

RABBI JOSEPH KARO

AUTHOR OF THE "SHULCHAN ORUCH"
DIED IN SAFED, ISRAEL 13TH NISSAN, 1575.



SO TOO

RABBI JACOB BE-RAV

30TH OF NISSAN, 1546

One of the greatest signs of literary success is when the author's output eclipses his own name. A case for example is the "Shulchan Oruch". Which conscientious Jew has not heard of this masterpiece? Yet when one cites the name of Rabbi Joseph Karo, many of the audience will query "Just who is that?" Before we discuss the man himself, we will define the great value of his book.

So long as the Jewish nation was truly independent, spiritually and culturally, not only politically or physically, we had our **High Sanhedrin** (the most authoritative arbiter of all legal and religious matters). The Rambam (Hilchot Mam'rim, chapter one) makes the astounding statement that so long as we had this Great Synod, we were never left in doubt concerning any Halachic problem. The matter at hand was well debated by the most brilliant minds extent, with keen and acute logic, and was then brought to a vote. The majority decision prevailed. This decision received equal rank with God's Revealed Word at Mount Sinai (see Book of Devorim, chapter 17 verses 8-13).

However, after our dispersal amongst the nations and due to an inner spiritual weakness causing disunity among the Rabbis (see Tractate Sotah 47b) this institution was lost. Thereafter the difference of opinions multiplied astoundingly in most religious practical problems. There are many reasons for these differences of decisions. Problems which are not to be found as such in the Talmud, we must deliberate and ponder to find some similar instance to the contemporary problem at hand. We can then infer by similes, or by legal logic, how to decide.

However, we know that just as people differ enormously in their facial characteristics, so too they differ in estimating values, in approaches, or evaluating matters (tractate Berachot, page 57a).

- Some Rabbis are very liberal, connecting a cited instance from the Talmud with the practical matter disputed although the similarity is nebulous.
- Others are much more conservative by nature, narrowing down the possible ramifications and therefore not finding the pertinent material to cull thereby a decision.
- Some Rabbis are independent minded and aren't bothered by the fact that they are solitary, or citing a minority opinion.
- Others are more timid, more fearful of public censure by other stringent Rabbis. Therefore they are careful not to engender a novel approach, but only to repeat what has already been said by others. Thus they are saved from any possible criticism.
- Some Rabbis rely only on the legal decisions decided by the Great Sages of recent generations. These claim that we are dwarfs and much too puny to decide directly from Talmudic sources.
- Others take the opposite approach, skip over the words of the most recent POSKIM and prefer only Talmudic sources.
- Some take into account Kabbalistic lore, or Hasidic directives.
- Others deny the legal value of these teachings.

Therefore, by the time that Rabbi Joseph Karo had to teach his generation, he found myriads of disputes and could not fathom how to decide in each and every one of them. Just to consider the time factor involved in studying the pertinent texts, besides the tens of Rishonim who commented or added additional conditions to the law involved, would consume uncounted decades! Therefore Rabbi Karo took a brave decision. He considered that since the foremost ranking Rishonim were **the Rambam, the Rif and the Rosh**, he would scan only the words of these three and sum up as two of these three decided. This he writes in the Introduction to his Shulchan Oruch.



Immediately his book became one of the most popular ever.

Most people are more interested in the cut and dried final decision, rather than thrashing through the niceties and minutiae of the Talmudic tomes. Of course, a great aid to understanding the “reasons” backing any decision is to be found by perusing his “**Beit Yoseph**”, that is his commentary to the Tur.

The difference between the Rambam’s work and that of the Tur, is that the former encompasses all of the Talmudic laws, even those not applicable in our day and age – Laws of the Temple, laws of ritual cleanliness and purity, laws involving plant growths of the Holy Country, laws of Capital punishment – these are to be found in the Rambam’s work, not in that of the Tur.

And of course those people who wish to speedily “cover” a whole literary work, and especially so wish to retain it in memory, they will choose the shorter work. Therefore the great majority of students forsook study of Rambam and swerved towards the Tur. But when Rabbi Karo spent the 20 years to expend just what were the sources for the Tur, this made the work most popular.

When afterwards Rabbi Karo composed the “Shulchan Oruch” (which took him 10 years of effort) which is really a short summarization of his “Beit Joseph”, he reached a massive audience.

It would be misleading to say that his work was received with full acclaim by all his contemporary peers. The truth is that:

- **Rabbi Maharsha** (in his commentary to Tractate Sotah, 21b) bitterly criticizes the “shulchan Oruch”, since it would cause the young students to forsake the study of the Talmud, and eventually cause them to be “Amei Ha-aretz”.
- So too, **Maharal** in his commentary to Pirkei Avot (page 305) pokes fun at those who think to acquire knowledge by memorizing “simanim” (numbers of the chapters, dealing with the different subjects involved). So too in his book “Netivot O’lam” (Torah, end of chapter 15) he bitterly criticizes those who observe laws without knowing their reasons, those who study “summarizations” of the Poskim, without knowing their Biblical or Talmudic sources.

- So too "**yad Malachi**" (Klollei ha-Beit Joseph") inveighs against those who rely on the "Shulchan Oruch" without reading in the advance the topic involved as presented in "Beit Joseph". He asks how can one properly understand a book which is only a short summary?

Nevertheless, the masses of the Rabbis acclaimed the great value of this book.

- **Rabbi Hazon Ish** (in his letters, volume two, letter 41) claims that the dictums in Shulchan Oruch have the weight and credence of the Sanhedrin in "Lishkat ha-Gazit".
- So too **Rabbi Jonathan Eibshutz** claims that the Shulchan Oruch was written with Divine guidance, so that although tens of critics have attempted to foil or disprove the decisions cited, we nevertheless find that in the great majority of instances the Shulchan Oruch is found to be correct! And how could a great and stupendous feat like this (we are referring to many hundreds of decisions) be so, if not by "Siyyato di-Shmoyo"? ("Urim ve-tumim", page 48b, two pages before the end of Tokfo Kohen).



We have briefly discussed his first masterpiece. But to do proper justice to his memory, we must also mention his "**Kessef Mishna**", which attempts to bring proper sources to all of the decisions rendered by the Rambam in his law book. Of course the Rambam wished to be concise, therefore he skipped the sources. But this was one of the main reasons why the Ravad disputed with him (as he writes in his introduction).

Rabbi Karo wished to make amends. When we consider the tremendous mental proficiency involved, the B'kius to be able to remember simultaneously all of the Talmud (Bavli and Jerushalmi, Midrash sifri and Sifra etc.) we are astounded.

It is certainly one thing to have a source material at hand and to copy there from a short and concise law. This is what the Rambam did. But it is another thing to have to search and wade through tens and tens of possible sources, discarding

Most which are inappropriate, until finding the one singular source!

Besides the mental agility, where does one find the time? And just to open the tomes involved, just to flit through the pages, this itself is most time consuming.

The Rambam collected together laws which were dispersed at random in all of sixty Talmudic tomes. For Rabbi Karo to search, he glimpsed through "Shas" at least hundreds of times until he found the one and only source. And this had to be precise, since the Ravad was scathing in his attack and obscure or vague statements would be to no avail.

Here we reach another great attainment of Rabbi Karo. He was in the habit of reading by memory 18 chapters of Mishna day by day. It is well known that the sum total covered each month (525 chapters) is the sum of all of the chapters of our Mishnayot.

How can a person know all this by heart? But this is similar to our knowing by heart all of "birchat ha-Mazon"; or knowing by heart all of "Shmoneh Esrah". If a person repeats the subject a thousand times a year (three times a day) certainly he can "know it all" without the written text before him.

The fact that the great majority of religious Jews obey implicitly the verdicts of the "Shulchan Oruch" (much more say than any other of the Poskim) shows that the personality involved was spiritually worthy of this great distinction.

May his tremendous merit stand to the credit of his fellow Jews.



RABBI JACOB BE-RAV

30TH OF NISSAN, 1546

Rabbi Jacob Be-rav, the Master Teacher of Z'fat in those days, was certainly a great personality. He was born in Spain (1475) and learnt by the renowned Rabbi Isaac Abuhab (We have his alert and erudite comments to the Tur Shulchan Oruch.).

During the year of the Great Expulsion from Spain (1492) Rabbi Berav wandered to North Africa. There he arrived at the great community of Fez (the city of the Rif) in Morocco.

At that time there were five thousand Jewish inhabitants, many of them well learned and scholarly. He offered a public dissertation there which astounded them. Although he was at the time only 18 years of age, and yet beardless, he was offered the position to be their head.

Nevertheless he graciously declined the offer, since his major desire was **to reach the Holy Land**. For a time he dwelled in Egypt which also had a tremendous Jewish population. During all of this period he declined financial remuneration for any religious services, and earned his livelihood by commerce.

Arriving in Z'fat he was immediately placed at the head of the Jewish Academy. Then he attempted to put into action a well cherished plan that he envisioned. All the of arguments, debates, bickering and divisiveness then rampant amongst Jews; all of the myriad "minhagim" of the dispersed communities, had not the time arrived to weld all together, to re-establish the Institution of the Sanhedrin, which with its centralized power could bring much needed unity to our Jewish people? The Rambam had decided (Hilchot Sanhedrin, Chapter 4, paragraph 11) that this was possible and feasible even in our present day and age.

Rabbi Berav also knew that he was paving with that the way for the Messhiach. Since Isaiah the prophet (chapter 1, verses 26-27) foretells that after we hve proper Judges, the redemption will come, and this teaching is reiterated by Hazzal (Megilla, page 17b) we must to our utmost to re-establish this Institution.

This also is a constant mitzvah, for all ages (Book of Hinnuch, chapter 495) and Rashi teaches us (D'vorim 16 verse 20) that due to this mitzvah we can inherit the Land of Israel, and we shall live despite our many enemies. (This Rashi culled from the Talmud,

Sanhedrin 32b). We can well understand that the reverse is also true, lack of Kosher Judges can endanger our hold on the Holy Land and endanger our lives, even in the present day.

This brave attempt by Rabbi Berav was in 1546, nevertheless a famous Rabbi in Jerusalem battled it, and stalled the effort.

Rabbi Berav wrote a most lengthy manuscript explaining the words of the Rambam (those passages that lack "Maggid Mishna"). These are as yet unpublished. A small portion as been published the Pardess Company. His Response was published in 1663 and so too his comments to Kiddushin (Jersusalem, 1940).