Hesped for Ha-Rav Yehuda Herzl Henkin, ztz”l
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Editor’s note: The following is translated and adapted from Rav Sperling’s eulogy at Rav Henkin ztz”l’s funeral at Har Ha-Menuhot, 9 Tevet 5781.

Mori ve-Rabbi Rav Yehuda Herzl Henkin ztz”l was a rav gadol she-bigdolim, one of the greatest rabbis of our generation, and one of the great poskim of our generation. A person just needs to look at the the four volumes of his responsa Benei Banim and see the letters of approbation and praise from Rav Moshe Feinstein ztz”l, Rav Ovadia Yosef ztz”l, Rav Avraham Shapira ztz”l, Rav Mordechai Eliyahu ztz”l, the Tzitz Eliezer ztz”l, Rav Mashash ztz”l, and Rav Kolitz ztz”l, to get a sense of his stature.

And I’ve personally seen Rav Henkin’s correspondence with the Lubavitcher Rebbe, Rav Shlomo Zalman Auerbach, Rav Hayim David HaLevy, and all the rabbis of that generation. He writes to them about Torah and they respond, sparing no ink in praise of his greatness in Torah and fear of Heaven in pesikah. Fittingly, Benei Banim is quoted in responsa and other halakhic works throughout the Torah world.

Rav Henkin was a talmid hakham of the first order. The Religious Zionist world in Israel is not short of rabbis, but might be short of poskim, and he was one of its greatest poskim in the modern era.

Rav Henkin acquired his greatness through much labor and effort. Even though he was the grandson of his illustrious grandfather, Rav Yosef Eliyahu Henkin ztz”l, from whom he undoubtedly inherited a large portion of his greatness, he worked very hard to develop and to realize the full potential of his talents.

His father was very involved in Jewish education, but was not a rav. So, despite his lineage, Rav Henkin was not brought up in a house that was materially different from other American Modern Orthodox homes of that era. Rav Henkin attended high school at the Yeshivah of Flatbush, a regular co-educational Modern Orthodox school.

He once told me that when he was in Flatbush, he decided that he would learn a full tractate of the Talmud. I think he said it was Yeavamot, one of the more difficult masekhot. In those days, there were no aids available for learning gemara. There was no Artscroll or Steinsaltz or internet. He started to learn, and he asked one of his teachers a question. When his teacher realized that his student was trying to learn a whole masekhah by himself, he quickly tried to temper his enthusiasm and said, "There’s no hope that you can finish an entire masekhah by yourself. There’s no chance." At that point in the story, Rav Henkin smiled at me and said, “Nothing encouraged me to make the effort to learn by myself more than those words.” Needless to say, he mastered the masekhah.

After high school, he spent one year learning in Kerem B’yavneh. I heard from a fellow student there that Rav Henkin was always the first to arrive in the beit midrash and the last to leave at night. When Rav Henkin heard this, he responded with characteristic modesty: “No, the whole yeshiva only had shtenders at the time. There was only one table, and I wanted to take notes, so I had to get there early to grab the table.” I’ve also heard that he was known there for keeping his nose in a gemara or rishon throughout Kabbalat Shabbat. In later years, from when I knew him, he would always have a sefer of
some *rishon* in his hands, constantly learning during the breaks in *shul*, and even as he took part in *hakafot* on Simhat Torah.

These examples of the extent of the effort Rav Henkin made to dedicate himself to Torah, and the *Yevamot* story in particular, are reminiscent of a story told about his grandfather Rav Yosef Eliyahu Henkin ztz"l, who as a young man had left his home and found himself stuck for a year before he managed to get accepted into yeshiva. He struggled through that year, and learned *Masekhet Eiruvin* more than forty times.

Our Rav Henkin would say that one can't mention his grandfather and himself in the same breath. But he would also concede that he saw certain similarities between his and his grandfather's ways of thinking. In his love of and dedication to Torah, and concerted effort to acquire Torah and become a Torah scholar, he was in the mold of his revered grandfather.

As Rabbanit Henkin mentioned in her eulogy, Rav Henkin was in the midst of getting a masters degree at Columbia University when he suddenly came to the realization that his grandfather wouldn't be around forever. Overnight, he packed his bags and took an apartment down the hall from this grandfather in New York. They spent the next five years studying together in *havruta* day and night. Later, Rav Henkin went and finished the degree on the side.

At this point, Rav Henkin *fully* dedicated his life to becoming a Torah scholar—and that's what he became. The fact that Rav Henkin learned with his grandfather meant that he was never committed to learning in the style of a particular yeshiva. This gave him the ability to be totally creative in his thinking, not locked into a specific way of analyzing Torah or limited by preconceived ideas. I also believe that he was not bound to any single community, and thus was able to approach each issue with only one question — "What is the absolute Torah truth?"

My personal connection with Rav Henkin began when we moved into the Kiryat Moshe area. My wife was pregnant with our first child, and we'd been to a pre-childbirth course. I felt uncomfortable about how the course was conducted, so I went and asked an important rav what he thought of it. That Rav said, "Do you think the Chofetz Chaim went to such a course? Do you think your grandmother went to such a course? You should just stay outside of the delivery room and say *Tehillim*, and everything will be okay."

That answer was correct for that Rav's community, but I still felt that something was lacking. At that time, I would eat lunch in my yeshiva's library and would take a different book off of the shelf each day to see what was in it. A few days after receiving the response, I happened to open the first volume of *Benei Banim*. There was a responsum about the husband's presence in the delivery room — a responsum that demonstrated understanding of the principles of natural childbirth and of a mother's desire for her husband to be present for it. In short, a responsum that understood my generation.

The responsum clarified a lot of the issues for me, and more than that, I knew that I had found my Rav. I looked at the author's name, and saw that the last name was the same as my wife's teacher's, Rabbanit Henkin, who taught a *humash* class in the neighborhood at the time. I checked his address to confirm, and went over to buy the book.

A while later, I saw the Rav at *shul*, and gathered up the courage to ask if I could learn with him. He said no. And I waited two weeks and asked him again. Again and again, he said no. But I persisted, and eventually he agreed for me to come learn with him on Thursday night. I came at ten o'clock that Thursday night and continued to learn with him every Thursday night for about thirty years, until the Rav's health made it impossible.

One time, I walked into his study and saw that the table was full of books. I smiled and asked, "Is the Rav in the middle of something?" He replied, "I'm always in the middle of something." And he really was. He was always in the middle of a sugya. He describes this in the Introduction to the third volume of *Benei Banim*:

> When I'm dealing with a responsum I think about it when I'm dreaming and when I'm awake, when I walk on the way and when I lie down and when I rise up. I get up from the middle of a meal and I get down from my bed in the middle of the night in order to go and look again in a book or to write down some new idea, because it's like a fire burning in my bones.

And that was the Rav. He had the fire of learning in his bones. Once, many years ago, he fell seriously ill during a *hol ha-moed* hike. Lying in the hospital, hovering between this world and the next, his lips moved, and he started to mumble. Turning her ear to hear the Rav's words, the Rabbanit heard him saying, "but if it's less than three *tefahim*, it's permitted..." Unbeknown even to himself, he was even then in the middle of a sugya.

How did he learn? His greatness in Torah was that he was constantly involved in understanding for himself what the *gemara* and the *rishonim* say—not merely relying on how others had understood them. Not even if those others were the *Shakh* or the *Taz*.

He would go over tens of *rishonim* on every *suga* that he was addressing. He had in his library copies of *rishonim* that most people never see, and he would read one after another another. Then he would compare subtle differences in language: a preposition before a word here, plural form as opposed to singular, how the sentence was structured, and in which order points appeared. From drawing these subtle distinctions with exacting precision, he would open up totally
new understandings of the *gemara* and *rishonim*. He wasn’t scared to explain something in a way that was different from how *aharonim* had, in a way that no one else had suggested before.

Alongside all that creativity, Rav Henkin told me many times that the job of a *posek* is to be able to make the right connection between Halakhah and reality. He strove to make sure that his thinking and his Torah could be applied correctly. In many of his responsa, he would present a completely novel approach, but finish with the caveat that the results of his analysis must be applied carefully and not in every situation, and only if other halakhic authorities agree.

Rav Henkin had a great depth of understanding. When he eulogized his grandfather, he quoted the *gemara*’s discussion (*Sanhedrin* 28b):

> "And you will come to the Kohanim and Levi’im and to the judge that will be in those days." And would the thought even arise that a person would go to the judge not of his day?

The *gemara* answers what it answers. But Rav Henkin said, referring to his grandfather, that the *gemara* means that a person has to go to the judges—to the rabbis—who understand his generation, who truly live within it.

And that is true of Rav Henkin. He had an uncanny, deep understanding of reality. He was very careful with his words, very quiet, with total control over what he said. When he expressed himself, it was after thinking seriously and comprehending the depth of a situation.

One time he wrote a long halachic responsum against the killing of a terrorist who had already been captured and handcuffed, after a similar case occurred in Israel. The article was rejected by a very important halakhic journal. They said that they didn’t want to print it, because it would only cause a storm and such things shouldn’t be written about. Rav Henkin said, "No, you must print it, because otherwise more things like this will occur." In the end they didn’t print it, and unfortunately, more things like that did occur. Rav Henkin was upset that his understanding and vision for what was needed weren’t listened to more.

On the other hand, there were things that Rav Henkin envisioned that were both heeded and achieved. He saw the need for Torah study for women and for providing a female address in questions of taharat ha-*mishpahah*. He helped to create the Yoatzot Halacha initiative, and did so without argument and without trying to create noise, but rather with a desire to help the women of *am Yisrael* keep Halakhah. The ability to see what *psak* was needed and bring it about in a way that would change reality for the better was one of his greatest assets.

Not only his words, but also every one of Rav Henkin’s actions was very well thought out. He was totally detached from externalities. Instead he focused on the inner value of Torah and *ma’asim tovim*. Once, I asked him what a person should be involved in in the years of Torah study. I was thinking of whether one should go to demonstrations or otherwise work for *kelal yisrael*. First he responded, "Nothing. when a person is in yeshiva, they should just learn Torah." Then he stopped for a moment and said, "except for *ma’asim tovim*. A person can never stop doing *hesed*, even when they’re learning Torah."

He himself lived a life of *hesed*. I often saw his table filled with checks and money that he collected and distributed to different charities. I also experienced his *hesed* on a personal level. Once, I once had an operation between Rosh HaShanah and Yom Kippur, and was forced to lie in bed and drink in measures over the fast. As the Holy Day entered, the house, indeed the whole city, was clothed in the silent holiness that ushers in *Kol Nidrei* — and there I was, alone, unable to pray or attend *shul*. Then there was a knock on the door, to which I weakly called out, “Come in.” In walked the Rav, dressed in his *kittel* and *tallit*, and he sat down next to my bed. Astonished, I said, “But, Ha-Rav, it’s *Kol Nidrei* – the Rav will miss *Kol Nidrei*...” To which the Rav answered, “Yes, only *Kol Nidrei*... I’ll get to shul for *Ma’ariv*.” He then pulled out a small cup from his pocket, and said, “Here, this is how much you should drink during the fast.”

In *parshat tzitzit* it says, "And you will see it and you will remember all the *mitzvot* of God and you will do them" (Numbers 15:39). Rav Henkin told me that because “and you will see it” is in the singular, the *mitzvah* is to look at one tassel of the *tzitzit*, and thus for years he would deliberately keep just one corner of his *tzitzit* out. I think this verse describes him, and his singularity. "And you will see it”—I would see him as a singularly outstanding *talmid hakham*. "And you will remember all the *mitzvot* of God”—seeing him could recall for us all of the *mitzvot* and all the Torah that he walked with and kept and loved, and wanted to bring to fruition. "And you will do them”—and we would.

May his Torah continue to be a blessing for all of *Am Yisrael*.

\[1\] He once told me that he was unhappy with the way that people typically learn in yeshiva. He felt that they should learn *rishonim* with more precision, that they should learn a greater breadth of Torah, and that they should learn more Halakhah. But he still thought there was a value to the framework for staying in learning that yeshiva provides.
RE-READING BEREISHIT: A REVIEW OF DAVID FOHRMAN’S NEW BOOK

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In his 1971 sermon on Parshat Bereishit, Rabbi Norman Lamm z”l engaged with a perennial, pressing question: how might we bring ourselves to Bereishit again? With Simhat Torah come and gone, we find ourselves each year gazing anew at the beginning of the Torah; perhaps renewed by the High Holiday cycle, motivated to commit ourselves to a year of being “studying Jews,” in Lamm’s words. And yet, the question looms: how can we look at Bereishit with new eyes? This time around, how can we cultivate a stance towards Torah study that feels authentic, relevant, and meaningful?

The challenge of finding a way to read Torah that energizes is hardly unique to Bereishit, nor has it fizzled since 1971. In fact, a series of challenges face veteran readers who have traveled through the cycle many times over. For one, as Rabbi Lamm warns, the closer the Torah feels, the greater the threat of over-familiarity. Too much closeness can translate into a lack of reverence for the Torah, or a sense of loss of the sacred. Humility before the text may be in scarce supply. Even more, you may begin to feel like you already know what the Torah has to say. As one of my high school students recently quipped: “I have read Bereishit so many times, and it always says the same thing!” Intriguing or puzzling verses and chapters may fail to surprise readers or elicit inquiry, and ready-made conclusions will obscure an awareness of the Torah’s depth.

I have long noticed the closeness-distance paradox among students of all ages. As modern readers, especially in the observant/day school community, we work dutifully to bridge the gaping chasm between the world of the Torah and our own. On a basic level, for example, we encounter phenomena in nearly every chapter that are alien to our experience, but we work hard to adapt and nevertheless find ways to link biblical reality to our own. At a certain point, we grow comfortable with the idea that God speaks to people in everyday life. And yet, when we manage to successfully forge a sturdy bridge we may find that we have closed the gap too far. A paradoxical byproduct of reading the Torah as near, dear, and comfortable is the elimination of a vital, critical space between ourselves and the text, the kind of space that allows us to be able to see the text again, apart from what we expect it to say. One of our jobs, then, as we progress as readers of Torah is to find the means to craft the right amount of distance so that we can engage again in interpretation, and see the text with new eyes. When the Torah feels seamlessly knowable, we need to make it ‘strange’ again so that we may truly see it.

There is, of course, a danger inherent in such work. If we create too much distance, the Torah may cease to speak to us, and we may find ourselves in a posture of learning about the text, but no longer learning from the text (James Kugel, How to Read the Bible p. 666). How can we honor the text without getting lost in it? Likewise, can we find a way to read where our individual instincts as readers are useful guides, but don’t overwhelm the text?

Enter Rabbi David Fohrman’s new book, Genesis: A Parsha Companion. Like in his popular Aleph Beta videos, Fohrman’s book presents his readers with a pathway to Tanakh study that puts the text at the center and suggests that each reader can reach powerful, meaningful conclusions about what the text is trying to say. In the introduction, Fohrman shares that his early years of Torah study left him feeling lost in a maze of commentary (and supercommentary), without the clarity to discover what the text actually meant, or was trying to teach him. When he began to adopt “basic reading” strategies and declutter his mind from the pull of commentary, he was blown away by the power of what he was able to find inside the text. Most significantly, he was overcome by a deep love for the Torah. Fohrman recalls,

If I just sat down and read it, the text would invariably leave me with something unexpectedly profound, and along the way, with a wink and a nod, it would find a way to remind me that this was no ordinary book. Its layers of meaning would dazzle me.

In a sense, this book is Fohrman’s effort to bring more people into a loving relationship with Torah. His strategy is to show them how he reads the text, to make that way of reading explicit and clear, and in so doing, provide others with the opportunity to discover the joy, love, and meaning that he has found in Tanakh study.

Without calling it as such, Fohrman’s “basic reading comprehension” is a streamlined version of the literary approach to Tanakh study. In each Genesis chapter, he identifies and follows “clues” in the text, such as chiastic structures, repeating words, and foreshadowing in order to uncover deeper layers of meaning. Noticing and analyzing the Bible’s linguistic patterns can yield critical insight into the messages of the biblical narrative. In other words, the “how” of the stories is intimately connected to “what” they are trying to say. Fohrman is not the first to adopt a literary approach to reading Tanakh. Biblical scholars such as Robert Alter, Adele Berlin, and James Kugel have written extensively about the stylistic techniques of the Bible. In the last 50 years, prominent Torah teachers such as Rabbi David Silber and Rabbi Menachem Leibtag have popularized this method, spreading it to countless students and teachers. What sets Fohrman’s work apart, perhaps, is in his packaging: clear, direct, engaging, and modeling the step-by-step approach that he takes.

One of the advantages of the literary approach is the central position the text occupies in front of the reader. Unmediated
by commentaries, Fohrman draws his readers’ attention to the artistry -- the wonder, even -- of the text itself. His careful eye picks up on biblical nuance and word play, exposing the biblical treasures hidden in plain sight. It can be revelatory to (re-)read biblical narratives through Fohrman’s guidance; previously overlooked words or phrases suddenly emerge as the keys that unlock a deeper meaning or direction in the narrative. A few of his readings are breathtaking. And you may ask yourself: how did I miss that before?

More often than not, Fohrman’s interpretations run counter to the familiar ways of understanding a story, a biblical character, or a concept. This should not surprise. In line with the joy he describes in discovering the text “on his own,” Fohrman seems to relish in sharing these discoveries with others and helping us to see possibilities in the text that we never saw before. A memorable example shows up in Parshat Toldot. Fohrman argues that Yakov never intended to pretend to be Esav; the ruse was an in-the-moment accident when he showed up in the room. Instead, Rivkah had encouraged her younger son to act more like an Esav: to be assertive, to claim what he wanted, etc. She never attempted to deceive Yitzhak or to cajole Yakov in kind. Whether or not you find Fohrman’s literary trail convincing, the conclusion’s dramatic unconventionality forces the reader to re-think assumptions and read the text again with curiosity. In other words, his unusual readings unseat the readers’ expectations about the text and may create momentum for readers when they approach other stories as well. He encourages readers to say to themselves, “let me read carefully and try my best to forget what I have been taught/heard in the past…”

In his broader work with Aleph Beta, Rabbi Fohrman’s major contribution to online learning is his ability to create a sense of intimate presence with his students without physical proximity. In his videos, Fohrman never shows his face but narrates lessons while the viewer watches animated words and images on the screen. He invites students to follow his literary method - and not just listen to his conclusions--through the visual display of text, highlighted words, and conceptual development. But he never leaves the viewer without his voice as the anchor; he is always the steady guide. This unique educational posture of distant presence is strikingly similar in his book as well. Remarkably, even without images, cartoon characters, or appealing graphics, Fohrman succeeds at having the reader feel engaged, seen, and guided along as they read. For one, Fohrman adopts the same conversational, casual tone in the book, offering analogies and turns of phrase from everyday life as well as direct questions to the reader (e.g., “What do YOU think?”).

Furthermore, the visual format of the book is user-friendly: color-coded passages, bold font, and frequent section headings. At times, Fohrman invites the reader into a havruta of sorts, resisting the presumed passivity of the learner who reads a static book. For example, in Parshat Lech Lecha, in discussing the Bible’s use of the literary device of chiasms in order to encode layers of meaning in the narrative, Fohrman encourages his reader to “break out a package of magic markers and use them to highlight the pairs you find… I’ll meet you in the next section and we’ll compare notes” (35). Fohrman pokes fun at his own suggestion of coloring in a book, but the intention is clear: Fohrman is reaching out, extending his arm to the reader through the page.

Clearing the deck of commentators allows Fohrman to maximize exposure to the text itself, inviting readers to form fresh, new judgements. And yet, despite his relative independence from commentary, Fohrman recognizes and acknowledges that they share the same goal: a close-reading of verses, attentiveness to the linguistic features of the text, and pursuit of the Bible’s message. In fact, throughout the book, Fohrman draws from Midrash with surprising regularity. For a teacher who advocates a fresh look at the biblical verses, Midrash shows up quite often! Most of the time, Fohrman uses Midrash as a springboard for his own readings. For example, in Parshat Vayishlach, Fohrman bases his analysis on a particular midrash and utilizes a parallel drawn by the Midrash to notice more parallels and connections between the stories in question. In this instance and others, drawing from Midrash allows Fohrman to deepen his own instincts as a reader, and in the process, to position his approach within a traditional frame. At times, however, Fohrman incorporates Midrash into his essays at face value, treating the Midrash no differently than he does the verses themselves. Read this way, Fohrman concretizes or materializes the extra-biblical traditions, flattening their capacity to serve as a tool for further investigation of the verses.

Fohrman’s book will draw you in and perhaps inspire with its unusual, text-rich offerings. If you are a devotee of his videos, the book will feel like a non-digital version of Fohrman’s Torah insights (and indeed, nearly all the material in the book appears on the Aleph Beta website). And yet, despite all of the illustrative examples that the book has to offer, the book does not prepare you to apply Fohrman’s method on your own. Fohrman explicitly involves the reader in his writing, but the effect of the essays is closer to a performance than a classroom lesson. You may be wowed, but you will not walk away with the skills or the tools for application. In the introduction, Fohrman shares his hope that readers might accept his conclusions or draw their own from the literary trail he uncovers. But the packaging of his message is so neat -- no loose ends in sight-- that the reader is squeezed out of the opportunity to generate or even consider alternative possibilities. All told, you will be in solid hands as you read from parshah to parshah. And you will certainly look at Bereishit with new eyes.
THE MYTH OF JEWISH MALE MENSTRUATION

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Most of the medieval Christian antisemitic tropes, such as Jews as ritual murderers and cash-grubbing moneylenders, are hauntingly familiar. HIDEOUS depictions associated Jews with Satan. Christians ascribed to Jews deformed bodily characteristics including pointed noses, horns, and hemorrhoids. But one such bodily trope, though nearly ubiquitous since the Middle Ages, has received far less attention: Jewish men were thought to menstruate on a monthly basis. The significance of this claim, which degrades Jewish men by associating them with all women, thus demeaning both populations, is especially important during an era during which we are acutely attuned to the value of equality.

The earliest explicit source asserting that Jewish men menstruate appears in the early thirteenth century, when, in 1221, Jacques de Vitry, a successful clerical proponent of the Albigensian Crusade in southern France and the Fifth Crusade in the East, wrote of the Jews:

And it is said that they have a flux of blood every month. God has smitten them in their hinder parts, and put them to perpetual opprobrium (Psalms 78:66). After they slew their true brother, Abel [figured metaphorically as Christ], they were made wanderers and fugitives over the earth, cursed like Cain, with a trembling head, that is, a quaking heart, fearing both day and night, not believing in his life.2

The larger theological and historical context for the cleric’s claim is a curious mix of New Testament verses suggesting that Judas was punished for betraying Jesus by “his bowels gush[ing] out” (Acts 1:18-19), the notion that female menstruation was a punishment for Eve’s original sin,3 and de Vitry’s contention that Jewish men menstruated because they were “unwarlike and weak even as women.” For de Vitry, Jewish males’ regular loss of blood explained their consequent need for Christian blood, which allegedly could be collected by murdering Christian children. Whatever the initial impetus, from the thirteenth century on, Christians increasingly believed that Jewish men experienced monthly menses.

Beginning with the fourteenth century, the menstruation libel appeared with greater frequency in the works of numerous Christian preachers.4 At the end of the Middle Ages, we find perhaps the best-known menstruation accusation: in Tyrnau, Austria in 1494, one official account of the blood libel accusations records that “suffering from menstruation, both men and women alike, [the Jews] have noted that the blood of a Christian constitutes an excellent remedy.”

The medieval version of the menstruation/blood libel accusation finds expression in a jarring passage in the 1966 Bernard Malamud novel The Fixer, where the Russian interrogator asks Yakov Bok, who stands accused of ritual murder:

“Do you know that in the Middle Ages Jewish men were said to menstruate?” Yakov looked at him in surprise and fright. “I don’t know anything about that, your honor, although I don’t see how it could be” (93).5

Yakov Bok is not the only modern Jewish literary personality to fall prey to this stereotype: Leopold Bloom, the famed Jewish protagonist of James Joyce’s 1922 Ulysses, actually menstruates.6

In the late medieval and early modern periods, the male menstruation motif became closely connected to the theory of the four humors, the remarkably long-lived attempt to explain the workings of the human body by exploring the balance between bodily fluids. Men were generally thought of as emitting extra heat, whereas women were considered cool. While most men were generally able to reduce their heat naturally, the effeminate Jewish male was seen as unable to do so and thus required menstruation in order to achieve bodily equilibrium.7 And while it is unclear how widespread the menstruation trope was during the Middle Ages, by the early modern period it had become conventional wisdom. One sixteenth-century British author writes that “Jews, men, as well as females, are punished cursu menstruo sanguinis, with a very frequent blood-fluxe.”8 In seventeenth-century Spain, it was generally accepted that Jewish men menstruated.9 We find references to Jewish male menstruation in Germany in 1614 and England in 1649. That in 1789, Abbe Gregiore, a French champion of the Jewish right to Emancipation, felt the need to denounce the belief that male Jews menstruate—even as he acknowledged that “almost all have scanty beards, a common mark of effeminate temperaments”—suggests that the canard remained commonplace through the French Revolution.10

By the turn of the twentieth century, the old claim of Jewish male menses was closely tied to the new motif of the sissy Jewish male and was well on its way to being transformed into a racial-gender theory. Austrian and Germanic culture in the late 1800s and early 1900s prized physical prowess. It is therefore unsurprising that in early twentieth-century Germany, the menstruating Jewish man appears prominently in Nazi-era antisemitic literature. In 1935, Theodor Fritsch, a bookseller and member of the SA, argued that “the Jew has a different sexuality than the Teuton; he [the Jew] will and cannot understand it [German sexual identity].” Fritsch was
asserting that the Jewish male was somehow not fully male. His proof? Jewish male menstruation.11

This trope, which persisted for over 700 years, is pernicious not only because it caricatures Jewish men, but also because it uses misogyny to promote antisemitism: Jewish males' inferiority was said to be manifest in their effeminate physical qualities. De Vitry encapsulates the canard pithily: “[The Jews] have become unwarlike and weak even as women and it is said that they have a flux of blood every month.” Of course, the claim is absurd. Like Yakov Bok, we do not possibly “see how it could be.” But that never bothered virulent antisemites.

That bias against Jewish men and all women went hand-in-hand for some 700 years suggests that these two forms of discrimination were closely connected, historically and perhaps even conceptually. The woman, who, as Simone de Beauvoir wrote in her 1949 feminist manifesto The Second Sex, was considered the “Other” or outsider by many societies throughout history, was the perfect tool with which Christians could stigmatize the Jew, the ultimate religious and ethnic outsider.

Today, thankfully, we have seen dramatic improvements in Jewish-Christian relations, and the male menstruation screed happily no longer occupies an important place in popular culture. Still, even if largely forgotten, it remains an important canard to recall: by telling the story, we can better remember the importance of standing for the humanity of Jews and all people, regardless of sex or religious creed.


4 Resnick, ibid., 260.
5 My thanks to my former colleague and past bibliographer of the Bernard Malamud Society, Dr. Eileen Watts, for introducing me to Malamud and The Fixer.
9 Beusterien, ibid., 447.
Should the Davening of the Tenth of Tevet Take Sides in a Talmudic Debate?

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Jewish liturgy is not just a vehicle or tool used in prayer; it also conveys the changing philosophy, history, and life perspectives of Judaism as it changes and evolves over the centuries. Yet, few of those who use the liturgy even notice the implications of their prayer-words beyond the localized prayer-request at a given moment. I have noted in the past how thoughtful Jews should consider the meaning of their prayers and the implied philosophical perspectives. In one particularly apropos and timely instance, the liturgy of the fast of the tenth of Tevet both establishes a key historical fact related to the fast while also taking an important philosophical stand on the issues of the day, in ways that the average reader might miss.

Judaism is full of long-lasting unresolved controversies, and whenever the liturgy takes a stand on a controversial issue, we are forced to ask whether the liturgy’s text proves the issue has been settled and determined in a particular direction. If a Jew determines that the dominant traditional Jewish view goes against the liturgy, does that mean that the liturgy should be changed? As I have written in the past, it is dangerous to insert specific philosophic perspectives into the liturgy of the siddur at the expense of others. When a particular view becomes cemented as part of the liturgy, it takes on greater status than it might have when investigated purely from the perspective of the traditional earlier sources. Thus, Jews should carefully consider the liturgy for the tenth of Tevet and its implications for our understanding of Jewish history and Jewish philosophy.

Traditional perspectives on the fast of Tevet
Jews have fasted on the month of Tevet for millennia, dating back to even before the second temple period (Zechariah Chapters 7-8). The reasons for fasting in the tenth month are explained in a beraita, dating back to just after the destruction of the second temple period (Rosh Hashanah 18b). The beraita explains that the fast is either in recognition of the onset of the Babylonian siege on Jerusalem in this month (as per Ezekiel 24:1-2), or in recognition of the fact that the news of the destruction arrived to the Jews already in Babylonia for exile in this month two years afterward (as per Ezekiel 33:21).

As Jews continued their centuries-long journey through exile, new reasons were added and appended to this fast on the tenth of Tevet. The major 14th century Halachic work, the Tur (Orah Hayyim 580), citing the ninth century Geonic work Halakhot Gedolot (18), contains a lengthy list of additional fast day observances, including a reason to fast on the eighth and ninth of Tevet, which have since been folded into our current fast day of the tenth of Tevet.

The eighth of Tevet is a fast day to commemorate a sad event in our nation’s history, the translation of the Torah into Greek – the Septuagint – at the hands of King Ptolemy of Egypt in the middle of the Greek Period. One might posit that the translation of the Torah can be problematic for one of three reasons, although Tur does not specify which is the reason to fast – (a) the idea of the inadequacy of translation, that some terms might not be translated correctly, (b) the possible misuse of scripture by adherents of other religions – particularly the early Christians, and (c) the transformation of the Torah from being a special treasure of the Jews to instead being something available to all of humanity.

Regarding the ninth of Tevet, Tur cites a perplexing tradition that there is a fast on that day for reasons unknown or unrevealed. Many interpretations have been given for the selection of this date as a fast day, ranging from the somber, poignant fast for the death of Ezra the scribe, to the more anxious though presently relevant reason that the date coincides with the birth of a major figure in Christianity. Sid Leiman has given significant attention to this question, concluding that the fast day probably relates to a figure related to the development in early Christianity and not to Ezra.

The liturgical perspective on the fast of Tevet
Our liturgy for the tenth of Tevet both accepts the Halakhot Gedolot and the Tur’s argument that we ought mark all of these tragic events through fasting and goes further, positing the innovation that the fast of the tenth of Tevet marks the events of all three days. One cannot overstress how stark the contrast is between the Talmud and the liturgy: to the Talmud, our reason for fasting is solely to recall overwhelming national tragedy of the exile and the destruction of the first temple, while the liturgy includes other reasons to mourn and fast, including the death of one of the 48 prophets and the translation of the Torah into the vernacular. While the translation of the Torah may have been seen as a tragedy, it pales in comparison to the tragedy of the political defeat, the destruction of the temple, and the loss of countless lives at war.

The tenth/eleventh century selihot for the tenth of Tevet are clear that the current practice of the tenth of Tevet subsumes all of these reasons under the fast. They read as follows:

On the eighth day He darkened it for me on both left and right,
And for the three of them I established a fast
The Greek King forced me to translate the Law into Greek
On my back the plowers plowed, making their furrows long
I was denounced on the ninth with embarrassment and ignominy
The cloak of splendor and clarity was removed from me. He, [the enemy,] ripped apart on that day the one who gives good words, The one is Ezra the Scribe.10

The inclusion of the translation of the Torah and the death of Ezra as reasons to fast on the tenth of Tevet are both of considerable controversy, given that neither is unanimous in the traditional sources. Regarding the fast on the ninth of Tevet for the death of Ezra, we might ask three basic questions: First, are we certain that Ezra died on the ninth of Tevet, given that there is no Biblical or Midrashic evidence of this date of death? Second, even if he died on the ninth, why is his death singled out as worthy of fasting, despite there not being public fasts for the deaths of other major figures whose yarzheit is known: from the Bible (Aaron, Miriam, Moses), from the traditions of the Tur (Joshua, Eli, Samuel, the Zekeinim), the 10 Martyrs, or those whose deaths are known from the Midrash (David, Isaac, Jacob and possibly Rachel)?11 12 Third, though Magen Avraham and Taz (ironically, citing the aforementioned selihot) are of the view that the fast of the ninth is for the memory of Ezra, Tur, and Halakhot Gedolot seem to believe the fast was established for an unknown, and therefore likely different reason; so why should we follow the view that the fast is for Ezra rather than following the other traditions of whom the fast is for?

Maintaining the liturgy as is, forces a Jew to answer all of these questions in a specific way, which might make many feel uncomfortable. The liturgy maintains that indeed there was a centuries long oral, unrecorded tradition that Ezra died in this month, that his death is more fitting of fasting than other Jewish leaders, and that this is the correct tradition of who died on the ninth of Tevet. But these positions are not universally agreed upon, so why is it that our prayers force us to choose that position?

The questions regarding the fast for the translation of the Torah to Greek are even more substantial. Judaism endorses the translation of the Torah into other languages: Joshua apparently did so (Sotah 32a), as did the Meturgeman who translated Torah reading as part of the regular service (Megillah 23b-25b). Rashi even interprets the Talmud as sharing the view that weekly Torah reading in synagogue can be conducted in the vernacular translation (Megillah 17b)! Though other faiths might frown more generally on the project of translation of scripture, Judaism does not. Yes, this translation may have been used or misused more by our antagonists of other faiths, but the general project of translation is not the worst thing in Judaism.

Concerning the specific translation into Greek, the major Talmudic source regarding the translation (Megillah 9a) tells the story of the translation without any indication that the translation was negative.13 To the contrary, Rabbi Yehudah indicates that the inspired nature of the translation gives it greater standing, more so than any other translation, as only the Greek Torah can be used for ritual and not other translations! Rabbi Shimon ben Gamliel (Megillah 9b) is of the view that even the Torah itself predicts, and provides special greater standing towards, the Greek translation. It is hard to imagine that the translation of the Torah into the Divinely predicted and preordained Greek translation was so drastic a moment of tragedy that it would necessarily trigger a public fast. Finally, the 72 elders (Zekeinim) who complete the translation do not appear to have been compelled or forced to complete the translation, and do not refuse to translate on the grounds that doing so would be a major tragedy.14 Even if we were to establish that the Greek translation was a tragedy, we still might ask two additional questions: First, what does it mean to say this translation took place on the eighth of Tevet? Did it take only one day? And how do we know that the eight of Tevet was the day the translation took place? Finally, even were it a tragedy to have taken place on the eighth of Tevet, does this become a sufficient reason to fast?

Here, too, maintaining the liturgy as is requires us to answer all these questions in a particular way: Despite the Talmud’s sense, we must see the translation to Greek as a tragedy; we must believe that there was a centuries long oral, unrecorded tradition that the translation did happen on this day; and we must think that the translation of the Torah is such a tragedy that it should be included as part of a fast day. But again, is this perspective universal within Rabbinic Judaism?

Conclusion

I am a traditionalist by nature, and thus am loath to change any part of the selihot of the tenth of Tevet. Yet, I wonder to myself whether our liturgy is appropriate, and whether it forces us to accept, pray, or mourn from a perspective that we might not agree to. In essence, both the question of whether translation is a reason to mourn, and the question of whether the end of the era that was Ezra’s death is a reason to mourn, are questions of the balance of tradition and innovation, the old and the new. In our case, somewhat ironically, we find an early medieval innovation to widen the scope of the fast of the tenth of Tevet, which has been cemented in the liturgy. And thus I continue to wonder: does true traditionalism mean continuing to accept our liturgy as printed in the siddur, or would it instead counsel a return to the Talmud texts and its original perspectives on the nature of the fast, and its positive viewpoint on the Greek translation specifically, and on all translations more generally?

The Talmud debates two views as to the exact date of the fast – the tenth or the fifth of the month. It is somewhat perplexing that the Rabbis would debate such a simple question as to the date of a major religious observance! Minhat Hinukh (301) suggests, on this basis, that the original tradition was to fast for one day in the tenth month, with the exact date open to the individual person. One could also suggest – see discussion in Ritva to Mishnah Ta`anit – that the fasts commemorating the destruction of the first temple were not in effect throughout the second temple period, and were newly reestablished (with some controversy as to exact date) upon the destruction of the second temple.

It is self-evident that the Tenth of Tevet does not carry greater significance than the date of any other fast, as I have argued elsewhere.

4 In a very limited context, see Megillah 18a for this argument. It is formulated more fully in Sofrim 1:7.

5 See Hagigah 13a, although some limit this to only the Oral Law and not the Written Law (see Maharatz Chajes to Sotah 35b).

6 Assuming that Malachi was Ezra’s pen name, the death of Ezra would also be the date of the cessation of prophecy as well, see Megillah 15a.


8 Translating based on the late 19th century Iyun Tefilah commentary by Aryeh Leib ben Shlomoh Gordon, from the root d.k, “to darken” a rare root that appears nine times in Tanakh, mostly in Proverbs (13:9, 20:20, 24:20) and Job (6:7 18:5-6, 21:17). Use of the word darkening is appropriate given both the season of the fast in the Northern Hemisphere at the darkest time of the year, and also the depiction of the translation of the Torah as a day that brought darkness to the world. Some contemporary siddurim translate “crushed” from the more common Biblical root d.k.a. although the word in question “di`akhani” is clearly not derived from that root.

9 Tz.f.r. related to the Aramaic word for morning, “tzafra.”

10 See Abraham Rosenfeld, The Authorized Selichot for the Whole Year (London, 1969), 342-343. The selihah is found in the standard Artscroll Siddur on page 848-849. The translation above is my translation.

These two stanzas each feature four rhyming lines, with the first three of each stanza following an alphabetic acrostic, and the fourth line consisting of a scriptural verse: Psalms 129:3 for the first, and Ezra 7:6 for the second, adapted to fit the rhyme of the stanza. Most siddurim fail to note that Ezra 7:6 is cited in the second verse; without appreciating the quote the sentence structure of the stanza is hard to understand.

11 Rashi (Genesis 33:17, 35:16, 37:34, and 48:17) is clearly of the view that Rachel died in the spring, although many contemporary Jews are of the view that she died in the fall. None fast for the day of her death, though, to either view.

12 Though we do fast on the occasion of the assassination of Gedaliah, we fast less for the loss of Gedaliah and for his piety, than for the larger geo-political implications of the assassination in how it ended the last chance for Jewish self-government in Israel during the Babylonian period and finalized the exile of the last remaining Jews in Israel following the destruction of the first temple.

13 Tanhuma Shemot and Avot De-Rebbi Natan also fail to provide any negative feelings about the story. Negative depictions first begin in the later Masekhet Sofrim 1:7.

14 The Talmud’s verb “kines,” he gathered elders, turns into the far stronger “insani,” forced me, in the selihot.

15 The late 19th century Iyun Tefilah commentary by Aryeh Leib ben Shlomoh Gordon argues, in his commentary to this selihah, that indeed, the argument follows from the fact that we fast that elders should have refused to translate the Torah, given how great a tragedy it was.