

Sephardi Rabbinic “Openness” in Nineteenth-Century Tripoli:

Examining a Modern Myth in Context

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Introduction

The question of how to imagine leadership is an issue that faces many Jews who feel obligated to rabbinic tradition while at the same time they wish to participate actively in contemporary culture. When leaders capable of joining these two thrusts appear in short supply, there is a natural turn to the Jewish past, or sometimes to undiscovered treasures of the present, to identify persons who exemplify this creative act of balance. One result of this cultural expedition has been the notion of the moderation of Sephardi rabbinic tradition, in comparison to the strictness of modern Ashkenazi leaders and *posqim*. This idea has become so widespread that it might be called a modern Jewish myth. By this I mean that it is a view of the past that has a basis in reality, but also is shaped by current needs and ideological visions. Of late, with the rise of an assertive Sephardi Orthodoxy in Israel, some have questioned the validity of what might be called the “myth of Sephardi openness.” This paper presents a case study that examines a well-known instance of such a stance from nineteenth-century North Africa, along with local Jewish reaction against that openness.

An interesting question, which will not be pursued here, is how old this image is. In a comparison of the way Sephardim and Ashkenazim in nineteenth-century Jerusalem reacted to new educational initiatives (the central issue of the case to be discussed here), Yehoshua Kaniel shows that Eliezer Ben-Yehudah was partial to it.¹ The picture continues up until the present as exemplified in Norman Stillman’s

observations in his *Sephardi Religious Responses to Modernity*.² He notes that some Sephardim who have been educated in Ashkenazi Yeshivot in Israel have absorbed “a degree of zealousness and an uncompromising spirit” that “is a far cry from that of traditional Sephardi Judaism ...and from the spirit of tolerance and openness that has been the hallmark of Sephardi piety” (p. 85).

One of the most sustained research efforts to explore and establish this *imaginaire* is found in the work of Zvi Zohar. I cite two examples out of many that he has analyzed in depth.³ One is his comparison of the stands of Rabbi A. I. Ha-Cohen Kook and Rabbi B.-Z. Meir Hai Uzziel on the question of women being able to vote and be elected to office in the new institutions of the Zionist Yishuv that were taking shape at the end of the second decade of the last century.⁴ Zohar shows the difference in the decisions of the two rabbis, with Kook denying the right to vote and Uzziel agreeing to it. He also analyzes how these decisions reflected different orientations to halakha, with Uzziel recognizing that a criteria of reasonableness – *sevara* – is one factor that guides halakhic judgments. Kook made his views known and tried to influence the Mizrahi party, which was both Zionist and Orthodox, as it was about to take a decision concerning the issue. Uzziel’s opinion only became public later, in the mid-twenties, appearing eventually in his collection *Mishpetei Uzziel*.⁵

A second example concerns North Africa, focusing on Rabbi Yosef Masas (1892-1975), who was born in Meknes and eventually migrated to Israel. In a recent article (appearing in the journal *Pe`amim* published by the Ben-Zvi Institute in Jerusalem), Zohar analyzes a *derasha* by Masas in which he justifies the decision taken by a woman not to marry in order to devote herself to the study of Torah.⁶ This is a surprising stand from the perspective of traditional Jewish values and the

importance of the family in Jewish and North African society. Other scholars have noted that Masas was an unconventional *poseq*. Haim Bentov describes his book of responsa, *Mayyim Hayyim*, in the following terms: “Many responsa differ from what is accepted (*horgot min ha-mequbbal*), and are original in their approach and their conclusions.”⁷

Bentov’s comparative evaluation should caution us against exploring this topic by focusing on cases that fit preconceived notions of Sephardi openness and ignoring other evidence. Thus, Moshe Amar, writing about women’s status in Rabbinical Courts of Morocco in the Twentieth Century, speaks of “the response to the needs of the time, the fresh conception, and the creative potential of the *pesiqā* of the rabbis in Morocco,” in the course of six conferences that were convened there from 1947-1955, but we might also ask why such decisions were not taken decades earlier.⁸ Another example concerns Rabbi Solomon Malka (1878-1949) who served the small community in the Sudan and is described by Nahem Ilan in the following terms: “scholarly capabilities, a tradition of study and a tradition of *pesiqā* that drew upon the *torah* of the best of the Middle Eastern rabbis of his day, autodidactic abilities, a sober assessment of the situation in his immediate environment, keen senses that were attuned to trends among the (non-learned) community that shaped their inclinations, and a relation to the latter which saw them not only as a threat but as an opportunity to be seized upon...”.⁹ Given the size (about 1,000 people) and peripheral situation of the community in the Sudan, it is not unreasonable to ask how Rabbi Malka’s leadership might have appeared had he functioned in a different context: within one of the hotbeds of religious controversy that Jewish history knew in the twentieth century? A full assessment of these leaders must take into account their situations and

the community they were addressing in order to assess their ideas, leadership, and halakhic decisions.

Returning to the case of Masas, I can report a personal experience that confirms Bentov's assessment.¹⁰ In May 2000 I attended a conference in Morocco, and also was given a chance to stay at the home of the rabbi of Marrakesh. Having just recently read Zohar's article on Masas, I took along the copy of *Pe`amim* as a gift to my anticipated host, Rabbi Shalom Gabbai. Upon giving him the journal and the article, he remarked –in a relaxed manner I must emphasize – that Masas was not so “accepted” here (*lo haya kol kakh mequbbal po*). He then added, that they would refer to him as “Yosef ha-matir,” “Yosef, The Lenient,” obviously punning with the words of Genesis (42:6) *Yosef... ha-mashbir*. If one wanted to make a “derasha” on a pun, one could follow the whole verse in Genesis: *hu ha-mashbir le-khol `am ha-aretz*, which in terms of post-biblical Hebrew would link Masas with those ignorant of Torah. Whether or not I have successfully fathomed the internal jokes and jibes of Morocco's modern rabbis, the reactions to Masas in his milieu must be taken into account when considering how Sephardi rabbinic tradition might provide an alternative to the strictures of European Orthodoxy.

The questions we raise here dovetail with a recent critique of the thesis of Sephardi moderation presented by Benjamin Brown.¹¹ Brown begins his argument by portraying four rabbinic figures who adopted stances very parallel to Ashkenazi Haredim (ultraorthodox Jews) in the period from the end of the nineteenth century until recent decades. One was born in Istanbul, two in Baghdad, and the fourth in Yemen, while they all eventually settled in Palestine/Israel – three out of the four in Jerusalem. Brown's characterization of them as Haredi stems from their rejection of the Zionist program, and their preaching that people should not participate in

elections. He acknowledges that this was not the main thrust of Sephardi rabbinic culture, but wants to establish that it is a genuine Sephardi reaction, requiring an analytic framework taking it into account along with the trends highlighted by Zohar.¹²

His thesis is composed of a number of elements. Brown argues that just as Sephardi rabbis exhibited a range of reactions, so Ashkenazi *pesiqā* was not fully dominated by a turn to *humrot* (consistently stringent decisions).¹³ He thus seeks another axis of explanation for differentiating among halakhic orientations, arguing that directions in *pesiqā* are more a factor of the challenges presented by the surrounding society than they are a result of inherent differences between Sephardi and Ashkenazi traditions. The critical difference, in his view, is in the nature of the processes of modernization experienced by the Jews in each particular setting. This is not the place to enter into a comparative discussion of how Jews in the Middle East reacted to the far-reaching changes of the nineteenth-twentieth centuries, except to note that it still may be early to try to formulate comparative generalities.¹⁴ I do agree with Brown that much more attention should be given to the context of halakhic activity, as well as to its content. In this spirit, and in light of the other examples briefly mentioned above, I turn to a case study of a halakhic stance that was put into operation in Tripoli, Libya, in the last quarter of the nineteenth century, along with some of the local reactions that followed upon it.

An Controversy over Education in Tripoli

The case concerns Rabbi Eliyahu Bechor Hazzan (c. 1845-1908), scion of a well-known family of rabbis, who was born in Izmir. He grew up in Palestine, where his father was the Rishon Le-Tziyyon (Chief Rabbi within the Ottoman millet

system), learned foreign languages, and traveled in both Europe and North Africa. In the early 1870s, he spent time in Algeria and Tunis, and at the end of that period published *Zikhron Yerushalayyim* which is a series of reflections on the challenges facing modern Jews that takes the form of a dramatic dialogue among several social types who meet in Tunis and express their views.¹⁵ In 1874 he was appointed to the position of Hakahm Bashi (Head Rabbi) of Tripoli, Libya and remained there until 1888. In Tripoli, he was the first person to occupy that post established by the Ottoman government that was seeking to establish various modernizing reforms in the city, very often against the opposition of the local population and leaders.¹⁶ In 1888, he accepted the position of Rabbi of Alexandria, a cosmopolitan city in post-Suez Canal Egypt. Beginning in 1879, he published, in Leghorn, his four-volume collection of *Responsa*, entitled *Ta`alumot Lev*, the last volume appearing in Alexandria in 1907.¹⁷ In it are many examples of his exposure to the far-reaching changes that were affecting Jews both in Europe and the Middle Eastern world, and of the moderate and bold halakhic decisions he made in that context. Hazzan was well-recognized within the Sephardi world and beyond. He was honorary president of a rabbinic conference convened in Cracow in 1903 to deal with various pressing issues of the day.

Hazzan's activities and writings have long attracted the attention of researchers. To mention some examples, Eliezer Bashan has discussed his attitude toward Haskalah (1981), Zvi Zohar has focused on Hazzan's work in his early publications (1982) and subsequent writings, Norman Stillman devotes a chapter to him while comparing him to an Egyptian rabbinic colleague Raphael Aharon ben Shim`on, and Zvi Zohar and Yaron Harel are currently engaged in jointly producing a monographic study of his life and thought.¹⁸ In contrast to the emphases in most of

these studies, I would like to dwell upon a case of opposition to Hazzan's modernizing tendencies and leadership, from his period as Chief Rabbi in Tripoli.

Hazzan was appointed to the position of Chief Rabbi (referred to as Hakham Ha-Kollel) of Tripoli in 1874. He was the first incumbent of that position, which was created in the context of the reforming policies within the Ottoman Empire. The Sublime Porte typically selected people who would fit into their program, without necessarily taking into account the wishes and orientations of the local communities to which the rabbis were assigned. This also meant, at this period, that the "Chief Rabbi" was also expected to be a leader regarding a range of issues, and not only religious ones. Soon after Hazzan's appointment, a local Jew – Shaul Lavi – was appointed to be the Vice-Consul representing the Austro-Hungarian Empire in Tripoli, and Hazzan sent a letter, in Hebrew written in Sephardi script, to the Sultan and to a high official expressing appreciation of this appointment.¹⁹ According to the testimony of Mordecai Ha-Cohen, a native of Tripoli who wrote a history of the community, Hazzan was later on very good terms with Ahmed Rassim Pasha, an energetic reforming Ottoman governor of Tripoli who served there from 1881-1896.²⁰ Both men spoke French, and Hazzan served as an informal advisor to the Pasha on a range of matters. Regarding the Jewish community, he was welcomed by important leaders as indicated in several items sent to the Hebrew press which described his activities.²¹ After arrival he took a range of initiatives, and was responsible for having a wall built around the Jewish cemetery, to protect it from occasional flooding.²² The topic that was especially close to his concerns, however, was that of Jewish education.

Awareness of the need for educational initiatives and reform appeared in Tripoli in the 1870s from a number of directions.²³ Ideas and plans were put forth and sometimes implemented by the small wealthy segment of the community (many of

whose origins were in Livorno), by the Alliance Israélite Universelle with its center in Paris, as well as by Rabbi Hazzan. Hazzan wanted to establish a community-supported school that would provide traditional Jewish education to all the town's boys in modern facilities, and also introduce the teaching of Italian which would help them economically in the expanding framework of trans-Mediterranean commerce. Despite the fact that many were thinking in this direction, Hazzan did not succeed in putting his program into practice.

His efforts took place in a complex political setting. He sought support for his educational project from the Anglo-Jewish Association and, through them, from the English consul in Tripoli.²⁴ At the same time, the Alliance began to consider the establishment of a school in the city, but decided that circumstances were not politically ripe.²⁵ At the time, France and Italy were vying for influence in neighboring Tunisia and the establishment of a French protectorate there in 1882 strengthened Italian claims on Tripolitania. The Russian-Ottoman war of 1878 also contributed to the sense of political instability.²⁶ Thus, one of the obstacles Hazzan faced was uncertainty as to which foreign power would prevail. The uncertainty led to a concomitant rivalry among diverse Jewish supporters as to which European orientation should be stressed in a reformed educational system. The clearest opposition to his plan for educational reform, however, came from those who opposed any innovation that introduced European languages or secular studies into an education curriculum.

Hazzan began to work for educational reform soon after his arrival in Tripoli. He wanted to establish a central school, rather than have students spread out in synagogues around the town. He also wanted to limit the number of students to 25 in a class; when he first arrived in the city he found that 60 - 70 students were sometimes in the care of a single synagogue teacher. Among these students were toddlers who were not even

toilet-trained, a fact that has remained un-noted by my daintier predecessors who have examined Hazzan's responsum which discusses these matters.²⁷ The degree of understanding provided in the traditional system was also minimal. The local teachers taught the boys to read Hebrew texts so that they paused at the end of a series of lines, whether or not that represented the end of a meaningful sentence.²⁸ That the changes he wanted to introduce were not only technical, but represented a whole new orientation to education, is reflected in the fact that his project was known by its European derived term – *askola*. In terms of content, the most important change he suggested was the teaching of Italian. Hazzan had some support in this effort from some communal leaders, but other local religious leaders and laymen opposed it.

A picture of the opposition to Hazzan's planned innovation is made possible by the existence of a letter (actually two consecutive complementary letters) that was sent by three members of the Beit Din (rabbinic court) in Tripoli to the Rishon Le-Ziyyon in Palestine and the other rabbis there, in 1875, about a year after Hazzan's arrival in Tripoli.²⁹ That letter is translated into English in Appendix I. It is not completely clear to whom it is addressed, because the opening sentence refers to someone named Aharon, while toward the end the main addressee is someone named Abraham, almost certainly the Chief Rabbi in Jerusalem at the time – Abraham Ashkenazi. Perhaps the copy of the letter examined is a draft. It is written in Hebrew, in the Sephardi cursive that was common in the region, and it is built upon many of the standard stylistics, including the use of extensive Biblical and rabbinic allusions and of abbreviations, that characterized formal rabbinic correspondence. It also includes examples of word play, which are not easy to decipher (see the example in the next paragraph; I am not clear about the translation of a few points, but believe that on most matters my reading is correct). I assume that a copy of the letter remained in the files of the Beit Din in Tripoli, and

arrived in Israel with the mass Aliyah from Libya during 1949-51. It was deposited in the National and University Library by Gabriele Vittorio Raccah, a Jew from Libya, who made a number of efforts to document and record aspects of rabbinic tradition and production in Tripoli (see notes 19 and 22).

I do not comment on the formal merits of the arguments opposing Hazzan (or on his replies to them which appear in a responsum in *Ta`alumot Lev* – published in 1879, see note 17), as halakhic issues are not my expertise, but on several other matters of style and substance. The three signators, Furjallah Dabush, Hai Mimon,³⁰ and Yosef Rubin, describe Hazzan's program for an *askola* as an "innovation," referring to the idea with the derisive pun *askolot merorot*, derived from the phrase "bitter clusters [of grapes]" in Deuteronomy (32:32). They claim that education in Tripoli is doing well from a Jewish point of view, and that there is no reason for introducing practices and ideas of which the ancestors had no knowledge. The existing situation is described, picturing all boys learning in a *beit sefer* until the age of thirteen, and then "if the spirit of the Lord arises within him (*nosesa bo*) and he succeeds in his studies, his father makes the effort to find him a Talmid Hakham and he sits in the Yeshiva the whole day, and the kids turn into bucks..." Aside from probably being an idealized portrait – I doubt that the youngsters stayed under the supervision of the local teachers for that long because many of them began working before the age of 13 – the description reflects a kind of hit-and-miss philosophy – that by chance (or God's will) some boys grasp what they are learning beyond the rote instruction which is inculcated into them and this provides the cadres for advanced study.³¹ The letter seems to suggest that moving on to the higher stage of learning was common, but this puts the situation into a better light than actually was the case; continuing to the stage of Yeshiva was the exception rather than the rule and may have then been growing even more rare. Note, also, the

male imagery linked to the study of Torah; younger students are male kids and those who succeed are “bucks,” deriving from Yerushalmi Sanhedrin I 19c, and the following sentence describing a student who does not continue, which I have translated as “not up to it,” comes from Bavli Sotah 26a which Jastrow’s dictionary (p.350) renders as “unable to copulate.”³² In sum, the *dayyanim* (rabbinic judges) paint a picture of a community rooted in ancient texts and maintaining its own tradition that needs no innovations, particularly as experience elsewhere has shown that exposure to foreign languages and secular education leads to the flagging of belief and laxity in observance.

To back up their argument they cite some textual sources. One is the writings of the renowned HID”A (Hayyim Yosef David Azulai) who died early in the nineteenth century, from a book of his collected *derashot* on the Holidays and other festive occasions.³³ There, Azulai does speak out against preferring foreign wisdom over the wisdom of Torah. One may wonder whether this attitude, expressed in a sermon – one of them given on the occasion of annual repentance (*Shabbat Shuva*), would also have guided Azulai in the practical decision of whether or not to equip youngsters with language skills that would enhance their ability to make a living. Another, less well-known source, is a small book that the *dayyanim* recently chanced upon. It was published in Salonica (there is no date but it probably stems from about the 1850s), authored by a certain Ya`aqov Meir Ben Eliahu who the *dayyanim* identify as an Ashkenazi rabbi, and strongly condemns teaching Jewish children foreign languages.³⁴ (From the information on the title page it is possible to get the impression that the author is a Sephardi scholar, but a note in the catalogue entry in the National Library in Jerusalem states that his family name was Spillman, and that he is known as an Ashkenazi author.) Upon viewing both these sources (Azulai and

Ben Eliyahu), it becomes clear that significant portions of the letter of the *dayyanim* are quotes or rephrasing of passages within them. Thus the very mechanics of the construction of the letter serve to convey a message of the ability of tradition to comprehend new developments, and the lack of necessity for turning to new sources of knowledge and understanding.

Aside from the religious principles involved, the letter also points to a struggle between the *dayyanim* and Hazzan over sources of economic support. It claims that he approached well-to-do people in the community and got them to pledge support for the school in amounts that were ten times higher than what they normally pledged to the *shadarim* (religious emissaries) arriving in Tripoli from Palestine (my hypothesis is that this too may be a rhetorical flourish). The implication is that religious issues aside, Hazzan's program would undermine a source of support that normally went to the *kollelim* (houses of study) of the rabbis in Eretz Yisrael (the addressees of the letter). Setting up such a school was a financial undertaking as well as an educational initiative. Mordecai Ha-Cohen states that Hazzan reorganized the way that taxes were collected from the kosher slaughter of meat.³⁵ While Ha-Cohen does not make an explicit connection, it is possible that this change was aimed at providing a financial basis for the school, just as the meat tax had been reoriented to support the new Alliance school that opened in Tunis in 1878, developments of which Hazzan must have been aware.

The *dayyanim*, thus, appear to have used "every trick in the book" to oppose Hazzan's initiative. Turning to the Chief Rabbi in Palestine, they appeal to him to write "as all the curses of the covenant" in getting Hazzan to stop. I do not know whether this is rhetorical embellishment (*ke-khol alot ha-brit*; Deut 29:20), or whether they might be asking the *Rishon Le-Tziyyon* to issue a warning and a ban

against Hazzan.³⁶ While they invite pressure from the authority in the Holy Land, they are aware of their inability to act against recalcitrant members of the community (perhaps referring to established merchants) who send their children to Christian schools in order to learn European languages, and even hesitate to speak out against them because they know they will be ignored. They present themselves as representing the majority view among the Jews in Tripoli. The second of the two letters (not translated below), which is a supplement to the first, contains 71 signatures whereas, according to them, Hazzan was only able to get seven or eight people to support his initiative in writing (Ha-Cohen claims that most of the communal leaders backed Hazzan³⁷). One may also wonder whether this just happens to be the number they mobilized, or whether it is intended to have some symbolic significance (the ancient Sanhedrin). All tolled, these rabbinic judges exhibited energetic and essentially successful leadership in preventing (at the time) the establishment of an institution of European education that would broadly serve the Jewish community in Tripoli.

Hazzan's opponents, as noted, "won" on the local level for a period of time. A school in the spirit described was not set up during the tenure of his stay in Tripoli through 1888. It appears, however, that Hazzan's efforts left a mark on the local Jews. The program to establish a school had progressed to the point that a building in the Jewish quarter was designated for that purpose. While the school never opened, the room within the building set aside for a synagogue began to function, and became known as slat a-skula, "the *askola* synagogue." This term was current thirty years later.³⁸ Education for all of Tripoli's Jewish children was an idea whose time, if it had not yet come, was surely on the way. It is also clear that the victory of the *dayyanim* was only a local one. Hazzan was much more connected to rabbinic leadership in Palestine, and

elsewhere, than they were. In his published responsum in which he describes the situation in Tripoli and gives a long halakhic justification for teaching European languages, he appends the approval of rabbis in Tunis, Izmir, and Palestine, the latter being the very Abraham Ashkenazi (who had earlier appointed Hazzan to the rabbinic court in Jerusalem), to whom the Tripoli *dayyanim* directed their letter. Viewed globally, Sephardi leadership certainly showed an open attitude toward modern education, but there were also episodes of resistance to their leadership in this direction.

Some Final Thoughts

What can story of Rabbi Hazzan in Tripoli and the opposition to his educational initiatives add to general discussions of leadership? One of the questions arising from the exchange between Zohar and Brown (note 11) is: where are orthodox reactions most likely to crystallize and be maintained – in regions directly in contact with forces of modernization operating in the wider society or in peripheral regions where the impact of modernization reaches more slowly and in a piecemeal fashion? Addressing this issue requires comparative research, and it is instructive to compare overall trends within Tripoli with those of neighboring Jerba, in southern Tunisia, with which it shared a rabbinic tradition.³⁹ Such comparison stresses the importance of assessing historical processes and their components - such as leadership - in context. The career of Rabbi Hazzan itself is built up of interesting comparative episodes. When he moved from Tripoli to Alexandria he also was moving to a setting where his openness to contemporary currents was more in tune with the Jewish and Gentile society surrounding him, giving his leadership a different meaning and impact. And the case of Tripoli, where there was at first successful religious opposition to modern education but this opposition did not stand up to the long-range impact of economic, political and cultural

forces, probably represents a pattern that was more widespread. The implications are perhaps obvious, but also worth remembering, that “leadership” is not a quality in and of itself, but a pattern of interaction that must be understood in terms of who is being led and under what conditions.

In conclusion, I return to the notion of Sephardi halakhic openness as a myth. It is worth noting that this is not the only myth within which images of Sephardi Jews and tradition play a role. There is the historiographic “myth of Sephardic supremacy,” and more recently Joëlle Bahloul has pointed to the myth of the “familial” character of the Sephardim, a characteristic that supposedly limited their entrance into modernity.⁴⁰ The ideological component in these notions becomes clear when we note that “Ashkenazim” have viewed Sephardi culture both as retarding modernity and as pointing the way toward successful adaptation to it. One lesson here is that groups with greater cultural clout are more successful in promulgating myths concerning those with less influence, than the opposite. As stated at the outset, the point is not that the “facts” appearing in these myths are fabricated, because many of them stand on serious historical ground. Rather, what is “mythical” is that they gain their appeal from the spin with which they are presented that relates to the present situation and visions for the future. This always involves a selective reading of the historical factors operating in the past or current trends in the present. I do not think that Zvi Zohar, for example, would totally disagree with this characterization. In the concluding paragraph to his book he states: “The significance to this [Sephardi cultural-religious] tradition is not for the past, but for the present and the future...”⁴¹ The present situation that is implicitly criticized by the myth is shared by all Jews who seek a commitment to rabbinic tradition combined with an openness to the world and find that Jewish society as it is now constituted does not help make that path an easy one. It is consoling to believe that there once was a rabbinic

approach that could provide guideposts down that road, but the consciousness that our very reading of that “authentic” tradition may be a “myth” is an additional burden in facing the future. The fact that we are aware of our historical awareness thus constitutes a contemporary dilemma that is impossible to escape. The ability to combine self-questioning in the face of history with resolution in action concerning the future is a challenge that needs to be faced by contemporary leadership.

APPENDIX

Letter From Members of the Beit Din in Tripoli to Rabbinic Leaders in Eretz Yisrael

Note: The translation steers an uneven course between retaining the structure and “flavor” of the rabbinic Hebrew, and providing readable English. For example, the punctuation and breakdown into paragraphs do not appear in the original, but are mine. I have not solved all problems of translation, particularly in the case of some abbreviations. See the notes and the discussion in the body of the paper.

10th of the Month of *Marheshvan*, in the year *IMRAT H' TzERUFAH LiPR*”G

[18 November 1875]

To our illustrious and wondrous rabbis upon whom the whole House of Israel stands, shining angels all of whom are holy, pious of the Almighty, a holy congregation that resides in the house of the Lord who places his light in Zion, and is headed by their king, our illustrious great rabbi, the Wise and Saintly Rabbi Aharon who is Holy to the Lord, may there be peace in their ramparts and tranquility in their land – May it be His Will, Amen.

After the appropriate greetings: it is well known throughout the land about the following trouble that has begun to spread in our camp, our Glorious City of Tripoli in the West ¹ - May God Protect Her, that neither our fathers nor our fathers' fathers have seen from the days of the city's founding until now. “Children of the rabbi's house” (*tinogot shel beit rabbban*) would study in school until reaching the eve of his 14th year, and then, if the spirit of the Lord arises within him and he succeeds in his studies, his father makes the effort to find him a Talmid Hakham and he sits in the Yeshiva the whole day, and the kids turn into bucks, May God be Praised. And if the

son is not up to it, his father teaches him a craft to support himself. This is what we observe today, and what we have heard from our forbears, and the same is true of those who study Talmud Torah who are from poor families or are orphans. But it is unfortunately true, due to our many sins, because of the lack of support and the absence of work, that some have to do menial work such as polishing shoes.

And due to our sins, we have heard a rumor that some notables in our Holy Community – May our Rock Watch Them and Keep them Alive – have met with our illustrious Head Rabbi, Rabbi Eliyahu Hazzan – May the Merciful One Protect him and Bless him – and have agreed, without our- the court's - knowledge, that it is fitting to create in this land “unsavory schools” (*askolot merorot*) to teach Jewish children from age eight years and up the languages of the Gentiles and the foreigners. Before the mind has matured to distinguish between truth and falsehood, the boy learns secular wisdom (*hokhmot hitzoniyyot*) which plants in his heart the spirit of falsehood, unbelief, and ignorance.

And we clearly see that whoever sends his son to these schools are those who grow wavy hair, adorn foreign ornaments, and remove the beard, and appear to be attractive, but these strange ways are coated with tasty honey that covers great impurities from which “those who enter them return not...etc.”.., And this is according to the words, from his Holy Place, of the Pride of Our Strength, the Great Rabbi Hayyim Yosef David Azulai – May the Memory of a Righteous and Holy person be for a Blessing, Amen – in his book *Devarim Ahadim*, pages 60 and 61b-c and 153d, concerning *BKH”K Ayelet Ahavim*..etc. according to Rabbi S² - Of Blessed Memory - which are not unknown to Your Holinesses. And now God has enlightened us by bringing to our hands a book, small in size but great in value, written by a rabbi in Ashkenaz and entitled *Nahalat Ya`akov* [the Heritage of Jacob]

which is a commentary on the Thirteen Principles of our Holy Torah, showing its hidden meanings. In the Introduction, page 3a till the end of page 4b (see therein in detail), he brings the words of The *Ma`ayan Ganim*³ - Of Blessed Memory - who gathered together many early and later great authorities to the effect that anyone who places his son in a *askola* is separated and cut off from the congregation of Israel (see therein).

We sent this via a messenger to the aforementioned Rabbi Eliyahu warning him to desist, but he paid no heed and was concerned that his plan would not be carried out so he approached the notables of the Holy Community - May Our Rock Guard them and Bless them - and seduced them with words until they made great contributions equaling ten times the customary amount that they contributed to a *ShaDaR*.⁴ Several of the notables of the Holy Community - May Our Rock Guard them and Bless them - went out with him to the market place and to the streets and forced the masses to pledge great pledges of the same amount. And some members of the masses cried out bitterly and came to us and informed us of this great evil and we immediately wrote to each of the notables - May Our Rock Guard them and Bless them - that according to our opinion this was a great iniquity and that we were concerned that, Heaven forbid, they fall into sin. And Praise be to God that most of the notables of the Holy Community and also the masses - May Our Rock Guard them and Bless them - when they learned that this was not according to the religious law (*din*), were remorse and took the matter to heart. But the aforementioned [Rabbi Eliyahu] still held to his opinion and we met together, in a plenary of all the Talmidei Hakhamim and let them know our opinion, and no one said a word except for the aforementioned Rabbi Eliyahu. We countered all his arguments, showing that even if he were to bring a Jewish teacher (*maestro*), and that most of the day would be

devoted to studying Torah, that when they become used to the secular books there will be nothing to keep from several transgressions. And it is not possible to take an example from foreign cities where there is no other language or script.⁵

Praise be to God that in our city, from the day it was founded until now, they [the Jews] have not changed their language or their clothes, and all who see them recognize that they are of the seed of those Blessed by God who support themselves with dignity, and include some wealthy people, even though they only know Arabic script, and are not wealthy from crafts etc... And even though there are a few young people who send their sons to Gentile schools, God knows that we do not have the strength or power to keep them from doing this. For although it is correct⁶ to say [only] words that people will listen to...etc, this is very different from - Heaven Forbid – actively introducing a “school” in the Jewish quarter for whoever wishes to attend it. This is particularly wrong for the children of the poor “from whom Torah will come forth.” It is not following God’s way, for “Who is wise? He that is far-sighted!” And Praise be to God that most of the community - May God Watch them - are pure and unblemished, and pray in a *minyan* three times daily and do *mitzvot* toward their fellow man and have other good qualities, so we are concerned that – God Forbid – this sin should come upon us.

The recent generation has slid backward and we feared for our souls should we ignore this, so we have come to beseech your holy countenance with a plea and request to our illustrious `AT”A⁷ - May God protect and bless him - Great of Israel, First of Zion, our teacher the Rabbi “one was Abraham,” may his candle burn forever, to strengthen the weakening hands, and to write “as all the curses of the covenant” against anyone who holds this stance. And if Our Sages of Blessed Memory were concerned about harm to, and loss of, bodies, how much more so does this apply to

the loss of souls – God Forbid – when we see that all who have followed them and learned their languages and dressed in their manner have fallen and stumbled into several transgressions – more than we can elaborate. And as for that which is well known, *AI”N HAIR*⁸ and there is not enough time to list all the books of the *posqim* that we have consulted in this matter, so it should be sufficient to cite the words of the paragon of his generation, the pride of our strength, Rabbi HID”A of Blessed Memory, leaving you with the holy task to do whatever *MIYA”D*⁹ before the flame of controversy spreads – God Forbid, and may Heaven Redouble Your Reward. We trust in your love that you will definitely do so, and the sooner the better, for the sake of His Blessed Name and his Holy Torah. And may the Lord provide your full reward – May His will be thus, Amen.

We remain respectfully yours, those burdened with troubles, who hope for the salvation of the Lord of Hosts, shepherds of the holy flock here in Tripoli of the West, with much strength and peace.

Furjallah Dabush

Hai Mimon

Yosef Rubin

Notes

Acknowledgment: This paper has benefited from comments on an earlier version by Ephraim Kanarfogel.

1. Y. Kaniel, "La problème de l'éducation à Jérusalem au XIXe siècle," in H. Z. Hirschberg, ed. Zakhor Le-abraham: melanges Abraham Elmaleh. Jerusalem: Comité de la communauté marocaine, 1972, pp. 140-68 (Hebrew, French summary).

2. N. Stillman, Sephardi Religious Responses to Modernity. Luxembourg: Harwood, 1995.

3. See Zvi Zohar, Masoret U-temurah (Tradition and change). Jerusalem: Ben-Zvi Institute, 1993; idem, The Luminous Face of the East. Tel Aviv: Hakibbutz Hameuchad, 2001 (Hebrew).

4. Z. Zohar, "Traditional Flexibility and Modern Strictness: Two Halakhic Positions on Women's Suffrage" in H. E. Goldberg, ed., Sephardi and Middle Eastern Jewries: History and Culture in the Modern Era. Bloomington and New York: Indiana University Press and The Jewish Theological Seminary of America, 1996, pp. 119-33 (Hebrew version in idem, The Luminous Face of the East, pp. 237-50).

5. Benzion Meir Hai Uzziel, Mishpetei Uzziel (The Laws of Uzziel). Jerusalem: Mosad ha-Rav Kook for the Committee for the Publication of the Rabbi's Writings, 1947-1964.

6. Z. Zohar, "The Attitude of Rabbi Yosef Masas Towards Women's Torah Study," *Pe'amim* 82 (2000):150-62 (Hebrew).

7. H. Bentov, "Rabbinic Literature in North Africa in the Last 250 Years," *Pe'amim* 86-87 (2001):214-32 (Hebrew).

8. M. Amar, "The Women's status in Rabbinical Courts of Morocco in the Twentieth Century," *Miqqedem Umiyyam* 3 (1990):187-202 (Hebrew), pp. 188-89.

9. N. Ilan, "From Morocco to Sudan: Rabbi Solomon Malka – A Leader in a Time of Change," *Pe`amim* 80 (1999):93-111 (Hebrew), p. 108.

10. Bentov's contribution appears in a double issue of *Pe`amim* devoted to "Printed Halakhic Literature from Jewish Communities in the East in Modern Times" (Vols. 86-87, Winter-Spring 2001). It consists of eight surveys of the published halakhic production in the countries/regions of Iraq, Yemen, Syria-Lebanon, Turkey-Greece-Balkans, Egypt, North Africa (two papers), and Italy. One of the papers by Leah Bornstein-Makovetsky, "Halakhic and Rabbinic Literature in Turkey, Greece and the Balkans, 1750-1900" (pp. 124-74), surveys the literature produced from 1750 to 1900 in the areas of the former Ottoman Empire outside the Arab East, the initial heartland of the Eastern Sephardi Diaspora. Her discussion (pp. 125-126) makes several points. The halakhic literature was produced by leading rabbis in the larger cities, and who taught in Yeshivot. They belonged to certain well-known families. This suggests that the immediate audience of the halakhic literature was a circumscribed elite. Bornstein-Makovetsky also notes that the rabbis of the eighteenth and nineteenth centuries "devoted most of their compositions to the same subjects as their predecessors in the sixteenth and seventeenth centuries: *pesiqa*, *parshanut*, and *derush*." She describes the standard mode of education and observes: "the continuity in the patterns of education caused the rabbis of the eighteenth and nineteenth centuries to adhere to the same subjects of investigation as the previous generations, and we do not find that they developed any new genre, different from what was acceptable in the past. We do not find new areas of interest, nor were there

debates among them concerning the methods of study or over the way that the study of halakha could be brought to reach wider audiences.” This historical perspective, based on a wide assessment of halakhic writings, rather than concentrating on a few remarkable individuals, paints a picture that calls for an examination not only of the rabbis and their writings, but of the contexts and wider audiences within which they functioned. Recently, a somewhat different picture of the rabbinic culture of that period has emerged through the examination of works in Ladino. See Matthias B. Lehmann, "Judeo-Spanish Musar Literature and the Transformation of Ottoman Sephardic Society," Ph.D. dissertation, Freie Universitaet Berlin, 2002. This study challenges a view of the era as characterized by religious stagnation and decline as expressed, for example, in Jacob Barnai, "From Sabbateanism to Modernization: Ottoman Jewry on the Eve of the Ottoman Reforms and the Haskala," in Goldberg, ed., Sephardi and Middle Eastern Jewries, pp. 73-80.

11. B. Brown, "The Eastern Scholars and Religious Zealotry: Points Toward a New Examination," *Akdamut* 10 (2000):289-324 (Hebrew, English summary). See also, Z. Zohar, "Orthodoxy is not the Exclusive Authentic Halakhic Approach to Modernity: A Response to Benjamin Brown, *Akdamot* 11 (2001):139-51, (Hebrew, English Summary), and a rejoinder by B. Brown, "European Modernization Demands an Orthodox Response: A Rejoinder," *Akdamut* 11 (2001):153-60 (Hebrew, English summary).

12. Brown's discussion relates to Zohar's thesis as expressed in his *Masoret U-temurah*, and was written before the appearance of Zohar's most recent book, The Luminous.

13. The same point is made by Shlomo Deshen, "Review of Z. Zohar, The Luminous," *Ha'aretz*, Sefarim, 12 September 2001, pp. 20, 26.

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14. H. E. Goldberg, ed., Sephardi and Middle Eastern Jewries: History and Culture in the Modern Era. Bloomington and New York: Indiana University Press and The Jewish Theological Seminary of America, 1996.
 15. E. Hazzan, Zikhron Yerushalayim. Leghorn: Ben-Amozegh, 1874.
 16. H. E. Goldberg, Jewish Life in Muslim Libya: Rivals and Relatives. Chicago, University of Chicago Press, 1990, pp. 35-51.
 17. E. Hazzan, Ta`alumot Lev, Four Parts. Leghorn: Ben-Amozegh, and Y. Kushta, and Alexandria: F. H. Mizrahi, 1879 – 1907.
 18. Bashan, “R’ Eliyahu Hazan,”; Z. Zohar, Halakha u-modernizatziyah (Halakha and modernization). Jerusalem: Makhon Shalom Hartman, 1982; Stillman, Sephardi Religious Responses, pp. 29-47; H-Judaic E-mail communication by Z. Zohar, 26 May 2001.
 19. G. Raccah, “Gedolei Yisrael be-Luv” (Famous Jews in Libya), in F. Zuairetz et al., eds., Sefer Yahadut Luv. Tel Aviv: Va`ad Qehillot Luv Be-yisrael, 1960, pp. 53-61.
 20. M. Ha-Cohen, Higgid Mordecai: Histoire de la Libye et de ses Juifs. Ed., H. Goldberg. Jerusalem: Ben-Zvi Institute, pp. 168-69 (Hebrew); See also H. Goldberg, trans. and ed., The Book of Mordechai: A Study of the Jews of Libya. London: Darf, 1993; On Ahmed Rassim Pasha, see B. G. Martin, "Ahmed Rasim Pasha and the Suppression of the Slave Trade, 1881-1896" in J. R. Willis, ed., Slaves and Slavery in Muslim Africa, vol. II: The Servile Estate. London: F. Cass, 1985, pp. 51-82.
 21. Joseph Chetrit, “Hebrew National Modernity against French Modernity: The Hebrew Haskalah in North Africa at the End of the Nineteenth Century,” Miqqedem Umiyyam 3 (1990):11-78 (Hebrew), pp. 13-14, 46.

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22. G. Raccah, "*Rabbanei Luv*," (Rabbis in Libya), in F. Zuaretz et al., eds., *Sefer Yahadut Luv*. Tel Aviv: Va`ad Qehillot Luv Be-yisrael, 1960, p. 82.
23. The following discussion partially overlaps with and builds upon an earlier discussion in H. E. Goldberg and C. G. Segrè, "Mixtures of Diverse Substances: Education and the Hebrew Language among the Jews of Libya, 1875-1951." in S. Fishbane and J. Lightstone, eds. *Essays in the Social Scientific Study of Judaism and Jewish Society*. Montreal: Concordia University Press, 1990, pp. 151-201.
24. Anglo-Jewish Association, Fifth Annual Report (in connection with the Alliance Israélite Universelle), 1875-1876. London: Offices of the Anglo-Jewish Association, 1876, pp. 37-38.
25. Alliance Israélite Universelle, Bulletin Mensuel No. 9, Sept. 1875, pp. 123-124; No. 2, Fev. 1877, p. 27-28; N. Leven, *Cinquante ans d'histoire: l'alliance israélite universelle (1860-1910)*, tome 2. Paris: F. Alcan, 1920, p. 136.
26. A rabbinic emissary from Jerusalem who visited Tripoli in 1878 to collect contributions cited the difficulty of raising funds because of the taxes imposed upon the population as a result of the "well-known great war." See A. Ya`ari, *Sheluhei Eretz Yisrael* (Rabbinic Emissaries from Palestine). Jerusalem: Mosad Ha-rav Kook, 1951, p. 745.
27. See Hazzan, *Ta`alumat Lev*. Part I, p. 14a.
28. Y. Kahalon, "La lutte pour l'image spirituelle de la communauté de Libye au XIXe siècle," in H. Z. Hirschberg, ed. *Zakhor Le-abraham*, pp. 79-122 (Hebrew, French summary), especially p. 108, note 81.
29. Hebrew Manuscript Division, Jewish National and University Library, Jerusalem, ARC 4° 1512, 20.

30. See Hai Mimun, *Be'er Le-hai*. Leghorn: Ben Amozegh, 1848, which contains a series of *derashot* for *Shabbat Kallah*, the Sabbath preceding Shavu`ot. On this occasion it was conventional to speak on the subject of *talmud torah*, to encourage people to contribute to the support of education in the community.

31. See Kahalon, "La lutte."

32. For a broader view of the symbolic gendering of the study of Torah, see Harvey E. Goldberg, *Jewish Passages: Cycles of Jewish Life*. Berkeley, University of California Press, 2003, pp. 83, 93-98.

33. H. Y. D. Azulai, *Devarim Ahadim*. Leghorn, 1788.

34. Ya`aqov Meir Ben Eliahu, *Nahalat Ya`akov*. Saloniki, n.d.

35. Ha-Cohen, *Higgid*, p. 242.

36. In a somewhat parallel instance close to 40 years later, some rabbinic leaders in Yemen turned to rabbis in Palestine to support them against a "rationalist movement" (also led by rabbis), and the rabbis in Jerusalem issued a solemn ban against the "sinners" in Yemen. See M. Mikhlin, "La-milhemet ha-rabbanim be-eretz teman," *Moriah*, 18 Kislev 5674 (16 December 1913).

37. Ha-Cohen, *Higgid*, p. 236.

38. Ha-Cohen, *Higgid*, p. 251.

39. H. Goldberg, "Religious Responses to Modernity among the Jews of Jerba and of Tripoli: A Comparative Study," *Journal of Mediterranean Studies* 4 (1994):278-99, and H. Goldberg and G. Segrè, "Holding on to Both Ends: Religious Continuity and Changes in the Libyan Jewish Community, 1860-1949," *The Maghreb Review* 14 (1989):161-86. See also, now, S. Deshen, "'Irenu `Ir Jerba'," forthcoming in Yitzhak Abrahami memorial volume, ed. Yitzhak Gershon.

40. I. Schorsch, "The Myth of Sephardic Supremacy," Leo Baeck Institute Year Book 34 (1989):47-66; J. Bahloul, "The Sephardic Jew as Mediterranean: A View from Kinship and Gender," Journal of Mediterranean Studies 4 (1994):197-207.

41. Zohar, The Luminous, p. 364.

Notes to Appendix

¹ In contrast to Tripoli in Lebanon.

² I do not know what book and author are referred to here. *Ayelet Ahavim* is a phrase from Proverbs 5:19 which depicts a man torn between attraction to a "foreign" women and the love of his own family, and has become understood metaphorically as the dilemma between the appeal of "foreign wisdom" and the devotion solely to Torah.

³ I do not know what book and author are referred to here.

⁴ Abbreviation for rabbinic emissary from the Land of Israel.

⁵ I think this means that in Europe Jews have to learn the language of the Gentiles to communicate in business, but in Tripoli the Jews already know the Gentile language – Arabic - which is not "foreign". See Bashan, "*R' Eliyahu Hazan*," note 18 in the body of the paper.

⁶ Literally: a *mitzvah*.

⁷ The meaning of abbreviation is unclear.

⁸ Abbreviation and phrase unclear.

⁹ The abbreviation unclear, but it seems to entail a play on words suggesting immediate action.

