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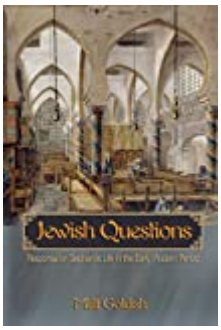

Matt Goldish. *Jewish Questions: Responsa on Sephardic Life in the Early Modern Period.* Princeton: Princeton University Press, 2008. lxiii + 180 pp. $60.00 (cloth), ISBN 978-0-691-12264-9; $22.95 (paper), ISBN 978-0-691-12265-6.

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Responsa for the Diaspora

Sometime in the mid-sixteenth century, Simeon, a Jew from India, roamed the cities of the Ottoman Balkans in order to track down Jewish men from his homeland who had abandoned their wives in order to secure writs of divorce from them so that the women would be free or remarry according to the stipulations of Jewish law. Three months later, one of those Indian husbands, Levi, declared that he was in reality not called Levi at all, and that Simeon had first intoxicated him with wine and then tricked him into signing a divorce using the name of Levi, thus setting free a married woman he had never known. In response to this accusation Simeon claimed that he had surprised Levi when he stole money from another Jew and threatened to expose him, which had apparently caused Levi to take revenge and, in turn, accuse Simeon of arranging a fraudulent divorce.

This is one of the intriguing cases from the early modern Sephardic diaspora collected in Matt Goldish's *Jewish Questions*. Goldish presents forty-three such rabbinic responsa in a lucid English translation, arranged thematically in five different parts and accompanied by brief introductory comments. Responsa–legal opinions that rabbis wrote in response to a problem of Jewish law posed to them–have long constituted an important source for the writing of Jewish social and cultural history. Often, as Goldish points out, rather than the resolutions, it is the questions posed that prove to be of most interest to the modern historian. Though typically edited and redacted, they preserve the details of cases that speak to everyday problems encountered by Jews in past centuries and provide information that would otherwise never have come down to us. Many of these cases, like the one cited above, involve the problem of abandoned wives, or "grass widows" (*agunot*, in Hebrew) who cannot remarry because the fate of their husbands cannot be established with certainty, or because the husband refuses to grant a divorce. The study of responsa literature opens a window on the daily lives of Jews in the past and they provide some insight into the experiences of ordinary men and women beyond the literate elites who typically dominate the historical record.

What Goldish sets out to do in this book is not to

write a historical study and analysis but rather to provide the texts of a sample of rabbinic responsa from Sephardic communities in the early modern period, something that will be welcomed by teachers and students of early modern Jewish history, but probably also by professional historians of European or Ottoman history who do not typically work with Hebrew source material. Goldish divides his selection into a number of thematic sections ("Life among Muslims and Christians," dealing with relations between Sephardic Jews and their non-Jewish neighbors; "Trade and Other Professions," speaking to the economic history of Sephardic Jews; "Life within the Sephardic Community," focusing on the internal workings of the Jewish community and the conflicts that arose; "Ritual Observance and Jewish Faith," among which a number of cases deal with former *converso*s, forced Jewish converts to Christianity from Spain and Portugal; and "Marriage, Family, and Private Life," providing insights into issues such as suspicious pregnancies and rather unorthodox sexual encounters). Sometimes topics overlap, of course, but overall the thematic organization of the material works well. Foregoing a chronological order, Goldish is able to focus the reader's attention on the *longue durÃ©e* of early modern Sephardic history, and not organizing the material geographically, for example into an eastern and a western Sephardic diaspora, he is able to emphasize the interconnection between the various parts of the Sephardic world throughout this period.

Without making this a focal point of his discussion, Goldish also addresses a broader question about the scope and periodization of Sephardic history in his very useful introduction. The question of what "Sephardic" Jewry actually includes, as well as the idea that there is something like an "early modern" period in Sephardic history, are discussed quite controversially in the field. Goldish makes a convincing case when he defines "Sephardic," for the purpose of his book, in purely linguistic terms (any community in which Spanish/Judeo-Spanish or Portuguese in some form was used by the Jews), rather than trying to distill some kind of Iberian Jewish cultural essence or falling back on the approach, advocated most recently by the French scholar Shmuel Trigano, that defines "Sephardic" purely in terms of a specific Jewish legal tradition. Chronologically, it makes sense to begin with the summary expulsion of the Jews from Spain in 1492 (though the Sephardic diaspora certainly predates this year), and finish around 1750 when, as Goldish puts it, "a certain shift in the pattern of Sephardic life" occurred, marked by a decline in the economic standing of the Sephardim in West and East and by a decline in rabbinic authority (p. xiv). One could add that the coherence and interconnectedness of a Sephardic diaspora that emerges from the pages of Goldish's book also gives way in the mid-eighteenth century to a greater degree of cultural difference (and awareness of such differences) between Sephardim in the Atlantic world and those in the Ottoman Mediterranean and Morocco.

Goldish's introduction is a very useful overview of the history of the Spanish and Portuguese Jews and their diaspora communities that emerged in response to the Inquisition and expulsion. There are a few oddities, to be sure: "the Jews [in the Middle Ages] were no less Spanish than the Christians and Muslims among whom they lived" (p. xix)–but it is by no means clear, of course, what "Spanish" meant in this medieval context, nor do historians of medieval "Spanish" Jewry today seem to believe that there was a pan-peninsular Jewish identity. Elsewhere, Goldish suggests that the Ottomans valued the Jews as settlers "because they had no nationalist agenda" (p. xxviii)–but nobody, of course, had a "nationalist" agenda in the Ottoman Empire of the late fifteenth or early sixteenth centuries. Also the map provided (of Europe and the Mediterranean, ca. 1700) is a bit quirky: it includes a "Holy Roman Empire" and a "Kingdom of Hungary," but students will try to find the confines of the "Habsburg Empire," which appears in the text, in vain. Overall, though, the introduction achieves what it sets out to do: to set the stage for a compelling collection of primary sources and to orient the non-specialist reader and student by providing just the right amount of general background knowledge.

The strengths of the volume notwithstanding, it would have been useful had Goldish included a more thorough discussion of the reliability and possible pitfalls of the historical use of the responsa. Goldish briefly explains how the questions originally posed to rabbinic authorities would have been edited and abbreviated before being published in the printed collections of responsa he uses. He also acknowledges that sometimes the cases discussed by the rabbis would be entirely fictitious, and simply provide a starting point for the discussion of complex legal issues. I believe, however, that Goldish simplifies matters when he argues that such made-up cases are "easy to recognize … it is usually clear when he [the author] is doing so anyway because the question lacks all specificity or extraneous detail that does not speak directly to the legal case" (p. iii). It seems to me that this claim is not necessarily true. Consider the following case presented by Goldish from Moses Hagiz's responsa collection *Shete ha-Lehem*, originally published in 1733

(pp. 139-142). It deals with an individual who commits adultery with the wife of the local cantor. He despoils the cantor of everything he possesses and the adulterous couple moves to Spain (which means that they would have to live as Catholics and thus commit the sin of apostasy, or idolatry). When they run out of money and get into trouble with the Inquisition, they relocate to London. There, the former husband divorces his wife, comes to depend on charity, and shortly thereafter dies out of sorrow and suffering (that is, the adulterer is eventually responsible for spilling blood, or murder, as well). The evildoer, however, eventually moves to another city and when confronted with his former misdeeds he convinces a rabbi to sign a statement–dated 1725–that he has repented in public, acknowledged his guilt, promised not to relapse into sin, and to grow a beard. On the face of it, we have here a rather dramatic example of social deviance, and the details provided (the references to Spain, the Inquisition, and London) point to communities of former *converso*s established in western Europe. The text even cites a document dated 1725 (and another one, dated 1728)–all details that, according to Goldish, should not be expected in a fictitious case. It so happens, however, that Hagiz had already described a template of this same case twenty years earlier in his *Eleh ha-mitsvot* (1713), where he spoke of someone who stole another man's money and wife and went to live in a foreign land while the husband died after losing both his wife and money. None of the details that would suggest a specific historical context in the later responsum (the reference to Spain and London, the year) appear in this earlier work. In fact, *Eleh ha-mitsvot* was published long before the years cited in the responsum, so that the case discussed in the responsum could not have been the basis for the general discussion of the laws of repentance in *Eleh ha-mitsvot*. Upon closer analysis, then, one has to wonder whether Hagiz made this case up for the sake of discussing when and under what conditions repentance was to be considered legally valid. It is certainly suspicious that the individual discussed happens to transgress all three of the major prohibitions for which rabbinic law suggests no act of repentance is sufficient (murder, adultery, and idolatry). I am not suggesting that Goldish should not have included this case, but it would have been useful to provide a more thorough discussion of the historicity of the problems described in the responsa. It seems to me that there are clearly more alternatives than that these cases are either "real" or "made up." The example from Hagiz's responsa collection could very well be a composite of various cases, to suggest just one alternative reading. Moreover, even if a case turns out to be fictitious, it may well be just as relevant for historical analysis as a "real" one, as it still indicates what values were seen as important and what practices were seen as requiring attention by the rabbis. Finally, it seems reasonable to assume that even the fictitious cases had to appear at least plausible to the contemporary rabbinic authors, and consequently, although they may not always "reflect" social reality, they indicate something about social reality nonetheless.

Despite these considerations, Goldish's collection of texts is clearly an important and welcome contribution that will be a great resource for the teaching and study of early modern Jewish history and that will bring the importance of rabbinic responsa as a historical source to the attention not only of students, but also of professional historians in adjacent fields.

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