A Controversy in the Amsterdam Community in 1650: Can a Ger Tzedek be Appointed Parnass?

By: JEREMY I. PFEFFER

There are few more contentious issues in public affairs than the selection of appointees to positions of power and authority, and never is it more divisive than when the candidate is an outsider. One such incident occurred in the Amsterdam Jewish community in or about the year 1650. The office to be filled was that of parnass (lay head of the community) and the eligibility of the leading candidate, an otherwise impeccable nominee, was challenged at the meeting of the membership convened to confirm his appointment on the grounds that he was a Ger (proselyte) and hence prohibited by the Torah from occupying a position of coercive authority over the community.

From amongst your brethren shall you set a king over you; you may not place a foreigner over you, [one] who is not your brother.1

On the face of it, the objection was well founded. In the Mishneh Torah, Rambam had formulated the Halakhah as follows:

A king should not be appointed from amongst the gerim, even after a number of generations, until his mother is an Israelite, as it says: You may not place a foreigner over you, who is not your brother. This applies not to the monarchy alone, but to all positions of authority within Israel...All appointments you make shall be none other than from amongst your brethren.2

1 Devarim 17:15.
2 Mishneh Torah, Hilkhot Melakhim, 1:4.

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Thus, it would appear that *gerim*, as a class, are excluded from holding office in a Jewish community. This ruling was an issue of concern for the Amsterdam community, many of whose members were *Anussim* who had begun arriving in the newly independent Northern Dutch Provinces after 1593. Most of the males were uncircumcised when they arrived and would have had to undergo *giur*, the all-pervading surveillance of the Inquisition having made circumcision in Iberia impossible.3

The candidate was the son of an *Anuss* (*Cristiano Nuevo, Converso or Marrano*) and a Christian woman, and as such he was not a Jew from birth. His father had died and he had made his way from Iberia to Amsterdam where he underwent *giur* and properly became a Jew.4 He had become a respected member of the community, a “brother” Jew, but did this make him a “brother” in the sense required for an appointment to a position of coercive authority?5

Unsure how to act in the matter without slighting the said *ger* or going against Rambam’s ruling, the Amsterdam Jewish community appealed for outside guidance. The replies they received from two rabbinical scholars have recently come to light; they were discovered in the Hebrew codex Ms. 199 of Christ Church Library, Oxford.6 The first of these scholars

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3 The flow of *Anussim* and their offspring into Holland continued well into the seventeenth century and, as often occurs in immigrant societies, tensions had begun to surface between the earlier and later arrivals. Notwithstanding, as loyal supporters of the House of Orange, they prospered in their new home by dint of their skills and hard work.

4 Non-Jews are not ‘converted’ to Judaism; they become Jews (or Hebrews or Israelites). Becoming a Jew involves more than just changing one’s religious affiliation. To be a Jew means to belong to the nation of Israel (*עם ישראל*), and when a gentile becomes a Jew, he joins that nation. By Jewish law, however, the only way of joining the nation of Israel is by acceptance of the *Torah* of Israel (*תורת ישראל*), and it is this that gives the process its religious connotations.

5 The word “brother” or a declension of it […(*י*)] occurs some 250 times in the Torah, its definition and import depending in each instance on the particular context.

was the polymath R. Joseph Solomon Delmedigo (1591–1655), also known as YaShaR of Candia (Heraklion, Crete); the second was his pupil, R. Issachar Ber Jeiteless of Prague (d. 1685).

Delmedigo summarizes the details of the affair in the opening paragraphs of his reply.

A man of the seed of Israel, one of the Anussim in Portugal, profaned himself with a gentile woman who bore him a son; the man subsequently died. The lad remained with his mother until he grew up and learned wisdom, and ‘the spirit of the Lord began to stir in him’…And he chose well and did not follow the ways of her idolatry and went in search of the Lord. And he came to Holland…and became a Jew…And it was on the day the leaders of the community were assembled…and they proposed to appoint him parnass and head of the community or gabai [treasurer] of the community chest for the redemption of prisoners, and [one of those present] objected…calling out “he is disqualified by the Torah [from holding the positions]”…but many stood up for him…and supported the righteous Ger.

This introduction also goes into some detail about the background and general circumstances of the Anussim and Jews of Amsterdam. Who

The inclusion of Issachar Ber’s short responsum in a codex whose principal content is two works by Delmedigo is explained by the fact that he was a pupil of Delmedigo. We learn this from an inscription on the title page of a copy of David Ibn Yachya’s book Lashon Limudim (Constantinople: Eliezer Soncino, 1542) that came up for auction in January 2013 at Kestenbaum & Co. New York (Auction No. 57: Lot 120). The inscription states that the volume was given to Issachar-Ber Jeiteless by his teacher Joseph Solomon Delmedigo.

A scion of a distinguished Ashkenazi family of rabbis and physicians that had settled in Crete during the fourteenth century. He was a student of Galileo in Padua where he studied medicine, and is credited with being the first Jewish Copernican. After spending much of his life on the move, Delmedigo ended his days in Prague where his tombstone still stands in the old Jewish Cemetery.

The first recorded mention of a person named Jeiteless (Geidels) is of a certain Moses ben Simon, who was listed as a house owner in Prague in 1615. His son Yehuda Leib (d. 1666) was gabai of the Prague kevra kaddisha (Jewish Burial Society) for 30 years and also of the Altneuschul. His son, R. Issachar Ber, the author of the said responsum, was a leader of the Prague community until his death in 1685.
the questioner was, however, is not stated; Delmedigo just observes that “[the question] was apparently written by a great man, one of the wise men of the Portuguese [Jews].”

Although he was residing in Eisenstadt, Hungary, at the time—the colophon on his reply reads “Written here in the city of iron [Eisenstadt], near the city of Vienna, in the state of Hungary, Wednesday 15th Menahem (5)411 [August 2, 1651]”—Delmedigo was not unfamiliar with the Jews of Amsterdam. By 1627, or possibly earlier, his travels had brought him to the city where he would stay until 1630 and officiate as the community’s *ad hoc* Rabbi. In his mid-thirties when he arrived, he had encountered much antagonism during his wanderings. “Whoever holds his soul dear must remove himself from secular sciences,” he was told, “for they are contrary to the true Jewish nature.” At once a rabbinical scholar, mystic and mathematical scientist who counted Karaites among his friends, an early proponent of the Copernican heliocentric model (he had been a student of Galileo during his medical studies in Padua) and the first Jew to use logarithms, he could not be other than controversial.9 And like many such polymath geniuses before and after him, he would end his life a bitter and lonely person. Delmedigo had already composed thirty or more Hebrew books and essays (on astronomy, mathematics, medicine, logic, alchemy, astrology and *Kabbalah*) by the time he arrived in Amsterdam. All were still in manuscript, but despite the appeals of his friends and pupils, he refused to have them printed because, he claimed, they were still unfinished, though it was more likely for fear of denunciation. Notwithstanding, two compilations of his correspondence and essays on a range of scientific and mathematical topics, *Sefer Elim* and *Sefer Ma’ayan Gannim*, were published in Amsterdam by Menasseh ben Israel in 1629, evidently with his agreement.

Though it appears that he dearly hoped for it, he would never be appointed to the position of communal Rabbi (*Av Bet Din*), and in 1630 he left Amsterdam to take up the lesser position of physician to the Jewish community in Frankfurt-on-Main.10 This was a rebuff that Delmedigo

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10 Before his authorship of the *responsum* in the Christ Church codex was uncovered, little had been known of Delmedigo’s writings or activities after his departure from Amsterdam to take up the position of physician in Frankfurt. All that
would never forget, and the request from the Amsterdam community some twenty years later for guidance in the matter of the Ger who was the son of an Anuss was an opportunity for him to settle accounts. Accordingly, his reply opens with a dissertation on the importance of כבוד הבריות—Human Dignity or showing consideration for others. So important is this ordinance that the Talmud states “it can supersede a negative injunction (תעשה לא) of the Torah.” Delmedigo avers that this is the first lesson that the burghers of the Jewish community in Amsterdam have to learn: the ger should not be treated in the same insensitive manner as he had been when he was a stranger (the alternative meaning of the Hebrew word ר) in their midst.

Delmedigo was so agitated by this possibility that he attached a polemic he had composed entitled ספר בתי הנפש (The Book of the Houses of the Soul) to the halakhic responsum he dispatched to Amsterdam. The work is in part a passionate outpouring against those who are unwelcoming of gerim and in part a lyrical paean in their praise. In its introduction he explains that he was driven to write the piece by the grudging manner in which gerim were often received by their host communities. The body of the work comprises twenty-two paragraphs, composed and ordered such that their initial letters give the sequence of the Hebrew alphabet, from Aleph through Tav. In the first nine paragraphs, he berates the Jewish burghers of Amsterdam for their attitude towards the gerim amongst them; at one point he even compares their inhospitality to that of the biblical citizens of Sodom. In the next ten paragraphs, written in the first person, it is the son of the Anuss who speaks, telling his own story. He recounts how his father had been beguiled by a gentile woman (his mother) and died shortly afterwards; how he himself had come to reject the religion of the land in which he had grown up (Portugal) and escape and make for Amsterdam; his feelings during the circumcision and ritual immersion he had undergone in becoming a Jew; and, finally, his dismay at the unfriendliness of his new coreligionists. Delmedigo reappears in the last three paragraphs and concludes his rebuke with this call: “…[the welcoming of gerim], this is charity; this is love, kinship, peace and friendship; this is the solicitude ordained by the Torah in the thirty-six places the text refers to gerim.”

But this was not all he had to say; he would also show those Jewish burghers what they had missed by not appointing him as their Rabbi. His

was known for certain was that he had died some twenty-five years later, in 1855, and was buried in the Prague Jewish cemetery where his grave can still be visited.

11 TB Shabbat 81b.
responsum, which he entitled ספר נפש הגר (The Book of the Soul of the Ger), takes up eighty-eight of the codex’s one hundred and ten pages. It is an academic tour de force that goes far beyond the immediate question of the eligibility of this son of an Anuss to the position of parnass. Exhibiting an encyclopedic knowledge of the traditional sources, Delmedigo examines the halakhic standing of gerim over a whole range of issues, including their filial and levirate obligations, inheritance rights and kinships. This is followed by a review of all the biblical and historical precedents of persons who had occupied positions of authority over Israel even though their mothers had been born gentiles, as well as a selection of Talmudic, Midrashic and Kabbalistic tales and homilies regarding giur and gerim.

In coming to his decision in the present matter, however, Delmedigo does not introduce any controversial halakhic novella; he seems to be most concerned with exhibiting the extent of his knowledge rather than its originality. Indeed, he is quite conventional throughout and does not dispute that, halakhically, a ger should not be appointed to a position of coercive authority (שררה). Notwithstanding, Delmedigo concludes that this particular ger, whose identity he evidently knew, could be appointed to the position of Parnass of the community. In justification of this, he cites two extenuations:

1. The Parnass in Amsterdam does not exercise sole or absolute authority over the community; his powers are limited and are exercised only in conjunction with others whose eligibility is not in question. Indeed, the Jews of Amsterdam resolved all monetary disputes that arose between them in the civil courts and not before a Bet Din.

2. This particular individual is such an exceptional righteous ger (גר צדק) that the kinship to his gentile mother, by reason of which he was ineligible for a position of authority, no longer existed: “He has returned to his father’s family, to be his heir presumptive, and can be considered a son of Israel.”

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Unlike Delmedigo, his pupil R. Issachar Ber Jeiteless had no personal axe to grind nor did he have any prior connection with the Amsterdam community; he was however no less of a polymath as the inscription on his tombstone in the Prague cemetery testifies (Appendix II). His sole concern was with the specific question of whether a person such as this Ger Tzedek, the son of an Anuss and a gentile woman, may be appointed to a position of authority. His responsum is accordingly concise and to the point
and occupies just the last two pages of the codex. Notwithstanding, it is an exemplary piece of halakhic writing.12

As is customary, Jeiteless opens his responsum by restating the question he will be answering.

גר תzedek בעל תורה ירא אלהי ושבה לו. זך וישר פעלו, והוא בן ישראל אנוס ואמו נכרית מהו למנותו בשררה על ישראל אם על כיוצא בוה אמרו ו"ל שומ תשמיש מעלה מלך (כל משימה שאתה制品诡异) ממור אוחיÃO לא מגורים.13

And in translation

A Ger Tzedek [righteous convert], learned in Torah, God fearing and His servant, whose deeds are chaste and honest; and he is the son of an Israelite Anuss and his mother is a gentile. What is [the legal position] regarding his appointment to a position of coercive authority over Israel? Whether it was with regard to such [persons] that the Talmudic Sages stated: “You should appoint a king over yourselves (that all appointments you make, shall be) from amongst your brethren14 and not from the gerim.”15

The question comes down to this: When the Sages decreed that Gerim may not be appointed to positions of coercive authority (מקרב אחיך), did they intend this ruling to apply to Gerei Tzedek such as this son of an Anuss? Jeiteless contends that they did not. In his opinion, the Sages had considered the issue of the appointment of a ger to a position of coercive authority only by reference to what he terms a “Ger Stam—גר סתם.”

What we find in the Talmud regarding this matter relates wholly to a Ger Stam.

The expression Ger Stam does not occur anywhere in the Talmud, however. Jeiteless’ use of the term in this context is innovative and requires clarification.

The notion of two classes of gerim—Gerei Tzedek and Ger Stam—has its origin with Rambam, who differentiated between those whose giur had been authorized by a properly constituted Bet Din of three learned rabbis or scholars (dayanim), and those whose giur was by an ad hoc, though legitimate, Bet Din of three observant but not necessarily learned Jews. Giurim

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12 A Hebrew transcript of the responsum can be found in Appendix I.
13 TB Yevamot 45b; TJ Kiddushin 4.5.
14 Devarim 17:15.
15 TB Yevamot 45b; TB Kiddushin 76b.
carried out by the latter are valid and confer all the obligations and privileges of being a Jew upon the ger, even though his or her motives may not have been altruistic; such a ger was called a Ger Stam (an ordinary proselyte). By contrast, gerim whose motives had been thoroughly investigated by a Bet Din of three learned dayanim and who were found to be genuinely sincere, were termed Gerei Tzedek. But Jeiteless’ use of the term Ger Stam in the context of coercive authority appears to have a different purpose, namely, to indicate a ger with no prior Jewish credentials.

Regarding gerim as a class, Jeiteless notes a consensus amongst the poskim that they cannot be appointed to any judicial or coercive position in a Jewish community. The only exceptions to this are Rashi’s minority opinion regarding their fitness to judge monetary cases, which found no support and was thus set aside, and the rare circumstance of a Ger whose mother was an Israelite.

According to Rashi, a ger may judge monetary cases but is unfit for a position of coercive authority and should not be appointed to any such position if his mother was not an Israelite. But in the opinion of Ha-Rif (Isaac Alfasi), Rambam, Ha-Rosh (Asher ben

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16 Mishneh Torah, Hilkhot Issurey Bi’ah, 13:15, 17. “For this reason [doubts as to their sincerity], the Bet Din did not accept Gerim throughout the reigns of David and Solomon. In David’s time, [the apprehension was] that they sought to become Gerim out of fear, and in Solomon’s time that they were motivated by the sovereignty, prosperity, and eminence that Israel enjoyed. [They refrained from accepting such Gerim because] a gentile who seeks to become a Ger because of the vanities of this world is not a righteous Ger. Nevertheless, there were many people who underwent Giur in the presence of ordinary persons during the era of David and Solomon…A Ger who had not been examined [by a Bet Din] and who had not been informed about the Mitzvot and the punishment for [failing to observe] them but had circumcised himself and immersed in the presence of three ordinary people is nevertheless a Ger. Even if it is discovered that he underwent Giur for an ulterior motive, since he circumcised himself and did undergo Giur, he has exited the category of gentiles…Even if he subsequently worships false deities, he is like an apostate Jew. [If he] consecrates [marries a woman], the consecration is valid, and it is a Mitzvah to return his lost property. For having immersed himself, he has become an Israelite.”

For a comprehensive survey of the subject see: אמסלם חיים, ספר זרע ישראל, ירושלים (5570), פורס., עי. י”א, כ”ג, כ”א, ח. 17
17 TB Yevamot 102a.
18 TB Yevamot 45b.
19 TB Kiddushin 77a.
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Yehiel) and Tosafot, and all the poskim who came after them, in particular Ha-Tur (Ya’akov ben Asher),20 a ger whose mother was not an Israelite is barred from judging even monetary cases. And when [the Talmudic Sages] stated that “all persons are fit to judge monetary cases,”21 even a ger, [what they meant was] a ger whose mother was an Israelite;22 for [Israelite women] are often victims of rape or kidnapping; or that he can sit in judgment on a fellow ger even if his mother was not an Israelite. And Rashi’s [opinion that a ger may judge monetary cases] is set aside by reason of his being in a minority.

The concept of a ger whose mother is an Israelite requires clarification. Although the accepted halakhic position today is that the child of an Israelite woman is ipso facto an Israelite from birth, irrespective of the circumstances of its conception, this was not always so. There are a number of different legal opinions in the Talmud regarding the difficult question of the status of a child born to an Israelite woman who was impregnated by a gentile: the child may be a mamzer, a lawful gentile or a lawful Israelite, and accordingly might or might not have required Giur depending on the circumstances.23

But what of the appointment of gerim to executive positions, such as that of the parnass of a community; must they satisfy the same criteria as candidates for judicial posts? Apparently, the answer is yes:

As regards the leading householders and elite of the community, those who are called Parnassim or Manhigim, they [have the standing of] a Bet Din as stated by Ha-Mordecai (Mordecai ben Hillel);24 therefore, gerim whose mothers were not Israelites [cannot be appointed to these positions].

This would appear to settle the matter: the said ger was the son of a gentile woman and so could not be appointed parnass. But Jeiteless does not give up:

But as regards the issue currently before us, we do not find any explicit reference to such an instance in the Gemara, that is to say, to a person whose father was an Israelite and whose mother was a gentile.

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20 Yoreh De’ah 269 and Ḥoshen Mishpat 7.
21 Mishnah, Sanhedrin 4:2.
22 TB Kiddushin 76b; Mishneh Torah, Hilkhot Sanhedrin 11:11.
23 TB Yeramot 45a; TB Kiddushin 68a/b; Tosafot, Yeramot 16b and 23.
24 Mordecai ben Hillel, Sefer Ha-Mordekhai, Riva de Trinato, 1559, p. 63a.
What we actually find is that a father’s Israelite status is of major importance in all such matters, as the Tur and the Bet Yosef state in Yoreh De’ah 269 and Hashen Mishpat 7. Thus, as regards [the obligation to perform] Halitzah,25 Tosafot and the Rosh wrote [in their glosses on] Chapter 12 of TB Yevamot that a person’s father matters more than his mother, and likewise the Tur and the Bet Yosef in Even Ha-Ezer 169. But this is only if the person’s conception was in holiness, such as when an Israelite man marries a gioret.26

[The person’s status] in such an instance is superior to that of one whose mother was an Israelite and father a gentile and whose conception was not in holiness; [for] although the latter is fit to be a judge, he is disqualified from performing Halitzah [by reason of his gentile genitor]. But if a person’s father is an Israelite and mother a gioret, he is eligible to perform Halitzah and is also lawful as regards matters of Aaronide descent.

Notwithstanding, instances such as the present case, where the mother is a gentile and the father an Israelite, are not mentioned anywhere, neither in the Gemara nor by the poskim.

Albeit, it is well known that the son of a gentile woman [and an Israelite] is called her son and is not the son of his Israelite genitor, as it says in Yevamot:27

“R. Yochanan replied in the name of R. Shimon b. Yohai, when Scripture stated, For be [the gentle’s son who has married your daughter] will turn your son [or grandson] away from following Me.”28

This implies that [by law] the Israelite man has no son by her and even if [the child] subsequently converts [to Judaism] he still bears no filial relationship to his genitor given that [Gerim] are considered as though newly born.29 And Rambam wrote in Chapter 5 of Hilkhot

25 The formal procedure that frees the widow of a childless man to marry whoever she wants when her deceased husband’s brother refuses to carry out his levirate obligation of marrying her. Since medieval times and the institution of a prohibition on polygamy, its performance has become obligatory in all circumstances.

26 Paternity is established by the parents’ cohabitation which is taken as proof that the man is the father of the woman’s children.

27 TB Yevamot 23a.

28 Devarim 7:3-4. The passage in TB Yevamot 23a continues: “[The words] ‘your son’ [when referring to a child] born of an Israelite woman mean your son [or grandson]; [the words] ‘your son’ [when referring to a child] born of a gentile woman mean not ‘your son’ but her son.”

29 A Ger is regarded as having no relatives: Giur is tantamount to a rebirth and breaks all former familial connections. Gerim (proselytes) are deemed the children of Avraham Avinu (our father Abraham) and as such have no legal affiliation
Mamrim, that should he curse or smite his genitor, he is not indictable for this act; nor is he his heir.30

In principle, Jewish Law determines the status of a child by reference to his or her natural (biological) parents, irrespective of whether or not they were legally married at the time of its birth; there is no such thing as an illegitimate child or filius nilius (nobody’s child) in Jewish Law.31 Even the child of a forbidden union, a mamezer, has a legal mother and father with all the concomitant rights and mutual responsibilities. There is, however, one exception to this rule. In Jewish Law, the child of an Israelite man and a gentile woman has no legal father: the child’s genitor is not his or her legal father.32 Even if the child subsequently undergoes giur, he or she will still be known not as the Israelite genitor’s child but as the child of “our father Abraham.”33 This being so, what weight, if any, can be given to the Israelite father in the case before us?

Furthermore, contrary to those instances in which the father’s status carries some weight, albeit only when the mother is a gioret, as regards his inheritance rights a ger whose father is an Israelite may be even worse off than one who is the son of a gentile genitor and a gentile woman.

According to Torah Law, a gentile is his father’s heir, and even if he undergoes giur he remains his heir according to Scribal Law…34 But the son of an Israelite man and a gentile woman is not [his genitor’s
heir] according to either Torah Law or Scribal Law, even if he undergoes giur.35

How, asks Jeiteless, did this distinction between the inheritance rights of a ger whose genitor is a gentile and those of one whose genitor is an Israelite, to the detriment of the latter, arise in Scribal Law; and secondly, does it have any bearing on the matter at hand?

But the reasoning behind this [ruling] should be properly examined. [On the one hand] it is right that the gentile woman’s son should not inherit his Israelite genitor, seeing that he naturally clings to his mother and will [most likely] worship idols as she does. As Scripture plainly puts it: For she will turn your son away from following Me36 she will turn him away from being a follower of God. And it is for this reason that he cannot be indicted for abusing his father and does not release [his genitor’s widow] from the levirate requirement.37

But this [ruling] is wholly a matter of inheritance. The Sages bolstered [the law] so as not to equate the inheritance [rights] of [the son of an Israelite man and a gentile woman] with those of the rest of his brothers [his genitor’s lawful sons], even if he undergoes giur, lest his [giur] be only because he had set his eyes on the money. Besides, this ruling is no more than a rabbinical ordinance (Takkanah) like the one introduced by the Talmud Sages which allows a ger to inherit from his gentile genitor even though, according to Torah Law, he should not. It was only enacted lest he otherwise return to his previous [gentile] ways. For were he not to inherit [from his gentile genitor] by reason of being a ger, he might well return to his gentile ways whereupon he would [ironically] be eligible to inherit from him according to Torah Law.

As regards the Takkanah that a ger who is the son of a gentile genitor is entitled to an inheritance from him, the Sages reasoned that should he be denied this by the strict application of Torah Law, he might well be persuaded to return to his former gentile ways, whereupon, ironically, he would be entitled to the inheritance by virtue of the same Torah Law; it

35 Hilkhot Nablout 2:11. “If a person had sons while still a gentile and then converted, he does not have a firstborn with regard to the rights of inheritance. However, if an Israelite fathered a son from a gentile woman then, since [this child] is not considered his son, any son he fathers afterwards from a Jewish woman is considered his firstborn with regard to the laws of inheritance, and receives a double portion [from his father’s estate].”

36 Devarim 7:4.

37 If the genitor dies without children from his lawful Jewish wife, his brother will still be obliged to marry her.
was in order to remove this temptation that they instituted the ruling. On the other hand, the Torah law that a *ger* is not the heir of his Israelite genitor was not amended for fear that his conversion might be prompted by monetary considerations; had such a *Takkanah* been enacted and he became entitled to an inheritance from his Israelite genitor, the motive for his *giur* might have been just that and not a sincere desire to become a Jew.

But when he has undergone *giur* and we know that he is following in the ways of his father, it cannot be right for us not to consider him to be his son. For at all events, he has a father, and he is his son as regards the yoke of *Torah* and *Mitzvot*. Accordingly, he should also be eligible for a position of authority (שררה) just like his father and should be designated from amongst your brethren seeing that the fear that he will turn your son away...has gone.

Jeiteless finds support for his contention that the combination of Israelite paternal descent and *giur* is sufficient for the child of a gentile mother to be appointed to positions of authority in the biblical accounts of the Royals of the kingdoms of Judah and Israel. The first example he cites is the distressing story of Amnon and Tamar.38 Without going into the salacious details of Tamar’s assignation with King David’s firstborn son Amnon, it is clear from the biblical text that she was regarded as a royal princess, i.e. as a daughter of King David, in which case their relationship would appear, at first sight, to have been incestuous. The text does not say who her mother was, however. This mystery is resolved by the Talmud, which states that she was the daughter of a *Yefat T’oar*, a gentile woman whom David had ravished in the heat of battle and, as such, not legally Amnon’s sister.39 Presumably, both she and her mother subsequently became *giorot*, but for Jeiteless, the key point is that she was considered a ‘Royal of the House of David’ even though her mother had been a gentile at the time of her conception; her patrilineal descent was what mattered.

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38 *Samuel* 13.
39 *A Yefat Toar* is a beautiful woman who is ravished by an Israelite soldier in the heat of battle and whom he may subsequently legitimately marry (*Devarim* 21:10). According to *TB Sanhedrin* 21a, the soldier who had ravished Tamar’s gentile mother was David himself. Since she was conceived when her mother was still a gentile, she was not legally Amnon’s sister and so there was no legal impediment to their union.
“Rabbi Judah said in the name of Rav, Tamar was the daughter of a Yetzaf To’ar,\(^{40}\) as it is written: Please speak to the king [David], that he not withhold me from you [Amnon].\(^{41}\) Is it conceivable she was the offspring of a legitimate marriage; how could his sister be granted to him [in marriage]?\(^{42}\)” And furthermore, both he and David called her Amnon’s sister and she called him my brother. Absalom also asked her, “Was Amnon your brother with you?”\(^ {43}\) And [the text] also states that [she wore a robe of many colours] for such was the dress of the king’s virgin daughters.\(^ {44}\) It follows that his daughter from a gentile woman was his daughter [i.e., a royal princess].

But what of those biblical kings whose mothers were gentiles; how could they have risen to the throne? It is here that Jeiteless exhibits his most creative thinking. The Talmud had determined that the Torah injunction nor curse a ruler of your people\(^ {45}\) applies only to one who “practices the proper usages of your people (מִצְוֹת עָמְךָ).”\(^ {46}\) Turning this statement around, Jeiteless applies it to the question of who may be appointed king.

One ‘who practices the proper usages of his people’ [behaves as an Israelite should] may be a ruler of your people, and such a person is even fit to be king.

A gentile who undertakes giur may be said to have adopted the “the proper usages [Mitzvot] of your people.” And so, if the royal sons born to gentile mothers undergo giur, they can become kings.

Behold, Rehoboam [Solomon’s son who succeeded him as king] was the son of an Ammonite woman and there is no mention in Scripture that his mother became a gioret. And even if [the son] follows his mother’s [idolatrous] ways, if he becomes a ger he may succeed to the

\(^{40}\) A beautiful women ravished by an Israelite soldier during battle (Devarim 21:10). According to TB Sanhedrin 21a, the soldier who had ravished Tamar’s gentile mother was David himself. An alternative interpretation given by the Tosafists is that she was the daughter of an already pregnant woman that David married and whom David subsequently adopted as his own.

\(^{41}\) 2 Samuel 13: 13.

\(^{42}\) TB Sanhedrin 21a.

\(^{43}\) 2 Samuel 13: 6–8, 11-12, 20.

\(^{44}\) 2 Samuel 13:18.

\(^{45}\) Shemot 22:27.

\(^{46}\) This proviso occurs in a number of different contexts in the Talmud, not all relating to rulers: TB Yevamot 22b; TB Bava Kama 94b; TB Berah Megilla 48b, 62a; Baba Batra 4a; TB Sanhedrin 85a; TB Makkot 8b.
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throne. And the proof for this is from the sons of Ahab, Aḥaziah and Jehoram, the sons of the accursed Jezebel, daughter of the king of the Zidonians, who caused both her husband and sons to sin, as Scripture testifies.47

And what of the many other gentile wives of Solomon and of Samson’s wife Delilah? Rambam had asserted that they underwent giur, but Jeiteless points out that Scripture gives no hint of this.48

Rambam wrote in Chapter 13 of Hilkhot Issurei Bi’ah that Solomon and Samson did not marry gentile women before making them giorot, but this does not appear anywhere in the Scriptural text. The Gemara likewise says nothing [about his gentile wives] other than that Solomon made Pharaoh’s daughter a gioret.49

Jeiteless concludes that a ger who is the son of an Israelite genitor can be considered from amongst your brethren for the purpose of public appointments, whether or not his gentile mother ever underwent giur. He adds that he finds support for this from what Rambam might well have added, but did not add, to his assertion that Solomon made his gentile wives become giorot.

Rambam could have added force to his supposition [that Solomon had made his gentile wives giorot] by stating that were this not so, how could Rehoboam have become king? But he [evidently] considered that if a person’s father is an Israelite, he is deemed to be from amongst your brethren so long as he becomes a ger. But if he does not undergo giur, even in the case where his mother is an Israelite, since his father was a gentile, he is a gentile and is called his son and not hers.50

The notion that one who “practices the proper usages of your people” may be eligible to occupy a position of authority did not originate with

47 2 Kings 3-8. An early 13th-century work—Sefer Tannaim Ve-Amoraim—by R. Yehudah ben Kalonymous of Worms (d. 1217) raised the question of how these two could be considered sons of Ahab in light of the Talmud ruling (TB Kiddushin 68b) that the child of gentile woman and an Israelite genitor is called her child and not his.

48 Mishneh Torah, Issurei Bi’ah, 13:14.

49 TB Yeramot 76a.

50 Jeiteless appears to be implying that Rambam would require the child of a Jewess and a gentile to undergo Giur.
Jeiteless. According to Tosafot, before the Rabbinical Sages ruled otherwise, the Torah could be understood to permit a liberated slave or a \textit{ger} to become king so long as he was “your brother in \textit{mitzvot}” (אחיך במצות); the intent of the ruling that the king must be from amongst your brethren was only to exclude gentiles.\footnote{Tosafot \textit{Bava Batra} 3b. “Tosafot and other Rishonim explained that were it not for the Sages’ elucidation, the Torah text could be construed to mean that although a person who is not an Israelite may not be appointed king, anyone who ‘belongs with the Mitzvot’ (שייך במצוות) was fit to be king.” (Adin Steinsaltz, \textit{in situ}).} But the Sages amended this and decreed that henceforth a king could be appointed only from “amongst the unequivocal of your brethren” (הברורין שבאחיך), a designation taken to mean only a person whose parents were both Israelites at the time of his birth.\footnote{Tosafot \textit{Sotah} 41b. Subsequently this rule was applied to all positions of communal authority, not just to the king (\textit{TJ Kiddushin} 4:5; \textit{TB Yevamot} 45b).}

The ruling that only a person who was unequivocally “from amongst your brethren” could be appointed king had an immediate negative impact on the legitimacy of Herod’s rule in Jewish eyes. According to the Talmud, his parents were Idumeans and he himself had been a slave in the house of the Hasmoneans.\footnote{The Talmud states that he had killed all but one of the members of the household, a maiden he wanted to marry, but she subsequently committed suicide by throwing herself off a roof. According to Josephus, she was Mariamne I, the daughter of Alexander, a son of Aristobulus II, and she was put to death by Herod after several years of marriage to him (\textit{TB Bava Batra} 3b).} As such, he did not have any true Israelite credentials and like most usurpers and autocrats, he was fearful of his hold on the throne. Whether the Sages’ motives for changing the law were political and directed against him or not, Herod thought they were and reacted by ordering the slaughter of those who had instituted the change. According to the account in the Talmud, one Baba ben Buta, who was a confidant of Herod and whose advice he valued, was spared. In what might be described as a confessional exchange, ben Buta told Herod that the slaughter he had ordered was unwarranted; he had nothing to fear from the Sages since they were traditionally supportive of whoever was in power. Whereupon, to make amends, Herod was persuaded to undertake the construction of a new and finer Temple building.\footnote{\textit{TB Bava Batra} 4a.}

The change in law initiated by the Sages would also affect Herod’s grandson Agrippa I (10\text{BCE} – 44\text{CE}), the son Aristobulus IV and his cousin Berenice.\footnote{The daughter of Herod’s sister Salome I.} Agrippa had been brought up and educated in Rome,
and his credentials for the post of King of the Jews were no better than his grandfather’s. Whilst living in Rome he had assisted in securing the accession of Claudius as emperor when Caligula was assassinated in 41CE, in reward for which he was appointed ruler of Judea and its adjacent territories. Keen to ingratiate himself with his Jewish subjects and establish his legitimacy as their monarch, Agrippa fixed his permanent residence in Jerusalem and ostentatiously observed the ancestral laws. The Mishnah relates that he led the public reading from the Torah in the Temple on the festival of Sukkot immediately following the conclusion of the seventh year in the shemittah cycle,56 and that his eyes ran with tears when he reached the verse you may not appoint a foreigner [as king] over you.57 Whereupon the Jews present called out to him, “Don’t fear, Agrippa, you are our brother, you are our brother!”58 The Talmud comments on this: “At that moment, the enemies of Israel [a euphemism for Israel itself] incurred extermination, because they flattered Agrippa.” Just thirty years later, the second Temple was destroyed.59

Taking the Talmud’s account of the life of Agrippa as historically correct, Jeiteless cites a gloss from Rambam’s Commentary on the Mishnah to the effect that he was a ger and that this was the reason it had been wrong for the people to flatter him and acclaim the legitimacy of his rule by calling him a brother.

And in his Commentary on the Mishnah, Chapter 7 of TB Sotah Parshat HaMelekh, Rambam wrote the following: “Agrippa was from the category of Gerim [גרים אמרות] and did not have an Israelite mother;60

57 Devarim 17:15.
58 Mishnah Tractate Sotah 7:8; TB Sotah 41a.
59 A King Agrippa appears in a number of stories in the Talmud, but whether the events described relate to Agrippa I, his son Agrippa II or some combination of the two is a matter of scholarly debate. For a discussion of this issue see: Schwartz, Daniel R., Agrippa I: The Last King of Judea, J.C.B. Mohr (Paul Siebeck), (Tübingen, 1990), pp. 157–171.
60 According to Rashi (TB Sotah 41b), however, his mother was an Israelite and it was because he was a slave that he could not be king. In their discussion of Rashi’s glosses, Tosafot differentiate between the criteria for appointing a person to a regular position of authority and that for appointing him as king. Whereas for the former it is sufficient if the candidate’s mother is an Israelite, for him to be appointed king both parents must be Israelites. Only Agrippa’s mother was an Israelite and so he did not fully satisfy this requirement. But that by itself would not have justified such a severe punishment. But by proclaiming,
and he was not from amongst your brothers; and therefore Israel was punished for proclaiming, 'You are our brother!'”

Jeitless notes that Tosafot and Rashi offer other reasons that Agrippa could not be king, namely, that his father had been a gentile or that he had been a slave.61

Besides, his father was a gentile or a slave as Tosafot state in their glosses on Chapter 4 of TB Yevamot62 and Rashi likewise in his glosses on Chapter 7 of TB Sotah63 and in TB Kiddushin.64

Rambam’s proscription of Agrippa in his Commentary on the Mishnah on the grounds that he was a Ger, was in line with his ruling in Hilkhot Melakhim65 prohibiting the appointment of a king from the category of gerim (גרים).

A king should not be appointed from amongst the gerim even after a number of generations, until his mother is an Israelite, as [Scripture] says: You may not place a foreigner over you, who is not your brother.66

But for Jeiteless’ purposes, it was not what Rambam said in either his Commentary on the Mishnah or the Mishneh Torah that was important, but what he did not say.

And take note, he [Rambam] did not state that the son of an Israelite man and a gentile woman may not be appointed, which [the case of] Rehoboam proves.67

And with regard to the rider [Rambam added], ‘until his mother…’: if even his mother is said to be sufficient [to qualify him to be appointed king], how much more so his father, for when he follows

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61 The Talmud considered Herod’s slave status to have been passed on to all of his descendants (TB Kiddushin 70b).
62 Tos. Yevamot 45b.
63 TB Sotah 41b.
64 TB Kiddushin 70b.
65 Mishneh Torah, Hilkhot Melakhim 1:4.
66 Devarim 17:15.
67 The legality of Rehoboam’s ascent to the Davidic throne is no small matter. Upon it depends the legitimacy of the ensuing succession of the House of David down to that of the Messiah.
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the fitting usages of his father, he is not called her son but his son.68

But is there any support in Halakhah for the argument that the ineligibility to a position of authority, by reason of affinity to his gentile mother, can be negated by that to his Israelite father? Jeiteless suggests that there is by reference to the Halakhah regarding the prohibition on slaughtering an animal and its young on the same day.

And the Torah spoke in the way the world does, [namely] that a child clings to its mother, for she encourages it with her words. And as [the Talmud] states in the matter of it and its young [the prohibition to slaughter an animal and its progeny on the same day],69 that this means 'it and its mother,' for it is to the females that [the offspring] instinctively cling.70 And out of concern that this same instinct may also exist towards males, [the same-day slaughter of the young] and its father is also prohibited, if it is known for certain that he is its father, as the Tur states in Yore De'ah 16.

And it is likewise in the laws of the nations, for they call the son of a concubine/mistress 'a natural son,' and a true son born in wedlock is called 'a legitimate son.' But it cannot be denied that the former is his natural son and, should he take his place, he will be the heir to his authority though not to his money.71

Jeiteless now confidently summarizes his ruling in the matter:

And when the issues are correctly understood, no scholar or posek can dissent from this. And this Ger Tzedek, whose father was one of the Anussim, should certainly be regarded as his son and has the status of Zera Yisrael (זרע ישראל), even though he is not his heir for the reasons given above. But as regards all matters of authority or sitting in judgment, he is a fit person. For [his standing] is above that of one whose mother in an Israelite and father a gentile. And reliance should be put on this principle, for everything else that has been said is irrelevant. And there is no need for Talmudic casuistry, or to cite the Gemara and the poskim, for the Sages spoke only about a Ger Stam

68  This is essentially the same rationale as that brought by Delmedigo in the second of the two reasons he gave as to why the said Ger could be appointed to any position the Amsterdam community decided.
70  TB Hullin 78a. The Torah ordinance is stated in the masculine—אֲחָרָיו נִאוֹת בָּנָי—but it was taken to apply to a cow or ewe and her young; whether it also applies to a bull or ram and its young is discussed in the Gemara.
71  Only legitimate offspring are lawful heirs.
from the category of gerim [one without any previous Israelite credentials] and a ger whose mother was an Israelite.72
This is my opinion and I am not bothered should anyone stiffen his neck or be stone-faced in dissent.
These are the words of the frail youngster, Issachar called Ber, the son of R. Yehudah Leib Jeiteless, Dayan.

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Exactly when the responsa of Delmedigo and Issachar Ber were received by the Amsterdam community is not documented. But on November 6th 1651, just three months after the date of the signature to Delmedigo’s responsum in the Christ Church Library manuscript, the son of an Anuss, a ger by the name of Moseh Roiz da Costa, was declared by Menasseh ben Israel and David Prado “fit to be appointed to any post the congregation might give him…without exception.” The text of the decree makes it clear that this was an exceptional case and would not become a precedent.73 This rider may have been added by reason of the dissenting opinion of R. Jacob Sasportas who was living in Amsterdam at the time and to whom the following question had been put by the physician Samuel de Mercado:74 “May a Ger, whose mother is not an Israelite, occupy a position of coercive authority over the community?”75

Mercado’s question was evidently prompted by differences as to the import of R. Josef Karo’s gloss on Rambam’s ruling in particular regarding the proviso “until his mother is an Israelite.”76 The Hebrew text of Karo’s gloss reads as follows:

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72 In the eighteenth century, the influential authority R. Yehezkel Landau, who resided in Prague from 1755 to 1793, stated that a king’s lineage should be questioned only at the start of a dynasty when the monarch is first “appointed.” Once the dynasty has been established, a descendant who inherits the throne may do so even if his mother is a Gioret (Noda B-Yehudah, Ḥoshen Mishpat, Responsum 1).
74 In the extant annals of the Amsterdam community, Mercado’s name is given as Samuel Israel de Mercado or Samuel Jessurun de Mercado. The addition of ‘Israel’ or ‘Jeshurun’ usually denotes a returning Anuss who had undergone Giur.
75 Sefer Obed Ya’acov (Sasportas’ responsa, edited and prefaced by his son Abraham Sasportas), Amsterdam 1737, Responsum 4.
76 In the Kessef Mishneh commentary on Rambam’s code.
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And in translation:

...All those you appoint over you shall be none other than from the unequivocal of your brethren. And it seems to me that he mentioned his mother by way of an ‘optional extra,’ seeing that he would anyway be eligible if his father was from Israel even though his mother was not from Israel, as Tosafot wrote in their glosses on TB Yevamot 102a. And as for me, this resolves [the question of] how Rehoboam could have been king even though his mother was not from Israel...

The Tosafot cited by R. Josef Karo state that having an Israeliite father would suffice for one to be appointed to a position of judicial authority. Drawing on the verse the King establishes the land with justice—which places judges and kings on a similar standing—Tosafot’s ruling can be taken to apply to the appointment of kings as well. Karo observes that this view explains the accession of Rehoboam, whose mother was the gentile Naamah the Ammonite, to his father’s throne without recourse to apologetics such as Rambam’s surmise: “One should not think that Samson who saved the Jewish people, and Solomon, King of Israel, who is called ‘the friend of God,’ married gentile women who did not undergo giur.”

Sasportas, who is known for his conservatism (he was one of the contemporary rabbis who most vigorously opposed the Sabbatean movement), rejected this understanding of Karo’s gloss out of hand: a Ger who was the son of an Israeliite man and a gentile woman could never be eligible for a position of coercive authority. Drawing on the case of R. Mari bar Rahel bar Shmuel, who is referred to in the Talmud only by his matronymic, Sasportas argues that only a person whose mother is an Israeliite can be called from amongst your brethren. The Talmud relates that R. Mari’s

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77 Tosafot held that whereas having an Israeliite mother does not of itself make one eligible to judge cases of Halitzah, having an Israeliite father is of itself sufficient: מִלְּבָנָיו הֵלִיזָהָה דְּשָּא החיה אֵמוֹ מִישָּרָאלוֹ - פֶּּרֶם אֵמוֹ הֵלִיזָהָה אֵמוֹ מִישָּרָאלוֹ אֱלֹהֶּם לֹא מַרְשָּׁה קָמָה גָּדוֹל דְּשָּּׁא מִישָּרָאלוֹ. Proverbs 29:4.

78 This equivalence between the standing of judges and kings is drawn by Rashi in his glosses on the same page in the Talmud, TB Yevamot 102a, as the said ruling of the Tosafot appears.

79 Mishneh Torah, Issurei Bi’ah, 13:14.
mother, the daughter of the great Babylonian sage Shmuel, had been impregnated by a gentile Babylonian soldier, and according to the ruling that both parents must be Israelites, he should not have been eligible for any position of authority. Yet the Talmud states that “Raba declared R. Mari bar Rahel to be a legitimate Israelite and appointed him a supervisor... for if a person’s mother is an Israelite he is called from amongst your brethren.”81

Sasportas asserts that Karo’s gloss cannot mean that “his father alone being an Israelite [is sufficient for an appointment to a position of authority] and that this is superior to his mother being an Israelite: God forbid!”82 The candidate’s mother must always be an Israelite, making him an Israelite from birth. Rambam’s purpose had been only to clarify the situation where the father is an Israelite and the mother a gioret. Such a person can still be considered from amongst your brethren, his circumstance being superior to that of one whose mother is an Israelite and father a gentile.

The incident in Amsterdam was not unique. At around the same time, an almost identical controversy arose in a Jewish community in the Ottoman Empire, where Iberian Jews had been invited by Sultan Beyazit II after he heard of their expulsion by the Catholic King Ferdinand and Queen Isabella in 1492. The source for this case is the halakhic compendium Knesset Ha-Gedolah composed by Rabbi Chaim Benveniste of Izmir (1603–1673).83

In this instance too, the matter in dispute was the appointment of a ger, the son of a Jewish man and a gentile woman, to the position of parnass of a community. Two rabbis had been consulted by the community. One ruled that the said ger could be appointed to the position whilst the other ruled he could not. The issue was then brought before R. Benveniste for his ruling and his initial response was to agree with the rabbi who had ruled against the appointment. As he writes in his Knesset Ha-Gedolah, however, he had second thoughts in the matter after reading a responsum by R. Avraham de Boton (author of the Lehem Mithneh, c. 1560–c. 1605) regarding the judicial status of Anussim. After a comprehensive reappraisal of the case, he revised his opinion and concluded that since the position of parnass was one of only limited authority, the community being subject to the overriding sovereign rule of the Sultan, the said candidate could be appointed parnass if he was acceptable to the community. In essence, this

81 TB Shabbat 154a, TB Kiddushin 76b, TB Yevamot 45b.
82 "וֹחַלָּה מִיַּרְשָׁא לָתָּה שָׁמְיָא וְקִצְוָיָא טָפָא מִיַּרְשָׁא הַלָּוָּלָא." מִכָּבוֹ בִּימִשָּׁא לָתָּה שָׁמְיָא וּקְרֵיָא טָפָא מִיַּרְשָׁא הַלָּוָּלָא.
83 נֵסֶס הַגְּדוֹלָה, וַחֲמָצָה מִשְׁפּוֹצָה שָׁמְיָא הַלָּוָּלָא שָׁפָּיִא.
was the same conclusion Delmedigo had come to in *Sefer Nefesh Ha-Ger* regarding the Amsterdam case.84

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A search of the Stadsarchief in Amsterdam, which holds the annals of the Jewish community, has uncovered additional information about Moseh Roiz da Costa. He was a man of some standing; among the communal positions he had occupied, prior to the fracas over his election as *parnass*, was that of administrator of the *Arodat Ha-Heved* charity established by the Sephardi Community in Amsterdam to provide for needy itinerant Ashkenazi Jews. Subsequently, he was honored as *Hatan Bereshit* in 1652 and was elected *parnass* of the *Hevra* (Burial Society) in the following year. The payments of his *Promessas* (voluntary contributions) and *Impostas* (assessed fees) for the years from 1650 to 1660 also appear in the community accounts.

The extant early records of the Spanish and Portuguese community in London provide further information that may well relate to his descendants. The small London community was made up almost entirely of immigrants from Amsterdam, and in 1664 it drew up its first set of regulations known as *Ascanot*. One of the seventeen signatories to this founding charter was a certain Abraham Roiz da Costa.85 When these *Ascanot* were amended in 1677, following changes in the community’s circumstances, the signature of Abraham Roiz da Costa appears on the new charter. Thirdly, the tombstones of an Abraham Roiz da Costa (d.16(7)9) and a Yitzhak Roiz da Costa (d.1679) were amongst those identified by the Royal Commission on Historical Monuments of England survey (1930), in the “burial Ground of the Sephardi Jews in Stepney… founded in the middle of the 17th century.”

Although no documents have been uncovered proving that Moseh, Abraham and Yitzhak Roiz da Costa were related, considering the small size of the Amsterdam and London Sephardi communities at the time—the former numbered only about 2000 souls and the latter no more than a few hundred—and the uniqueness of their family names, the probability of more than one family called Roiz da Costa is low.86

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84 Sasportas had rejected the notion that the *Ger* could be appointed to be *Parnass* since the *Parnass* does not exercise sole authority over the Amsterdam community and has no power to enforce his decisions.

הך הלוחה בין זה הכל אמור בור סוף.

אנוシンプル splash game.
לקרוי גם דבר אלו נשים ונודע שנתגייר הוה רחבעם קרינן "אשתו מי שאר מקהל לו עד שרי' שמא בנישואין מהטעמי לסורו ולא 'דרי" תימ עם וקרב ליה כשר הואי וספק יורה" בת לא רש אחר גר לו אותו קרינן על מקומו גווכא נישואין ]] ויהורם לשררה והיא אחריו אחיך בת לא ולבן".can a ger tzedek be appointed parnass? : 141
לפי 'אשתו לא אמו שמשון ובנו אמרו ]] והיא נישואין עשתו אליא Widow יורה 'לא אמרו ליה: ]
למרות שMayor מתרוממת עליה עשתו פעמיים "לא נ экранו" מנייחסו גכ אמו שאר גיורא גוי אמשו ולבן" גכ בן אביו אמרו '_genre יורה "לعسكر ולפיכך 'לא אשתו ושני נישואין גכ אמרו ליה: ]
לפי 'אשתו לא אמו שמשון ובנו אמרו ]] והיא נישואין עשתו אליא Widow יורה 'לא אמרו ליה: ]
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לפי 'אשתו לא אמו שמשון ובנו אמרו ]] והיא נישואין עשתו אליא Widow יורה 'לא אמרו ליה: ]
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ולכל מתיי דררה ודררו בשור ודרים ממכשאומ ורשואלי ואביו גוי. על ידו זה רשא
לתשנה שלוחה שלعواראים והחניך והעריץ והעריץ ולהביא לحضر וספיקט
שלא דבר תכמי רק על גור ממקהל גריית על גר שלמה מישארה.
הז דערר ואשר יושב עפי ורשום עדיו בחולות הלבלב ארצי חזית כל
אלד דערר האתי החולש יששכר ו.............................................................................................................
Appendix II

The Inscription on the Tombstone of R. Issachar Ber Jeiteless in the Prague Jewish Cemetery

יום ג' תמוז 5446 [25th June 1686]: Here lies the wondrous, famous and splendid parnass and genius, at whose death radiance and glory were turned off, the Rabbi, Our Teacher, Ber Jeitless son of His Honour the Accomplished Rabbi Leib Jeiteless.

Lost for words, “The messengers and the valiant cried out loud and mourned;” the cosmic host dimmed its light and wept bitterly, at the passing away of the choicest amongst men; as great in Torah as Rav Ashi; in the depths of the Tosafists and Rashi, [every] great issue was brought to him; a ship’s captain in the sea of the poskim, he delved and dived into the depths and his fishhook brought up sweetmeats.

86 No. 1199 in the Transcriptions made by Leopold M. Popper.
87 בר ביאן בר אב
88 בבא בתרא
89 Lit. ‘greatest of the generation.’
90 Lit. ‘the dumb.’
91 Isaiah 33:7.
Our corner-stone (is from Zion); from Sinai and out of Zion the [perfection] came forth;92 “[The children of] Issachar that have an understanding of the passage of time;”93 the sanctification of the New Moon and astronomy, like Rabban Gamliel in Yavne, where he formulated the laws of the method.

“He shall be called Sage, Rabbi’s healer;”94 on the subject of the grammar of the Kimhi and the Tishbi, he shall be called the father of those who grapple with rhetoric and of the wise men of logic. It was his nature to go forth in all climes, foremost in all the sciences; though these are just imaginary like the point of the celestial sphere,95 for him they were clear trails in the sky; his head reached up to the heavens; this in Nature… He spoke and conversed [with all persons] from the cedar to the hyssop and gourd; comparable in his rulings to Samuel the seer who judged without personal gain; at his soul’s pinnacle it came to him, in His presence as in the heat of Hebron.

92 TB Yoma 54b.
93 1 Chronicles 12:32.
94 TB Baba Meziah 86a.