**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Halakha and Jewish History**

**Rav Aviad Tabory**

**Shiur #10:**

**Rav Yitzchak Abarbanel (1437-1508)**

**Jewish Adviser to Kings**

We mentioned last week the infamous pogroms of 1391 which took place in Spain. These terrible events forced Jewish families to flee the country. Amongst those who relocated to the neighboring country, Portugal, was the esteemed Abarbanel family. This family produced successful Jewish leaders who served as financial advisers to monarchs in Spain as well as representing the Jewish communities before the authorities.[[1]](#footnote-1)

Growing up in Portugal, Abarbanel received an intense Torah education as well as a broad exposure to philosophy and classical literature. Following the family tradition, he became the treasurer of King Alfonso V of Portugal. Abarbanel was also a successful businessman and became very wealthy. During this period, he was actively involved in the successful redemption of a group of Jewish prisoners who arrived in Portugal.

The death of his protector, King Alfonso in 1481, brought an end to this successful period and two years later he was forced to flee the country. Settling in Spain, Abarbanel decided to dedicate his time to writing his commentaries on *Tanakh*.

However, King Ferdinand II and Queen Isabela I of Spain persuaded him to work for them. Under their rule, Abarbanel was given responsibilities in the kingdom’s finance and taxation departments. He even ended up lending money to the Spanish monarchs to help finance their war with the Emirate of Granada.

In 1492, the Spanish monarchs succeeded in their attempts to make Spain an entirely Christian country. With the victory over the last Muslim stronghold on the Iberian Peninsula, Granada, the king and queen “celebrated” their achievement by ruling that all Jews must convert or leave the country. Although Abarbanel was one of the few who was given permission to remain, he chose to leave the country. After his failed attempts to convince the king and queen to annul the decree, he joined his people in the infamous expulsion.

Arriving in Naples, Abarbanel was appointed by King Ferdinand of Naples to a high-ranking position. In 1503 he was forced to flee again, settling eventually in Venice.

Throughout these difficult times, Abarbanel worked relentlessly both on his classic commentary on the entire *Tanakh* and on his works of philosophy and theology.

Rav Yitzchak Abarbanel is considered one of the greatest royal advisers in Jewish history, reaching a very high-ranking position. His uniqueness lies in the fact that he used his personal relations with the ruling authorities to aid and benefit the Jewish community.

Such leadership positions of influence like that of Rav Yitzchak Abarbanel have existed throughout Jewish history. Starting with Daniel, Mordekhai and Nechemya in biblical times and continuing until the 19th century culminating with the great British philanthropist, Moshe Montefiore. Their positions in international courts enabled them to use their influence to aid and guide their Jewish brethren. Some of them were called court Jews or *shtadlanim*.

***Karov La-Malkhut***

The Gemara (e.g. BT *Bava Kama* 83a) refers to such a person as *karov la-malkhut* (literally, close to the government). This phrase carries halakhic ramifications. Due to their unique position, these leaders are regularly present in the courts of kings and emperors. In situations in which dress codes and even dietary habits require these people to violate Halakha, the Rabbis permit certain leniencies.[[2]](#footnote-2)

The law that most often creates difficulties for those who are “close to the government” is the prohibition mentioned in the Torah: “*U-vchukoteihem lo teileikhu*,” “You shall not follow their practices” (*Vayikra* 18:3). This rule forbids one to adopt characteristically non-Jewish hairstyles or fashions, labeled “*chukot ha-goyim,”* “the practices of the nations.”

The Rambam explains the rationale behind the prohibition:[[3]](#footnote-3)

[The Torah warns] us not to try to resemble [the non-Jews]. Instead, Jews should be unique and distinct in their dress and in their deeds, as they are in their ideals and character traits.

Rav Yosef Karo, basing himself on the Gemara, rules that those who are *karov la-malkhut* and thus are required to wear non-Jewish clothing are permitted to do so.[[4]](#footnote-4)

However, he is troubled by this *heter* (allowance). How can the Rabbis permit people to violate a biblical prohibition?

He gives two answers:

1. For the sake of saving the Jewish people, the prohibition may be waived. When there are Jews in government standing in the breach, the may be able to annul evil decrees.
2. The Torah is not very clear about what is included in the prohibition “*U-vchukoteihem lo teileikhu*.” Therefore, the matter is given over to the Rabbis to decide when and where it applies.

There may be a practical difference between these explanations regarding other prohibitions which are waived for those who are close to the government. According to the first reason, which is based mostly on the consideration of *pikuach nefesh*, preserving a life, it is possible to waive other prohibitions. However, according to the second explanation, this *heter* seems to be limited to *chukot ha-goyim*.

Rav Shimon ben Tzemach Duran (1361–1444) offers a very different explanation. According to him, the entire *heter* is based on *kevod ha-malkhut,* respect for the government.[[5]](#footnote-5) This concept is used to override other prohibitions as well and is not unique to our case.

However, it is very unusual to waive biblical prohibitions for this reason. For example, Rav Moshe Sofer permits people to cut their hair for the purpose of greeting a king even if they are in their period of mourning.[[6]](#footnote-6) It is clear that the *heter* is only because cutting one’s hair is only a rabbinical prohibition.

Another possibility to explain the particular *heter* is based on a responsum of Rav Yosef Colon (Maharic, 1420 -1480). The Maharic defines the parameters of *chukot ha-goyim*. According to him, the prohibition against adopting “practices of the nations” covers only two categories: 1) customs which include immodest behavior; and 2) practices that are unique to the non-Jews and serve no rational purpose.

However, if the Jew is following these practices for a clear benefit, it is permitted.[[7]](#footnote-7) This opinion is codified by Rav Moshe Isserles.[[8]](#footnote-8)

Accordingly, Rav Elchanan Wasserman questions our *heter*.[[9]](#footnote-9) Why would there be a need to “permit” those close to the government to dress in a non-Jewish manner if it is permitted for all to dress this way (if it benefits them)? Surely dressing like a non-Jew benefits the *karov la-malkhut*!

His answer is that the *heter* is really not needed; rather, it is presented in order that people will not think negatively about Jewish leaders who dress like non-Jews. Thus, Rav Wasserman understands that the *heter* for the court Jews is not a unique *halakha*.

In 2009, an Orthodox rabbi entered the Washington National Cathedral, which is an Episcopalian church, to participate in the National Inaugural Prayer Service in honor of the President of the USA, Barack Obama. The visit stirred up an argument as to whether this was permitted or not.

Those who permitted the visit argued that Jewish leaders are allowed some leniencies if their purpose is to serve as the Jewish representatives before the government. They mentioned that there are precedents in Jewish history in which Torah leaders have entered churches.[[10]](#footnote-10)

Those who opposed the visit argued that entering a church is a very severe matter, tantamount to idol worship, *avoda zara;* they quote responsa that forbid entering churches even for the purposes mentioned above.[[11]](#footnote-11)

As mentioned above, if the *heter* for *chukot ha-goyim* is based on *pikuach nefesh,* there is room to claim that the same argument could be made for entering a church. However, if the *heter* is, as Rav Wasserman suggests, a localized *heter*, then it very difficult to permit entering a church.

1. For more information, see the biography of Abarbanel written by historian Benzion Netanyahu, *Don Isaac Abravanel: Statesman & Philosopher*, Cornell University Press, as well as *Encyclopedia Judaica*, Vol. 2, pp. 103-110. See also Dr. Avigail Rock’s article at: <https://www.etzion.org.il/en/lecture-23-abarbanel> [↑](#footnote-ref-1)
2. For a list of all the different allowances, see Rav Yehuda Zoldan, *Techumin,* Vol. 21, pp. 171-179. [↑](#footnote-ref-2)
3. *Hilkhot* [*Avodat Kokhavim 10:1*](https://www.chabad.org/library/article_cdo/aid/912369/jewish/Avodat-Kochavim-Chapter-Ten.htm). [↑](#footnote-ref-3)
4. *Shulchan Arukh,* *YD* 178:2 [↑](#footnote-ref-4)
5. *Responsa Tashbatz* 3:93. [↑](#footnote-ref-5)
6. *Chatam Sofer, OC* 158. [↑](#footnote-ref-6)
7. *Teshuvot Maharic* 88. [↑](#footnote-ref-7)
8. *Shulchan Arukh*, *YD* 178:1. [↑](#footnote-ref-8)
9. *Kovetz Shiurim, Bava Kama* 98 [↑](#footnote-ref-9)
10. See Michael J. Broyde and Kenneth Auman, “Entering a Sanctuary for *Hatzalat Yisrael*: An Exchange,” *Hakirah*: The Flatbush Journal of Jewish Law and Thought 8, pp. 53-68. The article is available at: <http://www.hakirah.org/Vol%208%20Broyde.pdf> [↑](#footnote-ref-10)
11. Rav Ovadya Yosef forbade an Israeli ambassador to enter a church. See *Yabia Omer*, Vol. 7, *YD* 12. [↑](#footnote-ref-11)