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The Early Ashkenazi Practice of Burial with Religious Paraphernalia

In his research dealing with initiation rites in medieval Jewish society, Ivan Marcus mentioned that these rites had a starting point and an ending point. These points might serve, according to Marcus, as indicators of the changes undergone by the culture of which they were part.¹

Burial practices, according to which the dead were laid to rest with paraphernalia of a spiritual-religious meaning, probably appeared in Ashkenaz in the first quarter of the eleventh century, when Rabbenu Gershom Me'or Ha-Gola died. Rabbenu Gershom was probably the first to practise the custom of burial with a *talit*, and thus pioneered a custom that came to be observed by both leaders and laymen.² One may also claim that the practice of burial with religious paraphernalia in the Jewish world is of authentic Ashkenazi origin. As with many other practices to be addressed below, which were mainly or exclusively characteristic of Ashkenaz, this practice, too, is an entirely Ashkenazi one.

This eleventh-century practice of burial with such paraphernalia continued into the late Middle Ages, and was observed by the generations that followed the Black Death, in the fourteenth and fifteenth centuries and subsequently. What are the lines of continuity, and what are the points of discontinuity and change, between the way this practice was implemented by the generations that preceded the Black Death, and how it was pursued in the period that followed it? The answer to this question is a crucial one, since it may help to provide the historian of these and, by extension, similar practices, with a clear picture of the changes in the design of Ashkenazi death rituals in the generations that followed the Black Death.

Robert Scribner has discussed, in his research, the folkloristic traditions of the late Middle Ages, or, as he defines it, the development of 'unofficial religion' in that period. One of the important fourteenth-century changes that he emphasizes, concerns the manner in which women in Christian society became more religiously devout and more dominant. They achieved this by

1 I. G. Marcus, *Rituals of Childhood: Jewish Acculturation in Medieval Europe* (Hebrew; Jerusalem: Shazar Centre, 1998), p. 32.

2 Maharam, *Responsa, Rulings and Customs*, ed. I. Z. Cahana, (Hebrew; Jerusalem, 1957–62), vol. 2, p. 36. N. Barak, 'Time of Rage. Changing Attitudes Toward Death in Ashkenaz Communities: from the first Crusade to the Black Death' (Hebrew doctoral dissertation, Tel Aviv University, 2010), pp. 40–98.

utilizing, on the one hand, more channels of spiritual development, and by expanding, on the other, their capacity to influence mundane affairs. This view, and Philippe Ariès's treatment of the rise in the use of the dead person's room as a public place for communicating messages, may facilitate our understanding of one of the most intriguing literary documents of the age of the Black Death, the document named *Evel Rabbati*.³

This document, written by R. Ya'aqov ben Shelomo Ha-Şarfati, describes the last hours of his beloved daughter, who died in a late wave of the plague at the end of 1382. His essay combines elements of a testament – the daughter having expressed final wishes on her deathbed – with those of lamentation, since the father lamented his daughter in the presence of a multitude of people who were present: 'It would have been unbelievable had it not been heard by the crowd of men, women and children standing in the gallery. Those who came to console me heard a speech that was inspired by the Almighty.' And all this, out of an explicit wish to convey to the listeners an appropriate set of values and form of behaviour in the event of such a loss.

Before I further examine the custom that is at the heart of our discussion, I would like to correct something that seems to me crucial for our understanding of the original text. Ron Barkai, who analysed and closely read this document, remarked, among other things:

The book *Evel Rabbati* has great importance, since it presents us with first-hand evidence of practices, that were common in the communities of fourteenth-century Provence, and that relate to the event of any person's death in general, and to the case of Esther, the daughter of Ya'aqov, in particular.⁴

Evel Rabbati was indeed written in the city of Avignon in southern France, but it is difficult to define the practices described in it as exclusively those of Provençal communities. First of all, Ya'aqov ben Shelomo is not a Provençal Jew, but belongs to those who were expelled from northern France, where he had gained some of that education that his deceased daughter also absorbed. Secondly, the daughter's names also testify to the French origin of this man.

³ R. W. Scribner, 'Elements of Popular Belief', in *Handbook of European History: 1400–1600 Late Middle Ages, Renaissance and Reformation*, ed. by T. A. Brady, Heiko A. Oberman, J. D. Tracy (Leiden: Brill, 1994–95), pp. 244–49; P. Ariès, *Western Attitudes toward Death: From the Middle Ages to the Present* (London: Boyars, 1974; repr. Baltimore: The John Hopkins Press, 1990), p. 12; R. Barkai, 'A Medieval Hebrew Text on the Death of Children', in *Women, Children and the Elderly: Essays in Honour of Shulamit Shahar*, ed. by M. Eliav-Feldon, Y. Hen (Hebrew; Jerusalem: Shazar Center, 2001), pp. 76–84 (includes an edition of Paris, Bibliothèque Nationale de France, Ms. Heb. 733, 61r–67r).

⁴ Barkai, 'A Medieval Hebrew Text' (see n. 2 above), p. 71.

The names given in a such family are not only names that commemorate a deceased relative, but also those that point to the social identity of the people who applied them to their descendants. One of the names in this testament is Yentish, a clearly Ashkenazi name, and the dying daughter's other name is Trina, which is also an Ashkenazi name. These are Ashkenazi names that occur frequently in memorial books of Ashkenazi communities in this period.⁵

The conflict between the essay's writer and those who indulge in polemics is not uniquely Provençal in this period. It is a conflict that is represented among many of the leaders of the period, the most prominent among them being Yom Ṭov Lipman from Muelhausen, undoubtedly an Ashkenazi scholar. Another example of this conflict may be found in Shim'on ben Shemuel, the Ashkenazi author of the kabbalistic essay, *Hadrat Qodesh*, who struggled against the philosophers and 'scholars of nature'. Furthermore, in his essay (*Evel Rabbati*) the father describes the large crowd of people who came to be with his daughter in her last hours, a crowd ['standing in the gallery']. The custom to stand while a person is dying is an Ashkenazi one that is echoed in the customs book of R. Shalom of Neustadt, one of the most prominent leaders of Ashkenaz in the period following the Black Death. Some of the practices mentioned in the testament cannot be regarded as Provençal, since they were not familiar in that region.

According to her testament, Esther wished to take to her grave her scarf and her wedding ring. This reflects the burial practice that was followed in Ashkenaz during the period that preceded the Black Death, a practice rejected by the Sefardi tradition that influenced the Provençal Jews. Furthermore, in the period that followed the plague, many Ashkenazi women asked to be buried with items very similar to those requested by Esther, the daughter of R. Ya'aqov (as we shall later see).

Before dealing with her requested manner of burial, we should take note of the fact that Esther wished to be buried with her scarf. The scarf and the girdle (belt) are items known from the Ashkenazi *Sivlonot* practice, according to which, a day before the wedding, the groom sends his first gift to the bride through the rabbi or one of the community leaders. This present was known as *Sivlonot*, and usually comprised several items, such as a scarf and a girdle. I am not suggesting that the *Sivlonot* was practised in southern France, but the choice that Esther made, to be buried with her scarf, has a particularly Ashkenazi flavor. The girdle had another function in Ashkenaz, that is detailed

5 S. Salfeld, *Das Martyrologium des Nürnberger Memorbuches* (Berlin: Leonhard Simion, 1898), pp. 73–77; S. Cooper, 'Names as Cultural Documents', in *These are the Names*, ed. by A. Demsky and J. Tabory (Hebrew; Ramat Gan: Bar Ilan University, 2000), pp. 13–22.

below. Thus, one cannot regard these practices in general, and certainly not her request to be buried with her ring and scarf, as particularly Provençal wishes, and distinct from Ashkenazi ones.

The essay *Evel Rabbati* goes further and reports additional wishes expressed by Esther:

Indeed you will cry for Sarah, my lady, my sister, the fairest among women, my dove, my undefiled one. Beside her, make a place to bury my body, because she taught me knowledge. And you, my father, please take from me my rings, that are on my fingers. They should be removed so they do not fall or get lost, and so that you do not suspect any innocents, while everybody cries aloud like the Philistines. But on my small finger, leave the ring with which my husband married me and designated me as a married woman among women. This you will do, and furthermore, put the pure turban on my head, to serve as an example, and as a good omen for the life of my man, my husband.

Esther presented several requests, some to her family members and the people who were close to her, and some of them direct orders referring to her burial. For our historical purposes, the important thing is that she expressed not only a wish about where to be buried and next to whom, but also, and more significantly, what she chose to take with her to her grave. The headgear, ‘the pure turban’ and the wedding ring, both obviously symbols of her married status, and her adherence to the *mišwot*, are to accompany her to her grave. Esther is an example of an educated, medieval Jewish woman. Her father also wrote that his daughter ‘knew how to read the Bible, ואחד תרגום, שניים מקרא, and eloquently to pronounce the verse with its accents and vocalization without stammering’. The fact that Esther was an exemplary scholar supports the assumption that she used in her testaments phrases that originated from the talmudic and midrashic sources, and this has profound meaning, given that her father appears to have quoted her actual words. Thus, when she instructed him, ‘on my small finger, leave the ring’, Esther knew that the phrase ‘on my small finger’ was familiar to a medieval Jew as an allusion to the strict practice of menstruation rules by the Jewish woman. Thus, according to a talmudic and midrashic legend, when a God-fearing man died and his wife expressed her resentment at his death, the prophet Elijah appeared to her, to address her distress. She emphasized to him that during her menstrual periods, her husband had not touched her ‘even with his *small finger*’. When the profundity of the phrases is understood, it becomes clear that Esther takes with her objects that testify to her careful fulfilment of her religious obligations as a woman.

There are further examples from Ashkenazi areas of women who wished to take with them on their last journey some meaningful items. The collection *Leqet Yosher*, written by a disciple of R. Yisrael Isserlein, Yosef ben Moshe of Münster, contains the following paragraph, reporting a similar female practice:

An important woman died, and some of her household members said that they heard her voice in her room, and said that this was because she had ordered in her will that her hair, which she kept concealed all her life, as something that was part of her own body, should be buried with her. The 'Gaon', may he rest in peace, ordered that the hair that she had kept should be buried within her tomb, at a depth of a hand-fist below the ground, and this event took place thirty days after her burial.⁶

Some details of this event require further clarification. Firstly, the reference to her having concealed her hair 'all her life' probably means that she had done so since her marriage. In addition, there can be little doubt that this woman, like the one mentioned in *Evel Rabbati*, belongs to a social elite ('an important woman'), of religiously educated, strong-minded and influential Jewish women (further discussed below). Presumably, her family members had not initially carried out her request, and thus her ghost returned home. This incidentally reveals a belief, common at that period and shared by Jews and Christians, regarding ghosts and demons. The origin of the custom of a 'watch night', dedicated to the study of Torah on the night before a baby's circumcision, may be traced to the popular belief that on this night the demons might harm the baby. The belief in demons and angels was at that period so strongly rooted among the Jewish public in Ashkenaz, that many Jews, when they wished to execrate someone, did not refrain from cursing the victims by employing the names of angels of destruction who are not at all known in the Jewish tradition. Güdemann has drawn attention to the central place occupied by demons and the fear of ghosts in the Jewish-Ashkenazi culture of that period. Elisheva Baumgarten, too, has referred several times to the influence of popular beliefs in demons, witchcraft, and hobgoblins, and their impact on the formation of birth rituals in the thirteenth and fourteenth centuries.⁷ Such a popular belief is echoed in the paragraph just cited, since after her death 'they heard her voice in her room', and this was clearly understood to be an angel or a demon

⁶ *Sefer Leqet Yosher le-Rabbi Yose bar Moshe; kolel minhagim pisqei halakhot we-teshuvot shel ba'al Terumat Ha-Deshen, heleq Yore De'a*, ed. J. Freimann (Berlin: Mekize Nirdamim, 1904), p. 82:

פ"א מת' אשה חשובה ואח"כ אמרו מקצת בני ביתה ששומעים קולה בחדר שלה ואמרי' שהוא מחמת זה שצותה לקבור עמה שער שלה שגנזה כל ימיה מה שבאה מגופה וא' הגאון ז"ל קברו שער שלה שגנזה בתוך קבר שלה למטה מן הקרקע טפח וזה המעשה היה לאחר ל' יום לקבורתה.

⁷ M. Güdemann, *The Tora and Life* (Hebrew; Warsaw: Ahiasaf, 1896) p. 84; M. Güdemann, *Geschichte des Erziehungswesens und der Cultur der abendlandischen Juden, während des Mittelalters und der neueren Zeit* (Wien: A. Hölder, 1880), pp. 199–227; E. Baumgarten, *Mothers and Children: Jewish Family Life in Medieval Europe* (Hebrew; Jerusalem: Shazar Center, 2005), pp. 143–55; E. Baumgarten, *Mothers and Children: Jewish Family Life in Medieval Europe* (Princeton: Princeton University Press, 2007), pp. 126–38.

who was delivering her message, and her opinion that the separation from her would not be complete until her request had been fulfilled. As far as a relationship between the living and the dead is concerned, the story describes the woman's return to her home after her death. The 'Gaon' (R. Yisrael Isserlein) ordered the opening of her tomb, thirty days after the burial, and the burial of her hair, as she had requested.⁸ The pattern that we earlier identified is here repeated and we again encounter a woman who wishes to be buried with an object that symbolizes the fulfillment of her religious obligations to her husband and her God. Again, a rabbinic order is issued to complete the burial and the separation process, that would be deficient without the addition of this object.

Note should be taken of the complexity of the event under discussion. The household members of this deceased woman were trying to make a clear separation of the living from the dead. They felt uneasy about the dead still being among them, as evinced by the sound of her voice in the room. The rabbinic solution was intended to prevent her return to the living environment, but at the same time contributed to a blurring, albeit temporarily, of the border between the living and the dead, precisely the border that the family of the woman wished to delineate. This blurring of borders is exemplified by the opening of her grave, and by the surviving family endowing the dead woman with a gift after her burial. These measures clearly meet the requirements of Arnold van Gennep's definition of an action that blurs the borders between the living and the dead, and disturbs the peace of the dead.⁹

Another example of a woman who wished to take with her to her grave a meaningful object, is given by the 'Mahari'. R. Yisrael Bruna describes an event that occurred in Regensburg, where he served as a rabbi. The event occurred on *Ḥol Ha-Mo'ed* (intermediate days) of Sukkot (Tabernacles), 'when Rabbi Yiṣḥaq Dinar died', and the report is mainly concerned with the Jewish religious laws concerning burial during *that semi-festive period*. In passing, R. Israel Bruna provides us with the following details:

And the Jews dug the grave, though Gentiles could have done it. And when they were intent on burying her in the grave, they clothed her with a girdle. Afterwards, they found her own girdle that she had herself made so that she could to be clothed with it after her death. Some wished to cut off the girdle and clothe her with her own girdle, and some objected, arguing that the custom was to put her girdle in the grave too, and so they did.¹⁰

⁸ *Leqet Yosher, Yore De'a*, p. 100.

⁹ A. van Gennep, *The Rites of Passage* (London: Routledge, 1977), p. 165.

¹⁰ Yisrael Bruna, *She'elot u-Teshuvot*, ed. M. Hershler (Jerusalem: Tif'eret Ha-Tora, 1960), no. 191:

היהודים חפרו הקבר אע"ג שהיה אפשרי על ידי גויים. וכשצו לשומה בקבר הגררה בה"א

Here again we encounter a woman who had previously prepared a girdle for her burial and wished to be buried with it. The items that people took with them to their graves had meaning. In Ashkenaz, the girdle of the woman was a gift, or a part of the *Sivlonot* gift, that the groom gave the bride before the wedding, and that has already been described earlier in this study. When the gift was given to the bride, the person who gave it to her said, 'Listen, o bride; the groom has sent you this (gift) to be yours after the wedding and not now.' The girdle was, then, the first gift that the bride had received from her future husband, even before the wedding ring, and this gift represented the first act that symbolized the connection between the two.¹¹

The customs book of Yuspa, the beadle of the Worms community (1604–1678), carefully documented many communal practices, in order to ensure, among other reasons, their proper maintenance. The *Sivlonot* custom is there dealt with at length, as the first step in making the process of marriage a public one through the first gift given to the bride by the groom. The woman in our story chose to take with her on her last journey this first expression of her marriage and her loyalty to her husband.¹²

It should also be noted that the girdle had another function. In the Middle Ages, Jewish women believed that they could prevent harm coming to them during pregnancy and birth – processes that often involved popular beliefs – by carrying with them talismans and stones that allegedly had special magic powers. Some of the women wore their husbands' belts, and wrote on them spells and magical words that were meant to prevent abortions. This practice was also common among Christian women. In addition to indicating that spontaneous abortions were very common at that period, such a practice also supports our thesis that the woman's girdle could then have religious and cultural significance.¹³

ואח"כ מצאו חגור שלה שעש' לה לעצמה לחגר בו אחר מיתה, יש שרצו לחתוך חגור זה ולחוגרה בחגור שלה, ויש שמיחו ואמרו שנוהגים לשום חגור שלה גם כן אצלה בקבר וכן עשו.

11 Moshe ben Yiṣḥaq Mintz, *She'elot u-Teshuvot Rabbenu Moshe Mintz*, ed. by J. S. Domb, 2 vols. (Jerusalem: Mekhon Yerushalayim, 1991); M. Güdemann, *The Tora and Life* (see n. 6 above), pp. 96–97.

12 Yosef ben Shelomo Colon ('Maharik'), *Teshuvot Maharik* (Jerusalem: Mekhon Yerushalayim, 1984, p. 215).

13 C. Rawcliffe, *Medicine and Society in Later Medieval England* (Gloucestershire: A. Sutton, 1995); M. Klein, *A Time to be Born: Customs and Folklore of Jewish Birth in Israel* (Philadelphia PA: Jewish Publication Society, 1998), pp. 90–3; E. Baumgarten, *Mothers and Children* (see n. 6 above), pp. 137–38; B. Bolton, 'Mulieres Sanctae', in *Sanctity and Secularity: The Church and the World*, ed. by D. Baker (Oxford: Blackwell, 1973), pp. 77–95.

In discussing the status of the women in Jewish society of the thirteenth century, Elisheva Baumgarten suggests that the woman's place in public rituals and in the practice of personal *mišwot* was limited, as may be proved by a comparison of the Jewish and Christian customs relating to godparents. A similar situation applied in Christian society in the late twelfth century. It may be that the examples that we have examined, in which women made demands as to the way they should be buried, reveal a certain change regarding the practice of private *mišwot* or customs by women. This important issue is, however, beyond the scope of the current study that is centred on the perception of death. Perhaps the fact that most of the communities in the generations following the Black Death had small numbers enabled women to make such burial requests. And it may be that this freedom was granted them only towards their deaths or afterwards.

We have dealt with three cases of women who influenced the nature of their burial by expressing an explicit request regarding the items that should be interred with them. Assuming that many requests were orally transmitted before burial, and/or that many others did not survive the passage of time, we should give such examples a wider meaning within the Ashkenazi Jewish community of the fourteenth and fifteenth centuries. In the halakhic literature from this period, we encounter numerous cases of women with a high scholarly status and treated as such by society. These examples may serve as partial evidence relating to the overall scholarly status of Jewish women in the period under discussion. Thus, for example, we find that Rabbi Isserlein's daughter-in-law studied Torah with a scholar, and that his wife (Schöndlein) wrote an answer to a question concerning religious rules relating to women. There are also testimonies relating to women who wore a *ṭalit*, and to a woman who funded a Jewish school. When she died and was being laid to rest, *yeshiva* students studied Torah at the same platform on which her body had been purified for burial as a token of respect for her. In written testimonies of the period there are references to women who independently donated money to the poor of Jerusalem, with no mention of any man making the donation with them. There is also an example of a later continuation of this trend, when a woman, at the turn of the fifteenth century, taught Torah to 'learned students', with a curtain separating her from them.

This period is also witness to an attempt by Ḥayyim Šarfati to compose a book on 'female purity' in German, an initiative that was set aside due to the severe objections of the 'Mahari'. Nevertheless, the attempt itself testifies clearly to the fact that women were interested in knowing the religious rules concerning menstruation but found it hard to understand them in the Hebrew

language.¹⁴ Further evidence of the difficulty that Ashkenazi women had with Hebrew may be found in the letters of appointment carried by the messengers whose mission was to bring the soil of the Holy Land (for burial purposes too) to the Diaspora. These letters of appointment included official appeals for donations made by the Jewish community in the Holy Land to the communities abroad. All these documents, whether they were sent to Europe, Eastern Europe, North Africa, or Yemen, were written in Hebrew. But in 1650, the Ashkenazi women from Jerusalem sent an epistle to the Ashkenazi women of Germany, appealing for support. This epistle is the only letter of its kind that is not written in Hebrew that has survived to this day!¹⁵ This letter attests to the existence of an Ashkenazi community in Jerusalem, and to the fact that other women, in far away communities, were capable of collecting donations (in forms of sisterhood). But more than that – it represents further evidence of the continuing difficulty (since the time of Ḥayyim Şarfati, in the mid-fifteenth century) that some Ashkenazi women had in understanding the Hebrew language.

In sum, close examination of the religious behaviour of women in early Ashkenazi society is historically informative, testifying as it does to the dynamic nature of their religious practices and to the way in which they were influenced by external as well as internal factors.

¹⁴ S. J. Spitzer, 'Rabbinical Leadership in South Germany and Austria at the Beginning of the 15th Century' (Hebrew), *Bar Ilan* 1960, pp. 267–79; I. J. Yuval, *Scholars in their Time: The Religious Leadership of German Jewry in the Late Middle Ages* (Hebrew; Jerusalem: Magnes Press, 1988), pp. 311–18; A. Grossman, *Jewish Women in Medieval Europe* (Hebrew, Jerusalem: Shazar Center, 2001).

¹⁵ A. Yaari, *Sheluḥei Ereṣ Yisrael* (Hebrew; Jerusalem: Mossad Harav Kook, 1951), pp. 8–91.

