him implicitly. They also provided invaluable information, such as which goods could be acquired cheaply and which were in demand, as well as which routes were the safest.

The Jewish trader became a welcome visitor to French estates, buying their surfeit produce and selling them imported goods. While some had local routes that brought them home every week or so, many more traveled long distances to Eastern Europe and the Levant. By necessity, Jewish wives

*Rashi's Torah commentary, the first Hebrew book ever printed and the basis for the English translation of the King James Bible, still remains one of the most authoritative and accessible exegeses of scripture. His explanatory words sit next to the Aramaic text on every page in every copy of Talmud ever printed and many today believe, like the fourteenth-century Spanish Rabbi Menahem ben Zerah, that "(Rashi) wrote as if by divine inspiration ... without him the Talmud would have been forgotten in Israel."

assumed the responsibilities of running the home, raising the children and managing the family business while their husbands were away.

Of course, their husbands depended on them, but Jewish women's strong position in society was also the result of their scarcity. Due to poor sanitation and medical ignorance combined with a young age at marriage, many women died in childbirth or shortly thereafter. This was not a problem in the Christian community,

where knights and monks didn't marry, but Jewish men, for whom procreation was a mitzvah, found themselves outnumbering eligible brides.

In 1040, when Rashi was born, Jewish women were already the beneficiaries of three edicts that gave them previously unheard-of power in marriage. The first two, attributed to Rabbenu Gerhson of Mainz, prohibited a man from (1) taking a second wife and (2) divorcing his wife without her consent. The third, dating to 8th century Babylon, allowed a woman to initiate divorce and receive a *get*, even against her husband's will. These edicts were backed by the threat of *herem*, excommunication, a real threat in a time when a Jewish man's livelihood depended on his good relationship with other Jews.

In addition, a groom had to promise his bride a large *ketubah* payment should he divorce her or die before her, and he had to agree that her dowry would remain under her control. Thus even the first-time bride brought considerable financial assets to her marriage. And if she initiated a divorce, while she forfeited her *ketubah*, she came away with her dowry and any other property she owned, along with the knowledge that a new husband would not be difficult to find. Furthermore, to protect her from becoming an *agunah* (chained wife), Jewish merchants were expected to give their wives a conditional divorce when they left on a journey.

Another sign of a Jewish woman's high regard was what happened if her husband mistreated her. In a time when the rest of medieval society assumed the right of a husband to beat his wife in order to educate her and force her to accept his authority, French rabbis ruled, "one who beats his wife is punished the same as one who beats a stranger." Some went even further, insisting that a battered wife not only could collect monetary damages from her husband, but that she could initiate divorce without losing her *ketubah*.

Marriage was not the only arena in medieval France in which the Jewish woman asserted herself. The religious and intellectual revival of the Twelfth Century affected women as well as men. In the Christian world, the cult of Mary grew strong and new nunneries sprang up throughout Europe. For their part, Jewish women in Ashkenaz sought to increase their ritual participation by doing more mitzvot. In particular, they began to fulfill those ritual obligations that, according to the Mishnah, women were not obligated to perform – *mitzvot aseh she-hazeman grama*, the "time-bound positive commandments."

These mitzvot must be done at a certain time, and the Mishnah lists several examples. The obvious ones include blowing and hearing the shofar (at Rosh Hashanah), and taking the *lulav* and dwelling in the *sukkah* (at Sukkot). Other, perhaps less obvious, mitzvot from which the Mishnah exempts women are saying the Shema (said in the morning and at night) and wearing *tefillin* or *tzitzit* (worn in the daytime).

In Sephardic lands, these ritual exemptions became outright prohibitions, but the women in Rashi's community, possibly led by his daughters, not only insisted on performing these mitzvot from which they were exempt, they wanted to say the blessings for them as well. According to the Machzor Vitry, a compendium of laws and customs collected by Rashi's students, "Women are exempt from shofar blowing because it is a time-bound positive mitzvah. However, if they wish to come and take on the yoke of the mitzvot, they are permitted and we do not stop them. But when they do, men who hear it have not fulfilled their obligation." We can infer from this that women

were blowing the shofar, because otherwise there would have been no need for the last statement.

In the chapter on Sukkot, the Machzor Vitry states “All agree that we do not stop women from doing the mitzvot of *sukkah* and *lulav* ... but if they want to, it is accepted.” Rashi’s teacher, Rabbi Isaac haLevi, also taught that “We do not stop women from saying the blessing over *lulav* and *sukkah* ... since she performs the mitzvah, she cannot do so without the blessing.” It is interesting that they use the phrase “we do not stop women” rather than “women are permitted.” This suggests that the women took these mitzvot upon themselves and insisted on reciting the blessing as well.

In addition to these extra blessings, Ashkenazi women were also reciting a newly created blessing, one said while lighting the Shabbat lights. But the Talmud doesn’t mention any such benediction and *halachah* forbids any non-Talmudic blessings. It was a big controversy for medieval Jews. Kindling the Shabbat lights was obviously a mitzvah, one that women were obligated to perform. And logic demanded that, if women said the blessing when they performed a mitzvah from which they are exempt, surely they should say one if they performed a mitzvah for which they are obligated.

But if creating a new blessing is prohibited, then what prayer should they say when lighting the Shabbat lamp? The solution was to take the blessing for kindling the Chanukah lights, which was in the Talmud, and substitute “Shabbat” for “Chanukah.” Yes - the Chanukah blessing is the original one, and the Shabbat blessing the derivation.

And how do we know that women in Rashi’s time said this blessing? Because we have a responsum, written by his granddaughter, Hannah, describing the ritual performed at her mother’s home. She explains that in Rashi’s house the woman first lights the Shabbat lamp and then says the following benediction, literally translated as “Blessed are You, Adonai our God, King of the world, Who sanctifies us with His mitzvot and commands us to kindle the Shabbat light” (I apologize to those who, like myself, prefer a more gender-neutral prayer).

When I initially came across this responsum, I took the words of the blessing for granted since they are the same ones Jewish women say today. I assumed that Hannah was explaining why they recited the prayer before performing the mitzvah, the opposite of the usual procedure. It was only later that I learned that the controversy was over the blessing itself, and that Hannah was telling her questioner, “Yes, women in Rashi’s household did say such a prayer and here is the text for it.” Her responsum was so authoritative that within a hundred years, Jewish women everywhere were saying her blessing when they kindled Shabbat lights.

There was yet another area affecting women in which Rashi argued against society’s restrictions. When it came to limitations on a woman while she was *niddah* (menstruating), Rashi made it clear that *niddah* proscriptions applied only to interactions between husband and wife. In a time when superstitions about menstruation abounded (for example: a scholar was forbidden to greet a *niddah* because the utterances of her mouth were unclean; a man shouldn’t walk behind a *niddah* since even the dust beneath her feet caused impurity; an untimely death resulted from walking between two menstruating women), a responsa of Rashi declared that, “Dishes which the *niddah* touches are clean, even for her husband. For people today are already impure from graves, houses of dead people, corpses and reptiles, and we will not be purified until

the days of the Messiah. Therefore it is permitted to touch and use whatever the *niddah* touches.”

He continues, “*Niddah* prohibitions are only to prevent sin between her and her husband; impurity does not pertain here. For we are all impure already and cannot be made more so.” Thus, while many of his Sephardic contemporaries were forbidding a *niddah* to even enter the synagogue, in Troyes the *niddah* attended services as usual, prayed as usual, and if she was accustomed to study words of Torah, she studied as usual.

And finally – women studying Torah. In Mishnah Sotah, R. Eliezer argues, “Whoever teaches his daughter Torah is as if he teaches her *tiflut*.” The word *tiflut* is usually translated as lechery or lewdness, and Talmud commentary on this Mishnah interprets it as such. R. Eliezer’s words were supported by many rabbis, who believed that educating women only corrupted them, teaching them to be crafty and devious.

Rashi, whose own daughters studied Talmud and Torah, was among many Ashkenaz rabbis who obligated a man to teach his daughter the mitzvot, for “otherwise how can she observe them properly.” Even those who accepted R. Eliezer’s position attempted to interpret it narrowly by ruling that he only referred to the deepest Talmud learning or to the mystical or esoteric aspects of Torah. In practice, Rashi was not the only sage to thoroughly educate his daughters. Others, confident that the women in their families possessed an incorruptible character, had no fear of teaching them even the most profound aspects of Torah.

But this golden age for medieval Ashkenaz women was short-lived. By the end of the fifteenth century, a Jewish husband once again had the right to chastise his wife in whatever fashion he wanted and she could no longer demand a divorce from him. Women’s dowries came under their husbands’ control and *ketubah* payments were so low that widows and divorcees became destitute. Menstruating women went to synagogue only for High Holy Days and were expected to refrain from making any blessings, even over the Shabbat lights. Time-bound positive *mitzvot* and Torah learning were reserved for men, whose uneducated wives supported their studies.

So what happened? How did medieval Jewish women lose their high status?

Several factors combined to medieval Jewish women’s detriment. Better nutrition enabled women to outlive men, forcing them to accept lower financial arrangements in order to find a husband. And their men had less to offer, because after the crusades opened the Levant to the Christian world, Jewish merchants were shunted aside by Lombards and Italians. The One-Hundred-Year War (1337-1453) made a continuous battlefield of northern Europe, and the Jewish communities that remained were then decimated by the Bubonic Plague. To make matters worse, when the Black Death swept over Europe, people held witches responsible, and that tainted all learned women.

It would take over 500 years before Jewish women would once again reach the heights they had attained in Rashi’s time, and in the case of initiating divorce, we are still waiting.

Maggie Anton is the author of *Rashi’s Daughters: Book One – Joheved* (Banot Press, 2005). You can contact her through her website, www.rashisdaughters.com