

JS 651-Modern Israeli Sephardic Responsa
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Course Description and Goals

Courses on Judaism and Jewish law in the modern world often focus exclusively on the response of Ashkenazic rabbinic authorities to the challenges posed by the contemporary situation. However, Sephardic Jews were subject to many of the same forces that confronted Ashkenazic Jewry during this era, and many of their *hakhamim* composed halakhic responses to the issues posed by modernity. Nowhere has this been more apparent than in the State of Israel, where the power of tradition and the forces of a modern setting have often met and sometimes collided.

This course therefore intends to examine precisely how Israeli Sephardic legal authorities have mediated this meeting between past and present in the Jewish world. It will do so by focusing on selected halakhic writings these rabbis have issued in their attempts to compose an authentic Jewish response to a variety of issues Judaism and the Jewish people confront as they struggle with the complexities and novelties of the modern world. By looking at elements of the legal corpus these men have produced, a fuller appreciation of the Jewish response to modernity as well as the particularity and variety that mark the modern Sephardic tradition will emerge.

Specifically, the writings of three men will be highlighted in this course. They are Rabbi Ben Zion Meir Hai Uziel -- the first Chief Sephardic Rabbi of the State of Israel -- Rabbi Ovadiah Yosef -- the former Chief Rabbi and current spiritual-political leader of Shas -- and Rabbi Hayyim David Halevi -- the former Chief Sephardic Rabbi of Tel Aviv-Yaffo and one of the most prolific respondents in modern times. In addition, the writings of several Ashkenazic rabbis of all denominations will at times be considered to provide a context that will illuminate the distinctive nature of the positions advanced by these Sephardic authors.

The work of these Sephardic rabbis constitutes an authentic contemporary expression of Jewish tradition and provides a legacy that is worthy of examination and dissemination. By providing the student with a fuller appreciation of the richness and variety inherent in the halakhic tradition, this course not only intends to deepen your knowledge of Jewish law and its applications. It also hopes to introduce you to precincts and persons that often remain unknown and ignored in descriptions and analyses of the modern Jewish condition. In short, this course intends in part to remedy some of the ethnocentrism that classically characterizes an Occidental perception of the modern Jewish setting by broadening your field of horizons. I trust you will enjoy it!

Course Requirements

- 1) Students are required to prepare assigned texts and readings prior to class. Your success in the class and your mastery of the material will largely be contingent on the amount of time you devote to preparation. Class sessions themselves will focus on textual reading.
- 2) Each of you is expected to select a responsum or responsa written by a modern Sephardic authority and not analyzed in class on any topic of your choice. This text should be selected in consultation with the instructor. You are then expected to write a fifteen (15) to twenty-five (25) page analysis of the text modeled after the articles you will have read during the semester. It is permissible for you to work with another person or in a group on this assignment. The paper is due at the end of the examination period.

Course Texts

- 1) Marc Angel, Loving Truth and Peace: The Grand Religious Worldview of Rabbi Benzion Uziel. Rabbi Angel, the author of this book, is himself rabbi of the Spanish-Portuguese Synagogue in Manhattan and one of the great scholars of Sephardica in the modern world. This work represents an intellectual-religious portrait of Rabbi Uziel and should be read in its entirety by the end of the fall *hagim* so that you have a context for understanding Rabbi Uziel and the trajectory that marks his halakhic writings. In addition, specific pages from this work that deal with particular topics we will address in this class should be reread at the appropriate junctures in the course.
- 2) Norman A. Stillman, Sephardi Religious Responses to Modernity. Professor Stillman currently teaches at the University of Oklahoma and is internationally recognized as a leading authority on the Sephardic experience. This book should be read as soon as possible so as to provide you with a proper intellectual context for an understanding and appreciation of the writings we will examine this semester.
- 3) Course Reader of English Articles. This reader can be purchased from the USC Bookstore and contains all the secondary articles assigned in this course. In addition, secondary English readings that constitute chapters in full-length books written by a single author will be found on the library reserve shelf.
- 4) Course Reader of Hebrew Texts. This reader can be purchased from the Registrar at HUC-JIR and contains all the primary sources assigned in this course.

Syllabus

- I. Introduction and Course Overview: A Sephardic Notion of the Halakhic Process (September 5)
 - A. *'Aseh l'khah rav* 7:54

B. Marc Angel, "Rabbi Hayyim David Halevy: A Leading Contemporary Rabbinic Thinker," Jewish Book Annual 52 (1994)

II. The Challenge of Religion and State

A. The Obligation of a Government Towards its Citizens (September 12)

1. *'Aseh l'khah rav* 7:70-71
2. Zvi Zohar, "Sephardic Religious Thought in Israel: Aspects of the Theology of Rabbi Haim David HaLevi," in Avruch and Zenner, eds., Critical Essays on Israeli Society, Religion, and Government
3. Michael Walzer, et. al., eds., The Jewish Political Tradition 1, pp. 511-522.

B. *Galut* and Political Zionism (September 19)

1. *Yam HaGadol*, pp. 180ff.
2. Zvi Zohar, "Sephardic Tradition on Galut and Political Zionism: The Halakhic Position of Rabbi Ya'akov Moshe Toledano."

On this date, the class will be honored by the presence of Professor Zohar, the leading academic authority in the world on the halakhic writings of modern Middle Eastern Sephardic rabbis. Professor Zohar is Chair of the Center for the Study of Modern Jewish Law and a Fellow at the Shalom Hartman Institute in Jerusalem as well as a member of the faculty at Bar Ilan University in their Program for the Study of Contemporary Jewry. He is present at Hebrew Union College under the auspices of the Sephardic Studies Curricular Planning Project through a grant issued by the Maurice Amado Foundation. We are honored by his being at HUC-JIR and are delighted that you will have an opportunity to study with him on this date.

C. The Extension of Suffrage to Women (September 26)

1. *Piskei Ouziel* 44
2. *T'hukah l'yisrael 'al pi ha-torah* 1:7
3. David Ellenson and Michael Rosen, "Gender, Halakhah, and Women's Suffrage: Responsa of the First Three Chief Rabbis on the Public Role of Women in the Jewish State," in Zemer and Jacobs, eds., Gender and Halakhah
4. Hayyim David Haelvy, "The Love of Israel as a Factor in the Halakhic Decisions of Rabbi Benzion Uziel," Tradition 24 (1989)
5. Marc Angel, "The Grand Religious View of Rabbi Benzion Uziel," Tradition 30 (1995)

D. "Land for Peace" (October 17 and 24)

1. Ovadiah Yosef, "The Release of Territories from the Land of Israel in view of the Principle of *Pikuah Nefesh*," *Torah she'b'al peh* 31.
2. *'Aseh l'khah rav* 4:1 and 3:61

3. J. David Bleich, "The Sanctity of the Liberated Territories" and "Judea and Sumeria: Settlement and Return," in Contemporary Halakhic Problems II.
- E. "Entebbe" and "The Redemption of Hostages in Exchange for the Release of Terrorists" (October 31)
1. 'Aseh l'khah rav 7:53
 2. Y'haveh Da'at 2:25
 3. J. David Bleich, "Entebbe," in Contemporary Halakhic Problems II.
- III. Judaism on Christianity and Islam (November 7 and 14)
- A. Y'haveh Da'at 4:45
 - B. 'Aseh l'khah rav 9:30
 - C. David Frankel, "Entering Mosques and Churches," Responsa of the Va'ad Halakhah of the Rabbinical Assembly of Israel 6.
 - D. David Ellenson, "A Jewish Legal Authority Addresses Jewish-Christian Dialogue: Two Responsa by Rabbi Moshe Feinstein," American Jewish Archives (forthcoming)
- IV. Attitudes Towards Non-Observant Jews (November 21)
- A. 'Aseh l'khah rav 4:28 and 5:1
 - B. Marc Angel, "A Study of the Halakhic Approaches of Two Modern *Posekim*," Tradition
- V. Conversion and Intermarriage (November 28 and December 5)
- A. *Piskei Ouziel* 60, 61, 62, 65, 66, and 79
 - B. 'Aseh l'khah rav 3:29
 - C. S. Zevulun Lieberman, "A Sephardic Ban on Converts," Tradition 23 (1988)
 - D. Moshe Zemer, "The Rabbinic Ban on Conversion in Argentina," Judaism 37 (1988)
 - E. Moshe Zemer, Evolving Halakhah, pp. 125-156.
 - F. David Ellenson, "The Development of Orthodox Attitudes to Conversion in the Modern Period," Conservative Judaism 36 (1983)
 - F. David Ellenson, "Representative Orthodox Responsa on Conversion in the Contemporary Period," Jewish Social Studies XLVIII (1985)
- VI. Autopsy and Organ Transplantation (December 12)
- A. *Piskei Ouziel* 62
 - B. 'Aseh l'khah rav 4:64-65
 - C. David Golinkin, "Organ Transplants and Donor Cards," Responsa of the Va'ad Halakhah of the Rabbinical Assembly of Israel 5.
 - D. Elliot Dorff, Matters of Life and Death, pp. 221-242.
- VII. Final Reflections on the Nature of *P'sak* in View of the Course (December 19)

A. *Piskei Ouziel*, “*Ha-posek b’yisrael*”