

Your clear letter has reached me and in it you go to great lengths to expound on the subject of teaching the Hebrew language to schoolchildren. Woe to me if I say anything and woe to me if I don't say anything.

If I should say that the study of the Hebrew language, which is the language of our holy forefathers, is prohibited, how embarrassing and shaming it would be for us. If I should not say anything, behold we have seen with our own eyes how much damage has resulted from teaching Hebrew as a language. This is because new ideas have come from those within our circles who have published books in Hebrew; they speak in Hebrew, yet they transgress the Torah. All of their publications are of heresy and dissension, of carnality and disgrace. They are of the opinion that in order to be called a Jew it is enough to speak Hebrew and to be a Jew without religion. We have seen here in the schools — due to our own sins — that they educate thousands of children with wretched culture, teaching them public desecration of *Shabbat* and total denial of G-d. It is well known to everyone that they care only for the language and for the land of Israel [not its holiness]. Because of our sins, the verse has come true for us, "And into it will come lawless people and profane it" (*Yehezkel* 7:22).

It is well known that this is the time to act for G-d. It is even allowed to transgress the Torah in return for assurance that it will be observed properly in the future. The episode of the Prophet Elijah at Mount Carmel attests to this concept.

Anyhow, I do not know why there is such a problem if we choose not to teach in Hebrew. Is it such a great *mitzvah* to use specifically the Hebrew language? It is sufficient to expound the Torah, each one in his own language, as we have always studied and taught in the entire Jewish nation from the time of the destruction of the Temple throughout the exile until now. The entire Talmud was written in Aramaic, as that was the language of the time. The *Rambam* and other great Rabbis wrote their works in Arabic. They saw no dishonor or disgrace to the Holy Language because that is what the people spoke. What we should be particular about is to explain the Torah in accordance with what was handed down to us, with commentators such as *Rashi* and the *Ramban*.

The language is not called the Holy Language for any reason other than that it was the language in which the Torah was given, as the *Ramban* writes. Even in the bathrooms and bathhouses one may speak of mundane things in the Holy Language. It is only words of Torah which are not allowed in these places, even in other languages. Therefore, the main emphasis is not on the Holy Language specifically but rather in the content of what is spoken. The holiness of the Holy Language is only because of the Torah.

Those who put tremendous emphasis on Hebrew have caused the desecration of the Torah and the religion. Had your Honor seen with his own eyes even some of the terrible things that have been done, surely you would have said that we must tear our clothing and bless the Truthful Judge, as do the mourners. Those that have studied Hebrew can now use books that are alien to our culture. In addition to all that has been mentioned so far, they cause the schoolchildren to be interrupted from their holy study of the Torah, the study upon which the whole world exists. Instead they encumber them with emptiness and with bad and prohibited things, things that we cannot even

Dayan (see #203) waited another 13 years before starting his own press, in compliance with the ban. The document is as follows:

Eliyahu the son of Abraham Sasson has decided to open a printing press to benefit the Jewish community and to glorify the Torah. He traveled out of town for a year to learn the trade and he invested much time and effort to learn the intricate process involved in this holy work. Great expenses were involved besides the payment to the printers to teach him the trade. He also had no income during that time to support his family. Additional expenses were incurred in the purchasing of all the printing equipment.

Rav Eliyahu [Sasson] has expressed concern that others not go into competition with him and cause him great financial loss. He has asked us to protect him from such an occurrence. We the undersigned are responding to a proper request and are hereby making a firm decision to forbid anyone from opening a competing press. Anyone who does so will be considered transgressing against a *horem* [ban] and liable to excommunication. This ban includes those who dwell in our country and those who don't. It includes Jew and gentile, even with government permission. It includes men or women. There is no difference between large or small letters whether in block letters or *Rashi* script. If a Moslem or Christian on his own decides to open a printing press, no Jew is permitted to work there or to print books there.

All this has been decided with the force of a Torah ban. If anyone should violate it, there will come down upon him all the curses of the Torah and he will be bitten by the bite of the rabbis, which has no healing. Anyone who maliciously ignores the ban will be pursued to destruction.

This ban is for 20 years from this day. Whoever listens to us will dwell in peace and tranquility protected from all fears. Those that listen to us will be blessed with sweetness and all good. All Jews are holy and should be blessed tenfold by G-d Almighty and should blossom like roses.

We the undersigned, Aleppo, 9 Iyar 5625 (1865)

<i>Haim Mordechai Labaton</i>	<i>David Kassin</i>	<i>Yosef Labaton</i>	<i>Ephraim Abadi</i>
<i>Shalom Chasky</i>	<i>Ezra Abadi</i>	<i>Yitzhak Dayan</i>	<i>Shimon Mirrahi</i>
<i>Raphael Shelomo Nehmad</i>	<i>Michael Ashkenazi</i>	<i>Yedidyah Dayan</i>	<i>Yehudah Attiah</i>
<i>Moshe Sutton</i>	<i>Yitzhak Harari</i>	<i>Moshe Eliyahu Swed</i>	<i>Eliyahu Hamway</i>
<i>Ezra Chasky</i>	<i>Yitzhak Antebi</i>	<i>Shmuel Dweck</i>	<i>Moshe Abraham Dayan</i>
<i>Yitzhak Shrem</i>	<i>Shalom Mizrahi</i>	<i>Moshe Cohen</i>	<i>Moshe Tawil</i>
<i>Shaul Dweck</i>	<i>Yaacob Abadi</i>	<i>Moshe Swed</i>	<i>Abraham Kassin</i>
<i>Abraham Dayan</i>	<i>Mordechai Abadi</i>	<i>Menashe Matloub Sutton</i>	<i>Eliyahu Sasson</i>
<i>Shalom Lahmi</i>	<i>Shelomo Safdey�</i>	<i>Nissim Yeshayah Harari</i>	<i>Shaul Dayan</i>
<i>Haim Shaul Abadi</i>	<i>Aharon Choueka</i>	<i>Ezra Tawil</i>	<i>Hiyya Harari</i>
<i>Abraham Laniado</i>	<i>Raphael Moshe Sasson</i>	<i>Yisrael Sasson</i>	<i>Eliyahu Dweck</i>
<i>Ezra Attiah</i>	<i>Eliezar Labaton</i>	<i>Mordechai Labaton</i>	<i>Nissim Swed</i>
<i>Eliyahu Mishan</i>	<i>Haim Ashkenazi</i>	<i>Yitzhak Labaton</i>	<i>Yeshayah Chasky</i>

[Note : The above document is quoted from the book *Hebrew printing in Middle Eastern Lands* by Abraham Yehiri (Jerusalem 1936) pages 36-37.]

time, in rulers and decrees, in nature and climate, in states and realms—therefore, all Torah's words were given in marvelous, wise ambiguity; thus, they can receive any true interpretation at any time. . . . Indeed, the Torah of Truth, inscribed by God's finger, engraved upon the Tablets—will not change nor be renewed, for ever and ever.

(57)

In other words, the words of the holy Torah are eternal, yet the eternalness of the Torah is manifested specifically in its inexhaustible capacity to yield multiple meanings, each appropriate to a different human reality.

A second example is Rabbi Ben-Zion Meir Hai Uzziel (1880–1953), born in the Old City of Jerusalem to an ancient and illustrious Sephardic family. From 1912 to 1939 he served as Sephardic rabbi of Jaffa and Tel Aviv and from 1939 until his death as chief Sephardic rabbi of Israel. In the introduction to the first volume of his collected responsa, *Mishpetei Uzziel* (1935), he totally rejects the central premise of European Orthodoxy and stresses that halakhah must respond to modern developments:

In every generation, conditions of life, changes in values, and technical and scientific discoveries—create new questions and problems that require solution. We may not avert our eyes from these issues and say "Torah prohibits the New," i.e., anything not expressly mentioned by earlier sages is ipso facto forbidden. A-fortiori, we may not simply declare such matters permissible. Nor, may we let them remain vague and unclear, each person acting with regard to them as he wishes. Rather, it is our duty to search halakhic sources, and to derive, from what they explicate, responses to currently moot issues. . . . In all my responsa, I never inclined towards leniency or strictness according to my personal opinions; rather, my intention and striving were always to search and discover the truth. To the extent that my understanding enabled me, I walked in the light of earlier halakhic masters, whose waters we drink and whose light enlightens us; With this holy light, which issues from the source of the hidden, concealed Light, I illuminated my eyes. (ix-x)

Thus Uzziel rejects the path of both Orthodoxy and Reform. He states that halakhah can and should develop through hermeneutics and analogy, as applied by halakhists deeply motivated to discover the truth. Uzziel sees halakhah as far from a finite set of normative dicta; rather, he requires halakhists to discover anew how Jews should relate to developments in

**“On Women’s Voting”
With God’s Aid,
April 1920-Jerusalem**

General Responsum

To the many who have asked about the participation of women in the election of the Constitutive Assembly:

Your weighty query regarding the election of women to the assembly of the Jews of the Land of Israel [is again at issue], even though I have already expressed my opinion in this matter in general in my open letter to the Mizrahi association [in September 1919].

Now, as then, I must say that I am unworthy of your having sent me [this query], for I see a strong need to convene a great assembly of the rabbis of the Land of Israel, which would decide the matter. I think that statehood has not yet been so separated from religion as to make it possible to think that the statesmen have the right to act on a matter of general concern without any consideration for the opinion of all the religious authorities in the Land of Israel, in their great majority. Therefore, I believe it necessary that all the rabbis of the Land of Israel rule on this issue jointly. Because the matter is most pressing, the assembly should take place as soon as possible.

As for my own opinion, as a matter of theory, however, I would like to add some clarification to what I said in the foregoing open letter.

As then, I must say now that the rabbis who declared the legal prohibition drew their opinion from the source of the one voice we hear from the Torah, from the Prophets, and from Scripture, from the *halakhot*, and from the *aggadah*, that teaches us that the spirit of the whole nation, in its essence and purity, opposes this modern innovation. It teaches as well that if we bend ourselves

specifically to the novel Irish morality,* we thereby commit an act of betrayal to our own morality, “the morality of Judaism.” Such an act stifles the spirit of the nation and lowers to the ground the fortress of national revival. If we are not prophets, we are the sons of prophets; and we must call out in a great voice to all our brothers who at present desire the strengthening of our revival, urging them to guard their spirits, and not to feed us this unripe fruit whose adverse effects we will necessarily greatly regret.

We believe our outlook on the life of society is more delicate and pure than that of the other civilized nations in general. Our family is sacred to us in a much deeper way than it is to all the modern world, and this is the basis of the happiness and dignity of the Woman of Israel. In other nations, the family is not the foundation of the nation, nor is it as stable and deep as it is amidst us. For this reason, they are not so taken aback by the cracks in family life, and the consequences of those breaks will not cause such harm to their national life. The psychological basis for calling for public participation in elections by the name of “women’s rights” arises fundamentally from the unhappy position of the mass of women amidst these nations. If their family situation had been as peaceful and dignified as it is generally in Israel, the women themselves, as well as men of science, morality and high ideals, would not demand what they call “rights” of suffrage for women, in the common fashion, a step that might spoil domestic tranquility (*shalom bayit*) and ultimately lead to a great deterioration of political and national life in general.

But out of their desperation and bitterness, the result of male coarseness that spoils family life, the women of other nations thought to receive, through some public empowerment, help in ameliorating their wretched situation at home, without regard to the further breaches made thereby, since those breaches are so numerous. We

*Ireland enacted women’s suffrage shortly before the writing of this general *responsum* – editor.

Mishpetei Uziel 44
Rabbi Ben Zion Uziel, 1920

(Translation — Zvi Zohar)

“WOMEN’S RIGHTS IN THE HOUSE OF REPRESENTATIVES AND IN INSTITUTIONS OF PUBLIC AND YISHUV LEADERSHIP”

I wrote this *responsum* originally to clarify the *halakhab* for myself, not wishing to publicize and teach this *responsum* and this *halakhab* for implementation. However, now since this question has been resolved by itself, I deem it good to publicize it for the purposes of enhancing Torah.

A. Women’s Right to Vote

This issue became a central controversy in *Eretz Yisrael*, and the whole Land of Israel rocked with the debate.

Posters and warnings, pamphlets and newspaper articles appeared anew every morning, absolutely prohibiting women’s participation in the elections. Some based their argument on “Torah Law,” some on the need to preserve the boundaries of modesty and morals, and others on the wish to ensure the peace of the family home. All leaned upon the saying “The new is prohibited by Torah (*hadash asur min ha-torah*).”¹

I regret to say that I do not have available now before me all the literature that has accumulated on this issue. I am very grateful to my friend, a virtual repository of Torah, the great Rabbi Hayyim Hirschensohn, who in his book *Malki Ba-Qodesh*, part 2, summed up all the relevant material. Thus I have the opportunity to hear all the opinions of those who prohibit [women’s suffrage], and to discuss them to the best of my limited capacity.

The issue can be subdivided into two headings: (a) the right to vote, and (b) the right to be elected.

Regarding the first [heading], we find no clear ground to prohibit this, and it is inconceivable that women should be denied this personal right. For in these elections we elevate leaders upon us and empower our representatives to speak in our name, to organize the matters of our *yishuv*, and to levy taxes on our property. The women, whether directly or indirectly, accept the authority of these representatives and obey their public and national directives and laws. How then can one simultaneously “pull the rope from both ends”: lay upon them the duty to obey those elected by the people, yet deny them the right to vote in the elections?

If anyone should tell us that women should be excluded from the voting public because “their minds are flighty (*da’atan qalot*)” (*Shabbat* 33b and *Qiddushin* 80b) and they know not how to choose who is worthy of leading the people, we reply: Well, then, let us exclude from the electorate also those men who are “of flighty minds” (and such are never lacking). However, reality confronts us clearly with the fact that, both in the past and in our times, women are equal to men in knowledge and wisdom, dealing in commerce and trade and conducting all personal matters in the best possible way. Has it ever been known that a guardian is appointed to conduct the affairs of an adult woman, against her will?

The meaning of our Rabbis’ statement, “*da’atan qalot*,” is entirely different. Also, the statement “women have no wisdom except with regard to the spindle” (*Yoma* 66b), is only flowery wording intended to circumvent a question posed by a woman. Indeed, the Talmud itself states that the woman who asked the question was a wise person, as it says: “A wise woman posed a question to Rabbi Eliezer.” And our Rabbis expressly stated: “And God constructed

¹ Uziel refers here to the popular religious orientation encapsulated by this play on words coined by Rabbi Moses Sofer (*Hatam Sofer*) in 19th century Hungary. R. Sofer utilized this phrase, whose halakhic connotation referred to the biblical prohibition against eating new grains, to disqualify the legitimacy of any modernist Reform innovation.—editor