

The influence of the Early and Later Spanish Sages on Ashkenazi Rabbinic Rulings at the Onset of the Modern Era

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Until the sixteenth century, the interaction between the Eastern and Western rabbis was limited due to several factors. These factors included the geographical distance between the two centers, differences in the cultural and political reality of the two groups, and the intellectual and methodological gap which evolved procedurally between the Ashkenazi and Sephardi Halachic rulings.

With but a few exceptions, to begin with, it was not possible to deal with the Sephardic or Eastern material, without the use of secondary tools. In the sixteenth century an historical turning point took place: Sephardic literature rose in stature in Ashkenazi countries, above all else, due to the invention of the printing press.

Although in the commentaries of Rabbi Moshe Iserlish, known as the *Rema*, in the compendium of Jewish law, the "*Shulchan Aruch*," Sephardic tradition served only as a secondary source, in his book "*Darchei Moshe*" and in his responsa a more inclusive approach was created which held an important place for Sephardic traditions of the Middle Ages.

In the seventeenth century there were Ashkenazi rabbis who believed that the Sephardic tradition was meant to fulfill a decisive function in the completion of their Halachic discussions. The commentary of the *Sha"ch*, - Rabbi Shabtai Ben Meir HaCohen, marked a turning point in this matter.

In his commentary, an unprecedented melding of Sephardic and Ashkenazi opinions was generated, which were cited within one discourse around the "*Shulchan Aruch*." The continuation of this trend appears in the responsa of Rabbi Yoel Sirkis "*HaBayit HaChadash*," in that of Rabbi Yair Chaim Bacharach "*Chavat Yair*," as well as in the book "*Makor Chaim*."

In the wake of the Thirty Year's War and the decrees following the Chmielnicki Massacres of 1648, the question of *aguna* women, -those "chained" by impossible marriages, was raised as a central topic. Many of the Ashkenazi rabbis, for example Rabbi Menachem Mendel Krochmal in his *Tzemach Tzedek* responsa, and Rabbi Gershon Ashkenazi in his *Avodat HaGershoni* responsa, would find support in the Eastern rabbinic rulings.

By basing themselves on the modus operandi within the rulings of the Eastern rabbis, there was an increasing tendency to permit *agunot* to remarry in the aftermath of those turbulent times. This increased the spread of new cultural and Halachic encounters between Ashkenazi and Sephardi traditions.

