

## *English Abstract*

### "When brothers dwell together" – As in the Custom of the Beita Yisrael

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Ethiopian Jewry, known as the Beita Yisrael Community, possesses established and extremely detailed Halachic rulings. This Halacha was preserved and passed down from generation to generation as Oral Torah, and it can shed light to us on hitherto unknown sections of ancient Jewish jurisprudence.

This essay will examine the customs of the Beita Yisrael as to the laws of Levirate Marriages- known in Hebrew as Mitzvat Yibum, as to its reasoning, and sources. Beita Yisrael abstained from the observance of this mitzvah. This leads one to search for reasons for this omission; seeing as they were in possession of the Written Torah, and as a rule the practices of the Beita Yisrael followed the laws as stated in the Scripture. Therefore, the question remains: "Why didn't they follow the commandment of Levirate Marriages as they were clearly expressed in the Torah which was in their possession?"

In researching this matter I needed to avail myself to the diary and articles which were published by Antoine D'Abbadie, a French researcher, explorer and ethnologist who lived among the Beita Yisrael in their villages between the years 1842–1851. This was in addition to interviews which I conducted between the years 2000-2016 with a broad spectrum of well informed people within the Beita Yisrael community.

From all the testimonies and the accumulated insight, three main explanations arise for the abstention from Mitzvat Yibum among the Beita Yisrael:

1. The custom of "zemed", which forbids intermarriage of relatives until the seventh generations, resulted in the inability of fulfilling

the mitzvah of Yibum, which by its very definition, includes marriage within the family;

2. According to the traditions of the community, it was permitted for a brother to temporarily marry his brother's widow, for the express purpose of propagation. After the birth, he must divorce her, since now the widow reassumes the status of a "forbidden relationship with a brother's wife". And so, in order to avoid divorce, they preferred not to fulfill the mitzvah of Yibum;
3. Yibum is connected to the inheritance of the estate. Since the Ethiopian governmental authorities forbade the community to have ownership of land, the mitzvah of Yibum was thereby rendered null and void.

This study deals with the detailed reasoning behind the various underlying explanations, and in locating allusions to them in Jewish literature throughout the generations in helping to explain the customs held by the Beita Yisrael.