

## *RASHI AND HIS DAUGHTERS: ENLIGHTENMENT IN THE DARK AGES*

Maggie Anton

In 2005, Jewish scholars throughout the world are commemorating the 900<sup>th</sup> anniversary of the death of Rabbi Shlomo haYizhaki, better known as Rashi, the authoritative commentator on both the Bible and Talmud. While Rashi is justifiably famous for these, it is less well known that under his authority and that of his Ashkenazi colleagues, Jewish women in medieval France, including his daughters, enjoyed autonomy and status not to be seen again until the twentieth century. When most women were illiterate and the rare educated woman was one who could read the Bible, Rashi's daughters knew Talmud so well that legend has one of them writing his commentary on Tractate Nedarim<sup>1</sup>.

Rashi had three daughters, Joheved, Miriam and Rachel, but no sons. These learned women each married one their father's students and their sons continued in the family's scholarly tradition as Tosafists (later Talmud commentators who often disagreed with Rashi). Joheved, the subject of the first volume of my *Rashi's Daughters* trilogy, and her husband, Meir ben Samuel, had four sons as well as two learned daughters. Their son Samuel (Rashbam) wrote commentaries on the Bible and Talmud, and while still in his twenties, he assumed leadership of Rashi's yeshiva when his grandfather's health declined. Joheved and Meir's youngest child, Jacob, became the greatest of his brothers. Also known as Rabbenu Tam, he founded his own yeshiva and became the undisputed leader of Ashkenaz Jewry, presiding over a synod attended by hundreds of noted rabbis.<sup>2</sup>

Miriam married the Tosafist, Judah ben Natan, and one of their sons, Yom Tov, became Rosh Yeshiva in Paris and founded a rabbinic dynasty there. Their daughter Alwina is believed to be the grandmother of Dolce, the scholarly wife of Eleazar of Worms. Rashi's youngest daughter, Rachel (also known as Belle Assez) and her husband Eliezer were the parents of Shemiah, another prominent French scholar, but their marriage ended in divorce. Rachel is credited with having written a responsa on a question of Talmudic Law for her father when he was sick.<sup>3</sup>

Rashi was born in 1040 in Troyes, France, in a time and place when Jews were, for the most part, successful merchants or artisans who lived alongside their Christian neighbors. Wives were often active in their husbands' businesses and Jewish society began to view women with more respect. Improvements in the status of women had already begun a generation before Rashi, when Rabbenu Gershom enacted his revolutionary *takkanot* (rulings).<sup>4</sup>

One abolished polygamy with a decree that a Jewish man could not marry two women, another prohibited a Jewish husband from divorcing his wife without her consent, and a third enabled a woman to initiate a divorce from her husband (still difficult for Orthodox women today). 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. Rashi's world, and his daughters', was one in which new customs and rules were being established, and women had an increasing amount of autonomy.

Following in the footsteps of Rabbenu Gershom, Rashi first challenged tradition while still a poor yeshiva student in Germany. He knew he had only a short time until the necessity of supporting a growing family would force him to leave the yeshiva. Afraid that he would forget his learning, Rashi took the radical step of writing down notes even though Talmud study was supposed to be done orally.<sup>5</sup>

Once back in Troyes, he quietly kept up and expanded his note taking, a decision that would be vindicated within his lifetime. When the First Crusade destroyed the great German *yeshivot*, Rashi's notes, which by then had become his Talmud commentary, were all that remained of generations of Ashkenazic scholars' Talmudic knowledge. Rashi's pre-eminent role in Jewish history is still best summed up in the words of the fourteenth-century Spanish Rabbi Menahem ben Zerah, "(Rashi) wrote as if by divine inspiration ... without him the Talmud would have been forgotten in Israel."<sup>6</sup>

Taking notes was just the beginning of Rashi's innovations. Alone in this town which was not a center of Jewish learning, without sons or students to teach, he educated his daughters. When the rabbinic authorities in Germany decided to tighten the laws of *kashrut* in contradiction to the way Jews slaughtered meat in France, Rashi fought back. Because non-Jews often refused to buy meat that the Jews had rejected, an animal ruled not kosher would be a total loss unless the butcher erased the evidence that a Jew had slaughtered it. But this was what Rashi's teacher prohibited, causing Rashi to protest,

Will our teacher refrain from adding to the number of forbidden foods; for it would be impossible to accept this, or we would never be able to eat meat? ... If you wish to enact a 'fence around the Torah,' you are worthy to enact such restrictive measures, but we prefer that our teacher stand by the accepted law and not forbid doubtful cases.

Continuing his argument in a letter to his son-in-law, Meir, Rashi's vigorously refused to accept his teacher's decision in the controversy, writing,

I have not retracted and shall not retract. The words of my teachers are unacceptable, their arguments are but superficial ... I cannot cause the loss of money to Jews in a matter that is so obviously permitted.<sup>7</sup>

In two quotes that should endear Rashi to Jews today, he says in his commentary to Talmud Betzah 2b, “The authority of those who prohibit arbitrarily means little, for anyone can hand down a prohibition even in matters that are permissible,” and in his commentary to Talmud Ketubot 7a, “Anyone can be stringent merely out of doubt, whereas leniency requires a conclusion based on knowledge or tradition.”<sup>8</sup>

Rashi and his daughters played a pivotal role in expanding women’s ritual participation. Besides the obvious male-oriented *mitzvot* like circumcision or redeeming a first-born son, there is another small category of ritual obligations that, according to the Mishnah, women were not obligated to perform – *mitzvot aseh she-hazeman grama*, usually translated as “time-bound positive commandments.” These *mitzvot* must be done at a certain time, and the Mishnah lists several examples.<sup>9</sup> They include blowing and hearing the *shofar* (at Rosh Hashanah), and taking the *lulav* and dwelling in the *sukkah* (at Sukkot). Other, perhaps less understandable *mitzvot* that the Mishnah exempts women from are saying the Shema (said in the morning and at night) and wearing *tefillin* and *tzitzit* (worn in the daytime).

In Sephardic lands, these ritual exemptions became outright prohibitions, but the women in Rashi’s community, quite possibly led by his daughters, insisted on performing these *mitzvot* from which they were formally exempt. In the *Machzor Vitry*, a compendium of laws and customs collected by Rashi’s students, we read:

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.<sup>10</sup>

We can infer from this that women were blowing the *shofar*, because otherwise there would have been no need for the last statement. Recent books by Elisheva Baumgarten and Avraham Grossman both state that the eleventh and twelfth centuries saw great changes in the role of women in religious life. Baumgarten says:

There is evidence that some women took upon themselves obligations that were traditionally male ... such as the donning of *tefillin* and *tzitzit*. The objections to women performing a variety of ritual obligations, as well as the question of the kind of blessing they were allowed to make when performing the rituals, were all widely discussed during the twelfth century.<sup>11</sup>

Grossman agrees:

In the first half of the twelfth century, it would indeed seem that it was the Ashkenazic women who took the initiative and began to recite blessings over time-bound positive mitzvot, and the sages reconciled themselves to their behavior and sought a halakhic basis for it.<sup>12</sup>

So not only were these women performing *mitzvot aseh she-hazeman grama*, they wanted to recite the appropriate blessings as well. In the *Machzor Vitry's* chapter on Sukkot, there is some debate over whether women should say the blessings that men make when they perform the mitzvot: *Baruch ata Adonai, Eloheinu Melach haOlam, asher kidshanu b'mitzvotav v'tzivanu* - Blessed are You, Adonai our God ... Who makes us holy with His mitzvot and commands us to: blow the *shofar*, dwell in the *sukkah*, etc.

Rashi objected that women should not say the blessing "v'tzivanu" (commands us) because God hasn't actually commanded them (only men are commanded to perform these *mitzvot*, women are exempt). But he admits that they may certainly sit in the *sukkah* and wave the *lulav*. Opposing his grandfather, Rabbeinu Tam declares, "Women must bless because in Talmud Megillah (23a) it states that, despite women being exempt from Torah study, if a woman is called to make an *aliyah*, she must come up and say the blessing."<sup>14</sup>

Returning to our debate, it says in *Teshuvot Rashi*, a book of his and his colleague's responsa, "When they (feminine) want to do these *mitzvot*, they cannot do them without the blessing." But in apparent contradiction to what he says in *Machzor Vitry*, in his responsa Rashi tells them (feminine) to make a blessing when they (feminine) put on *tzitzit*.<sup>15</sup> So what happened to Rashi's objection?

The answer comes from a later rabbi who tells us what blessing the women actually did say: "*Baruch ata Adonai, Eloheinu Melach haOlam, asher tzivah l'amo Israel...*" Blessed are You, Adonai our God ... Who commands His people Israel to ... (blow the *shofar*, dwell in the *sukkah*, etc.)"<sup>9</sup> With this wording nobody could complain that women who made the blessing were being untruthful. Apparently this new blessing was crafted because Rashi objected to the traditional one, despite the law that forbade Jews from creating new blessings after the Talmud was redacted.

But this wasn't the only new blessing that Rashi's daughters said. At this time there was disagreement over whether or not a woman should bless the Shabbat lamp when she lit it. Since the Torah doesn't mention such a mitzvah and the Talmud contains no blessing for the act, most rabbis opposed creating one. Yet Rashi said that kindling Shabbat lights was a

mitzvah, one that women were obligated to perform. And his grandson, Rabbenu Tam, declared that women who performed a “time-bound positive commandment” should also say the appropriate blessing. Thus logic demanded that, if women said a blessing when they performed a mitzvah from which they were exempt, surely they must say one if they performed a mitzvah for which they were obligated.

But if creating a new blessing is forbidden, then what prayer should be said when lighting the Shabbat lamp? The solution was to modify the blessing for kindling Chanukah lights (which is found in the Talmud) by substituting “Shabbat” for “Chanukah.” And how do we know that Rashi’s daughters said this blessing? Because we have a responsum, written by Joheved’s daughter, Hannah, describing the ritual performed in their home.<sup>16</sup> She explains that in Rashi’s house the woman first lights the Shabbat lamp and then says the following blessing, “Blessed are You, Adonai our God, King of the world, Who sanctifies us with His *mitzvot* and commands us to kindle the Shabbat light.”

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 Hannah was explaining why they said the blessing 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 - in Rashi’s household, my mother did say such a blessing and here is the text for it. Today, Jewish women everywhere say this blessing when they kindle Shabbat lights, yet the special blessing women recited over time-bound positive mitzvot was lost.

There was yet another area affecting women where Rashi argued against society’s restrictions. When it came to limitations on a woman’s behavior while she was *niddah* (menstruating), Rashi made it clear that *niddah* proscriptions applied only to interactions between a woman and her husband. In a time when superstitions about menstruation abounded,<sup>11</sup> 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.”<sup>12</sup>

Thus, while many of his 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. In Rashi’s community, women were also permitted to wear *tefillin* and act as *mohalot* (ritual circumcisers).<sup>13</sup> Both of these rulings were based on biblical precedents. Moses’ wife Zipporah circumcised him and their sons, and according to the Talmud. Michal, daughter of Saul and wife of King David, wore *tefillin*.<sup>20</sup>

Besides improving the lot of women and permitting French Jews to more easily eat meat, Rashi's compassionate rulings allowed and encouraged the Jews who'd been forcibly converted during the First Crusade to return to Judaism without recrimination. Rashi also found ways for Jews and Christians to own businesses in partnership, with the Jew working on Sunday and the Christian on Saturday, so that bakeries could provide the community with fresh bread each day.

In fact, there is evidence that Rashi himself had cordial relations with Christians in Troyes. In *Teshuvot Rashi*, his students record two cases where Rashi's non-Jewish associates gave him presents. In the first, he was given a cow in her first pregnancy, a valuable gift indeed.<sup>21</sup> However, since owning such a cow presented problems in ritual law, Rashi gave a share in its ownership to another Christian. In the second situation, a Christian neighbor brought Rashi's family a gift of bread, cake and eggs at sunset on the eighth day of Passover.<sup>22</sup> Rashi's wife had to get him from synagogue, and when he returned home he told the man that he could accept the eggs, but not the bread and cakes. The Christian offered to leave these with another neighbor, but Rashi insisted that the leavened foods must remain in the man's possession until the holiday's end.

Since these two cases deal with times that Rashi had halakhic problems with gifts from Christians, he probably received other presents that caused no such difficulties. It is clear that not only did Rashi have friendly relations with several Christians, but also that one of them knew enough about Jewish practice to bring Rashi a gift of bread and cakes at the end of Passover.

Rashi was not quite so friendly to Christians when it came to his commentaries; polemics against their 'heretical' interpretations are not difficult to find, although perhaps he composed these after the First Crusade. But his Bible and Talmud commentaries were created for Jews, albeit two different kinds of Jews. His Bible commentary was written for the masses, yet it has gems in it to educate the most learned scholar, often quoting of books of Scripture, as well as Midrash and Talmud. His explanations are expansive, often several of them on one verse, or even on one word. Rashi's commentaries are not consecutive works, but rather a series of detached glosses on difficult terms or phrases. He anticipates the student's questions and answers in perfect clearness. For example: why does this verse follow that one, why does the chapter open this way, what is the significance of this type of grammar?

Rashi's commentary to the opening lines of Torah, where he spends nearly a page on the first three words, is as fine an example of his work as any. "*Bereshit bara Elohim* – In the beginning God created." Rashi immediately asks why the Torah begins here and not in Exodus with the first commandment, and he answers with a polemic: should other people complain that

Israel robbed the Canaanites of their land, Israel can remind them that God created the world and gave it to whom He pleased (an explanation that some in Israel still use today). Rashi tells us that the text does not intend to explain the order of Creation; the grammar would be different if this were the case. Rather it teaches that these things happened when God was beginning to create the world. Rashi has more to say about what was created when, and finally, he points out that the name for God here, Elohim, refers to God as Judge, and that only later (in Gen 2:5), just before God creates humanity, does He realize that the world cannot endure under strict justice. Only at that point is He called Adonai, the Merciful One.

In contrast to his Bible commentary, Rashi's *kuntres* (Talmud commentary) is for scholars and students of Talmud. Clear and concise, where a single word often suffices to summarize a statement or anticipate a question, Rashi's *kuntres* stands in stark contrast to his folksy Bible commentary. A Talmud text is designed to be meaningful only to those who have previously learned the material. It is written in a kind of shorthand with no punctuation, where it is frequently difficult to tell where one statement starts and another begins, who is asking a question and who is answering it, or whether a sentence is a question or declarative statement. Rashi enters the discussion, sorts out who said what to whom, explains unknown words, and thus enables the student to swim through this vast "sea of Talmud."

It is difficult to present a typical example of Rashi's *kuntres* for those not familiar with Talmud study. I will refer the reader to Bava Metzia 65a, where the rabbis discuss, in great detail, what transactions constitute charging interest, which is forbidden by Jewish Law. The debate revolves around the concept of '*tarsha*,' about when it is permitted and who permits it, but the word is never defined, thus rendering the text unintelligible. Rashi informs us that '*tarsha*' means 'silent' in Aramaic and that it refers to a transaction in which the interest payment is not specifically stated. He explains each of the arguments that follow, and thus allows the student to understand the various ways in which Jewish merchants may legally extend credit to their customers, a necessity for Jewish commerce in the middle ages.<sup>23</sup>

Thus today, 900 years after his death, Rashi should still be an inspiration for modern Jews. While others sought to restrict the role of women, Rashi expanded their participation. When others tried to encumber Jews with an ever more restrictive *halacha*, Rashi fought for the lenient view, so that Judaism wouldn't be too burdensome for the people. Rashi and his daughters remind us that the struggle to maintain our traditions while at the same time creating new rituals and becoming more inclusive of women is not a new one, but one our ancestors engaged in a thousand years ago. So when we celebrate a *bat mitzvah* or open a *yeshiva* for women, we are only following in their footsteps.

1. *Medieval Jewish Civilization – an Encyclopedia*. Ed. Norman Roth (New York, 2003), p. 562
2. Esra Shereshevsy, *Rashi – the Man and his World*. (New Jersey, 1996), p. 22-23.
3. Sondra Henry and Emily Taitz, *Written Out of History: Our Jewish Foremothers* (New York, 1988), p. 88.
4. Louis Finkelstein, *Jewish Self-Government in the Middle Ages* (New York, 1964), pp. 20-30, 139-147. A list of Rabbenu Gershom's *takkanot* can be found in Avraham Grossman's *Rishonim of Ashkenaz* (Jerusalem, 2001), p. 134.
5. I. A. Agus, "Rashi and His School," in *World History of the Jewish People – the Medieval Period*, ed. Cecil Roth (Rutgers, 1966), pp. 230-231.
6. Maurice Liber, *Rashi* (Philadelphia, JPS, 1926), pp. 157-158.
7. *Teshuvot Rashi*, ed. Israel Elfenbein (New York, 1943), pp. 57-58. These responsa don't say exactly what the German rabbis objected to, but apparently the procedure the French butchers used to disguise the evidence of Jewish slaughter interfered with inspecting the animals' lungs.
8. *Babylonian Talmud, Betzah 2b and Ketubot 7a*
9. *Mishnah Kiddushin 1:7*
10. *Machzor Vitry*, ed. S. Hurwitz and A. Berliner (Nurenberg 1923), pp. 413-416.
11. Elisheva Baumgarten, *Mothers and Children – Jewish Family Life in Medieval Europe* (Princeton, 2004), pp. 88-89.
12. Avraham Grossman, *Pious and Rebellious – Jewish Women in Medieval Europe* (Brandeis, 2004), pp. 178-179.
13. *Machzor Vitry*, p. 413.
14. *Teshuvot Rashi*. p. 81.
15. Israel M. Ta-Shma, *Halakhah minhag u-meziut b-Ashkenaz, 1000-1350* (Jerusalem, 1996), p. 269.
16. Shoshana Zolty, *And All Your Children Shall Be Learned - Women and the Study of Torah in Jewish Law and History* (Aronson, 1993), p. 79. Joheved is believed to be Rashi's eldest daughter.
17. For example: a scholar was forbidden to greet a *niddah* because the words of her mouth were unclean; a man shouldn't walk behind a *niddah* since dust beneath her feet caused impurity; an untimely death resulted from walking between two menstruating women; when a *niddah* looked into a mirror, drops of blood would appear on it.
18. *Teshuvot Rashi*. pp. 342-343.

19. Baumgarten, p. 65.
20. *Babylonian Talmud, Rosh Hashanah 33a.*
21. Teshuvot Rashi, pp. 201-203. If a cow owned by a Jew gave birth to a firstborn male, the bull calf would be considered consecrated and unable to be worked (Jews usually avoided owning cows in their first pregnancy for this reason). However, if a non-Jew owned any part of the mother at the time of birth, the male firstling was not consecrated.
22. *Teshuvot Rashi.* p. 142.
23. See the author's *Rashi's Daughters: Book One – Joheved*, pp. 80-83, for a fuller discussion of this *sugia*.

*Maggie Anton is a historian and author of Rashi's Daughters: Book One – Joheved (Banot Press, 2005). She is currently working on Rashi's Daughters: Book Two – Miriam and a translation of Machzor Vitry. She can be reached through her website at [www.rashisdaughters.com](http://www.rashisdaughters.com).*