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Early beginnings

In a society defined by religion, the attitude towards those who leave it or who wish to join it is one of the fundamentals of self-definition. The attitude of Jews in the Christian world of the Middle Ages towards those Jews who converted to Christianity, or to Christians who sought to join the Jewish religion, reflects the central characteristics of Jewish self-definition as a unique, monotheistic group, chosen by God, which sees itself as fulfilling a particular task in the world.¹ In the present study, we shall examine various aspects of Jewish self-understanding in the context of conversion to another religion—whether it is one of self-confidence or suspicion, of a clear theological position or doubt—as well as confrontation with the problem during the course of the process of socialization. In that way, we can better understand the self-definition of those Jews living as a minority within a Christian majority, whose self-confidence grew steadily between the tenth and the fourteenth century, until this world rejected the Jews completely and expelled them from the countries in which they had lived: England, France, and significant parts of Germany.²

The attitude within Jewish society regarding the movement of individuals from Judaism to Christianity, whether as a result of violent necessity (i.e., coercion), or of their own free will, as well as that of Christians into the Jewish religion, is one of the central and most significant issues for understanding the Jewish group during the Middle Ages, and serves as an exciting test case for examining the attitude and behavior of a society under duress.³ From its earliest days, Christianity perceived itself as the sequel to and heir of Judaism, and as negating the need for it. Moreover, the promise that the Jews would eventually acknowledge the truth of Christianity and become Christians was already embedded in the Christian Scriptures in the words of Paul, 'A remnant shall be saved' (Romans 9:27),

creating an ongoing missionary tension between Christians and Jews. In a period during which the ability of a given religion to recruit new adherents from the ranks of the rival religion was seen as a confirmation of its truth, conversion from Judaism to Christianity was understood by Christians as a vindication of the superiority of their faith and of their success in the world. Within Germany and northern France (and, later, of England), from the second half of the tenth century on, we find proof that the Jewish group saw Christianity not only as a theological rival competing with it over the basic principles of religion but as a stubborn and persistent enemy that sought to destroy Judaism. It should be noted here that, from a methodological viewpoint, the current study is concerned with the attitude of one religion towards the intentions of the rival religion towards it—an attitude not necessarily related to the real developments within the other religion during that same period.

In classical Jewish literature (i.e., the Mishnah and the Talmud), which in Palestine encompasses the first centuries of the Christian Era and, in Babylonia, the period from the first through the fifth century, the attitude towards one who had left the Jewish group and those interested in joining it was ambivalent and inconsistent. Those Jews who emulated forms of behavior accepted in the pagan world were referred to as apostates (or *mumarim* in Hebrew), but were not perceived as having completely separated themselves from Judaism; rather, they were seen as continuing to live among Jews, but as having altered some of their behavior in a flagrant and annoying way. During this period, with certain rare exceptions, no one assumed that a Jew who had left his religion and lived as an adherent of a different religion had in fact really lost his Jewish identity.⁴

The concept *mumar* appears in a totally different context in the Mishnah and the Tosefta, related to the prohibition against exchanging or substituting sacrificial animals for one another in the Temple, and what happens if a man or a woman violates that which is explicitly stated in the Torah: 'He shall not substitute anything for it, a good for a bad, or a bad for a good; and if he makes any exchange of beast for beast, then both it and that for which it is exchanged shall be holy' (Leviticus 27:10). Because of the verb used in this verse (מִרַּר, הִמְרַר), one who performs such a substitution is called a מִמְרַר ('one who substitutes'), and the act is known as substitution (הִמְרָה).⁵ The concept of *meshumad* (משומד) in the sense of 'apostate' only appears in the Tosefta in the context of a person who does things contrary to the central precepts of the Jewish religion, such as one who eats foods which are forbidden to Jews (e.g., reptiles, insects, carcasses of animals which died by themselves, the flesh of swine, and so forth), drinks wine of pagan

libations, desecrates the Sabbath, wears mixed fibers, or ‘does those things towards which the Impulse is not inclined.’⁶ As against that, the literature of the Talmudic period (third–sixth centuries) mentions dozens of cases in which a new type known as *mumar* or *meshumad* appears: the term *mumar* is taken from the language of exchange or substitution, while the term *meshumad* comes from the verb *שמד* (*shm’d*), which, in its original context, seems to have been related to immersion in water, and thereafter acquired the meaning of ‘annihilate’ or ‘destroy.’ However, the earlier perception did not change much. The *mumar* is a person who continues to live within the framework of Jewish society, but no longer follows the meticulous observance commanded therein. Rather, he exchanges or substitutes that meticulousness for other practices.

In a lengthy discussion in *Tractate Hullin* (pp. 2–6), it becomes clear that there are different kinds of *mumarim* or *meshumadim*, all of whom continued to live within the Jewish community. For example: there is a *mumar la-’aralot*, who does not wish to have himself circumcised; or a *mumar le-te’avon* (lit., ‘a *mumar* for appetite’), defined as one who, when no kosher meat is available, will eat forbidden flesh. There is a distinction drawn between a Jew who is willing to eat the flesh of carcasses or other non-kosher meat only when no kosher meat is available, and one who eats non-kosher meat even when it is possible to eat kosher meat. Even though the former is also called *Yisrael mumar la-nevelot* (‘a Jew who violates the law concerning eating non-kosher-slaughtered meat’), the attitude towards him is the same as that towards any other regular Jew. Thus, for example, one is obligated to redeem him should he fall into captivity, and meat which he slaughters is considered kosher. The *amoraim* Ravva (first half of the fourth century) and Rav Ashi (about a hundred years later), explained that when such a person is confronted with that which is permitted and with that which is prohibited—e.g., kosher meat and non-kosher meat—he will always prefer the former; only insofar as no kosher food is available will he eat non-kosher.⁷ The more extreme type, known as *mumar le-hakh’is* (‘an apostate out of spite’) or *mumar le-kol ha-Torah kulah* (‘one who denies the entire Torah’)—that is to say, one who deliberately violates those religious laws which every Jew observes—is classified in a harsher and more distancing manner. However, it is implied by the discussion that he too continues to live within the Jewish collectivity and maintains a similar way of life to that of his erstwhile fellows, as before.⁸ This approach is expressed in a Talmudic passage concerning the *’eruv*. The *’eruv* is the method by which people living around a common courtyard may ease certain of the Sabbath restrictions somewhat. It is clear that such halakhic cooperation

is only possible among those who are Jews and to whom the laws of the Sabbath apply. From this discussion, it becomes clear that *mumarim* participated in the 'eruv, and that some also observed the Sabbath.⁹ The discussion revolves around various definitions of *mumar* and his attitude towards the Sabbath. There are those who violate the Sabbath in private, but publicly observe the Sabbath, while there are others who are literally 'apostates to idolatry'—but all of them live within the Jewish neighborhood in one of the apartments among all of the Jews in the shared courtyard.

The harshest definition is that of 'an apostate to the entire Torah' (התורה כולה), defined as one from whom one does not accept a sacrifice and to whom there is applied the well-known verse, 'When a person offers from among you' (Leviticus 1:2)—and its interpretation, 'for among you I have separated it and not from among the nations.' That is to say: we see him as being numbered 'among the nations' and not as part of the people of Israel; or, to use the language of the Talmud, 'From this we conclude: one accepts sacrifices from among the sinners of Israel so that they may return as penitents, apart from the *meshumad* and one who pours out pagan libations and desecrates the Sabbath publicly.'¹⁰

Those who wished to join Judaism were received with a degree of suspicion as to their motivations, but a certain process and ceremonies were created by which they could be accepted into Judaism.¹¹ At the basis of the Jewish theological perception lay the assumption that Jews were the descendants of those who had made an eternal covenant with God at Mount Sinai at the time of receiving the Torah. Whoever is among the offspring of those people is seen as a Jew in his essence, and nothing can change this. Whoever wishes to join the Jewish people and is not numbered among the descendants of those who made the covenant may join them, but must 'organize' a special status for himself. The literature written during the first centuries CE contains various suggestions as to how to organize such transition into the new religion.

The fact that classical Jewish literature was often ambivalent and inconsistent in its attitude towards Jewish converts to Christianity was deeply rooted in the circumstances surrounding the development of Christianity in the first few centuries of its existence. Indeed, the Jewish attitude towards converts to Christianity differed depending on the historical period in which it arose: as a new and persecuted religion until the fourth century; as the religion of the empire, but subject to the grip of rulers and emperors until the eleventh century; and during the subsequent era, as it became a religion that influenced rulers and was dominant organizationally, politically, and theologically throughout Europe, one that

was victorious over Islam and that established the Crusader Kingdom of Jerusalem. During each of these stages, the attitude of Judaism towards those who converted to the rival religion was a clear indication of its own self-perception and identity. The Jews were familiar with the view that Christianity was the heir of Judaism and that it was the intention of Christians to convert the Jews to their faith at every possible opportunity. And indeed, those who fashioned the Christian religion—theologians, members of the ecclesiastical hierarchy (bishops, archbishops, popes, and monks), as well as the simple people—were given the opportunity to act. Hence, the Jews' resistance to Christian missionary efforts became one of the cornerstones shaping their identity as a group.

Between the fifth and tenth centuries almost all of the groups in central and Western Europe took shape as Christian ones, constructing their own identity within the framework of the victorious and dominant religion. They were insistent upon language, forms of warfare, forms of dress, ancient customs, etc.¹² The question that needs to be asked is why, between the fifth and the tenth centuries, did Christian society by and large refrain from applying ongoing, violent pressure upon the Jews to change their religion, while making every effort to convert the pagan inhabitants of Europe to the Christian religion? In order to resolve this puzzle, scholars have noted a theological factor which underlies this—namely, Augustine's doctrine of witness.¹³ However, a deeper examination of the complaints of the bishops of Lyon during the ninth century reveals that what protected the Jews from missionary domination was not a theological reason but rather the rulers' perception of their own interests, and especially the Jews' own unwillingness to convert.¹⁴

The Jews as a group first appear in the German cultural sphere during the course of the ninth century, as a result of the rulers' invitation to the Jews to settle as merchants in the cities of Germany, which were predominantly located upon rivers. Following negotiation with the rulers, these merchants settled with their families. There are extant documents of *privilege* granted to the Jews as early as the reign of Emperor Louis the Pious between 814 and 825, and thereafter, during the period of the emperors Otto. Otto I (962–73), and Otto II (973–83), developed the cities along the length of the River Rhine, placing at their heads bishops whom they made branches of their rule.¹⁵ Thus, by the end of the eleventh century, Magdeburg and Merseburg on the Elbe, Mainz, Cologne, Worms, and Speyer on the Rhine, Trier on the Moselle, Prague on the Vitava, Bamberg on the Main, and Regensburg on the Danube became trade cities that encouraged Jewish settlement.¹⁶ Immediately upon their arrival, these

merchants demanded and received an order from the emperor Louis the Pious, strictly forbidding Christians to persuade the pagan servants of the Jews to be baptized as Christians, an act which would have freed them from servitude. By this measure they determined, in concert with the emperor, that Christian missionizing had no obligatory force over them in those places where they lived. Against this background, tension was created between Agobard, the bishop of Lyon, and his successor Amolo against the emperor. Agobard speaks of the preferred status of the Jews, of their arrogance, of their attacking a Jewish woman who had converted to Christianity, and of their attempts to persuade Christians to convert to Judaism. Agobard's claim against him was that, as a Christian emperor he ought not to permit such improper behavior on the part of the Jews. Agobard was concerned about the influence of the Jews on the Christians and upon the pagan servants of the Jews, among whom there was nobody who was really interested in converting to Christianity. Agobard's successor to the bishopric of Lyon, Amolo (841–52), served during the period of the conversion to Judaism of the emperor's deacon, Bodo (Eleazar), and was more extreme than his predecessor in his attacks.¹⁷ The fear of Christian conversion to Judaism, supported by rumors of senior churchmen who had converted, added a hysterical note to these suspicions. During the course of the eleventh century, we hear of several church notables who converted to Judaism and fled from Christian lands in order to live openly as Jews and to attack their former religion: Wecelinus, early in the eleventh century, Andreas, the archbishop of Bari in 1098, and Obadiah, the Norman convert at the beginning of the twelfth century.¹⁸ The fact that these churchmen converted to Judaism of their own free will and from inner conviction was in stark opposition to the activities of the Church at that time, which were intended to convert Jews to Christianity against their will. The Christian demand for conversion to Christianity was accompanied by threats to their lives: the Christians were not interested in the inner world of the apostate or whether he was really interested in becoming a Christian. The bishop of Limoges threatened the Jewish community that it either convert to Christianity or leave. After a month of polemics, only three or four Jews agreed to do so, while all the rest left. Similarly, the Christian need to portray Jews who converted to Christianity as being the result of extraordinary miracles was rooted in the weakness of Christian theological arguments. The Jew who converted to Christianity was not convinced spiritually or in terms of faith but rather by the shock that hit him upon seeing a miraculous change in nature.¹⁹

Jewish sources from the tenth century until after the First Crusade (i.e., beginning of twelfth century) do not conceal the fact that there were Jews who converted to Christianity—some under coercion but some willingly—who became real Christians. These Jews were seen as deviant; nevertheless, the tendency of the Jewish leadership was not to sacrifice them to the rival religion but to emphasize that the way to return to Judaism remained open to them. From their point of view, allowing these Jews to return to Judaism strengthened that approach which saw Judaism as a victorious religion, which did not give up on those who converted to the rival religion. The desire not to forego even a single Jew who had gone astray derives, on the one hand, from an impressive degree of confidence in the power of the Jewish religion but, on the other hand, from a basic sense of contempt regarding the persuasive powers of Christianity. It is known that two central personalities in German Jewry at the turn of the tenth century had children who converted to Christianity. Rabbi Shimon ben Yitzhak ben Abun (950?–1020?) was the greatest religious poet of his time, and his son Elhanan converted to Christianity. Rabbenu Gershom ben Yehudah (Meor ha-Golah, 960–1028), was the leading halakhic authority at the end of the tenth and beginning of the eleventh century, and his son likewise converted. These two young people converted to Christianity willingly, not as the result of coercion. Early sources report that when Rabbenu Gershom's son died he observed a double mourning period of *shivah* for him, and that Rabbi Shimon tried to bring his son back (to Judaism) through the rulers. Beyond that, nothing is mentioned of this. Centuries would pass before these two 'heroes' would be considered in a different manner.²⁰

Rabbenu Gershom related extensively in his writings to Christianity and to its dangers. His theological approach to Christianity and to its converts may be found both in his halakhic writings and in his poetic-liturgical writing (called in Hebrew *piyyutim*).²¹ Rabbenu Gershom Meor ha-Golah wrote *piyyutim*, primarily of the genre of *Selihot*.²² These *piyyutim*, beyond being part of a ritual liturgical framework, served a double function: they include clearly identifiable theological polemics intended for internal purposes, to strengthen the Jews against the difficulties of life, the attacks by Christians, and feelings of despair; but they also contain passages addressed directly to Jewish converts to Christianity, propaganda aimed at those who had abandoned Judaism and were within Christianity, appealing to them to return. Rabbenu Gershom describes the pressure to which these Jews are subjected on the part of the Christians, the lack of hope stemming from the lengthy period of time that had elapsed since the beginning of the Exile, and the failure of the long-promised Divine redemption to

manifest itself. His *piyyutim* contain harsh descriptions of Christianity as a vile, pernicious religion which seeks to convert Jews into Christians, representing the miserable situation of the Jews as proof of the falsehood of their belief. He refers to Christianity as 'impure,' 'dead,' 'newly arrived,' and anticipates its destruction, while simultaneously awaiting the moment when the entire world will recognize the Jewish God as the God of the World and His ability to redeem His people.²³

Alongside the attacks against Christianity, Rabbenu Gershom fashioned propaganda intended to strengthen Jews against the theological temptations to convert to Christianity, as well as referring to those who had already converted as vacillating, recognizing their potential to return to Judaism permanently. In other words, he labeled the converts to Christianity as individuals who were not really convinced of their new religion and would soon return to Judaism. Thus, his propaganda worked both to convince those who had abandoned Judaism and at the same time to strengthen those who remained Jews, emphasizing the imminent return of the converts to Christianity. The question must be asked: did Rabbenu Gershom really assume or at least hope that the Jews who had converted would read the *piyyutim* he had written, or did he address them as a kind of rhetorical exercise intended primarily for his Jewish readers? In my opinion, as shall be clarified below, it was the accepted view among Jewish authors until the middle of the thirteenth century that the converts to Christianity were aware of what Jews were writing, knew what was going on in their former society, and were open to its influence.

In one of Rabbenu Gershom's liturgical poems, *Eilekha niqra* ('We call to You'), one can see the use of this mechanism as a sophisticated means of addressing those who had already accepted Christianity out of despair, fear, or theological acceptance. The *piyyut* begins by calling upon God and depicting the new 'trouble' caused by the 'pernicious' Christians, who lay against the Jews 'an evil plot'—namely, to convert them to Christianity. His description of the Christian god serves simultaneously as a contemptuous portrait, intended to show loyal Jews the temptations of Christianity as a pagan religion, as well as a protest against those who had been convinced by fear or despair and were now Christians. It may even have been addressed to his son, whom Rabbenu Gershom asks to reflect upon his acts: Who is your God? 'To accept as God the contemptuous sadness / bowing before a symbol / an image and worshipping before him / and to an unholy thing [as if] he greatly forgives / nor to fear the awesome God.'²⁴ He reminds the apostates that they ought not forget or abandon the eternal God of their fathers in favor of 'one who is impure and dead, new and recently come.'

Rabbenu Gershom alludes, on the one hand, to those who serve God and are His pious ones and, on the other, to the traitors and rebels: ‘Turn, O Lord, to the prayer of Your servants / redeem and deliver them from those who betray You / Command the salvation of the seed of Your pious ones / take [them] out to relief from the din of those who rebel against You.’²⁵ It is clear that this *Seliah* deals directly with those who converted to Christianity—‘who betray You’—and with those who remain Jews despite everything (‘Your pious ones’). He emphasizes that the problematic points of his people at this juncture are their ‘powerlessness’ and that ‘money is gone from the pockets’—that is, despair and economic blows.²⁶ He asks God to suppress the Quality of Judgment and to bring closer the Quality of Mercy, for He has not given up on those who converted to Christianity. It would appear that Rabbenu Gershom imagined that those who converted to Christianity, who were now Christians, were nevertheless prepared to hear the voice of reason, the voice of Judaism, and that he had not yet despaired of them even after they had taken the radical step of converting to the new religion. He also informs them that their repentance will be accepted by God. In his *piyyutim*, Rabbenu Gershom notes the connection between the threat of expelling the Jews from Christian cities and their conversion. We know of the expulsion of Jews from Mainz in 1012 by the emperor Henry II. It is possible that some Jews converted in order to avoid this expulsion, Rabbenu Gershom’s son among them.²⁷ We cannot know whether he had in mind his son, who converted to Christianity and died as a Christian, when he wrote this poem. It is nevertheless clear that he was the man before whom the way back to Judaism ought not to be blocked.²⁸

In terms of the halakhic perspective, Rabbenu Gershom defined the converts to Christianity as ‘apostates’; however, he wrote a halakhic decision stating that their acts were done as a temporary error, and that therefore one must assure that the gates of return to Judaism are not closed to them, as they shall return to Judaism in the future. Nevertheless, he was clearly aware that the Jewish community did not accept his view of the apostates as self-evident, and that there was suspicion and fear of those apostates who returned to Judaism. Such a protest is evident from two questions that were addressed to Rabbenu Gershom regarding *kohanim* (members of the hereditary priesthood) who had converted to Christianity and returned to Judaism and wished to return to their traditional role in the synagogue: to be called to the Torah first and to bless the people with the Priestly Blessing on festival days.²⁹ From the questions addressed to him, it is clear that the public did not see such a decision in a positive light, and there were those who opposed it on the basis of the claim that conversion to

another religion nullified the privilege given to this person from birth, and that now that he has returned he is no longer considered the same person. In other words, they assumed that something in the essence of the person changed when he converted to Christianity.

This argument is worthwhile giving our attention to: the assumption is that, from now on, the definition of the Jew was of a person who was without blemish. The convert to Christianity who returns to Judaism is blemished, even if he regrets what he had done. The justification for this view is based upon a verse in the Torah: it is written that God will give the priests the ability to bless the people, 'And they shall place my name upon the children of Israel, and I will bless them' (Numbers 6:27). That is to say, the priests bless because God agrees that they should do so; in effect, He blesses through them. The *kohen* who converted to Christianity and left Jewry is also abandoned by God (here interpreting the verse, 'And they shall abandon Me and break My covenant'; Deuteronomy 31:16). It is not reasonable that such a person, even if he returns to Judaism, serves as a channel for God's blessing of His people. Rabbenu Gershom Meor ha-Golah, and in his wake all the Rabbinic leaders of the eleventh century, attempted to correct this public impression, refuting this argument with halakhic reasons that would be convincing to the people. An analogy was drawn to a priest who suffered a physical blemish who, though not permitted to offer sacrifices in the Temple, is nevertheless allowed to bless the people. Moreover, everything is forgiven to one who has repented. Rabbenu Gershom presented two rhetorical arguments of significant weight: first, he states that, from an ethical viewpoint, one of the most serious sins is 'oppressing another through words.'³⁰ One who prevents a *kohen* from going up to say the blessing and tells him that this is because he had been a Christian insults him and causes him grave emotional pain. Moreover, from a practical viewpoint, adds Rabbenu Gershom, 'you weaken their hand' (a quotation from *b. Sanhedrin* 103a); that is, according to his approach one ought to encourage those who returned to Judaism, so that other apostates will understand that it is worthwhile to do so. Yet notwithstanding Rabbenu Gershom's efforts to reinstate to his original, pre-conversion status one who had become a Christian and now returned to Judaism, he was only partly successful. He was pressured to draw a distinction between a *kohen* who was forced to convert to Christianity and subsequently returned, who was permitted to return to his priestly function, and one who converted of his own free will, who was forbidden to bless the people and, according to some, was also barred from receiving the first *aliyah* to the Torah.³¹ Moreover, a *kohen* who had converted to

Christianity and become a Christian preacher or even a monk—‘a teacher of idolatry, and this was his function’—clearly lost his priestly status. Even if he repented and returned to Judaism, he cannot bless the people.³² But despite all these efforts, the popular perception tended to see conversion to Christianity in a very negative light, and remained suspicious of the ‘apostate’ who returned to Judaism. In order to impose his decision, Rabbenu Gershom introduced an edict prohibiting any harm being done to those who had been Christians (whether converted by force or of their own free will) and returned to Judaism. In this edict, it is forbidden for members of the community to remind them of their past as Christians, they may not refer to them as ‘apostates,’ nor say that ‘they had been immersed in the waters of apostasy’ (i.e., the baptismal waters). Rabbenu Gershom was troubled by the fact that, due to the suspicion, shame, and insults that would henceforth be the lot of Jews who had gone astray, they would refrain from returning to Judaism, ‘Since one must not weaken the hands of penitents, and it is not correct to do so ... lest they say, “Woe because of that shame, woe to that disgrace,” and refrain from returning.’ It is emphasized here that this prohibition likewise includes proselytes to Judaism—i.e., that one is not allowed to mention their Christian past. For the first time, one finds a similar attitude applied to an apostate who had returned to Judaism and to a Christian who had converted—an issue to which we shall return further on. It is not clear to what extent this edict was applied in actuality. Two generations after Rabbenu Gershom, during the course of a dispute between two families, one of the sides referred to the other as having been ‘immersed in the waters of apostasy.’ It was necessary to remind them that Rabbenu Gershom had long since introduced an edict according to which one who mentioned a former apostate’s past was in a state of *niddy* (banned from the community).³³

Nevertheless, Rabbenu Gershom drew a clear distinction between a Jew who remained a Jew and one who was now a Christian. In response to a question concerning the inheritance of an apostate, Rabbenu Gershom states that one who converted to Christianity could not inherit his father’s property. It should be emphasized that he learned this approach ‘from Heaven,’ in a responsum which was unchallenged.³⁴

In addition to the ruling that he had received from Heaven, Rabbenu Gershom marshaled to his assistance God’s words to Abraham in the Book of Genesis. At the beginning of God’s revelation to Abraham in Chapter 17, God says: ‘And I will establish my covenant between me and you and your descendants after you throughout the generations for an everlasting covenant, to be God to you and your descendants after you. And I will give

to you, and to your descendants after you, the land of your sojourning, all the land of Canaan, for an everlasting possession; and I will be their God' (Genesis 17:7–8). Similarly, in the Covenant between the Pieces God says: 'On that day the Lord made a covenant with Abram, saying, "To your descendants I give this land, from the river of Egypt to the great river, the River Euphrates"' (Genesis 15:18). From the definitive emphasis on the word 'your descendants' (*zar'akha*), one may conclude that the inheritance only passes to one whose descendants are in fact considered as such. Hence the apostate, whose offspring are not considered as his descendants, is not considered to be related to his father and does not inherit from him. How do we know this? Abraham had two sons, Isaac and Ishmael; nevertheless, Ishmael does not share in the inheritance of those lands—Canaan and others—concerning which God said to Abraham, 'I will give it to you.' This implies that Ishmael is not considered the seed of Abraham and does not share in his inheritance. The same rule applies to subsequent generations. God said to Isaac: 'For to you and to your descendants I will give all these lands' (Genesis 26:3). Isaac also had two sons, Jacob and Esau, and Esau did not inherit Isaac's possession; rather, 'Esau dwelt in the hill country of Seir' (Genesis 36:8), an area outside of the land of Canaan. By contrast, concerning the children of Jacob it is written: 'And I will bring you into the land which I swore to give to Abraham, to Isaac, and to Jacob' (Exodus 6:8). The Land of Israel was given to the sons of Jacob as an inheritance, but not to the children of Esau. Even when God portrays to Abraham the destiny of his offspring, using the words 'your descendants,' the descent into Egypt is conceived of as paying off a debt, in exchange for which they inherit the Land of Israel which relates to the 'seed' of the children of Jacob alone, and not to that of Esau ('Know of a surety that your descendants will be sojourners': Genesis 15:13). From all this, one may conclude that only one perceived as descended from his father is considered his descendant. The apostate is thus considered as belonging to another people, and does not inherit from his father, not being considered as his son.

Rabbenu Gershom is well aware that the Talmudic discussion explicitly states that a person who is not Jewish inherits from his father (*b. Kiddushin* 18a). However, he takes pains in his writing to emphasize that the *meshumad* is not considered a Gentile. A Gentile indeed inherits from his father according to Torah law; thus we find that the sons of Esau inherited their father Esau, as is stated: 'For as an inheritance for Esau because I have given Mount Seir to Esau as a possession' (Deuteronomy 2:5), but Esau did not inherit from Isaac, as Mount Seir does not belong to Isaac but to Esau, as is stated, 'And I gave Esau the hill-country of Seir to possess' (Joshua 24:4).

From this we may conclude that an apostate does not inherit from his father. In other words, Rabbenu Gershom completely nullifies here the autonomous identity of the convert to Christianity. He does not see the apostate as inheriting from his Jewish father, as by his act he forfeited belonging to his father's offspring. Nor does he see him as a 'non-Jew,' as an ordinary Gentile. Rather, Rabbenu Gershom represents him as an individual with a nebulous identity, floating in a kind of limbo based upon nothing.

The apostate who has become a Christian has become part of 'another people' and lost the quality of being the 'seed' of his own people. Nevertheless, the door is always open for him to return to Judaism. And indeed, Rabbenu Gershom's disciple, Rabbi Yehudah, refers to the convert to Christianity as *muhlaf* ('one who has been exchanged').³⁵

During the second half of the eleventh century it became clear that there was a need to follow a clear policy pertaining to a 'character' of that sort who deviates from the way of the group in such a flagrant manner. This was done by Rashi, Rabbi Shlomo Yitzhaki, in northern France. Similar to Rabbenu Gershom two generations before him, Rashi defined the Jewish group in terms sharply delineated against the Christian world. Rashi sees Jewish identity as a firm rock which serves as the basis of the faith, and finds it difficult to see a Jew as actually changing his religion to Christianity, thereby harming the Jewish ability to prove its eternity against the Christian religion. Rashi prefers to use the term 'brotherhood.' He sees the convert to Christianity as a Jew who has been forced to deny his religion, or as one whose conversion is the result of a temporary error.³⁶ Hence, he is fervently opposed to any decision which would cut off the convert to Christianity from his Jewish roots. It was he who determined that the state of brotherhood binding all Jews does not cease even if a person decides to change his religion; all the more so if he was forced to convert to another religion.³⁷

Rashi's decision, leaving one who has converted to Christianity as a 'brother' within the Jewish people despite his apostasy, raised substantive problems. Analysis of this will clarify Rashi's far-reaching position:³⁸ namely, that the essential relationship of a Jew to other Jews is one of 'brotherhood'; hence, there applies to him the principle invoked by Rashi: 'An Israelite, [even though] he has sinned—is [nevertheless] an Israelite.' If he has sinned, his essence remains Jewish; thus, even if he converted to another religion, the rules that apply to every Jew apply to him as well. Therefore, his wife may only be released from marriage to him through the 'Jewish manner' of divorce—that is, by him giving her a *get*, a Jewish divorce writ.³⁹ When Rashi confronted a question involving a widow who

required *halitzah* from her late husband's brother who had converted, he insisted that the woman be freed by means of *halitzah* from the apostate, who was now a Christian—thereby determining that the Jewish essence of the convert to Christianity remained as it was.⁴⁰ Rashi does not attempt to classify the convert to Christianity as being 'dead' from the viewpoint of Judaism, and hence as if not existing at all (as their counterparts are defined in other religions), nor was he tempted by a solution proposed in the Geonic literature, according to which if the brother converted to Christianity before the couple had married it was as if he no longer existed and the widow was free because her late husband had no brother. Rashi was shocked by such a solution. The essence of the Jew does not change; hence, the question as to when the brother converted in relation to the time of the marriage is of no significance:

A woman whose husband dies and they have no sons and his brother is a *meshumad* (converted to Christianity) requires *halitzah*. In order to free herself and remarry, she must make sure that the Christian 'brother' performs the *halitzah* ceremony. It does not matter if the brother became a Christian before or after the wedding ceremony of his brother, as the Jew who converts remains a Jew, as it is written in the Talmud in *Tractate Sanhedrin*, 'A son of Israel who sins is still Israel.' Rabbi Abba b. Zabda said: 'Even though [the people] have sinned, they are still [called] Israel,' and he may not be removed from the Religion of Israel, albeit he cannot be relied upon to testify in matters of prohibitions, or (other) issues related to religious matters. His wine is *yayin nesekh* (libation wine) as he is apparently an idolator, but the marriage that he undertakes remains valid, and he has the ability to perform *yibbum* (levirate marriage) or *halitzah*. The responsum found in the writings of the Geonim, i.e., that the time of the conversion needs to be investigated in relation to the marriage of his brother, should not be relied upon, as it entails an internal contradiction; namely, if his link to Judaism remains as it was, and his ability to perform *halitzah* remains as it was after his conversion, what difference does it make when he converted in relation to his brother's marriage? The answer is that, in order for the woman to be released and free to remarry, the brother must release her through *halitzah*.⁴¹

In another responsum, Rashi writes that it is forbidden to take interest from a Jew who has converted to Christianity because the assumption that he is a brother remains valid even if he converts and sins, as it is written: 'A Jew who sins, even though he has sinned, remains a Jew.' From the viewpoint of the requirement for a *get* and *halitzah* (i.e., matters of marriage

and divorce), he remains a Jew like any other Jew. If he tries to commit a fraud by sending someone in his place, and it is discovered afterwards that the pledge was his, he may be charged interest.⁴² The logic behind this is clear. The appropriate thing to do is not to block the way of converts to Christianity to return to Judaism. Were they to be declared lost to Judaism, and their wives allowed to remarry as if they were widows, and if they are considered Christians from the economic point of view, then they will never want to return to their religion.

On the basis of this reasoning, Rashi permitted the Jewish heirs of one who had converted to Christianity to inherit property that had been left with another Jew as a pledge (e.g., as security for a loan or some other obligation).⁴³ Even if the Jew in question defines himself at present not as a Jew but as a Christian, his essence has not changed. If there is a 'pledge' which he has left with a Jew, then this property may in principle be passed on to his heirs (after his death). True, Rashi describes the apostate as an 'evildoer,' but just as the Torah does not prevent evildoers from inheriting property (the example given is that of Esau!), there is nothing to prevent the relatives of a convert, who remain Jews, to inherit his property. In the event that the relatives of the apostate who died sue the person with whom he had entrusted his property while living as a Christian, their property is to be returned to them. Moreover, Rashi emphasizes that if the guardian of the property appropriated to himself that which the apostate had left with him, he is considered a thief—although in this case, says Rashi, the Rabbinic Court is unable to intervene. This responsum teaches us a great deal about the way of life of the 'apostate' in Rashi's day. He maintains proximity both to the Jewish community and to his relatives who remained Jews. The Jew holding the pledge of the new Christian succeeded in dealing with him and did not return it until the latter died, at which time he passed it on to those of his relatives who remained Jews. Rashi, who here represents the Rabbinic judges, explains that because the owner of the pledge is still considered as a Jew in terms of his essence, there is no doubt that he was entitled to receive his pledge back but, he emphasizes, 'the judges have no power to remove it from him'—that is, he does not activate the Rabbinic Court to assist the apostate. This is evidently so because, even though he sees the Jewish 'essence' within him, in terms of everyday matters he is at present a Christian. Notwithstanding this, Rashi emphasizes that the children born to the apostate while he was a Christian are not considered his heirs; thus, upon his death the pledge returns to his true heirs, his Jewish relatives, and not to his Christian children.

In his comments concerning the inheritance of the apostate, Rashi continues his approach according to which a Jew who has converted to Christianity is denied his patrimony. This approach already existed in the previous period. At the beginning of the Middle Ages the Christians took note of the fact that the Jews denied converts to Christianity their inheritance with the help of their parents' will, thereby creating a situation in which they became a burden upon the Christian community. Already in the fifth century Christian legislation attempted to nullify this possibility. Hence, the emperors Theodosius II and Valentinianus III, in legislation from 426, stated that a will aimed to deprive a convert to Christianity of his inheritance or to bypass him is null and void; if such a will is in fact made, it is treated as if it had never been written and the (Christian) heir inherits as if there were no will.⁴⁴ Notwithstanding this legislation, Rashi's words seem to have been intended to negate the possibility that his words regarding the 'objective Jewishness' of the convert might be understood as implying that he would also receive his patrimony. According to Rashi, the apostate's principled or theoretical Jewishness does not alter the fact that he became a Christian of his own free will, and as such was not fit to inherit from his ancestors as a Jew. His property will be kept against the possibility that he might recant his conversion, or for the benefit of those members of his family who remained Jewish.

A certain Rabbinic Court addressed Rashi with a question concerning those Jews who had been forced to convert to Christianity who had returned to Judaism. The judges asked his opinion as to whether one could accept testimony from people who were Christians at the time of the event in question and testified to what they saw as Christians. Rashi answers that it depends upon the nature of their behavior at the time that Christianity was imposed upon them. If the Rabbinic Court, upon clarifying the matter, arrives at the conclusion that they secretly practiced the Jewish religion while they were Christians and did no more than what the Christians forced them to do, their testimony is acceptable. 'If,' on the other hand, 'they were guilty of performing transgressions which were not imposed upon them by the Gentiles,' one should not accept their testimony.⁴⁵ This decision by Rashi is not self-evident. A witness must be an honest and upright person; thus, it is impossible for a person defined by the Talmud as an 'evildoer' to be a witness. The definitions in the Talmud indicate that one who is an 'apostate' is an evildoer; hence, he is clearly unfit for testimony.⁴⁶ The fact that Rashi instructs the Rabbinic Court to examine the actions of these apostates at the time that they were Christians redefines them as Jews and not as the 'apostates' as found in the Talmud. That is,

Rashi understands a Jew who converted to Christianity under duress to be a Jew in every sense. If he was considered ‘wicked,’ then he would be unable to testify as to what he saw—not because he is not a Jew, but because he is a ‘wicked Jew,’ and as such unfit for testimony. Thus, even if he repented for having been a Christian, at the time that he saw what happened he was an ‘evildoer’ and, according to Rashi, is unable to give testimony. Hence, if an apostate Jew married a woman, and both she and all the witnesses were forced converts, the marriage is valid, and if they wish to divorce he must give her a Jewish divorce writ. All of these ‘Christianizers’ are considered as Jews because ‘An Israelite who sins—is nevertheless an Israelite’; moreover, these people did so under coercion and ‘their hearts were directed to Heaven.’ Thus, everything they did was valid, and they are able to testify as to what they saw.⁴⁷ Already at this stage we can see that, while the popular mind regarded conversion from Judaism to Christianity in a negative light, suspecting their motivations both at the time they converted and when they returned to Judaism, those who determined the approach of Rabbinic Judaism preferred to see those who converted to Christianity as forced converts, or as individuals acting under temporary error, and made efforts to return them to Judaism at all costs.

Notes

- 1 Both phenomena—that of leaving Jewish society and religion in favor of Christian society and religion and its opposite—continued for the entire period; however, they are reflected very differently in the written sources. Conversion to Christianity being a central problem with which Jewish society dealt, there are numerous and varied sources on this issue. The subject is discussed in chronicle literature, in halakhic literature, in the responsa literature in light of the numerous questions and problems which were elicited by this new situation, in liturgical poetry (*piyyutim*), in inter-religious polemics, and elsewhere. Those who joined Judaism were a minority who endangered both themselves and the community, hence references to them are extremely sparse and concealed in various guises.
- 2 Spain was an exception, as a monarchy in which the Jews found themselves between two rival religions that were struggling with one another, hence, we shall not treat it in this study. This aspect of the self-definition of Jews who write about those who became Christians will be useful for a number of issues discussed by the historians of the end of the Middle Ages and the beginning of the modern era. See e.g., E. Fram, ‘Perception and Reception of Repentant Apostates in Medieval Ashkenaz and Premodern Poland,’ *Association for Jewish Studies Review* 21 (1996), pp. 299–339; E. Carlebach, *Divided Soul*, New Haven 2001.

- 3 The literature about Christianizing Jews in the Middle Ages is extremely extensive. See: J. Aronius, *Regesten zur Geschichte der Juden im frankischen und deutschen Reiche bis zum Jahre 1273*, Berlin 1902, Nos. 102, 204, 223, 771; P. Browe, *Die Judenmission im Mittelalter und die Päpste*, Rome 1942; B. Blumenkranz, 'Jüdische und Christliche Konvertiten im jüdisch-christlichen Religionsgespräch des Mittelalters,' in: *Judentum im Mittelalter: Beiträge zum christlich-jüdischen Gespräch*, ed. P. Wilpert, Berlin 1966, pp. 264–283; S. Grayzel, *The Church and the Jews in the XIIIth Century*, rev. edition, New York 1966, p. 296; J. Katz, 'Even Though a Sinner, He is Still of Israel' [Hebrew] *Tarbiz* 27 (1958), pp. 203–227; J. Katz, *Exclusiveness and Tolerance*, Oxford 1961; S. Grayzel, 'Popes, Jews, and Inquisition: from "Sicu" to "Torbatto corde,"' in: *Essays on the Occasion of the Seventieth Anniversary of Dropsie University (1909–1979)*, eds. A. Katsch and L. Nemoy, Philadelphia 1977, pp. 151–188; Philippe de Villepreux in F. J. Pegues, *The Lawyers of the Last Capetians*, Princeton 1962, pp. 124–140; G. J. Blidstein, 'Who is not a Jew? The Medieval Discussion,' *Israel Law Review* 11 (1976), pp. 369–390; R. Chazan, *European Jewry and the First Crusade*, Berkely 1987, pp. 146–147; W. C. Jordan, *The French Monarchy and the Jews: From Philip Augustus to the Last Capetians*, Philadelphia 1989, pp. 89, 138–139, 149–150; W. J. Pakter, *Medieval Canon Law and the Jews*, Ebelsbach am Main 1988, pp. 315–317, Nos. 265, 269–275; S. Simonsohn, *The Apostolic See and the Jews*, Toronto 1991, pp. 238–262; R. C. Stacey, 'The Conversion of Jews to Christianity in Thirteenth-Century England,' *Speculum* 67 (1992), pp. 263–283; S. Goldin, 'Juifs et juifs convertis au Moyen Age: "Es-tu encore mon frère?,"' *Annales, Histoire, Sciences Sociales* 54 (1999), pp. 851–874; A. Haverkamp, 'Baptised Jews in German Lands during the Twelfth Century,' in: *Jews and Christians in Twelfth-Century Europe*, eds. M. A. Signer and J. Van Engen, Notre Dame, Ind. 2001, pp. 255–310; M. Perry, *Tradition and Transformation: Knowledge Transmission among European Jews in the Middle Ages*, Tel Aviv 2010, pp. 115–194.
- 4 O. Irshai, 'The Apostate as an Inheritor in Geonic Responsa: Basics of Decision Making and Parallels in Gentile Law,' *Shenaton ha-Mishpat ha-Ivri* 11–12 (1984–86), pp. 435–462.
- 5 *m. Temurah* 1.1.
- 6 *t. Horayot* 1.5; *t. Hullin* 1.1; *t. Demai* 2.4.
- 7 *b. Hullin* 2a–6b; *Gittin* 47a. (*Amoraim*: Sages in the time of the Talmud.)
- 8 *b. Sanhedrin* 27a; *Avodah Zarah* 26b.
- 9 *b. Erubin* 659a–b.
- 10 *b. Erubin* 69b; *Hullin* 13b, 41a; *Horayot* 8a; *Avodah Zarah* 64b.
- 11 In his book, Gary Porton calls them *The Stranger Within Your Gates*, Chicago 1994; see especially his conclusions, pp. 193–220.
- 12 W. Pohl, 'Telling the Difference: Signs of Ethnic Identity,' in: *Strategies of Distinction: The Contracting of Ethnic Communities, 300–900*, ed. W. Pohl with H. Reimitz, Leiden 1998, pp. 17–69.

- 13 J. Cohen, "Slay them not": Augustine and the Jews in Modern Scholarship,' *Medieval Encounters* 4 (1998), pp. 78–92.
- 14 Simonsohn, *The Apostolic See and the Jews*, pp. 94–100; J. Heil, 'Agobard, Amolo, das Kirchengut und die Juden von Lyon,' *Francia* 25 (1998), pp. 39–76.
- 15 See E. Boshof, *Königtum und Königscherrschaft im 10 und 11 Jahrhundert*, Munich 1993, pp. 10–23; E. Müller-Mertens, 'The Ottonians as Kings and Emperors,' in: *The New Cambridge Medieval History*, Vol. 3, ed. T. Reuter, Cambridge 1999, pp. 233–266 (esp. pp. 254–260).
- 16 *Germania Judaica*, eds. I. Elbogen, A. Freimann, and H. Tykocinski, Vol. 1, Tübingen 1963; Magdeburg (pp. 163–164), Merseburg (226–228), Mainz (174–182), Cologne (69–72), Worms (437–440), Speyer (326–331), Trier (376–377), Prague (269–270), Bamberg (18), Regensburg (285–286); V. Colorni, *Legge ebraica e leggi locali*, Milan 1945, pp. 27–30; 34–43; B. Blumenkranz, 'Germany, 843–1096' [Hebrew] in: *The Dark Ages*, ed. C. Roth, Tel Aviv 1966, pp. 62–74; M. Toch, *Die Juden im mittelalterlichen Reich*, Munich 1998, pp. 5–7; E. Voltmer, 'Die Juden in den mittelalterlichen Städten des Rheingebiets,' in: *Juden in der Stadt*, eds. F. Mayrhofer and F. Opll, Linz 1999, pp. 119–143. The identification between Jews and Jewish involvement in trade was well known and familiar to all. See Aronius, *Regesten*, p. 29, No. 79 in the year 820, 'Per mansions omnium negotiatorum, sive in mercato sive aliubi negotientur, tam christianorum quam et Judaeorum'; by the end of the tenth century and the beginning of the eleventh, pp. 56, 59, Nos. 132, 140, 'Judeis et mercatoribus.'
- 17 R. Bonfil, 'The Cultural and Religious traditions of French Jewry in the Ninth Century, as Reflected in the Writings of Agobard of Lyons,' in: *Studies in Jewish Mysticism Philosophy and Ethical Literature*, eds. J. Dan and J. Haker [Hebrew], Jerusalem 1986, pp. 327–348, esp. p. 328, note 2, and Heil, 'Agobard, Amolo, das Kirchengut und die Juden von Lyon,' pp. 39–76; C. Merchavia, *The Church versus Talmudic and Midrashic Literature (500–1248)* [Hebrew], Jerusalem 1970, pp. 71–92. Bodo, bishop and chaplain of Emperor Louis the Pious: after a dissolute life at court, he made (838) a pilgrimage to Rome, was converted to Judaism, assuming the name of Eleazar, and married a Jewess.
- 18 N. Golb, 'Notes on the Conversion of European Christians to Judaism in the Eleventh Century,' *Journal of Jewish Studies* 16 (1965), pp. 69–74.
- 19 Browe, *Die Judenmission*, pp. 13, 184; B. Blumenkranz, *Juifs et Chrétiens dans le monde occidental 430–1096*, Paris 1960, pp. 186, 139–144, 204–206, 232. J. Elukin, *Living Together, Living Apart*, Princeton 2007, pp. 17–60.
- 20 A. Grossman, *The Early Sages of Ashkenaz* [Hebrew], Jerusalem 1981, pp. 86–102; L. Raspe, 'Payyetanim as Heroes of Medieval Folk Narrative: The Case of R. Shimon B. Yisshaq of Mainz,' in: the Schaefer Festschrift, *Jewish Studies between the Disciplines / Judaistik zwischen den Disziplinen: Papers in Honor of Peter Schäfer on the Occasion of his Sixtieth Birthday*, eds. K. Herrmann,

- M. Schlüter, and G. Veltri, Leiden 2003, pp. 354–369. See also a more elaborate treatment in Raspe's book, *Jüdische Hagiographie im mittelalterlichen Aschkenas*, Tübingen 2006, ch. 5, pp. 242–322.
- 21 Rabbenu Gershom's liturgical writings were first used to derive historical conclusions by Katz, *Exclusiveness and Tolerance*, pp. 33–34, and this enterprise was expanded by Grossman in *The Early Sages of Ashkenaz*, pp. 162–165. See Gershom ben Judah [Meor ha-Golah], *Selihoth u-Phizmonum*, ed. A. Habermann, Jerusalem 1944, pp. 12, 19, 22, 33. *Piyyut* (pl. *Piyyutum*) is a lyrical composition intended to embellish an obligatory prayer or any other religious ceremony, communal or private.
 - 22 A general term referring to a variety of prayer passages, primarily *piyyutum* characterized by expressions of regret for sins, mourning for the destruction of the Temple, and requests for God's forgiveness and for redemption.
 - 23 Gershom ben Judah, *Selihoth u-Phizmonum*, pp. 8, 12–13.
 - 24 Gershom ben Judah, *Selihoth u-Phizmonum*, *Eilekha niqra* ('We call to You'), pp. 12–13.
 - 25 Gershom ben Judah, *Selihoth u-Phizmonum*, p. 13.
 - 26 Gershom ben Judah, *Selihoth u-Phizmonum*, p. 13.
 - 27 Grossman, *The Early Sages of Ashkenaz*, p. 12, notes 45–47.
 - 28 The sages of the eleventh century reiterated his words; see Grossman, *The Early Sages of Ashkenaz*, p. 126.
 - 29 The *kohen* is called up first in the synagogue to the ritual reading of the Torah, and he also blesses all the people during the course of the prayer service on festival days, reciting verses from Numbers 6:24–26 in a highly impressive ceremony in which he stands facing the congregation, raising his hands in blessing.
 - 30 Based upon Leviticus 25:17: 'You shall not oppress each man his fellow'—interpreted in *b. Bava Metzi'a* 58b to refer to 'oppression through words.'
 - 31 *Aliyah*—the rite of a member of a Jewish congregation being called to read from the Torah during religious services.
 - 32 Gershom ben Judah, *Teshuvot Rabbenu Gershom Me'or haGola*, ed. S. Eidelberg, New York 1956, Nos. 4, 5; *Mahzor Vitry*, ed. S. Horowitz, Nuremberg 1892, No. 125; Isaac ben Moses, *Sefer Or Zarua*, 4 vols. Zhitomir 1862, Vol. 2, No. 412. See also *Tosafot Sotah* 39a s.v. *vekhi mehadar*; Katz, *Exclusiveness and Tolerance*, pp. 69–70; Grossman, *The Early Sages of Ashkenaz*, pp. 122–127; Perry, *Tradition and Transformation*, pp. 115–194.
 - 33 Shlomo ben Isaac (Rashi), *Responsa Rashi*, ed. I. Elfenbein, New York 1943, No. 70, p. 82.
 - 34 His responsum opens with the words: 'Thus was I shown from Heaven, that the apostate does not inherit,' despite the fact that he could have found a responsum in the literature of the Babylonian Geonim which he could have used in support of the same conclusion. Gershom ben Judah, *Teshuvot Rabbenu Gershom Me'or haGola*, No. 58, pp. 134–135.

- 35 *Teshuvot Rabbenu Gershom Me'or haGola*, No. 58, pp. 134–135; Meir ben Baruch, *Sheelot u-Teshuvot ha-Maharam*, Prague edition, ed. M. A. Blakh, Budapest 1895, No. 928. At the end of the thirteenth century, R. Asher ben Yehiel explained Rabbenu Gershom's words as follows: 'As he understood it, the intention was not that the convert to Christianity literally ceased to be his father's son and was cut off from Jewry, because we continue to see him as a Jew who has sinned; rather, because he has converted to Christianity, we penalize him by causing his inheritance to skip a generation, so that his relatives or sons and daughters who have remained Jews receive it instead of him.' See Asher ben Yehiel, *Shut haRosh*, ed. S. Yudelov, Jerusalem 1994, No. 17 §10.
- 36 Rashi recognizes that there would certainly be some among the Jewish community influenced by the degraded status of Jews in the Christian world whose 'hearts would stray' to Christianity and convert; these he termed idolatry worshippers. See Rashi to *b. Avodah Zarah* 54a s.v. *Vadai*.
- 37 In the book of Genesis, Joseph obeys the instruction of his father Jacob to seek his brothers who were minding the sheep near Shechem. Upon arriving there he does not find them, but instead encounters a man who, upon being asked where they are, answers, 'They have gone away from here.' Rashi Genesis 37:17 explains, 'They have gone away from brotherliness,' thereby anticipating the next stage in which the brothers attempt to kill Joseph or to sell him into slavery. The sin of the brothers, according to Rashi, lay in the fact that they did not relate to Joseph as a brother.
- 38 Katz, 'Even Though a Sinner,' pp. 203–227; Katz, *Exclusiveness and Tolerance*, pp. 67–81; A. Grossman, *The Early Sages of France* [Hebrew], Jerusalem 1995, pp. 154–155; Blidstein, 'Who is not a Jew,' pp. 369–390; Goldin, 'Juifs et juifs convertis au Moyen Age,' pp. 851–874.
- 39 Shlomo ben Isaac (Rashi), *Responsa Rashi*, No. 171.
- 40 *Halitzah*—the ritual releasing her from the need for levirate marriage.
- 41 Shlomo ben Isaac (Rashi), *Responsa Rashi*, No. 173.
- 42 Shlomo ben Isaac (Rashi), *Responsa Rashi*, No. 175.
- 43 Shlomo ben Isaac (Rashi), *Responsa Rashi*, No. 174.
- 44 A. Linder, *Roman Imperial Legislation on the Jews* [Hebrew], Jerusalem 1983, pp. 328–231, No. 52; Simonsohn, *The Apostolic See and the Jews*, pp. 202–203.
- 45 A. Agus, ed., *Responsa of the Tosaphists*, New York 1954, No. 9; Shlomo ben Isaac (Rashi), *Responsa Rashi*, Nos. 170, 171.
- 46 *b. Hullin* 5a; *Sanhedrin* 27a.
- 47 Shlomo ben Isaac (Rashi), *Responsa Rashi*, Nos. 170, 173, and 168 (regarding Responsum No. 168, it would seem that this was a responsum of Rabbenu Yitzhak, R'I, whose attribution to Rashi is questionable).