



University of Pennsylvania
ScholarlyCommons

Departmental Papers (History)


Department of History

3-1979

Review of Yacov Boksenboim, *Responsa of Rabbi Azriel Diena* Vol. I

David B. Ruderman
University of Pennsylvania, ruderman@sas.upenn.edu

Follow this and additional works at: https://repository.upenn.edu/history_papers

 Part of the [Cultural History Commons](#), [History of Religion Commons](#), and the [Jewish Studies Commons](#)

Recommended Citation

Ruderman, D. B. (1979). Review of Yacov Boksenboim, *Responsa of Rabbi Azriel Diena* Vol. I. *Association for Jewish Studies Newsletter (now AJS Perspectives)*, 24 30+33-. Retrieved from https://repository.upenn.edu/history_papers/58

This paper is posted at ScholarlyCommons. https://repository.upenn.edu/history_papers/58
For more information, please contact repository@pobox.upenn.edu.

Review of Yacov Boksenboim, *Responsa of Rabbi Azriel Diena Vol. I*

Abstract

After Joseph Colon, Azriel Diena and Moses Provenzali were the leading rabbinic authorities in Renaissance Italy to have left behind complete collections of their responsa. Yet, until now, only the responsa of Colon have ever been published in their entirety while the extensive collections of the other two, along with those of a large number of other Italian rabbis, still remain for the most part in manuscript.¹ In recent years, however, the Chaim Rosenberg School of Jewish Studies at Tel Aviv University, under the leadership of Professors Shlomo Simonsohn and Daniel Carpi, have published a considerable number of texts and studies on the history of Italian Jewry. Yacov Boksenboim's edition of the responsa of Rabbi Azreiel Diena (a project of two volumes of which the first has already appeared) represents one of the products of this ongoing series of publications.

Disciplines

Cultural History | History | History of Religion | Jewish Studies

Yacov Boksenboim, editor, *Responsa of Rabbi Azriel Diena*, vol. I. Tel-Aviv, Chaim Rosenberg School of Jewish Studies, Tel Aviv University, 1977.

Reviewed by David Ruderman (University of Maryland)

After Joseph Colon, Azriel Diena and Moses Provenzali were the leading rabbinic authorities of Renaissance Italy to have left behind complete collections of their responsa. Yet, until now, only the responsa of Colon have ever been published in their entirety while the extensive collections of the other two, along with those of a large number of other Italian rabbis, still remain for the most part in manuscript.¹ In recent years, however, the Chaim Rosenberg School of Jewish Studies at Tel Aviv University, under the leadership of Professors Shlomo Simonsohn and Daniel Carpi, have published a considerable number of texts and studies on the history of Italian Jewry. Yacov Boksenboim's edition of the responsa of Rabbi Azriel Diena (a project of two volumes of which the first has already appeared) represents one of the products of this ongoing series of publications.

After migrating from France, Azriel Diena lived in a number of communities of North Central Italy at the beginning of the sixteenth century, finally settling in Sabbioneta, where he died in 1536. During his active rabbinical career, he wrote some 300 responsa which are preserved in several manuscripts and which provide an exceedingly rich source for the study of Italian Jewish culture and society during Diena's lifetime. Some time ago the late Simha Assaf recognized the importance of this collection and published selections from what he considered to be some of the more interesting of Diena's responsa.² Now Yacov Boksenboim has assumed the imposing task of editing the complete collection of Diena, of which only the first volume, published in 1977, is considered here. To his credit, the editor has done a splendid job of determining the most accurate text of the responsa based on a study of all extant manuscripts;³ has carefully identified Diena's halachic sources as well as the historical allusions found in the texts; has provided some very useful indices of individual and place names, abbreviations, and rabbinic sources; and, finally, has added a competent and informative introduction on Diena and his work.

The edition of Diena's responsa, now made accessible to a larger group of researchers, is significant as a source of history for a variety of reasons. It provides extensive data on the role of a major rabbi living in the Italian Jewish community in the relatively early period of the beginning of the sixteenth century — the extent of his authority and his social standing in his community, as well as his relation with other rabbis and other communities.⁴ Furthermore, it offers the researcher of Italian Jewry some idea of the degree of receptivity to Renaissance culture on the part of an Italian rabbi identified with the French Jewish sub-culture of North Central Italy. Diena's responsa provide some gauge of the status of the *halacha* in sixteenth-century Italy and its confrontation with various social and cultural forces asserting their pressures on Italian Jewish society. The responsa are also valuable in providing rich documentation for the study of the social history of Italian Jewry. By their very nature, they often deal with unusual, deviant and even

bizarre aspects of social behavior, thus providing insight into the existing norms in the Jewish society as well as the temper of the particular time and place.

Yet all of this is not yet realized in Boksenboim's edition. We are given the building blocks without the completed building. The work clearly represents an auspicious beginning for reconstructing Diena's social and cultural world, but it is only a beginning. Boksenboim's fine piece of scholarship elicits the often-raised question regarding edited works in general: What precisely is the editor's responsibility in editing works of historical value? Is his role confined to the careful presentation and annotation of texts or should he set his sights higher to the more formidable tasks of historical analysis and of placing the texts more securely into the larger cultural and social context of Diena's environment?

A few examples of the relative potential of Diena's material left largely unexploited by Boksenboim might prove revealing. Two of Diena's responsa deal with the interesting case of a young man who claimed to have married the daughter of Lazar of Cremona without the father's permission.⁵ The particular incident was only one of similar cases treated with utmost seriousness by a number of rabbis in this region at the beginning of the sixteenth century. Rabbinic prohibition of marriages effected without parental or adult consent was certainly related to moral concern but, as Reuven Bonfil has recently shown, also reflected a social tendency on the part of the highest echelon of Jewish society to prevent others from penetrating its social and economic circle.⁶ One suspects that a more thorough analysis of this case along with the much larger controversy over the disputed marriage of Rosa Montalcino (treated by Diena in five responsa and by other rabbis in the incredible number of 75 additional responsa) might disclose more of the pertinent social background of Diena's era than that described in Boksenboim's notes on both affairs.⁷

Diena's responsa, as already noted, also yield a considerable amount of material relating to the social world of Italian Jewry — cases of crime, of deception, and of sexual and other social deviance. Diena's discussion of an aggressive woman (n. 121) is suggestive of attitudes towards acceptable female behavior in Diena's society. A number of responsa indicate an ongoing intimacy between Christians and Jews (especially notes 83, 84, 123). Two responsa on the use of the Torah as a healing device provide a good example of the popular culture of Italian Jews in this era (n. 8, 9). Elsewhere Diena described one economic function of Jews who profited from war booty, especially the case of an individual who collected the clothing and weaponry of battlefield corpses (n. 139). There are also responsa on contacts with the land of Israel, communal taxation and regulation, and other aspects of community life. Even subjects of seemingly mundane interest — questions of menstrual emission, *mikvah*, oaths and *halizah* — might reveal to the sensitive researcher something more of the culture of Diena's society. In short, here is the stuff for a social historian to evaluate, to collate with similar material of other contemporary rabbis (particularly those of other Italian Jewish sub-communities), as well as to compare with the norms and practices of Christian society in sixteenth-century Italy.

(Continued on Page 33)

Kimelman (Continued from Page 27)

denotes "a bird worth (costing only) an *issar* (Roman *as*)" not "a bird in a chain."

8. p. 189 C, unclear.

9. p. 189 D, *derek 'eres* is not "a sanitary rule", see above, p. 187D.

10. p. 189, n. 114, based on the following comment of Finkelstein in *Sifre Deut.* p. 108, n. 5 **והוא מצירין על הספרי ואדר"נ** אכל לפי סגנון ההעקה מקורו מנחוח שם, states, "Finkelstein argues, *loc. cit.*, that the version in b. Men. is older than those in ARNA and ARNB." It is difficult to correlate the two. The original translates as "Although he notes the *Sifre* and ARN, according to the style of the copy his source is *Menahot*, *ibid.*"

If this sample is indicative of the remaining portions, it behooves the reader to take care. It is hoped that the subsequent volumes (two more are projected) will be executed with greater care thereby enhancing the credibility of the final conclusions. Assuredly, accurate historical data on the teachings of R. Ishmael is a *desideratum* in tannaitic studies.

NOTES

¹*Akiba: Scholar, Saint and Martyr*, Jewish Publication Society (Philadelphia, 1936) pp. xi, xiii.

²"Toward a Profile of the Tanna, Aqiba Ben Joseph," *Journal of the American Oriental Society* 96 (1976) pp. 38-56, 39.

³For possibilities of discerning development in rulings of a sage in light of contemporaneous reality, see Daniel Sperber, "Flight and the Talmudic law of Usucaption: A Study in the Social History of Third Century Palestine," *Revue internationale des droits de l'antiquité* 19 (1972) pp. 29-42, 40.

⁴Even this is not easy, see, e.g., E.P. Sanders, "R. Akiba's View of Suffering," *Jewish Quarterly Review* 53 (1973) pp. 332-351.

⁵*The Jewish Encyclopedia* I, p. 304. For an account which tries to navigate the perilous sea of rabbinic sources, see Samuel Safrai, *R. Akiba Ben Joseph: His Life and Teachings* (Hebrew) Dorot Library Series, Jerusalem, 1970.

⁶See John G. Gager, "The Gospels and Jesus: Some Doubts about Method," *Journal of Religion* 54 (1974) pp. 244-272.

⁷Ramsay MacMullen, *Constantine*, Harper Torchbooks (New York, 1971) p. 16.

⁸*Idem.*, *Roman Government's Response to Crisis A.D. 235-337*, Yale University Press (New Haven, 1976) p. viii.

⁹See Judah Goldin, "The Thinking of the Rabbis," *Judaism* 5 (1956) pp. 3-12, 4f.

¹⁰R. Kimelman, *Rabbi Yohanan of Tiberias: Aspects of the Social and Religious History of Third Century Palestine* (Yale University dissertation, 1977) p. 277f., n. 40.

Reinharz (Continued from Page 32)

and arguments of Zionists and anti-Zionists of all shades and persuasions. His style is coherent and lucid. A fuller description and analysis of the larger Jewish community in Palestine is lacking, however. Friedman, for example, hardly touches on the Sephardi community and its role in the various struggles for legitimacy. The book is directed to specialists in the field. As such it is an excellent addition to the history of the Yishuv which will for many years be the standard work on the subject.

Ruderman (Continued from Page 30)

Even from the sole perspective of the history of the *halacha*, Boksenboim's achievement is limited. There is only a cursory treatment of Diena's halachic approach in the context of that of other Italian rabbis — Colon, Provenzali, and others. Is there a distinctive "Italian" approach to halachic questions which is reflected in Diena's treatment of various matters? At one point, Boksenboim tells the reader that Diena's influence as a rabbi was probably quite limited.⁸ If so, might one rightfully ask the editor why he considers his own work of consequence if he has neither assigned any great significance to Diena's responsa in the history of Jewish law nor determined its relative import for reconstructing the society and culture of Italian Jewry?

For the historian of Italian Jewry, the material in the forthcoming volume of Diena's work proves to be even more exciting. It will include valuable information on contemporary rabbinic controversies, on the utilization of Gentile courts by Jews, on such issues as the *herem* against the entire Jewish community of Reggio, and more. Yacov Boksenboim will have made an important contribution to the history of Italian Jewry with the eventual publication of both volumes of Diena's work. If this fine edition serves to stimulate others to evaluate its material even more critically and more imaginatively, Mr. Boksenboim will have indeed performed an even greater service.

NOTES

¹Colon's responsa were published in several editions as early as 1519 with the exception of a few which remained in manuscript until publication in Jerusalem in 1970. On Provenzali's responsa, see Shlomo Simonsohn, *History of the Jews of the Duchy of Mantua* (Jerusalem, 1977), pp. 720-730.

²Simha Assaf, "The Responsa of R. Azriel Diena" (Hebrew), *Kiryat Sefer*, 14 (1937-38), 540-552; 15 (1938-39), 113-129. See also Isaiah Sonne, "On the Article of Rabbi Assaf on the Collection of Responsa of R. Azriel Diena" (Hebrew), *Kiryat Sefer*, 15 (1938-39), 264-68.

³An additional responsum of Diena, not included in this edition, on payment to matchmakers, is found in Ms. Moscow Günzburg 129, fols. 71v-72v, along with two additional references to his son Jacob Diena, fols. 91v and 92v.

⁴The reader of this volume will greatly profit by reading it in conjunction with Reuven Bonfil's important dissertation (soon to be published in revised form by Magnes Press), "Ha-Rabbanut be-Italia bi-tekufat ha-Renesans," Hebrew University, Jerusalem, 1976.

⁵Cf. Diena, numbers 110-111, pp. 325-332, and the editor's note in the introduction, p. 67.

⁶Reuven Bonfil, "Aspects of the Social and Spiritual Life of the Jews in Venetian Territories at the Beginning of the 16th Century" (Hebrew), *Zion*, 41 (1976), 75-78.

⁷Diena, numbers 112-116, pp. 332-376, and editor's note in introduction, pp. 67-71. Efraim Kupfer has at least partially explored the larger significance of the "Rosa" controversy in the context of the hostile relationship between Diena and R. Joseph Arles. Cf. Efraim Kupfer, "On the Denial of 'Havrut' and the Rabbinical Decree from R. Joseph Arles and his Reinstatement," *Kiryat Sefer*, 41 (1966), 120-125.

⁸Diena, introduction, p. 23.