

The Development of the Halachah and Jewish Women

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Introduction

All knowledge is situated in a particular time and place. The persons who know things are conditioned by the way they were socialised in the groups to which they belong – cultural, religious, economic, or gender. The objects of the knowledge are also shaped by and are products of particular context. Furthermore, the relationship between them is also influenced by a particular time and place, thus interrelationships that were accepted in the past for a particular reason are not acceptable in the present.¹ Such is the situation with the position of women in Judaism. The foundation of Judaism was laid down, has been recorded in scriptures, and studied and acted upon for thousands years. With time these scriptures gained a Divine authorship and thus exert Divine authority, which implies that they cannot be challenged.² The problem is that throughout the time during which this foundation was laid society looked upon women in a totally different way than women are seen today, and therefore it is hard for present day Jewish women to accept the offensive portrayal and the discriminating position advocated by these scriptures. Thus, with the rise and spread of the Feminist movement Jewish women joined the movement, using its various methods of criticism to highlight their inferior position and in an attempt to improve it. The main obstacle in the way of updating the Jewish law to bring Jewish women into equal, respectable, and satisfactory status is the fact that their inferior and sorry state is recorded and enshrined in the *Halachah*, seen by Orthodox Judaism as Divine. This paper clearly illustrates that the Rabbis and Sages wrote the Oral Law and codified it, yet Orthodox Judaism maintains that it is not these sages' words but rather what was handed down to them from Moses, who in turn received it on Mount Sinai. This idea that the Rabbis have a privileged insight into truth does not allow for change, and it is in fact the foundation of the exclusively male tradition of rabbinic interpretation.³ I believe that the biggest

concern that Feminism highlights for Judaism is the androcentric image of God, which reduces what should be: supreme, almighty and omnipotent into a lesser, dull image. At the same time, however, I do not think that one should concentrate solely on philosophical issues – the fact that the Feminist movement prompts Jewish women to voice their discontent at their degrading situation, at the same time providing them with methodological means in the battle for improving their position, is good. One such method for promoting change is a rigorous study of the system in order to find its weakest spots, and to highlight illogical and unreasonable assertions in it.

To this end, this paper outlines the development of the Jewish law. The choice to delineate in particular the development of *Halachah* is important as disputing its divine authorship, could open the door for change, which may alleviate the degrading position of Jewish women.⁴ The impetus behind this exercise is that:

The question of women and Judaism is more crucial than all the political problems of the people and its state. Failure to deal with it seriously threatens the viability of Judaism of *Torah* and *Mitzvot* in the contemporary world. (Leibowitz 1995: 128)

These assertions by one of the most brilliant modern philosophers proves that Yeshayahu Leibowitz, who was an observant Jew, was not only a brilliant thinker, but above all a brave man. He was not a woman, yet he acknowledged that the inequality of Jewish women could not be ignored, a position hardly ever taken by Jewish (male) leaders. It may be naïve to presume that disputing the texts' divine authority will guarantee change but as a Jewish woman I need to believe that it will be a step in the right direction. I believe that the resistance to change is not only as a result of the maximalist viewpoint that the whole Jewish scripture corpus has Divine authorship⁵, but also because Jewish practices are so entrenched as an emotional fabric that it is difficult for many to imagine any change in any practice as it threatens their memory (individual as well as historical, national) of the way Judaism is seen. Thus the leadership hierarchy sees Jewish women's pain as a small price to pay for the preservation of the 'whole and wholesome image' of Judaism.⁶ But fear of change should not arrest the process of change altogether; we should rather make an effort to recognise the difference between the immutable essence of Judaism which needs to be treasured and preserved, and the temporal reflection of patriarchal society. The projection of the male upholders of the tradition "who were bent on preserving its status quo" (Heschel 1992: 65) must not be mistaken for an immutable essence of Judaism. As I am convinced that changing emotional perceptions cannot be achieved by one paper, I decided to concentrate in this paper on delineating the

development of *Halachah*, highlighting its reflection of the temporal androcentric worldview in the hope that this will chip away some of the perception of its Divine authorship, and thus open the way for encouraging change in the position of Jewish women.

The Meaning of the *Halachah* and its Importance in Judaism

The word *Halachah* means "the way one walks". It corresponds to the Jewish Law because Judaism is a prescriptive religion and we are considered Jewish when we lead our lives in a certain way. We walk in a particular path, or conduct ourselves in a prescribed way. This concept is different from the Christian adherence, and similar to the Muslim tradition. Thus conversion to Christianity is perceived as embracing the belief in Jesus' while in Judaism the accent during the process of conversion is upon the actions rather than on the abstract belief. The underpinning principle here is that while we are following the rules, performing the rituals and conducting ourselves in a particular way, corresponding thoughts will be evoked.⁷ This relationship between action and belief is already evident in what is considered to be one of the earliest narratives recorded in the Bible. In one particular narrative Ruth tells Naomi, her mother-in-law, that she is forsaking her own culture and home and going with Naomi to Naomi's place. Ruth's emphatic declaration of her change of heart and loyalties represents a conversion; and typical of the Jewish way of life it is stated as follows: "Wherever you go I will go; wherever you lodge, I will lodge; your people shall be my people, and your God my God" (Ruth 1: 19). Note how the way of life and affiliation to the people precedes the mention of the belief in God. Thus if we accept that the way we walk/ lead our lives is the core of Judaism and that *Halachah* is seen as a 'manual' of how to conduct our lives, it is clear that the *Halachah* is perceived as the back bone of Judaism.

What is the *Halachah*⁸

In the book of Exodus (24: 12) God tells Moses: "Come up to Me on the mountain and wait there and I will give you the Stone Tablets, with the teachings and commandments". According to Orthodox Judaism, during the epiphany on Mount Sinai Moses received three codes:

1. The Two Tablets, on which the Ten Commandments were engraved.
2. The "teachings" which Jews understand as the *Torah*, i.e. the Five Books of Moses.
3. The *Mitzvoth*, which Orthodox Judaism accepts to mean: the Oral Law.

According to Orthodox Judaism the *Halachah* comprises these three codes together and if we want to consider ourselves Jews we have to embrace all three as

the words of the Divine. Progressive Judaism debates this issue. Progressive Judaism may accept the Divine authority as inspiration to the *Torah*, and praise the wisdom of the Oral Law as a legal system in its time, but it does not accept its divinity. Thus it opens the door for changes of the *Halachah* and allows for adaptation to our time.

The Oral Law

Most people who are interested in Biblical study know what the Two Tablets and The Ten Commandments are. Many people also know that the *Torah* is the Five Books of Moses, which are the opening five books of the Bible. As it tells the story of the Jewish people until Moses' death it contains all the laws that Moses received from God and handed down to the people. It is considered the holiest part of the Bible therefore Jewish communities copy these books by hand onto parchment, and keep them in a Holy Ark in the Synagogue to be read on the Sabbath and on special days in the Jewish calendar. But what is the Oral Law? It comprises additional laws to the *Torah*. And whilst the *Torah* was written down and transmitted from generation to generation in its book form, the Oral Law, as its name implies, was transmitted by heart from teachers to students – who in turn became the teachers of the following generation, and so on and so forth.

Different Jewish sources have slight variations on the exact names of the scholars, prophets and sages who were part of the transmission process of the Oral Law.⁹ But the general view is that Moses received it from God together with the tablets and the *Torah*, and taught it to Joshua. Joshua passed it on to the elders, the elders to the prophets, who then transferred it to the sages of the Great Assembly, after which it was guarded and handed down by pairs of scholars. These pairs comprised the Head of the Academy and *Av Beit Din* (which is the Jewish court). It was kept orally until Rabbi Yehudah HaNasi (the president or the prince), who is known by the titles *Rabenu HaKadosh* (our Holy Rabbi), wrote it down in 200 CE. This six-volume compilation is called the *Mishnah*. Rabbi Yehudah HaNasi decided to write down the Oral Law even though he knew that this would arrest its dynamic evolution. The Roman Empire which was in control of the Land of Israel at the time, prohibited, by pain of death, the studies of Judaism, and dispersed the Jewish people. Rabbi Yehudah HaNasi understood that due to its physical distance from the centre of *Torah* and the execution of the best scholars (by the Romans) the Oral Law might dissipate. He therefore decided to write it down, that it would be kept for posterity and would be available to everyone. The scholars who were part of the compilation of the *Mishnah* and taught it to the masses were called *Tanaim*. Their centre of studies was in the land of Israel and they spoke Hebrew, hence the *Mishnah* is written in Hebrew.

Mishnah

The advantage of the *Mishnah* is that it includes, in an organised manner, the laws of the *Torah* and the Oral Law until the year 200 CE, codified by subjects. This is an advantage over the *Torah* where the laws appear in the body of the narrative and apply to the narrative, which makes their placement seem disorderly from a legal point of view. Thus for example in Exodus 16, the laws on tithe (*omer*) are followed by the prohibition to work on the Sabbath, though they do not logically belong together. They appear together simply because the narrative describes how Moses commanded the people to set aside a tithe from whatever they collected, and after a few days of collection when the narrative gets to the sixth day, there follows the command to collect a double amount for two days' sustenance, since people were not allowed to "work" or collect on the next day which was the Sabbath. Moving from one legal theme to another does not happen in the *Mishnah*, as it is systematically codified (i.e. laws of Sabbath are grouped together, laws of tithe are together etc.) The six volumes of the *Mishnah* are as follows:

1. *Zeraim* - Seeds
2. *Moed* - Holidays
3. *Nashim* - Women
4. *Nezikim* - Damages
5. *Kodashim* - Holiness
6. *Taharot* - Purity and Impurity

Each volume is called *Seder*, (order), and these are divided into *Masechtot* (sections), which divided into chapters, *Mishnayot*. The disadvantage of the *Mishnah* is that the laws appear in too concise a manner. Divorced from a narrative that may highlight the circumstances where the laws apply, some prescribed laws are rendered unclear. Furthermore in some cases certain laws seem to be contradicting each other. Explaining the unclear and reconciling the laws that seem to contradict each other was the task of the generations that followed Rabbi *Yehudah HaNasi*. The scholars that followed Rabbi *Yehudah HaNasi* continued to be known in pairs. As the Roman Empire tightened their prohibition on staying in Jerusalem and on studying Judaism, some scholars bowed to the pressure and went to live in Babylon. Other scholars did not want to leave the Holy Land and made Tiberius, on the lake of Galilee, their centre. In both these centres scholars worked on making the *Mishnah* and the law clearer and more accessible to the public. They spoke Aramaic and were called *Amoraim*. One of the *Amoraim*, *Rav*, thought that if the sources of the *Mishnaic* Laws were known to scholars they would be able to understand the laws better. To this end he compiled the *Sifra* and the *Sifre*. His contemporary, Rabbi *Chiyya*, thought that he needed to expound upon concepts whose derivation from the *Mishnah*, would require much effort, and show how these ideas could be developed and deduced from the

Mishnah. This he did in his compilation of the *Tosefta*. The pair Rabbi Hoshaiah and *bar Kavra* composed *Braitot* to explain various matters that appeared unclear in the *Mishnah*. It is clear that a lot of research and debate surrounded the study of the *Mishnah*. The examinations, research and debates were recorded and written down for posterity in what is called the *Gemarah*. As the *Amoraim* spoke Aramaic their *Gemarah* is written in Aramaic.¹⁰ When the *Gemarah* is written side by side with the *Mishnah* upon which it is expounding, it is called the *Talmud*.¹¹ As these activities were carried out in two centres: in Tiberius in the land of Israel and in Babylon, we have two *Talmuds*: The *Talmud* of the Land of Israel,¹² and the Babylonian *Talmud*.

Talmuds

As the centre in Tiberius was smaller and fewer *Amoraim* were busy debating the *Mishnah*, the *Talmud* that was produced in the *Eretz Ysrael* / Land of Israel is smaller, considered to be poorer and was completed in the middle of the 5th century CE.¹³ The version of it that we have today includes *Gemarahs* commentaries only to four (out of the six) volumes of the *Mishnah*.¹⁴ There are some disputes as to who the authoritative scholars were that were responsible for the canonisation of the Babylonian *Talmud*. However it is agreed by most scholars that the Babylonian *Talmud* compilation was started by *Rav Ashi* but was completed by three leading scholars: *Ashi's* son *Mar*, *Ravina Zuta*, and *Rav Yosse*¹⁵ between 500 and 520 CE more than a hundred years after the *Eretz Ysrael Talmud*. The version that we have today includes *Gemarahs* and commentaries on all the *Mishnah* volumes, but not all topics are covered.¹⁶ The Babylonian *Talmud* is accepted as the authoritative source, as it is more comprehensive than the *Yerushalmi/ Eretz Ysrael Talmud*. *Maimonides*, or, *Rambam*¹⁷ compiled a detailed list of the scholars who were part of the process of transmission of the Oral Law from *Moses' time* to the time that it was written down in the *Talmud* – and concluded that forty generations were involved. This body of knowledge, once written down in the *Talmud*, includes decrees, ordained practices, and customs, and was considered as binding by the entire Jewish people in all the places where they lived.

Post-Talmud Evolution of the Halachah

As time passed Jewish people became further dispersed, reaching distant extremes. Contact between the various communities weakened as travelling was dangerous. In various countries centres of Jewish studies sprang up. In these centres scholars engaged themselves in studying and interpreting the *Torah*. The updating of laws was usually prompted by queries from the communities. The public used to write letters to the heads of *Yeshivas*¹⁸ or other eminent scholars.

As Babylon was still a major centre of Jewish studies, many queries were directed to the heads of the Babylonian Academies who were called *Geonim*. *Geonim* means 'great scholars' and therefore other eminent heads of *Yeshivahs* in France, for example, are also called *Geonim*. As these *Geonim*'s answers were given in response to public queries, their edicts and rulings are known as *Responsas*. These *Responsas* fit a particular reality as they were made to address particular needs in particular contexts. As contexts were different in different locations in the world, ordinance, decrees and established customs were localised. They applied to particular communities in a particular country or surrounding vicinity, and unlike the *Talmud*, which applies to all Jews anywhere in the world these decisions do not apply to the whole Jewish People. This means that people in one country were not compelled to follow the practices of another country.

In order to adapt the laws to their times and places, however, the scholars could not invent new rules without following a strict procedure. This procedure is in fact a way to extrapolate new rules through following particular principles. However as context was an important factor in formalising the new laws, laws formulated in different parts of the world may differ from laws made in other countries, even when they were responding to similar queries. From the Middle Ages onwards, the Jewish population was concentrated around two particular centres which developed slightly different rules and customs, thus two slightly *Halachic* variations emerged: the *Ashkenazic* and the *Sepharadic*. *Ashkenaz* is the Hebrew name for Germany, thus all Jews who lived in Germany, or adjunct lands such as in Eastern Europe are called *Ashkenazic* Jews and follow rules and edicts written by the *Ashkenazic* scholars in the *Ashkenazic* centres of learning. *Sepharad* is the Hebrew name for Spain, thus all Jews who came from Spain are called *Sepharadic* Jews¹⁹ and follow rules and edicts written by *Sepharadic* scholars in the *Sepharadic* centres of learning. Context played an important role in the legislation process, and so rules that were written in Germany or France, for example, did not necessarily apply to North African communities and vice versa. The impact of reality on legislation can be seen in two laws where there is a marked difference between the *Ashkenazic* and *Sepharadic* customs: one is the law of monogamy in marriage and the other is prohibited food at Passover.

Regarding monogamy, in biblical times, Israelite men married many women. We are told of King Solomon who had a thousand wives. In time the law was changed and Jewish men were restricted in the number of wives that they could marry (i.e. to the maximum of four). The *Ashkenazic* scholar, *Rabbenu Gershom ben Yehudah*,²⁰ who was known as *Meor Ha'Golab* (meaning 'The Light of the Diaspora'), was influenced by the monogamous matrimony of his non-Jewish neighbours and decreed that Jewish men are not allowed to take more than one wife. However, Jews living in North Africa or amongst Muslim neighbours, who were also allowed to marry four wives, did not see the reason for *Rabbenu Gershom*'s prohibition and continued to take more than one wife. In Yemen even in the

20th century there were Yemeni men who had a few wives. Another important rule, which is clearly different between the *Ashkenazic* and *Sepharadic* community pertains to what is allowed and what is forbidden to eat on Passover. The *Torah* tells us that we are not allowed to eat anything leaven (i.e. any food product that rises while it is cooking). Thus during Passover all Jews replace leavened bread with *matzah*, which is a flat cracker, made of flour and water and baked for a very short time, so it does not rise. Indeed the *Torah* prohibits us from eating bread, but during the development of the Oral Law the Rabbis made stricter rules – they prohibited not only bread but also other products that rise while cooking. This process of prohibiting more than the *Torah* specifies is called “to build a fence around the *Torah*”.²¹ As the sages are not always sure of the Divine’s meaning behind certain laws, they set up more stringent laws around them to ensure that we are not sinning in any way, ‘just in case’ the exact meaning of the law escapes us. The sages make stricter rules ‘to protect’ the *Torah*, as a fence protects the home. In *Ashkenaz*, where, during Passover the Jews could have potatoes as staple food, the Rabbis prohibited eating, for example, rice and lentils which rise when cooked. But as the *Sepharadic* communities rely on rice and lentils to replace bread as their staple food during the Passover, rice and lentils are not prohibited in Passover lest the poor of the *Sepharadic* communities starve without them.

The Crystallization of the Oral Law

This process of updating the Oral laws by *Responsas*, whether by making a fence around the law or updating it in line with the reality and life experience of the community, continued until modernity. The need for help from scholars indicates that it has not been an easy task to establish what the exact law was. This difficulty did not apply only to new circumstances. It was also difficult to establish what exactly the *Talmud* dictates. This is due to fact that the *Gemarah* includes many debates by many scholars on every single issue. It presents opposing views on the topics under discussion and it does not give a final answer – it does not say which of the opposing sides is correct, and whose advice one must follow. This is the unique characteristic of the *Talmud*, which allows it to be legal code even in modernity. I believe that in different eras the Jewish people could have changed the way that they behave, simply by siding with different schools of thought in the *Talmud*. In other words, if in the past we followed one law and explained our decision by quoting one school of thought, at other times we would have been able to change the law, explaining our decision as siding with different schools of debate in the *Talmud*. Thus the *Talmud* itself could have been the vehicle of keeping Judaism fluid and allowing it to adapt to modern circumstances. However, as learning the *Talmud* with its lengthy debates and its variety of opinions was not an easy task to the public, Maimonides (1136-

1204), the Sephardic Jewish philosopher who left Spain and lived most of his life in North Egypt, decided to make the Jewish Law more accessible and wrote his famous book, *Mishneh Torah*. In his introduction to the book he writes:

...Needless to say there is confusion with regard to the *Talmud* itself – both the Jerusalem and Babylonian *Talmuds* – the *Sifra*, the *Sifre*, and the *Tosefta*, for they require a breadth of knowledge, a spirit of wisdom, and much time, for appreciating the proper path regarding what is permitted and forbidden, and the other laws of the *Torah*. Therefore, I girded my loins – I, Moses the son of Maimon, of Spain. I relied upon the Rock, blessed be He. I contemplated all these texts and sought to compose [a work which would include the conclusions] derived from all these texts regarding the forbidden and the permitted... so that the entire Oral Law could be organized in each person's mouth without questioning or objections...(1989: 32)

Maimonides wanted the uneducated to appreciate the laws which they are required to fulfil and to provide the experienced students who are familiar with the *Halachic* debates in the *Talmud* with a clearly stated conclusion on every issue of the law. The publication of *Mishneh Torah* sparked major controversy. Maimonides' decision on what is the one and only correct answer was seen as arrogant by many of his contemporaries. Opposition even remarked on his arrogant choice of name for his compilation: *Mishneh Torah* (which means a second *Torah*). Some of his philosophies were vehemently rejected by the Rabbis. From a methodological point of view, Maimonides' style of stating laws without quoting their sources was hard to accept by many. All these aspects angered certain Rabbis who condemned him, and in some communities the books were even burned. It is sad to see the single and decisive answers that Maimonides offers to *Halachic* questions. This act shuts the door on the comprehensive and inclusive character of the *Talmud* that could have kept the door open to many variations of interpretation of the Law. Admittedly the *Mishneh Torah* is a monumental work, yet it crystallizes what was fluid in the Oral Law, what could allow the Jewish law to be adapted easily to the times. However, Maimonides' prominence countermanded the fact that “[m]any rabbis have criticized Maimonides’ (1989: 9) pretentiousness in composing the *Mishneh Torah*”, and within a little more than a century after his death, *Mishneh Torah* was universally accepted as a major *Halachic* work and subsequent codifications of the Jewish Law not only refer to it extensively, but also copied its method of providing one single answer to the questions.

Further Codification of the Law

Only two major *Halachic* codifications followed after the *Mishneh Torah* of Maimonides. The first one was the *Turim*²² which was written in the 14th century, by Rabbi Jacob son of *Rabbenu Asher ben Yehiel*. It is divided into four sections.²³ The second one was the *Shulchan Aruch* ('A Bedecked Table'), published in 1565 by Rabbi *Yoseph Caro*. As implied by its name, the book presents in a ready-to-use style the laws that Jews have to follow in their daily lives. It is short and clear and does not include explanations. Both these codes follow Maimonides' *Mishneh Torah* in solidifying the Jewish law. All three leave the Jewish Law neither open to debate nor fluid and open for the possibility to be updated to the times.²⁴

Implications for Jewish Women

The position of Jewish women in the legal sphere, in worship, and in their personal lives, is in a sorry state. They are excluded from the worshipping community, they are excluded from the Jewish legal system, and their personal life experience, in the matter of their life-cycle, is dull and inconsequential or downright discriminatory. In matters of marriage and divorce, for example, their situation is the most acute and in need of change, since in marriage they are acquired as *kinyan* (i.e. likened to the "property" of their husbands) and in the hands of ruthless partners they can be held like hostages.²⁵ When women's inferior status was accepted by society the world over, few outstanding women complained about it; but since the rise of Feminism and other human rights movements, which press for gender equality, this situation has been considered unacceptable. At some stages in history there were great Rabbis who adapted the laws when they felt that it was important, and their rulings were incorporated into and accepted as part of the authoritative Oral Law.²⁶ But today, unfortunately, there are not many Rabbis who are prepared to make changes to the *Halachah*, especially if the issues that need change are not very significant – and women's plight is not seen by the rabbinical (male) leadership as important enough. The progressive streams of Judaism on the other hand do not accept the *Halachah* as Divine and therefore they update the Jewish Law. Jewish laws pertaining to women can be a case study for the principal rift between the two streams. While the Orthodox keep the old law that reflects ancient times, with no modern Rabbis who consider it important enough to make a stand on this discriminating and hurtful state of affairs, in the progressive streams, laws that deal with women are brought in line with modern needs and concepts of dignity and equality for all.

Personal Reflection

I am desperately aware that changes in the position of Jewish Women are not going to take place soon for two fundamental reasons:

- While Feminism challenges a single, privileged insight to truth, which is the foundation of the exclusively male tradition of rabbinic interpretation, no swift solution is likely, as it will shake the bedrock of Orthodox Judaism.
- Furthermore, what exacerbates the situation is the fact that women's situation has become the battlefield between the Orthodox stream and the various progressive movements (Ross 2004: 54-5, 74). Consequently even if certain Orthodox rabbis want to improve women's situation, as has happened at various points in history, they are afraid to do so, lest they be seen to 'side' with the progressive movements, who are regarded as heretics.²⁷ And as long as upholding women's sorry state symbolises the rabbis' own piety, I do not foresee much improvement for Jewish women in the near future.

Notes

- 1 This is known as the "Standpoint theory" and is at the base of understanding gender as a process of knowledge. See Tamar Ross (2004: 8-11)
- 2 See the 13 pillars of Ramba"m.
- 3 Even when the new laws are clearly only localised and temporal decrees, they are given divine authority due to the fact that the process and the principles of initiating them are considered Divine.
- 4 I am fully aware that it is naive to assume that all who do not assign Divine authority to the *Halachah* are either eager or ready to change the *Halachah*; however, one can cautiously propose the converse: i.e. the ones who bestow Divine authority on the *Halachah* are much more reluctant to make any change in it.
- 5 This maximalised view of the *Halachah* for example is rarely accepted these days (Ross 2004: 58).
- 6 Needless to say, all those in leadership are males, and I believe that if there had been aggrieved women amongst them there would have been more urgency for change.
- 7 Rabbi Dr. Nathan Lopes Cardozo, in a debate, 9th June 2005, Cape Town.
- 8 By no means is this the beginning and end of the topic, but it does delineate the development of *Halachah* with a few examples for the sole purpose of clarity.
- 9 *Eruvin* 54b; *Pirkei Avot* 1:1; *Sifre, Pinchas*; Maimonides' introduction to *Sefer HaMitzvot* (where he outlines some of his deliberations about the composition of *Mishneh Torah*), a slight variation even in Maimonides' own writings. The former differs slightly from his Introduction to his Commentary on the *Mishnah* etc.
- 10 Aramaic is a 'sister language' to Hebrew. Both are Semitic languages whose most prominent characteristic is the three-letters roots of verbs. Many words are pronounced similarly in Hebrew and Aramaic.

- 11 Therefore the Talmud is in Hebrew and Aramaic. The core which quotes the *Mishnah* in question is in Hebrew, but the *Gemarah* which includes the debate surrounding the *Mishnah* is in Aramaic.
- 12 The *Eretz Ysrael Talmud* is also called the Jerusalem Talmud or in Hebrew: the *Yerushalmi*, out of respect to the Holy city.
- 13 According to Maimonides (1989: 21) in the introduction to *Mishneh Torah, Hilchot Yesodei HaTorah The [Laws which are the] Foundations of the Torah*, the *Yerushalmi Talmud* was completed in 365 CE by Rabbi *Yochanan*, who by all other sources is accepted as the one who laid the foundation for the text that was completed nearly a hundred years later. However despite all attempts to establish the source of Maimonides' assertion, it is unclear why he came to this conclusion.
- 14 For Seeds, Holidays, Women and Damages.
- 15 *Bava Metzia* 86a, suggests that *Rav Ashi* and *Ravina* were the final authorities of the Babylonian Talmud. Maimonides most likely follows this source as he holds the same view, i.e. that *Rav Ashi* and *Ravina* were the final authority of the Babylonian Talmud, which then places its completion in 465 CE, about 70 years earlier than accepted today.
- 16 It covers only 36 *Masechtot*.
- 17 *Rambam* is the abbreviation of the name: Rabbi Moshe ben Maimon (Rabbi Moshe the son of Maimon); in English his name incorporates his father's name, thus Maimonides.
- 18 *Yeshivah* means a School for Jewish Studies.
- 19 The term Sephardic Jews includes Jews in North Africa, Jews in the large Amsterdam Jewish community, and other further locations in the world, as these Jews originated in Spain.
- 20 Lived 960 – 1028.
- 21 As written in *Pirkei Avot*, (Ethics of the Fathers) 1:1.
- 22 Or sometimes called *Arbaa Turim*, i.e. four volumes of *Turim*
- 23 *Tur Orach Haim, Tur Yoreh Deah, Tur Even Ha'ezer, and Tur Choshen Mishpat*.
- 24 To date more codes of Jewish laws have been written, but they all seem to be more localised and less encompassing than the above-mentioned works.
- 25 For a more detailed account, see Greenberg's (1992: 73-102) summary in an article entitled "Women Today – An Orthodox View".
- 26 For example: the *Responsas*. See above.
- 27 The notion that normative Judaism is neither bound to any contemporary ethos, nor derived from the temporal 'world view' or 'social situation' but expresses the transcendental worldview of Divine lawgiver has been formulated initially not as a reaction against the reform movements, but rather as a *Haredi's* reaction to what they conceived of as the threat of rise of Modern Orthodoxy See Silbert (1994: 26).

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