



Ashkenazi Founders (continued)

1. Dr. Haym Soloveitchik, *The Tosafist Movement*, Collected Essays, pp. 6-7

<https://books.google.ca/books?id=rHFvEAAQBAJ&pg=PA6&lpg=PA6>

The greatness of Rabbenu Tam did not lie in his discovery of dialectic - that is systematically employed in most discussions of the Talmud - but rather in the scope and depth of his use of it. Rabbenu Tam's influence extended over the entire talmudic corpus; he scarcely treated a topic that he did not revolutionize by dialectic. He was able to offer many hundreds, probably thousands, of legal distinctions that subsequent thinkers found, and to this day still find, essential for any understanding of talmudic law. So fecund were his ideas and so productive was his mode of thinking that this type of analysis has continued to the present day. In brief, Rabbenu Tam rewrote halachic thought by his revival and use of dialectic and made this method an indispensable tool of talmudic study.

2. Rabbi Moshe Sofer (18th-19th century Pressburg), Chatam Sofer, Responsum Choshen Mishpat 116

The practice in all of our exiles is that we follow the majority for all such matters. If we were to wait for unanimity then no affair would be concluded, and the community would be damaged. For the same reason, even Rabbeinu Tam, who rules that the community cannot take punitive action to protect a community standard unless there was unanimous agreement to the standard at the outset, rules that way only as far as the letter of the law. He would agree that as a matter of common practice the majority may force an individual to do as they say...

3. Rabbeinu Tam, Responsa of Baalei haTosafot 11

You also wrote that one should not change the custom, because of concern for slander [regarding earlier practices]. מנהג (minhag) is גהנום (Gehennom) in reverse! For fools may have done thus, but sages did not do thus.

4. Rabbeinu Tam, Sefer haYashar 48:6

Our customs are Torah, and our customs in "Babylon" are in accord with the sages of the Land of Israel, who are the essence regarding ruling in law. Therefore one should rely on our "Gaonim" and the "Rabbanan Savorai".

5. Rabbi Moshe Isserles (16th century Cracow), Shulchan Aruch Even haEzer 154:21 citing Rabbeinu Tam
Still, they may decree upon all Israel not to help him in any way, or to interact with him [commercially?].

Interactions

6. Rabbi Yitzchak Alfasi (11th century Morocco/Spain), Responsum 223

Reuven lived in Eastern France with his children, far from Spain, for many days. He left his wife and children where they were and was sought after in Spain to travel among the communities. He passed through one land and he taught publicly, and when five of the leading community members saw him, they persuaded him to bring his wife and children to that land, and to dwell among them...

7. Students of Rashi, Machzor Vitry 1

The practice of all Israel in Sepharad, which is Spain, is thus, [for the leader] to fulfill the obligation for those who are not expert. The leader begins and recites the blessing on hand-washing, and all of the order of blessings...

8. Rabbi Shemuel ben Meir (Rashbam, 12th century France), Commentary to Deuteronomy 7:14

כמו מן "חכם" יאמר "אשה חכמה", מן "שפל" שפלה איננה, כמו כן מן עקר עקרה. וכן מצאתיהו בכל ספרי ספרד:

Explaining the word *akar* [a male who cannot produce children]: Like from *chacham* we say *chachamah*, and from *shafal* we say *shefalah*, so from *akar* we say *akarah*. And so I have found it in all of the texts in Spain.

Different Practices: Kitniyot

9. Talmud, Pesachim 114b

What two foods? Rav Huna said: Beets and rice.

10. Talmud, Pesachim 40b

Rav Pappi permitted the Exilarch's bakers to thicken the pot with roasted grain. Rava said: Does anyone permit such a thing in a place where there are servants?

11. Talmud, Pesachim 37a

Rav Yehudah said: Boethus, son of Zonin, asked this of the sages: Why did they say one may not make decorated cakes on Pesach? They replied: Because women tarry in making them, and they become chametz. He said: We could make them in a mold, and establish them directly! To which they replied: Will people then say that all such cakes are prohibited, but the cakes of Boethus are permitted?!

12. Concerns

- A similar form of harvesting
- Confusion of products
- Cross-contamination

13. Rabbi Elli Fischer, *Why Are These Cheerios Different from All Other Cheerios?*, April '16

<https://web.archive.org/web/20160506014837/https://mosaicmagazine.com/observation/2016/04/why-are-these-cheerios-different-from-all-other-cheerios/>

As General Mills discovered, making this product fully gluten-free turned out to be exceedingly difficult. Since farmers rotate their crops, the same fields in which gluten-free oats grow one year may have cultivated wheat, barley, or rye in the prior year. Moreover, gluten-containing grains are stored in the same granaries and transported in the same containers used for oats. As a result, nearly all oats available on an industrial scale are contaminated by wheat, barley, or rye. For Cheerios to become strictly gluten-free, General Mills had to develop a method for separating oat kernels from grain kernels on a massive scale, which they proceeded to do—successfully, with the exception of one embarrassing episode last fall when one facility accidentally replaced oat flour with wheat flour, forcing a gigantic recall of “gluten-free” Cheerios containing gluten.

14. Rabbi Elli Fischer, *Why Are These Cheerios Different from All Other Cheerios?*, April '16

Could the development of this three-field system and the huge increase in the cultivation of legumes explain why the custom to refrain from legumes on Passover arose specifically in late-medieval Ashkenaz? That theory was first put forward in the early 1990s by Nachum Bronznick, a retired professor of Hebrew at Rutgers University, and further elaborated by a plant scientist named Ari Schaffer at Israel's Volcani Center. Although it had the ring of truth, it was also problematic—specifically because the first mentions of this custom by rabbinic authorities, which date from the 13th century, offer different reasons for it: namely, that *kitniyot* resemble *ḥamets*, are cooked like *ḥamets*, can rise like *ḥamets*, or even sound like *ḥamets* (as in the case of *hummus*, the Arabic word for chickpeas). Not until a century later do several authorities offer admixture as the reason for the custom—a custom of which, however, they emphatically *disapprove*, calling it excessive, mistaken, and foolish. But all of these disapproving rabbis hailed from Spain or Provence, where the two-field system still prevailed.

The crop-rotation theory of the origin of *kitniyot* received a major boost in 2006 with the publication of a newly-discovered Passover sermon by Rabbi Elazar of Worms (a major Rhineland community) from the late 12th or early 13th century. The sermon contains a single line—“We do not eat beans and lentils because there is wheat in them”—that offers both the first attested reference to concern for admixture and the earliest reference to the practice of refraining from *kitniyot* on Passover. The codicologist Simcha Emanuel of the Hebrew University, who published the sermon, has linked this concern with admixture to the three-field system of crop rotation.

Hebrew pronunciation

15. Judges 12:6

And they said to him: Say *shibboleth*. And he said *sibboleth*, and he could not speak thus...

16. Talmud, Megillah 24b

We do not send down before the Ark people of Beit She'an or Beit Haifa or people of Tivonin, because they called their *alephs ayins* and their *ayins alephs*.

17. Rabbi Dr. Hirsch Zimmels, *Ashkenazim and Sephardim*, pp. 82-83 (Ktav 1996 ed.)

With regard to their origin three different theories have been propounded: (1) The Sephardi pronunciation is the original one while the Ashkenazi pronunciation developed in later times under the influence of environment. (2) Both pronunciations date from antiquity being a continuation of the two different pronunciations in use in Palestine and Babylonia, like Syriac which has been handed down to us in a twofold pronunciation. (3) The Ashkenazi pronunciation originated in Palestine while the Sephardi pronunciation was produced by the Jews in Spain. The second theory seems to be the favorite among scholars nowadays...

The position of the Torah scroll

18. Talmud, Menachot 33a

Rav Yehudah cited Rav: If the mezuzah is placed like a bolt, it is disqualified. But when Rav Yitzchak bar Yosef came [from Israel], he said, "All of the mezuzot in Rebbe's house were placed like a bolt!" No problem – one is where it is placed like a peg [this is not allowed], one is where it is placed like a knee-joint [this is accepted].

19. Rashi to Menachot 33a

If it is placed like a bolt – Affixed and jabbed in the doorframe, like the bolt that carpenters stick into a wall.

Knee-joint – The place where the upper and lower leg joint, and this is vertical... is kosher.

20. Tosafot to Menachot 33a

Rabbeinu Tam was troubled [by Rashi's view], for vertical is not respectful; Bava Batra 101a calls it "the way to bury a donkey!" And the Torah scroll and tablets in the Aron were horizontal, not vertical, as indicated in Bava Batra 14a, even though they could have placed them vertically, for the Aron's height and width were the same!... Therefore, Rabbeinu Tam explained "like a peg" to mean vertical, like the pegs in the Mishkan which were stabbed into the ground, and this is disqualified. "Like a knee-joint", in the upper leg horizontally, is kosher.

21. Rambam (12th century Egypt), *Mishneh Torah*, Laws of Tefillin and Mezuzah 5:8

If one digs into the doorpost and introduces the mezuzah like a bolt, like the beam in brackets on boards, it is disqualified.

22. Rabbi Yaakov ben Moshe Moellin (14th-15th c. Germany), *Maharil: Mezuzot* 3

We place the mezuzah on a diagonal because Rashi believed it should stand vertically and Rabbeinu Tam believed it should lie down. We do partially standing and partially lying to satisfy both.