

# History of Halakhah

## Week #4 – Post Shulhan Arukh

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### A. Introduction

- a. Introduction to Halakhah B'Shanah
- b. Previous Class
  - i. Shulhan Arukh and Bet Yosef
  - ii. Ramah
- c. Central Code

### B. Sephardic Acceptance

- a. MaRaN

### C. Ashkenazikc Acceptance

- a. Initial Rejection (16<sup>th</sup> Century)
  - i. Majority Rule
  - ii. No Sources/Unclear Language
- b. Ultimate Acceptance (17<sup>th</sup> and 18<sup>th</sup> Centuries)
  - i. Influence of Commentary
  - ii. Historical Considerations
- c. Responsa Organization

### D. Changing Landscape of Halakhah

- a. Kehillah
- b. Emancipation
- c. Dina D'Malkhutah (Kizzur Shulhan Arukh)
- d. Religious/Secular Divide (Impact on Creativity)

### E. P'sak Today

- a. Methods in P'sak
  - i. Latest Authority (Hilkheta K'Batrai)
  - ii. Majority Rule (Rov)
  - iii. Conciliatory (Humra/Kullah)
  - iv. Independent (Einav)
- b. Trends in P'sak
  - i. Defensive (Arukha Hashulhan)
  - ii. Deterministic (Mishnah Berurah)
- c. Historical Considerations
  - i. Holocaust and Israel
  - ii. Blending of Communities
  - iii. New World/Issues

### F. Conclusion - Trends

- a. National Law to Religious Law
- b. Challenges of Codes
- c. Cyclical Nature of Codes
- d. Status Today