



## Where to Turn? How One Italian Rabbi Understood Ashkenaz, ca. 1600

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**Abstract** This study focuses on a member of the secondary rabbinic elite in northern Italy around the year 1600, Rabbi Jacob Heilbronn (d. 1625). Based on an examination of legal sources cited by Heilbronn in a responsum and a Judeo-German handbook of Jewish law that he prepared, the article argues that Heilbronn understood the notion of German, or Ashkenazic Jewry as a cultural construct that was independent of geography. He was interested in a specific legal tradition handed down from generation to generation, wherever it may have migrated to, not the practices of Jews living in the German lands. Thus, Heilbronn accepted Rabbi Moses Isserles (d. 1572) of Kraków as an authoritative voice of Ashkenazic practice. The study notes that in the years between the publication of Rabbi Joseph Caro's legal code, *Shulḥan 'Arukh*, in 1565 and its republication with Isserles's glosses in Venice (1593), and probably for a few years thereafter, Heilbronn relied on Caro's *Shulḥan 'Arukh* even though it often represented Sephardic traditions. However, once Heilbronn had access to legal works from Poland, he not only adopted them in his own legal thinking but adapted them for the use of others through vernacularization.

**Keywords** Jacob Heilbronn · Jewish law · *Shulḥan 'Arukh* · Ashkenazic Jewry · Italy

By the dawn of the early modern period, German Jewry had developed a distinctive form of rabbinic culture. In-depth study of foundational texts built upon the thought of eleventh- and twelfth-century French commentators such as Rashi and his descendants, the Tosafists, complicated interactions with Christian society, and the establishment of Jewish self-government during the Middle Ages brought about novel modes of observance, sensibilities, and even a new language. Despite existential threats, German-Jewish or Ashkenazic culture flourished until almost the end of the thirteenth century when persecutions haunted Jews in the German-speaking lands.<sup>1</sup> Further assaults

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<sup>1</sup>For a detailed description of the Rindfleisch persecution, including the numbers of victims and exact places, see Friedrich Lotter, "Die Judenverfolgung des 'König Rintfleisch' in Franken um 1298: Die Endgültige Wende in den christlich-jüdischen Beziehungen im Deutschen Reich des Mittelalters," *Zeitschrift für Historische Forschung* 15 (1988): 385–422. Also see Johannes Grabmayer, "Rudolf von Schlettstadt und das aschkenasische Judentum um 1300," *Ashkenas* 4 (1994): 301–36, who discusses the rationales for the murder of Jews and notes that some Jews successfully fled the persecutions and later returned to the same regions.

in the wake of the Black Death decimated German-Jewish society, and it struggled to reconstitute itself.<sup>2</sup> Jewish communities continued to face severe challenges in the late fourteenth and fifteenth centuries. Some clawed forward; others disappeared as Ashkenazic Jews left the German-speaking lands in significant numbers.<sup>3</sup> Some headed east to Poland, others to the Italian lands. By 1519, Jews had been expelled from almost all German cities. However, due to emigration, the cultural heritage of German Jewry not only survived; it thrived in eastern Europe and northern Italy.<sup>4</sup>

Jews were not the only Germans to move south. There were enough Christian Germans in Renaissance Rome to create national guilds, fraternities, and a German Quarter.<sup>5</sup> Venice too boasted an active German community from at least the thirteenth century that flourished into the sixteenth century.<sup>6</sup> The Fondaco dei Tedeschi on the Grand Canal near the Rialto Bridge is a lasting witness to the significant German presence in late medieval and early modern Venice.<sup>7</sup> The German diaspora in the Italian lands maintained and developed their German identity and culture, as did German Jews. However, there is little to suggest sustained contact between Christian and Jewish Germans.

By the second half of the sixteenth century, there were at least five Jewish cultures in the Italian lands: Italian Jews, who had been on the Apennine Peninsula for centuries; Jews who had been expelled from France in the late fourteenth century who tended to congregate in Savoy; Sephardic Jews, including Conversos, who immigrated in the wake of persecutions and ultimately the expulsions from Spain (1492) and Portugal (1497); Levantine

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<sup>2</sup>For an understanding of the social and political motives for the attacks on Jewish communities during the Black Death, see Alfred Haverkamp, “Die Judenverfolgungen zu Zeit des Schwarzen Todes im Gesellschaftsgefüge deutscher Städte,” in *Zur Geschichte der Juden im Deutschland des späten Mittelalters und der frühen Neuzeit*, ed. Alfred Haverkamp (Stuttgart, 1981), 27–35, 68–76. Haverkamp also provided details about the attacks (35–43). Claims that Jews poisoned wells did not disappear from the region after the Black Death. See Tzafirir Barzilay, *Poisoned Wells: Accusations, Persecution, and Minorities in Medieval Europe, 1321–1422* (Philadelphia, 2022), 127–76.

<sup>3</sup>For background on the early emigration of Jews from the German-speaking lands, see Andreas Weber, “Life and Livelihood at Risk: Strategies of Ashkenazi Jews Facing the Threats of the 1380s and 1390s,” in *The Jews of Europe Around 1400: Disruption, Crisis, and Resilience*, ed. Lukas Clemens and Christoph Cluse (Wiesbaden, 2018), 55–72.

<sup>4</sup>On the expulsion of Jews from the urban areas of the Holy Roman Empire, see Debra Kaplan, *Beyond Expulsion: Jews, Christians, and Reformation Strasbourg* (Stanford, 2011), 26–32.

<sup>5</sup>Clifford W. Maas, “German Printers and the German Community in Renaissance Rome,” *The Library*, ser. 5, 31 (June 1976): 119.

<sup>6</sup>The topic has engendered numerous studies. See, most recently, the very detailed work of Phillipe Braunstein, *Les Allemands à Venise (1380–1520)* (Rome, 2016).

<sup>7</sup>On the Fondaco dei Tedeschi and its significance for German merchants in Venice, see Olivia Remie Constable, *Housing the Stranger in the Mediterranean World: Lodging, Trade, and Travel in Late Antiquity and the Middle Ages* (Cambridge, 2003), 315–28.

Jews who often were those who had fled the Inquisition on the Iberian Peninsula to the Ottoman Empire or Venetian controlled Crete before coming to Venice; and Ashkenazic Jews who mainly, but not exclusively, settled in what are today Lombardy, Trentino-Südtirol, Emilia-Romagna, Veneto, and Friuli Venezia Giulia.<sup>8</sup> Each of the first four groups was detached from the well-springs of their culture. Spain, Portugal, and France had all banished their Jews, and there was no cultural “homeland” for them to reconnect with. The situation for German Jews was somewhat different, for despite the adversities, there was a continuing Jewish presence in the German-speaking lands in the sixteenth century in Frankfurt am Main, Worms, and rural areas.

Ashkenazic Jews in the Italian lands maintained their heritage by continuing to speak Judeo-German (the early form of Yiddish), praying together according to German-Jewish rites, and following the legal traditions their ancestors and new immigrants brought from north of the Alps. However, their communities declined towards the end of the sixteenth century. They became enmeshed in the local culture, and few German immigrant scholars came to replenish and augment the cultural capital that had been accumulated.<sup>9</sup> By the early seventeenth century, Italy was no longer a self-sufficient Ashkenazic center, and it drew on the cultural resources of others. All this coincided with the dawn of a golden age for the Ashkenazic Jewish community in eastern Europe.

By 1600 Polish Jewry had attained an admirable level of independent scholarship and continued to build on its accomplishments. Polish Jews saw themselves as a continuation of German Jewry, and with good reason. While some Jews had come to eastern Europe from the southeast during the Middle Ages, the primary source of immigration to the Polish lands was the German-speaking lands of the west.<sup>10</sup> Writing in Kraków in the 1550s or 1560s, Rabbi Moses Isserles (d. 1572) spoke of “all these regions (*medinot*) which are

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<sup>8</sup>Moses Shulvass, “Ashkenazic Jewry in Italy,” in *Between the Rhine and Bosphorus: Studies and Essays in European Jewish History* (Chicago, 1964), 158–83, is still a useful introduction to the history of the Ashkenazic community in Italy. With respect to relationships between Ashkenazic Jews and other Jewish groups in Italy, see Roberto Bonfil, “Ashkenazim in Italy,” in *Yiddish in Italia: Yiddish Manuscripts and Printed Books from the 15th to 17th Century*, ed. Chava Turniansky and Erika Timm (Milan, 2003), 219–23.

<sup>9</sup>On German rabbis serving in the Venice region in the late fifteenth and early sixteenth centuries, see Nathan Porgès, “Élie Capsali et sa chronique de Venise,” *Revue des études juives* 77 (1923): 25–33. Also see Israel J. Yuval, *Scholars in Their Time: The Religious Leadership of German Jewry in the Late Middle Ages* [in Hebrew] (Jerusalem, 1988), 256–63. As Yuval points out, there was never a mass exodus of rabbis from the German lands to Italy (392–93).

<sup>10</sup>See Moshe Taube, *The Cultural Legacy of the Pre-Ashkenazic Jews in Eastern Europe* (Oakland, 2023), 5–19; Hanna Zaremska, *Żydy w średniowiecznej Polsce: Gmina Krakowska* (Warsaw, 2011), 108–15, 335.

[populated by Jews who are] the children of Germany and France.”<sup>11</sup> Isserles believed that the later legal authorities of German lands had always been the guides for eastern European Jewry. For Isserles, an uncontested continuum stretched from medieval French-Jewish legists through German-Jewish authorities to the Jews of eastern Europe.<sup>12</sup> Jews in Poland and Lithuania were the cultural heirs of medieval Franco-Germany. However, they were not their clones.

The question for Ashkenazic Jews in Italy around 1600 was: Where should they turn for religious guidance? Should they seek their traditions in the remnants of German Jewry who lived in the place their ancestors had, or should they look to the developing rabbinic center in Poland? There were staunch defenders of German Jewish traditions living in the Rhineland, while rabbis in eastern Europe sometimes had different practical conclusions on Jewish law. To begin to gauge the answer, we will focus on one Ashkenazic rabbi born in Italy in the mid-sixteenth century to see to whom he turned for legal guidance.

### Introducing Jacob Heilbronn

Jacob ben Elchanan Heilbronn, or Alpron as he spelled it in Italian, was born around 1550 in the Italian lands, possibly in Cremona.<sup>13</sup> Heilbronn was from

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<sup>11</sup>Moses Isserles, *Darkei Moshe ha-Shalem, Yoreh De'ah* 23.4. Regarding the term, *medinah*, see n. 116 below.

<sup>12</sup>Moses Isserles, *Shulḥan 'Arukh*, introduction.

<sup>13</sup>Jacob Heilbronn should not be confused with his contemporary, Rabbi Jacob Heilpron of Opatów. While they spelled their surnames the same way in Hebrew characters, the eastern European rabbi was Jacob ben Eliakim, not ben Elchanan; see the frontispiece of Heilpron's *Sefer Kizur Abarbanel* (Lublin, 1604). Regarding the year of his birth, in the spring of 1622, Heilbronn wrote in his introduction to his *Naḥalat Yaakov* (Padua, 1622) he was “about seventy years old.” (A 2014 printing of the book is easier to read but has repeated many of the mistakes of the first edition and introduced others. Isaac Rifkind, “Didukei-Sefarim: 'Iyyunim Bibliyografiyyim be-Sefarim 'Ivriyyim mi-Shenot 236 'ad 387,” in *Alexander Marx Jubilee Volume*, ed. Saul Liberman [New York, 1950], 429, noticed that there are differences in various copies of *Naḥalat Yaakov*. I have relied on the first edition as scanned by the National Library of Israel.) He added the name “Joshua” sometime between December 1614 and the summer of 1621 (see Heilbronn, *Naḥalat Yaakov*, no. 48), perhaps because he had been seriously ill. (There is a Jewish custom to add a name to a person who is very sick in the hope of altering the Divine decree; see *ibid.*, nos. 46, 51.) Heilbronn was not consistent in including it in his signature; see his introduction to Eliezer ha-Gadol [attributed to], *Orḥot Hayyim* (Venice, 1623), fol. 2b, dated January 6, 1623. With respect to Cremona as his place of birth, a letter from the spring of 1586 was addressed to Lodi where “Jacob Heilbronn, may our Rock guard and keep him, from the holy community of Cremona” was living. Heilbronn, *Naḥalat Yaakov*, no. 31. Also see Marco Mortara, *Indice alfabetico dei rabbini e scrittori israeliti di*

an Ashkenazic family, probably from the town of this name in southwestern Germany, about 40 km north of Stuttgart. No further information about this branch of the family is known.<sup>14</sup> Heilbronn maintained his Ashkenazic identity in several ways, including linguistically. He studied with Rabbi Samuel Judah Katzenellenbogen (d. 1597), dean of the Ashkenazic Jewish communities in the Italian lands.<sup>15</sup> Rabbi Avigdor Cividali (d. 1601), who eventually became the head of the Ashkenazic yeshiva in Venice, was another of Heil-

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*cose giudaiche in Italia* (Padua, 1886), 3, s.v. “Alpron, Jehosciuan Jacob.” However, Cremona may be a reference to his previous place of residence, not his birthplace; see Bezalel [Cecil] Roth, “A Mantuan Jewish Consortium and the Election to the Throne of Poland in 1587” [in Hebrew], in *Yitzhak F. Baer Jubilee Volume on the Occasion of His Seventieth Birthday*, ed. Salo Baron et al. (Jerusalem, 1960), 294.

<sup>14</sup>There were few Jews in Heilbronn in the fifteenth century; the last ones appear to have been there in 1476. Jews were banned from entering the town in 1490, even for a day; see *Germania Judaica*, vol. 3, pt. 1, *Ortschaftsartikel Aach-Lychen*, ed. Arye Maimon, with Yacov Guggenheim (Tübingen, 1987), 531–37. There were Heilbronn in Venice in the 1520s. See Azriel Diena, *She’elot u-Teshuvot R’ Azriel bar Shlomo Diena*, vol. 2, ed. Yacov Boksenboim (Tel Aviv, 1979), no. 173. For further biographic information on Jacob, see Hananel Nepi-Ghirondi, *Toledot Gedolei Yisrael u-Geonei Italia*, ed. Ephraim Raphael Ghirondi (n.p., 1968), 173, no. 76; Pia Settini, *La donna e le sue regole: Ebraismo e condizione femminile tra XVI e XVII secolo* (Rome, 2009), 9–16; eadem, *L’ultimo traduttore: Jacob Alpron tra yiddish e italiano* (Saonara, 2017), 5–40. Also see Marvin Heller, “Jacob ben Elhanan Heilbronn: A Multi-Faceted Erudite Scholar,” *The Seforim Blog*, February 8, 2022, <https://seforimblog.com/2022/02/jacob-ben-elhanan-heilbronn-a-multi-faceted-erudite-scholar>.

<sup>15</sup>In his last years Heilbronn reminisced that he had eaten at the table of his uncle Nehemiah Luzzatto (d. 1619) in Venice for “many days”; see Samuel Benveniste, *Orekh Yamim*, trans. Jacob Heilbronn (Venice, 1599), fol. 2b. Perhaps this was during Heilbronn’s time as a yeshiva student there. Marvin Heller, “Hebrew Printing in Padua: Resumed, but Briefly,” in *Further Studies in the Making of the Early Hebrew Book* (Leiden, 2013), 139, suggested that Heilbronn tutored the Luzzatto children. The two possibilities are not mutually exclusive. Moses Shulvass, “Rabbi Simḥah Luzzatto,” in *Ma’amar ‘al Yehudei Vinezia*, ed. A. Z. Aescoly (Jerusalem, 1950), 10, submitted that Heilbronn was a teacher of Simone Luzzatto, perhaps on the basis of Heilbronn, *Naḥalat Yaakov*, no. 51, where Luzzatto addressed Heilbronn saying, “peace upon you, my teacher and my friend (*ve-alufi*; see Ps 55:14).” Simone was related to Nehemiah (see Samuel David Luzzatto, *Autobiografia di S. D. Luzzatto preceduta da alcune notizie storico-letterarie sulla famiglia Luzzatto* [Padua, 1882], 34) and may have spent time in his house in Venice when Heilbronn was there. However, in other correspondence, Luzzatto used none of the expressions of respect that one would expect of a student writing to his master (Heilbronn, *Naḥalat Yaakov*, no. 46), and Heilbronn did not show Luzzatto the affection that a teacher might show for his student (Jacob Heilbronn, *Shoshanat Yaakov* [Venice, 1623], fol. 8a). In fact writing to Luzzatto at the end of July 1610, Heilbronn addressed him as “my teacher and my master” (Heilbronn, *Naḥalat Yaakov*, no. 54). Moreover, in the very same letter in which Luzzatto addressed Heilbronn as his teacher, Luzzatto specifically said that Rabbi Leib Saraval was his teacher.

bronn's teachers.<sup>16</sup> Heilbronn also spent time in Prague, as did his brother, Joseph.<sup>17</sup> Jacob returned to the Italian peninsula by 1568.<sup>18</sup>

Towards the end of his life, Heilbronn reflected that he had longed to be a "simple man who dwelled in tents" (Gen 25:27), that is, a scholar of Jewish law, but things did not turn out as he had hoped. The need to support his family forced him to travel what he termed great distances, not as a merchant but as a peripatetic tutor in the homes of the wealthy.<sup>19</sup> After returning from Prague and spending some time in Verona, Heilbronn was in Cremona in 1571, living in the house of a local Jew named Clemente.<sup>20</sup> Perhaps he was working in his service as a teacher. The following year Heilbronn was in Villafranca Piemonte, about 35 km southwest of Turin. In February 1587 he was in Lodi in Lombardy, where he was known as a *doctor legis mosaice*, or rabbi.<sup>21</sup> There he was consulted by a Spanish official about Jewish law

<sup>16</sup>Nepi-Ghirondi, *Toldot Gedolei Yisrael*, 173, no. 76. Heilbronn, *Naḥalat Yaakov*, fol. 20a, addressed Civald as "my master and teacher, my relative (*she'eri*)."<sup>16</sup> Also see no. 34 in which Civald called Heilbronn "my relative" (*kerovi*). Civald was in a position of authority in Venice by January 1577; see *Pinkas Va'ad K[ehillat] K[odesh] Padova [5]364–[5]390*, ed. Daniel Carpi, 2 vols. (Jerusalem, 1979), 2:227–28, no. 396. Heilbronn wrote an elegy for Civald; see Jacob Heilbronn, *Dinim ve-Seder* (Venice, 1602), fols. 8a–b. Also see the eulogy written by Leon Modena, *Sefer Midbar Yehudah* (Venice, 1602), fols. 71a–77b, esp. fol. 76a–b.

<sup>17</sup>Joseph Heilbronn published a Hebrew grammar for children, *Em ha-Yeled*, in Prague (1597). He eventually settled in Poznań. See Marvin Heller, *The Sixteenth Century Hebrew Book: An Abridged Thesaurus* (Leiden, 2004), 872–73; Irene Zwiép, "Adding the Reader's Voice: Early-Modern Ashkenazi Grammars of Hebrew," *Science in Context* 20 (2007): 170–73; Chone Shmeruk, *Yiddish Literature in Poland: Historical Studies and Perspectives* [in Hebrew] (Jerusalem, 1981), 97, no. 37 (with respect to the second edition of the work), and Jacob Elbaum, *Openness and Insularity: Late Sixteenth Century Jewish Literature in Poland and Ashkenaz* [in Hebrew] (Jerusalem, 1990), 261–64.

<sup>18</sup>Heilbronn, *Naḥalat Yaakov*, no. 48, noted that he gave a short talk in the synagogue in Verona in the presence of a number of leading rabbis in 1568 after having returned from Prague. It has been suggested that Jacob spent additional time in the German-speaking lands; see, for example, Yehuda Aryeh Modena, *She'elot u-Teshuvot Ziknei Yehudah*, ed. Shlomo Simonsohn (Jerusalem, 1956), 32, s.v. "Alpron." There is no source to support this. Perhaps the claim was based on confusion regarding the place name "Bern" in Heilbronn's valediction in his introduction to Benveniste, *Orekh Yamim*, fol. 3b. "Bern" did not refer to the city in Switzerland but was a German name for Verona.

<sup>19</sup>Heilbronn, *Naḥalat Yaakov*, Introduction.

<sup>20</sup>On Heilbronn in Cremona during this time, see Shlomo Simonsohn, *The Jews in the Duchy of Milan*, vol. 3 (Jerusalem, 1982), 1483, no. 3393.

<sup>21</sup>*Ibid.*, 1606, no. 3652. Regarding the meaning of the term, see Philipp Bloch, "Der ersten Culturbestrebungen der jüdischen Gemeinde Posen unter preussischer Herrschaft," in *Jubelschrift zum siebzigsten Geburtstage des Prof. Dr. H. Graetz* (Breslau, 1887), 204–6 n. 1, a document from Kraków (August 6, 1527).

concerning the guardianship of minors.<sup>22</sup> In early 1590 Heilbronn seems to have been on his way to Cremona, and by early the following year, he was in Conegliano (Conejan; about 50 km due north of Venice).<sup>23</sup> He returned to Verona by the late 1590s and was there during the early 1600s. He rented a home for himself and his daughter in Verona—we do not know where other family members were either at this time or during his other travels—but he did not enjoy resident rights (*hezkat ha-yishuv*).<sup>24</sup> Heilbronn was in Riva di Trento in the summer of 1604 and in 1607 was in Monselice, about 20 km southwest of Padua, where he wrote of teaching “the students who are sitting before me” the laws of the Jewish festivals.<sup>25</sup> Perhaps by then Heilbronn was no longer just a private tutor. However, Monselice was a small town and not known as a seat of learning, suggesting that Heilbronn was still tutoring and, perhaps, performing other functions for the Jewish community there.<sup>26</sup> In 1608 Heilbronn appears to have been the religious authority in Oderzo, about 65 km northeast of Venice. The Jewish population there was so small that they had difficulty gathering a minyan on a festival. Heilbronn allowed the community to count an eleven-year-old boy who had started fasting (presumably on Yom Kippur) to complete the quorum.<sup>27</sup>

A tutor’s wages were insufficient to support the needs of a family, and Heilbronn supplemented his income by writing Torah scrolls.<sup>28</sup> Heilbronn also dabbled in publishing, adapting, and translating three Hebrew works

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<sup>22</sup>Jews were entitled to be judged according to Jewish law in certain areas of the law, even when being judged by non-Jews. See Verena Kasper-Marienberg and Edward Fram, “Jewish Law in Non-Jewish Courts: A Case from Eighteenth-Century Frankfurt at the Imperial Aulic Council of the Holy Roman Empire,” *Max Planck Institute for Legal History and Legal Theory Research Paper Series 2022–21* (2022): 5–13.

<sup>23</sup>Heilbronn, *Nahalat Yaakov*, no. 39. Regarding Conegliano, see below.

<sup>24</sup>*Pinkas Kahal Verona*, ed. Yacov Boksenboim, 3 vols. (Tel Aviv, 1989–90), 2:634, no. 784; 2:642, no. 798. In general, Heilbronn did not leave any information regarding where his wife and other children (he had at least one son; see below) were during his travels and sojourns in the houses of his employers.

<sup>25</sup>Heilbronn, *Nahalat Yaakov*, nos. 46 and 51, with respect to Riva di Trento, and no. 40 regarding Monselice.

<sup>26</sup>Reuben Bonfil, *Rabbis and Jewish Communities in Renaissance Italy* [in Hebrew] (Jerusalem, 2005), 106, noted that youngsters from poorer families might join a private teacher’s students at a reduced fee. Whether this was the case here is unknown.

<sup>27</sup>Heilbronn, *Nahalat Yaakov*, no. 8. My thanks to Elli Fischer for identifying this town. There appears to have been a Jewish presence in Oderzo from the first half of the fifteenth century; see Angela Möschter, “Again About the Jews in Treviso: A Review of the Year 1425,” *Cheiron* 57–58 (2012): 206. Jewish families were in the town in the 1570s; see Marco Diena, *Rabbi Scelomò Askenazj e la repubblica di Venezia* (Venice, 1898), 9–10.

<sup>28</sup>See Bonfil, *Rabbis and Jewish Communities*, 103–10, regarding the poor salaries of rabbis and teachers. In 1622 Heilbronn lamented that he had neither movable nor landed property to leave to his children (*Nahalat Yaakov*, introduction). Regarding Heilbronn as a ritual scribe,

into Judeo-German, a point to which we will return.<sup>29</sup> He may also have been involved in the short-lived revival of Hebrew printing in Padua in the early 1620s.<sup>30</sup> Late in life Heilbronn republished and wrote an introduction to the brief ethical work *Orhot Hayyim*, mistakenly attributed to Rabbi Eliezer ha-Gadol—be it the first-century tanna Eliezer ben Hyrcanus or the eleventh-century Rabbi Eliezer ben Isaac—together with a work of his own, *Shoshanat Yaakov* (1623).<sup>31</sup> Heilbronn's short book included some mathematical tricks that Lior Suchard might be proud to perform and bits of wisdom, including how to fit an egg into a small opening without breaking it or the container—all intended, according to Heilbronn, to entice readers to read the ethical work and sharpen their minds.<sup>32</sup> In his last years, Heilbronn served as rabbi and, from late 1611 until the spring of 1623, communal scribe in Padua where he had family, including his son, Elchanan (Anzolo).<sup>33</sup> Heilbronn died there by the spring of 1625.<sup>34</sup>

Although Heilbronn was a *dayan* (rabbinic judge) in Monselice, served on the rabbinic court in Cremona, and was a rabbi and *dayan* in Padua, he was a member of the secondary rabbinic elite.<sup>35</sup> People asked questions of him, but, in general, he did not answer difficult questions; instead, he asked them of others. Heilbronn's place in the synagogue of Verona reinforces this characterization. In the fall of 1597, his seat in the synagogue was in the first row of benches facing the Torah ark. He did not have a place along the eastern wall to the left of the ark where the rabbis of the community sat. If seating in

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see Heilbronn, *Naḥalat Yaakov*, fol. 20b, where he discussed a problem that occurred when he was writing a Torah scroll.

<sup>29</sup>See Chone Shmeruk, "Defusei Yiddish be-Italia," *Italia* 3 (1982): 161; Shlomo Berger, "From Philosophy to Popular Ethics: Two Seventeenth-Century Translations of Ibn Gabirol's *Keter Malkhut*," in *Sepharad in Ashkenaz: Medieval Knowledge and Eighteenth-Century Enlightened Jewish Discourse*, ed. Resianne Fontaine, Andrea Schatz, and Irene Zwiep (Amsterdam, 2007), 224, suggested that financial need motivated Heilbronn to translate these works.

<sup>30</sup>Marvin Heller, "Hebrew Printing in Padua," 138–44.

<sup>31</sup>Eliezer ha-Gadol, *Orhot Hayyim*. Regarding the mistaken attribution, see Avraham Grossman, *Ḥakhmei Ashkenaz ha-Rishonim*, 3d ed. (Jerusalem, 2001), 229.

<sup>32</sup>See Heilbronn's introduction to Eliezer ha-Gadol, *Orhot Hayyim*, fol. 2b, and his own, *Shoshanat Yaakov*, fols. 8a–12a.

<sup>33</sup>See *Pinkas Padova*, 1:viii. Heilbronn was the first signatory to a rabbinic ordinance there, seemingly in 1618 (*ibid.*, 227–28, no. 396). Regarding Heilbronn's son, see 295, no. 524, and 440, no. 22 with n. 18.

<sup>34</sup>See *Pinkas Padova*, 2:290–91, no. 513, where Heilbronn asked to be relieved of his duties as communal scribe due to declining health. Regarding his date of death, see *ibid.*, 327, no. 585. His widow, Elina, left the community in the following years (*ibid.*, 350, no. 623; 410, no. 752).

<sup>35</sup>Heilbronn, *Naḥalat Yaakov*, no. 44, noted he sat on the rabbinic court together with Rabbis David Norlingen and Moses Menachem Rafa in Cremona. Regarding Monselice, see no. 54; with respect to Padua, *Pinkas Padova*, 2:426, no. 782, from 1621.

the synagogue reflected status, then Heilbronn's place was clear and he knew it.<sup>36</sup> Writing amid a controversy over a mikvah in Rovigo that engulfed tens of rabbis in Italy and abroad in the early seventeenth century, Heilbronn said of himself, even if in conventionalized modesty, "I know my low place."<sup>37</sup> The editor of the volume on the topic seems to have concurred, for he placed Heilbronn's brief thoughts at the end of the ninety-five printed folios after the arguments of at least twenty other rabbis of the day, including some, such as Rabbis Nathanel Trabot (1567–1653) and Azariah Figo (1579–1647), who were younger than Heilbronn and had yet to attain the fame that would be theirs in the course of the seventeenth century.<sup>38</sup> As Heilbronn would say late in life, he was not someone who commanded the respect of all his contemporaries.<sup>39</sup>

The publication of a collection of responsa under Heilbronn's name, *Naḥalat Yaakov*, in Padua in 1622 with an approbation from Rabbi Isaiah Horowitz (d. 1630), the famed author of *Shenei Luḥot ha-Berit* (known by the acronym "SheLaH") should not mislead us. Heilbronn was the author of almost all the learned questions in this collection but, with few exceptions, not the answers.<sup>40</sup> Even when Heilbronn answered a question, he informed

<sup>36</sup>See *Pinkas Verona*, 2:543–45, no. 646. Also see, 3:82, no. 84, from 1603.

<sup>37</sup>Heilbronn repeated this sentiment in 1614 during a dispute over a clandestine marriage (Heilbronn, *Naḥalat Yaakov*, no. 57). There he noted that he did not get involved in debates between contemporary rabbinic authorities because he did not have the "strength" (*koah*), or perhaps better "ability," to convince everyone to accept one view.

<sup>38</sup>*Mashbit Milḥamot* (Venice, 1606), fols. 93b–94a. The very harsh criticism leveled at Heilbronn by Rabbi Moses Kohen Porto in *Palgei Mayyim* (Venice, 1608), fol. 4a (Hasagot), must be taken within the context of the controversy and ethnic divides within Italian Jewish communities. On this dispute, see the literature cited in Leone Modena, *The Autobiography of a Seventeenth-Century Venetian Rabbi: Rabbi Leon Modena's Life of Judah*, trans. and ed. Mark R. Cohen (Princeton, 1988), 25 n. 48; Abraham Yaari, *Meḥkarei Sefer: Perakim be-Toldot ha-Sefer ha-'Ivri* (Jerusalem, 1958), 420–29; Reuben Bonfil, *Rabbis and Jewish Communities*, 71–72. Ultimately Porto apologized for belittling some of his colleagues; see Abraham Habermann, *Ha-Madpis Zo'an di Ga'rah*, comp. and ed. Yizhak Yudlov (Jerusalem, 1982), 125. On Trabot, see the material cited by Federica Francesconi, *Invisible Enlighteners: The Jewish Merchants of Modena, from the Renaissance to the Emancipation* (Philadelphia, 2021), 268 n. 19. Regarding Figo, see the brief biographical sketch in Israel Bettan, "The Sermons of Azariah Figo," *Hebrew Union College Annual* 7 (1930): 457 n. 1, and much more extensively, Abe Apfelbaum, *Rabbi 'Azaryah Figo* (Drohobycz, 1907).

<sup>39</sup>Heilbronn, *Naḥalat Yaakov*, no. 57.

<sup>40</sup>Heilbronn's student, Rabbi David ben Shemariah of Warburg shepherded the work through the press, perhaps because of Heilbronn's deteriorating health/advanced age. Rabbi David complained that the publisher dealt dishonestly with him and prevented him from publishing *Naḥalat Yaakov* as he would have liked; see the colophon of Heilbronn, *Shoshanat Yaakov*, fol. 12b.

the inquirer, “I do not give authoritative rulings because I am not a decisor,” and instructed, “Do not rely on my insights.”<sup>41</sup>

Throughout his life, Heilbronn kept the responses he and some of his colleagues received from at least sixteen rabbis and published them with the original questions.<sup>42</sup> This was the basis of *Naḥalat Yaakov*.<sup>43</sup> From a literary perspective, the publication of Heilbronn’s archive of rabbinic correspondence offers something missing in other collections.<sup>44</sup> In almost all other volumes of printed responsa, the queries have either been reworked or omitted by the respondent or editor. We generally lack the questions as posed by the questioner; the salutations, lengthy descriptions of the case, and opinions expressed therein were of little interest to the end user who sought the legal views of the respondent. Thus the rich historical details embodied in questions were commonly deleted with little ado. In his *Naḥalat Yaakov* Heilbronn provided what seems to be the entire contents—sometimes even the mailing address—of his correspondent, throwing extensive light on the circumstances of daily life as well as the legal thought process of both questioner and respondent, a feature we will exploit.<sup>45</sup>

### Addressing a Legal Problem

In January 1591, Heilbronn was in the employ of a Jewish resident of Conegliano. Presumably Heilbronn was tutoring at least one household member, for he ate at the family table.<sup>46</sup> On Fridays it was the custom of the women in this home to knead and shape the dough before a non-Jewish baker came to pick up the loaves and bake them.<sup>47</sup> Generally the baker returned the bread to the household before the onset of the Sabbath.

<sup>41</sup>Heilbronn, *Naḥalat Yaakov*, no. 59.

<sup>42</sup>Maintaining an archive of personal correspondence was in no way unique to Heilbronn. Rabbi Moses Mintz (d. ca. 1480) noted that he ordered the responses he had received from his teachers “in a separate book.” He lamented that the book was lost when Mainz was sieged and plundered (1462). See Moses Mintz, *She’elot u-Teshuvot* (Kraków, 1617), fol. 2a.

<sup>43</sup>The publication may have been a vanity press work, that is to say, Heilbronn may have had to bear the cost of publication. See Marvin Heller, “Hebrew Printing in Padua,” 138–42.

<sup>44</sup>Heilbronn, *Naḥalat Yaakov*, no. 40, referred to correspondence in his papers not published in this volume. Also see no. 42, where he noted that he went home and looked through his things to find letters from the rabbis of Venice written some years earlier.

<sup>45</sup>Heilbronn edited questions posed to him when passing them on to someone whom he deemed to be a higher rabbinic authority. See Heilbronn, *Naḥalat Yaakov*, no. 44.

<sup>46</sup>There appear to have been Jewish bankers in contemporary Conegliano. See Diena, *Rabbi Scelomò Askenazj*, 18–20.

<sup>47</sup>Heilbronn only speaks of women preparing the loaves without further specification. A household wealthy enough to employ a live-in tutor may well have had domestic help.

On Friday, January 8, 1591, during the short winter days, the baker failed to arrive until after the women had already kindled the Sabbath lights and, according to Heilbronn, the Jewish community had almost concluded the evening prayers. The baker entered the house, took the loaves to his oven, baked them “at night,” and then returned the bread to the family. According to Heilbronn, there was no attempt to cover up the act. “Everyone” saw the loaves taken from the house and knew the bread had been baked on the Sabbath.

On Sunday, Heilbronn wrote to Katzenellenbogen in Venice and asked him whether the bread could have been consumed on the Sabbath and by whom (i.e., the head of the household, members of the household, only by others).<sup>48</sup> Perhaps it was forbidden because the non-Jew had performed work for a Jew that a Jew was prohibited from doing, that is, baking the bread on the Sabbath.<sup>49</sup> In his letter, Heilbronn presented Katzenellenbogen with rationales to allow the bread to be eaten and to prohibit it.<sup>50</sup>

Heilbronn only raised issues connected to Sabbath observance. He never mentioned the question of baking bread in the oven of a non-Jew where nonkosher products were presumably also prepared, an age-old problem in Ashkenazic communities.<sup>51</sup> Other contemporary Italian communities with larger Jewish populations tried to provide kosher ovens for community members. In 1584, the Jewish community of Padua, which numbered approximately 280 souls, maintained a kosher oven in the building where the Ashkenazic synagogue was housed.<sup>52</sup> The arrangement may not have been entirely successful, for in the summer of 1591 the community tried to reinstitute a

<sup>48</sup>Also see *Mashbit Milhamot*, fol. 93b.

<sup>49</sup>Heilbronn, *Nahalat Yaakov*, fol. [18a].

<sup>50</sup>Heilbronn may have been modest when he wrote in the opening line of his letter, “Even though my heart has not spoken with you (*she-ein libi nam*), and I have not poured out water [i.e., served or studied] with you as is appropriate,” that is, he had not studied enough with Katzenellenbogen.

<sup>51</sup>See Yitzhak (Eric) Zimmer, “Baking Practices and Bakeries in Medieval Ashkenaz” [in Hebrew], *Zion* 62, no. 2 (2000): 141–62, esp. 156, regarding the rationale and practice of Rabbenu Tam in the twelfth century. In the second half of the thirteenth century, Rabbi Meir of Rothenburg thought that the purchase and maintenance of an oven for the preparation of kosher food was a communal obligation. See *Teshuvot Miymoniyyot*, Sefer Kinyan, no. 27. By the mid-seventeenth century, the Jewish community in Friedberg seems to have had ovens for the use of its members. See Stefan Litt, ed., *Kehillat Friedberg*, vol. 2, *Protokollbuch und Statuten der Jüdischen Gemeinde Friedberg (16.–18. Jahrhundert)* (Friedberg, 2003), Statuten, 192, no. 209.

<sup>52</sup>*Pinkas Padova*, 1:157, no. 144. Regarding the population size, see 25–26. The total population of the Padua region was approximately 34,000 in 1586. See Daniele Beltrami, *Storia della popolazione di Venezia dalla fine del secolo XVI alla caduta della repubblica* (Padua, 1954), 63.

former custom to kasher the “two ovens that members of our nation bake their bread in” every Thursday and Friday.<sup>53</sup> Presumably the ovens had to be kashered because non-Jews used them on the other days of the week. In Verona around 1600 there were less than 400 Jews, and they seem to have used makeshift ovens.<sup>54</sup> The Jewish leadership feared a fire would break out with catastrophic repercussions, and therefore, in the summer of 1603, it agreed with one Simon Ashkenazi that he would build a “safe” oven on his property where the community could bake its matzot for Passover and keep food warm for the Sabbath during the year.<sup>55</sup> In November 1603, the Paduan Jewish community ordered a communal employee to kasher the ovens used by individuals every Wednesday, Thursday, and Friday.<sup>56</sup> Again, Jews must have shared the baking space with non-Jews. Conegliano was a small town of approximately 5,000 people and the Jewish population there may have been too small to maintain an oven of its own.<sup>57</sup> Perhaps the Jews of Conegliano had arranged with the baker to kasher his oven on the days leading up to the Sabbath, just as other communities had.

Heilbronn did not have to address the problematics of bread baked by a non-Jew, *bishul ‘akum* (“cooking of non-Jews”) or *pat ‘akum* (“the bread of non-Jews”), both of which were initially intended to maintain a separation between Jews and non-Jews.<sup>58</sup> The kneading of the dough, even if only in

<sup>53</sup> *Pinkas Padova*, 1:285, no. 423. In 1603 there were said to be 439 Jews in Padua where the total population was 35,263 (*ibid.*, 23).

<sup>54</sup> *Pinkas Verona*, 1:44, with respect to the size of the population. Note that Reuben Bonfil, *Rabbis and Jewish Communities*, 77 n. 65, thought that the Jewish population of Verona fluctuated between 200 and 300 souls during the sixteenth century and that it was closer to the former than the latter. The total population of the town is estimated to have been around 46,000 in 1545 and 58,000 in 1605. See Amelio Tagliaferri, *L’economia Veronese secondo gli estimi dal 1409 al 1635* (Milan, 1966), 49–55.

<sup>55</sup> *Pinkas Verona*, 3:80–81, no. 83.

<sup>56</sup> *Pinkas Padova*, 2:13, no. 20. The community’s concern that kosher facilities be provided on the days leading up to the Sabbath suggests a special importance to ensuring that food for the Sabbath was prepared according to the highest standards of Jewish law. This was not unique to these communities or this time period; see Zimmer, “Baking Practices,” 159 n. 50. Regarding other days, Jews either ate stale bread or purchased bread from non-Jews, as appears to have been done in contemporary Venice; see Benjamin Ravid, “‘Kosher Bread’ in Baroque Italy,” *Italia* 6 (1987): 22–25, 27. Jewish communities in contemporary Poland and the Rhineland also purchased bread from non-Jews. See Moses Isserles, *Torat Ḥaṭṭa’at le-Rebbi Moshe Isserles–ha-Rema*, ed. Eliezer Galinsky (Jerusalem, 2015), 276, 75.1, with the comments of Ḥayyim ben Bezalel, *Sefer Vikkuah Mayyim Hayyim* (Amsterdam, 1712).

<sup>57</sup> See Paolo Malanima, “Italian Cities 1300–1800: A Quantitative Approach,” *Rivista di Storia Economica* 14 (1998): 111. The Jewish community of Conegliano was dependent on larger centers for services and had been since the fourteenth century. See Angela Möschter, *Juden im venezianischen Treviso (1389–1509)* (Hannover, NH, 2008), 262–65, 272.

<sup>58</sup> On the prohibition of *pat ‘akum* and the development of allowances, see David Freidenreich, *Foreigners and Their Food: Constructing Otherness in Jewish, Christian, and Islamic Law*

part, by Jews meant that Jews had participated in the preparation of the bread and absolved these prohibitions.<sup>59</sup>

### Heilbronn's Suggestion and His Sources

Heilbronn praised Katzenellenbogen as “the chief herdsman (1 Sam 21:8), the provider of sustenance to all the people of the earth (Prov 11:26) and whose word all those who live in Italy and are well versed in law and judgment (Esth 1:13) and sit in judgment (see Judg 5:10 with Rashi) follow (see Jer 33:13 with Rashi’s comments).” He added that non-Jews came to Katzenellenbogen to learn about the Torah without specifying what motivated them.<sup>60</sup> Despite the high praise, Heilbronn did not hesitate to suggest possible conclusions regarding the bread baked on the Sabbath.

Medieval rabbinic authorities had addressed the question of the permissibility of the bread, yet Heilbronn did not review the pertinent medieval sources on the topic. The first source Heilbronn cited was Rabbi Joseph Caro’s *Shulḥan ‘Arukh*.<sup>61</sup> Caro’s *Shulḥan ‘Arukh* was a restatement of the rules of Jewish law applicable in the post-Temple age. First published in Venice in 1565–66, *Shulḥan ‘Arukh* sifted through centuries of legal discussions to give readers brief, apodictic rulings. Ease of use, clarity, and Caro’s reputation as a jurist of the first rank quickly made *Shulḥan ‘Arukh* the code of choice for many and a veritable bestseller.<sup>62</sup> It was published three times by three Venetian printers between 1565 and 1567 and, in whole or in part,

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(Berkeley, 2011), 77–78, and David Strauss, “*Pat ‘akum* in Medieval France and Germany” (master’s thesis, Yeshiva University, 1979), 1–14. Regarding the problem of *bishul ‘akum*, see Strauss, 36–42. It is also possible that the community simply did not observe this prohibition (see Strauss, 25–28).

<sup>59</sup>In early eighteenth-century Frankfurt, Jews baked their bread separately in the ovens of non-Jews and were careful to add wood to the fire to prevent the problem of *pat ‘akum*. The arrangement was not without its problems. See Johann Jacob Schudt, *Jüdische Merckwürdigkeiten* (Frankfurt, 1714), pt. 2, book 6, chap. 21, §19, p. 365, with book 1, chap. 6, §24, pp. 68–69; cited in Verena Kasper-Marienberg and Debra Kaplan, “Nourishing a Community: Food, Hospitality, and Jewish Communal Spaces in Early Modern Frankfurt,” *AJS Review* 45 (2021): 310–11.

<sup>60</sup>See Heilbronn, *Naḥalat Yaakov*, fol. [18a], where there are additional accolades.

<sup>61</sup>Heilbronn drew an analogy based on Caro, *Shulḥan ‘Arukh, Oraḥ Ḥayyim* 252.4.

<sup>62</sup>One should not overestimate the ability of the public to access *Shulḥan ‘Arukh*. One not only had to have access to the book, but the ability to read and understand rabbinic Hebrew to use it. According to Meir Benveniste in his introduction to *Libro li’ama’do in lashon ha-Kodesh Shulḥan ha-Panim*, trans. and ed. Meir ben Samuel Benveniste (Saloniki, 1568), fol. 1b, most people could not understand *Shulḥan ‘Arukh*. While Benveniste was discussing Sephardic Jews, there is little reason to believe that the situation was dramatically different in the Ashkenazic world.

close to twenty times by 1600 in Venice, Saloniki, and Kraków. Sections of it, including the laws of Sabbath observance, Passover, prayer, and kashrut, were even summarized and printed on 100 × 50 cm broadsheets in Italy in 1583, presumably to be hung up in public areas and read by local Jews.<sup>63</sup>

Caro was but a boy when his family was forced to flee the Iberian Peninsula in the wake of the edicts of expulsion from Spain and then Portugal. After spending time in several communities in the Ottoman Empire, he settled in the Land of Israel in the 1530s. Caro's legal rulings generally favored his culture of origin, Sephardic authorities rather than those of Ashkenazic Jews, like Heilbronn and his teachers.

Heilbronn made no mention of numerous medieval Ashkenazic authorities who prohibited the bread in such a situation.<sup>64</sup> Rabbis Isaac ben Moses of Vienna (d. ca. 1270), Mordecai ben Hillel (d. 1298), and Israel of Krems (fl. early fifteenth century) all ruled that if a non-Jew did work on the Sabbath for a Jew, the Jew might not benefit from it on the Sabbath.<sup>65</sup> Similarly, Rabbi Jacob Molin (d. 1427; Worms) who was considered the doyen of German rabbis of the fifteenth century, cited his teacher, Rabbi Shalom of Neustadt (d. 1413) as saying that if a Jew gave an item to a non-Jew to repair, and the non-Jew returned it to the Jew on a festival, if there was any doubt as to whether the work had been done on the festival, it was prohibited for the Jew to use.<sup>66</sup> If this was true on a festival when allowances were made for preparing essential items such as food, it was most certainly so on the Sabbath when Jews were forbidden from such activities. In the case before Heilbronn, where the dough was taken from the house after the Sabbath began, the leading rabbis of medieval Germany all agreed that the bread was prohibited.

<sup>63</sup>“Kizur Dinim min ha-Shulḥan ‘Arukh,” National Library of Israel (Jerusalem), System number 990012574900205171. For a description, see Yizḥaq Yudlov, “Be-Ḥippus ahar ha-Daf ha-Avud,” *‘Al Sefarim ve-Anashim 2* (Shevat 1992): 8–9. In contemporary Cologne, where print was well developed, placards were an accepted means of informing the public of the law. See Saskia Limbach, *Government Use of Print: Official Publications in the Holy Roman Empire, 1500–1600* (Frankfurt, 2021), 126–27, 140–41. This was also true in Leiden in the 1570s and beyond. See Arthur der Weduwen, *State Communication and Public Politics in the Dutch Golden Age* (Oxford, 2023), 61–65.

<sup>64</sup>Regarding the views of medieval authorities in France and Germany, see Jacob Katz, *The “Shabbes Goy”: A Study in Halakic Flexibility* [in Hebrew] (Jerusalem, 1984), 53–56.

<sup>65</sup>Isaac ben Moses, *Sefer Or Zaru’a ha-Shalem*, vol. 2, ed. Abraham Marinberg (Jerusalem, 2001), Hilkot ‘Erev Yom Ṭov, sec. 2, p. 4; *Sefer Mordekhai ha-Shalem* (Jerusalem, 2021), Shabbat, 18, no. 256 with n. 281. The author of the comment appears to have been Mordecai ben Hillel himself, but that may not have been self-evident to a reader in the sixteenth century. My thanks to Simcha Emanuel for pointing this out to me. Also see Israel of Krems, *Haggahot Asheri*, Shabbat 1.37.

<sup>66</sup>Jacob Molin, *Sefer Maharil: Minhagim*, 2nd ed., ed. Shelomoh Spitzer (Jerusalem, 1991), 183, no. 38.

Heilbronn seems to have known none of this. He lamented that he had no one in the community to discuss the question with and, no less significantly, “I do not have the books relevant to this matter to investigate it fully.”<sup>67</sup> Stand-alone repositories of Ashkenazic customs were published in sixteenth-century Italy. Mordecai ben Hillel’s writings were available, and Jacob Molin’s collection of Ashkenazic customs was published in Sabbioneta in 1556 and again in Cremona in 1558.<sup>68</sup> The frontispiece of the Cremona edition even highlighted Molin’s role in establishing Ashkenazic traditions.<sup>69</sup> Perhaps these works were too complicated and better suited for scholars of the first rank.<sup>70</sup> None of these works were as comprehensive or easy to use as Caro’s *Shulḥan ‘Arukh*. The 1574, 1578, and 1593–94 Venice editions of *Shulḥan ‘Arukh* were all printed in a compact (15 cm) format and advertised as highly portable. If one was going to take just one book of Jewish law on a trip, Caro’s *Shulḥan ‘Arukh* was a logical and convenient choice.

Heilbronn also did not have a copy of Moses Isserles’s glosses on Caro’s *Shulḥan ‘Arukh*. Soon after the publication of *Shulḥan ‘Arukh*, Isserles added notes that reflected his understanding of contemporary Ashkenazic legal thought and practice to the margins of the text. *Shulḥan ‘Arukh* with Caro’s and Isserles’s rulings was first published in Kraków in the 1570s. However, *Shulḥan ‘Arukh* with the legal thought of both authors was not printed in the Italian lands until 1593 (Venice). Since Heilbronn did not have access to Isserles’s comments on *Shulḥan ‘Arukh*, he did not know that, in principle, Isserles concurred with the stringent opinions. He also did not know that Is-

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<sup>67</sup>Heilbronn, *Naḥalat Yaakov*, fol. [18b]. Heilbronn either had some additional texts or a good memory for he cited four sources: Jacob ben Asher’s *Arba‘ah Turim*; Nissim of Gerona’s commentary on Rabbi Isaac Alfasi’s *Sefer ha-Halakhot*; Caro’s *Shulḥan ‘Arukh*; and Israel Isserlein’s *Terumat ha-Deshen*. Needless to say, at other times in life Heilbronn had access to other sources. See, for example, no. 7, where in 1568 he cited Caro’s *Beit Yosef*. He noted that at that time he did not have a copy of *Terumat ha-Deshen*.

<sup>68</sup>The Sabbioneta (1554–55) edition of Rabbi Isaac Alfasi’s *Sefer ha-Halakhot* included Mordecai ben Hillel’s work and the *Haggahot Mordekhai*. The 1558 Riva di Trento edition of *Sefer ha-Halakhot* did not.

<sup>69</sup>The frontispiece advertised that Molin was “our teacher, the complete scholar, our honored teacher and master, Rabbi Jacob . . . who composed and instituted the customs of the holy community of Ashkenaz, and to teach and place in their hearts the way in which they should go and the deeds they should do.”

<sup>70</sup>Shifra Baruchson, *Books and Readers: The Reading Interests of Italian Jews at the Close of the Renaissance* [in Hebrew] (Ramat Gan, 1993), 129–30, found only twenty-one copies in manuscript and print of Mordecai ben Hillel’s work in the homes of Mantuan Jews in 1595. They were in 4.7% of the homes of Jews. There were even fewer copies of Molin’s printed work. By contrast, there were 374 copies of Jacob ben Asher’s *Arba‘ah Turim* in Mantua at that time (35.1% of homes).

serles added, “unless it is needed for the Sabbath, and then one should be lenient.”<sup>71</sup>

It would seem that during the more than a quarter of a century between the first printings of Caro’s *Shulḥan ‘Arukh* in Venice and the publication of Isserles’s glosses on the text in Venice, Heilbronn, and perhaps others like him, sometimes followed Caro’s *Shulḥan ‘Arukh* without reference to Ashkenazic ways. Living in a small Jewish community bereft of an extensive library or other knowledgeable individuals to consult, the exigencies of the moment gave precedence to what was at hand, the rulings of the Sephardic Joseph Caro as found in *Shulḥan ‘Arukh*. Isserles feared this would happen when he first saw Caro’s work. In his introduction to his glosses on *Shulḥan ‘Arukh*, Isserles wrote:

And I saw that all his [i.e., Caro’s] words in *Shulḥan ‘Arukh* [were written] as if they were given from the mouth of Moses from the mouth of the Almighty. And the students will follow him and drink in his words without questioning them and in so doing will contradict all the customs of the[se] regions (*medinot*) [i.e., Ashkenazic customs]. . . . Therefore I have seen fit to write the views of the later [Ashkenazic] authorities along the side [of the page] in the places where his [i.e., Caro’s] words do not seem [correct] to me to rouse the students everywhere so that they know there is a disagreement. And in each instance in which I know the custom is not like his words, I will investigate it and find it, and I will write this is what one should do (*hakhi nahug*).<sup>72</sup>

Isserles was apprehensive lest Caro’s clear, brief statements of the law lull Ashkenazic readers into following *Shulḥan ‘Arukh* without due concern for their own ways. Isserles countered this through his glosses, but in an age of limited print runs and distribution Isserles’s work was not available in all locations. Without Isserles’s glosses and the views of earlier Ashkenazic authorities summarized therein, Heilbronn used what he had and raised Caro’s ruling as the basis for what he thought was a viable legal possibility for Ashkenazic Jews.

Katzenellenbogen was head of the Ashkenazic yeshiva in Venice and certainly had access to more books than Heilbronn did in Conegliano. Responding briefly due to what he termed the “heavy burden of writing,” Katzenellenbogen did not refer to Isserles or his allowance. Katzenellenbogen also failed

<sup>71</sup>Isserles, *Shulḥan ‘Arukh, Oraḥ Ḥayyim* 252.4.

<sup>72</sup>Isserles, *Shulḥan ‘Arukh*, introduction. On the meaning of *ve-hakhi nahug*, see Hayyim Hezekiah Medini, *Sedei Hemed* (Bene Brak, 1962), vol. 6, s.v. “*kelalei ha-poskim*,” sec. 14.8, and Edward Fram, *The Codification of Jewish Law on the Cusp of Modernity* (New York, 2022), 206–22.

to mine all available sources of Ashkenazic legal thought. However, he found Ashkenazic sources in Caro's *Beit Yosef*, a separate, much lengthier work in which Caro presented the sources for his conclusions in *Shulḥan 'Arukh*.<sup>73</sup> Caro's writings had gained prominence among Ashkenazic Jews in the Italian lands and his concise and convenient presentations of the law in *Shulḥan 'Arukh* pressured Ashkenazic traditions.<sup>74</sup>

### Transmitting the Ways of Ashkenaz

Heilbronn's failure to consider the views of Ashkenazic authorities in 1591 did not mean that he and other Ashkenazic Jews abandoned their legal heritage. In the years before Isserles's glosses were printed in Venice, some had access to his glosses but could not obtain a reproduction of their own, so they copied Isserles's notes by hand for ongoing reference. A Columbia University manuscript completed before 1597 in an Italian hand is a transcription of Isserles's glosses on the sections of *Shulḥan 'Arukh* intended for rabbinic judges (*Hoshen Mishpat*).<sup>75</sup> The copyist reproduced Isserles's comments with a simple cross-referencing system to clarify where they fit into Caro's code, which the copyist and the person who commissioned him must have had, for it was assumed that the end user would use a printed copy of Caro's *Shulḥan 'Arukh* in tandem with the manuscript containing Isserles's notes.

This was not the only such copy. Joseph (Giuseppe) Dina of Mantua (d. late 1591, early 1592) was a man of standing, having served as a communal leader and legal guardian.<sup>76</sup> Dina was not known as a legal scholar, but he owned a 313-folio handwritten copy of all of Isserles's notes on Caro's

<sup>73</sup>Heilbronn, *Nahalat Yaakov*, fol. 19a–b. Katzenellenbogen received Heilbronn's letter on January 13, 1591 and responded on January 17.

<sup>74</sup>Discussing the inventory of Hebrew character books in Mantua in 1595, Baruchson, *Books and Readers*, 133–34, argued that Italian and Sephardic Jews more readily accepted *Shulḥan 'Arukh* than Ashkenazic Jews did. She noted that 33.7% of Jewish households with books had a copy of *Shulḥan 'Arukh* (190 copies).

<sup>75</sup>See Moses Isserles, *Ha-Mappah 'al Shulḥan 'Arukh Hoshen Mishpat*, MS X893 Is7, Columbia University (New York). My thanks to Michelle Margolis for alerting me to this manuscript. The manuscript was signed by the censor Domenico Irosolimitano in Mantua in 1597 (fol. 97b); see William Popper, *The Censorship of Hebrew Books* (New York, 1969), 142. This is the *terminus ad quem* for the production of the manuscript.

<sup>76</sup>See Enrico Castelli, *I banchi feneratizi ebraici nel Mantovano (1386–1808)* (Mantua, 1959), 67, 72, and Shlomo Simonsohn, *History of the Jews in the Duchy of Mantua* (Jerusalem, 1977), 357 n. 133 and 587 n. 281, regarding the rabbis of the Ashkenazic yeshiva in Mantua.

*Shulḥan 'Arukh* (figs. 1 and 2).<sup>77</sup> Like the Columbia manuscript, Dina's copy was written in an Italian hand and was intended to be used with a copy of *Shulḥan 'Arukh* containing only Caro's rulings.<sup>78</sup> The aesthetic value of the manuscript cannot be denied, but it was a functional copy as it contains neither illustrations nor embellishments. Dina's manuscript was completed in the spring of 1590 based on the Kraków 1578–80 edition of *Shulḥan 'Arukh* (fig. 3) and contributes to an appreciation of the supply and demand for Isserles's comments in about 1590.<sup>79</sup> Given the utilitarian character of the manuscript and the distinct disadvantage of using two separate texts as opposed to one text with all the material printed in the same place, Dina must have thought it more prudent in terms of time, money, and convenience to have the work copied rather than to try and find a printed copy.

The decision is enlightening. At the end of the sixteenth century, there was significant exchange between Jews in Mantua and other leading Italian centers such as Venice and Verona, and international trade was fostered by the House of Gonzaga, which ruled Mantua.<sup>80</sup> There were also specific connections between Mantua and Kraków. In 1587 the Duke of Mantua considered submitting his candidacy for the throne of Poland after the death of King Stefan Batory. He sent emissaries to the Polish capital, then in Kraków, to investigate the possibilities.<sup>81</sup> A Jew who had studied in Kraków may have had a hand in these political developments, offering the possibility of further

<sup>77</sup>Moses Isserles, "Ha-Mappah," MS ebr. 49, Jewish Community of Mantua, Italy (Mantua, 1590), [http://digilib.bibliotecaresiana.it/sfoglia\\_ebraici.php?g=CME\\_031\\_050&sg=CME049&identifier=MN0035-EBRA-cme049\\_1](http://digilib.bibliotecaresiana.it/sfoglia_ebraici.php?g=CME_031_050&sg=CME049&identifier=MN0035-EBRA-cme049_1). For a physical description, see Marco Mortara, *Catalogo dei manoscritti ebraici della biblioteca della comunità Israelitica di Mantova* (Livorno, 1878), no. 49; Giuliano Tamani, ed., *Libri ebraici a Mantova: Catalogo dei manoscritti filosofici, giuridici e scientifici nella biblioteca dell'Comunità ebraica di Mantova*, Mantua Judaica 4 (Fiesole, 2003), MS ebraico 49.

<sup>78</sup>The Mantua manuscript used the same cross-referencing system as the Columbia manuscript but was not dependent on it, for there are parallel passages omitted from the Columbia MS due to homoeoteleuton that appear in the Mantua MS (see, for example, *Ḥoshen Mishpat* 7.7). In *Ḥoshen Mishpat* 14.4 there is a citation in the Mantua MS that is different than the 1580 Kraków printed edition. Yet, it appears verbatim in the Columbia MS. Whether Dina's manuscript was used by others requires further investigation.

<sup>79</sup>See Mortara, *Catalogo*, no. 49; Tamani, *Catalogo dei manoscritti*, MS ebraico 49.

<sup>80</sup>Simonsohn, *History of the Jews in the Duchy of Mantua*, 283; Barbara Furlotti, "Connecting People, Connecting Places: Antiquarians as Mediators in Sixteenth-Century Rome," *Urban History* 37 (2010): 387 n. 3.

<sup>81</sup>See Daniela Frigo, "'Small States' and Diplomacy: Mantua and Modena," in *Politics and Diplomacy in Early Modern Italy: The Structure of Diplomatic Practice, 1450–1800*, ed. Daniela Frigo, trans. Adrian Belton (Cambridge, 2000), 168. There would be another such attempt after the death of Sigismund III (1597). See Giuseppe Fusai, "La candidatura del Duca Vincenzo I Gonzaga di Mantova al trono della Polonia," *Italia: Rivista di storia e di letteratura* 5–6 (1916): 242–48.

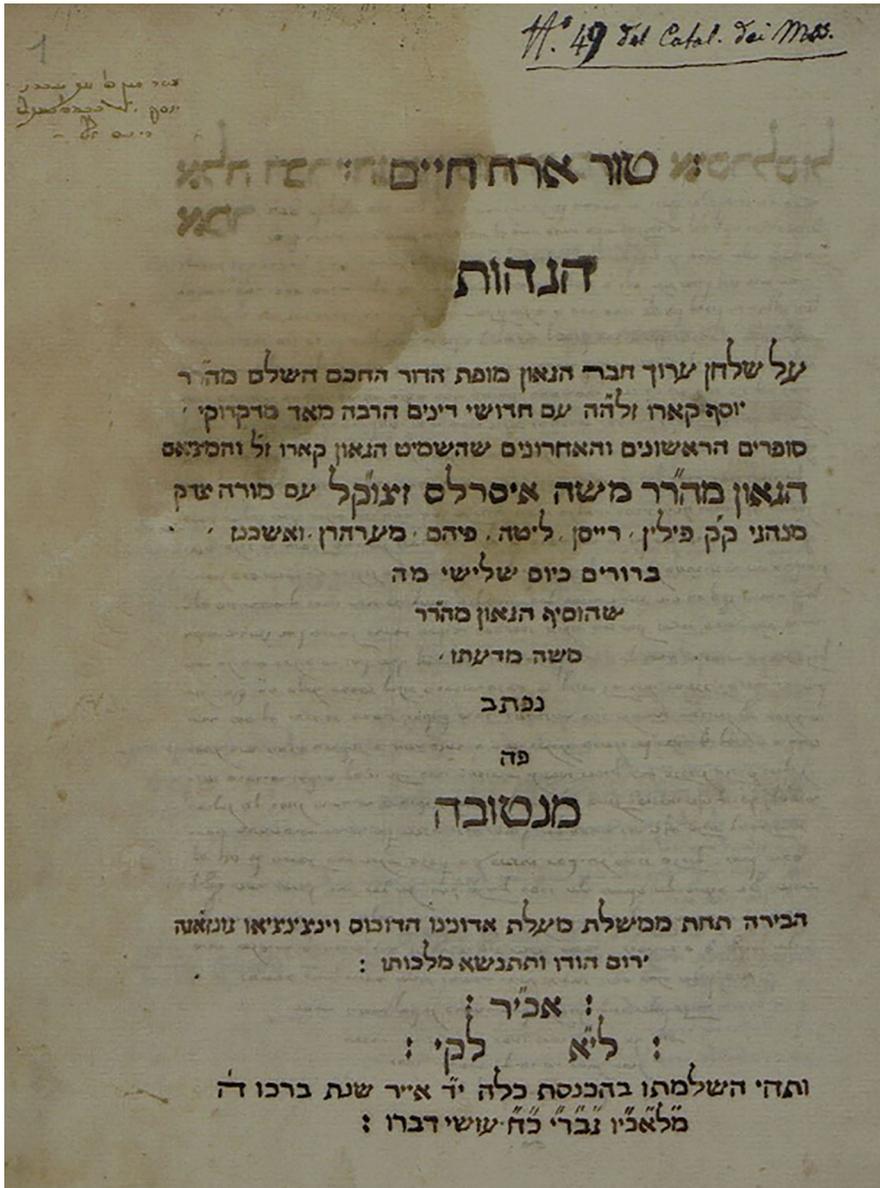


Figure 1. Mantua MS ebraico 49. Frontispiece. Note the similarity both in appearance and content to the Kraków edition.

associations between Jews in the two centers.<sup>82</sup> Although Mantua was not as significant a hub of contemporary Hebrew printing as Venice, local presses

<sup>82</sup>See Roth, "A Mantuan Jewish Consortium," 291–96.





Figure 3. Shulhan 'Arukh (Kraków, 1580). Frontispiece.

depended on intercity, if not international, trade to sell their wares, and books from Mantua appear to have found their way to Kraków.<sup>83</sup> More broadly, in 1568, a royal privilege was granted to institute regular postal service between Kraków and Venice.<sup>84</sup> The service would begin running the following year and eventually accepted private letters. It aimed to deliver items in ten days, creating another conduit for transferring information and goods.<sup>85</sup> Despite these avenues of trade, Dina and others had Isserles's glosses copied by hand. This speaks volumes about the difficulty of obtaining a copy of the Kraków printing of *Shulḥan 'Arukh*. Hebrew character books from eastern Europe may have been hard to come by in late sixteenth-century northern Italy. Less than 5% of all the books listed in the inventory of books owned by Mantuan Jews in 1595 were from Kraków, Lublin, or Prague.<sup>86</sup>

A stand-alone manuscript was not the only way to duplicate earlier works. Printed books could be augmented with handwritten notes. Isserles's glosses on over 600 sections of Caro's code dealing with much of the annual ritual cycle (*Oraḥ Ḥayyim*), magic, and women's ritual purity (*niddah*), and immersion were carefully entered by hand into a 1567 Venice print edition of *Shulḥan 'Arukh*.<sup>87</sup> Having Caro's and Isserles's comments on one page was far more convenient than referring to a separate manuscript copy of Isserles's notes.<sup>88</sup> Again, the enormous effort reflected by this mélange of print

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<sup>83</sup>Moses Isserles, *Sefer Torat ha-'Olah* (Prague, 1570), 3.4, fol. 72b, believed that people in his surroundings had access to printed copies of *Sefer ha-Zohar* and *Sha'arei Oraḥ*. *Sefer ha-Zohar* was first published in Mantua (1558 and again in 1559–60) and in Cremona (1559–60). *Sha'arei Oraḥ* appeared in Mantua (1561) and Riva di Trento (ca. 1561). Presumably, some of the Mantua editions reached Kraków. Jews who traveled between Italy and Poland, such as Mattithiah Delacrut whose commentary on *Sha'arei Oraḥ* was published in Kraków in 1600, were channels for the transfer of books.

<sup>84</sup>Rita Mazzei, *Itinera mercatorum: Circolazione di uomini e beni nell'Europa centro-orientale 1550–1650* (Lucca, 1999), 124.

<sup>85</sup>MZK (Marek Żukow-Karczewski), "Początki poczty w dawnym Krakowie," *Echo Krakowa* 158 (12967) (August 1989): 3.

<sup>86</sup>Gila Prebor, "'Sefer ha-Zikuk as a Source for Hebrew Bibliography' [in Hebrew], *Alei Sefer* 23 (2013): 68–69.

<sup>87</sup>The sections in *Oraḥ Ḥayyim* were entered by a different hand than those in the other sections.

<sup>88</sup>Joseph Caro, *Shulḥan 'Arukh* (Venice, 1567). The copy is available at [https://www.nli.org.il/he/books/NNL\\_ALEPH990010452660205171/NLI](https://www.nli.org.il/he/books/NNL_ALEPH990010452660205171/NLI). A perusal of the volume offers no signs of censorship, even though it was in Mantua in the late sixteenth century and included passages that were to be stricken; see Gila Prebor, "'Sefer ha-Zikuk shel Domenico Yerushalmi,'" *Italia* 18 (2008): 148. The copy was signed by the chief censor, Domenico Irosolimitano, and then by Luigi da Bologna in 1597; see Popper, *The Censorship of Hebrew Books*, 77–79. The copyist was sensitive to the possibility of censorship, for he did not copy Isserles's gloss to Oraḥ Ḥayyim 46.4, regarding the blessing "that you have not made me a non-Jew." Gila Prebor, "Domenico Yerushalmi: His Life, Writings and Work as a Censor," *Materia giudaica*:

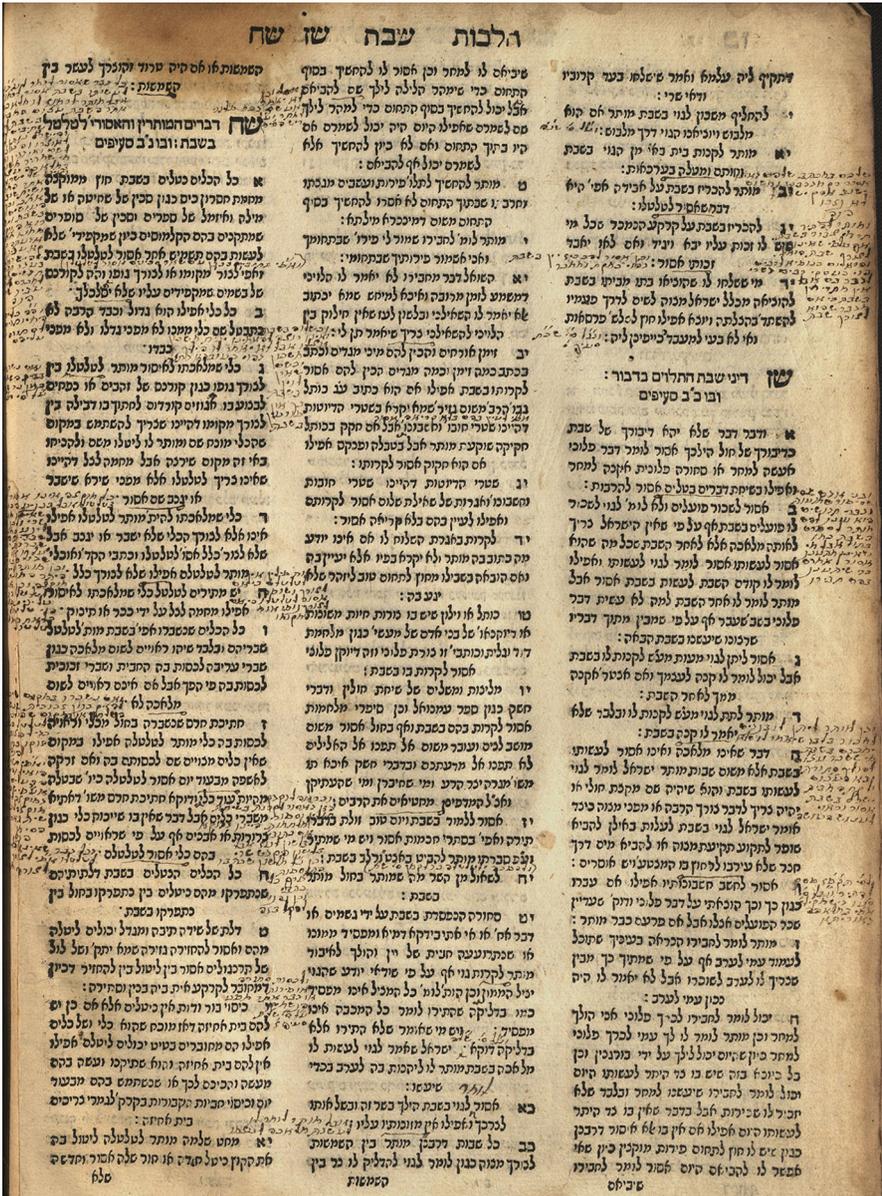


Figure 4. Shulhan 'Arukh, Orah Hayyim (Venice, 1567) with Isserles's glosses added by hand.

bollettino dell'Associazione italiana per lo studio del giudaismo 15–16 (2010–11): 477, has noted that Domenico often did not actually censor the books he signed.

and handwriting visually demonstrates the importance of Isserles's notes to Ashkenazic users of *Shulḥan 'Arukh*. (See fig. 4.) Isserles notes were so significant that writing in December 1596 to a colleague in Montagnana, about 80 km southwest of Venice, Judah Aryeh of Modena claimed that after *Shulḥan 'Arukh* with Isserles's glosses was published in Venice, no one (perhaps, no Ashkenazic Jew) wanted the earlier "Isserles-less" volumes of Caro's work.<sup>89</sup>

In the years ahead, more legal works from eastern Europe arrived in the Italian lands and energized Heilbronn. He would use them to champion Ashkenazic legal traditions and spread them through translations of Hebrew sources into Judeo-German and later Judeo-Italian.

### Translations into the Vernacular

Translations of classical Hebrew texts, including the Bible, biblical commentaries, midrash, and moral and legal treatises, into the Jewish vernaculars were nothing new. They existed in the age of manuscripts and continued in the age of print.<sup>90</sup> In the fifteenth century, Jacob Molin criticized the notion of translating legal works, but his view did not hold sway over the long term.<sup>91</sup> The sixteenth and early seventeenth centuries saw an acute demand to educate a significant portion of the Jewish world, including Iberian exiles and, even more specifically, Conversos. These people had lost touch with Jewish traditions, and some with Jewish languages, through displacement, conversion, or both. To address this, texts dealing with fundamental aspects of Jewish life, such as prayer, Sabbath observance, and core Jewish beliefs, were printed in Spanish, Portuguese, and Ladino in the sixteenth and seventeenth centuries and beyond.<sup>92</sup> For example, a legal guidebook, *Shulḥan ha-Panim*

<sup>89</sup>*Iggerot Rabbi Yehudah Aryeh mi-Modena*, ed. Yacob Boksenboim (Tel Aviv, 1984), no. 35, 79–80.

<sup>90</sup>Regarding translations in Old Yiddish on various topics, see Chava Turniansky, "Two Old-Yiddish Biblical Epics on the Book of Joshua" [in Hebrew], *Tarbiz* 51 (1982): 589–98, and more generally, Jean Baumgarten, *Introduction to Old Yiddish Literature*, ed. and trans. Jerold C. Frakes (Oxford, 2005).

<sup>91</sup>On Molin's criticism, see Edward Fram, *My Dear Daughter: Rabbi Benjamin Slonik and the Education of Jewish Women in Sixteenth-Century Poland* (Cincinnati, 2007), 12–15.

<sup>92</sup>See Meyer Kayserling, *Biblioteca española-portuguesa-judaica* (Strasbourg, 1890), 11, 34–35. For further examples and contextualization, see Yosef Hayim Yerushalmi, *From Spanish Court to Italian Ghetto: Isaac Cardoso; A Study in Seventeenth-Century Marranism and Jewish Apologetics* (New York, 1971), 47–48, 203–4, as well as his *The Re-education of Marranos in the Seventeenth Century* (Cincinnati, 1980), 6–12.

was published in Saloniki in Judeo-Spanish (Ladino) using Hebrew characters in 1568.<sup>93</sup> This was not a word-for-word translation of Caro's *Shulḥan 'Arukh*, for the author Meir Benveniste edited the text based on several criteria outlined in his introduction, added his comments, and sometimes ruled against Caro.<sup>94</sup> Benveniste's goal was to teach the basic rules of Jewish life to those who had fled the Iberian Peninsula.<sup>95</sup> The text was taken to the Italian lands and was republished in Venice, first in Ladino in 1602 and then in Spanish in 1609.<sup>96</sup>

Even Ashkenazic Jews who lived their entire lives as Jews and often in flourishing Jewish communities needed guidance. Men and women were expected to know the annual ritual cycle, and a Judeo-German handbook of customs provided a valuable and popular reference guide that could be read privately or collectively.<sup>97</sup> Vernacular manuals for women ostensibly served a dual purpose. First, they gave practical direction to women on how to observe the commandments, especially those specifically associated with them, such as the rules of ritual purity during menstruation and after childbirth, *challah* (a portion of dough separated before baking according to the rabbinic understanding of Num 15:17–21), and kindling the Sabbath and festival lights.<sup>98</sup> Second, they and other translations provided Jewish women (and men) with pious reading material in the hope that they would abandon secular romances

<sup>93</sup>There was contemporary opposition to the publication of Hebrew works in Latin languages among Jewish scholars in Saloniki and in the Italian lands. See Meir Benayahu, *Haskamah u-Reshut bi-Defusei Venezia: Ha-Sefer ha-'Ivri me'et Hava'ato li-Defus ve-'ad Ze'to le-Or* (Jerusalem, 1971), 218–22. Benveniste opposed publishing his work in Latin characters lest non-Jews read it. He also criticized a translation of sections of Jacob ben Asher's *Arba'ah Turim* into the vernacular using Latin characters intended for Conversos; see Caro, *Libro li'ama'do*, fols. 1b–2a. Also see David Bunis, "Writing Systems as a National-Religious Symbol: On the Development of Judezmo Writing" [in Hebrew], *Pe'amim* 101–2 (2004): 118–20.

<sup>94</sup>See Caro, *Libro li'ama'do*, fols. 1b–2a.

<sup>95</sup>See Dov Cohen, "Who is the Author of the Ladino *Shulhan ha-Panim* (Salonica 1568)?" [in Hebrew], *Hispania Judaica* 11 (2015): 33–61.

<sup>96</sup>Benveniste did not want his book published in Italy because he feared it would be altered by editors who did not want to offend others. See Caro, *Libro li'ama'do*, fol. 1b, and Benayahu, *Haskamah u-Reshut*, 218–19. Perhaps he was concerned about changes such as those that appeared in Caro's *Shulḥan 'Arukh*. In the first edition of Caro's *Beit Yosef, Oraḥ Ḥayyim* 156, the word "goy" (lit., "nation," but here non-Jew) was used. In early Venice editions of *Shulḥan 'Arukh*, the word was replaced by the phrase "*ben Noah*" (lit., "a child of Noah," here one who follows the Seven Laws of Noah). The word "goy" was used in the 1568 Saloniki edition of *Shulḥan 'Arukh*.

<sup>97</sup>With respect to books of customs, see Jean Baumgarten, "*Sefer Haminhagim* (Venice, 1593) and Its Dissemination in the Ashkenazi World," in *Minhagim: Custom and Practice in Jewish Life*, ed. Joseph Isaac Lifshitz et al. (Berlin, 2020), 83–98. Regarding collective reading, see Baumgarten, *Introduction*, 66, 68.

<sup>98</sup>On various versions of such handbooks, see Fram, *My Dear Daughter*, 139–49.

and chivalric stories written in the vernacular, be it German, Italian, or Judeo-German.<sup>99</sup>

Heilbronn's translation efforts fit well into these traditions of vernacularization.<sup>100</sup> While living in Verona in 1598, he prepared a Judeo-German translation of Samuel Benveniste's *Orekh Yamim*, a fourteenth-century ethical work dealing with children's education and emphasizing the importance of humility. The work was published in Venice in 1599.<sup>101</sup> Two years later, Heilbronn translated and adapted Solomon ibn Gabirol's eleventh-century *Keter Malkhut*, originally a philosophical poem, into a prayer to be recited weekly in Judeo-German.<sup>102</sup> In both cases, Heilbronn mediated the transfer of aspects of the Sephardic rabbinic heritage to Ashkenazic Jews through the vernacular.<sup>103</sup>

Philosophy was not a well-developed field in medieval Ashkenaz and did not define the culture.<sup>104</sup> One subject that did define it was Halakhah, and it was here that Heilbronn brought Ashkenazic traditions to his readers through translation. In 1616 he published a Judeo-Italian version of Rabbi Benjamin Slonik's *Sefer Mizvot Nashim*, first printed in Kraków in 1577 in Judeo-German.<sup>105</sup> Slonik (d. after 1620) was an eastern European rabbi who had studied with Moses Isserles in Kraków and Rabbi Solomon Luria (d. 1573), presumably in Lublin.<sup>106</sup> Slonik's handbook instructed women on how to observe the three commandments associated with them. Heilbronn's goal was

<sup>99</sup>Baumgarten, *Introduction*, 69 n. 131. With respect to the adoption and adaptation of secular literature by early modern Jews, see Jerold C. Frakes, *The Emergence of Early Yiddish Literature: Cultural Translation in Ashkenaz* (Bloomington, 2017), 1–31.

<sup>100</sup>There was opposition to vernacularization of Jewish law in mid-sixteenth century Italy. See Benayahu, *Haskamah u-Reshut*, 219–20.

<sup>101</sup>See Shmeruk, "Defusei Yiddish be-Italia," 161–63, no. 24; Habermann, *Ha-Madpis Zo'an di Ga'rah*, no. 186; Turniansky and Timm, "Yiddish in Italia," in idem, *Yiddish in Italia*, 92, no. 45.

<sup>102</sup>See Shmeruk, "Defusei Yiddish be-Italia," 163–66, no. 26; Habermann, *Ha-Madpis Zo'an di Ga'rah*, no. 196; Turniansky and Timm, "Yiddish in Italia," 35, no. 20; Berger, "From Philosophy to Popular Ethics," 226–29.

<sup>103</sup>Berger, "From Philosophy to Popular Ethics," 223–33.

<sup>104</sup>Various views regarding the role of philosophy among a very limited circle of Ashkenazic Jews are reviewed and evaluated by David B. Ruderman, *Jewish Thought and Scientific Discovery in Early Modern Europe* (New Haven, 1995), 54–75. One way or another, the group was so small that it cannot be said to have defined the character Ashkenazic Jewry.

<sup>105</sup>Benjamin Slonik, *Precetti da esser imparati dalle donne hebreo*, translated and adapted by Jacob Heilbronn (Alpron) (Venice, 1616). Jacob Heilbronn, "Mizvat Nashim Melumadah," New York, Jewish Theological Seminary, MS 6887, is a Hebrew character holograph of the work written in 1606 or 1607.

<sup>106</sup>On Slonik, see Nisson E. Shulman, *Authority and Community: Polish Jewry in the Sixteenth Century* (Hoboken, NJ, 1986), 177–211.

to use translation to educate Judeo-Italian-speaking Jewish women on how to obey these laws properly.<sup>107</sup> The frontispiece of the translation suggests that Heilbronn addressed all Jewish women who understood Judeo-Italian, not only those of German descent, and the use of Judeo-Italian allowed him to cross intra-Jewish cultural borders.<sup>108</sup> True to the nature of the genre, Heilbronn wrote in his introduction that it would be better if women read his edifying work rather than the then very popular *Amadís de Gaula* or the works of Ludovico Ariosto.<sup>109</sup>

This was not Heilbronn's first foray into translating legal works. About fifteen years earlier, in about 1602, Heilbronn had published a Judeo-German guide to kashering meat according to Ashkenazic rites.<sup>110</sup> Heilbronn's *Dinim ve-Seder* was a small handbook of eight 17 cm folios. Seven pages and eighteen short sections of the book dealt with the laws of salting meat; the others discussed the porging of prohibited fats. Like his other translations, it was dedicated to a woman related to a patron, in this case, Muskita, the youngest daughter of Hezekiah Parinto, and his wife, Ideln, the daughter of Berman Cohen.<sup>111</sup> Heilbronn considered himself Muskita's primary teacher. According to Heilbronn, Muskita knew how to read and write Hebrew and Latin

<sup>107</sup>Heilbronn did not produce a word for word translation of Slonik's work. See Settimi, *La donna e le sue regole*, 9–10. Maria Modena Mayer, "Il 'Sefer mišwôt' della Biblioteca di Casale Monferrato," *Italia* 4, no. 2 (1985): 1 n. 1, suggested that Heilbronn had access to another Judeo-Italian handbook on the topic prepared no later than 1603.

<sup>108</sup>Benjamin Slonik, *Seder Mizvot ha-Nashim* (Kraków, 1585), no. 65, spoke of "our custom," whereas Heilbronn noted that it was the "custom of the Ashkenazim" (Slonik, *Precetti*, no. 63). Elsewhere, Slonik spoke of the custom "in France and among the Germans" (no. 68); Heilbronn (no. 66) simply left this out.

<sup>109</sup>Slonik, *Precetti*, 6. *Amadís de Gaula* was written on the Iberian Peninsula and translated into various languages in the sixteenth century, including German and Italian. On the series, its translations and popularity, particularly in German translation, see Hilkert Weddige, *Die "Historien vom Amadis auss Franckreich": Documentarische Grundlegung zur Entstehung und Rezeption* (Wiesbaden, 1975), 16–20, 100–02, 107–10. A portion of *Amadís* was translated into Hebrew by a Spanish Jew and printed in Constantinople in about 1541; see Zvi Malachi, *The Loving Knight: The Romance Amadis de Gaula and its Adaptation [Turkey, c. 1541]*, trans. Phyllis Hackett (Lod, 1982), 83–93. Ariosto was printed often in the sixteenth century, but only in Italian.

<sup>110</sup>No date of publication is listed, but the final folio of the volume is a lament for Avigdor Civalid who died in October 1601. See Habermann, *Ha-Madpis Zo'an di Ga'rah*, no. 213. For further bibliographic references, see Turniansky and Timm, "Yiddish in Italia," 91, no. 44.

<sup>111</sup>Chava Turniansky, "Young Women in Early Modern Yiddish Literature" [in Hebrew], *Masseket* 12 (2016): 76–78, noted that in dedicating his works to the women of his patrons Heilbronn secured his financial interests, both as a tutor and an author. She further pointed out that the exact spelling and pronunciation of the name Muskita in Latin characters is uncertain (i.e., it could also be Moskita or Mushkita or another variation; 76 n. 30). The surname Parinto appears to be of Ashkenazic origin. See Alexander Beider, *A Dictionary of Jewish Surnames from Italy, France and "Portuguese" Communities* (New Haven, 2019), s.v. "Parenzo."

characters, which Heilbronn, following a long tradition in the Ashkenazic world, labeled as “*galches*,” literally, “of the Catholic priests.”<sup>112</sup> Heilbronn said Muskita asked questions he could not answer and claimed she helped him correct a Torah scroll and did a better job than some men. He praised both her intelligence and her physical beauty. Heilbronn’s observations should be considered with caution: Muskita was eight years old. Heilbronn stated he was preparing the laws of kashering meat according to the Ashkenazic rite for her because her future husband, like the spouses of other young women, would expect her to know how to do this. The question was what defined the Ashkenazic rite?

### What Was Ashkenaz?

In the context of Jewish law, Heilbronn’s definition of “Ashkenaz” did not depend on geography, that is, the German lands (*Erez Ashkenaz*). Heilbronn did not differentiate between western Ashkenaz, approximately the Rhineland, and eastern Ashkenaz, which, according to Eric Zimmer, was the area east of an imaginary line between Regensburg in the south and Magdeburg in the north.<sup>113</sup> For Heilbronn Ashkenaz was the Jewish legal culture that emanated from the medieval German-speaking lands and continued to flourish in sixteenth-century Poland.<sup>114</sup> Heilbronn was not unique in his perceptions. In a gloss to *Shulḥan ‘Arukh*, Isserles specifically identified the Jews living “in these lands” as the direct descendants of “the earlier generations in Ashkenaz and France” who followed their ancestors’ practices.<sup>115</sup> For Isserles it was axiomatic that “the custom in all these districts is to follow the later scholars of Ashkenaz of blessed memory in all matters,” without differentiating between east and west.<sup>116</sup> While Joseph Davis has suggested that Isserles defined Ashkenazic Jewry as a “lineage group,” it would seem that

<sup>112</sup>On *galkhes*, see Shlomo Eidelberg, “Lashon ve-Hava ‘ah be-Sifrut ha-She’elot u-Teshuvot,” *Leshonenu le-‘am* 20 (1969): 25–26, and Chava Turniansky, “Yiddish and the Transmission of Knowledge in Early Modern Europe,” *Jewish Studies Quarterly* 15 (2008): 15 n. 26. As Turniansky pointed out (n. 33), the reference here is probably to the reading of Italian. Contemporary Sephardic Jews used different terms for Latin. See Bunis, “Writing Systems as a National-Religious Symbol,” 119.

<sup>113</sup>See Yitzhak (Eric) Zimmer, *Olam ke-Minhago Noheg* (Jerusalem, 1996), 217–19.

<sup>114</sup>Joseph Davis, “The Reception of the *Shulḥan ‘Arukh* and the Formation of Ashkenazic Jewish Identity,” *AJS Review* 26 (November 2002): 254–57, noted that Caro maintained a geographic definition of Ashkenaz that was not restricted to the German-speaking lands.

<sup>115</sup>Isserles, *Shulḥan ‘Arukh, Yoreh De’ah* 39.18.

<sup>116</sup>Isserles, *Darkei Moshe, Yoreh De’ah* 35.6. See too 23.4. Generally, *gelilot* is a more limited geographic term than *medinot* and *arazot*; see Eliezer Ben Yehuda, *Millon ha-Lashon ha-‘Ivrit ha-Yeshanah ve-ha-Ḥadashah* (New York, 1959), s.v., “*galil*”; also see Samuel ben David

it was more of an “observance group.”<sup>117</sup> Polish Jews were the “children of Ashkenaz and France” not just due to genetics but because they followed the ways of Rashi, Mordecai ben Hillel, and Rabbi Jacob Weil (d. before 1460), one of the outstanding students of Jacob Molin.<sup>118</sup>

Rabbi Meshullam Feyvish (d. 1617), rabbi and head of the rabbinic court in Kraków, was no less explicit than Isserles in tying Ashkenazic identity to Halakhah and practice.<sup>119</sup> In his approbation to the first edition of the responsa of Rabbi Moses Mintz (d. 1480) published in Kraków in 1616, Meshullam Feyvish said of Mintz that he lived “in the generation of the most recent great scholars from whose water we drink and whose laws and rulings we, the children of Ashkenaz, follow.”<sup>120</sup> Meshullam Feyvish listed these “recent great scholars”: Rabbis Israel Isserlein (d. 1460, Wiener Neustadt), Israel Bruna (d. 1480; Brno, Regensburg), Judah Mintz (d. 1508; Mainz, Padua), and Joseph Colon (d. 1480, Savoy). Like Heilbronn and Isserles, Meshulam Feyvish homogenized eastern and western Ashkenazic scholars (and Colon, a French rabbi). These were the tradents of Ashkenazic legal traditions, and those who continued to follow their ways were the descendants of Ashkenaz without regard for where they lived.

However, this was not the only contemporary definition of “Ashkenaz.” Samuel Böhm (d. 1588) was an editor of Hebrew books in the Italian lands and later in Kraków, where he played an essential role in the publication of Isserles’s writings, including his glosses on *Shulḥan ‘Arukh*. In his introduction to Isserles’s *Torat ha-Ḥaṭṭa’at* (Kraków, 1569), which dealt with the laws of kashrut according to Ashkenazic traditions, Böhm claimed Isserles had decided matters according to what was done “in the holy communities of Poland, Russia, Bohemia, and Moravia, and possibly everywhere Judeo-German (*lashon Ashkenaz*) reaches among the Jews.”<sup>121</sup> For Böhm Ashkenazic identity was tied to language, a definition that Davis pointed out was

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Moses ha-Levi, *Sefer Nahalat Shiv’ah ha-Shalem*, 3 vols., ed. Yehzkel Aharon Shvartz (Bnei Brak, 2006), 1:221–22. For exceptions, see Solomon Luria, *Yam shel Shlomo* (Jerusalem, 2017), Gittin 4.33.

<sup>117</sup>Davis, “Reception of the *Shulḥan ‘Arukh*,” 259–62. Davis presented two other views of contemporary Sephardic authorities regarding the definition of “Ashkenaz” (251–59).

<sup>118</sup>See Isserles, *Darkei Moshe*, *Yoreh De’ah* 23.4.

<sup>119</sup>On Meshulam Feyvush, see Yehiel Zunz, *‘Ir ha-Zedek* (Tel Aviv, 1970), 49–52.

<sup>120</sup>Reprinted in Moses Mintz, *She’elot u-Teshuvot Rabbenu Moshe Minz*, ed. Yonatan Domb, 2 vols. (Jerusalem, 1991), 1:35.

<sup>121</sup>Moses Isserles, *Zot Torat ha-Ḥaṭṭa’at* (Kraków, 1569), fol. 3b. On Böhm and his activities, see Andrea Schatz and Pavel Sládek, “The Editor’s Place: Samuel Boehm and the Transfer of Italian Print Culture to Cracow,” *Jewish Quarterly Review* 112 (Summer 2022): 468–519. Regarding his use of language as a marker for Ashkenazic Jewry, see 495–501.

also used by Isserles's student, Rabbi Joshua Falk (d. 1614).<sup>122</sup> Böhm suggested that Isserles's rulings transcended political borders and *lashon Ashkenaz* connected Ashkenazic Jews.<sup>123</sup>

Böhm's linguistic understanding of German identity was neither unique nor particularly Jewish. In fifteenth-century Rome, the German shoemakers' brotherhood did not require one to be a shoemaker to join the group. Candidates had to pay the entrance fee and speak German.<sup>124</sup> Similarly, a German brotherhood located at the Campo Santo in Rome was open to men and women on condition that they spoke German.<sup>125</sup> Language characterized German identity and distinguished Germans living in Rome from everyone else.<sup>126</sup> In fifteenth-century Venice, it has been suggested that language held the German community together more than anything else.<sup>127</sup> Perhaps after his years on the Italian Peninsula, Böhm believed that it was Judeo-German that differentiated Ashkenazic Jews from other Jewish groups in the region.<sup>128</sup> However, in eastern Europe and the German-speaking lands in the second half of the sixteenth century, there were very few Jews other than Ashkenazic Jews, and Isserles did not consider language their unifying trait.

At least in a legal context, Böhm's linguistic definition of Ashkenaz did not go unchallenged. Rabbi Ḥayyim ben Bezalel of Friedberg (d. 1588) championed the customs of German Jewry, particularly those of the Rhineland, against the incursion of what he claimed were Polish-Jewish ways and unauthentic Ashkenazic traditions.<sup>129</sup> Rabbi Ḥayyim specifically rejected Böhm's claim that Isserles's *Torat ha-Ḥatta'at* may have been a valid legal code wherever Judeo-German was spoken. Rabbi Ḥayyim viewed

<sup>122</sup>Cf. Davis, "Reception of the *Shulḥan 'Arukh*," 262–64, 269–71, 275–76.

<sup>123</sup>The notion of language as a defining characteristic of Ashkenazic identity has echoes in recent scholarship. See, for example, Moshe Rosman, "Jewish History Across Borders," in *Rethinking European Jewish History*, ed. Jeremy Cohen and Moshe Rosman (Oxford, 2009), 24.

<sup>124</sup>Clifford W. Mass, *The German Community in Renaissance Rome 1378–1523*, ed. Peter Herde (Rome, 1981), 7–8.

<sup>125</sup>*Ibid.*, 117. Not all German groups in Rome were defined by language. The baker's guild was not (see 13–14).

<sup>126</sup>*Ibid.*, 176.

<sup>127</sup>Braunstein, *Les Allemands*, 657.

<sup>128</sup>In the seventeenth century, not all Jews in eastern Europe spoke Judeo-German. See Edward Fram, *Ideals Face Reality: Jewish Law and Life in Poland, 1550–1655* (Cincinnati, 1997), 29.

<sup>129</sup>The relationship between local customs and Ashkenazic identity in the sixteenth century requires further investigation and articulation, but for now, see Yitzhak (Eric) Zimmer, *Rabbi Ḥayyim bar Bezalel mi-Friedberg* (Jerusalem, 1987), 101–6; Davis, "The Reception of the *Shulḥan 'Arukh*," 265–68; and Elchanan Reiner, "Lineage (Yiḥus) and Libel: Maharal, the Bezalel Family, and the Nadler Affair" [in Hebrew], in *Maharal: Akdamot*, ed. Elchanan Reiner (Jerusalem, 2015), 118–26.

this as a marketing ploy to entice readers into purchasing Isserles's book.<sup>130</sup> Rabbi Ḥayyim noted that he was born and raised in Poland and studied there together with Isserles in the yeshiva of Rabbi Shalom Shakhna (d. 1558). He had absorbed the ways of Poland in his youth and, as an adult had learned the practices of the Rhineland during his more than twenty years in Worms and Friedberg and his frequent visits to Frankfurt am Main. He knew there was a difference between German and Polish customs despite their shared language.<sup>131</sup> For Rabbi Ḥayyim "the children of Ashkenaz" were the Jews who currently lived in the Rhineland and practiced its customs, a definition that Heilbronn did not share.<sup>132</sup>

### A Source Book of Ashkenazic Traditions

The stated purpose of Heilbronn's *Dinim ve-Seder* was to teach women, married and as yet unmarried, how to wash, salt, and trim off the nonkosher parts of ritually slaughtered meat according to the Ashkenazic tradition. The frontispiece of Heilbronn's *Dinim ve-Seder* advertised that through it women would learn how to kasher meat according to "the custom of the holy Ashkenazic communities taken from *Torat ha-Ḥaṭṭa'at* which was prepared by the honored, our teacher, our master, Rabbi Moses Isserln (= Isserles), a righteous man of blessed memory."<sup>133</sup> Heilbronn viewed Isserles as a faithful transmitter of the customs of Ashkenaz despite the fact that he lived in Poland.

<sup>130</sup>Böhm's definition was subsequently used on the frontispiece of *Shulḥan 'Arukh* with Isserles's glosses published in Venice in 1593–94.

<sup>131</sup>Ḥayyim ben Bezalel, *Vikkuaḥ Mayyim Ḥayyim*, introduction, sec. 9, updated based on two Oxford manuscripts in Yitzhak (Eric) Zimmer, *Gəhaltan shel Ḥakhamim* (Be'er Sheva, 1999), 314–15.

<sup>132</sup>A few decades later, Rabbi Joseph Nördlingen Hahn (d. 1637, Frankfurt) also distinguished between "we, the children of Germany" (*benei Ashkenaz*) and Polish Jews (*benei Polin*); see Joseph Yuspa ben Phinehas Seligmann Hahn, *Sefer Yosef Omez*, ed. Yoel Katan (Shaalvim, 2016), 272, no. 971. Also see Kaplan, *Beyond Expulsion*, 47.

<sup>133</sup>Isserles's name was spelled as "Isserln" on the frontispiece. This was not unusual. The frontispiece of Isaac ben Meir of Düren's *Sha'arei Dura'* published in Lublin in 1575 also referred to Isserles as "Isserln" as did other publications. This may have been the result of confusion stemming from the frontispiece of the first edition of Isserles's own *Toraḥ ha-Ḥaṭṭa'at* published in Kraków in 1569 during Isserles's lifetime where his name was listed as Rabbi Moses "son of Isserln of blessed memory." Isserles's signed his name as "Isserles." See Moses Isserles, Archive Schwad 0101281 (Jerusalem: National Library of Israel), an autographed page from one of Isserles's books.

Moses Isserles's *Torat ha-Ḥaṭṭa'at* was first published in Kraków in 1569 and republished there in 1577, 1590, and again in 1600.<sup>134</sup> It was a challenging text, for it placed multiple sources and opinions before the reader. It was not directed to readers of limited abilities, let alone an eight-year-old girl, but to the secondary rabbinic elite and above.<sup>135</sup> *Torat ha-Ḥaṭṭa'at* offered users an easier route. Isserles compiled a listing of his conclusions very similar in style to the rulings of *Shulḥan 'Arukh* and placed it at the end of his work. Nevertheless, Heilbronn took the difficult path and based his description of the laws of salting meat on the full text of Isserles's *Torat ha-Ḥaṭṭa'at*.

Heilbronn could have chosen from several other sourcebooks that summarized German rites for salting meat. Rabbi Jacob Landau's *Sefer ha-Agur* was a late fifteenth-century legal work written and published in Italy by the son of a German rabbi.<sup>136</sup> It reflected Ashkenazic traditions and included a section on salting meat. It had been republished in Venice in 1546–47, suggesting it had attained some level of popularity. Although Landau's work was not a stand-alone guide but a supplement to Jacob ben Asher's *Arba'ah Turim*, which, until the advent of *Shulḥan 'Arukh* was a standard legal reference book for Ashkenazic Jews, a man of Heilbronn's talents could certainly have adapted it to his target audience.<sup>137</sup> However, by 1600 *Sefer ha-Agur* had been eclipsed by Caro's *Shulḥan 'Arukh*.

*Shulḥan 'Arukh* was the most obvious alternative source for Heilbronn to turn to. As noted, the Venice 1593–94 edition of *Shulḥan 'Arukh* included Caro's code and Isserles's glosses. There were indeed advantages to using *Shulḥan 'Arukh*. It offered a precise statement of the law without multiple legal possibilities. Perhaps Heilbronn did not have had a copy of *Shulḥan 'Arukh* with Isserles's glosses in 1602, for when he did have one, he used it and considered it authoritative.<sup>138</sup>

Another possible source for Heilbronn's presentation of the law was Rabbi Mordecai Jaffe's then-recently published *Sefer Levush Aṭeret Zahav* (Kraków, 1594). Jaffe had lived in Venice for about ten years (1561–71) and was known to local rabbis. His legal code was a reaction to Caro's *Shulḥan 'Arukh*, which Jaffe felt presented the law in too brief a fashion. Jaffe offered

<sup>134</sup>Based on the folio referred to, Heilbronn had a copy of the 1569 edition. See Heilbronn, *Naḥalat Yaakov*, fol. 20a.

<sup>135</sup>See also Baruchson, *Books and Readers*, 135, who used this to explain the paucity of copies of the work in Mantuan households.

<sup>136</sup>On the author and his work, see Debra Glasberg Gail, "The 'Agur: A Halakhic Code for Print," *AJS Review* 45 (April 2021): 1–23.

<sup>137</sup>See Jacob Landau, *Sefer ha-Agur ha-Shalem*, ed. Moshe Hershler (Jerusalem, 1960), introduction. Jacob ben Asher's code was the most popular legal code held by Ashkenazic families in 1595 Manuta (Baruchson, *Books and Readers*, 133–34).

<sup>138</sup>See Heilbronn, *Naḥalat Yaakov*, no. 40 (unsigned, but apparently from Heilbronn) and 57.

readers a richer discussion of sources and rationales, and his work enjoyed immediate, albeit short-term, success.

Heilbronn held, or would hold, Jaffe in high esteem. Writing to Rabbi Simone Luzzatto (d. 1663) in Venice in the summer of 1621, at the very end of his rabbinic career, Heilbronn wrote:

I will not occupy myself with things that are too great and marvelous [for me (see Ps 131:1)], to hunt a partridge in the mountains (1 Sam 26:20) and to bring proofs from the Talmud as is the way of the great rabbis who are experts in everything, for why do I need such trouble? I will go along the flat plains that many and distinguished [individuals prepared and] whose only wish and desire was to clear the way and make a path for the generations who come after them. [They were] the great scholar, the eminent, our teacher and master, the honorable, our master, Rabbi Joseph Caro, and the scholar, the honorable, our teacher, our master, Rabbi Moses Isserln [= Isserles], and last but not least, the author of the *Levushim* [= Mordecai Jaffe]. Moreover, from their waters we drink. From them I will take my proof . . . and it is appropriate to rely on them, for they clarified and sifted their words through a sieve and their lips move in the grave (see Cant 7:10 with BT Yebamot 97a), speaking clearly (see Job 33:3). And one who hears [their rulings] will hear, and one who refuses [to hear (see Ezek 33:70)] talks on and on (Eccl 10:14) in vain (see Targum Yonatan, Exod 20:7).<sup>139</sup>

Heilbronn would not have been the only contemporary Ashkenazic rabbi in northern Italy to have preferred Jaffe's legal code over *Shulḥan 'Arukh*. Rabbi Judah Leib Saraval (d. 1617) was a student of Katzenellenbogen who ultimately became the rabbi of Venice. Heilbronn had studied with him and wrote to him in the fall of 1608 regarding a problem he faced in Oderzo.<sup>140</sup> In his response, Saraval relied on Jaffe because he was the latest of the latest authorities, a well-recognized category in Ashkenazic legal decision-making (*hilketa' ke-batra'y*, Aramaic: lit., "the law is like the most recent authority").<sup>141</sup> Jaffe was a native of Bohemia, but he studied with Isserles and

<sup>139</sup>Heilbronn, *Nahalat Yaakov*, fol. 39b. Also see Heilbronn's opinion in *Mashbit Milhamot*, fol. 93b.

<sup>140</sup>Heilbronn, *Nahalat Yaakov*, nos. 8 (question) and 9 (answer).

<sup>141</sup>On the concept of *hilketa' ke-batra'i*, see Israel Ta-Shma, "'Hilketa' ke-batra'i'— Historical Aspects of a Legal Rule" [in Hebrew] *Shanaton ha-Mishpat ha-'Ivri* 6–7 (1979–80): 405–23; Shai Wozner, "'Hilketa' ke-batra'i': A New Perspective" [in Hebrew], *Shanaton ha-Mishpat ha-'Ivri* 20 (1995–97): 151–67; and Israel J. Yuval, "Rishonim and Aharonim,

Solomon Luria in Poland and Lithuania and continued the ways of Ashkenaz.<sup>142</sup> However, here too, when writing about the laws of kashrut, Heilbronn may not have had Jaffe's book.<sup>143</sup>

Heilbronn—and he assumed his target audience as well—believed that Isserles faithfully conveyed the ways of Ashkenaz. Not everyone agreed. Ḥayyim ben Bezalel of Friedberg wrote a biting critique of Isserles's *Torat ha-Ḥaṭṭa'at* in which he fought against the encroachment of the customs of Polish Jewry on German halakhic traditions, traditions which he claimed had been passed down to the Jews living in the Rhineland “from the time of the destruction of the Temple.”<sup>144</sup> For Ḥayyim ben Bezalel, Jews living in the German lands were the true bearers of Ashkenazic ways, and he actively sought out the local customs of the Rhineland. Others, such as the Bohemian Rabbi Yom Ṭov Lippman Heller (d. 1654), embraced Isserles's work, albeit with ongoing observations, if not objections.<sup>145</sup> However, for Heilbronn, the place “Ashkenaz” was irrelevant. The legal heritage of Ashkenaz was portable. It had migrated to eastern Europe and was transmitted through Isserles's book.

The printed word had authority, and because of this, it imbued authors with greater standing. This was particularly true for Isserles. His responsa and commentary on *Arba'ah Turim* were not published during his lifetime and would not begin to be until the mid-seventeenth century. However, he had published glosses on Caro's *Shulḥan 'Arukh*, which was considered authoritative by the end of the sixteenth century. This undoubtedly advanced his reputation and the acceptance of *Torat ha-Ḥaṭṭa'at* as a reliable conveyor of Ashkenazic traditions.

Polish Jewry and the Jews of northern Italy whom Heilbronn addressed were Ashkenazic Jews because they maintained the traditions of Rashi, the

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Antiqui et Moderni (Periodization and Self-Awareness in Ashkenaz)” [in Hebrew], *Zion* 57 (1992): 378–85. With respect to its use in sixteenth-century Italy, see Meir Raffeld, “‘Hilketa' ke-batra'i' among the Sages of Fifteenth and Sixteenth Century Germany and Poland: Sources and Offshoots” [in Hebrew], *Sidra* 8 (1992): 131–32. Raffeld also discussed its use by rabbinic authorities in sixteenth-century Germany and Poland (132–40).

<sup>142</sup>Samuel Horodezky, *Rabbi Mordechai Jaffe: Toldoto ve-Halakh Nafsho* (Kraków, 1899), 1–3.

<sup>143</sup>By 1605 Heilbronn had Jaffe's code. He not only cited from it but corresponded directly with Jaffe in that year regarding the dispute over the mikvah in Rovigo. See Heilbronn, *Naḥalat Yaakov*, nos. 61–62, as well as the citation in *Mashbit Milḥamot*, fols. 93b–94a.

<sup>144</sup>See Ḥayyim ben Bezalel, *Vikkuaḥ Mayyim Ḥayyim*, particularly the programmatic introduction with specific reference to section 9.

<sup>145</sup>Yom-Ṭov Lipmann Heller, *Ve-zot Torat ha-Asham* (Bene Brak, 1985). For a list of commentaries on Isserles's *Torat ha-Ḥaṭṭa'at*, including glossed copies of the book, see Yaakov Miller, “Sefer Torat Ḥaṭṭa'at u-Defusav ve-Kishuṭei Sha'arim be-Defusei Kraka ve-'od” (unpublished paper, n.d.), 6–8, on the author's academia.edu page.

Tosafists, Rabbi Jacob Molin, and others. Heilbronn did not turn to halakhic works written earlier in the German-speaking lands, and he evidenced no interest in the customs of the Jews in contemporary German lands. He certainly could have inquired about them, for there was communication between the communities. Trade routes and mail service brought goods and information between each region, and northern Italian Jews appeared to have known about aspects of daily life in the German lands.<sup>146</sup> When the Jews of Rome needed financial assistance, Leone Modena wrote to the Jewish communities in Worms and Frankfurt asking for support.<sup>147</sup> However, for Heilbronn the concept of “Ashkenaz” represented a tradition, not what was done in the places where medieval scholars had once lived. When he had them, Heilbronn used the most up-to-date legal works that reflected these traditions, and they were written in Poland.

German Jews who migrated to the Italian lands in the fifteenth century strove mightily to maintain the traditions of their homeland. Over time this was so well recognized that, at least in a particular realm of liturgy, the Jewish community in early nineteenth-century Bamberg looked back to an Italian rite to try to recreate its lost heritage.<sup>148</sup> For the Jews of Bamberg, Ashkenaz meant the ways of Jacob Molin and their predecessors in the German lands. In the year 1600, things were different. Jacob Heilbronn did not attempt to (re)discover the customs of Jews who had lived or now lived in the geographic space of Ashkenaz, the German-speaking lands. For Heilbronn, Ashkenaz was a living tradition that began in northern France and the German-speaking lands in the Middle Ages and had moved on from there and continued in new locales. In the year 1600, the legal crown of Ashkenaz rested in Poland. Printed books conveyed the most up-to-date expressions of Ashkenazic traditions and Heilbronn relied on them.<sup>149</sup> As his Judeo-German

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<sup>146</sup>See Heilbronn, *Nahalat Yaakov*, no. 29, from the Friuli region in the early 1590s, discussing the mode of production of cheese in the German lands. Regarding postal service between the Italian lands and the German-speaking lands, including Frankfurt am Main, see Wolfgang Behringer, “Communications Revolutions: A Historiographical Concept,” *German History* 24 (2006): 341–52.

<sup>147</sup>See Boksenboim, *Iggerot*, 238–39, no. 197. Also, see no. 198.

<sup>148</sup>On the preserving of traditions, see Lucia Raspe, “Portable Homeland: The German-Jewish Diaspora in Italy and Its Impact on Ashkenazic Book Culture, 1400–1600,” in *Early Modern Ethnic and Religious Communities in Exile*, ed. Yosef Kaplan (Newcastle upon Tyne, 2017), 26–43; Lucia Raspe, “The Migration of German Jews Into Italy and the Emergence of Local Rites of *Selihot* Recitation,” in *The Jews of Europe Around 1400: Disruption, Crisis, and Resilience*, ed. Lukas Clemens and Christoph Cluse (Wiesbaden, 2018), 173–80. With respect to Bamberg, see Lucia Raspe, “Tradition, Migration, and the Impact of Print: Local Rites of *Selihot* Recitation in Early Modern Ashkenaz,” *Jewish Quarterly Review* 113 (2023): 83–104.

<sup>149</sup>Heilbronn’s reliance on Isserles in the laws of salting obfuscated his attitude toward local custom. In his discussion of porging meat, Heilbronn referred to custom (*minhag*; *Dinim*

manual on kashering meat makes clear, and his Judeo-Italian translation of Benjamin Slonik's book on the women's commandments reinforces, for Jacob Heilbronn, the rabbis of eastern Europe were legitimate bearers of the legal culture of Ashkenaz.

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*ve-seder*, fols. 6b–7a), but it is unclear whether this was local custom or practices which Heilbronn found cited in other sources.