

## 8 Returning apostates and their marital partners in medieval Ashkenaz

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Jewish conversion to Christianity during the medieval period, whether done willingly or under duress, placed a heavy burden on the converts themselves, but also on arbiters of Jewish law. Ashkenazic Jewry encountered this phenomenon even before the First Crusade and Rashi (1040–1105), in response, propounded the principle that “even when a Jew has sinned grievously, he remains a Jew.” As explained by Jacob Katz, adoption of this rule by subsequent Ashkenazic halakhists meant that every Jew had the possibility of returning to the community, even if his or her conversion had been willful. Moreover, the full return of a former apostate required little more than rejoining the community and recommitting to the observance of Jewish law and practice.<sup>1</sup>

If, however, a married Jewish woman had sexual relations with a Christian during her apostasy, things became more complicated. Normative Jewish law stipulates that a married woman who willingly had relations with another man henceforth is sexually prohibited to both her husband and the other man (as per *Sotah* 28a, *ke-shem she-asurah la-ba'al kakh asurah la-bo'el*). Ostensibly, of course, the Talmudic axiom assumes that the other man was also a Jew.

This chapter analyzes how Tosafists and other Ashkenazic halakhists dealt with both the theoretical and practical aspects of situations in which a Jewish woman had lived with a Christian man during her apostasy. In describing how the leading northern French Tosafist (and Rashi's grandson), Jacob b. Meir Tam (1100–1171), addressed challenges posed by the presence of apostates, Ephraim Urbach writes that “Rabbenu Tam attempted to ease the return of apostates to the Jewish fold. Thus, it is reported that he permitted a Jewess, who had apostatized and had sexual relations with a Christian prior to her reversion, and whose husband had divorced her, to be married to her former Christian partner who himself had converted to Judaism.”<sup>2</sup> The *Tosafot* passages that record the position of Rabbenu Tam also note the strong objection raised by one of his senior students, Isaac b. Mordekhai (Ribam) of Bohemia. In Ribam's view, the relations that the Jewess had with her Christian lover disqualify her not only from returning to her husband, but also to her lover who had converted to Judaism. Ribam

bases his ruling on the principle that a married woman who commits adultery becomes prohibited both to her husband and to the one with whom she had illicit sexual relations.<sup>3</sup>

Passages in Moses of Coucy's *Sefer Mizvot Gadol* (ca. 1240), and in the late thirteenth-century *Sefer Mordekhai* and *Haggahot Maimuniyyot*, indicate that Rabbenu Tam's nephew and influential successor, Isaac b. Samuel (Ri) of Dampierre (d. 1189), may have agreed with the stringent view of Ribam, although Ri's position cannot be confirmed from any direct statements.<sup>4</sup> At the same time, however, several French Tosafist formulations point to an additional – and even more striking – leniency offered by Rabbenu Tam. The reverting female apostate who wished to return to her husband (rather than to remain with her former paramour) could do so, assuming that the husband did not divorce her and that he was not a *kohen* – since the wife of a *kohen* can remain with her husband only if she did not have any sexual relations outside of the marriage, including those with a non-Jew.<sup>5</sup>

Thus, *Tosafot Yeshanim* to tractate *Yoma*, compiled by Moses of Coucy on the basis of the *Tosafot* of his teacher Judah Sirleon (d. 1224; Judah was a student of Ri of Dampierre), records that in addition to allowing the returning apostate to marry her former non-Jewish paramour who had converted to Judaism, Rabbenu Tam also held that “the Torah has nullified (*afqereh*) the seed of an idolater so that his relations do not prohibit a woman from returning to her husband: the principle of ‘just as she is now prohibited to the adulterer, she is also prohibited to her husband’ does not apply.”<sup>6</sup> A composition known as *Tosafot sh’el ha-Alfas* asserts, at the beginning of tractate *Ketubot*, that for Rabbenu Tam, sexual relations with a gentile do not have the legal standing to render a woman forbidden to her husband. As such, she also cannot be forbidden to her paramour if he has undergone conversion, although obviously, only one of these relationships can be allowed to continue.<sup>7</sup>

To be sure, late thirteenth-century German Tosafist works, and other Ashkenazic authorities from the late medieval and early modern periods, indicate that they did not understand Rabbenu Tam's position in this way; as we shall see, this likely reflects a more conservative outlook that developed over time.<sup>8</sup> For these sources, Rabbenu Tam maintains that if a woman had uncoerced sexual relations with a non-Jew – while married to a Jew – her husband was *required* to divorce her. At the same time, however, Rabbenu Tam held that from a halakhic point of view, relations with a non-Jew and relations with a Jewish adulterer are treated as different cases. As such, after a female apostate had returned to the Jewish community and was divorced by her husband, she could live with her former non-Jewish paramour if he had converted. Even this degree of leniency, however, is quite striking, and surely reflects Rabbenu Tam's desire to ease the path of the apostate's return, as Urbach has suggested.

Jacob Katz, who dealt extensively with the easements that Rashi and his Tosafist successors recommended for returning apostates as noted

earlier, does not discuss the lenient approach of Rabbenu Tam or the issue of marital partners for returning apostates more broadly. Furthermore, he does not treat a responsum on this issue attributed to Rashi by a gloss to *Sefer Mordekhai* citing *Sefer ha-Pardes*, which maintains that a woman who willingly had relations with a non-Jew is prohibited to her husband.<sup>9</sup> Support for this ruling is adduced from the remark by Queen Esther (4:16, *ve-ka'asher avadti avadti*), which is understood by the Talmud in tractate *Megillah* 15a (as noted by Rashi in his commentary on the biblical verse) to mean “I will be lost not only to my father’s house, but to you as well” because as she continued to have relations with Ahashverosh after revealing her familial origins to him, she was now considered to be his willing consort (*niv’alti be-razon*), and was therefore prohibited to her husband Mordekhai. The responsum further stipulates that a female apostate who willingly had relations with a non-Jew is similarly prohibited to return to her husband since it is assumed that in cases of willful apostasy, neither men nor women retain any inhibition with regard to sexual relations (*de-ein hamarot ha-idna bein de-ish bein de-ishah leshem ‘avodat kokhavim ve-yezer da-‘aveirah ‘adayin qayyam*).

The responsum notes that this approach was challenged by some, albeit without any substantive textual support. The responsum further suggests that if it were possible to demonstrate that a female apostate had been forcibly converted (or that sexual relations with a non-Jew had occurred against her will), she would be able to return to her husband. It does not deal with the question of her remaining with a Christian lover who subsequently converted.

This responsum distinguishes between a willful and coerced apostasy, a distinction that Rashi does not typically make, although the gravity of the violation in this case is perhaps at the root of this exception. Indeed, the same approach is evident in another responsum penned by Rashi about the need to deliver a *get* to a woman who had been an apostate for a goodly amount of time (*yamim rabbim*) but then decided to return of her own volition to the practice of Judaism (*shavah mi-da’atah linhog be-darkhei Yisra’el*). In this instance as well, Rashi’s conclusion is that the period of her willful apostasy renders her permanently prohibited to her husband.<sup>10</sup>

On the other hand, the differing views on the extent of Rabbenu Tam’s lenient position discussed earlier would agree that he held his allowance even in cases where the female apostate had lived willingly with her non-Jewish lover. Indeed, Rami Reiner has suggested that Rabbenu Tam formulated and applied leniencies in two distinct but related areas of apostasy and marital relations. He allowed a reverting Jewish woman to remain with her Christian paramour who had converted to Judaism (and ostensibly even to return to her husband), but he also allowed women who had been forcibly converted to Christianity and detained for a lengthy period to return to their husbands, even if they had sexual relations during this difficult period (provided that they were not married to a *kohen*), since their

initial conversion was coerced and subsequent sexual relations were not considered to be a willful desecration of their marriage. However, since the claim of coercion could not be put forward in the case of a former female apostate who had been with a Christian paramour whom she now wishes to marry, Rabbenu Tam adduced a different argument for leniency in that situation, as we have seen.<sup>11</sup>

The circumstances that occasioned Rabbenu Tam's ruling allowing women who had been forcibly detained by Christians for a time – and then engaged in sexual relations with them – to return to their husbands upon their release, involved a posse of armed Christian robbers who overran a town. A young married Jewish woman was forced to convert (*ve-ansuhah ve-hemirah la-'avodat kokhavim*), and she remained in a state of (sexual and religious) impurity for a long time (*ve-nitmet be-goyutah yamim rabbim*). Thanks to the efforts of her parents to secure her release, she subsequently returned to her husband's home and resumed living with him. A passage attributed to close students of Rabbenu Tam, including Joseph b. Isaac *Bekhor Shor* of Orleans, indicates that it was Rabbenu Tam who permitted this marriage to continue, based on his understanding of the Talmudic *sugya* (*Ketubot* 26b), which deals with the status of women who had been captured by gentiles.<sup>12</sup>

Rabiah's father, Joel b. Isaac *ha-Levi* of Bonn (d. ca. 1200), ruled leniently in the case of a Jewess who had freely gone off with Christians, remaining in their home for three days until she was released via a bribe. R. Joel *ha-Levi* held that she was permitted to return to her husband, although the short duration of her stay and the fact that no conversionary activity is intimated undoubtedly figured prominently in this ruling.<sup>13</sup>

Rabbenu Tam's rulings in these matters were clearly the most far-reaching among rabbinic authorities in northern France and Germany through the twelfth century and beyond. Two manuscript passages provide additional support for the claim that Rabbenu Tam regarded sexual relations between a married Jewish woman and a non-Jew as completely removed from the realm of halakhic adultery. The first is a responsum by Meir b. Barukh (Maharam) of Rothenburg (d. 1293), who studied during the mid-thirteenth century with leading Tosafist teachers in northern France including Yehi'el of Paris, Samuel of Falaise and Samuel of Evreux: "A married woman who willingly engages in sexual relations with a gentile to which there are witnesses, does she lose her *ketubah* payment and is she prohibited to her husband? Rabbenu Tam permitted her to the husband, while Ri [of Dampierre] prohibited her to the husband, as per tractate *Yevamot*."<sup>14</sup>

Although this responsum is exceptionally brief and its precise talmudic source is unspecified (and Maharam does not support one position over the other), it confirms Rabbenu Tam's view that engaging in sexual relations with a non-Jew does not prohibit a Jewess from returning to her husband, even if there was no conversionary pressure involved. Indeed, in light of this passage, it is possible to suggest that Rabbenu Tam, as was his wont,

formulated his lenient ruling on behalf of a returning female apostate not as a specific easement for the apostate, but as part of a larger leniency regarding sexual relations with non-Jews.<sup>15</sup>

The reference to tractate *Yevamot* noted by Maharam perhaps connotes a *sugya* toward the end of the tractate, which characterizes the sexual functioning of a non-Jew (on the basis of a verse in Ezekiel) as akin to the ejaculation of horses. This conception is found in many of the *Tosafot* formulations of Rabbenu Tam's position noted at the beginning of this study. Ribam and others who disagreed with Rabbenu Tam's conclusion understood this passage differently, although there are other *sugyot* within tractate *Yevamot* that may be the intended source. It is also noteworthy that this iteration of Rabbenu Tam's position (and the objection of Ri) was not found in this form or identified as such prior to the formulation by Maharam.<sup>16</sup>

In addition, a manuscript parallel of the *Tosafot* 'al *ha-Alfas* passage discussed earlier frames the circumstances of the case with which Rabbenu Tam's ruling initially dealt – involving the repentant apostate and her paramour who converted – differently than other Tosafist sources do. This passage characterizes the case that came before Rabbenu Tam as that of a “convert (*ger*), who had relations while he was still a Christian with a Jewess who was an apostate (*she-ba 'al meshumedet be-giyyuto*), after which he repented [as she did], and he converted with her (*ve-'asah teshuvah ve-nitgayyer immah*).” Although this last phrase, “and he converted with her,” is somewhat imprecise – since she was not converting to Judaism but, rather, reverting to the religion into which she had been born – other Tosafist passages also describe the two lovers as having “returned to Judaism together,” even though their specific paths and points of return were obviously quite different.<sup>17</sup>

The remainder of this passage is even more suggestive. Once both the repentant apostate and her Christian lover had “returned,” “her husband divorced her and Rabbenu Tam allowed the *ger* to ‘keep her’ [i.e., to marry her, *ve-girshah ba'alalah rishon ve-hittir la-ger le-qaymah*], even though she should have been prohibited to him because of the principle of *asurah labba'al asurah la-bo'el*.” According to this formulation, the former apostate's husband made the decision to divorce her at this point, and Rabbenu Tam was asked to rule only about whether the new convert could remain with her by formally marrying her, which Rabbenu Tam permitted. Had the paramour not converted to Judaism and had the husband not decided to divorce his wife, the question put to Rabbenu Tam could just as easily have been whether the returning apostate may return to her husband – and the likelihood is that Rabbenu Tam would have answered affirmatively in this instance as well, since she is not prohibited to her husband as a result of her relations with a non-Jew. This ruling would also have helped the apostate to better adjust upon her return to the Jewish community, but it suggests that Rabbenu Tam did not require the husband of a returning apostate to divorce his wife even though she had lived with a Christian lover during her

apostasy because he held that relations with a Christian did not constitute halakhic adultery.<sup>18</sup>

This passage in the *Tosafot 'al ha-Alfas* also refers to a subsequent discussion in tractate *Sanhedrin*. The case that came before Rabbenu Tam is characterized there as follows: “Rabbenu Tam ruled in the case of a married Jewess who apostatized and married a non-Jew (*ve-nis'et le-goy*), after which she returned and was divorced from her Jewish husband and then her [non-Jewish] husband converted; Rabbenu Tam allowed him to marry her (*li-qabehah lo le-ishah*).”<sup>19</sup> In this version as well, although the time frame is a bit more protracted, it does not appear that Rabbenu Tam insisted that the husband divorce his wife as a precondition for the newly converted former lover to be able to marry her, or that she would not have been permitted to remain with her husband if he did not divorce her. Rather, this is simply the way that the events played out.

There is at least one passage among the standard *Tosafot* texts noted at the outset of this study that can be understood in this way as well, although it presents yet another set of circumstances. The passage in *Tosafot Yeshanim le-Massekhet Yoma* describes the case as follows: “Rabbenu Tam ruled permissively regarding a Christian who had relations with a married Jewess (*she-ba 'al bat Yisra'el tabat ba'alah*); her husband divorced her and she apostatized, and the Christian married her, and then the two of them returned and converted (*ve-girshah ba'alah ve-hishtamdah ve-nis'ah ha-akkum ve-hazru ve-nitgayru sheneihem*). Rabbenu Tam permitted the Christian who had converted [to Judaism] to marry her, since the seed of a gentile has been nullified by the Torah and does not prohibit a Jewish woman to her husband, and there is no issue of *asurah la-ba'al asurah la-bo'el*.”<sup>20</sup>

According to this presentation of the case, the husband divorced his wife because she had relations with a non-Jew; this development also presaged or even caused her to apostatize. Here again, the question put to Rabbenu Tam concerned only whether the woman and her former Christian paramour could remain together after he had converted to Judaism, not because she was otherwise prohibited to her husband but because her husband had already divorced her prior to her apostasy. This formulation again suggests that Rabbenu Tam's leniency about sexual relations with a non-Jew could be applied equally to allow her to remain with her former paramour if he converted or to return to her husband. Rabbenu Tam did not require the husband to divorce his wife, as later sources assumed.<sup>21</sup>

Before moving to discuss developments during the thirteenth century, there is one additional ruling from the late twelfth century (or the earliest years of the thirteenth century) that is worth reviewing. In a case where both husband and wife had apostatized together, Samson b. Abraham of Sens (Rash *mi-Shanz*), the leading student of Ri of Dampierre, disagrees with his questioner and allows them to return to the Jewish community and remain together.<sup>22</sup> R. Samson offers several reasons for his ruling. The first, and most significant, is that since the couple remained married and faithful to

each other, their personal values and morality – as was also typically the case for Christian spouses – are considered to be intact, and they are therefore not suspected of violating the sanctity of their marriage (or of wantonly abandoning or violating any precepts for that matter). This is unlike a situation in which a married woman converted willingly to Christianity by herself, thereby intending to rebel against her husband in sexual matters as well.

Although R. Samson also notes that it is appropriate to support those who wish to return – and this too serves as a justification for leniency – Gerald Blidstein correctly notes that this aspect is not the most crucial for R. Samson since this leniency should then apply as well to a woman who had willingly apostatized on her own and now wished to return to her husband. A married couple, in R. Samson's view, had an inherent advantage, even as Blidstein also shows that a number of later Ashkenazic authorities did not agree with this lenient view.<sup>23</sup> Indeed, R. Samson's view is more akin to that of Rashi concerning willful conversion to Christianity and the problem of returning to one's spouse than it is to the position of Rabbenu Tam.

Discussion of Rabbenu Tam's approach by northern French Tosafists during the thirteenth century reflects more than a theoretical interest. A passage in *Sefer Mordekhai* to tractate *Sanhedrin* records the view of Yehi'el b. Joseph of Paris (d. ca. 1260), who studied briefly with Samson of Sens and then with Judah Sirleon. R. Yehi'el endorses the lenient position of Rabbenu Tam that allowed a returning female apostate and her Christian paramour who converted to Judaism to be married (and applies this ruling to an actual case, *'asah ma'aseh*), but he proposes a different reason for this allowance (*ve-lo mi-ta'ameh*). Since the paramour has converted to Judaism, the principle that defines a *ger's* existence in halakhic terms is that he is akin to a newborn child (*de-ger she-nitgayyer ke-qatan she-nolad dami*). For this reason, the sexual relations that he had with the Jewish woman while she was an apostate—even though she requires a divorce from her husband because of this—do not classify him as an adulterer from the standpoint of Jewish law since his prior (sinful) acts while a non-Jew are not attributed to him now as a Jew.<sup>24</sup> It appears that R. Yehi'el wished to avoid the more controversial conclusion of Rabbenu Tam, that the sexual act of a gentile is not considered adulterous. Indeed, for R. Yehi'el, the principle that allows the new convert to marry his former lover prohibits her return to her husband.<sup>25</sup>

A cluster of rulings from the circle of Yehi'el of Paris found in a manuscript fragment suggest that Rabbenu Tam's other related leniency, concerning a woman who had been forcibly converted and remained in Christian hands for a lengthy period before being allowed to return to her husband, was also now being applied only in a limited way, if at all. The passage begins with the case of a *kohen* and his wife who had been forced to apostatize and then returned together (*ve-hazru yahad bi-teshuvah*). Although some wished to prohibit the wife to her husband at this point since she may have been compelled to engage in sexual relations, the passage asserts that it is clear (*davar pashut*) that Christians do not rape or otherwise force

converts to have relations with them (*ein me-ansin ha-goyot ve-aharei she-avru mishpat ha-goyot*). The passage also adduces support from an unattributed responsum, ostensibly that of Samson of Sens discussed above, that although a married woman who had apostatized on her own and then reverted cannot return to her husband since it is assumed that she willingly engaged in sexual relations at some point after she left the Jewish community, a couple that apostatized together (even willingly) and then returned and repented could continue to live together. Since they had apostatized together (*kevan she-avru al dat yahad*), there is no reason to suspect that any promiscuous behavior had occurred.<sup>26</sup>

The passage then goes on to cite a supportive ruling in the name of *Ha-Qadosh* Rabbenu Netan'el (of Chinon), which was also associated with Yehi'el of Paris and accepted by Moses of London (*ve-zeh iqar ha-teshuvah, ve-qiblah/ve-qabbalah meha-rav R. Yehi'el; u-morenu ha-rav R. Moshe mi-Londrish hiskim*). In situations where Jewish women were being pressured and even physically forced to convert to Christianity (*ve-hayu meyasrim otam le-ha'avir al dat . . . im me-yasrim otam . . . kevan dele-ha'avrim al dat nityasru . . . de-ein mekhavnim raq le-ha'avir al dat*), the presumption is that these women are not in the category of captives who might willingly engage in sexual relations with their captors in order to find favor in their eyes and thereby save their lives (as per *Ketubot* 26b). Rather, it may be assumed that since the aim of the intimidation here was conversion alone, these women would not engage in sexual acts and are therefore permitted to return to their husbands, even to one who is a *kohen*. Whereas Rabbenu Tam allowed a woman who had been forced to convert to return to her husband even if sexual relations had occurred – since it is assumed that the woman did not want to willingly engage in these relations because she had been converted against her will, and she was not thereby desecrating her marriage – the allowance in this passage from the mid-thirteenth century was based on a narrower (and not always valid) assumption that sexual relations had not occurred.<sup>27</sup>

Isaac b. Joseph of Corbeil (d. 1280), a son-in-law of Yehi'el of Paris who studied at the Tosafist *beit midrash* in Evreux under R. Yehi'el's contemporaries, the brothers Moses and Samuel b. Shne'ur, “was asked directly about a married woman who apostatized and had sexual relations with a Christian. She then returned and he converted to Judaism with her.” Although the report of R. Isaac's ruling may have been stylized (and was most likely reported by one of his students), it reflects many aspects of the Tosafist discussions encountered up to this point, even as R. Isaac injects a new element of halakhic reasoning.

The question put to Isaac of Corbeil was, “[Whether] the convert could now marry her – after her husband divorced her – since he is akin to a newborn child, or whether she remains prohibited to him just as she is prohibited to her husband?” R. Isaac's response was that she is forbidden to him as well, for although the former Christian would be permitted to have



sexual relations with her since as a convert to Judaism he is indeed akin to a newborn child, “for what reason can we allow her to have relations with this *ger*?” R. Isaac’s point is that since this woman remained a Jewess when she had adulterous relations (as an apostate) with a then Christian, *her* status with respect to prior sinfulness has not changed with her return to the Jewish community. Since she would be prohibited to her husband according to Jewish law because of this adulterous behavior, she is prohibited to her former lover as well.

The ruling concludes by noting that “it was very difficult for [R. Isaac] to forbid this, since he was concerned lest they return to their prior form of bad behavior (*ve-hayah qasbeh lo me’od le’esor she-lo yahzeru bezuram/be-suram*)”; that is, they would not be able to live apart as Jews and would revert to Christianity. Although Isaac of Corbeil was surely aware of Rabbenu Tam’s leniency as modified by the reasoning of his father-in-law Yehi’el of Paris, he ruled that the position first attributed in Tosafist literature to Rabbenu Tam’s student, Isaac b. Mordekhai (Ribam), that the repentant apostate could not now marry her former lover just as she could not remain with her husband, was the correct halakhic view. This was so despite the fact that it remains unclear whether Ribam would have concurred with Isaac of Corbeil’s theoretical analysis.<sup>28</sup>

While the incidence of female apostates who had sexual relations with Christians and later sought to return to the Jewish community continued apace during the thirteenth century, and leading northern French rabbinic authorities and Tosafists remained concerned about smoothing the way for these individuals, the leniency that had been proposed by Rabbenu Tam in situations where the former Christian lover converted to Judaism was becoming more limited. No one at this time even considered allowing such a woman to return to her husband after she had repented and rejoined the Jewish community.

Asher b. Yehi’el (Rosh, ca. 1250–1320), a German student of Meir of Rothenburg who fled to Spain in the early years of the fourteenth century, suggested yet another means of preserving Rabbenu Tam’s allowance for the former Christian lover and the repentant Jewess to remain together. This concerned the way that a *sotah* is prohibited to her husband, which Rosh nonetheless stresses cannot not be used to allow the former apostate to return to her husband. This modified approach is codified, in the names of both Rabbenu Tam and Rosh, in the *Arba’ah Turim* by Rosh’s son, Jacob.<sup>29</sup>

No other rabbinic authorities in thirteenth-century Germany even cite Rabbenu Tam’s ruling that permits a willful apostate to return and marry her former lover if he has converted. It seems that German rabbinic authorities at this time took the approach associated previously with Rashi, that willful apostasy automatically prohibits a woman to her husband even if she repented fully and returned and, with the approach initially formulated by Ribam against that of Rabbenu Tam, that sexual relations with a non-Jew outside of marriage were considered to be an adulterous act.<sup>30</sup>

Thus, Isaiah b. Mali di Trani (RiD, d. ca. 1240), who studied with Simhah b. Samuel of Speyer (d. ca. 1230) but was also familiar with Rabbenu Tam's teachings through his German students, chided a local rabbinic figure for not having ruled stringently in a case where a woman had apostatized and remained among the Christians for a lengthy time. After she returned to the Jewish community, the woman lived with her husband as before (*ve-bi 'omedet tahat ba'alalah u-meshamashto ke-bathilah*). Since she had apostatized willingly, R. Isaiah deemed this result completely unacceptable (*ra'ah holah shamati she-na'asah bi-qehalkha. . . ki kevan she-merzonah halkhah ve-'amdah 'im ba-goyim bi hifqirah 'azmah ve-ne'esrah [le-ba'alalah] 'olamit*). R. Isaiah asserts that if she had willingly apostatized, it is assumed that she willingly had relations with gentiles, whether or not there are witnesses to that effect.<sup>31</sup>

A lone German respondent makes reference to Rabbenu Tam's other related lenient ruling, concerning a woman who had been held by Christians for a time after having been forced to apostatize. This emerges in connection with the persecutions in Frankfurt in 1241, in which 180 Jews were killed and some twenty-four survivors were forcibly converted to Christianity. Among this group of converts was a young woman who had received *qiddushin* from a man from Wurzburg. After some time in captivity the woman escaped and returned to her community, at which point she demanded that her *hatan* marry her. He refused to do so, however, on the grounds that she had become prohibited to him because of her stay among (and under the control of) the Christians. Moreover, he had, in fact, already married someone else.<sup>32</sup>

Several rabbinic authorities were called upon to rule. Although it is not possible here to review their nuanced and wide-ranging responses, all but one of these respondents concluded that the young woman was permitted to marry the man from Wurzburg (if he divorced his current wife) since her apostasy had been forced. In addition, her Christian captors actually sought to preserve her virginity in order to be able to marry her off to a proper Christian, and were otherwise inclined to protect new female converts. As such, the young woman's apostasy in some measure served to protect her. Moreover, an approach developed earlier by Simhah of Speyer maintained that as long as the forced convert believed in the possibility that she could be ransomed or otherwise rescued from her captors, she would not willingly engage in sexual relations with them.<sup>33</sup>

In the first of his two responses to this situation, David b. Sh'ealti'el, a student of Rabiah and the head of a rabbinical court, cited Rabbenu Tam's leniency about a forced convert—which he had heard from others—as support for his lenient view in this matter. To be sure, this was based on a combination of several different factors and considerations: “Some of our colleagues testified before us that in northern France, Rabbenu Tam allowed the return [to their husbands] of women who had been assimilated (*nitme'u*, with an *'ayin*) for a period of time among the gentiles (*kammah yamim bein ba-goyim*).” R. David also refers to an earlier responsum (perhaps of German

origin) that he and his colleagues had in their possession, which permitted a woman to return to her husband in this kind of situation.<sup>34</sup>

Strikingly, however, every other ruling in the Frankfurt episode that permitted the young woman to her *arus* relied on halakhic determinations that she had never had relations with a Christian. These presumed either that her captors protected new converts or that other indications suggested such absence of relations. None of these authorities mentioned Rabbenu Tam's position that under conditions of forced apostasy a woman who has relations with a non-Jew is not considered to have violated volitionally her relationship with her husband.

Isaac b. Moses *Or Zarua'* of Vienna (d. ca. 1250), who studied in northern France with Judah Sirleon and in the Germany with Rabiah and Simhah of Speyer, was the single voice of dissent in the Frankfurt case, ruling that even though she had apostatized under duress, the young woman was forbidden to her *hatan*. Unlike his colleagues, R. Isaac presumed that such a woman would be at the mercy of lustful and lawless men, who would not in the least restrain themselves in deference to her baptism. She would be unable to resist their advances and pressure, and would willingly engage in sexual relations with them out of desperation.<sup>35</sup>

By the mid-thirteenth century, it was no longer halachically possible for a former female apostate whose apostasy had been volitional to return to her husband. If the woman had apostatized under duress (without her husband) and lived in close quarters with Christians for a lengthy period, the strategies employed to allow her to return to her husband were predicated on halakhic determinations that she did not have sexual relations with non-Jews rather than on Rabbenu Tam's position that such relations were not to be considered volitional in any case. In short, Rabbenu Tam's leniencies in these matters, which greatly discounted the halakhic impact of sexual encounters with Christians, had for all intents and purposes disappeared.

The extent to which this progression was influenced by differences between the rabbinic scholars of northern France, on one hand, and those of Germany, on the other, or by societal developments and patterns of apostasy rather than by pure halakhic considerations requires further discussion. The seeming ease during this period with which spouses and lovers moved between Jewish and Christian communities, at least as reflected in the rabbinic literature, is an intriguing line of inquiry as well. However, consideration of these questions awaits a comprehensive study of rabbinic approaches to apostasy and reversion in northern Europe.<sup>36</sup>

## Notes

- 1 See Jacob Katz, *Exclusiveness and Tolerance* (New York: Schocken, 1961), 67–76 [=idem, *Bein Yehudim le-Goyim* (Jerusalem: Bialik, 1962), 75–83]; and idem, *Halakhah ve-Qabbalah* (Jerusalem: Magnes, 1986), 255–269.
- 2 See E. E. Urbach, *Ba'alei ha-Tosafot* (Jerusalem: Bialik, 1980), 1: 82.

- 3 See *Tosafot Ketubot* 3b, s.v. *ve-lidrosh*; *Tosafot ha-Rash mi-Shanz 'al Massekhet Ketubot*, ed. A. Liss (Jerusalem: Machon ha-Talmud, 1973), 6; *Tosafot ha-Rosh 'al Massekhet Ketubot*, ed. A. Lichtenstein (Jerusalem: Mossad Harav Kook, 1999), 17–19; *Tosafot Sanhedrin* 74b, s.v. *ve-ha*; *Tosafot ha-Rosh 'al Massekhet Sanhedrin* (74b) in *Sanhedrei Gedolah*, vol. 3, ed. B. Lipkin (Jerusalem: Machon Harry Fischel, 1970), 204–205; and *Tosafot Yeshanim le-Yoma* 82a, s.v. *huz*, ed. A. Arieli (Jerusalem: Machon Lev Sameach, 1993), 179–180. This last passage attributes the stringent position to Isaac b. Meir (Rabbenu Tam's brother), due perhaps to a different reading of the acronym Ribam. See Urbach, *Ba'alei ha-Tosafot*, 1:199; *Sefer Mordekhai ha-Shalem 'al Massekhet Sanhedrin*, ed. Y. Horowitz (Jerusalem: Machon Yerushalayim, 2009), 142, n. 9 (*ve-Ribam ahiv*); and the citation from *Sefer Mizvot Gadol* in the next note. The so-called *Tosafot Shanz* on the printed page of the Talmud to *Sotah* 26b [= *Tosafot Evreux 'al Massekhet Sotah*, ed. Y. Lifshitz (Jerusalem: Machon Harry Fischel, 1969), 70] associates Rabbenu Tam with the stringent position, and does not attribute the more lenient view to anyone; cf. *Tosafot ha-Rosh 'al Massekhet Sotah*, ed. Lifshitz, 50–52. On Ribam as a senior student of Rabbenu Tam, see Urbach, *Ba'alei ha-Tosafot*, 1: 196–198.
- 4 See Moses of Coucy, *Sefer Mizvot Gadol (Semag)*, *lo ta'aseh* 121 (Venice, 1547), fol. 42a (= *Sefer Mizvot Gadol ha-Shalem*, ed. Machon Yerushalayim, vol. 2 [Jerusalem, 2003], 224–25). See also *Sefer Mordekhai ha-Shalem 'al Massekhet Sandhedrin*, sec. 720, ed. Horowitz, 139; Chaim Dickman, “Sefer Mordekhai ha-Shalem,” in *Sefer Zikkaron ha-Zvi veba-Zedeq* (Beersheva: Steinberg, 2000), 38, (based on ms. Vienna 72); ms. Bodl. 778, fols. 244a-b; ms. Bodl. 667, fols. 12b-13a; ms. Vatican 141, fols. 144b-d; *Haggabot Maimuniyyot, hilkhot issurei bi'ah*, 18:2 [1] (*ve-ein nir'eh la-Ri ve-(gam) la-Ribam*).
- 5 The Provençal Talmudic commentator, Menahem *ha-Meiri* (d. 1316), in *Beit ha-Behirah 'al Massekhet Ketubot* (3b), ed. A. Sofer (Tel Aviv, 1968), 18, and *Beit ha-Behirah 'al Massekhet Sanhedrin*, ed. A. Sofer (Jerusalem: Kedem, 1971), 279, cites the view of “a few of the northern French rabbis,” (=Rabbenu Tam) that “the relations of a non-Jew are not considered relations that prohibit the woman to her husband, and they therefore do not prohibit her to her paramour.” See also the passage from (the Provençal) *Sefer Orhot Hayyim*, below, note 11.
- 6 See *Tosafot Yeshanim*, above, note 3. On the provenance of these *Tosafot*, see Urbach, *Ba'alei ha-Tosafot*, 1: 477–478.
- 7 See *Tosafot she'al ha-Alfas le-Rabbenu Mosheh b. Yom Tov mi-Londrish, Massekhet Ketubot*, in *Shitat ha-Qadmonim 'al Massekhet Qiddushin*, ed. M. Blau (New York, 1970), 326 (from ms. Paris BN 314): *lo mitsera be-bi'at goy, de-bi'ato einah bi'ah*; and cf. Urbach, *Ba'alei ha-Tosafot*, 1: 495–497.
- 8 See the *Mordekhai* passage and its variants, above, note 3 (*mi-tokh kakh pasaq Rabbenu Tam de-eshet ish she-hemirah datah ve-nis'et la-nokhri ve-hazrah ve-nigreshah min ha-Yisra'el ve-shuv nitgayyer ba'al ha-nokhri, ve-hittir Rabbenu Tam laqahat otah le-ishah*). See also *Encyclopedia Talmudit*, 5: 298–299; Gerald Blidstein, “The Personal Status of Apostate and Ransomed Women in Medieval Jewish Law,” [Hebrew] *Shenaton ha-Mishpat ha-'Ivri* 3–4 (1976–77): 52 (note 51); Israel Isserlein, *Terumat ha-Desheh*, pt. 1, sec. 219, ed. S. Abittan (Jerusalem, 1991), 162; and Hayyim Yosef David Azulai (Hida, d. 1806), *Teshuvot Hayyim Sha'al*, #49.
- 9 See *Haggabot Mordekhai 'al Massekhet Ketubot*, sec. 286; ms. Vercelli C1, fol. 96r (in a marginal gloss at the bottom of the page); *Sefer ha-Pardes le-Rashi*, ed. H. J. Ehrenreich (New York: Menorah, 1960), editor's introduction, 17–18; and Pinchas Roth, “Sefer ha-Pardes: Le-Darkhei Hivvazruto shel Yalqut Hilkhati Bimei ha-Benayim (Master's thesis, The Hebrew University of Jerusalem, 2008),

- 77, 125–127. Although this responsum is not found in extant versions of *Sefer ha-Pardes*, or in the manuscripts on which these editions are based—which contain much Ashkenazic material but reflect an Italian milieu of the late twelfth century—and is thus not included by Israel Elfenbein in his edition of *Teshuvot Rashi* (New York, 1942)—it is possible that this responsum originated in an Ashkenazic version of *Sefer ha-Pardes* that is no longer extant. Cf., Blidstein, “The Personal Status,” 56–59.
- 10 See *Teshuvot Rashi*, ed. Elfenbein, 96 (sec. 73). See also *ibid.*, 94, 226. In his talmudic commentary to *Megillah* 15a, s.v. *avadi*, Rashi paraphrases *Yevamot* 56b, “the wife of a Jew who has been raped is permitted to her husband, while willful activity (*be-razon*) prohibits her to her husband.” Cf. Aharon Ahrend, *Perush Rashi le-Massekhet Megillah* (Jerusalem: Mekitse Nirdamim, 2008), 185. At the same time, Rashi (*Teshuvot*, ed. Elfenbein, 191–193, sec. 171) considers two individuals, who were forced to convert to Christianity (*anusim*) and subsequently married each other, to be fully sincere (and moral) Jews (*libbam la-shamayim*), which meant that a *get* was required to dissolve their marriage. See Blidstein, *ibid.*, 62. On Rashi’s support for the return and proper treatment of both willful and forced apostates, see Avraham Grossman, *Hakhmei Zarefat ha-Rishonim* (Jerusalem: Magnes Press, 1995), 153–156; and cf. David Malkiel, *Reconstructing Ashkenaz* (Stanford: Stanford University Press, 2009), 131–134.
- 11 See A. R. Reiner, “Rabbenu Tam u-Bnei Doro: Qesharim, Hashpa’ot ve-Darkhei Limmudo ba-Talmud,” (PhD diss., The Hebrew University of Jerusalem, 2002), 192–194, and esp. n. 155. Reiner also demonstrates that a passage in *Orhot Hayyim le-R. Aharon ha-Kohen mi-Lunel* (c. 1300), pt. 2, ed. M. Schlesinger (New York: Menorah, 1959), *hilkhot ketubot*, sec. 28, conflates the two leniencies and blurs the distinctions between them. *Orhot Hayyim* concludes that Rabbenu Tam’s leniency to allow the female apostate who willingly had relations with a non-Jew to return to her husband should not be relied upon “since all the scholars of the generation disagreed with him . . . they all agree, however, that if she was forced to convert to Christianity and then repented that she can return to her husband.”
- 12 See *Haggahot Mordekhai ‘al Massekhet Qiddushin*, sec. 568. See also Urbach, *Ba’alei ha-Tosafot*, 1: 133 (note 8); and Blidstein, “The Personal Status,” 47–52, 83–85. On the citation of Joseph of Orleans in *Sefer Mordekhai*, see Samuel Cohen, “R. Mordekhai b. Hillel ha-Ashkenazi,” *Sinai* 15 (1945): 73–74.
- 13 See *Sefer Rabbiah*, ed. D. Deblitzky (Bnei Brak, 2005), 3: 107 (sec. 928); *Sefer Or Zarua’*, pt. 1, *hilkhot yibbum ve-qiddushin*, sec. 615 (Zhitomir, 1862), fol. 84a [=ed. Machon Yerushalayim (2010), fol. 506b]; and cf. Blidstein, *ibid.*, 61. Indeed, the brief duration and absence of evidence for promiscuity (or apostasy) in this situation suggests to Hayyim b. Isaac *Or Zarua’* that R. Joel was prepared to allow the wife to return to her husband even if he was a *kohen*. See *Teshuvot Maharab Or Zarua’*, ed. M. Abittan (Jerusalem, 2002), 93–94 (sec. 103).
- 14 See ms. Bodl. 844, fol. 74v (sec. 114). This text was first published by I. Z. Kahana, “She’elot u-Teshuvot ha-Or Zarua’ u-Maharam b. Barukh,” *Sinai* 25 (1949): 83; and recently by Simcha Emanuel, *Teshuvot Maharam mi-Rothenburg ve-Haverav* (Jerusalem: Yad Ben Zvi, 2012), 439 (sec. 142).
- 15 See Ephraim Kanarfogel, “*Halakhah* and *Mezi’ut* in Medieval Ashkenaz: Surveying the Parameters and Defining the Limits,” *Jewish Law Annual* 14 (2003): 193–211. From another of Maharam’s responsa, it would appear that he favored Ri’s view against that of Rabbenu Tam, at least *a priori*. See *Teshuvot Ba’alei ha-Tosafot*, ed. I. A. Agus (New York: Yeshiva University, 1954), 152–153 (sec. 72).
- 16 Among these *sugyot* are *Yevamot* 45a (on the halakhic impact of relations with a non-Jew); 54a and 59b (regarding relations with an animal, and see also *Tosafot Sotah* 26b, s.v. *lim’utei*); as well as *Yevamot* 56b (which distinguishes between rape and willful relations with another Jew); and 68b–69a (citing R. Yishma’el).

- 17 On the extent to which a returning apostate was in fact treated like a *ger*, see Ephraim Kanarfogel, “Returning to the Jewish Community in Medieval Ashkenaz: History and Halakhah,” in *Turim: Studies in Jewish History and Literature Presented to Dr. Bernard Lander*, ed. M. Shmidman (New York: Ktav, 2007), 69–97; and idem, forthcoming *Brothers from Afar: Rabbinic Approaches to Apostasy and Reversion in Medieval Europe* (Detroit, MI: Wayne State University Press, 2018).
- 18 See ms. London/British Museum Add. 17050 (Cat. Margoliouth 474 =IMHM #4955), which was copied by an Ashkenazic hand in 1386. This comment also appears at the beginning of the commentary of Rif to tractate *Ketubot* (as it does in ms. Paris 314; see above, note 7), on fol. 55v, in the right margin.
- 19 See ms. British Museum Add. 17050, fol. 301r. The *Tosafot ‘al ha-Alfas* in ms. Paris BN 314 does not contain a commentary to tractate *Sanhedrin* (or to *seder neziqin* generally).
- 20 On the *Tosafot Yeshanim* passage, see above, notes 3, 6.
- 21 *Tosafot ha-Rosh to Sotah* (26b; see above, note 3), also appears to associate the husband divorcing his wife with her return together with her paramour who had converted rather than with the halakhic requirement that the husband divorce her since she is now prohibited to him: *ve-hazrah le-mutav ve-nitgayyer ha-goy immah ve-girshah ba’alah ve-hittirah la-ger she-nitgayyer immah*. This passage distinguishes between the return of the woman and the conversion of the Christian, even as they seem to be “returning together” on a personal level. While he is consistently referred to as a *ger*, she is initially described as having “returned to the better.”
- 22 See *Haggahot Maimuniyyot, hilkhot issurei bi’ah* 18:2 [1]; *Teshuvot Maharam defus Prague* (Budapest, 1895), #1020 (fol. 157a). See also *Terumat ha-Deshen* pt. 1, sec. 241, ed. S. Abbitan, 195. Rash mi-Shanz immigrated to Israel circa 1210, where he died in 1214.
- 23 See Blidstein, “The Personal Status,” 61–66.
- 24 See *Sefer Mordekhai ‘al Massekhet Sanhedrin*, sec. 720 (end), ed. Horowitz, 142; *Semaq mi-Zurikh*, ed. Y.Y. Har-Shoshanim (Jerusalem: Defus Alef—Bet, 1973), 2: 50 (sec. 93, *ve-R. Yehi’el mi-Paris horeh halakhah le-ma’aseh ke-Rabbenu Tam ve-lav mi-ta’amo . . . ke-qatan she-nolad dami veba-hu sha’ab lo bar issur hu*); and above, note 3. Interestingly, a passage within *Tosafot Yeshanim le-Yoma* (above, note 6), which appears to be from Ri of Dampierre, considers whether the principle of *ger she-nitgayyer ke-qatan she-nolad dami* can be applied in support of Rabbenu Tam’s position but leaves the matter unresolved.
- 25 R. Yehi’el is also cited in *Hiddushei ha-Ritva ‘al Massekhet Ketubot* (3b), ed. M. Goldstein (Jerusalem: Mossad Harav Kook 1982), 15.
- 26 See ms. St. Petersburg – Russian National Library, Evr I 223 (fourteenth or fifteenth century, in an Ashkenazic hand; IMHM #50925 [Reel 21], possibly from a bookbinding), fols. 3a-b. Thanks to Dr. Pinchas Roth for drawing my attention to this text.
- 27 Rabbenu Tam’s ruling (above, notes 11–12) also deals with *Ketubot* 26b. However, his allowance would ostensibly not have permitted a woman to return to her husband if he was a *kohen*. See also *Hiddushei ha-Ritva ‘al Massekhet Ketubot* (26b), ed. M. Goldstein, 238–239: “for it may be assumed (*hazaqah*) that the wife of a *Yisra’el* who has been captured will not have relations willingly.” On Christian authorities protecting newly converted females from being sexually violated (to smooth their adjustment into Christian society), see below at note 33. For other halakhic interactions between Yehi’el of Paris and Netan’el of Chinon (and Moses of London), see, for example, ms. Bodl. 672, fol. 89r (in the margin); *Urbach, Ba’alei ha-Tosafot*, 1: 458 [=A. Grossman, “R. Netan’el me-Qinon: mi-Gedolei Ba’alei ha-Tosafot be-Zarefat ba-Me’ah ha-Yod Gimmel,” in *Mehqerei Talmud*, vol. 3, ed. Y. Sussman and D. Rosenthal (2005), 1:175];

- S. Emanuel, *Shivrei Lubot* (Jerusalem: Magnes Press, 2007), 179, 189–189; and cf. E. Kanarfogel *The Intellectual History and Rabbinic Culture of Medieval Ashkenaz* (Detroit, MI: Wayne State University Press, 2013), 340, 434–435.
- 28 See ms. Cambridge 3127, fol. 167v, published in Emanuel, *Shivrei Lubot*, 206–207; Malkiel, *Reconstructing Ashkenaz*, 145; and cf. *Semaq mi-Zurikh*, ed. Har-Shoshanim, 2: 170, secs. 285–286. Isaac of Corbeil also permitted a couple that apostatized together under duress, and “immediately returned and repented when the edict had passed,” to remain together upon their return (even though the husband was a *kohen*). Here, too, however, this was not as lenient as the ruling provided by Samson of Sens in the case of a couple who had apostatized (willingly), although R. Isaac adds that a wife who had been forcibly converted by herself (and subsequently reverts) may also be permitted to return to her husband, “when the nations want to leave them in peace when they apostatize.” See Blidstein, “The Personal Status,” 103–105; and above, note 27.
- 29 See *Pisqei ha-Rosh* to *Ketubot*, 1: 4 (end): *ve-nir’ah li le-qayyem pesaq Rab-benu Tam ve-lo mi-ta’ameh*); Jacob b. Asher, *Arba’ah Turim, Even ha-Ezer*, sec. 178 (*hilkhot sotah*), end. Although there is often a lack of coherence between *Pisqei ha-Rosh* and *Tosafot ha-Rosh* (owing to the different origins and purposes of these works; see, for example, Judah Galinsky, “Ha-Rosh ha-Ashkenazi bi-Sefarad: Tosafot ha-Rosh, Pisqei ha-Rosh, Yeshivat ha-Rosh,” *Tarbiz* 74 [2005], 389–421), Rosh includes this support for Rabbenu Tam’s view in *Tosafot ha-Rosh* to *Ketubot* (3b) and to *Sotah* (26b), above, note 3. Cf. *Teshuvot ha-Rosh*, 32: 8; and Blidstein, “The Personal Status,” 100–102.
- 30 See above, note 3. Rabbenu Tam’s older German contemporary, Eliezer b. Nathan (Raban), went so far as to suggest that a child from relations between a married Jewish woman and a non-Jew, if the Jewess had participated willingly, may not be fully Jewish. See *Sefer Ra’aban to Yevamot* (45b), ed. D. Deblitzky (Beni Brak, 2008), 3: 434 (sec. 509).
- 31 See *Teshuvot ha-Rid*, ed. A. Y. Wertheimer (Jerusalem: Machon ha-Talmud, 1967), 285–288 (responsum 58); and see Blidstein, “The Personal Status,” 53–54 (note 59), and 59–60. On RiD’s presence in Ashkenaz, see Israel Ta-Shma, *Knesset Mehqarim*, vol. 3 (Jerusalem: Bialik, 2005), 9–43.
- 32 This episode has been studied in detail by Rachel Furst, “Captivity, Conversion and Communal Identity: Sexual Angst and Religious Crisis in Frankfurt, 1241,” *Jewish History* 22 (2008), 179–221. See also Blidstein, *ibid.*, 86–100.
- 33 On R. Simhah’s approach, see *Teshuvot Maharah Or Zarua’*, 205 (sec. 221); *Terumat ha-Deshen*, pt. 2, ed. S. Abittan (*pesaqim*), 361 (sec. 92); Blidstein, *ibid.*, 88–90; A. Grossman, *Hasidot u-Mordot* (Jerusalem: Merkaz Shazar, 2001), 267–269; and cf. *Teshuvot u-Pesaqim*, ed. E. Kupfer (Jerusalem: Mekitsee Nirdamim, 1973), 285.
- 34 See ms. Vercelli C1, fol. 305a; *Haggahot Mordekhai ‘al Massekhet Ketubot*, sec. 286; Blidstein, *ibid.*, 60, 90–91; Furst, “Captivity, Conversion and Communal Identity,” 219, n. 68; R. Reiner, “Rabbenu Tam u-Bnei Doro,” 193 (at n. 153); and cf. *Teshuvot u-Pesaqim*, ed. E. Kupfer, 288, n. 64. Hayyim Or Zarua’ (above, note 13) assumed that this woman would be permitted to return to her husband even if he was a *kohen*, although this would not necessarily have been the case according to Rabbenu Tam’s leniency. On R. David, see Avigdor Aptowitzer, *Mavo le-Sefer Rabiab* (Jerusalem, 1938), 336–337. On privileges granted to converts to Christianity, see, for example, Solomon Grayzel, *The Church and the Jews in the XIIIth Century*, vol. 1 (New York: Hermon Press, 1966), 18–21; and cf. Paola Tartakoff, *Between Christian and Jews* (Philadelphia: University of Pennsylvania, 2012), 65–75, 93–95; and above, note 27.
- 35 See *Sefer Or Zarua’*, pt. 1, sec. 747, ed. Machon Yerushalayim, 643–646 [=ms. Cincinnati 154, fols. 25–29, sec. 15]; and above, note 32. Cf. *Teshuvot Maharah Or Zarua’*, above, note 13, who appears to have disagreed with his father’s

approach, as did most German rabbinic authorities, but see also Rashi's responsum, above, note 9.

- 36 See the studies on apostasy cited in Furst, "Captivity, Conversion and Communal Identity," 214, n. 10; Kanarfogel "Changing Attitudes Toward Apostates in Tosafist Literature," in *New Perspectives on Jewish-Christian Relations in Honor of David Berger*, ed. E. Carlebach and J. J. Schacter (Leiden: Brill, 2012), 324–327; idem, "Approaches to Conversion in Medieval European Rabbinic Literature: From Ashkenaz to Sefarad," in *Conversion, Inter-marriage and Jewish Identity*, ed. A. Mintz and M. Stern (New York: Urim, 2015), 217–257; and P. Tartakoff, "Testing Boundaries: Jewish Conversion and Cultural Fluidity in Europe in Medieval Europe, c. 1200–1391," *Speculum* 90 (2015): 728–762.

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