

# The Leadership and Traditions of the Sephardi Sages in the Modern Era

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Rabbi Yitschak Chouraqui is the rabbi of Congregation Yad Ramah in Jerusalem and director of the Merhav program for social-rabbinic leadership at Memizrach Shemesh – the center for Jewish-social leadership. This article is an English translation of his Hebrew introduction to “Masoret be-Idan ha-Moderni”, Am ha-Sefer, Jerusalem, 2009. This article appears in issue 7 of Conversations, the journal of the Institute for Jewish Ideas and Ideals.

One of the special characteristics of the Torah is its dual nature: on the one hand, religious, faith based, and personal; and on the other hand social, political, and national. It guides not only the individual but also the nation. It charges us not only with faith and personal commandments in interpersonal relationships and toward God, but also with establishing a complete society built on its principles: "a kingdom of priests and a holy nation" (*Shemot* 19, 6), that is, a complete society based on principles of ethics and justice that are "straight and good in the eyes of God." According to the Torah, only in this way can the individual develop his spiritual aspirations. Holiness is not conceived through observance of "religious" commandments if, at the same time, commandments based on ethical and humane values are trampled upon. Being a complete person is dependent on one's social context, and one's devotion to God is expressed through a love of His creatures.

Related to this is another characteristic of the Torah, which comes up in many places in the words of the Sages and the Rabbis throughout the generations: the Torah is much more far-reaching than Torah study, wider than the literary sources that constitute it, broader than the Jewish texts written over the generations. The Torah relates to all knowledge and human life. The concept of dealing only with the limited scope of Jewish law is a product of the Diaspora. Therefore, it is necessary to study the Torah as it relates to general culture and sciences. The Torah is a living Torah because it is truly tied to all aspects of life and all intellectual fields; it has implications on the diverse occupations of mankind, on the various developments of society, and on the course of history.

Two of these spheres, the public and the intellectual, can serve as criteria for examining the diversity of Jewish traditions. In these areas we can identify interesting characteristics of the Jewish sages in the Sephardic tradition. By this we mean the Hakhamim of recent generations who have continued the traditions of the Sephardic Sages before the expulsion from Spain. More specifically, our concern here is with the Sephardic Hakhamim of the past two hundred years who had to contend with questions that arose from the attraction of modernity and the various revolutions that occurred throughout Europe from the 18<sup>th</sup> to the 20<sup>th</sup> centuries-- the political, social, cultural, and technological revolutions. These Hakhamim were mostly from Muslim countries. Others lived under Christian influence either in Europe or in Muslim countries that had been conquered by Europeans in North Africa or the Middle East.

The following is an examination of several characteristics that paint a varied picture of the traditions of the Sephardic Sages.

## Classical Judaism vs. Romantic Judaism

The difference between the cultures of the Romantic and the Classical periods is well known.<sup>[1]</sup> This can be seen in style, thought processes, and the various aspects of life on which they focused. Sephardic Judaism has been characterized as Classical Judaism, as opposed to Romantic Ashkenazic Judaism.<sup>[2]</sup> Sephardic Judaism emphasizes different fundamental points that can be designated as Classical: (a) Tradition – that is to say the continuity of the heritage; concepts of loyalty, a sense of belonging to the general public, and mutual responsibility both in the present and in relation to earlier generations. (b) Compatibility – that is, balance and harmony between the Torah's requirements and those of our lives, between the individual person's work and his integration into society, between the unique Jewish world and the wider world in general, between the traditions handed down through the generations and the new and changing present, between the internal Jewish knowledge and general knowledge. (c) Simplicity and Structure – a methodical and logical structure, preserving the spiritual framework both in style and formulation (grammar and language), in the types of works written (codification projects) and in educational approach (order and progression, rules and methods, and keeping away from all kinds of unfounded scholasticism and abstractions).

Of course, it is not our intention to describe all Sephardic sages here, but only to present general examples that represent Sephardic culture as a whole.

## The Written Torah Precedes the Oral Torah

Through the ages, the Torah has been transmitted in two different ways that complement each other.<sup>[3]</sup> On the one hand are the books and the written tradition, and on the other is 'life learning', experiential and verbal, as it was passed on from the Hakhamim, the community, and the family. Traditionally, the living commentary and oral study have always guided the learner in his understanding of the written text. Changes in Ashkenazic Judaism in the second half of the 20<sup>th</sup> century led to a preference for the written path of transmission rather than the living one. Thus, we have become *the people of the book*, not necessarily in the positive sense of the phrase: we have become a society that clings to the written word, to the book, and minimizes the value of the living tradition as an essential path for transmitting Jewish culture. This phenomenon is characteristic of the Hareidi community, which sanctifies the book even at the expense of well-founded, living family tradition; and also those who seek to skip tradition altogether and to connect directly to the cardinal texts of Jewish culture. As opposed to the Ashkenazic countries, where the conditions for these developments were bred, Sephardic communities continued to

transmit the Torah in its two paths (until the last generation, where we witness the adoption of Ashkenazic characteristics by Sephardic Sages). Furthermore, sometimes for these Sephardic Sages, there is even a preference for the living tradition over the written one.<sup>[4]</sup> In fact, the basis of the preference for a living tradition is a different perception of culture in general, which sees Judaism as a living, dynamic, complex culture in which the living, human element is what gives life to the culture. This is the Torah that has been passed on to us, that has been passed along from generation to generation, and was not invented by us through direct contact with the written word.

Behind this cultural outlook there are also important emotional characteristics such as loyalty, humility, and the constant presence of He Who Gave the Torah among those who transmit it. This too is one of the meanings of *the living Torah*: a Torah that was first the source of life, before it became the source of learning.

We will now move on to the fundamentals of the Sephardic Sages Torah learning, divided into three categories: the scope of their intellectual wisdom, their methods of action, and their spiritual character.

## The Scope of their Wisdom

In this section we will outline the cultural perspective of the Sephardic sages, the spiritual and human world in which they lived, and how their relationship with this world – whether stated or not – shaped their works. We will divide our discussion into three sections:

### 1. The Scope of the Jewish Cultural World

As opposed to a simplified approach, which focuses on Jewish learning of the Talmud and *Halakhic* concepts, the Sephardic sages remained loyal to a very broad Jewish culture. To a certain extent, this value is a continuation of the world of the Sephardic Sages in Spain, who created their works in all fields of knowledge, all subjects of the Torah, from the Bible to the wisdom of the Kabbalah, through Talmud and Jewish law, commentaries, conceptual research, grammar and poetry.

Up until the present era, traditional study in the Sephardic world began with a broad familiarity with the Bible. This course of study was implemented early on in elementary school, by memorization of the five books of the Torah, the books of the Prophets and the Writings, through traditional melodies. The basic concepts of *Yirat Shamayim* (humility before God) and ethical texts of the Bible (such as Proverbs) were taught in a natural, pleasant, enjoyable way. This course of study was characterized by placing the textual perspective in a place of honor in Sephardic culture: mastery of the Hebrew language, including familiarity with grammar, the rules of the language, poetic expression, and writing styles, as the necessary basis for all creative works and the study of Jewish culture. From this comes a love of Hebrew poetry based on, among other things, the foundations of the Scriptures. In particular the classical Hebrew poetry from the Golden Age of Spain was privileged to enter the prayer book. These Sephardic communities continued to write poetry, and poetic expression served as the typical way they expressed their artistic sensibilities. But in addition to language and poetry, this textual perspective created a spiritual closeness to various topics from the Bible that relate to the fundamentals of faith and contemplation wherever they appear (such as the books of Proverbs, Ecclesiastes, and Job), topics that served as introductions to many *Derashot* (sermons). Indeed, the public sermon was one of the most important ways in which the *Hakham* took responsibility for his community and for current affairs, based on principles from the Bible, on Jewish commentaries through the ages and his own creative development in order to derive from them spiritual content on all questions that might arise. From here it was a short step to begin learning *Midrash* and the general Jewish philosophical literature; and as a direct continuation of *Midrash* and its meditations comes the Sephardic Sages' study of Kabbalah alongside other Torah studies.

Of course the Talmud holds a central place, but what is unique about the Sephardic Sages' world was that they stayed faithful to the ancient teaching that Torah study should be geared toward practical purposes. Their style of study included deep examination of the literal meaning of the text and a reliance on the commentaries of the *Rishonim*, the early Sages, in order to clarify the different opinions on which the *Shulhan Arukh* based its *halakhic* decisions. The next step was to examine the *halakhic* literature, both from the commentators of the *Shulhan Arukh* and the responsa literature. The abstract methods of study that arose among Ashkenazic rabbis in recent generations did not develop in Sephardic countries. In the eyes of the Sephardic *Hakhamim*, the Torah study of the Lithuanian *batei midrash* was perceived as divorced from the Talmudic issues and their *halakhic* applications. For the Sephardic Sages, text study focused on the literal meaning of the *sugia* (the particular passage) through an examination of the *halakhic* implications of each question. Even in places where a preference was developed for in-depth examination of a *sugia* rather than focusing on the *halakhic* ruling, for example the famous Tunisian study method, the sages did not overemphasize abstract analysis of the Lithuanian yeshiva sort, but rather stayed close to the meaning of each word and each sentence of the Talmud by examining its connection to the issue as a whole. Furthermore, these Sages did not differentiate between *Halakhic* issues in the Talmud that are discussed in the *Beit Midrash* and *Aggadic* issues from the Talmud that are not usually studied. Sometimes the text study even focused on the *Aggada*, as we see in the collection *Ein Yaakov*, whose study was popular among Sephardic communities.

Because the goal set for Talmud study was to establish *halakhic* rulings, one of the characteristics of the Sephardic Sages, as opposed to the Ashkenazic ones, was to rule decisively on *halakha* from among different approaches, and not only to take into consideration all *halakhic* positions and to decide on a ruling out of concern for stringent opinions, as is often found in the Ashkenazic countries. Rabbinic training for a Sephardic rabbi aimed to provide the rabbi with the tools for him to decide on *halakha*. This is in contrast to the education of the Lithuanian *yeshivot*, which provided their students with the tools for abstract, in-depth study of a Talmudic topic, but not the tools for making a ruling in Jewish law. This characteristic is one of the foundations of a Sephardic rabbi's work to this day.

It is important to note that, when we outline the main points of the cultural perspective by looking at the spiritual and educational world of certain Sages, the purpose is not to argue that all Sages in the Sephardic world dealt with all the areas we have mentioned, but rather that they operated in a cultural world with wide perspectives, while each of them was characterized by his own special creative works.

## **2. The Scope of Human Relationships**

Beyond the cultural wealth that characterized the Sephardic sages' works, there is another element that is no less important, and that is the human factor. By this we mean the relationship of the *Hakham* not just to the authoritative sources, but also to the dynamic sources of human life. The human factor is a central element in the deliberations of a *Hakham* when he decides the *halakha* and in his sermons to the community. Often one can sense that the *Hakham* relates to the person who asked the question, to his feelings, his personality, and sometimes also to his weaknesses. The *Hakham* knows the person asking the question, loves him, and understands his distress. He does not see his job only as an authority figure who sets norms and laws, but as someone who is responsible for shaping the person before him, so that this person will become more responsible and will better recognize his Jewish and human obligations. It is not a rabbi's job to set the standard for the ideal, abstract person; rather the rabbi must set the ideal in relation to the individual who is standing before him. The *halakhic* learning of the *Hakham* allows him to establish the letter of the law and not just the norms for optimal behavior (*hidur*) and rigor (*hahmarah*), and through this wisdom and understanding the *Hakham* calculates the best solution for the specific problem at hand. The *halakhic* ruling is transferred from mere intellectual, theoretical deduction to a more complex pursuit that weighs the *halakhic* facts and also takes into account the human factor and the actual background from which the problem arose.

We must add that the human background does not necessarily consist of only the person who asked the question; usually it is a matter of an entire community or the public context that the *Hakham* must take into account. When he issues a decision on a particular question, he also considers the consequences of his decision on wider circles: for example, if he takes a strict position on an issue, the *Hakham* is not looking only at the specific, immediate situation of the person who asked the question, but he also looks at the ramifications for the entire community, for whom a stringent decision is not always the proper solution, lest it disrupt the balance of Torah principles, damage the fabric of Jewish society, or sometimes even interfere with the spiritual efforts of the person or the community.

Widening the circle of relationships from the individual person who asks a question to the communal sphere brings us to an even broader plane.

### 3. The Scope of Universality

Sephardic culture throughout the ages developed in concurrence with general culture thus continuing the tradition of the Golden Age of Spain, in which the internal Jewish world recognized the wider world without losing its own uniqueness (see Maimonides' example of perfumers, cooks, and bakers in his letter to the Sages of Lunel [Rav Shilat Edition, Part Two page 502]). The Sephardic Sages of recent generations were aware of current events and changes in the world around them. This is especially true in more recent years, since modernism in its European version arrived in the Eastern lands. The Sephardic reaction to the changes of the new age was quite different from the Ashkenazic response. On the one hand, the educational model of the Sephardic sages approved of general studies, and even considered them as worthy endeavors in addition to basic Jewish education; and in the spirit of this approach, the Sephardic sages did not withdraw from modern society in the way that some Ashkenazic Orthodox elements did. On the other hand, with the deepening of European rule in Muslim countries, the pull towards secular culture was in opposition to tradition; and the response of the Sages to protect the traditions of Israel was not to develop the model of strict, isolationist Orthodoxy. Instead, they emphasized the principles that strengthen faith that have guarded Jewish identity and communal unity, with the goal of maintaining the members of the community in the Jewish world as much as possible. Thus, an important *Hakham* spoke out strongly against a Rabbi who was struggling with a custom that is not essential among the commandments while other more central, basic tenets of the Torah still needed to be strengthened (Rabbi Yossef Messas, Responsa *Mayim Haim* Part 2 *Orah Haim* Section 90). That *Hakham* established an important concept in regard to the elements weighed in making a *halakhic* decision (Responsa *Mayim Tehorim* Even HaEzer Section 24): "And this matter will be discussed according to three pillars of jurisprudence: the law, intelligence, and time period," that is, the law that arises from the sources that determine *halakha*, the common sense and healthy logic that are needed to approach any issue, and the specific time in which the question was asked that takes into account the time period and the local background. It is important to emphasize that this openness to aspects of time period and common sense in deciding *halakha* unlocked a traditional, intra-*hilkhatit* option that succeeded in responding to the modern world, without relegating the validity of *halakha* to the trash bin of nullifying reform and without losing the age-old authority of the Sages.

Implicit in this is the secret of the relevance of these works in our time – this is the main path for interpreting the Torah in relation to society through the changes of time. We are not talking about fringe writings of the Jewish world, but about the relevant cultural center of the Jewish people as a whole, which follows Maimonides' tradition of the Golden Path.

### Methods of Action

And so, what characterizes the rabbinic methods of the Sephardic sages?



As mentioned above, one of the characteristic principles of the Sephardic sages is the way they determine *halakha* between different approaches, as opposed to a *pesak* (decision) that wants to satisfy all differing opinions. This is the basic principle known in rabbinic language as *kohah dehetra adif* – the power of the *heter* (the lenient path) is the preferred. This principle praises the greatness of the *Hakham* who delves deeply into an issue and finds a lenient *halakhic* solution. Deciding *halakha* stringently does not reflect the greatness of a *Hakham*, and many times it attests to an educational concern, or to fear of deciding the *halakha*, which prevents the *Hakham* from choosing the easier path over the stricter one. Harsh *halakhic* decisions and the desire to accommodate all opinions have caused an accumulation of stringencies that makes it difficult for a later *posek* to weigh, maneuver, and navigate the *halakhic* process in the directions needed for a specific case that comes before him. Thus, fear of God pushes aside the dynamic force of *halakha*. Conversely, there are many who outwardly praise the dynamic nature of *halakha*, and have little fear of God in their hearts, and because of this their conclusions cannot be called *halakha*. Between the strict and the liberal positions, the Sephardic Sages established a third path in which their great humility before God and their commitment to serve God brought them to adopt original *halakhic* stances in order to deal with new situations, without fearing lenient decisions, rulings and originality. Knowledge of life experience often accompanies and guides *halakhic* decision-making, together with a realistic viewpoint, according to which a harsh position would apply to only a small part of the public. But the responsibility of the *Hakham* is to the whole community, to all of the Jewish people, perhaps for all future generations. Therefore it would not be responsible to set an excessively stringent standard of *halakha* that would cause a great portion of the community to be lost if they cannot abide by it.

In addition to this, the *halakhic* vitality and courage that these *Hakhamim* often adopted should be taken into consideration. With all the modesty of the Sephardic *Hakhamim*, who based their decisions on the *posekim* who came before them and did not devise new ideas without precedent – supporting their decisions based on Jewish sources and not on their own opinions – we find in their *halakhic* works original analysis of earlier sources and also opinions that were not always in the *halakhic* mainstream.<sup>[5]</sup>

Another issue is the efforts of the *Hakham*, in the framework of *halakha*, to ensure that the law will not legitimize injustice. Indeed, on the one hand the Torah tells us, "Do not give special consideration to the poor," (*Leviticus* 19, 15) meaning that one must not deviate from law in order to help a poor person. On the other hand, it is also forbidden to allow those who have power to be protected by the law so that exploitation of the weak would be justified. Therefore we must act so that the law is just and so that the poor are helped; for example, using the ability to stretch the law in different directions so that truth, justice, and benevolence will be present in a *halakhic* ruling.<sup>[6]</sup> Sometimes we find that the *Hakham* adds at the end of his ruling some advice for the weak on how to conduct his affairs in the event of injustice.<sup>[7]</sup> Other paths are available to the *Hakham* outside the framework of the court, such as influencing the two sides to conduct themselves beyond the letter of the law in order to avoid injustice. This can be done directly – through open rebuke of the different sides – or through a sermon on ethics to the whole community with the intention of hindering the sources of injustice in the community. The last tool in the hands of the *Hakham*, if he did not succeed through educational means, is excommunication or expulsion. And here we must emphasize the complex nature of the Sages' conduct: on the one hand they are prepared to struggle when necessary to protect Torah values both religiously and socially, and on the other hand they adopt a stance in a pleasant way, with the wonderful ability to adopt solutions through the paths of peace and with the attribute of mercy.

The Sephardic rabbis perceived their job to be multi-faceted. They did not concentrate only on spreading Torah knowledge in a yeshiva to a chosen group of scholars, but saw their main job as serving the entire community. Certainly one of the community rabbi's jobs was to see to it that there would be a yeshiva in the area, but this was not the sum total of the Sephardic rabbi's duties. Torah

study for all levels of society was his goal. Learning Torah with the lay people who made up the majority of his community is what held center stage. Beyond Torah study, the rabbi was busy with all his other rabbinic duties: as *mohel*, ritual slaughterer, scribe, preacher, judge, etc., along with his social responsibilities: to assure the cohesiveness of the community socially as well as religiously – concerning Torah values and also on the material plane – in other words, to see to it that the weaker members of society live with dignity within the community. As part of his responsibilities beyond the walls of the religious court, one of his main concerns was to assist the weaker members of the community by means of various welfare institutions that operated for the purpose of assuring that mutual solidarity would be a pillar of the Jewish community.

One of the basic elements of *halakha* that was used especially in Sephardic communities was the establishment of *takanot* – religious ordinances. The *takanah*, which is a direct ruling of the *halakhic* sages, continued to develop in the modern era in Sephardic communities for two reasons: one internal and one external. The internal reason is because the Ashkenazic rabbis tended to curtail the strength of new *takanot* and the scope of their application, also minimizing the setting of new *takanot* (to the point of an almost complete refusal by the Chief Rabbinate of Israel to set *takanot* at all in the past generation). The external reason was that the Emancipation, which brought equal rights to the Jews of Europe, also canceled the judicial independence that had been the heritage of Jewish communities throughout the generations, as well as canceling the authority of the sages to develop the various areas of Jewish civil law. As opposed to the Ashkenazic countries, the Sephardic lands continued to develop Jewish law through internal legislation and communal *takanot*. (Sometimes the *takanot* were also national, for example Moroccan *takanot* that were in force until the 1960s.) Through these *takanot* the sages provided up-to-date *halakhic* answers for the new problems and special needs that arose. The *takanot* were an additional expression of the ever-developing Torah and its involvement in the life of society.

## The Spiritual World of the Sephardic Sages

The basic value in the spiritual world of the Sephardic Sages is the presence of God, and what derives from this – the service of God. Not the yoke of *mitzvot*, but God's constant and central presence, an awareness that we are always and notably standing before God in all aspects of our lives, not only when we are doing one *mitzvah* or another. The sages held a comprehensive perspective on the basic meaning of Judaism, that is, the perspective on the main purpose of the word of God to mankind. This perspective, they took upon themselves to publicize and teach. They did not receive it through study but rather through Jewish life, through the living tradition. What is a human being's obligation? That is the question to be addressed; and the answer is not limited to doing *mitzvot*. This is not to suggest an attitude of compromise in keeping the *mitzvot*; on the contrary – serving God is the basis of man's obligation in his world, and from this develops the network of *mitzvot*. But from this also emerges much more than just an obligation to observe commandments; from serving God comes the need to keep "*that which is straight and good in the eyes of God*"; also in those areas of life that are not defined through formal *mitzvot*. From serving God one also derives the recognition that a person will be judged before God for everything he does in all aspects of his dealings. Studying Torah does not exempt one from humanitarian issues or from any of the groups that make up the fabric of Jewish people. The awareness of the presence of God is connected to the issue that is so central for the Sephardic sages: society and the Jewish people.

How can a person make God's presence meaningful and concrete when He has no physical or material expression? Among the many possible religious answers to this question, one particular approach stands out for the Sephardic sages: God's presence is expressed through the obligations we have towards the Jewish people and through the obligations we have towards one another. In this context, how can we walk in the path of God? By adopting His traits: "Just as God is merciful and

compassionate, so should you be merciful and compassionate" (Shabbat 133b). That is, one's ability to behave in the right way expresses one's obligation to God. This rule does not apply only to the private domain (and here is a decisive point compared with the sages who emphasized ethics and interpersonal relationships in the private domain), but rather it is expanded and broadened to have the public and social meaning that is found in almost every aspect of life that the Sephardic Sages preached about. Even if something was a private or personal issue, or an issue that appeared to deal only with miztvot between God and man, the *hakhamim* found ways to apply the issue to the general public.

This is not only in regards to spiritual commentary and literature. Also in the realm of action, the Sephardic sages were conspicuous in their concern for the community and the public; their concern for society was expressed also in their *halakhic* rulings and was taken into consideration under different social circumstances. This inclination does not come from weakness or compromise but rather from the spiritual strength that sees this as the *Hakham's* commitment to God and the Jewish people. We can see in this the complexity of the rabbi's activities: on the one hand his broad concern with the social life, economic status and spiritual level of the community, and at the same time his desire to preserve the uniqueness of each member of the community. In accordance with this task, the Sages were careful to maintain the unity of the community, also in the religious sphere, in spite of the different levels of observance of the members of the community, the different occupations of the members of the community, and the cultural and intellectual differences among them.

Concern for the public is expressed in the most basic issues of mutual responsibility: communal obligation towards the weak and acts of *tzedek* against the various sources of injustice. For these purposes the sages enacted *takanot* for the sake of the poor, via internal-communal taxes and through education.

This is also expressed in regard to the human attributes – *midot* – that the sages taught: paths of pleasantness, love of fellow human beings, generosity, kindness, and humility... The paths of pleasantness constituted the foundation for the various aspects of the wisdom of life. First, they relate to human interaction, second they relate to the *halakha* (the balance and adaptation between various Torah values and between them and other people) and third, they connect to the conceptual spiritual realm (in a harmonious view that is warm and loving towards society, the opposite of a suspicious, estranged, or arrogant stance). From this attitude the Sephardic sages were able to observe the changes throughout the world in the last two hundred years: science, politics, and culture. Their spiritual inclusion allowed the Sages to successfully adopt a complex stance of positive values in relation to scientific, technological, and social advances, and with it also to recognize the changes in religious and traditional lifestyle that affected community members. Preserving the attachment of the community to tradition was an overriding goal for the *Hakhamim* and this brought them to great heights in their writings, which often times proved courageous. They did this in order to maintain Torah values while being open to modernity. This approach is not limited to protecting and preserving the Torah in a world that threatens it – an approach that turns inward with the goal of surviving in a new world. Rather it is the opposite: an outlook that comes from the classic Jewish sources about the world as a whole, the problems of modern society, universal questions. It provides a special, original, often surprising response.<sup>[8]</sup> Behind the language and concepts of Jewish tradition there is a living Torah whose revitalized light illuminates the universal questions that stir us to a life of faith in the modern era.



[1] See: Daniel Elazar, "Classical Tradition and Romantic Tradition" in **Mahtzit haUmah**, Ramat Gan 5745. And in more detail in his book: **The other Jews: the Sephardim Today**, New York, 1989.

[2] However, this is not to be understood literally, since this characterization was first formulated by Abraham Heschel in his book **The Sabbath**, in which he characterized Ashkenazic Judaism only through the Hassidic model. Obviously every large culture is made up of many different components; we are only seeking to present certain general points.

[3] See Haym Soloveitchik, "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy," *Tradition*, 1994, 28 (4), pp. 64-130.

[4] Theoretical development of the precedence of the Oral Torah over the Written Torah is done by Rabbi Eliyahu Ben Amozegh in his important essay: "Introduction to the Oral Torah," (edited by Rabbi Dr. Eliyahu Zini, Jerusalem 5762).

[5] A typical example is the *Pesak* of Rabbi Rafael Berdugo on the subject of a mistress, *Responsa Mishpatim Yesharim* part 2, section 170.

[6] An instructive example of a *Pesak* of this kind can be found in the Responsa of *Harashba"tz*, part 3, section 190.

[7] See for example Maimonides' Responsa, section 34, compared to section 45: "the devious path to this woman..."

[8] This approach explains the interesting spiritual connection between the spiritual traditions that developed in the Maghreb countries as opposed to the intellectual world of Europe in the second half of the 20<sup>th</sup> century. As a result of the social and political changes for the Jews of North Africa, a fascinating connection was created in the years after World War II with France and the Western intellectual tradition. This connection also led to ties in the Jewish world between Sephardic and Ashkenazic thinkers, bringing about the creation of what was eventually known as "the Paris School" (See: Shmuel Trigano, *Pardes* 23 [1997]). Several extraordinary personalities developed Jewish concepts on difficult questions that France was dealing with after the war, relating to events in the 50s and 60s, in regard to cultural and political changes in Europe to which the Jewish voice did not stay silent. We refer specifically to Rabbi Yehouda Leon Ashkenazi ("Manitou"), who integrated rabbinic sources (specifically the kabbalistic perspective) in which North African Jews were educated, with the tradition and philosophy of the West; to Emanuel Levinas, who integrated the Talmudic perspective with the philosophical one; to Andre Neher, who brought the textual and prophetic voice in all its vitality to the modern world and brought to France the study of the works of the Maharal of Prague; and to Eliane Amado Levy Valensi, who joined the Jewish world (especially the mystical world) with psychology and psychoanalysis. In the works of these intellectuals we can see the continuation of a Jewish culture that is firmly attached to its roots, proficient in the sources, and is open to the wider world in order to understand it but also to pass it through their inspection. This is a Jewish culture that is interested, in light of Jewish tradition, to clarify the contemporary deliberations, and ultimately to re-illuminate contemporary society with the hidden light of Jewish works for its generation.